

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Planning Department
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
T: (631) 853-5192 F: (631) 853-4044
Thomas A. Isles, Director of Planning

October 29 , 2008

NOTICE OF MEETING

The next meeting of the **SUFFOLK COUNTY PLANNING COMMISSION** will be held on **WEDNESDAY, November 5, 2008 at 12:00 P.M. at The Culinary Arts & Hospitality Center at Suffolk Community College, located at 20 E. Main Street in Riverhead.**

The tentative **AGENDA** will include:

1. Adoption of minutes for August 6th, and September 3rd.
2. Public Portion
3. Chairman's report
4. Guest speaker; Hon. Philip Cardinale, Supervision, Town of Riverhead
5. Director's report
6. Presentation; Sunrise Highway Corridor Plan. Brookhaven/Islip
7. Sections A14-14 to 23 of the Suffolk County Administrative Code.
 - 609 Montauk Corporation 0100 18900 0400 001000
 - Vasco Holdings LLC 0800 11000 0300 007000
8. Section A14-24 of the Suffolk County Administrative Code
 - Parsonage Road 0200 13400 0400 006011
9. Nominating Committee – Selection of Members
10. S.C. Planning Commission Guidelines
11. Other Business

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Planning Department
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
T: (631) 853-5192 F: (631) 853-4044
Thomas A. Isles, Director of Planning

November 5, 2008

NOTICE OF MEETING

The next meeting of the **SUFFOLK COUNTY PLANNING COMMISSION** will be held on **WEDNESDAY, November 5, 2008 at 12:00 P.M. at The Culinary Arts & Hospitality Center at Suffolk Community College, located at 20 E. Main Street in Riverhead.**

The **AGENDA** will include:

1. Adoption of minutes for August 6th, September 3rd.
2. Public Portion
3. Chairman's report
4. Guest speaker; Hon. Philip Cardinale, Supervision, Town of Riverhead
5. Directors report
6. Presentation; Sunrise Highway Corridor Plan. Brookhaven/Islip
7. Sections A14-14 to 23 of the Suffolk County Administrative Code.
 - 609 Montauk Corporation 0100 18900 0400 001000
 - Primrose Villas, LLC 0504 00400 0100 010000
 - Vasco Holdings LLC 0800 11000 0300 007000 etal.
8. Section A14-24 of the Suffolk County Administrative Code
 - Parsonage Road 0200 13400 0400 006011 etal.
9. Nominating Committee – Selection of Members
10. S.C. Planning Commission Guidelines
11. Other Business

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SUFFOLK COUNTY PLANNING COMMISSION
SUFFOLK COUNTY COMMUNITY COLLEGE
CULINARY ARTS CENTER
20 East Main Street
Riverhead, New York 11901

November 5, 2008
12: 00 p. m.

BEFORE:

DAVID CALONE, Chairman

REPORTED BY:

THERESA PAPE, Court Reporter/Notary Public

FIVE STAR REPORTING, INC., 631-224-5054

♀

A P P E A R A N C E S:

- 2
- 3 ADRIENNE ESPOSITO, Secretary,
Commission Member
- 4 Villages Over 5,000 Population
- 5 LINDA HOLMES, Commission Member
- 6 Town of Shelter Island
- 7 DONALD FIORE, Commission Member
- 8 Town of Islip
- 9 BARBARA ROBERTS, Commission Member
- 10 Town of Southampton
- 11 CHARLA BOLTON, Commissioner Member
- 12 At Large
- 13 ROBERT BRAUN, Commission Member
- 14 Town of Smithtown
- 15 THOMAS McADAM, Commission Member
- 16 Town of Southold
- 17 CONSTANTINE KONTOKOSTA, Commission Member
- 18 Villages Under 5,000 Population
- 19 SARAH LANSDALE, Commission Member
- 20 At Large
- 21 JOSHUA HORTON, Commission Member
- 22 At Large
- 23 VINCENT TALDONE, Commission Member
- 24 Town of Riverhead
- 25 THOMAS A. ISLES, Director of Planning
- 26 DANIEL J. GULIZIO, Deputy Director of
- 27 Suffolk County Planning Department
- 28 ANDREW P. FRELENG, Chief Planner
- 29 Suffolk County Planning Department
- 30 TED KLEIN, Senior Planner
- 31 Suffolk County Planning Department

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 3

2 A P P E A R A N C E S (Continued):

- 3
- 4 JOHN CORRAL,
Suffolk County Planning Department

5 LINDA SPAHR, County Attorney
6 DOTTY SONNICHSEN, Staff

7

8 ABSENT MEMBERS:

9

10 JOHN CARACCI OLO, Commission Member
Town of Huntington

11 PETER K. LAMBERT, Principal Planner
12 Suffolk County Planning Department

13

14

15

16

17

18

19

20

21

22

23

24

25

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 4

2 (WHEREUPON, this proceeding
3 convened at 12:00 p.m. Off-the-record
4 discussions ensued, after which the
5 following transpired:)

6 (Time noted 12:10 p.m.)

