

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 Auditorium at 300 Center Drive, Riverhead, New York on June 7, 2006 at 12 P.M.

PRESENT:

John Caracciolo, Chairman (Huntington)
Charla Bolton (At Large)
Mary Daum (At Large)
Adrienne Esposito (Village 5,000 & Over)
Jesse Goodale, III (Riverhead)
Linda Holmes (Shelter Island)
Constantine Kontokosta (Village 5,000 & Under)
Edward Pruitt (Brookhaven)

ABSENT:

Louis Dietz (Babylon)
Donald Fiore (Islip)
Sarah Lansdale (At Large)

ALSO PRESENT:

Thomas Isles - SC Director of Planning
Carrie Meek-Gallagher - SC Asst. Director of Planning
Andy Freleng - Suffolk County Chief Planner
Claire Chorny - Suffolk County Planning Department
Chris Wrede - Suffolk County Planning Department
Christina Farrell - Suffolk County Attorney's Office
Ted Klein - Suffolk County Planning Department
Peter Lambert - Suffolk County Principal Planner
Anthony Tohill - Attorney for Oakland Farms
Terrence Pearsall - Chief of Staff to P.O. Lindsay
Mike Cavanaugh - Aide to P.O. Lindsay
Tom Neely - Town of Southampton

Minutes taken by:

Diana Krauss

Transcribed by:

Eileen Schmidt

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

CHAIRMAN CARACCILO:

Good afternoon everyone. The Suffolk County Planning Commission regular meeting is now in session. Could we all please rise for the Pledge. Commission Holmes could you lead us, please.

SALUTATION

CHAIRMAN CARACCILO:

Thank you. Commissioners if we could just pull our mikes in front of us and make sure they are all on. I know Claire would be very much appreciative of that. That's the switch right on the top. We don't have minutes completed so we'll skip over that one and go right into the public portion of the meeting. We have one speaker Mr. Tohill, attorney for Oakland Farms, sir. Good morning.

MR. TOHILL:

Good morning everyone.

CHAIRMAN CARACCILO:

Good morning.

MR. TOHILL:

Thank you for recognizing me. My name is Anthony Tohill I'm an attorney. I practice at 12 First Street in Riverhead, New York and I'm here to speak on behalf of the Oakland Farm matter which is on your agenda today.

This property is located immediately south of the Westhampton Air Base; that's an area that has a number of residential subdivisions. And during the last 30 plus years to my personal experience you have reviewed and approved everyone of those subdivisions without exception. They're all built out; some of them at least three of them are contiguous to the property that we're talking about today. What I'm inviting is some concern on your part as to how this subdivision would be treated differently given that history of prior approvals.

I also would mention to you that in approving each of the nearby adjacent or contiguous prior subdivision applications you relied upon and you cited Paragraph E of Chapter 8 of the guidelines of the County Planning Commission guidelines. They have not changed through all of those years that I have just mentioned. They're always the same and every subdivider is required to file a covenant imposing upon each property owner a noise attenuation standard of construction, brick, heavier glass, heavier roof that type of thing. So that what's happened then is that by guideline and expressed written guideline, Paragraph E of Chapter 8 of the guidelines in by actual practice you as an agency of government have established a very clear policy. And as an agency of government you know that it would be inconsistent with any form of best practice

or expectation of fair treatment that you would change the policy without changing the guideline or without going through some process or drill that is not taken place that I know of with respect to this particular application.

What's happening here is that the County Executive has created a committee that met within the last year; it's a new committee and that committee has an agenda which is to resist residential development around the air base. Not because of the air base which should have been their agenda, but instead because it's residential development. No one should be used and no one should be surprised than you lest of all would take kindly or with understanding to being used or surprised and so let me mentioned something to you. Within this week and within 72 hours of today as I speak to you now James Morgo who is an important person with respect to housing and planning in this County and has been for most of those 30 years to my personal knowledge and a gentleman with a sir name Koppelman; a name that all of us know for all of that time and before met with the Village of Westhampton Beach Trustees which is adjacent to where this property is located urging the consideration, the approval consideration of a densely developed affordable housing project. Not at the end of this runway that we're talking about today which is 19, but instead at the end of the principle runway of the air base so that if this board as this agency were asked to do something in the nature of a disapproval of Oakland Farms today you're going to see my bright shining face back at this podium when that application comes along because I represent that property owner as well and we're aware of exactly what happened during that meeting.

And so government shouldn't be this inconsistent; poor people, affordable housing shouldn't be treated differently, that's not what any of us is about. This is not a poor people or affordable housing subdivision that I'm here on today Oakland Farms. It will be at a later time; this is a separate section, but that's not the issue that's here today. What's here today is that that committee that you know about has articulated an agenda which is not within the proper scope of their committee function and they have --

CHAIRMAN CARACCILO:

Mr. Tohill you're out of time so I'm just going to give you the courtesy to wrap up a little bit, okay.

MR. TOHILL:

Thank you. I'm going to hand up to the clerk right now a form which is an FAA notice of proposed construction alteration. You're going to hear about this. I ask that you please read it; it does not deal with residential subdivisions at all and it is exempted. This residential subdivision is exempted from that. I'm going to hand up the regulations, the federal regulations and most importantly I'm handing up a series of photographs. They show that between the air base the end of the runway and this subdivision separating them is a line of high tension wires. Those high tension wires are higher than any house can be built under the town

code as a result there is no FAA referral because it's exempted because there's an impediment or a barrier that's higher than the houses would be. And so I'm asking that there be a lot of honesty in dealing with this particular application and I'm telling you that there has not been so far. Thank you very much.

CHAIRMAN CARACCILO:

Thank you for your comments Mr. Tohill, I appreciate your coming down. Moving on to the Director's Report. Mr. Isles.

MR. ISLES:

Mr. Chairman, I know we've got a full agenda today so I'll try to be as brief as possible with giving you the report for this month. Number one, I'll point out to you that Commission Lansdale was unable to attend and gave prior notice to the committee. She did ask that I circulate to you a notice of a meeting, a conference coming up by her organization, Sustainable Long Island, that is scheduled for June 9th a copy of the announcement is in your package. And she's indicated that any Commissioner who would like to attend will do so as a guest of Sustainable Long Island.

Secondly, I'd like to just give you a couple of matters of business to make you aware of; it has been my practice to keep you posted on meetings on Long Island Regional Planning Board. The next meeting is scheduled for June 20th at the Dennison Building in Hauppauge in the County Executive's conference room. A particular note in this meeting is that the Regional Planning Board which is as you know a new board in terms of the voting membership is looking to get an update or get an understanding of the planning structure in Nassau and Suffolk County. So both County Planning Departments will be giving a presentation about planning structure which certainly this board is aware of. We'll also have a structure of comments from the towns as well. So certainly any member of the Commission is certainly welcomed to attend that meeting. It's at 10 a.m. in the morning by the way.

I'd also like to bring to your attention several meetings regarding the County's land holdings in Yaphank. I have kept you posted on the fact that the County Executive has called for an exploration of ideas for certain properties that maybe considered vacant in Yaphank owned by Suffolk County. We did solicit those ideas and a request for expressions of interest that were received on May 1st and there is a community advisory board that has been into effect and there for the purpose of assisting the County with the public outreach and also with making a recommendation to the County Executive and the Legislature. In that regard the committee will be hearing presentations by the eleven proposes next week at two meetings to be held on June 12th and June 14th. So they're each an hour so we're having eleven hours of presentations over the course of those two days. Those meetings begin, the Monday meeting begins at 2 o'clock and it runs to 7 o'clock. The Wednesday meeting begins at 1 o'clock and extends through till 7 o'clock as well. Those meeting are open to the public, but here again they're

primarily for the intention of the committee hearing the specific ideas from the responders.

We have scheduled a public meeting for June 28th which will be an open house where all of the proposals will be spaced around the auditorium at Longwood High School. The public will then be given an opportunity to get an orientation session to the process, to view the proposals and to put comments on the record as well as written comments that they may want to provide. Each Commissioner will be getting an invitation to that event by early next week to give you all the details if you would like to attend that event.

Speaking of Gabreski Airport there is a -- the Town of Southampton has submitted to the Commission a proposed master plan update for the airport planned development district. The staff is beginning the review of that; there is a public meeting that the town will be holding on June 27th in the evening of June 27th, but it's expected that we will probably be bringing this to you at the meeting in July and we'll probably ask the Commissioner of Planning in the town to attend that meeting as well. We'll keep you posted and we'll confirm with you obviously the exact scheduling.

To bring you up to date on two matters that directly affect the Commission regarding recent legislation approved by the County Legislature and the County Executive. I previously have spoken to you on both of these items; in late of last year the end of last year the Legislature approved a bill sponsored by the County Executive to clean up County law regarding referral process to the County Planning Commission by conforming County law to General Municipal law. What happened over the years is that General Municipal law had been modified and County law was not updated concurrent with that; so we are now up to date and the reason that there have been such a lack on this is, here again, was approved in December is that it required a filing with the Secretary of State which actually didn't actually occur until May 18th when it finally got through that whole process. So that law now is in effect and essentially what it requires it makes more explicit in terms of the conformity with state law is that as you know the Commission has referral jurisdiction within 500 ft. of a municipal boundary, within 500 ft. of a coastal location and so forth. It now makes explicit that that also applies to agricultural districts of which there are in excess of 10,000 acres of agricultural district in Suffolk County.

