

SUFFOLK COUNTY PLANNING COMMISSION

MINUTES

A regular meeting of the Suffolk County Planning Commission was held at the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, NY 11787 on May 3, 2006 in the Rose Y. Caracappa Auditorium at 12:00 P.M.

PRESENT:

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

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
Basia Braddish - Suffolk County Attorney's Office
Ted Klein - Suffolk County Planning Department
Peter Lambert - Suffolk County Principal Planner
Michael Mule - SC Planning Environmental Planner
Lauretta Fischer - SC Planning Principal Planner
Ron Verbarg - SC Planning Principal Planner
James Bagg - CEQ Chief Environmental Analyst
DeWitt Davies - CEQ Chief Environmental Analyst
Lisa Price - Suffolk County Planning
Jim Heil - Shoreham Civic Association
Mr. Pallotta - Pallotta & Associates Development, Inc.

Minutes taken by:

Eileen Schmidt - Secretary

(THE MEETING WAS CALLED TO ORDER AT 12:03 P.M.)

CHAIRMAN CARACCILO:

This meeting of the Suffolk County Planning Commission is now in session. Mr. Secretary, would you please lead up in the Pledge?

SALUTATION

CHAIRMAN CARACCILO:

First item on the agenda is the approval of the last month's minutes. Did everyone have a copy of those and have you had an opportunity to review them and comment?

MS. BOLTON:

John.

MS. HOLMES:

Just a couple of -- go ahead Charla.

MS. BOLTON:

John, I just had a question and actually I think it's for the County Attorney --

MS. SCHMIDT:

Use the microphone.

MS. BOLTON:

I had a question that maybe can be addressed by Tom Isles or the attorney. In that one application I think it was Richmond something or other where the courts told Southampton that they had to approve the application. Here's my question, unless we were enjoined as a party, as a defendant how is it that we are not empowered to act as a Commission that's really separate from Southampton. You know I understand that Southampton is, you know, is constrained by this, but I just felt that I didn't see since we weren't -- if we weren't a party why we were.

MR. ISLES:

Okay. I believe in this case, Andy, was there courtesy review by the Commission. I don't think we had a -- it wasn't an LD in this case, right?

MR. FRELENG:

I'm sorry I missed the first part this the PDD?

MR. ISLES:

The Hampton Bays application next to -- PDD application.

MR. FRELENG:

The Stop & Shop application.

MR. ISLES:

Right, exactly.

MR. FRELENG:

The courts determined in common language the courts determined that the town will approve the site plan and they will approve the environmental impact statement process. You are correct; we are separate from that process and we could've denied the application, but it was staff's feeling to what affect. The town was going to have to override us and if we denied it simply well, if we denied it the town would just come back and say, we're overriding the Planning Commission because the courts ordered us to approve it. So there would be no substantive dialogue over some of the planning issues as some of the detailed issues. So staff felt that if we were to send it back local determination the town would not be compelled to override us, but they would be compelled to deliberate on the conditions that we attached and that they would have to put into the record their findings with regard to the Commission's comments. So we just felt in the end result that that would have been a more substantive way for the Commission to comment.

MR. ISLES:

I'll point out too that we were in discussion with the staff of the Southampton Planning Department; they very much wanted comments back from the County and they felt that the comments were helpful to them and useful to them in their discussions with the applicant. We had a lot of issues with the site plan itself that the Commission took under advisement; beyond that we have to defer to Counsel, but that was the posture of the Commission and the staff I should say.

CHAIRMAN CARACCILO:

Is that good, Commissioner?

MS. BOLTON:

Okay. I guess I really maybe it's because I haven't been here for a while I need clarification again on something. We have applications here that we do deny and we attached comments to them.

MR. FRELENG:

We deny applications and attached our reasons for denial, yes.

MS. BOLTON:

Right. So that a local, a municipality would have for example comments that they would deal with, you know, what I'm saying that they hopefully take under advisement.

MR. FRELENG:

Yes, that's correct; if they were to override --

MS. BOLTON:

So how is this different that's what I'm confused. How is this different?

MR. FRELENG:

Well, the main difference is that it's a court ordered stipulation that the town has to approve it.

MS. BOLTON:

Right.

MR. FRELENG:

Most of the applications that this Commission denies I would say all this Commission denies are not stipulated settlements so, therefore, in order for the town to override the Commission they must go to the meat of the matter. It was felt, staff felt that Southampton in this case wouldn't have to go to the meat of the matter and there would be no deliberation on the record of the planning points. And they could just override the Commission because it was a court ordered stipulation and really ignore some of our comments if they felt --

MS. BOLTON:

So you're saying because their relationship that we do have with the Southampton Planning officials and their willingness to really look at some of our comments that this was the better way of a more advisable way of making, I mean, it was in this case, but not necessarily in all cases in other words?

MR. FRELENG:

Correct.

MR. ISLES:

Yes. Obviously, we make a recommendation on behalf of the Department to the Commission. We made the recommendation that we felt was the best course of action under the circumstances and to make a most meaningful contribution to the town's planning role. Here again, the feedback we got from the town is that they felt that it was very helpful to them to have that feedback. Whether it could have been done as a denial with reasons for denial whether that would have been better I don't think so in this case based on my understanding of the case, but that's the action that was taken by the Commission and I think it was effective under the circumstances that existed.

MS. BOLTON:

Okay, okay.

CHAIRMAN CARACCILO:

Thank you Commissioner.

MS. BOLTON:

All right, thank you for your explanation and that's all I have.

CHAIRMAN CARACCILO:

Any other comments on the minutes?

MS. HOLMES:

Just a couple of typo's; on page 17 my comment requesting Mr. Isles, when you're writing a letter to Mr. Supervisor Kilb not the littler, you know, it's just a typo. And on page 19 another tiny typo. I asked what is his name and it's what is he's, just a tiny typo. And on page 20 another typo, its find not fine in the fourth line of my comment. And the last one is on page 31, its just I think that was some -- something that was meant to be crossed out. The first sentence it's prioritizing for the first time homebuyers residing in the Kings Park -- it says, in the pink and I think that, you know, that meant, you know, that meant to be crossed out, but that's all just little typo's.

CHAIRMAN CARACCILO:

Thank you Commissioner.

MS. BOLTON:

There was a mention

MS. SCHMIDT:

Use the microphone.

MS. BOLTON:

I'm sorry. There was a mention of the new Planning Director at Huntington and the name was garbled somehow in the minutes because it said inaudible or something and I think its Alessio isn't it?

CHAIRMAN CARACCILO:

Yes.

MR. ISLES:

Aloisio.

MS. BOLTON:

Aloisio, okay so that should probably be corrected too.

MS. HOLMES:

Oh, what page is that?

CHAIRMAN CARACCILO:

19.

MS. HOLMES:

19.

MS. DAUM:

I have one comment also. On page 20, in my comments referring to the developers they may or may not be perceptive, but perspective was the word that I used.

CHAIRMAN CARACCILO:

I'm confident they're perceptive.

MR. KONTOKOSTA:

Also just one last note on the cover the first page it list Adrienne Esposito as Villages 5,000 and Under as well as myself. So if you could make a note of that.

MS. ESPOSITO:

I'm 5,000 and over.

CHAIRMAN CARACCILO:

I think you guys should arm wrestle for it.

MS. ESPOSITO:

We're going to arm wrestle later.

CHAIRMAN CARACCILO:

Okay.

MS. SCHMIDT:

I realize the error and made first page copies for everybody.

CHAIRMAN CARACCILO:

Thank you.

MS. ESPOSITO:

Since we're doing little things I have one too.

CHAIRMAN CARACCILO:

I'm confident you would.

MS. ESPOSITO:

Thank you Commissioner. Page 32, under the last sentence that has be saying under the third paragraph down the last thing it says, I wanted to get clearing on

this; it's supposed to be I want to get clarity on this. I didn't want anything cleared just clarified.

CHAIRMAN CARACCILO:

Okay, third paragraph last sentence.

MS. ESPOSITO:

Thank you.

CHAIRMAN CARACCILO:

Anything else on the minutes? Okay, motion to accept the minutes.

MR. FIORE:

Motion.

MS. BOLTON:

Second.

CHAIRMAN CARACCILO:

All those in favor? Motion carries. **(Vote: 11-0-0-1 Absent: Lansdale)** Next item on the agenda, the election of officers that we had previously tabled; before we do that I would like Counsel to just go over the proper procedures for elections of officers in the Planning Commission please. Into the microphone, Counsel, I know how much you like the microphone.

MS. FARRELL:

I guess first procedurally in terms of voting I just like to clarify that Robert's Rules would dictate that nominations would be done by majority of those voting, present and voting and you don't need a quorum. Well, you need a quorum to hold the meeting -- right, but you don't necessarily need eight votes. I'm sorry. First the motion for nominations would be held and whoever would like to nominate someone else may do so. In this case for officers you do not need a second; first nomination is enough then the vote. Once all the nominations have been brought forth it's closed and voting occurs in order of the nomination and if there are no winners then the -- you can entertain a new motion for officers again for the same position or you can adjourn until another meeting, the next meeting.

CHAIRMAN CARACCILO:

Thank you Counsel. Does anyone have any questions on that? But the thing we want to clarify is --

MR. FIORE:

I have a question.

CHAIRMAN CARACCILO:

Oh, I'm sorry, Don.

MR. FIORE:

That's okay. I have a question; you mentioned that you do not need a second for after a nomination and can you give me the reason why if we're following Robert's Rules.

MS. FARRELL:

It is specified in Robert's Rules.

MR. FIORE:

For?

MS. FARRELL:

For nominations of officers of a body.

MS. HOLMES:

But a second is required when the motion is made to close the floor for nominations.

MS. FARRELL:

Yes.

MR. FIORE:

Okay, and I have one other question. The question I have in talking about nominations, we nominated the Chairman, you know, which I fully support and then we stopped it there and then the next meeting we went to the Vice Chairman and also I believe we didn't get to the Secretary end of it. Correct me if I'm wrong though. Now because we nominated the Chairman in March and we're nominating the Vice Chairman in let say it's done today or in the month of May does the year and it is to my belief that the year is concurrent. Does the year start for the Vice Chairman in May or does it go back to March and that's the same way with the Secretary?

MR. ISLES:

If I could just make the point that the by-laws of the Commission state that and actually I think the Administrative Code as well states that in February of each year the Commission should consider the election of officers and the adoption of their by-laws and rules for the proceedings of the Commission and so forth unless Christina having anything further on that. So it would be my understanding Mr. Fiore that if a person is elected today or next month they would serve until February at which time the Commission must hold their organizational meeting to then decide what they want to do from that point forward.

MR. FIORE:

A question in the by-laws; does the term is a term stated at one year?

MS. FARRELL:

No, it is not.

MR. FIORE:

It's not, it's just stated that there shall be a Secretary and a Vice Chairman.

MS. FARRELL:

The Commission will determine whether to have the same officers or select from its own members a new Chairman, Vice Chairman, Secretary and other such officers as it may deem proper.

MS. HOLMES:

But we make that choice each year and in the past Mr. Isles has clarified that the term of each person is one year. He clarified that back in 2003 when the represented -- the Commissioner from Huntington asked, are these for life or what, because at that point for the previous several years the same people had been nominated and elected. And he asked is this -- are these officers for life and Mr. Isles said one year and that's been the understanding is that each year we have the election and we make the decision by, by an elective process we make the decision whether to nominate and elect the same people, but we go through that. And I wanted to also clarify which Mr. Fiore just brought up; in March when we were -- when we had tabled the elections from February to March a decision was made by a couple of people to just conduct the election for Chairman, but our rules do not provide for us to pick and choose which officers we will hold the election for when we're doing our annual election. I'm I not correct; we are supposed to do the election for all the officers?

MS. FARRELL:

The rules don't say that either way. I did see Robert's Rule does allow for if business cannot be carried in one meeting you can adjourn it and hold it at the next organizational meeting as the committee deems proper.

MS. HOLMES:

Well, the rules say the Commission will determine whether to have the same officers --

MS. FARRELL:

Right, whether --

MS. HOLMES:

Or select from its own members a new Chairman, a Vice Chairman, Secretary and other such officers as may deem proper. So the way I read that we are suppose to elect all three.

MR. DIETZ:
Mr. Chairman.

CHAIRMAN CARACCILO:
Yes.

MR. DIETZ:
In 2003 when we did this I ran that meeting and I believe and I'm not putting words into Mr. Isles' mouth here, but when the question was asked, was it for life it was for one year because it was done in February and no one knew that we weren't going to have another election from February of that year till now which went on. We just kept holding it over and putting it off and that's why it went on this long, but it was for one year and like the by-laws I read also says that they the organizational meeting will be in February and at that time you can decide on officers or whatever. So every February would be a time that the officers have to be held. The other it was pushed off for two years that there was no election. So right now if it's this month in May, if it's in June or if it's in August come February that'll be the time that if the Commission wants to have new officers that's the time they come back up for offices.