7 CHAIRMAN CALONE: The November 2008
Page 3

8 meeting of the Suffolk County Planning
9 Commission is in session. I would note
10 that we have a quorum, and I would ask
11 Secretary Esposito to lead us in the
12 Pledge.

13 (WHEREUPON, the Pledge of
14 Allegiance was recited.)

15 CHAIRMAN CALONE: Thank you.

16 The first item on the agenda is the
17 adoption of the minutes for August 6th
18 and September 3rd. I know that the
19 September 3rd minutes have just been
20 circulated, so we will, without
21 objection, table those. But the
22 August 6th minutes, I believe, have been
23 circulated. They have been commented
24 on, we have a new version back.

25 Editor in Chief Holmes, do you have

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 5
2 any comments on the August minutes?

3 COMMISSIONER HOLMES: Yes. I'm
4 pleased to say that the corrections that
5 we had listed were made for the
6 August 6th minutes, and the revised
7 minutes are perfectly in order. So I
8 would recommend that -- I would adopt
9 them.

10 CHAIRMAN CALONE: Okay. Thank you.

11 Any other comments or questions
 12 about the minutes from August 6th?
 13 (WHEREUPON, there was no response.)
 14 CHAIRMAN CALONE: Seeing none, I'll
 15 entertain a motion to adopt the minutes
 16 of August 6th.
 17 COMMISSIONER BOLTON: So moved.
 18 COMMISSIONER ROBERTS: (Indicating)
 19 CHAIRMAN CALONE: A motion by
 20 Commissioner Bolton, second by
 21 Commissioner Roberts.
 22 All in favor, please say -- raise
 23 your hand.
 24 (WHEREUPON, the Members voted.)
 25 CHAIRMAN CALONE: Opposed?

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 6
 2 (WHEREUPON, there was no response.)
 3 CHAIRMAN CALONE: Passes
 4 unani mousl y.
 5 COMMISSIONER HOLMES: We do have --
 6 we did get, I think, our -- I got a
 7 hardcopy of the October minutes.
 8 CHAIRMAN CALONE: Yes.
 9 COMMISSIONER HOLMES: And if you
 10 would like, I will just hand my
 11 corrections to the court reporter --
 12 CHAIRMAN CALONE: That would be
 13 wonderful .

14 COMMI SSI ONER HOLMES: -- and she
15 can --

16 CHAI RMAN CALONE: I thi nk --

17 COMMI SSI ONER HOLMES: -- see to the
18 revi si ng. Okay?

19 CHAI RMAN CALONE: Thank you.

20 COMMI SSI ONER HOLMES: They were
21 mostly mi nor, we -- we need to know.

22 CHAI RMAN CALONE: Well, let me just
23 say thi s, we have a new process for the
24 mi nutes now, and I thi nk it's worki ng
25 well. So, thank you to you guys, as

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNI NG COMMI SSI ON 7
2 well as to the staff.

3 COMMI SSI ONER HOLMES: It is -- but
4 I am going to put in for overtime,
5 because it takes a long time to read
6 200 --

7 CHAI RMAN CALONE: We shoul d pay
8 your ferry to Shel ter Isl and both ways.

9 Anyway, thank you, Li nda, of
10 course, for all your efforts on that.
11 And thank you for the new process, I
12 thi nk it's worki ng well. And we
13 certainly are getti ng through these
14 faster, whi ch is good.

15 Next on the agenda is the Public
16 Porti on, whi ch I'll open. I don't -- I

17 don't think there's anyone from the
18 public to speak, but if there are,
19 please indicate now.

20 (WHEREUPON, there was no response.)