So any application within an Ag district within 500 ft. would have to come to the County Planning Commission. It would also apply to -- it also makes clear that site plans are subject to review by the Planning Commission as well. And here again, this is a case where this was explicit in state law, but was not mentioned in County law so that that's now occurring. We expect that that's going to significantly increase the number of applications that come through the County Planning Department and ultimately the number that come to the County Planning Commission, but that will start ramping up at this point in time.

The second bill just to mention as well and here again, this is something you're familiar with is what's known as Introductory Resolution 1354. There's been recent media coverage on this bill; it was approved by the Legislature and I believe is pending signature of the County Executive. What this bill requires as far as the County Planning Commission is that any application for commercial development in excess of 25,000 sq. ft. that comes in within 500 ft. of a municipal boundary the Department is required to notify the applicant that they must then notify all residents and businesses within a thousand feet of the application and the Planning Commission meeting date. So we are going to put into effect and probably come back to you with amended by-laws to reflect the procedures to implement this once we get the date certified with the Secretary of State. Then also we will be making outreach to the town planning departments to help them in interpreting and actually implementing this requirement.

And then just two other finally points here again, understanding we have a lot on the agenda today; we have -- the Planning Department staff has been working on updating the guidelines to the Planning Commission. What I'd like to do is to work with the Commission on actually going through the draft guidelines and then present that to you for your consideration at a future date. What I'd like you to think about is between now and the next meeting if there are some members of the Commission who would be interested in serving perhaps as a sub-committee of the Planning Commission to work more closely with the staff as we go through the guidelines. The guidelines are obviously very important; they really become the basis on which obviously your policy decisions are made as well as the procedures, as well as the Department's threshold for what application comes to the full Commission, what application is deemed to be a matter for local determination. So we'll get the healthy practice to go through that periodically and we'd like to, you know, solicit your involvement in that perhaps getting some names in July if the Commission so desires.

And then speaking of the July meeting it has been the practice of the Commission to during the summer months to try to get around to different parts of the County. We have made arrangements as a suggestion to you for the July meeting to have the meeting at Southaven County Park and this is a County park that is on the Carmen's River corridor. There's a lot going on with that in terms about County projects, state projects, fish ladders; we're proposing a feasibility study to consider the restoration of the Robinson Duck Farm which is a County park next to the Wertheim Wildlife Refuge. So with your consent then what we'd like to do is to confirm that; we'd have the meeting at the regular time which would be 12 o'clock on July 5th and then here again just host the meeting at that location. Certainly, if you have any other ideas we would be happy to consider that as well and then further we're also looking at opportunities for the August meeting. I have spoken to one Commissioner about a possible location in the East End and we'll certainly explore that further and get back to you. So that completes the updates to the Commission at this time Mr. Chairman.

CHAIRMAN CARACCILO:

Thank you. And if we could be very conscious about the July 5th meeting and make sure we all mail our cards back to Claire so we can just make sure that we the proper about of people here so we don't have to cancel the meeting because that's a tough week I think.

MR. ISLES:

Thank you.

CHAIRMAN CARACCILO:

Okay. So if it's okay with the Commissioner's I'd like to just move the agenda around and we'll come back to the Commissioner's Roundtable since we have such a long agenda and a packed list today. Let's just get right into business; is that okay with everyone? Okay. So why don't -- Andy you begin with Section A14-14 to 23.

MR. FRELENG:

Good afternoon members of the Commission. (inaudible) --

CHAIRMAN CARACCILO:

We would never un-notice you.

MR. FRELENG:

Thank you for being here. The first regulatory matter before the Suffolk County Planning Commission comes to us from the Town of Brookhaven. This is the application of Steve Scerri otherwise referred to as A Space Place. Jurisdiction for the Commission is that the subject property is adjacent to the Long Island Expressway which is New York State Rte. 495. The applicants seek Town Board Special Permit approval for a mini-storage facility on property totaling approximately 1.2 acres of land.

The parcel is located on the south east corner of the Long Island Expressway which is New York State Rte. 495 as said that is the service road of the Long Island Expressway, I'm sorry, and Oregon Avenue which is a town paper street in the hamlet of Medford. A review of the character of the land use and zoning pattern in the vicinity of the subject property indicates that the parcels in a corridor of mixed zoning predominately Light -1 Industrial with some parcels of CR Commercial and A-1 Residential. The subject parcel is bound by the Long Island Expressway Service Road to the north. To the east and west the property abuts vacant land and to the south is a partially improved L-1 zoned parcel with a one-story industrial office building. If we take a look at the air photo you can see that and it's mostly vacant land. Okay. I thought we resolved this technical difficulty, but the pointer is not working. Okay, so mostly vacant land LIE South Service Road which is a eastbound service road and this industrial piece to the south. This is the abandon movie theater. Okay.

As indicated the applicants are seeking Town Board Special Permit approval for a 7,750 sq. ft. two story mini-storage building on approximately 1.2 acres of land. The petitioners are also seeking variances for a lot area where they're requesting permit to build on 52,000 sq. ft in a zone requiring 120,000 sq. ft. The percent lot area deficiency is approximately 56% of the minimum lot area of the zone. In addition, the petitioner is requesting front yard setback variances for parking of 30 ft. where 50 ft. is required; building front yard setback of 50 ft. where 100 ft. is required and a floor ratio of 40.3% where 30% is the limit under town zoning law. They're also asking for relief from landscaping buffering requirements for 30 ft. where 50 ft. around the property is required.

Access to the proposed development is to be from the unopened town street, Oregon Avenue that would be opened by the petitioner. There is no cross access proposed between this parcel and parcels to the east or south also zoned L-1 Industry.

The 1996 Town of Brookhaven Comprehensive Plan recommends Industrial for this strip of the LIE Service Road. The subject petition would be in conformance that is it would be in conformance with the recommendation of the plan in so much as the proposed use is a legitimate special permit use under the town zoning law for the zoning designation. It's the belief of the staff that the petition is an unwarranted over-intensification of the use of the premises. Granting the Special Permit would cause Area Variances of a substantial nature that is a 56% area variance. A dimensional setback variance of 50% or more. Moreover, the petitioner does not provide information or that information has not been sent to the Suffolk County Planning Commission as to why the site cannot be reasonably developed in accordance with existing L-1 Industrial zoning district. I just want to say as an aside the minimum lot area for this parcel is going to be a problem for any proposed use because the minimum lot area is I think I said 100,000 sq. ft. where this is much less is 120,000 sq. ft. where this parcel itself is 52,000 sq. ft. However, the staff does believe that you could put a use on this property and not need so much of the other variances involved, the setbacks, the buffering.

So staff believes that this is an over-intensification of the use of the premise and staff is recommending disapproval for the reasons indicated in the staff report and itemized below. The first being that it constitutes the unwarranted over-intensification of the use of the premise. The sufficient information has not been submitted to demonstrate compliance with the applicable variance criteria. In other words, they have to indicate their hardship; they have not done that. The third reason for disapproval would be that it would tend to tend to substantially undermine the effectiveness of the zoning ordinance. Fourth, it would tend to establish a precedent for further such land development patterns in the locale and throughout the town. And finally, the premise could be reasonably developed in accordance with existing L-1 Industrial District requirements. And

the comment which follows is from the staff report and it just indicates the rationale for the disapproval. That is the staff report.

CHAIRMAN CARACCILO:

Thank you, Andy. Any comments or questions from the Commissioners?

MS. BOLTON:

Andy --

CHAIRMAN CARACCILO:

Just speak into the mike.

MS. BOLTON:

Sorry. This is an application which has no impact on people meaning the fact that it doesn't meet the setback requirements. And the fact that it's very near the Expressway obviously, really don't have an impact since it's a use which, you know, isn't where for example they're no offices there or anything like that. So I'm wondering if, you know, given the fact that this is a non-conforming parcel and this is a special permit use. Why this really, I mean, I can't think of a better use because it doesn't as I said, you know, if you develop it industrially you have people actually working there and there's more impact on those people than there would be if this site were developed this way.

MR. FRELENG:

Well, staff would agree that this use is relatively low intensity use for the site. However, staff does believe it's developed to the extent that they require so many variances it's over-intensification they could reduce the size of the new storage building. They could propose another use which would be a low intensity office use which would not require so many variances. And finally, the staff holds the Commission standards to make it a high bar and this project does run afoul of the intensity standards if you will in general and staff is recommending disapproval.

MS. BOLTON:

So is it possible that we could send back an additional comment saying that if the site, in other words, it's not so much the use as the size of the application?

MR. FRELENG:

If that's the pleasure of the Commission we could certainly add that comment.

MS. BOLTON:

And that, you know, that the square footage could be reduced and therefore --

CHAIRMAN CARACCILO:

Okay. Is everyone okay with that comment? Commissioner, pull that wire.

MS. ESPOSITO:

I was just going to concur with what you said that was my first instinct also is that this is such a -- its the lowest impact use I could think of any kind of commercial even if it was residential or industrial properties. It's also in Hydrogeologic Zone III so you don't want, which is a sensitive groundwater area; this would have no impact on that area at all. Clearly, we wouldn't want something that would need to increase or need to have its own sewage treatment plant there. So there are a lot of advantages to this type of facility being placed in this type of area so I think that that would be very important condition to add to the one that you're bringing up Commissioner.

CHAIRMAN CARACCILO:

All right Andy, could you put a comment about the size of the facility? Would that be good, Commissioner?

MS. BOLTON:

Yes.

CHAIRMAN CARACCILO:

Yes, reducing the size of the facility would?

MS. BOLTON:

Would make it a more desirable situation for this site and I mean, I don't how to make it clear that, you know, because it's otherwise a reasonable use for the site.

MR. ISLES:

Mr. Chairman -- did you have a comment Claire?