MS. HOLMES:
That's right.

CHAIRMAN CARACCILO:
Thank you Commissioner.

MS. DAUM:
I think we might want to consider when February rolls around next year that we revisit this and get the clarification that we seem to be going through all the time captured in these documents so that we know from then on exactly --

MR. DIETZ:
Again, the only Commissioner that was -- that is still here when this was going on is myself and that's the only reason I'm saying this, but every year in the past for the 12 years that I've been on the Commission every year we did have an election until --

MS. DAUM:
Yes.

MR. DIETZ:
-- what transpired in -- after 2003 and that was because of the holdovers and people not being reappointed so it just kept status quo; that's the reason it went on so long. But every February it was automatic that you had an election and you had a choice of changing who was there. Tom Isles was the Vice Chairman for quite some years when I first started here, but -- so it always was that way. It

was not filling the seats and not having new people getting their terms up that's why it was held over and that's why it went on this period of time. I don't know with the amount of people we have now I'm sure that come February of '07 you will have an election, you know, there'd be no reason not to so.

CHAIRMAN CARACCILO:

I think you could you would agree with me Commissioner that we've going through an historical time here with the Planning Commission with new rules, new administration and new guidelines. And we're all going to have to adopt to that and a lot of new members as well. So it's going to take a learning curve a little bit and that's why I'm so thankful that Counsel is here in dual force.

MS. HOLMES:

I was just clarifying that our own internal rules say that each annual meeting we elect all three Chairman, Vice Chairman and Secretary.

CHAIRMAN CARACCILO:

Okay, and as I stated, you know, --

MS. FARRELL:

But if it's not possible Robert's Rules does allow for the continuation of the Commissioner's business to be in a subsequent meeting --and it specifically states --

MS. HOLMES:

Oh, that's true --

MS. FARRELL:

-- and it specifically states --

MS. HOLMES:

-- but it's just when we do the election we aren't -- our rules don't provide for us to pick and choose only voting for one office, you know, we are supposed to vote for all three.

MS. FARRELL:

If there's a reason that that has to occur then Robert's Rules says, at an annual meeting where that would normally happen that it may be postponed. So --

MS. HOLMES:

Oh, that one of the other officers may be postponed it doesn't --

MS. FARRELL:

It --

MS. HOLMES:

But are we going by our own internal Commission rules when it's --

MS. FARRELL:

They're not in conflict its just this is an historic time and that's what happened this year.

MS. HOLMES:

Well, it says, all meetings shall be conducted in accordance with Robert's Rules of Order except as modified herein.

MS. FARRELL:

This is not a modification it's just consistent.

CHAIRMAN CARACCILO:

It's the rules and I think we're following the rules. Counsel, do you agree?

MS. FARRELL:

Yes, yes I agree.

CHAIRMAN CARACCILO:

Thank you. Commissioner, you had a question or a comment?

MS. ESPOSITO:

No, I was just hoping we could get to the elections.

CHAIRMAN CARACCILO:

Thank you Commissioner; I was as well. At this point I would like to make a motion to open the floor for nominations for Vice Chairman. I need a second on this motion.

MR. PRUITT:

Second by Commissioner Pruitt.

CHAIRMAN CARACCILO:

Thank you Commissioner. All those in favor of opening the floor for nominations on Vice Chairman please signify by raising your hand. Opposed? Abstain? We will open the floor for nominations of Vice Chairman. Do I have any nominations for the position of Vice Chairman? Commissioner?

MR. GOODALE:

Yes, Linda Holmes.

MS. BOLTON:

I'll second that.

CHAIRMAN CARACCILO:

You don't need a second. We don't need a second.

MR. DIETZ:

We just went through that.

MS. BOLTON:

Sorry.

CHAIRMAN CARACCILO:

That's okay. Do I have any other nominations for the position of Vice Chairman?

We now go to a vote. All those in favor --

MS. HOLMES:

I'll moved to close --

CHAIRMAN CARACCILO:

I'm sorry I have to close the -- I have to close the nominations, right, Counsel?

MS. FARRELL:

Yes.

CHAIRMAN CARACCILO:

I need a motion to close the floor for nominations for Vice Chairman.

MS. DAUM:

So moved.

CHAIRMAN CARACCILO:

Don, second. All those in favor of closing the floor for nominations for Vice Chairman please signify by raising your hand. Opposed? Abstained? So now we'll go to a vote is that correct, Counsel?

MS. FARRELL:

Yes.

CHAIRMAN CARACCILO:

All those in favor of Linda Holmes for the position of Vice Chairman please signify by raising your hand. Opposed? Abstained? I'm going to abstain. One, two, three, four abstained. I didn't add that up; does that carry?

MR. ISLES:

I counted five for the affirmative. How did you vote Linda?

CHAIRMAN CARACCILO:

Did you vote?

MS. HOLMES:

I voted.

MR. ISLES:

Mary, you were affirmative? So that's six then. Did you record that?

MS. CHORNY:

I have five.

CHAIRMAN CARACCILO:

Well, we'll do that one more time, okay? Let's just keep our hands up until you tell us to drop our hands we'll do that. All those in favor of Linda Holmes for the position of Vice Chairman please signify by raising your hands.

MR. ISLES:

Okay, that's six.

CHAIRMAN CARACCILO:

All those opposed? Abstentions?

MR. ISLES:

Okay, so it's 6-0-4. (Vote: 6-0-4-1 Abstain: Caracciolo, Dietz, Esposito, Kontokosta, Absent: Lansdale)

CHAIRMAN CARACCILO:

So that carries.

MR. ISLES:

Yes.

CHAIRMAN CARACCILO:

Congratulations Linda on your position of Vice Chairman.

MS. HOLMES:

Thank you.

CHAIRMAN CARACCILO:

I say we break for lunch.

Sara Lansdale entered the auditorium.

MS. HOLMES:

It's so arduous for John to go through all of this.

CHAIRMAN CARACCILO:

Okay. At this point we have to make a motion to open the floor for the position of Secretary. Could somebody make that motion to open the floor for the position of Secretary?

MR. FIORE:

I make a motion.

CHAIRMAN CARACCILO:

Don. Second.

MS. DAUM:

Second.

CHAIRMAN CARACCILO:

Okay. All those in favor of opening the floor for the position of Secretary and signify by raising your hand? Opposed? Abstained? Okay. Who would like to make -- we're opening the floor for nominations for Secretary? Linda?

MS. HOLMES:

I would like to nominate Charla Bolton for Secretary. Charla is our most senior member of the Commission; she's been an experienced planner for 30 years. I would like to see her as an officer of this Commission.

CHAIRMAN CARACCILO:

Any other nominations? I'd like to just make a point that Lou Dietz is Secretary now and I would like to nominate Lou to stay on. I think he is the most --

MS. HOLMES:

He's not --

CHAIRMAN CARACCILO:

Excuse me, excuse me. He's -- I can make a statement I checked with Counsel. I'd like Lou as the most senior member of the Commission and he has put years of service and dedication into the Commission and he is a great ally to all of us here and I think a good --

MS. FARRELL:

Excuse me, could you hold your comments for the motion please?

CHAIRMAN CARACCILO:

I'm sorry. I'm making a nomination.

MS. FARRELL:

Just make the nomination and then --

MS. BRADDISH:

Hold the comments --

CHAIRMAN CARACCILO:

Hold the comments for --

MS. FARRELL:

Until the motion -- for the motion.

CHAIRMAN CARACCILO:

I'm confused Counsel.

MS. BRADDISH:

You should make nominations now; any comments on his nomination should be reserved until that time when he's up for a vote. So his nomination -- you're going to close all nominations and then it gets voted on.

CHAIRMAN CARACCILO:

I understand. I understand. Are there any other nominations? Motion to --

MS. HOLMES:

Well, --

CHAIRMAN CARACCILO:

I'm sorry.

MS. HOLMES:

We -- I need a clarification.

CHAIRMAN CARACCILO:

I'm going to close --

MR. DIETZ:

Before you go, can I say something?

CHAIRMAN CARACCILO:

Sure, Commissioner.

MR. DIETZ:

As Counsel has said I am on a holdover; I'm allowed to talk here, right?

MS. HOLMES:

Yes.

MR. DIETZ:

I'm on a holdover and so the Counsel has said that as a holdover I can't hold office so I'm going to deny this, you know, I'm not going to get involved in this because of the fact that I can't hold an office. I've been the Democratic Town Leader, Democratic County not County Executive, but the supervisor of the Town of Babylon has put my name in repeatedly and for these reasons that being a committee person and stuff it hasn't been past so December I'll be gone because of the law that was put into effect. So there's no reason for to start this. Thank you.

CHAIRMAN CARACCILO:

Well, Commissioner I just want -- can I make a comment now because he denied his nomination? Commissioner I just want to tell you --

MR. PRUITT:

Could we close the nominations first?

CHAIRMAN CARACCILO:

You know, I'm going to do it anyway, okay. I think you're a valuable asset to this board and trusted friend and I'm going to welcome you here until December and I hope you could advise us as the direction that we take and thank you for being so honorable and denying the nomination. Thank you.

MS. HOLMES:

I second that and please forgive me; I had understood that you weren't eligible to be nominated and that's why I nominated Charla.

CHAIRMAN CARACCILO:

Well, I thought it was very honorable, thank you, Commissioner.

MS. HOLMES:

Thank you.

CHAIRMAN CARACCILO:

I need a nomination -- I don't need anymore nominations. I need a motion to close the nominations for the position of Secretary.

MR. PRUITT:

Motion to close by Commissioner Pruitt.

MR. FIORE:

Second.

MS. BOLTON:

Second.

CHAIRMAN CARACCILO:

Okay, now we need a vote. All those in favor for Charla --

SPEAKER:

No, no of closing the vote.

CHAIRMAN CARACCILO:

I'm sorry. We did that; no we didn't do that. We need to vote on closing the nomination. All those of closing the nomination for Secretary please signify by raising you hand. Any opposed? The nominations are closed we will now vote for Charla for position of Secretary. All those in favor please signify by raising your hand. Opposed? Abstained? Congratulations. **(Vote: 11-0-0-0)**

MS. HOLMES:

That was unanimous wasn't it?

CHAIRMAN CARACCILO:

That was really too much information for me. Thank you. I appreciate everybody's patience and I appreciate everyone in the audience your patience for this wonderful --

MS. HOLMES:

Are you up to the rest of the meeting?

CHAIRMAN CARACCILO:

Yes, let's move along. Public Portion, we have no one to speak I hope; do we?

MR. ISLES:

Ask once again.

CHAIRMAN CARACCILO:

Do we have anyone that would wish to speak before the Commission?

MR. ISLES:

Okay.

CHAIRMAN CARACCILO:

Thank you. Director's Report.

MR. ISLES:

Thank you, Mr. Chairman. A couple of items to bring you up to date on number one, I would like to confirm and report what I talked about at the last meeting and that is that Carrie Meek-Gallagher has come on to the Department as the Deputy Director of the Department. She has resigned from the Planning Commission effective with this meeting or before this meeting and certainly we welcome her to the County Planning Department. She will be a regular attendee of these

meeting of course. A couple other just items to bring you up to date on; I have kept you posted on the Yaphank RFEI which is a County owned property in Yaphank. We did receive responses to the RFEI on Monday which was the deadline of a four month process where applicants or developers had a chance to put together ideas. We did receive a total of eleven responses so I was considered six to be successful so we did receive a very healthy response. We are beginning to cull through those at this point and the Legislature has formed a committee to assist the County in the public outreach for those, for the review of the responses and the committee will also provide a recommendation to the County Executive and Legislature.

At a future meeting in the committee, of the Commission pardon me, I'd like to have an opportunity to share those proposals with you and certainly any involvement that the Commission members would like to have as part of that public outreach certainly I would welcome that.

Secondly, I'd like to just bring you up to date on certain planning efforts that are occurring in what's called the Commack Road Corridor. There was a recent article in Newsday on this; there's been some media coverage on it. This relates to a number of development projects that are proposed in the LIE Sagtikos area and Commack Road. The County Executive has issued an executive order to the Planning Department directing us to work with the affected towns, the four towns in the western part of the County and to work towards coming up with a plan for that area by the end of August. That is something we will, we're actually scheduling a meeting with the town planning directors next week. We met with the town supervisors on Monday with the County Executive and we are going to be exploring, number one, knowing what each town's plans are; looking at points of conflict. Working with the towns and looking at options for solving those problems of additional roadways and so forth. Certain land use recommendations will also be a part of that; that'll be something also we will share with the Commission as the draft of that document becomes available during the summer.