21 CHAIRMAN CALONE: If not, seeing
22 none, I'll close the Public Portion.
23 I'll move to the Chair Report.

24 Obviously, had an issue being here
25 today. Last night was a historic night,

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 8
2 obviously, for this country. And, I
3 think that, no matter what your
4 political leanings, and I know we have
5 all stripes here on the board -- you
6 know, just -- there's no doubt that we
7 are blessed to live in our remarkable
8 country. And, I think that we're also
9 blessed in a way that, here in our small
10 corner of the world, like I said at the
11 Training Federation -- like the Training
12 Federation speech, we're blessed because
13 those of us around this table are in a
14 position to do more than complain about
15 what is, we're in a position to shape
16 what will be. And I think that that
17 is -- that is something we all consider
18 ourselves lucky to be involved in. So
19 away we go.

20 With regard to this Training
21 Federation event, I also want to thank
22 the staff, they did a fantastic job.
23 Andy, Dan, Tom, Dotty, everyone did a
24 great job. The turnout was tremendous.
25 SECRETARY ESPOSITO: It was

FIVE STAR REPORTING, INC., 631-224-5054

‡

1 SUFFOLK COUNTY PLANNING COMMISSION 9
2 amazing.
3 CHAIRMAN CALONE: I don't know,
4 what were the final numbers, Tom, on
5 that?
6 DIRECTOR ISLES: 170-something.
7 CHAIRMAN CALONE: Yeah, it was
8 just -- just wonderful. From all of --
9 every corner of Suffolk County, and even
10 from beyond our doors, it was a
11 fantastic effort. So thank you, again,
12 to the staff.
13 Thanks also to a bunch of the
14 Commissioners around this table who
15 helped out in a variety of ways;
16 moderating panels, participating on
17 panels, et cetera. So, hats off to all
18 of you for your efforts in helping put
19 this together.
20 A couple people asked me for a copy
21 of my speech. I haven't -- I meant to
22 e-mail that around, but I didn't -- I

23

will do that.

24

Briefly, we've identified four

25

goals, and I want to update you on them.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1

SUFFOLK COUNTY PLANNING COMMISSION

10

2

One is filling the vacancies on the

3

Commission. It's, obviously, great to

4

have Vince and Josh here. They

5

immediately showed their value last

6

month, and we're glad to have them on

7

and jumping right in.

8

We still have our vacancies in East

9

Hampton and Brookhaven. There is an

10

individual identified for East Hampton,

11

I just can't -- suffice to say, we're --

12

there is an individual -- there were a

13

couple of people interested, and the

14

County Executive has chosen one, but

15

hasn't been formally nominated yet. So

16

we're -- hopefully, another month or so,

17

we'll get there, with that person. And

18

then we're still looking to fill, you

19

know, Ed's seat for Brookhaven. So that

20

is -- that is ongoing, and that's with

21

the County Executive's Office.

22

With respect -- our second goal has

23

been our Guidelines. It's been a work

24

in progress this year, as you all know.

25

There's been a tremendous amount of

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 11
2 effort put in on behalf -- by several
3 members of this Commission, and the
4 staff. We must complete those next
5 meeting. It's been going on for a
6 while. We are close. I honestly would
7 have liked us to be closer by the time
8 of this meeting. I was hoping at this
9 meeting we'd have 99 percent completion.
10 I think we're 95 percent of the way
11 there. But we're going to go through it
12 today so that everyone's on the same
13 page, everyone knows what's going on and
14 everyone has a last chance to comment,
15 before we vote on it next month. So,
16 basically what's left to be done is some
17 reorganizations, some cleanup. And not
18 a lot of stuff's left, so I'm hoping
19 that we'll be able to get through that
20 in the next -- today, and then really
21 finalize in the next week or two.
22 A third goal of this year was
23 optimize the Commission and the staff
24 time. Obviously, you've seen our
25 agenda, it has shrunk down and we're

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 12
2 focusing really on the regionally
3 important efforts and issues affecting
4 the county. We need to start working on
5 getting intermunicipal agreements out to
6 the towns and villages. And so, I think
7 it would be great -- you know, we all
8 here represent every town in the county.
9 So, we need your help -- each
10 Commissioner's help in getting these out
11 to the town supervisors and -- like,
12 Vince, your job's already done, because
13 Mr. Cardinale is here.

14 SECRETARY ESPOSITO: Thanks, Vince.

15 COMMISSIONER TALDONE: Any time.

16 CHAIRMAN CALONE: Good work.

17 But the IMAs are a way for us to
18 cut down on the amount of bureaucracy
19 that -- you know, the amount of work
20 needed to be done at both the town and
21 village level, as well as by our own
22 staff, before we can get those going.