MS. CHORNY:

Yes, I like to make a request because Eileen isn't here taking the minutes and she will be taking from a tape if you could just say your name before -- try.

CHAIRMAN CARACCILO:

Absolutely.

MS. CHORNY:

Thank you.

CHAIRMAN CARACCILO:

Our voices all sound the same on tape.

MS. ESPOSITO:

Except for mine.

CHAIRMAN CARACCILO:

Okay, so we'll put a comment in about reducing the size it would make it a more attractive application Andy, if that's okay with you.

MS. HOLMES:

And are we emphasizing, Commission Holmes, are we emphasizing your comment that they have not submitted information as to why they believe they need something this size. I mean, its part and parcel with --

MR. FRELENG:

Well, we wouldn't take that out.

MS. HOLMES:

Yeah, no, we would leave that in, but that maybe in the Commissioner's comment we could refer to their considering reducing the size since they have not shown any information to us why they need something this large.

CHAIRMAN CARACCILO:

Thank you Andy. A motion is in order and a motion to accept the staff report.

MR. PRUITT:

A motion to accept the staff report from Commission Pruitt.

CHAIRMAN CARACCILO:

Second?

MS. BOLTON:

Second.

CHAIRMAN CARACCILO:

All those in favor? Opposed? Abstain? So motion carries. Thank you, Andy.
(Vote: 8-0-0-3 Absent: Dietz, Fiore, Lansdale)

MR. FRELENG:

The next application before the Commission also comes from the Town of Brookhaven. This is the application of GAMA Property, Inc. The jurisdiction for the Commission is that the subject property is adjacent to New York State Rte. 25 otherwise known as Middle Country Road and the subject property is within 500 ft. of the Incorporated Village of Islandia. Just as a side note we did provide the Village of Islandia a notification that the application was received by the Commission.

MR. ISLES:

Andy, Lake Grove.

MR. FRELENG:

I'm sorry, typo. We did provide the Village of Lake Grove notification that the application was received by the Commission. The time period did expire; we did not receive any comments from the Village. The applicant is proposing -- is requesting a Town Board Change of Zone from B Residential and J-2 Business to all J-5 Business for the construction of a gasoline filling station, a convenience store and the car wash on approximately 1.77 acres of land. The subject parcel is located on the north side of NYS Rte. 25 otherwise known as Middle County Road approximately 211 ft. east of Main Avenue which is a town road in the hamlet of Centereach.

A review of the character of the land use and zoning pattern in the vicinity indicates that the subject parcel is in a corridor of improved J-2 Business zoning along Middle County Road to a general depth of about 100 ft. Behind the Business zoning the area is predominately B Residence zoning. The municipal boundary of the Inc. Village of Lake Grove is situated less than 500 ft. to the west. Freudian slip with Islandia I don't know I guess.

As indicated the applicants are seeking Town Board Change of Zone approval from B Residential and J Business to all J-5 Business for the construction of a three-island gasoline filling station, a 2,300 sq. ft. convenience store and a 2280 sq. ft. self-service car wash. The subject property associated with the petition includes two lots for a total of approximately 1.77 acres. The minimum lot size for the requested zoning category is two acres. The subject property area for the petition is 10,236.6 sq. ft. or 11.75% short of the required minimum lot area for the requested zone. The petition also requires Town Board Special Permit approval for the car wash and convenience store. Moreover the petition will require variances from the Town Zoning Board of Appeals as follows; they need a lot area variance for 10, 236.6 sq. ft. A minimum building area allowed for the convenience store and gas station is 1500 sq. ft. They need an 800 sq. ft. variance on that and dimensional variances for the front yard of 18, a side yard of 40 and a rear yard of 10. So those are the variances that they would require.

Access to the proposed development is from two curb cuts to NYS Rte. 24. And entrance only ingress is on the east side of the site and an exit only egress is on the west side of the subject property. No cross access is proposed between this parcel and parcels to the east or west to similarly zoned property. The 1996 Town of Brookhaven Comprehensive Plan recommends commercial for this strip of Middle County Road. The subject petition would be in conformance with the recommendation in the Plan, in so much as, the proposed uses, gasoline filling station, car wash and convenience store are legitimate Special Permit uses under the Town Zoning Law for the district.

However it's the belief of the staff that the petition is an unwarranted over-intensification of the use of the premises. Granting the Change of Zone would cause an area variance of a substantial nature 11.75% of the minimum lot area.

It would require dimensional setback variances of 50% or more. Moreover, the petitioner does not provide information or that information has not been supplied to the Commission as to why the site cannot be reasonably developed in accordance with the existing zoning requirements. Therefore, the issues for the Commission stem from the Commission's policies related to the over-intensification of the use of the premises and issues related to good site planning and land use.

Staff is recommending disapproval for the following reasons.

It constitutes the unwarranted over-intensification of the use of the premises. Furthermore, the premises does not comply with the minimum lot area requirements for the subject petition.

Sufficient information has not been submitted to demonstrate compliance with the applicable variance criteria.

It would tend to substantially undermine the effectiveness of the zoning ordinance.

It would tend to establish a precedents for further such land development patterns in the local throughout the town.

The subject petition is an unwarranted encroachment of commercial zoning into a residentially zoned and developed area. You can see from the zoning map and then from the site plan (to go one more Chris) that they intend to go way back into the back of the site with some of the uses.

It is the belief of the staff that the premises could be reasonably developed in accordance with the existing district requirements. That is the recommendation of the staff.

CHAIRMAN CARACCILO:

Thank you, Andy. Any questions or comments from the Commission? A motion is in order.

MS. HOLMES:

I move to accept the staff report.

CHAIRMAN CARACCILO:

I'll second the motion. All those in favor? Opposed? Abstained? Motion carries. Thank you, Andy. **(Vote: 8-0-0-3 Absent: Dietz, Fiore, Lansdale)**

MR. FRELENG:

Thank you.

CHAIRMAN CARACCILO:

Ted, you're up.

MR. KLEIN:

Good afternoon. The first application is the Map of Oakland Farms referred to us by the Town of Southampton. The property is located along the easterly side of Adam and Jeffrey Lanes, and the west side of Peters Lane in the hamlet of Quiogue. Planning Commission's jurisdiction for review is that the property is within 500 ft. of the municipal boundary line of the Village of Westhampton Beach and also within one mile of the Suffolk County's Francis Gabreski Airport. In actuality the property is within 500 ft. of the airport property and approximately a quarter mile from the end of an active runway.

The applicant is proposing to subdivide approximately 59.3 acres after the abandonment of several paper streets into 33 lots. The proposed subdivision lies within the CR-40 Residential zoning category which permits single family development on minimum lots of 40,000 sq. ft. The map is being processed as a cluster.

The proposed subdivision will create 33 residential lots ranging in size from 30,735 sq. ft. to 41,445 sq. ft. The parcel is presently vacant wood land containing approximately 5.8 acres of freshwater wetlands that runs through the center of the parcel. So I don't know if it shows up on the aerial, but this is the head waters of the Aspatuck Creek and there are other wetlands associated with right to this point about.

The applicant is proposing to dedicate the wetlands in some of the adjacent areas total 10.9 acres as open space to the Town of Southampton. Even though the applicant has submitted some general information suggesting the use of catch basins with leaching pools and utilizing the open space for stormwater drainage of a 2" rainfall they have not properly indicated on the map, specifically, the type and location for collection, retention and disposal of stormwater runoff. Could you show the map, please? The time of establishing control of stormwater runoff is when the parcel is being designed for subdivision, especially, when it is proposed on lands having steep slopes and around environmentally sensitive wetlands. Okay, you can see wetlands running through the center of the parcel. The time to establish control for stormwater runoff is when the parcel is being designed for subdivision, especially, when it is surrounded by steep slopes. Excuse me I read that already. Materials in runoff have the potential to alter wildlife environments. In major subdivisions it is felt that from the maintenance and storage capacity point of view, a recharge basin is preferable to catch basins and leaching pools for the disposal of stormwater runoff.

Access to the proposed lots will be from both existing and proposed roads. So these are the proposed roads -- these are the existing roads on this side and I'd

like to draw your attention to the proposed road that takes access from a tap street from Peters Lane. Where the access will be created from the tap street it should be a concern to the Commission because it will make several of the existing improved parcels through or double frontage lots. So these are the creation of double frontage lots which exist. This type of lot should only be created for the purpose of providing vehicular access by means of an interior roadway instead of using a busier road for access. In this case these lots pre-exist the current subdivision proposal and a buffer should be provided for greater separation between the residence and the buildings on the lots and the traffic activity on the proposed road.

Now the character of the area surrounding the subject property is predominately residential with industrial to the north. Can you go back to the aerial, please? As you can see the subject parcel is flanked on both sides by two residential neighborhoods. The Montauk Branch of the Long Island Railroad runs along the north property line and the Francis Gabreski Airport owned and operated by Suffolk County is situated a ¼ mile north of the proposed subdivision. The proposed development and the airport facility are considered incompatible land uses. One would likely adversely impact the other. The close proximity of the airport is of a significant concern.

The following comments are from Anthony Ceglio the airport manager highlighting some of the key concerns. The proposed subdivision is located approximately 1200 ft. south of runway 1-19 at the airport. Runway 1-19 is a 5,000 ft. long 150 ft wide landing strip. During the summer months the runway is primarily used by single and multi engine propeller airplanes due to its orientation and alignment with the local prevailing southerly winds. Corporate jets and aircraft also use the runway depending on the wind speed and direction. Training including military operations consisting of take offs and landings known as touch and goes are common throughout the year.