Keeping you posted also on something I brought up at the last meeting which was introductory resolution 1354. As I mentioned to you this is a resolution that's been filed with the Legislature that would change the notification requirements for referrals to the County Planning Commission. It does two things, one is it requires that the County notify the adjacent municipality during the referral process; it's something we've been doing customarily anyway. And then legally state law was changed recently to require municipalities to notify each other, it's known as 235 NN. So this will be a little bit redundancy, but I don't see a problem with that and we're pleased to do that.

The second part of it is a little bit more involved and that would require that for projects that fall within 500 ft. of a municipal boundary that exceed 25,000 sq. ft. the County Planning Commission must notify the applicant to notify all

businesses and residents within a 1,000 ft. of the subject parcel. Obviously, the intent is to have a broader awareness of Planning Commission matters that are on town boundaries and village boundaries. It will potentially create a situation where we'll have a lot more public participation which in itself is fine. I'm a little bit concerned about confusing the public in the sense of where they're accustomed to going to town or village zoning hearings. The County Planning Commission has a role in the jurisdiction; it's intended to be more broad based and regional. So as we look at the mechanics of that as to how the notifications are going to occur; how we're going to confirm compliance with that and affidavits and so forth. And also what we'd also like to do is just to get feedback from the towns in terms of the idea that this is better inter-municipal cooperation hearing from them as well. So this is in the legislative cycle. It is going to be coming up at the next committee meeting next week which is next Monday and of course I'll keep you posted as that goes along.

Just two other items of business just to let you know at the Long Island Regional Planning Board did meet in early April. It was the first meeting of the newly constituted Regional Planning Board. So there are three new members that were sworn in from Suffolk County, three new members from Nassau County. It was essentially a get acquainted organizing meeting. They are meeting again next week which is May 10th at 10 AM at the Police Auditorium in Nassau County. The meetings are open to the public and certainly here again, I'll keep the Commission advised of that. As we get further down the road we may also want to set up a time in terms of having more of a discussion about the Regional Planning Board and the role of both the County Planning Department in Suffolk and Nassau how that will go forward. But they have emerged as this new board and it's an exciting time. Part of what the board is doing now too is mapping out their agenda in terms of their priorities and obviously, it's something that's of interest to this Commission as well.

And just finally, the June meeting of the Planning Commission will take place in Riverhead. There are two items that we would like to bring before the Commission at that point; one is what's known as the SEEDS Study which is Sustainable East End Development Strategies. This is a regional transportation and land use study that was done through NYMTC which is the New York Metropolitan Transportation Council. The study has been completed and NYMTC has offered to provide a presentation to the Commission regarding that regional transportation plan. The County of Suffolk would have a key role in the implementation of the plan and I think it would be helpful for the Commission to be apart of that. It also includes land use recommendations so here again that's some that is in the domain of the Planning Commission.

The second report we'd like to present to you in June is a report completed by the Department by Peter Lambert as the author of that report on a retail downtown and shopping center study that he along with Roy Fedelem did a survey on surveying of 12,000 store fronts towards the later part of last year.

And there are some significant findings in that report that we'd like to share with you as well. And the last point just related to the committee, the Commission's meeting schedule once again, we do have the option and historically the Commission has done meetings in other parts of the County during the summer months to get out to the communities and so forth. So if there are suggestions from any of the Commissioners for perhaps the July meeting or August meeting feel free to pass them along to me and we'll see if we can arrange that and then make those arrangements finalized in June at your next meeting.

CHAIRMAN CARACCILO:

Great.

MR. ISLES:

Thank you.

CHAIRMAN CARACCILO:

Thank you.

MR. FRELENG:

Mr. Chairman, Director Isles, if I could just give a plug for the May 10th East End Training Conference.

MR. ISLES:

Thank you. Thanks for reminding me. As Andy points out the -- there's a training conference that's scheduled for May 10th at 4 o'clock?

MR. FRELENG:

4:30.

MR. ISLES:

4:30 that will be held in the Town of Riverhead and the exact location is the Senior Citizens Center.

MR. FRELENG:

Off of Hubbard's Lane in the Town of Riverhead.

MR. ISLES:

Okay. And I believe we sent out notices on that to the Commissioners, but if you haven't we'll certainly provide you with a copy of that. We had received a request from a couple of the east end jurisdictions including the Village of Sag Harbor. We run an annual training program in October of each year in western Suffolk or central Suffolk. They had asked if we could put together a program more to the east end to make it a little more convenient so we are doing that. It's open to anyone, but we're trying to target the east end market and we've gotten a good reply from planning board members, zoning board members and members

of the general public. So we are planning a series of courses; we end up with nine with this one or six?

MR. FRELENG:

No, there are six courses.

MR. ISLES:

Six courses.

MR. FRELENG:

There's a basic planning board overview, zoning board of appeals overview and an overview of SEQRA and that's the first session. And the second session there's a source water protection, land preservation through conservation subdivisions and traditional neighborhood design development, TND. We have about as right before I came over to the meeting I signed in the last couple; so we have 80 registered for the conference. So usually the way things go is when you have your RSVP day whatever number you have takes into account those people that drop off and those people that come late. So we figure we'll have about 80 people at this conference.

CHAIRMAN CARACCILO:

That's great.

MR. ISLES:

It's terrific.

MS. HOLMES:

That's very good.

CHAIRMAN CARACCILO:

Thanks Andy. Thank you.

MR. ISLES:

You're welcome.

CHAIRMAN CARACCILO:

Moving right along on our agenda, Commission Orientation.

MR. ISLES:

Okay, Mr. Chairman, at the last meeting of the Commission we did or prior to the last meeting of the Commission in April we did host a session for the Commissioners and we had a very good attendance at that and we appreciate that wherein we provided an overview of the regulatory review process and that's a large part of obviously what the Commission does. We also provided an opportunity for the Commission to hear about the County Planning Department, the different sections within the Department and to give you an update on those

activities. So today what I'd like to do and what we have scheduled for the agenda is two additional sections that were not able to make presentations last month. And we have with us today starting is Jim Bagg who is a Chief Environmental Analyst for the County Planning Department and I'd like to ask Jim if he could come up and just give you an overview of what his section does. Jim principally overviews and administers the Council of Environmental Quality, but as you'll hear more about CEQ, but also further activities that Jim handles. So please.

MR. BAGG:

Okay. Thank you very much. As stated my name is James Bagg, I'm a Chief Environmental Analyst with the Suffolk County Planning Department and I'm the principle staff person to the Suffolk County Council on Environmental Quality. The Council on Environmental Quality was formed in 1970 with passage of the Environmental Bill of Rights which is Article 1 of the Suffolk County Charter and that was passed by referendum. It included nine members which have since been expanded to eleven members that have to have environmental expertise. The two new members that were added have to have expertise in the field of historic expertise as well as a not for profit environmental group.

The major function of CEQ is to review all projects and activities initiated by the County of Suffolk and their compliance with SEQRA which is a State Environmental Quality Review Act. So prior to a county being allocated funding SEQRA has to be complete and therefore the projects have to go through the Council on Environmental Quality which makes a recommendation to the County Executive and Legislature with respect to what should be done with SEQRA review. Basically, the Council receives an environmental assessment form which is prepared by the initiating unit or County department in charge of the project. They review it and then they make a recommendation as to what is the SEQRA classification; it could be considered a Type II Action, an Unlisted Action or a Type I Action and also what the impacts on the environment would be. They can recommend that the project will not have a significant impact on the environment and therefore the Legislature should issue a, what is called a Negative Declaration with specific reasons justifying the project not having significant impact on the environment. Or they can make a recommendation of what is called a Positive Declaration saying that further environmental review needs to be done and that a draft environmental impact statement should be prepared by the initiating department and then SEQRA completed in that particular fashion.

So the CEQ reviews all projects and activities initiated by the County and makes recommendations to the County Executive and the Legislature. They also have other functions. They make recommendations to the County Executive and the Legislature as to what properties need to be dedicated to the Suffolk County Nature Preserve and what properties should be dedicated to the Suffolk County Historic Trust. The Council also serves a dual role in that they are members of the Suffolk County Historic Trust. Suffolk County owns approximately 135

properties which are either on the National Register of historic places or eligible for dedication to the state and national registers of historic places. So the Council has -- as the historic trust have to review any proposed projects on historic buildings or dedicated properties and they have actually approval, disapproval authority as to whether the projects take place and that's in addition to SEQRA.

Once properties have been dedicated into the Nature Preserve they have specific environmental unique qualities or the Suffolk County Historic Trust then technically those properties cannot be removed unless authorized by referendum by the entire County of Suffolk. The Council can also advise the County Executive and Legislature as to those areas within the County they feel warrant review from an environmental impact point of view and say that the County should become further involved all right in such matters.

I also serve as a staff member for the Suffolk County Industrial Development Agency and I provide their SEQRA review, administrative functions for them reviewing their projects; making sure that their in compliance with SEQRA and that they issue the proper determinations. And the County has an extensive acquisition of properties program and prior to any property being acquired it's the policy of Suffolk County that an environmental assessment for toxic and hazardous contamination has to be conducted. And I have to review a Phase 1 environmental assessments and if necessary Phase II environmental assessments to make sure if any properties are contaminated they're duly remediated prior to acquisition. So those are primarily my functions or anything else. I mean, in County -- in master plan preparations and those types of things I also have environmental input and have helped in the preparation of the environmental sections.

CHAIRMAN CARACCILO:

Thank you. Appreciate you're coming down this month. Any questions?

MS. ESPOSITO:

Is that all, Jim?

CHAIRMAN CARACCILO:

He's go the office on the top level for all you do.

MR. BAGG:

No, no, no. Well, we use to be on the top level now we're down on the fourth; it's much nicer when there's a fire drill you only have to go four flights.

MS. HOLMES:

May I ask a question?

CHAIRMAN CARACCILO:

Yes, Commissioner.

MS. HOLMES:

I was curious of what you were saying about historic trust. Would your commission possibly get involved in the process that I understand Legislator Romaine is just initiating at the request of apparently a couple of people on Shelter Island? There was a Native American burial site that was unearthed of three or four years ago in -- when some people were in the process of building their home and a barn for their horses and it became very difficult because the Native American community didn't want the remains moved and the situation has been in limbo and the attorney for the Native Americans tried to get the town to set up a procedure for dealing with situation like this and it didn't really happen. So Legislator Romaine has asked the Environment Committee of the Legislature to -- he is introducing a bill to ask the Environment Committee to review the project and to get a real estate assessment. Would your commission become involved in that? It doesn't fall into historic trust cause it's not a building or, but would, would this project involve your office at all?

MR. BAGG:

Well, the Council on Environmental Quality does review properties with respect to archeological areas as well. However, you know the CEQ really has jurisdiction over County owned properties only and --

MS. HOLMES:

Oh, I see. So if the County did go ahead in a long procedure and purchase this you might get involved at that point?

MR. BAGG:

Well, what --

MS. HOLMES:

Because I gather if he's introducing this to the Legislature, you know, they're looking for a County purchase of these few acres.

MR. BAGG:

Right. at

MS. HOLMES:

Yeah, yeah.

MR. BAGG:

At that point in time the Council on Environmental Quality would become involved.

MS. HOLMES:

I see.

MR. BAGG:

And if it was for a preservation of a known archeological then most likely they would endorse, you know, the preservation of the property not only from an environmental point of view, but an archeological point of view as well. Then if the County did acquire such a piece of property then in the future if anybody wanted to do archeological surveys and digs that would come under the jurisdiction of the CEQ as the historic trust.

MS. HOLMES:

I see thank you.

MR. BAGG:

Sure.

CHAIRMAN CARACCILO:

Thank you James, I appreciate it; for all you do you take the rest of the day. DeWitt Davies, Suffolk County Department of Planning Environmental Analysis Unit.

MR. ISLES:

DeWitt is also a Chief Environmental Analyst; his unit is the Environmental Analysis Unit. He has a brief presentation today. Here again, to give the Commission an understanding of the many roles that the County Planning Department specifically his section. You have a PowerPoint as well.

MR. DAVIES:

Good afternoon.

CHAIRMAN CARACCILO:

Just bring that mike up to you so we can all hear you.

MR. DAVIES:

As Tom mentioned I'd like to give you a brief overview of what we do, what we've done in the past and what we're doing in the future this afternoon. I brought all of the people that are in our section to introduce them to you. To my immediate right is Laretta Fischer, to the right of her is Ron Verbarg and to the left of me is Mike Mule. As you can see on the first slide in the presentation we are a credential staff. We use the expertise that we have to conduct special studies of various types and what we'll do this afternoon here is to give you an overview of some of the things that we've done in the past. And we'll focus on to some recent studies that we've completed. We'll also talk about the current activities that are underway now and in the immediate future. In addition to the expertise that we have I'd like to point out that we have about 95 years of work experience

here in Suffolk County collectively. Most of us are very long term employees; Mike has been here approximately one year and has added a new level of energy to this group. And he has been very much of help to me in preparation of this particular PowerPoint presentation and he's also working with me on a program that we'll get into later on agriculture.