23 COMMISSIONER HOLMES: Have they
24 been mailed to the supervisors?

25 CHAIRMAN CALONE: No. I think

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 13
2 we're -- we're working on that.

11 05 08PI anni ngCommi ssi on. txt
3 But I --

4 COMMI SSI ONER HOLMES: No, I di dn' t
5 thi nk so.

6 CHAI RMAN CALONE: -- you know, it
7 woul d be hel pful , I thi nk, and a way
8 al so for you to be able to reach out to
9 the supervi sors, and show that we're
10 doi ng somethi ng towards
11 accountabi lity --

12 COMMI SSI ONER HOLMES: You and I
13 tal ked to our supervi sor.

14 CHAI RMAN CALONE: Yeah, Li nda and
15 I -- I vi si ted Shel ter Isl and, I thi nk I
16 shared wi th you, and had a chance to
17 meet the supervi sor out there. But,
18 it's i mportant now that we get these
19 i ntermuni cipal agreements to the towns
20 and vi llages.

21 I want to ask Josh for hi s hel p i n
22 regard to getti ng to the vi llages, i n
23 parti cul ar, doi ng -- some rel ati onshi ps
24 he has wi th the Vi llage Offi ci als
25 Associ ati on, and try and get these out

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNI NG COMMI SSI ON 14
2 and movi ng.

3 COMMI SSI ONER HORTON: You coul d
4 al so -- i f I may?

5 CHAI RMAN CALONE: Yes, si r.

6 COMMI SSI ONER HORTON: Suffol k
7 County Supervi sor' s Associ ati on -- are
8 you sti ll the presi dent, or i s Steve?
9 SUPERVI SOR CARDI NALE: I was l ast
10 year, Steve Vall one i s thi s year.
11 COMMI SSI ONER HORTON: The Suffol k
12 County Supervi sor' s Associ ati on meets
13 quarterly, so al l ten supervi sors --
14 CHAI RMAN CALONE: Ri ght.
15 COMMI SSI ONER HORTON: -- i n Suffol k
16 can get together regul arly. And on the
17 East End, you have the East End Mayors
18 and Supervi sors Associ ati on, and they
19 meet quarterl y as wel l .
20 CHAI RMAN CALONE: Good.
21 COMMI SSI ONER HORTON: So,
22 ul timatel y, al l are wel come, for
23 di al oque and --
24 CHAI RMAN CALONE: Okay, great.
25 COMMI SSI ONER HORTON: --

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNI NG COMMI SSI ON 15
2 procedures, to get --
3 CHAI RMAN CALONE: Thi s i s such a
4 rare thi ng. So as soon as you take
5 advantage of one, i t --
6 COMMI SSI ONER HORTON: No, those
7 meetings are usual ly wel l attended.
8 CHAI RMAN CALONE: Good.

11 05 08PI anni ngCommi ssi on. txt
(Di scussi on hel d off the record)

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRMAN CALONE: Okay. Moving right along. The other issue I want to raise with regard to this is if we have county-wide values like energy efficiency and affordable housing, one issue that we've had is, how do we convey that -- those -- kind of -- this is in the sense of the county on those issues, when the development themselves may not be regionally significant.

In other words, we see maybe ten or 15 percent of the projects that actually are small -- wouldn't be called major. Because we're, as you know, defining -- trying to bring forth those that are regionally significant.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4
5
6
7
8
9
10
11

SUFFOLK COUNTY PLANNING COMMISSION 16
So what we've done, and Dan has helped with this, is we've looked at what we call the Westchester model. And what Westchester does is -- they actually do a much shorter staff report. Just focus on a particular issue that they -- that is of interest. And what we're doing, actually, for this meeting and our first time, we'll try it and we'll see how it goes, is just

11 05 08PI anni ngCommi ssi on. txt
12 i denti fyi ng affordabl e housi ng as the
13 only i ssue address ed wi th respect to one
14 parti cular project, and not worry about
15 havi ng to put together a full staff
16 report, when that's -- you know, a
17 lot -- the only i ssue really is
18 affordabl e housi ng. And so I'd like to
19 try and do that, energy effi ciency and
20 affordabl e housi ng as it unfolds.

21 Lastly, our fourth goal was letting
22 the publi c know about the work the
23 Commi ssi on is doi ng on their behal f.
24 The web si te is up, and it's an
25 i mportant step. We also need to get the

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 17
2 publi c relations worki ng through -- back
3 together; how do we publi ci ze the
4 Gui deli nes next month. And, also, I look
5 at doi ng medi a advi sories to affected
6 local papers when i tems of i nterest
7 affecti ng their communi ty are on the
8 agenda.