The potential height of aircraft over the proposed houses should be of some concern. Using a typical 3-degree glide-path, a landing aircraft would be at an altitude of approximately 63 ft. above the ground at the north end of the proposed subdivision. If a conventional house is 30 ft. high the aircraft will be only 33 ft. above the roof when coming in for a landing. I currently receive complaints from residents living over a mile from the end of this runway. At over four times the distance the aircraft are over 270 ft. above the ground. In addition, Federal Aviation Regulations Part 77 requires that any proposed construction exceeding a slope of 100:1 within 20,000 ft. of the runway must be submitted to the FAA for review. At 1200 ft. from the runway's end any construction over 12 ft. would trigger the review process. Those were the comments of Anthony Ceglio.

The issues raised by the airport manager make it clear that this is an application of regional concern since the airport is a County-owned facility serving both general aviation and military purposes.

The staff recognizes the land use conflicts inherent with this application. The proposed subdivision's close proximity and alignment with the actively used runway of the County Airport Facility, as well as the location near the headwaters of the Aspatuck Creek is problematic. Future residents of the proposed subdivision will likely experience noise and disturbance from the airport's operation. The freshwater wetlands running through the site could be jeopardized through pollution such as surface runoff, sanitary waste loading associated with the development with resulting negative impacts on the existing wetlands.

The referral to the Commission is for the review of the proposed subdivision map. The subject property is zoned for residential use and the map is generally in accordance with the town zoning requirements. While the department has serious concerns regarding the suitability of the site for residential use we acknowledge the zoning authority of the town and understand that the Commission is mandated to review the map in accordance with that zoning. Thus staff recommends approval with the reservations noted and with the following comments excuse me, the following conditions and comments that are deemed necessary for good planning and land use.

Condition one; the subdivision shall be redrawn so that the proposed roads along the easterly border which creates a double frontage lot condition for the existing lots to the east is laid out in such a way that it will provide a buffer area that will preserve the existing amenities of those parcels while protecting the freshwater wetlands located on the subject property.

Condition two: all stormwater runoff resulting from the development and improvement of this subdivision and improvements of this subdivision or any of its lots shall be retained within the subdivision boundaries by adequate drainage structures in a way not to cause erosion or direct discharge of runoff into the freshwater wetlands on site.

Condition three: the applicant shall be required to file a covenant and restriction prohibiting the future subdivision of the open space areas and/or they shall be dedicated to a government agency, be controlled by a homeowner's association or transferred to a bona fide conservation organization.

The town shall refer the application or cause the application to be referred to the Federal Aviation Administration for review pursuant to Federal Aviation Regulations Part 77.

All prospective owners of lots within the subdivision shall be advised that the subdivision is located ¼ mile south of the Francis Gabreski Airport and, therefore, it will be subjected to noise from the aircraft flying overhead or nearby.

Condition six: All residential structures that is erected within the subdivision shall be constructed using materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Department of Housing and Urban Development or other authorities that have established standards for reduction of interior noise levels.

Condition seven: the property owners and future lot owners of this subdivision shall be required to sign a letter of understanding and agreement that they're fully aware of and accept the fact that aircraft over flights and resulting noise. Copies of such letters shall be provided to the Suffolk County Attorney and the Manager of the Suffolk County Airport.

Condition eight: the final map of this proposed residential subdivision and all the subsequent deeds of those lots created as a result of this subdivision shall bear the following note:

This subdivision is located a ¼ mile from the Francis Gabreski Airport and will be subject to noise from the operation of that facility and noise from aircraft over flights.

Condition nine: 20% of the lots in this subdivision shall be set aside for affordable housing.

In addition, it is suggested that the following comments pertaining to this proposed subdivision be offered to the Planning Board for its consideration and use. The applicant and the town may wish to consider a reduction in on-site yield reducing the size of the lots and/or creating duplex units in order to provide a tighter cluster that would locate dwellings further away from the runway and preserve the environmentally sensitive areas on the parcel to be subdivided specifically, the steep slopes and wetlands. That's the staff report.

CHAIRMAN CARACCILO:

Thank you Tim for a very comprehensive review of the application. I appreciate it. Any comments or questions from the Commission?

MS. BOLTON:

Mr. Chairman I have two questions. Are you -- do you know whether a freshwater wetlands permit is required for this application and whether its --

SPEAKER:

Could you speak into the mike.

MS. BOLTON:

-- freshwater wetlands permit has been -- is required and whether it's been received?

MR. KLEIN:

Well, according to the map they are outside the buffer, you know, the buffer or the setbacks so they meet the setback requirements regarding wetlands.

MS. BOLTON:

Okay.

MR. KLEIN:

Yeah, they're still need a DEC permit and a town permit.

MS. BOLTON:

And they don't have those permits are you aware of that?

MR. KLEIN:

They haven't been provided to me.

MS. BOLTON:

Okay. The other is more of a statement actually, and it's regarding the impact of the airport. I know you're asking for signed letters and -- but I'm wondering if it would be a good idea to have a statement actually placed on the file subdivision map.

CHAIRMAN CARACCILO:

I think you recommended that didn't you Ted?

MS. BOLTON:

Is that one of the recommendations --

CHAIRMAN CARACCILO:

Yes.

MS. BOLTON:

-- cause I didn't see it specifically?

CHAIRMAN CARACCILO:

Yes.

MR. KLEIN:

Condition eight it will be noted on the final map.

MS. HOLMES:

Yes.

MR. KLEIN:

That the subdivision is located within a ¼ mile.

MS. BOLTON:

I apologize.

MR. KLEIN:

No problem.

CHAIRMAN CARACCILO:

Commission Holmes.

MS. HOLMES:

Commission Holmes, I share the concern that Commission Bolton has about the proximity to the airport and I'm particularly concerned with the airport manager's statement that the touch and go training which I'm very familiar with because our little teeny Shelter Island private airport. The pilots in order to keep their license updated they have to do a certain number of touch and goes every single month and they are constantly coming very close to homes that are near to that airport. And there have been numerous complaints to our town over the years about that; people don't realize how frightening and disturbing it is to have the touch and go constantly going on and it's particularly on weekends when homes tend to be even more occupied. But his concern with the fact that they would be only 37 ft. over an average size house that concerns me very much and I think I'm a little confused because I believe the applicant's attorney stated that there are already other residential subdivisions at the area. How close are those subdivisions to the airport; I think I'm confused about the placement of the other residential properties that were already approved sometime ago. They're right along side where this proposed?

MR. KLEIN:

Mmm.

MS. HOLMES:

But the airport manager indicated that people in other residential subdivisions have already complained and they planes are higher up when they come over those. I don't think I understand why they would be much higher or much lower over this proposed one. I think I don't understand that; could you enlighten me cause you visited the site?

MR. KLEIN:

Well, when airport lands and takes off there's a degree that it descends so it would be much closer to these homes than it would be if a home was a mile away.

MS. HOLMES:

It would be because the others appear to be right along side, but they're actually further.

MR. KLEIN:

No, he wasn't talking about those homes Commission Holmes; he was talking about homes a mile away. He was using them as an example.

MS. HOLMES:

I see.

MR. KLEIN:

He receives complaints from homes a mile away.

MS. HOLMES:

A mile away, what about complaints from homes in the residences that are already adjacent to this proposed subdivision? Does he mention those?

MR. KLEIN:

I have no information given to me as far as written information goes, but on my site inspection I did talk to a neighbor and they say it's constant.

MS. HOLMES:

But they live with it, you know, they've somehow adjusted to it, but --

CHAIRMAN CARACCILO:

They just don't have antennas on the roof.

MS. HOLMES:

Yeah.

MS. DAUM:

Linda if I might, I think the particular concern here is that this subdivision will be in the direct flight path of an active runway where's the others are not in the direct flight path that makes a big difference.

MS. HOLMES:

I see that's what I was -- yes, that does. Thank you. I am very weary of the approval of, but if there were a way that you felt these conditions would be met and I do not know. I think we cannot know whether the local planning board would take these into consideration and make them part of the filed map which is the only --

CHAIRMAN CARACCILO:

I also agree with you Commissioner Holmes, but this is going to go to the FAA for approval too and I think that's out of our league and if the FAA chooses to knock that down they will do so, but that is part of the requirement. Correct, Ted, that it does have to go, this application does have to go in front of the FAA for --

MS. HOLMES:

Is that what we're recommending?

CHAIRMAN CARACCILO:

No, that's part of the requirement.

MR. KLEIN:

That's a condition of our approval, yes.

CHAIRMAN CARACCILO:

But it's also part of the requirement because it's within 1200 ft. of an active runway, correct?

MR. KLEIN:

Right, but we're making the town aware of that.

CHAIRMAN CARACCILO:

Okay.

MR. ISLES:

And that's based on what Mr. Ceglio as the airport manager advised us; advised the town actually on this.

MS. HOLMES:

Really, but do I remember that the attorney mentioned that somehow they were exempted from this because of the wire barrier; that's what surprised me.

MR. KLEIN:

That's the information he provided I got different information from the airport manager.

MS. HOLMES:

The airport manager says otherwise?

CHAIRMAN CARACCILO:

I'm confident the FAA will look at this application.

MR. KLEIN:

Yeah, we're trying to facilitate that as well.

MS. HOLMES:

All right.

CHAIRMAN CARACCILO:

Any other comments or questions?

MS. DAUM:

I think that kind of covers it.

CHAIRMAN CARACCILO:

Commissioner.