This slide merely represents the various general types of things that we do in the office. We do studies pertaining to the coastal zone, land use and land able for development. Laretta is principally involved with things that relate to the Suffolk County Open Space Acquisition Program in park planning. We provide technical assistance in the preparation of Suffolk County water resource, estuary protection and wetland management programs. I'm involved with a lot of that. We implement Department of Planning capital projects and we'll discuss those in a moment. We have a lot of interaction with various groups that involve federal, state and local government agencies and programs which in themselves are conducting special studies involving sites and various activities in Suffolk County. Sometimes we, you know, hopefully try to get money brought into the agency by preparing grant applications and sometimes we're also asked to look at the specific environmental impacts of development projects.

Well, what did we do for you in the past? Well, we're going to go through several project reports here again, briefly showing the covers of those studies just to give you an idea of the flavor and the spectrum of the kinds of things that we do. The first study was a management plan for the Patchogue River Corridor. Commissioner Esposito, I believe you were involved in some of the input in that particular study that we did for the Village of Patchogue under a Department of State grant. The focus of that particular study was looking at some of the under utilized waterfront locations along the river corridor in terms of trying to provide recommendations for new uses in that particular area.

This project cover relates to Water Quality Protection and Restoration Program. A new program when it was introduced a few years ago that utilized some of the monies collected under the ¼% sales tax program for water quality, restoration, aquatic habitat restoration, open space acquisition, farmland acquisition programs. It supplemented funds that were available for this particular activity and those funds were collected annually under the sales tax program. This document was prepared upon the request of the Suffolk County Legislature and it outlined a plan of approach in terms of guidance to the County Executive at that time to implement the nuts and bolts of getting that program started.

Sometimes we are asked to look at specific acquisitions in this case the Legislator from the east end of the County requested a specific look at the Hubbard Duck Farm property out in the Riverhead area bordering on Flanders Bay. And it's a very interesting site one that has often been talked about in terms of potential acquisition because of its location of importance to the Peconic Estuary and its water quality implications.

This next cover talks about an activity that's dear to my heart and that's Shellfish Cultivation in Peconic and Gardiners Bays. At the time there was a few disputes involving the use of underwater property out at this particular area and we did a survey of the pros and cons of aquaculture; the legislation involved with the activity at that time and came up with a number of recommendations for consideration by the Suffolk County Aquaculture Committee which was chaired by Tom Isles at the time. One of the recommendations from that group was to prepare analysis of what the survey requirements for implementing a leasing program for shellfish cultivation in this area under state law consisted of and again, this report was also a result of interest shown by the County Legislature. Laurretta.

MS. FISCHER:

The next report is our Land Acquisition Programs; a summary of authorizing legislation and program requirements. This report evaluates all of the dozen programs that the County implements to acquire open space including farmland development rights, properties for open space including wetland, woodlands, for drinking water protection purposes, estuary properties and the like. And it's an extensive array of programs that we have to evaluate when we make proposals for acquisitions before the Legislature. A new program that we are going to be adding to this report is the recent SOS, Save Open Space Program that was implemented in 2004 for additional \$75 million which we will add to this report as an update.

MR. DAVIES:

Ron.

MR. VERBARG:

The next one as you see the title states it's an Existing Land Use Inventory for the North Shore of Long Island was as a result of a subcontract we had with the Department of Health Services. It encompasses portions of three towns approximately more than one third of Huntington Town, more than one half of Smithtown and about 10% of the northwest corner of Brookhaven Town. And the area encompasses that area that contributes to groundwater under flow reaching the North Shore embayments. The southern boundaries essentially is the twenty year time of travel for groundwater flow to the coast. This is the first in actually a series of reports; this is the existing land use and thirteen categories.

And from this one then we progressed to the second stage which is the Land Available for Development Report (ahh, there it is) and what we do is we utilize the information gleaned from the first report dealing primarily with vacant property, farmland, existing residential properties still capable of further subdivision and special large lot we call them special cases such as large institutional or private recreational pieces. And we utilize that information plus current zoning information from the towns and we massage all the information.

And after a while utilizing the GIS we come out with a detailed analysis of what additional properties could be developed and how many extra dwellings units you could get.

Then the third which we don't have a copy of it is actually we pass that information off to our demographics unit particularly, Peter Lambert and he does a demographic analysis utilizing a lot of the US Census information. Comes up with an actual head count of how many additional people you could figure on that saturation population levels. That by the way, we also did a similar thing for the east end back in 1999 we did all five east end towns and it was a painstakingly done task that included almost everybody in the Department.

MS. FISCHER:

The next report is our draft Open Space Acquisition Policy Plan for Suffolk County. We're in the process of finalizing this report and it takes into consideration the overall policy of the County with regard to its open space. We started doing open space policy reports in 1964. So this is a continuum of our interest and need for clarification for our extensive open space acquisitions that we have that total around 50,000 acres at this time. So we do have a vested interest; we're very interested in making sure that we're buying property that are important environmentally and also important for farmland protection. In this report what we did do this time was to create three rating systems, ranking systems so they can be used when proposed acquisitions are presented before the Legislature. And we used them as a guideline to make good decisions and we will be working on finalizing this report in the near future. Thank you. Oh, I'm on the next two too.

The next two reports, the first one being the Master List and Maps of Proposed County Open Space Acquisitions that we completed in 2004. This is a compendium of maps and lists of properties that were prepared for review and approval by the Legislature through the request of the County Executive's Office to come up with about 5,000 acres of properties to be considered for County acquisition. And this is done in association with our GIS capabilities and we come with maps and present this report to the Legislature for their approval.

The same approach was conducted for Master List 2; last year in 2005 and again we came up approximately 4,000 acres for proposed acquisitions of both farmland development rights and open space.

MR. DAVIES:

Well, what have we done for you lately; well, let's start and talk about what we're doing right now. I'll give you a summary --

MS. ESPOSITO:

Can I just ask you a question about those reports?

MR. DAVIES:

Oh, sure.

MS. ESPOSITO:

Two parts, how are they distributed in; can the Suffolk County Planning Commission either get a notice that they're available when you publish them so we can request a copy if we feel that it's something that would benefit us?

CHAIRMAN CARACCILO:

And I think to add to that, are they available online?

MR. ISLES:

Yes.

MS. ESPOSITO:

All those things?

MR. DAVIES:

Most of these are available online. A few of them if they were done earlier perhaps are not or we just haven't put them online, but it's certainly something we can accomplish.

MR. ISLES:

So most of them are in the County Planning Department website, but certainly any Commissioner would like a copy of the reports we'll certainly make them available and certainly any future reports we bring to the Commission.

MS. HOLMES:

That was my question too was where on the website would that 1989 East End Report be on the web or could I get a copy of it?

MR. DAVIES:

What, the 1999?

MS. HOLMES:

The 1989 East End Study.

MR. ISLES:

It's 1999.

MS. HOLMES:

1999, I'm sorry.

MR. DAVIES:

That's on the website.

MR. VERBARG:

They are on the website now if you look under publications on --

MS. HOLMES:

Under publications?

MR. VERBARG:

Right. And you can actually access all the maps too which is quite interesting --

MS. HOLMES:

Oh, my goodness.

MR. VERBARG:

And download them and print them so you make them any scale you want.

MS. HOLMES:

Oh.

MS. ESPOSITO:

I just want to go back to my original question which was can we get, in other words, if we log on to the website that would be no problem, but how would we even know they exist. What I was asking for is can we get some kind of notice as they come out as the Suffolk County Planning Commission that a report is coming out, here's the topic. This way we'll know to go to the website if we feel it could benefit our work.

MR. ISLES:

Let me just add two things to that. Number one, we do try to bring new reports to you so for example next month we have a report on the retail study that we did. We would like to make a presentation to you about that and give you copies of that. And secondly, we do have a list of publications that actually Peter maintains that goes back to what the 1970's or something, Peter? At the beginning of time actually and so that's actually very extensive bibliography of what we have. So we'll give you copies of that too.

CHAIRMAN CARACCILO:

Thank you.

MR. DAVIES:

Okay. I'd like to spend some time on what we're doing now and we'll go through some of the capital projects, contract, studies and some of the functions that we're performing. So let's talk first about capital projects. The first one shown here is the Suffolk County Aquaculture Leasing Program in Peconic and Gardiner's Bays. It's a \$600,000 capital project which is underway as we speak. This is an intensive effort over the next two years to develop this program; we

have a County Executive appointed lease program advisory committee. We'll have probably on the order of a few dozen meetings that would involve all the interest in the east end all the towns, all the baymen, etc. And as matter of fact tomorrow there is a {proposes} conference for discussing questions on the request for proposals that has been distributed for this particular project to secure certain types of expertise for conduct some of the work.

Second capital program project that we have is the Mud Creek Watershed Restoration Study; \$643,000 project that constitutes the feasibility study phase for a construction project involving the restoration of the old Gallo Duck Farm located in East Patchogue in the Mud Creek Watershed. We are just getting underway with this particular project. The funding from the Corps of Engineers however has been temporarily displaced because of the war in Iraq so we have to proceed in a different path and we'll try to get that project underway this year. This is a project that just was proposed by the Planning Department about a week and a half ago or so. It's pending approval. It's an outline of work for a \$85,000 capital project for conducting a feasibility study for the restoration of the Robinson Duck Farm located on the western shore of Carmen's River. It's surrounded by National Wildlife Refuge property and we hope to come up with a use plan and a restoration strategy for that site if it is funded by the County Legislature.

We also have current activities under the heading of Contract Studies. These are things that we do for other agencies, other levels of government from time to time and there are agreements where we either get paid or don't get paid as the case may be for certain technical studies. So the first one up here is a contract study where we're involved with the Corps of Engineers and I'll turn that over to Ron for a second.

MR. VERBARG:

This is one we get paid for; this is approximately \$88,000. It's a matching contribution; we put in \$1 for every \$3 the Corps puts in. It's a planning assistance study. It's kind of an out shoot of a conference that the Planning Department had in February 2005 out in Riverhead dealing with the history of the duck industry on Long Island. What we're going to try and do is it's in several components. We're going to actually detail the history of the duck industry in Suffolk County which is quite significant. I never realized how large it was, but there were over hundred farms at one point at its peak. And then we're going to actually do some preliminary work on getting information on sediment surveys and water quality at several duck farms as a beginning step to actually restoring former duck farms to their natural condition. And that's about it on that one.

MR. DAVIES:

This is a contract study that we're not getting paid for; we just have to do the work. It involves working with the Department of Health Services on the update of the Suffolk County Comprehensive Water Resources Management Plan. And

under this particular program we're responsible for the existing land use land available for development components. Peter Lambert to my right here is involved in this project with the specter demographics. We also have to look at historical land use trends associated with 30 representative water supply well capture zones to determine how land use change maybe related or not to changes in water quality.

MS. FISCHER:

And the next group of projects are under the heading of Open Space Planning and this is a continual part of our work schedule everyday. We are in the processes as I had mentioned before of updating the land acquisition program report as well as the park policy report. In addition to that which is a very big nut to crack is our inventory of all parkland. We do have quite a few pieces of property and we continue to acquire property and we really have no central location of all those properties that we do acquire for parkland. And so in hopes of helping both the Parks Department, our Department and other departments throughout the County to identify and explain exacting what parcel it is, what program it was acquired under and what the criteria is involved in possible future uses of the property are very important and that's something we are undertaking this year. Again, we are also looking at another list of future parkland acquisitions to propose to the County Legislature, again, for another year.

MR. ISLES:

Mr. --

CHAIRMAN CARACCILO:

Mr. Davies can we interrupt for just a couple of moments because we have a couple of Commissioners that have to leave and maybe we could pick this back up after we just get the business done.

MR. ISLES:

Just hang tight.

CHAIRMAN CARACCILO:

Would that be okay?

MR. DAVIES:

Sure.

CHAIRMAN CARACCILO:

Thank you, I appreciate it. Why don't we just push the roundtable back down; lets get right into the business because we do have a couple -- that's at the pleasure of the Commissioners, is that okay?

MS. HOLMES:

That's fine.

CHAIRMAN CARACCILO:

All right, Andy, do you want to us through some of the business here?

MR. FRELENG:

Mr. Chairman, members of the board good afternoon. This is the regulatory review part of the Commission agenda. The first matter that comes to us is referred from the Town of Babylon; this is the application of Henry Terranova. Jurisdiction for the Suffolk County Planning Commission is that the subject property is adjacent to Amityville Creek and within 500 ft. of Suffolk County land. The applicants are seeking a Town Board Change of Zone approval from B-Residence to Multiple Residence for the construction of 16 multiple residence units.