9 And so, maybe those who are on the
10 worki ng group, and those who woul d be
11 i nterested, we coul d meet bri efl y after
12 thi s meeti ng today.

13 Lastly, Li nda passed around an
14 arti cle from the New York Ti mes that was

11 05 08PI anni ngCommi ssi on. txt
15 excellent, it's called the "Island of
16 Lost Homes." It talks about lack of
17 coordination on Long Island with regard
18 to some major issues of affordable
19 housing. Please read it. We can be
20 part of the solution here, and we should
21 be. So, I would appreciate any feedback
22 you have on that.

23 Sarah also read a great article in
24 Newsday, a week or so ago, about the
25 Arches, the new Tanger Outlets in

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 18
2 Babylon. So I recommend that. If you
3 haven't seen it, maybe I'll try and send
4 that link around sometime this week.

5 COMMISSIONER HORTON: Is it true
6 they had Cheap Trick play at their
7 opening?

8 CHAIRMAN CALONE: I'm sorry, Josh,
9 what?

10 COMMISSIONER HORTON: Is it true
11 they had Cheap Trick play at their
12 opening?

13 CHAIRMAN CALONE: If they had your
14 band, they would have had even more
15 traffic. So --

16 COMMISSIONER HORTON: Is that
17 correct?

18
19
20
21
22
23
24
25

CHAIRMAN CALONE: I don't know.

SECRETARY ESPOSITO: That's what I read, I wasn't there.

CHAIRMAN CALONE: Lastly, we're going to appoint a Nominating Committee today. Our rules are to do nominations and review -- our internal rules, nominations we do in January, and we'll

FIVE STAR REPORTING, INC., 631-224-5054

†

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

SUFFOLK COUNTY PLANNING COMMISSION 19

elect new officers in February.

I want to now introduce -- we have a special guest here today, and we're thankful for your making time to come and visit with us for a few minutes. Supervisor Phil Cardinale from the Town of Riverhead.

Welcome, sir, and please --

SUPERVISOR CARDINALE: Thanks, Dave. I am here to welcome you to Riverhead, at Dave's invitation, and it's a pleasure to do so. Also to make sure that Mr. Vince Taldone showed up, and also to make sure that Josh was on the job. But I -- I wanted to welcome you, and that is my primary purpose of being here, to Down -- to welcome you to Downtown Riverhead, and I hope you return on other occasions.

11 05 08PI anni ngCommi ssi on. txt
21 We j ust had the pl easure of a
22 couple of mi nute meeti ngs wi th Tom and
23 Dave, and we di scussed a few pl anni ng
24 matters affecti ng the town; i n
25 parti cul ar, the Farml and Program. I

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 20
2 know you to be a -- from my experience,
3 and I was joking with Josh about it a
4 moment ago, underappreciated,
5 misunderstood --
6 SECRETARY ESPOSITO: Underpaid.
7 SUPERVISOR CARDINALE: --
8 underpaid.
9 But, particularly, with the
10 addition of your chair who, I got to
11 know over the last six months, you're
12 actually a very impressive group of
13 individuals, and at your best, I think
14 you could be a wonderful force for
15 regional planning. Which, frankly,
16 doesn't occur in -- on the local level
17 in many of the towns, because we're so
18 distracted with other things.
19 And you, also, in addition to
20 regional planning functions, might be --
21 might overlook the fact that you have
22 another wonderful function. Because,
23 generally speaking, when you say, This

11 05 08PlanningCommission.txt
24 is a terrible idea, which frequently
25 happens, at least in our town, you're

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 21
2 forcing our board, which seldom agree
3 three people on anything, to have four
4 people agree on something. So you're
5 bringing us together and keeping -- as
6 you give your regional recommendations.
7 And we do try to look at them, as you
8 do, from the regional perspective.

9 As Tom will tell you, Riverhead
10 Town is one of the five designated hot
11 spots, a report that probably cost us
12 some money, as the county issued last
13 year. It's also the fastest growing
14 town in the county by percentage, if not
15 by actual bodies in the town, since one
16 of the things we did in our Master Plan
17 was try to retain ourselves as a small
18 town. We might have gone to 60- or
19 70,000, but under the Master Plan, we
20 zoned to stay at 40- or 45,000, which
21 was pretty popular and I think a wise
22 thing.