MS. ESPOSITO:

I'm very concerned that the application was submitted without any stormwater control mitigation. And most applications of this size actually, and please correct me if I'm wrong, come in with those types of mitigation in place in the first place. And I think that this has slopes up to 35% I believe this proposal says is that correct Ted?

MR. KLEIN:

Yes, that's correct a small portion.

MS. ESPOSITO:

Okay, and it is on freshwater wetlands; I mean, would have preferred to see stormwater mitigation plans or stormwater capturing plans that not only where they would be located, but what type of technology would be used. Some of the newer technologies obviously, which capture the sediment before it goes into the tributary going into the estuary. They could have done a lot more I think in that respect given that all of our estuaries have comprehensive management plans that planning or that we're suppose to be abiding by; I know they don't always happen that way, but they should have I think done a lot more in that area given the sensitivity of the location for this proposal.

CHAIRMAN CARACCILO:

Any other comments or questions? Okay, it's up for a vote. A motion is in order. I'll make a motion to accept the staff report.

MS. DAUM:

Second.

CHAIRMAN CARACCILO:

All those in favor? Opposed?

MS. ESPOSITO:

Opposed.

MS. HOLMES:

Opposed.

CHAIRMAN CARACCILO:

You're opposed Linda?

MS. HOLMES:

Yes.

CHAIRMAN CARACCILO:

Two opposed. Okay, so this doesn't carry because we don't have -- so this goes back with no determination, correct?

MS. HOLMES:

Oh dear.

CHAIRMAN CARACCILO:

It's no action. Maybe we could -- I thought your comment was excellent.

MS. HOLMES:

Yeah.

CHAIRMAN CARACCILO:

I would rather it not go back with no action.

MS. HOLMES:

I would too.

CHAIRMAN CARACCILO:

So maybe we could put a comment about that on the application and then have them accept staff report; would that be okay with you Commissioner? I mean, would you be comfortable with that it's up to you because it's going to go back with no action and then that would be a moot point for us. What would you to have on that as a comment?

MS. ESPOSITO:

I'm wondering can the record show that instead of it going back with no action that this was a compromised position. I mean, I'm not sure how that works.

CHAIRMAN CARACCILO:

Oh, absolutely that would show in the minutes, but I think you should put a comment in there about what you requested and what you wanted to see. I think that would be excellent.

MS. HOLMES:

Yes, that would make me more comfortable too.

MS. ESPOSITO:

Okay, well, I think --

MR. ISLES:

Okay, well, we would need a motion to reconsider.

CHAIRMAN CARACCILO:

Okay. I'll make a motion to reconsider. Could I have a second on that please?

SPEAKER:

(inaudible)

CHAIRMAN CARACCILO:

Second. All those in favor of reconsidering the vote? Opposed? Commissioner would you like to dictate a comment please?

MS. ESPOSITO:

I think that -- okay, the comment is to -- for the applicant to provide a specific stormwater remediation plan including location of devices and also the specific devices not only for two inch rainfalls, but as we know some planning requires up to eight inch rainfalls requirements for plans on how facilities would deal with that. And so a more comprehensive plan with methodology and strategy involved I think is necessary because of the sensitivity of area where they're seeking to locate this proposal.

MR. ISLES:

The staff would have no objection to that at all.

MR. KLEIN:

So this is a comment. We do have a condition, condition one, oh, condition two and you want to make this a comment?

CHAIRMAN CARACCILO:

I think it's a condition wouldn't you say, Commissioner?

MR. KLEIN:

You can elaborate on the condition number two if you'd like, right?

MS. HOLMES:

Yes.

MS. ESPOSITO:

Well, my objection is that it should have it before it comes here. We shouldn't have to ask them how they're going to deal with stormwater runoff when they're locating next to a wetland. It should be a condition and we should know before we vote how they're going to be dealing with stormwater runoff that's pretty standard.

MR. ISLES:

Yeah, I think we want to take it further than to simply dealing with the issue of direct discharge, but I think we also want to look at it in terms of the -- from what

I'm gathering what you're saying, Commissioner; more towards the quality of the discharge as well in terms of ways of intercepting the runoff, mitigating and settling down pollutants and so forth and mitigating the impact to the stream corridor and so forth. By the way, this is a point too as to why we would like to look at the Commission guidelines and maybe revisit those because some of these things may need some updating.

CHAIRMAN CARACCILO:

Does this application have a -- I mean, is this application missing that; I mean, that should be in this application you're saying Commissioner prior to us reviewing it, correct? Is that a mandate?

MS. ESPOSITIO:

Well, I don't know if it's a mandate.

MR. ISLES:

No, it's not a mandate, no.

MS. ESPOSITO:

It's a preference; I mean, I think, you know, when you are Planning Commission you want to look obviously, and we know we do you look at all the asset that you're protecting. And since there has been so much attention and so much funding and so much effort put into estuary protection we should also have that in mind when we look at these proposals as well. And part of the problem I think on Long Island we've run into so often is we have programs separated from each other instead of integrated with each other which causes us to not be successful as we could protecting Long Island.

CHAIRMAN CARACCILO:

Right, excellent comments.

MR. ISLES:

So I guess the key question is, is this going to be a modification of covenant condition number two or is it just going to be a comment as dictated by Commissioner Esposito? It's your pleasure.

CHAIRMAN CARACCILO:

I would like the comment as dictated by the Commissioner if that's okay with the other Commissioners. Do we need to --

MR. GOODALE:

If I may, just for my own understanding; if we approve this with whatever changes we want in number two, this approval is conditional on this being done. Is that correct? Otherwise if this is not done then in affect we are disapproving it; is that what these approval with conditions mean?

MR. ISLES:

The conditions are part of your approval if the municipality disagrees they must override (inaudible)

MR. GOODALE:

(inaudible)

MR. ISLES:

Exactly. A comment is advisory; they don't have to override a comment.

MR. GOODALE:

But I think we would want this to be a condition then.

MR. ISLES:

Well, that's your pleasure.

CHAIRMAN CARACCILO:

That is what we're proposing.

MR. GOODALE:

Good.

CHAIRMAN CARACCILO:

Is that okay, Commissioner?

MS. ESPOSITO:

Okay.

MS. HOLMES:

To add the comment to the condition.

CHAIRMAN CARACCILO:

Okay, we don't need to vote on that really now we're just discussing it and we're going to add it as a condition, Ted.

MR. KLEIN:

Okay. What is the cond --

CHAIRMAN CARACCILO:

Add it as a condition.

MR. KLEIN:

Okay.

MR. FRELENG:

Can I just clarify; can we elaborate condition number two to include those comments?

MS. HOLMES:

Yes, yes.

CHAIRMAN CARACCILO:

Absolutely.

MR. KLEIN:

What would that include?

MR. FRELENG:

The applicants to provide specific stormwater mitigation plan with respect to methodology and strategy and the location and type of devices for a two to eight inch rainfall.

MS. ESPOSITO:

Right. What Andy said.

CHAIRMAN CARACCILO:

No, what you said. What we're going to do now is we are going to -- I am going to make a motion that we accept staff report with that condition added.

MS. DAUM:

Second.

CHAIRMAN CARACCILO:

And can we vote on that please?

MS. HOLMES:

Yes.

CHAIRMAN CARACCILO:

All those in favor? Opposed? Abstained? So staff report carries. Thank you.
(Vote: 8-0-0-3 Absent: Dietz, Fiore, Lansdale)

MR. KLEIN:

Great, thank you. The second application is a map of 250 Hands Creek Road LLC referred to us by the Town of East Hampton. The property is located on the easterly side of Hands Creek Road and the westerly side of Middle Highway, north of Grape Arbor Line in the hamlet of East Hampton. The Commission's jurisdiction for review is that the property is within the eastern Pine Barrens Zone. The applicant is proposing to subdivide approximately 17.27 acres into four lots.

The proposed subdivision lies in the A-3 Residential zoning category and a Water Recharge Overlay which permits single family development on a minimum lot size of 120,000 sq. ft. with restrictions to clearing and fertilized dependent vegetation.

The map is being processed as a cluster. The proposed subdivision will create four lots ranging in size from 116,359 sq. ft. to 139,514 sq. ft. The parcel is presently vacant woodland having a rolling topography with frontage on two public roads Hands Creek Road and Middle Highway. Hands Creek Road is improved and Middle Highway remains drivable dirt road at that particular point. The pavement ended right here and it started up around right here. I'm sorry it actually be over here. So this small section right here is still dirt, but drivable.

The applicant is proposing to set aside an area of open space designated at Reserved Area that will remain wooded and preserved in its natural state. This area situated along the easterly portion of the parcel will contain approximately 6.07 acres or 35% of the total parcel. And this is the proposed open space. There are also several scenic easement areas totaling 2.66 acres of 15% of the total parcel. So here is the scenic easements.

Contained within the boundaries of the four proposed lots is a 30 ft. wide access easement for a proposed 1360 ft. common driveway. So it's quite long. It accesses this property and to the road is 1360 ft. long. Since lots 2, 3 and 4 will only be accessible from an existing roadway by way of the proposed access easement over portions of lots 2, 3 -- 2, excess me 1, 2, and 3 they are by Commission definition land locked. A land locked parcel is one that does not have frontage on an existing or proposed public road and creation of such lots is contrary to Commission guidelines.

The subject parcel has road frontages along Middle Highway unpaved and Hands Creek Road which is improved from which the vehicle access is proposed. To the north and south are established subdivisions of private land holdings with Reserved Areas which abut the subject parcel. Many of the neighboring lots have been developed and the character of the surrounding area is single family residences. The subject parcel can be characterized as woodlands having a long rectangular shape throughout the flat topography along the two road frontages and steeply rolling topography in the middle. So the middle portion has the steepest slopes.