The subject property is located on the east side of Albany Avenue which is a town road approximately 786 ft. south of Bayview Avenue. The subject property is situated in the hamlet of Amityville. A review of the character of land use and zoning pattern in the vicinity indicates that the subject parcel is in a corridor of residential zoning. If you just take a look at the zoning map real quick. You can see for the most part that the subject property is in this big area of B-Residence zoning just to the south; several parcels away is located some E-Business zoning. The subject property is bound by single family homes to the north and south. If you go back to the aerial again Chris, please. So we have single family homes north and south. To the west of the property the site fronts on Albany Avenue; across the street is additional improved residentially zones land and east of the subject site is the upper reaches of Amityville Creek which is rather a small tributary to Great South Bay. East of the Creek is some commercial uses on residentially zoned land. I just wanted to point out that the large site here is the Maxine Postal Tri-Community Health Center that is the County of Suffolk land that gives the jurisdiction to the Commission.

As indicated the applicants are seeking change of zone approval from B-Residence to Multiple Residence for the construction of 16 multiple resident units and associated site improvements on a 36,359 sq. ft. parcel. The access to the MR development is proposed to be from a single curb cut to Albany Avenue which is a town road. There is no alternate or emergency access proposed or appears to be possible at this time. The Town of Babylon 1998 Comprehensive Plan recommends light industry for this strip of Albany Avenue. The subject petition would be in conflict with the recommendations of the Plan. There are no significant environmental constraints other than the wetlands to the east, however there are no wetlands on site.

It is the belief of the staff that the petition is an unwarranted over intensification of the use of the premises. The subject petition is requesting the application of the MR zone to a 36,359 sq. ft. parcel wherein the minimum lot size of the zone is two acres or 87,120 sq. ft. The application then or the lot would be about 42% short of the required minimum lot area. Moreover, the requested density is

seven units over the allowable density for the MR development. Approving the requested zone change would tend to substantially undermine the effectiveness of the zoning ordinance and would constitute the unwarranted inappropriate non-comprehensive alteration of zoning pattern in the locale.

In addition, of the total number dwelling units which is 16 none are proposed to be for workforce housing purposes which is a policy of the Commission. 20% of those units would be equivalent to about three units. Therefore, 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. One, that the petition is an unwarranted over intensification of the use of the premises. Two, it would tend to substantially undermine the effectiveness of the zoning ordinance. Three, the premises is remotely situated and possesses limited amenities for multi-residence proposes. Four, it constitutes the unwarranted inappropriate non-comprehensive alteration of zoning patterns in the locale. Five, the premises does not comply with the minimum lot area for the requested MR zoning district. And six, it is the belief of the staff that the premises could be reasonably developed in accordance with the existing B-Residence District requirements.

The comment which follows which staff is recommending that the Commission provide to the Town of Babylon is related to the nature of the subject premises being 42% short of the minimum lot area and relating to the density of the request being seven units over the allowable density for the MR development. That is the staff report.

CHAIRMAN CARACCILO:

Thank you, Andy. A motion is in order.

MS. HOLMES:

I move to adopt the staff report.

MR. PRUITT:

Second by Commissioner Pruitt.

CHAIRMAN CARACCILO:

All those in favor? Opposed? Abstentions? Motion carries. **(Vote: 11-0-0-0)**

MR. FRELENG:

Next item is referred to us from the Town of Brookhaven. This is the application of Tall Grass Properties, LLC. Jurisdiction for the Commission is that the subject property is adjacent to New York State Rte. 25A otherwise known as Sound

Avenue and that the subject property is situated in the Central Pine Barrens Zone.

The applicants are seeking Town Board Change of Zone approval from A-1 Residential to PDD or Planned Development District in order to construct 542 residential units and amenities as well as 100,000 sq. ft. of commercial office space, a golf course, a sewage treatment plant and this is all on 320 acres.

The location of the subject parcel is that it is on the south side of Sound Avenue which is New York State Rte. 25A and along the east side of Randall Avenue which is a town road. The subject property is situated in the hamlet of Shoreham. A review of the character of the land use and zoning pattern in the vicinity indicates that the subject parcel is in an area of predominately residential zoning. If you take a look at the zoning map a second, please Chris. Thank you. You can see that the subject property is well situated in the A-1 Residential zone; just to the south is a planned residential community and you can see the A-2 up here. There is some J-2 Business located immediately north and adjacent to the subject parcel; that is a bus depot or bus yard and there's another parcel across the street which is a strip shopping area over here.

The subject parcel is currently occupied by approximately 170 acres of sod farm and approximately 149 acres of golf course. The subject property is bound by single family homes; a commercial use and NYS Rte. 25A to the north the bus depot. There's that strip shopping area and there's some residential development. To the east and south the subject parcel is bound by residentially zoned vacant and improved lots. So there's a mix of residentially zoned improved lots, some vacant land and a smattering of improved and vacant lots along here. Okay. To the west the subject site fronts at several locations along Randall Avenue which was indicated as a town road and this is interspersed with residentially zoned and improved out parcels. Cooper Street a town road bisects the property east and west. And that would be in here you can just make it out.

Okay, as indicated the applicants seek Town Board Change of Zone approval from A-1 Residential to Planned Development District in order to construct 542 residential units. The units are proposed to be part of a workforce housing complex including the following breakdown and this is in the staff report.

- 125 single family detached dwelling units
- 122 townhouses
- 081 villas which include 36 age restricted units
- 164 senior citizen reserved units in the form of Planned Retirement Community
- 050 workforce housing units.

Of the total number of dwelling units which is 542 the proposed 50 workforce housing units represent 9.2%. Moreover, workforce housing units are to be distributed with in the villa units, townhouse units and Village Center units. So

just to clarify they're recommending or they're offering 9.2% of the overall density of 542 units as workforce housing units and they're going to intersperse that amongst the various different housing types within the proposed development.

At the north-west corner of the -- I'm sorry. In addition, the petitioners include in the PDD proposal approximately 100,000 sq. ft. of commercial space situated along Sound Avenue. A breakdown of the commercial space, commercial component is as follows, there's 10,000 sq. ft. of professional/medical office building in the north-west corner being proposed. At the north-east corner there are three buildings 5,000 sq. ft., 5,000 sq. ft. and 6,000 sq. ft. which are ranked if you'd look in the staff report you can see it better, but there are three buildings along 25A. Behind that is an 11,000 sq. ft., a 17,000 sq. ft. and a 40,000 sq. ft. building they're proposed to be set back from the street in a campus style. And so that is the entire commercial complex here and here. There are 50 Village Center Units which are ranked along the periphery of the commercial Village Center. You can make them out better in the staff report, but there are 50 units that are ranked around the outside of the commercial center. And in addition to the commercial space a 20,000 sq. ft. theater/community art center is proposed and that is down to the south over here.

And existing 146 acre, 18 hole golf course is intended to remain a public course. The existing clubhouse and parking area is to remain. In addition, approximately 30 acres is proposed as open space dispersed throughout the complex. A multi-use paseo is also included as well as a soccer field. Just to clarify, a paseo is an exercise trail; a new terminology for the 21st. century and it worms its way through there's some open space here and makes its way down to the north end of this part of the golf course and then comes back up along the west side and just makes a loop like that.

CHAIRMAN CARACCILO:

Do we have a requirement for paseos?

MR. FRELENG:

No, we do not.

MS. SCHMIDT:

How do you spell it?

MR. FRELENG:

And it is spelled p-a-s-e-o. Okay, and there is also a soccer field proposed if I didn't mention it already and there's a soccer field right there. Access to the proposed PDD is from two points along Sound Avenue; one point of access to Randall Road and two points of access to Cooper Street.

The 1996 Town of Brookhaven Comprehensive Plan recommends a density of one acre or less for this area of the town. However, the more recent Shoreham

Hamlet Study envisions a mixed use development as an alternative to single family subdivision. The rationale behind the PDD recommendation of the Hamlet Study is to provide a mix of commercial development and housing types to ease the burden on the school district as opposed to an as-of-right subdivision of 285 detached single family homes.

A sewage treatment plant is also proposed in the northwest corner of the property. I think that's it. Okay and that's going to be offered for dedication to the County of Suffolk to be operated and maintained under the jurisdiction of the Suffolk County Department of Public Works. The subject property is situated in Hydrogeologic Ground Water Management Zone III pursuant to Article 6 of the Suffolk County Sanitary Code. The property is located in the Central Suffolk Special Groundwater Protection Area and the Compatible Growth Area of the Central Pine Barrens region. There are no mapped state or federal wetlands on the subject property; however, there is a golf course water hazard on the subject site. And that's the proposal, but there's an existing water hazard on the southeast section of the golf course. So that is the proposal.

Issues for the Commission stem from the Commission's policies related to Smart Growth and good site planning and land use. It's the belief of the staff that conceptually a mixed use Planned Development District at this location is acceptable for the reasons stated in the Shoreham Hamlet Study. However there are a number of design elements of the conceptual plan that in the opinion of the staff is problematic or are problematic. The overall density of the proposal appears to constitute an unwarranted over intensification of the use of the premises. An as-of-right subdivision of the property would yield 285 single family units. The proposal however is for 542 residential units and 100,000 sq. ft. of commercial space. A jump from 285 as-of-right single family units to 542 residential units and 100,000 sq. ft of commercial space is substantial. The applicant proposes to provide public benefits in order to increase the residential density and provide commercial office development. Specifically, the public benefits put forth by the applicant are school tax benefits. The theater/art center, the multi-use paseo, the public soccer field, the open space and park, reduced fee at the Tall Grass golf course. Conversion of the private golf course, scenic vistas, high quality design features, high quality architecture, approximately 10% affordable units, park maintenance and road maintenance over 20 years.

All total the proposed public benefits are purported by the applicant to have an economic benefit of close to \$121.6 million over as-of-right development on site. The purported economic benefit to the school district over shadows the examination of some fundamental planning issues. It is important to reiterate that the subject site is situated in the Compatible Growth Area of the Central Pine Barrens and in accordance with Town of Brookhaven PDD Zoning law a Planned Development District is to "help implement the Central Pine Barrens Comprehensive Land Use Plan by providing a zoning mechanism designed to facilitate the transfer of Pine Barren Credits." No Pine Barren Credits are

proposed by the applicant -- proposed by the project sponsor to be transferred to the subject property as a proposed public benefit. Instead it calculated values attributed to the number of credits the applicant contends is required to achieve the desired density. And that Pine Barren Credit number is suggested by the applicant to be 12.1 credits at an equivalent value of approximately \$1,200,000.

The whole argument over the economic benefit of the development must be balanced with the need to retire Pine Barren Credits pursuant to the town PDD zoning law. So just to summarize, the applicant calculates that he would need 12 Pine Barren Credits to get the density from 285 to 542 units. He is taking a look at the Suffolk County Health Code and he has sliced his waste water flow based on what he feels is his unit complex to come down with a certain amount of gallons that equates back to 12 Pine Barren Credits.

Staff takes exception to that rough estimate; we've had some discussions with the Department of Health Services. They question whether or not the bedroom count was used in the actual design flow of the system or whether it was just the unit mix that they used to calculate the design flow. So there is some question; it may be the applicant is right and only 12 Pine Barren Credits would be needed to achieve such a density however staff feels that that's rather low. In a best case analysis if you will staff calculates that you could need up to 86 Pine Barren Credits. Pine Barren Credits in the Town of Brookhaven are roughly at a \$100,000 per credit. So the applicant would be looking to retire 86 credits or eight million if I do my math right, roughly \$8.6 million worth of benefits. So the applicant is looking at that as opposed to some of the things he can offer at a lower cost, but over time may have a significant benefit to the community. However, we don't feel the staff doesn't feel that that economic benefit should over shadow some of the other issues which we're talking about.

Mr. Goodale left at 1:25 pm

MR. FRELENG:

So the loss of 320 acres to the ratio of receiving to sending areas without the retirement of Pine Barren Credits pursuant to the Central Pine Barrens Plan and the town zoning law needs to be more fully examined. When the town ratified the Central Pine Barrens Plan when the plan was put into effect there was a balance of sending Pine Barrens credits to receiving area of credits that needed to be maintained by the town. That was a balance ultimately of two and a half times sending to receiving. While this application may not in itself ruin that ratio we believe that the Town of Brookhaven has approved a number of high density zone changes in the Compatible Growth Area and the A-1 zoning which is their designated receiving area. So we believe that is appropriate for the town to do a recalculation of their sending to receiving area ratio. So we recommend that should go back to the town as part of our analysis.

In addition, clearing regulations within the Compatible Growth Area of the Central Pine Barrens are tied to the pre-existing zoning of the site which is A-1 Residential. For this property the clearing restriction is up to 53% of the site or 169 acres which would leave 151 acres in open space. The applicants are only proposing 29.8 acres. Staff obviously recognizes that the site is entirely cleared however, the applicant should make a greater effort to achieve the maximum clearing restriction and bring that open space closer or as close as possible to the designated goal of the open space in that area. So it is the belief of the staff that there should be a greater effort by the applicant to achieve 151 acres of natural vegetation by providing a greater amount of open space and through an indigenous plan restoration plan.