23 I was told by Tom in the last year
24 that this designation along the Sagtikos
25 Corridor and other corridors, entitled

FIVE STAR REPORTING, INC., 631-224-5054
Page 19

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 22

2 us to Special County Assistance. And

3 then I said, Well, how much? And he

4 said, well, as soon as Steve gives him

5 some money, he'll be sure to notify me.

6 But it does allow us to feel more

7 comfortable in calling upon the county,

8 and we have not done it as much as I'd

9 like to see us do it. But you'll be

10 pleased to know that we're going back

11 to -- to a meeting, and we're hiring

12 another site planner so we can keep up,

13 and we're going to try to get more

14 contact, on -- on a regular basis with

15 the county.

16 You'll also see out of Riverhead,

17 and we'll look forward to your

18 recommendations, a lot of activity on

19 the Route 58 Corridor. Which, even

20 though he probably did agree -- Steve --

21 to repave the road and widen it at a

22 cost to the county, and I appreciate

23 that, for many years, his predecessor

24 and Steve feigned complete amazement

25 that the terminus of the Long Island

FIVE STAR REPORTING, INC., 631-224-5054

♀

2 Expressway should have all been turned
 3 into a regional shopping corridor.
 4 Like, Wow, that was predictable, I would
 5 think, that that would happen at the
 6 terminus of the Expressway. It has, and
 7 those four miles, you'll see a lot of
 8 activity on over the next year, I'm
 9 sure.

10 We look forward to working with you
 11 on two major projects, on -- on winding
 12 their way through the SEQRA process.
 13 But there's no one out there less
 14 valuing the Burman Industrial Park,
 15 which encompasses the one million square
 16 foot of old used buildings that have
 17 been reused, and is occupied now; and
 18 two million square feet of new -- new
 19 construction -- and that's a fully
 20 approved subdivision of which about 3-
 21 or 400,000 is under -- under
 22 construction now.

23 So you'll probably see some of
 24 those projects.

25 And, of course, downtown, we have

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 24
 2 the expansion of the Aquarium, the
 3 motel. Additional space for retail,
 4 additional space for exhibit space. We

5 have a hotel application for the old
6 Woolworth building, but we are also
7 anticipating a major project on the
8 south side, which Apollo is proposing,
9 but stopping and starting in its
10 development. And, finally, we'll seek
11 some of your assistance on farmland
12 preservation, as it relates to PDR, TDR
13 and cluster questions.

14 So, I am hopeful that we will
15 continue a great dialogue. I am pleased
16 that you're all here, and I encourage
17 you to come back. So, thank you for
18 giving me the opportunity to welcome
19 you.

20 CHAIRMAN CALONE: Thank you,
21 Supervisor Cardinale.

22 Does anyone have any questions at
23 this time? We look forward to seeing
24 the projects that you're talking about.
25 There are some major projects on Long

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 25
2 Island that are located right here --
3 COMMISSIONER HOLMES: Could I
4 ask --
5 CHAIRMAN CALONE: -- in Riverhead.
6 COMMISSIONER HOLMES: -- a
7 question about our unfavorite road --

8 SUPERVI SOR CARDI NALE: Yes.
9 COMMI SSIONER HOLMES: -- Route 58?
10 SUPERVI SOR CARDI NALE: Yes.
11 COMMI SSIONER HOLMES: What is your
12 projected time frame for the
13 improvements you were menti oni ng?
14 SUPERVI SOR CARDI NALE: Okay. I
15 remember when I ran in 2003 against an
16 incumbent and challenged -- we did a
17 whole press conference on Route 58,
18 which everyone found qui te amusi ng
19 because Route 58 is not a town road.
20 COMMI SSIONER HOLMES: Ri ght.
21 SUPERVI SOR CARDI NALE: It's a
22 county road, but it's been a perenni al
23 i ssue.
24 And the good news is, Steve has
25 commi tted, I thi nk, 12 or \$15 milli on,

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNI NG COMMI SSION 26
2 of which part is presently commi tted,
3 but he promised me last week another
4 eight or ten will be to do a two-lane
5 consistent roadway in each di recti on,
6 with a two-lane roundabout, from the
7 terminus of the Expressway to Northville
8 Turnpike. And that will be started in
9 the spring of '09, and completed in
10 2010. So you'll actual ly see some

11 relief by a year from now.

12 COMMISSIONER HOLMES: But until

13 2010 --

14 SUPERVISOR CARDINALE: Yes.

15 COMMISSIONER HOLMES: -- I have to

16 remain terrified. I use the north road

17 all --

18 SUPERVISOR CARDINALE: Yes.

19 COMMISSIONER HOLMES: -- the time

20 to get back to Fantasy Island.