Issues relating to this subdivision stem from the Commission's policy on the creation of land locked lots therefore the staff recommends disapproval for the following reasons.

The proposed subdivision will result in the creation of a land locked lot -- land locked lots. Creation of such a lot is contrary to good subdivision layout principles. The lack of access could result in health, safety and welfare problems

for the future residents of the land locked lots not to mention potential disputes over the use and maintenance of the right-of-way easement.

It is suggested that the following comments pertained to this proposed subdivision be offered to the Planning Board for its consideration and use. A preferred subdivision layout of this parcel would design the map so that two lots would be situated on the westerly portion of the parcel taking access from Hands Creek Road. Here two lots and then another two lots would be situated on the easterly portion taking access from Middle Highway which I mentioned is not yet paved, but it is accessible and it could be paved in the future. At each end one of the two lots would be flag shaped having access strip less than 300 ft. in length and provide physical road frontage along the public roadway. A common driveway easement could then be established along the common boundary lines to consolidate the points of access to each of the two sets of lots along the existing public roadway.

This preferred layout would provide adequate road frontage and suitable access to each of the lots from either Hands Creek Road or Middle Highway. It would avoid the creation of land locked lots and exceedingly long common driveway. It would create an open space area more contiguous with the adjacent Reserved Areas to north and south and place a development away from the center of the parcel where the steepest slopes are located. That's the staff report.

CHAIRMAN CARACCILO:

Thank you Ted. Any question or comments from the Commissioners?

MR. GOODALE:

Yeah. Have you discussed your, you know, your recommendations sound so obvious; it leads me to wonder that perhaps there's some other reason that they did it this way rather than -- is there some -- have you discussed this at all with East Hampton about why this particular -- was there some other reason that you could think of why they did it this way?

MR. KLEIN:

Well, --

MR. GOODALE:

If there isn't I mean, if the answer is no.

MR. KLEIN:

I do think there might be, it might be a community pressure to preserve that back land because it's a -- used as a trail, horse trail maybe because there was some horse properties to the east.

MR. GOODALE:

So you think that maybe the reason why they pushed it all down this way and kept that part as the open space you think perhaps?

CHAIRMAN CARACCILO:

But you don't know for a fact, right?

MR. KLEIN:

Yeah.

MS. DAUM:

Commissioner Daum. I wondered if perhaps there might be some sort of fire protection issue, you know, if you had it so that people were coming in from the two side roads if there was like a fire in lot three and the fire engines came up that way and it spread to lot two and then how would they get over. You know something like that I was just wondered if there were any kind of fire protection issue that, I mean, you're interpretation sounds more plausible that --

MR. GOODALE:

If indeed they are that concerned about it well, then they will simply override us, but, you know, your recommendation sounds so plausible I don't understand why they did it this way.

MR. FRELENG:

Well, we do know that the Town of East Hampton is not adverse to creating what we call land locked parcels so that maybe number one. They're not adverse to that. Number two, I think the applicant maybe concerned about the cost to improve the road on that side of the property. With respect to fire issues there are a couple of homes right over there that the fire department would have to serve and they're going to get there no matter what. So it's just my gut feeling that it just might be the cost of improving that other street that leads the applicant this way.

CHAIRMAN CARACCILO:

Thanks Andy, Do we have any other questions or comments? Motions in order.

MR. GOODALE:

I moved to accept the staff report.

CHAIRMAN CARACCILO:

Second?

MS. ESPOSITO:

Second.

CHAIRMAN CARACCILO:

All those in favor? Opposed? Abstained? Motion carries. **(Vote: 8-0-0-3 Absent: Dietz, Fiore, Lansdale)** Thanks Ted. Okay, next we have a presentation from Sustained East End Development Strategies. Tom and Jerry...I guess you guys get that a lot, a tag team.

MR. NEELY:

Only half the team is here.

CHAIRMAN CARACCILO:

Oh, okay.

MR. NEELY:

I'm Tom Neely, I'm the Transportation Director for the Town of Southampton and I serve as chairman of the East End Transportation Counsel. My partner is not here. Jerry called me that obnoxious rain you heard a little while ago was telling me that he was stuck behind an accident in Queens. So what I'd like to suggest, I do have the presentation; I could give it, but I would like to suggest because I heard you say you have a busy agenda today and if Jerry is not here we will lose the NYMTC perspective on this presentation and we're not asking for action. There is nothing, you know, of a time sensitive nature so I'd like to suggest maybe we just postpone for, you know, your next meeting or the meeting after that.

CHAIRMAN CARACCILO:

I'd like to see the Tom and Jerry show in full so that would be great.

MR. NEELY:

We're a good act, so great.

CHAIRMAN CARACCILO:

Thank you for your understanding.

MR. NEELY:

Okay, great. So we'll set something up with you.

CHAIRMAN CARACCILO:

Okay. Thank you I appreciate it. Peter we're actually going to listen this time.

MR. ISLES:

We'll give Peter a moment to get set up here.

CHAIRMAN CARACCILO:

Sure.

MR. ISLES:

You have before you that Peter has circulated a copy of the retail study that he just completed. This is something and I don't want to take Peter's presentation away from him, but something the Department's done since 1978 is this periodic inventory and analysis of the retail commercial market in Suffolk County. Peter's work involved the surveying of 12,000 storefronts for the completion of this inventory. I think it's probably the most comprehensive analysis done of retailing in Suffolk County by any other, any agency quite frankly. And he has some rather interesting findings in this study, a lot of which is good news actually in terms of the health of our downtowns and so forth. Just as we get the machinery going here. Let me just also add while we're killing some time here, you're the first agency to see this. This has not been released at this point so upon the presentation here today any comments from the Commissioners we will finalize the report, and let me just correct that. I mean, the intent is not to, you know, sit here and change it, but if you – we certainly wanted you to have the preview first and the next step is that this would be submitted to the County Exec. which has not occurred yet.

MS. HOLMES:

May I ask a question while he's setting up? I noticed right a way on page 38 the vacant stores and Shelter Island is apparently not available? Was that, would that, is that what NA means?

CHAIRMAN CARACCILO:

They were closed that day.

MS. HOLMES:

We were closed – wait cause there is quite a concern. There is a fellow who has built two retail areas directly across the street from one another on our state road and he's had very high vacancies.

CHAIRMAN CARACCILO:

I think you should hold that question for Peter as soon as he gets -- and you should hit him with that.

MR. GOODALE:

And remember that that's only in the past, the recent one --

CHAIRMAN CARACCILO:

Right, right.

MR. GOODALE:

2005 --

MS. HOLMES:

They weren't built yet; okay, all right. I'm sorry I didn't notice that.

MS. ESPOSITO:

Peter we solved that one on our own.

MS. HOLMES:

Yes, we did.

CHAIRMAN CARACCILO:

Are you ready Peter?

MR. LAMBERT:

I'm not even sure what it was. Okay.

MS. HOLMES:

Good it's better that way.

MR. LAMBERT:

All right. I didn't hear your introduction so I'm just going to --

MR. ISLES:

Start from scratch, okay.

MR. LAMBERT:

This is a follow-up on a study we did actually, in the year 2000; a report similar to this came out in the year 2001, but what is involved is driving the entire County and looking at every shopping center in the County --

MS. DAUM:

That's my kind of job.

CHAIRMAN CARACCILO:

How much did you spend?

MR. LAMBERT:

Not much, we had lunch that's about it. Roy Fedelem and I from our department we both did this for several months last summer and fall and we counted 803 shopping centers and 72 downtown districts. We updated the existing inventory and then once back in the office I analyzed all the information by the location of the shopping centers. We looked at vacancy rates which I will talk about. We analyzed the shopping centers by the date when they were constructed and we looked at the retail and non-retail mix in each downtown and compared all this information with previous studies. I don't know if you want me to point out what we have here. This is a shopping center in Holbrook and this is downtown Babylon.

Sometimes there's a question about the definition of a downtown. What exactly is it. In the report a downtown is defined as an area where stores are usually individually owned and managed and the majority of the buildings are sited close to public roads. So what you have is pattern of development where the buildings are closely clustered; it's a walkable type of an area; it's not set in stone what is a downtown and what is not, but it does get argued. Here we have some examples of some downtowns that you may not consider. This is what I call Huntington Station South, it's along Rte. 110. This is what I consider downtown Bayport, a tiny downtown right on Middle Road in Bayport and not Montauk Highway. This is downtown St. James and this is a larger downtown, downtown Greenport.

What is not a downtown is strip commercial areas which you have here, this is Jericho Turnpike. Areas where buildings are set way back from the main road; large shopping centers with large parking lots in front. What we usually have in a downtown is parking behind the stores and also on the streets; also not a downtown strip shopping centers where you can pull right up to the stores like this. And looking at the data on the shopping centers and the downtowns as I said we have 803 shopping centers, 72 defined downtown districts. The square footage in shopping centers totals 37 million sq. ft. as of 2005 and the downtowns total approximately 8 million sq. ft. So the downtowns are definitely out numbered in square footage by the shopping centers.

This is a map we produce showing everyone of the shopping center; this is for western Suffolk County. The size of the dot indicates the size of the shopping center so you can pick out clusters here. The largest cluster is in Lake Grove and a lot of the dots are overlapping. You also can pick out major roads, Middle Country Road here through the Town of Brookhaven, Rte. 347, Jericho Turnpike thru Huntington. In the Town of Babylon and the Town of Islip shopping centers tend to be a little more scattered, but you still have major concentrations along Sunrise Highway and also Montauk Highway.