The open space is fragmented and provides little in terms of habitat and groundwater protection pursuant to the Central Pine Barrens Plan. So the applicant is proposing almost 30 acres of open space, but it is essentially in terms of ecological value and the goals attributed to the Central Pine Barrens Plan this open space, a little pieces here, this piece up here provides very little in the way of a natural environmental amenity. Almost finished. Moreover, the soils on the subject property are considered prime agricultural soils in Suffolk County and a greater effort should be made to provide the open space in a contiguous manner preserving the integrity of these soils as well as providing for better habitat enhancements with a contiguous piece of open space.

The layout of the commercial center is poor and should be moved to the west opposite the existing commercial to form a node or nucleus from a commercial business district or hamlet center. Most of the commercial area is over here; the existing strip shopping area is over here. Staff believes that this whole complex including the art center should be shifted over to this part of the property to provide a node or hamlet center around what is already existing. The main street design of the Village Center is problematic and might be better designed around the community art center as a center piece. Moreover, the placement of the Village Center units around rather than on top of the commercial space is not Smart Growth. There is some question as to the potential viability of commercial uses particularly retail in this manner of development due to poor exposure from Rte. 25A. So while we understand that the campus style of commercial development maybe more desirable as opposed to strip development a 40,000 sq. ft. building similar to the PDD application in Southampton that we went over last month being set way back off the main strip might pose visibility issues and the success of the commercial center may hinge on that. So we believe that they need to take a real hard look at that commercial center.

The location of the 164 Planned Retirement Community units which is this component right here is placed in an isolated location on the subject property and should be within easy walking distance to all amenities including the Village Center. The PRC in relation to the Village Center is over a mile away. So believe it or not from the center of the Planned Retirement Community to the

Village Center where seniors or retirees may want to walk and get some groceries or some services like dry cleaning or whatever that might be that would be a walk of over a mile. And the only way to get there would be the paseo which stops here and then they would have to make their way somehow across the street and into this complex. We feel that this PRC and this commercial center should be more closely related.

In addition, the Town of Brookhaven Zoning Law requires a calculation of daily traffic generation from the proposed use. None has been provided to the Suffolk County Planning Commission to compare the potential approximate 2,850 trips per day of an as-of-right subdivision. So an as-of-right subdivision would produce about 2,850 trips per day that seems like a lot however, the applicant says -- my discussion with the applicant indicated that they did do a traffic analysis, but that was not submitted to the Commission for examination. So we believe that should be taken a hard look at.

Finally, a project of this magnitude should achieve 20% of the overall density as affordable units and that would be closer to 60 units, I believe. The concept of the PDD at this location is acceptable for the reasons expressed in the Shoreham Hamlet Study however, the mix of residential uses on site is good however, the layout of the complex is problematic.

Staff is recommending approval of the Planned Development District Change of Zone request with the following conditions and comments. We would like that the Commission condition number (1), that the ultimate density on the subject parcel not be set until such time as issues related to the use of the appropriate number of Pine Barrens Credits is determined. Number (2), the ultimate density and final conceptual layout shall not be set until New York State Central Pine Barrens Joint Planning and Policy Commission issues related to clearing and fragmented open space is addressed. (3) that at least 20% of the overall final number of dwelling units shall be set aside for affordable housing purposes. Condition number (4), would be that conceptual approval from the Suffolk County Sewer Agency for the location and design of the sewage treatment plant be required prior to approval of the PDD zone. Number (5) the site plan for this proposed use shall be referred to the Suffolk County Planning Commission pursuant to General Municipal Law 239 and the Suffolk County Administrative Code at the time it is submitted to the town as part of the Phase II approval of the PDD. PDD approval in the Town of Brookhaven requires two phases change of zone then site plan. It has just been recently clarified in the Suffolk County Code, the Administrative Code that site plans are required to be referred to County Planning Commission. This last condition then is if they're not aware of it, it is a reminder or a condition that that site plan needs to come.

CHAIRMAN CARACCILO:

So this will come back to us once again?

MR. FRELENG:

The site plan should come back once again; that's correct if the town approves the zone change. The comments which follow are an excerpt from the staff report related to issues on the Compatible Growth Area of the Pine Barrens; the transfer of development rights. The issue of loss of 320 acres to the ratio of sending to receiving. The paragraph which talks about the clearing restrictions of the Central Pine Barrens Zone; paragraph which discusses the fragmented Open Space in the prime agricultural soils and how that Open Space should be more of a contiguous Open Space. It talks about issues related to the layout of the commercial center. The location of the Planned Retirement Community; the calculation of daily traffic flow. 20% affordable units and --

MS. ESPOSITO:

Does it talk about the size and capacity of the STP?

MR. FRELENG:

Only to the extent that the condition that it goes to the Suffolk County sewer agencies; so they will analyze all that. And then a final comment that the concept of the PDD at this location is acceptable for the reasons expressed in the Shoreham Hamlet Study however, the mix of residential units -- the mix of residential units on site is good however, the layout of the complex is problematic. That is the staff report and recommendations to the Commission.

CHAIRMAN CARACCILO:

Thank you very much for a very thorough excellent staff report. Andy, you did a great job.

MR. FRELENG:

Thank you.

MR. DIETZ:

Commissioner Chairman --

MS. BOLTON:

John.

MR. DIETZ:

I'd like to make motion for staff.

MS. BOLTON:

Oh, okay.

CHAIRMAN CARACCILO:

Question.

MS. BOLTON:

I had a couple of questions.

CHAIRMAN CARACCILO:

Okay.

MS. BOLTON:

Andy did you -- does the Shoreham Hamlet Study speak more specifically about what their expectations for such a mixed use development would be? I mean, there must be reason for recommendation like that and I'm thinking that perhaps they were more specific and you know.

MR. FRELENG:

My understanding on the Shoreham Hamlet Study was a way to balance or decrease some of the impacts of single family residential zoning which is predominately what is zoned in Shoreham. And that impact to the school district and balance that with a more mixed use type of development that would have, in my words, more ratables and less services required from the school district. In addition to, you know, Shoreham wanting to maintain the character of their community and all those other issues, but I think the primary issue was the impact to the school district and the community's desire to find more mixed use type of development in order to lessen that impact.

MS. BOLTON:

Secondly, I compliment you on very thorough report, very helpful I might say. I'm looking, I'm reading this report and everything I see that could possibly have made this a better plan isn't there. Not least of which is a whole cluster of senior units which I guess are all market rate because it doesn't speak to anything else.

MR. FRELENG:

I believe there are some affordable senior units in there however, the way the applicant broke down the affordability and the unit mix and stuff it was difficult in the time that we had to review it.

MS. BOLTON:

Right. The other thing where you list what the applicant claims are public benefits the only actual public as in usable by the public benefit appears to be the soccer field. I don't really see anything else that's not really privatized as part of this development.

MR. FRELENG:

Well, we didn't get very much detail on the future disposition and use of some of the amenities, but I would agree with you that the soccer field is probably going to be an amenity available to the community, but not to forget the theater and the art center. And the golf course they're reducing the fees on the golf course. So they are making an attempt to provide some public benefits, but staff did notice

that in our opinion they weren't substantial public benefits. But I do want to point out and just to be fair to the applicant; I believe that the applicant has shopped this concept around with the civic association, with the community, various communities around and with the Shoreham populace in general and I believe that this is what you might say is the compromised plan. They've shifted things around to try and address some of the concerns of people however, when you get so many people in the mix you wind up with the camel and not a horse. And we believe that they need to come back and take another look at the placement of some of these elements of the plan.

MS. BOLTON:

Did I, I mean, this is a very -- this report has a lot in it so I may have missed this; are you saying that the plan is over yielded?

MR. FRELENG:

Well, the applicant argues that its not. The applicant argues they can take their base 285 units and if they were to bring in 12 Pine Barren credits they could achieve this density. Staff believes that that might be a stretch to go from 285 units to 542 units; however, you know, a unit is 300 gallons of waste water and if you do a low intensity use you can stretch that 300 gallons. So we believe that they really need to take a hard look at the ultimate density. It's the opinion of the staff that such a high dense project in this particular area is going to stand out like a sore thumb and may not be in character with the community; so we believe that the town and Shoreham needs to take a harder look at this application.

MS. BOLTON:

And I think the other great difficulty appears to be the design of it.

MR. FRELENG:

The layout of it, yes.

MS. BOLTON:

I mean, layout I should -- okay.

MR. FRELENG:

Again, we think all the elements in this project would make a very nice mix use Planned Development District the way they're intended to be. We just think they need to take a harder look at the relationship of each one of those components to each other and then the overall scheme of things in the Shoreham Hamlet.

MS. BOLTON:

Okay. I guess I'm having my usual problem where, you know, there are so many things wrong with this plan and yet we're recommending approval.

CHAIRMAN CARACCILO:

Let see, do we have any other comments, Don?

MR. FIORE:

Yes, I share that comment with Charla there that you found so many things that were wrong with this plan and yet the approval still flies. Can you elaborate on that if you could?

MR. FRELENG:

Yes, I understand the concern of the Commission we wrestle with that quite often. Again, the application before the board is for a change of zone. The plan that comes along with it is a conceptual plan; you always have to go back and do the details of the plan when you get to site planning and in this case we will have if I may a second bite at the apple. We will be able to deny the site plan if it is, if it runs afoul of Commission guidelines and procedures. So the concept of a change of zone to go along with the Hamlet Study to go along with, you know, 21st century planning where we don't want to do typical residential subdivisions. We understand the concept, we understand the desire, we have no -- staff has no concern and is recommending to the Commission. We have no concern with the change of zone concept. It's the details of the design that staff has concerns with.

CHAIRMAN CARACCILO:

And we're going to have that opportunity to look at that when it comes back to us.

MR. FRELENG:

And that the Town of Brookhaven follows General Municipal Law in the County Charter appropriately they will refer that site plan when it is submitted to the Planning Board.

CHAIRMAN CARACCILO:

That's a great point. Thank you Don that was a really good point.

MR. KONTOKOSTA:

Just quickly excuse me I'd just like to disclose quickly that my company is currently retained the same law firm that is representing this applicant and we're obviously, on a very separate unrelated matter, but as such I recuse myself from consideration of this application. I would just like to say though that I do share some concerns about the application as presented. Thank you.

MR. ISLES:

Just on that, you know obviously, it's your choice Mr. Kontokosta how you want to do that. We may not be able to carry a motion today, but you know, in terms of I'm not sure if this advise Counsel, if he's automatically recused, but or if it's just a disclosure of satisfactory in this case.

CHAIRMAN CARACCILO:

I mean, because we have one Commissioner that is going to recuse himself so --

MR. ISLES:

Right.

MR. KONTOKOSTA:

I just think it would be probably better at this point since I had mixed impute just to be on the over cautious --

MR. ISLES:

Then we're done.

CHAIRMAN CARACCILO:

Then we can't vote on this; we don't have a quorum to do that.

MR. ISLES:

Then it's a no action.

CHAIRMAN CARACCILO:

Then this is a no action by the Commission so we can't even make a motion to vote on this.

MR. FRELENG:

If I could suggest to the Commission then that staff will send back a letter indicating that there were not enough votes to carry a motion; however, if you want your comments to go along I can provide those comments.

CHAIRMAN CARACCILO:

I think the comments are critically important.

MS. BOLTON:

I agree with the comments, absolutely.

MR. FRELENG:

Thank you.

MS. DAUM:

Mr. Chairman may I say something?

CHAIRMAN CARACCILO:

Yes, absolutely.

MS. DAUM:

I'm the original recusee I guess.

CHAIRMAN CARACCILO:

Original recuser.

MS. DAUM:

Yes, and I'm recusing myself because I've been involved in this project for two years as the president of the Shoreham Civic Organization. So I've seen it go through a lot of changes in the period of those two years. I'd like to thank Andy and the staff very much for the very careful detail they've given to this. It's really impressive. And I would just like to add that first of all wearing my other hat I'm certainly very glad to have these, all of these comments, the Commissioner's comments and those of the staff passed along to all the principals involved in this proposal. I think it's a -- it's critical that they get that feedback. Second of all, I would also like to just I guess second something that Andy had already said which was that this -- the site plan itself is something that's been in development for quite a long time. It's gone around and around and a lot of what you see on the map that was included in this particular application was in response to comments of residents in the community. And in fact, the original plan incorporated some of the things that have now disappeared that you're looking for. So it's a long road even if the zoning change is approved. I'm sure that we'll get another chance at this.

CHAIRMAN CARACCILO:

Thank you Commissioner I appreciate your input being so close to the project.

MS. ESPOSTIO:

I just wanted to say --

CHAIRMAN CARACCILO:

Yes.