21 SUPERVISOR CARDINALE: Right.

22 COMMISSIONER HOLMES: And --

23 SUPERVISOR CARDINALE: Shelter

24 Island, yes.

25 COMMISSIONER HOLMES: And the

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 27

2 truckers, the eighteen-wheelers, are so

3 exasperated with the traffic on 58,

4 they're all using --

5 SUPERVISOR CARDINALE: Sound

6 Avenue.

7 COMMISSIONER HOLMES: -- the north

8 road now, and it's terrifying --

9 SUPERVISOR CARDINALE: Yeah.

10 COMMISSIONER HOLMES: -- because it

11 wasn't meant --

12 SUPERVISOR CARDINALE: It is.

13 COMMISSIONER HOLMES: -- it's a

14 scenic corridor, it wasn't -- it won't
15 accommodate one of those --

16 SUPERVISOR CARDINALE: That's
17 correct, yes.

18 COMMISSIONER HOLMES: -- and my
19 Ford 500 at the same -- it's
20 frightening.

21 SUPERVISOR CARDINALE: Yeah, it is
22 scary.

23 COMMISSIONER HOLMES: But I have to
24 be nervous until at least 2-10 --

25 SUPERVISOR CARDINALE: Yeah --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 28

2 COMMISSIONER HOLMES: -- 2010.

3 SUPERVISOR CARDINALE: -- they're
4 going to start it in spring of '09,
5 complete it by midyear of '10. So --

6 COMMISSIONER HOLMES: Gee, that
7 would be great.

8 SUPERVISOR CARDINALE: -- I'm
9 looking forward to that myself. So
10 thank you for the question --

11 COMMISSIONER HOLMES: Thank you.

12 SUPERVISOR CARDINALE: -- thank you
13 for the invitation, and I'm going to go
14 off to talk to the rotary.

15 CHAIRMAN CALONE: Thank you,
16 appreciate your time.

17 All right. Next on the agenda, we
18 have the Director's Report.

19 DIRECTOR ISLES: Thank you,
20 Mr. Chair. And I'll try to be loud
21 enough for the stenographer to hear me.

22 Let me begin by bringing to your
23 attention something Commissioner Roberts
24 probably is aware of, but on the
25 Trumpets case that you had several

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 29
2 months ago, I do want to report to you
3 that the Town of Southampton Planning
4 Board has approved that case. So the
5 application is approved and it's done,
6 and it's not coming back to the
7 Commission as far as we know.

8 Secondly, I want to echo the words
9 that David put forward on the
10 Federation, it was a complete success.
11 We were expecting maybe 130, 140 people,
12 we had 170-plus. That was a challenge.
13 Dotty and Andy and John and other staff
14 members there did a fantastic job, which
15 I deeply appreciate.

16 SECRETARY ESPOSITO: Is that a
17 record number, Tom?

18 DIRECTOR ISLES: That's a record
19 number, correct.

20 SECRETARY ESPOSITO: A record
21 number.

22 DIRECTOR ISLES: Yes. So it's
23 really good. It's a sign that the
24 demand for training is out there,
25 certainly.

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 30

2 We did do a very complete
3 evaluation form from the participants,
4 so -- and we'll be looking at a lot of
5 the information of what you're looking
6 for in future trainings, and then other
7 techniques to improve this program
8 moving forward.

9 But, on that, I would like to thank
10 the Commission Members for your support
11 and participation. I think it helped
12 the overall program, and gave it more
13 depth and meaning, I think, as well.

14 Speaking of EPCAL, the Supervisor
15 just pointed to, there are a number of
16 regionally significant activities
17 occurring in the Town of Riverhead.
18 Andy, Dan Gulizio, and I did attend a
19 meeting yesterday with the Town Attorney
20 of Riverhead, as well as the Town
21 Planner, to go over the entire EPCAL
22 project, consisting of Riverhead

23 Resorts, which is the Snow Mountain part
24 of it, the Burman subdivision the
25 Supervisor referred to, as well as a new

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 31
2 subdivision by RECKLER Equities.

3 We want to remain in sync with them
4 and coordinated with them, and be able
5 to have a situation where when we do
6 receive referrals to the Commission,
7 we're prepped as far as staff. And if
8 we do feel that we -- that the
9 Commission would like to do a site
10 inspection or something, similar to
11 Pilgrim, that 45-day window we have is
12 very exciting. So something where --
13 that we keep posted with the town, we
14 can alert you that we expect an
15 application or something of that nature.