In eastern Suffolk there are far fewer shopping centers, but you still have some big clusters most notably in Riverhead, Rte. 58 and if you look hard enough you can see other ones. They're actually a few on Shelter Island; we visited Shelter Island. There are some in Southold; a cluster here in Hampton Bays. There's another cluster here in the Village of Westhampton Beach. This is Bridgehampton Commons, the largest shopping center on the South Fork.

We mapped the downtowns; this is the downtowns in western Suffolk County. Also the size of the downtowns is indicated by the size of square. There are far fewer than there are shopping centers, but you can see most of the downtowns sort of follow an older development pattern along the railroad lines and older streets this is Rte. 25A kind of goes up through here. Montauk Highway many of them are along there as well. And in eastern Suffolk County there are more downtowns or downtowns are larger part of the retail component than shopping

centers are in general. You have some pretty major downtowns in eastern Suffolk; you have Greenport, Sag Harbor, East Hampton, Southampton, Westhampton Beach.

Looking at the statistics on the square footage of shopping centers over time in 1970 there were just 12 million square feet of shopping center space, but by 2005 that had increased to 37 million square feet. And when you look at that per capita you might think okay, we've had a growing population we should have a growing amount of square footage of shopping centers, but the shopping center growth has far exceeded the increase in population. Where in 1970 we had 11 sq. ft. per capita we now have 25 sq. ft. for each person in 2005 and we still have on the books proposed shopping centers that total more than 7 million additional sq. ft. The graphs here show the trend. 1970 we had about 12 million sq. ft. of shopping centers by the year 2005 - 37 million; per capita a similar increase. The dark here is the per capita square footage of downtown districts and the brighter red is the per capita square footage in shopping centers.

In analyzing the vacancy rates and there's a lot of information in the report on vacancy rates in particular shopping centers and in particular communities and by town through the years and so you can look up that information. But overall the vacancy rate that we got in shopping centers was 8% and which this was an improvement over the 12% figure in 2000 and the downtowns the vacancy rates were actually a little bit better than the vacancy rates in shopping centers. And this has actually been a trend where the downtowns have improved or have had better vacancy rates than their counterparts the shopping centers.

Quickly looking at the largest downtown districts the vacancy rates have improved in many of them. Some of them are pretty impressively low; Huntington for example 6%, Southampton 4%, downtown Babylon 5%. Downtowns like Bay Shore and Patchogue which traditionally have really high vacancy rates are improving. Another one that has improved is Riverhead which was about 10% vacant in 2005 and that was its best vacancy rate in quite a few years. In terms of the largest shopping centers the vacancy rates have tended to be quite low in the malls. Smithaven was a little higher this time because they're beginning to under go a redevelopment. They demolished the Stern's Department Store and they're working on creating a new type of lifestyle center addition to the area formally occupied by Stern's. So I think in advance of that that's one reason I think that their vacancy was a little higher because they ended up reconfiguring, they are reconfiguring part of the shopping center. Tanger Outlet Center, a great vacancy rate 1%. Great South Bay in West Babylon has traditionally also had a large vacancy rate, but also was doing pretty well in the year 2005. Our newest, largest shopping center is Riverhead Center on Rte. 58 which was vacancy free in 2005. This shows the general trend over the past ten years of vacancy rates in downtowns compared to shopping centers and as you can see in each of the three surveys downtowns had a better vacancy rate than the vacancy rate on shopping centers, but the margin is

getting closer and closer. But both of them faired pretty well in our 2005 survey; a vacancy rate under 8% is pretty good overall and it's kind of hard to get much lower than that.

So why have the vacancy rates improved? Specifically, for downtowns you have a changing emphasis more on leisure shopping. Many of them are introducing theaters, movie theaters, performing arts theaters. Restaurants are coming back to downtowns so there's a lot more of the traditional strolling, leisure shopping that kind of thing. For both downtowns and shopping centers there's a more and more non-retail uses are coming into our shopping centers and these include all kinds of offices, services, hair salons, tanning salons and things like that. And there's a few new store types that I picture here that five or ten years ago you did not see much of at all. This is a store front providing telephone, check cashing services and things like that mostly for the Hispanic community. Cell phone stores are in almost every shopping center now and five or ten year ago they didn't exist. And there's also been a dramatic increase in nail salons so a lot of these uses coming into the shopping centers are filling spaces that may have otherwise gone vacant.

Another issue that we looked at is the retail versus non-retail uses in both downtowns and shopping centers. Overall, the percentage of retail use is always been higher in shopping centers, but what we're seeing is that percentage is declining in both downtowns and shopping centers where we continuing to see more and more non-retail uses that I mentioned creeping into the downtowns and the shopping centers which is not necessarily a bad thing because they do occupy storefronts. However, some areas like downtown Southampton where it was an issue they're afraid of too much non-retail because it's may threaten the foot traffic of people interested in retail stores. So for some downtowns they may welcome non-retail uses to fill up storefronts; in others they may be interested in restricting non-retail uses to certain areas or second story uses.

Some general overall shopping center trends we have a domination of the big boxes especially, here on Long Island we've have a few dozen of them. And depending on how you define big box as a large supermarket can be defined as a big box. For years we've had discount department stores, TSS. So they're not new, but they do dominate a lot more than they use to. Outlet centers is a concept that came to Long Island in the 1990's and it exploded nationwide. In the past five years or so they're building a lot fewer new outlet centers across the country because the concept although it's still popular it's not as popular as it was so there are not as many outlet malls as there use to be. Traditional malls are evolving to sort of keep pace with today's retail trends. Some of them are taking on non-traditional anchor tenants like discount department stores like Wal-Mart and Target which are both, they're both anchor stores in malls in Nassau County. And others like Smithaven Mall are taking on new concepts like the lifestyle center format where it's more of an outdoor type of format where people are walking around under the sky instead of in an enclosed setting. So we'll see

if that remains popular and we may end up seeing some lifestyles centers proposed here in Suffolk County because the trend is increasing.

In terms of the rest of the shopping centers the small shopping centers seem to be more diverging from the large big boxes and malls where they include many of the same stores, pizza parlors, Chinese food, nail salons, deli's and things like that which is a totally separate market really from the big box stores. So from merchandise retailing, for clothing and accessories and home electronics the big boxes tend to dominate, but for a lot of these smaller services retail the smaller shopping centers like this one here in Middle Country Road in Centereach do provide a separate type of service in the retail sector.

Trends for downtowns for many downtowns there's a return to the appreciation of a downtown as the core of the community that reflects the community identity and its character. Downtowns like I said have been adapting to orienting to more non-retail uses, leisure shopping, restaurants, tourism and entertainment and they're no longer really competing head to head directly with a lot of the big boxes and shopping centers because they're not as involved with the mass merchandising and the merchandise retail as they were in the past.

We came up with several recommendations for downtowns, in fact, there were eight of them. This is downtown Southampton which is one of the most desirable layouts with nice wide sidewalk, plantings, head in parking which is nice to calm traffic, brick pavers and attractive storefronts. One recommendation is to encourage the development or redevelopment of higher density housing in and adjacent to downtown areas. This is Smart Growth concept that's talked about quite often. You can have apartments over stores like you do here in Patchogue; this is a new building in Huntington rental apartments over retail stores. Port Jefferson also rental apartments over retail stores, not the most attractive building, but it's right in the downtown and this adjacent to the Babylon railroad station in downtown. These are owner-occupied condos. So they can come in the various formats and if the units are small they can be more affordable and they can be more appealing to our young people and our older people as well.

Another recommendation was that sewage capacity extensions or expansions should be pursued in downtown areas that desire additional development. So this is an area where some downtowns are actually constrained to how much they can expand or encourage new development. For example, Wyandanch, Huntington Station and Smithtown actually has talked about it as well if they can get a sewage extension they would be able to bring in more development, more restaurants and things like that and somewhat expand their downtown. Also talk of East Patchogue's downtown hooking into the Patchogue municipal sewer as well. So that's a recommendation that's important to particular downtowns.

We also want to encourage infill development in downtowns to fill large gaps between buildings. These are some examples where you've got gaps and what

happens when you're strolling you hit a gap and you may just turnaround and leave. So if this gap is filled here in Patchogue, this one is in Hampton Bays, this one is in East Northport it gives more of a continuous street frontage of retail which like here in Montauk is a lot more desirable and appealing to shoppers.

Another recommendation is that street level storefronts in downtowns have a significant amount of glass frontage to help create a more positive downtown shopping experience. So what you want is interesting storefronts, a lot of glass. This is downtown Bridgehampton. No walled up storefronts and they can either be concrete like this which is completely unappealing. Another way to wall up a storefront is with dark tinting or also blinds things like that. We like to recommend that these be discouraged in the downtown area.

Municipalities should also acquire key parcels near downtown areas for parking and also for green space and should coordinate parking within the downtowns. So this recommendation includes a lot of different ideas. At the edges of a downtown like here you have in Westhampton Beach these areas of green space not only are attractive for shoppers they can also host festivals and things like that. Patchogue has one also near its downtown. Lindenhurst created a little pocket park in the center of its downtown with County funding which is not only attractive it's also been pretty successful. This is the back of the stores in downtown Huntington. It's important to keep the backs of the stores attractive because a lot of people enter the stores from the back in the downtowns because that's where the parking is. Access from the parking through alleys like this that can be dressed up; to the front is also important.

We also want to encourage destination uses to locate in downtown areas and destination uses can be restaurants like we have here in Amityville. Chains like this Eckerd drug store in downtown Sayville or entertainment uses like in downtown Northport. Now chains, you don't want to have too many chains in the downtown because then it's sort of becomes not so authentic anymore, but some chains introduced your downtown can actually bring in the foot traffic and can economically benefit a downtown.