MS. ESPOSTIO:

One addition comment and that is if we had been able to vote on this I probably would have voted no on this, but I think other things just to consider is that this is in Hydrogeologic Zone III as you pointed out which is the deep flow recharge zone and according to the SGPA Plan this really is an over intensification use of the parcel as well. So I think we also need to bear in mind that, you know, it's supposed to have 151 acres of open space and it doesn't. So when they come back that's one thing I just want, you know, for the record that I would be looking for is that there is some type of consideration given to the sensitive nature of the Hydrogeologic Zone III in that area as well. In addition, you know there's no traffic analysis as you pointed out; we don't know what the Pine Barrens transfer credits are. There seems to be way too many unanswered questions I think for an approval, but obviously we won't have to cross that bridge today.

Mr. Dietz left at 1:50 P.M.

CHAIRMAN CARACCILO:

Thank you Commissioner. So Andy if it's the pleasure of this board --

MR. ISLES:

If I could just ask for a recess for a minute?

CHAIRMAN CARACCILO:

Sure, absolutely.

Recess 1:51 P.M. Back on the record 2:00 P.M.

CHAIRMAN CARACCILO:

Okay, we're back on the record. Commissioner, would you like to make a motion.

MS. DAUM:

In view of the fact that there is not a traffic study included with this application that was submitted to us and the change of zone would pretty clearly seem at least to have a significant impact on our future traffic levels. It seems to me that this application is probably incomplete as submitted. So I would like to move that we return this to the town until such time as it's resubmitted with a traffic study.

MS. HOLMES:

I'll second that.

CHAIRMAN CARACCILO:

Do we need to vote on that motion to deem the application incomplete?

MS. HOLMES:

Yes.

MR. FRELENG:

Could I have a clarification on that though -- then we're just going to send it back incomplete based on the lack of traffic information.

CHAIRMAN CARACCILO:

Lack of traffic study

MR. FRELENG:

All the other comments relative to the staff report then we're going to hold in abeyance until such time as we get re-referred?

CHAIRMAN CARACCILO:

Yes, correct and they can resubmit that application.

MR. FRELENG:

Okay.

CHAIRMAN CARACCILO:

Okay. So we have a motion on the floor to deem the application incomplete. Do I have a second on that?

MS. HOLMES:

Second.

CHAIRMAN CARACCILO:

Commission Holmes second. All those in favor of deeming the application incomplete please signify by saying aye. All opposed? Abstentions?

MR. KONTOKOSTA:

Yes.

CHAIRMAN CARACCILO:

One abstention.

MR. KONTOKOSTA:

I will recuse myself as I did before.

CHAIRMAN CARACCILO:

Okay, it's 8-0-1-2. Thank you Commissioner. **(Vote: 8-0-1-2 Abstain: Kontokosta Absent: Goodale, Dietz)** Okay, Exxon Mobil with there \$8.4 billion profit this quarter. Let see what they want to do, Andy.

MR. FRELENG:

The Town of Brookhaven is referring the application of Exxon Mobil Oil Corp. to the Suffolk County Planning Commission. The Commission's jurisdiction is that the subject property is adjacent to Port Jefferson-Riverhead Road otherwise known as New York State Rte. 25A.

The applicants are seeking Town Board Change of Zone approval on two parcels from A-1 Residence to J-2 Business and A-1 Residence to J-5 Business for the construction of a bank with accessory drive-thru on parcel (1) and a convenience store, car wash and gasoline dispenser island with canopy on parcel (2). Both parcels total four acres.

The subject parcel is located on the northwest corner of Pipe Stave Hollow Road which is a town road and Port Jefferson-Riverhead Road which is New York State Rte. 25A in the hamlet of Mount Sinai.

A review of the character of the land use and zoning patterns in the vicinity indicates that the subject parcel is in a corridor of mixed use zoning including PDD, J-2, A-1 and PRC. The subject property is bound by LILCO/LIPA right-of-way and vacant residential land to the north. To the east the subject parcel fronts on Pipe Stave Hollow Road and strip commercial further down. To the

south the subject site fronts on New York State Rte. 25A and west of the subject property is vacant residentially zoned land. You can see all that on the air photo. This is the LILCO right-of-way, this is 25A and this is Pipe Stave Hollow Road.

As indicated, the applicant seek Town Board Change of Zone approval on two parcels from A-1 Residence to J-2 Business for a Planning Board Special Permit for 4,100 sq. ft. bank with accessory drive-thru and A-1 Residence to J-5 Business for the construction of a 1,400 sq. ft. convenience store which requires a town board special permit. A 1,152 sq. ft. car wash an a 44 x 124 ft. canopy with eight gasoline dispenser islands.

Access to the proposed development is to be from three points of access; two from New York State Rte. 25A and one from Pipe Stave Hollow Road.

No cross access is proposed between the two parcels and a single coordinated curb cut to New York State Rte. 25A would be a better design in terms of lessening the turn movements to and from the state road. So looking at the site plan you can see these are the two parcels. Really the tax map shows the parcels like this so they're actually doing a lot line modification as well. So you have parcel (2), parcel (1); there's access to Pipe Stave Hollow Road here. There's access here for this lot and access, it's in there somewhere, here for this lot. You know typically you don't get two parcels at the same time so you might wind up with actually two curb cuts especially if one parcel is approved with a curb cut way over here and then the second lot comes in and you don't have the ability to make them together. However, Exxon Mobil Corp. owns both parcels and they're coming in at the same time for development. This would be an ideal time to have a combined point of access going to the two pieces or the two uses which would lessen the curb cuts to the state road and decrease the turn movements and the potential for traffic conflicts on this road which is anecdotally a very problematic and traffic congested particularly during terms of rush hour. I drive this road often.

So we're looking for a point of coordinated access to the two sites; in addition, also to lessen the curb cuts and access to 25A you would want cross access. So this parking lot and this parking lot are linked and that if you did come in and look for a spot here maybe if you couldn't find one you could go right over here and find another one. There are often issues with land owners and applicants regarding liability and maintenance of cross access etc. however, again, we have one applicant and two parcels. This would be ideal to set that up. Okay.

The 1996 Town of Brookhaven Comprehensive Land Use Plan recommends commercial for this strip of Port Jefferson-Riverhead Road. The subject petition would be in conformance with the recommendations of that plan.

The subject property is situated in Hydrogeologic Ground Water Management Zone VIII pursuant to Article 6; the subject property is not located in a Special

Ground Water Protection Area. There are no other significant environmental constraints for the property.

It is the belief of the staff that the petition is an unwarranted over-intensification of the use of the premises particularly lot two containing the convenient store, car wash and gasoline service islands. The proposed car wash on site would require a variance for the minimum car stacking at the exit. The Brookhaven Zoning Law requires ten and the petition provides for only four that's a significant decrease. The petition is a request for a severe rezoning for a high intensity use that would be an extension of strip commercial along the state road. The proposed action may result in a further deterioration of the level of service on the highway.

Issues for the Commission stem from the Commission's policies related to over-intensification of the use of the premises and issues related to good site planning and land use. Staff is of the opinion that this subject parcel would be a better use for a low intensity office or some sort of low intensity use that has a lower trip generation number.

Staff is recommending disapproval for the following reason that the petition is an unwarranted over-intensification of the use of the premises. And the comment which follows is related to lot two and the shortfall in the stacking of the car wash. Hard to see here, but this is the car wash; they're supposed to have a stack of ten as the cars come out and they dry them off and it's going to be quite congested here if they actually do have a busy day. You can see that they are stacked back here they're showing they have great stacking room in the back, but they need a variance for the stacking in the front. They could slide this back and then they may be in compliance, but that probably interferes with the other uses on the site that being the convenience store and you've got the gas service islands here. So we believe that lot two is a significant over-intensification of this lot.

CHAIRMAN CARACCILO:

Thank you Andy. A motion is in order.

MR. PRUITT:

Motion to accept staff report.

CHAIRMAN CARACCILO:

Thank you. Second.

MS. BOLTON:

Second.

CHAIRMAN CARACCILO:

Second, Charla. Thank you. All those in favor of accepting the staff report signify by saying aye. Opposed? Abstentions? Staff report carries. **(Vote: 9-0-0-2 Absent: Goodale, Dietz)**

MR. FRELENG:

Thank you. I will turn it over to Chris now.

MR. WREDE:

Good afternoon. The next application comes from the Town of Babylon Zoning Board of Appeals; the map of Pallotta & Associates Development. The applicant requests area and dimensional variances for a four lot subdivision.

The subject parcel is located on the south side of Forrest Avenue 300 ft. east of Cindy Drive in the hamlet of West Babylon. An analysis of the character of the area indicates that the parcel is located in a high density residential area in the Residence B zoning district with some commercial zoning along Sunrise Highway.

Our jurisdiction for this application is that it's within 500 ft. of Sunrise Highway. The petitioner seeks variances for the subdivision of a 43,560 sq. ft. parcel of land into four lots; the minimum lot size for the Residence B zone is 10,000 sq. ft. Lots areas range from 12,018 sq. ft. to 9,730 sq. ft.

Issues related to the subject application stem from the Commission's policies on the creation of land locked parcels and the over-intensification of land use. At first glance this map seems like your typical four lot subdivision. Lot one, two, three and four with access along this cul-de-sac here, but staff finds that there's serious flaws in the map which I'll get into.

Access for the four proposed lots is this 25 ft. wide common driveway they call it; the four lots are considered land locked. If you take away if you can picture the cul-de-sac that's drawn on here the four lots are drawn, here's the first one, the second one, here's three and four. Then the surveyor or the applicant then proposed this common driveway over the lots so by Commission guidelines they are in fact land locked. Commission guidelines then in this instance would recommend a 50 ft. access easement over this driveway for dedication in the future should the need arise for town highway system. In doing so then the four lots would then need more dimensional variances and they would, therefore, be short in lot area as well.

So we're recommending disapproval of the variances for the following reasons. The application is the over-intensification of land use. The map requires numerous dimensional variances and an area variance for lot four. In addition, access to the proposed lots would create three land locked parcels. The Suffolk County Planning Commission recommends that a right-of-way easement of 50 ft. be placed where the private road is located so that it may be dedicated to the

town highway system in the future should the need arise. Again, doing so would then require further dimensional and area variances for the proposed lots.

And the Planning Commission staff feels that a reduction in yield is warranted so that the subdivision will better conform to the dimensional and area requirements for the Residential B district and to provide for better access to the proposed lots.

Staff is also recommending a comment to the town's Zoning Board of Appeals that consideration should be given to utilizing the common driveway servicing the lot to the east for joint access with this proposed subdivision. It's a little hard to see, but there's a common driveway on this lot here so staff feels and it was done on this lot as well. It seems like a 25 ft. or so private driveway was created for this lot with a three lot subdivision and similarly on this side so it looks like they're sharing the common driveway. So staff feels like this would be very appropriate for this lot as well so they both can split the common driveway and then they would get the required 50 ft. and that's the recommendation of staff.

CHAIRMAN CARACCILO:

Thanks Chris, well, thought out; appreciate it. Motion is in order.

MS. BOLTON:

I move the staff report.

CHAIRMAN CARACCILO:

Second.

MS. DAUM:

Second.

CHAIRMAN CARACCILO:

Second, Mary. All those in favor? Opposed? Abstentions? Motion carries staff report. **(Vote: 9-0-0-2 Absent: Goodale, Dietz)** Ted, you're going to whip us through these, right?

MR. KLEIN:

Yeah, you know it. Hello, the first subdivision for your consideration....okay the first subdivision for your consideration is the application of Wolfs Hole Woods West. It is sent to us by the Town of East Hampton. The Commission's jurisdiction for review is it's within one mile of East Hampton Airport and within a Pine Barrens zone. This subdivision lies on the easterly side of Daniel Holes Road approximately 50 ft. south of Cobber Lane in the hamlet of Wainscott.

The applicant is proposing to subdivide approximately 19.4 acres into four lots. The proposal lies in the A-5 Residential zoning category and within the Water Recharge Overlay District which permits single family residential development on

minimum lot sizes of 200,000 sq. ft. with restrictions on clearing and fertilization. The map is being processed as a cluster map.

The four proposed lots will range in size from I'll speak in acreage, 2.37 acres to 3.4 acres. The parcel is presently vacant woodlands having rolling topography. The applicant is proposing to set aside open space of approximately 7.9 acres or 41% of the total lot area. Can you show the map Chris, please? Thank you. So here is the four lots, 1, 2, 3, 4 and the open space. Within the four lots there will be the applicant is proposing a 30 ft. wide access easement and also two scenic easements one here and one up here. Since lots 2, 3 and 4 will only be accessible from the existing right-of-way via this access easement over lots 1, 2 and 3 they are by Commission definition land locked. And a land locked parcel is one that does not have frontage on existing or proposed public road and creation of such lots is contrary to Commission guidelines.

I would character the neighborhood as predominately wooded and residential; there is some industrial and commercial zoning to the east and to the south which is where the town operates an airport.

The subject property is located within Ground Water Management Zone V within the South Fork Special Groundwater Protection Area and the Town's Water Recharge Overlay District. The proposed subdivision appears to meet requirements set forth by these programs to preserve water quality. Potable water will be provided by individual wells and sanitary waste will be collected via onsite septic systems.

Staff recommends disapproval for the following reason:

The proposed subdivision will result in the creating of a land locked parcel; that is a parcel that does not have frontage on an existing or proposed road. In creation of such a lot is contrary to good planning principles and will create problems as far as access by emergency and service equipment. And also the potential dispute over land for use and maintenance of the right-of-ways. Also the staff recommends the following comments. There is a feasible and practical ways to provide suitable access to the lots within the proposed subdivision. One would be to create a flag lot design of the subdivision and another alternative would be to redesign the subdivision with a 50 ft. wide right-of-way suitable for dedication and possibly coordinate an alternative point access with the proposed subdivision abutting a parcel to the south, right here which I will -- that parcel has a subdivision pending on that as well which I will get to shortly, but that is the staff report.

CHAIRMAN CARACCILO:

Thank you Ted. Motion is in order.

MS. DAUM:

I move the staff report.

CHAIRMAN CARACCILO:

Second.

MR. PRUITT:

Second by Commission Pruitt.

CHAIRMAN CARACCILO:

All those in favor? Opposed? Abstentions? Motion carries staff report. **(Vote: 9-0-0-2 Absent: Goodale, Dietz)** Next Ted.

MR. KLEIN:

Thank you. I have one more. Okay, this one the next one is the application of The Ross School Wolfs Hole Woods South also sent to us by the Town of East Hampton also located on the easterly side of Daniels Holes Road approximately 430 ft. south of Cobber Lane in the hamlet of Wainscott. This probably looks familiarly: this was the parcel we just considered. Commission's jurisdiction is it's within one mile of East Hampton Airport and also within the Pine Barrens.

The applicant is proposing to subdivide approximately 71.1 acres into 12 lots. This parcel also lies within the A-5 Residential zoning category and within the Water Recharge Overlay which permits a single family development on 200,000 sq. ft lots with restrictions on clearing and fertilization. This is also a cluster layout.

The applicant is proposing 12 lots that will range in size between 1.93 acres and 2.78 acres. The parcel is presently woodlands; it has a rolling topography. The applicant is proposing to set aside three areas of open space. The three areas is I believe here, over here and then the small area of open space here. The total of these areas is approximately 38.59 acres or 54% of the total subject area, parcel area.

Contained within the boundaries of the 12 lots or 50 ft. wide scenic easement which buffers the open space and development area that surrounds the property. There's also a access easement that is implied although not stated on the map. Up here this is lot 7; the applicant is proposing access to the subdivision, it will be a cul-de-sac having an approximate length of 2,200 ft. At the terminus of this cul-de-sac there is a proposed common driveway of approximately 650 ft. along the panhandle of lot 7. Both the cul-de-sac and the panhandle exceed the Commission guidelines of 1,000 ft. and 300 ft. respectively.

All but two of the proposed lots will have access to the proposed right-of-way. Since lots 6 and 8 will only have access via the proposed common driveway over

the panhandle of lot 7 they are by Commission definition land locked. A land locked lots are contrary to Commission guidelines.

The character of the area is pretty much the same as the other one. It is closer to the airport. The proposed house on these lots will probably be about a ¼ mile away from the end of the runway. This certain property is located in the same Ground Water Zone V, the South Fork Special Groundwater Protection Area and the Town's Water Recharge Overlay District. The proposal does seem to appear to meet the requirements set forth in these programs. Potable water in this case will be provided by a public water source. There is a water main along this road here; they are tapping into the water main to provide fire hydrant service and,, therefore, they're going ahead and providing water sources to the lots. The other lot isn't; they're going by wells.

So the staff recommendations recommends disapproval for the following reasons:

The proposed subdivision will create land locked lots. Furthermore the proposed subdivision will result in the creation of an excessively long cul-de-sac. The maximum length of a cul-de-sac within a residential subdivision should not be permitted to exceed 1,000 ft.

The third reason for disapproval is that the panhandle lots should not be created where the length of the panhandle or access strip is greater than 300 ft. Excessive driveway lengths over the access strip may cause difficulty for emergency vehicles attempting to reach the residence on the main portion of the parcel.

Finally, the staff recommends offering one comment. The map should be redesigned in such a way to coordinate alternative point of access with the proposed subdivision of the abutting parcel to the north which is the one we just reviewed which is entitled Wolfs Hole Woods West. This would eliminate or reduce the length of the cul-de-sac, the length of the panhandle and the fragmented layout of the subdivision. That's the Commission's -- staff's report.

CHAIRMAN CARACCILO:

Thank you Ted I appreciate it. Motion is in order.

MS. ESPOSITO:

I make a motion to approve the staff's recommendations.

MS. BOLTON:

Second.

CHAIRMAN CARACCILO:

Thank you Commissioner. Second over here. All those in favor? Opposed? Abstentions? Motion carries staff report. **(Vote: 9-0-0-2 Absent: Goodale, Dietz)**

MS. SCHMIDT:

Who seconded it?

CHAIRMAN CARACCILO:

Carla.

SPEAKER:

Charla.

CHAIRMAN CARACCILO:

Charla, I'm sorry, Charla. I'm getting like Jim Norton...Charla. And I swore I wouldn't do that Charla, Charla, Charla.

MS. BOLTON:

I'm use to it.

2:20 P.M. Commissioners Esposito, Lansdale and Fiore left the meeting.

CHAIRMAN CARACCILO:

We're going to go back to Mr. Davies. Thank you for your patience I appreciate it very much. Thanks for hanging in there I appreciate it.

MR. DAVIES:

In the interest of time we'll fly through these last couple of slides. Inter-governmental coordination activities we're involved in a lot of these. This is one particular example the Fire Island to Montauk Point Reformulation Study for the South Shore of the Island an 83 mile study area. We're heavily involved in this with the various entities in the South Shore including the Fire Island National Seashore.

We also can provide technical assistance to various County committees that are involved with special purpose studies.

MR. VERBARG:

We're assisting in another department that's Suffolk County Department of Fire, Rescue, Emergency Services in that we're helping them to prepare over two year period; it's a mouthful, but it's called a Multi-hazard Multi-jurisdictional Pre-disaster Hazard Mitigation Plan. And the reason why we're doing that primarily is so that we and six other towns and about twelve other villages that are partners in this plan will hopefully have a approved and adopted plan that will then deem

us eligible to apply for Hazard Mitigation funding in the future. That's the ultimate goal.

MR. DAVIES:

We are involved on the Steering Committee for the Comprehensive Water Resources Management Plan Program and we'll conduct existing land use land available for development with Peter the population and saturation population estimates for that particular study. That is a project just got underway and it will last a couple of years. Laretta -- excuse me. We have the Suffolk County Water Quality Review Committee; we review projects that are submitted for funding under the ¼ % program and all projects so funded must pass through that committee with a positive recommendation to the County Legislature.

We participate on the Suffolk County Vector Control Wetlands Management Plan Technical Advisory Committee; that has been working on a mosquito control management strategy for Suffolk County involving things that or alternatives to the traditional spray activities that are conducted by the Department of Public Works mosquito control group. Laretta, you have a few here to discuss.

MS. FISCHER:

The next on your list is the Council on Environmental Quality which you had gotten a preview from Jim Bagg on our role; and our involvement is to provide the short EAF forms for the proposed park acquisitions as well as TDR proposals wherein for health credits. Wherein the County will accept the donation of property for health credits for a transfer to another property to get higher density development allowance. We also make presentations to the County Parks Trustees. On those properties for proposed acquisition where the criteria within the program requires that the Parks Trustees either approve or recommend approval for the actual acquisition. And the other place we go quite often is to the County Legislature Environment, Planning and Agriculture Committee and again we help do an analysis and make recommendations on the various resolutions prepared and proposed with regard to open space acquisitions.

We also as well, and I hadn't mentioned this before, we review all the tax lien parcels that the County takes in throughout the year and we make recommendations with regard to transferring it to Parks. Selling to adjacent owner on substandard lots as well as then all those other properties could go then to auction and/or affordable housing uses.

MR. DAVIES:

As the final example of technical assistance staff people have been appointed by the County Executive to participate in the Blue Points Bottom Lands Council. This is a group that is private in essence headed group by the Nature Conservancy charged with the development of a hard clam restoration program and habitat restoration strategy for the Great South Bay and including the 13,000

acres of underwater land that the Nature Conservancy owns in that particular bay and Mr. Chairman that concludes the presentation.

CHAIRMAN CARACCILO:

Thank you. I really appreciate your hanging around and doing that for us. Thank you.

MR. ISLES:

Thank you, thank you Dewitt.

MR. PRUITT:

Just one question from Commissioner Pruitt; are we going to get copies of your PowerPoint presentation? I know we got it at the other orientation.

MR. DAVIES:

We can make them available, yes.

MR. PRUITT:

Thank you.

CHAIRMAN CARACCILO:

Thank you Commissioner, good point. Now we're going to take Peter.

MR. ISLES:

Peter you have the option of doing it now or if you want to do it next month.

CHAIRMAN CARACCILO:

Next month Peter, okay great.

MR. ISLES:

Okay.

CHAIRMAN CARACCILO:

Thank you Peter. Thank you for doing that next month I appreciate that.

MS. DAUM:

Actually, I was going to request that since I have to leave too.

CHAIRMAN CARACCILO:

Yes, thank you Peter. You're all right in our book.

MR. ISLES:

They're going to do it next month.

MR. LAMBERT:

You want to do it next month.

CHAIRMAN CARACCILO:

You do.

MR. LAMBERT:

I can do it in two minutes. Next month I have the retail study.

MS. DAUM:

Oh, that's right.

CHAIRMAN CARACCILO:

Rock on Peter.

MR. ISLES:

He'll do it briefly.

MR. LAMBERT:

I can do it very quick. The issue that I'll be talking about is rental apartment cost and one of the big issues in the County is housing costs. And what you see a lot in the media are home values the cost to buy a home, but what you don't see as often is the price of a rental apartment. So what we do is we look usually annually at one day of Newsday apartment rental listings and we just compute averages in terms of the average rent for one bedroom and a two bedroom unit by town for western Suffolk and for Nassau County and also this year we looked at eastern Suffolk County. And for western Suffolk County in January 2006 the average rent for one bedroom apartment was \$1,130; for two bedroom \$1,465. These estimates are in line with the annual HUD estimates that come out for the region. So they're reasonable estimates of current rent, but we do have them by town and by city for the region and also by type of unit. So it's useful information to help keep track of the rental market in the County. And one important thing to note is that rents have not increased as fast as owner/occupied housing costs. Since our survey in 2002 the apartment rents have increased by 11% meanwhile owner/occupied housing has increased in price by 69% in that four year period. So that's important to note and that is a good summary of what I did.

CHAIRMAN CARACCILO:

Thank you Peter and I appreciate it.

MS. BOLTON:

Thank you.

MR. ISLES:

If the Commissioner's have any questions next month Peter will be there too.

CHAIRMAN CARACCILO:

Yes. Commissioner's who are still left standing I want to thank you for your patience and understanding in the length of this meeting and I compliment you

on getting through what we had to get through and I promise you from now on we are going to be flying through these. I think all our logistics are done.

MS. BOLTON:

I have one question for Peter.

CHAIRMAN CARACCILO:

I'm confident you did.

MS. BOLTON:

I just wanted to ask him is there some way that the County Planning Commission -- Department is looking at the number of rentals available meaning is there some sense of in other words are we losing rentals or are we gaining rentals?

MR. LAMBERT:

That's something that's tracked through the census data that comes out every ten years, but now they're trying to provide more detailed census data each that's called the Continuous Measurement Project. We have been close to 20% renter/occupied for many years. It's sometimes a little above, sometimes a little below, but it's remained amazingly constant for about 40 years where 20% of the reported housing units in the census have been renter/occupied. There is talk that we're losing some renter units; sometime the number does fluctuate a little, but usually it's pretty constant the percentage.

MS. BOLTON:

Okay.

CHAIRMAN CARACCILO:

Thank you Commissioner.

MS. BOLTON:

Thanks.

MS. SCHMIDT:

Roundtable.

CHAIRMAN CARACCILO:

We're going to --

MS. BOLTON:

Skip it.

CHAIRMAN CARACCILO:

--- skip the Roundtable. Is that okay with you guys? I appreciate that thank you very much. Motion to adjourn.

MS. BOLTON:

So moved.

CHAIRMAN CARACCILO:

Second.

MS. DAUM:

Second.

CHAIRMAN CARACCILO:

Thank you.

(Having no further business the Planning Commission adjourned at 2:30 P.M.)

{Denotes spelled phonetically}