Downtown business districts should investigate the possibility of forming business improvement districts. So what a business improvement district can do is not only flowers, light posts things like that, but they can encourage festivals. They can also work towards acquiring land for purposes like traffic calming like you have here in Huntington. This is the park I mentioned in downtown Lindenhurst and this here is downtown Port Jefferson. And larger downtowns really should have public restroom facilities; if you have more than a hundred stores you're getting to be the size of a large shopping center or even a mall and they all have restrooms either in the mall itself or in the larger stores. So if you have a large downtown you really should have a public restroom and they can be attractive. This one is in, I think, in downtown Bridgehampton. This is in downtown Westhampton Beach and this is downtown Greenport.

Came up with four major recommendations for shopping centers; this is a shopping center in Shirley which actually was formally an enclosed mall I think and they de-malled it that's the term. And now all the stores are accessible right from the parking lot. Municipalities should rezone surplus commercially zoned land and limit the amount of new commercial zoning; this is to keep commercial development contained. This is a drug store that went in Farmingdale and is already gone that they built in the past five years. This is on Rte. 58 in Riverhead a former Waldbaum's supermarket which relocated to the new Riverhead Center on Rte. 58 which is fully occupied, but now you have this. This is the Oakdale Plaza on Montauk Highway in Oakdale which once the shopping centers were built on Sunrise Highway vacancy problems got worse and worse at this shopping center. So one possibility is to rezone a portion of the shopping center land for other uses either office purposes or institutional or high density housing so they can co-exist with existing retail.

Municipalities which do not wish to have big box retailers should amend their zoning codes to prohibit them or to limit them to specific areas. A lot of eastern Suffolk, this is downtown Bridgehampton, those areas are not really appropriate for big box development. So some of them have introduced new limitations on big box stores. This is a shopping center in the Town of Southold which looks a lot bigger than it is; it's only about 10,000 sq. ft., but this here is a big box development in Bay Shore. Municipalities should also approve only well designed site plans; it's logical it doesn't always happen. Tanger Outlet Center site plan is a little debatable on how good it is; it's got its own traffic lights on site, but still there's plenty of traffic congestion. All the cars are directed right in conflict with pedestrians trying to get to the stores and the parking lot is vast and if you really want to get from one part of Tanger to another you have to drive. So it's not the ideal site plan. This is one here which is a little tough to see, but there's a boundary form here between the parking lots of one strip shopping center and another and you can't drive from one to another. So it's really kind of ridiculous when they restrict cross access, but here this is an example in Miller Place an aerial photo where you do have cross access from one center to another. So you don't have to return to Rte. 25A if you want to get from this small center to here; you can actually cross through here. This is probably is a traffic light here, but at least it reduces some of the traffic on Rte. 25A. This is an example on Portion Road in Farmingville of two large shopping centers that are connected with some cross access.

SPEAKER:

Peter (inaudible)

WHEN THERE WAS A CHANGE OF TAPE -- PORTIONS WERE MISSING.

MR. LAMBERT:

Okay. Another recommendation is that building reuse and redevelopment should be encouraged or take precedence before new shopping center construction takes place. Again, it's logical it's not always followed. This is the Caldor site in East Patchogue which has been sitting vacant for many years and is awaiting redevelopment. In Stony Brook a former K-Mart is about to be redeveloped for a Lowe's Home Center which is a good reuse for the property. This is an example of a renovation of a shopping center along Deer Park Avenue in North Babylon and this again, is the west Bay Shore redevelopment of the former Gardiner Manor Mall which is sort of a would be regional mall which never quite successful. Finally, it was bulldozed it's now a power center with a lot of big box stores. It's well located it's successful. And this is a renovation of the Mayfair Shopping Center in Commack which is also been very successful. That shopping center had vacancies for years, but since the renovation the vacancy rate is much improved.

For both downtowns and shopping centers we came up with five recommendations and this will close out the presentation. Here we have downtown East Hampton another of the most desirable looking functioning downtowns in the whole County. This is a big box supermarket on Deer Park Avenue in Deer Park relatively recent construction. Municipalities should develop an architectural plan and review architectural elements of proposed commercial development and that includes sign ordinances as well. You have a sign here on Portion Road in Farmingville not only is it ugly, but it's really not very useful if you're driving by you'd never be able to spot what you want to get to.

CHAIRMAN CARACCILO:

But we all know where that sign is, but know what it says.

MR. ISLES:

The ugly sign.

MR. LAMBERT:

Right. This is a downtown that's sort of forlorn that's actually near the Ronkonkoma railroad station. Again, there's no, there are no trees, no landscaping, no good signage, no good architecture. This is downtown Huntington which has pretty attractive storefronts and downtown Northport which is another award winning attractive downtown. Municipalities and shopping center owners should make sure that parking lots and streets are pedestrian friendly. This again, is something that's sometimes overlooked, but it's common sense. Downtown Babylon which is good is there is access for bicycles which is beneficial. Handicap access ramps easy to use sidewalks, crosswalks, pedestrian bump outs all good ideas not only for downtowns, but also in shopping centers to help pedestrians navigate safely.

Buildings and parking lots in downtown business districts and shopping centers should be maintained in good condition; another common sense recommendation not only the sidewalks example Northport very good. This is obviously, unattractive, possibly unsafe, not appealing. This is a good use of an alley; I think this is Westhampton Beach, brick pavers, some landscaping, benches and this is a screening of a dumpster behind the stores in downtown East Hampton, I believe. So dumpsters are a problem behind the stores in a lot of downtowns; they're ugly, they smell bad, but they can be screened it's possible to do.

Finally, the last recommendation is that municipalities and shopping center owners should upgrade their lighting fixtures and also provide landscaping. Downtown East Hampton the idea nice wide sidewalk, bike racks, planting, trees, attractive well kept storefronts, a lot of glass. Westhampton Beach the same thing we've got nice lighting here, plantings, landscaping. Downtown Babylon clearly marked crosswalk, indication of where the municipal parking lot is, plantings, good street lighting; it's another good downtown. That concludes the presentation.

ALL SAID THANK YOU AND APPLAUDED

CHAIRMAN CARACCILO:

Thank you Peter. That was a great report; I got to tell you, you did a great job, a very comprehensive report and I think I speak for all of us and would be very proud to have our names attached to it. Thank you. I know this goes into the library up there. Where else does this go? Is this distributed at all? This should go to every town planning director.

MS. HOLMES:

It should go to every town.

MR. ISLES:

Good, every town planning director, the Long Island Regional Planning Board there would be most likely a presentation to the Environment, Agriculture and Planning Committee of the Legislature, to the eighteen County Legislators. So you're right we do want to get it out.

CHAIRMAN CARACCILO:

Yeah, it's a great report.

MR. ISLES:

This is the first body that has seen it.

CHAIRMAN CARACCILO:

Well, this body approves it 100%. Great job.

MS. HOLMES:

And it will go to the Planning Board?

MR. ISLES:

Yes.

MS. HOLMES:

Good.

CHAIRMAN CARACCILO:

Before we move onto the Commissioner's Roundtable did we set that date for July 5th? It's firm at that park?

MR. ISLES:

Hearing no objection to that then we'll proceed at the Southaven County Park. There's a hunting lodge on that site that we'll have the meeting in. We will send you more explicit directions and so forth on how to get there and then here again, with August we are having discussion of possible East End location so we'll talk about that in July.

CHAIRMAN CARACCILO:

Okay. Just briefly, the Commissioner's Roundtable. Commissioner do you want to start us off?

MS. ESPOSITO:

Nothing to report.

CHAIRMAN CARACCILO:

Thank you.

MR. KONTOKOSTA:

Nothing to report.

CHAIRMAN CARACCILO:

Thank you.

MR. PRUITT:

Nothing to report.

CHAIRMAN CARACCILO:

Thank you.

MS. DAUM:

Nothing to report.

MS. HOLMES:

Oh, dear.

CHAIRMAN CARACCILO:

I have nothing to report. I'm going to turn it over to you Commissioner Holmes.

MS. HOLMES:

Would you believe --

CHAIRMAN CARACCILO:

I would believe.

MS. HOLMES:

-- we had a terrible flap this past week in Shelter Island where the Zoning Board of Appeals allowed a fellow who had inherited his house and then built a garage with a studio above it. He came to the ZBA and he said I want to get back my investment in building my garage; I'd like to turn the studio into a rental apartment and even though he didn't meet the hardship criteria they gave it to him. And only one of their ZBA members voted against it and another was absent. So it caused a great flap and kind of interferes with a great deal of progress we hope we're making on finding places for affordable housing and giving incentives to people to create affordable housing on their property. So big flap on Shelter Island and having said that I hope you'll come in August.

CHAIRMAN CARACCILO:

Commissioner?

MS. BOLTON:

I just have a really brief comment to Peter and whatever staff worked on this shopping report, retail report. I just want to thank you for including architect -- recommending architectural control in the historic downtowns. It's been -- they're few and far between if not non-existent presently, in the downtowns. And, you know, with the support of Suffolk County Planning and the Planning Commission I'm hoping that that will have an influence. Thank you.

CHAIRMAN CARACCILO:

Commissioner, you have nothing to say. Motion to adjourn. Second.

MS. HOLMES:

So moved.

CHAIRMAN CARACCILO:

Thank you for coming everyone.

(Having no further business the Planning Commission adjourned at 1:45 P.M.)

{Denotes spelled phonetically}