16 I would like to make a point, too,
17 that the -- I've tried to keep you
18 updated on comprehensive planning
19 activities throughout the county. There
20 have been, certainly, some that have
21 come before the Commission recently;
22 including the Middle Country Road in
23 Selden and Centereach, the Town of
24 Huntington last week. As you may know,
25 the Town of Brookhaven is doing a

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 32
2 town-wide comprehensive plan update. We
3 did attend one of their public meetings
4 about two weeks ago. They are hoping to
5 have a draft document done by the end of
6 this year, and, also, are proceeding
7 with SEQRA on that. That will, of
8 course, come to you at some point when
9 you're ready to concur it, for your
10 review, but, here again, it's the
11 largest town in the county, and is,
12 certainly, a regionally significant
13 planning effort.

14 The last thing, before I make you a
15 presentation in the Sunrise Highway
16 study that the Department has
17 completed, that I'd like to run through
18 very quickly, I would like to point out
19 that I have to leave a little bit early
20 today, about 2:15, and so does Linda,
21 for a meeting that we're obligated to
22 attend back in Hauppauge. If any
23 questions come up from a legal
24 standpoint through the planning
25 standpoint, Dan will record those

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 33
2 questions to bring them back to Linda.
3 We are leaving before the meeting ends,
4 but I apologize in advance for that.
5 But with that --
6 CHAIRMAN CALONE: We should follow
7 you, you're saying.
8 DIRECTOR ISLES: I'm feeling
9 slightly under the weather. I'm told
10 I'm not contagious, so I'll try to speak
11 loudly and get this across.
12 As I have informed you on a number
13 of occasions, we were asked by the
14 County Executive to put together a
15 planning study -- portions of Sunrise
16 Highway as they extend through Islip and
17 Brookhaven Towns. And that was prompted
18 by the County Executive hearing from
19 civic organizations, basically, on both
20 sides of the boundaries, saying, we're
21 concerned about development, we're not
22 sure if it's really being coordinated.
23 There are projects on both sides of the
24 line there, large projects. Is anybody
25 looking at the cumulative impact, and so

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 34
2 forth?

3 And so following the growth center
 4 studies that -- study that
 5 Supervisor Cardinale referred -- made
 6 reference to, the County Executive said,
 7 this would be a good example of a
 8 project whereby County Planning could
 9 look at the -- here we have a cumulative
 10 picture (indicating).

11 Next slide, please.

12 MR. CORRAL: (Compliyng)

13 DIRECTOR ISLES: What was unique
 14 about this is that there were five
 15 agencies involved right from the git-go;
 16 obviously, Planning, Suffolk County DPW.
 17 There are six county roads that
 18 intercept with the study area. The Town
 19 of Brookhaven and the Town of Islip were
 20 both dedicated staff members --
 21 commissioner level, deputy commissioner
 22 staff levels members, to sit in on this
 23 working group. And, also, the New York
 24 State Department of Transportation. We
 25 have key people in DOT -- Wayne Ugolik,

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 35
 2 one person in particular -- helping us
 3 and being at the table. So -- looking
 4 at the intermunicipal nature,
 5 interjurisdictional nature of the study

11 05 08PI anni ngCommi ssi on. txt
area.

Next slide, please.

MR. CORRAL: (Compl yi ng)

DIRECTOR ISLES: The study area
itself goes for almost 13 miles. It
starts in Great River, by Connetquot
Avenue, by the former Grumman plant in
that area, past the Oakdale merge, and
extending out to Station Road, in the
Town of Brookhaven, where the factory
outlet center -- or what could be called
the former factory outlet center in
transition is located.

Here again it showed an interagency
approach. If we look into the study, we
can look at local economy, development
issues, issues of concern as addressed
by the civic or the stakeholder groups,
and then to look at the build-out of
Sunrise Highway Corridor across those

FIVE STAR REPORTING, INC., 631-224-5054

♀

SUFFOLK COUNTY PLANNING COMMISSION 36

towns, and to come forward with
transportation or land use
recommendations.

Some of the goals were to look at
ways of managing growth within the
corridor, improving the quality of
development, providing for a balance of

11 05 08PlanningCommission.txt
9 Land uses, reducing commercial sprawl,
10 minimizing future traffic impact, and
11 also minimizing impacts on surrounding
12 and adjacent communities.

13 Here it is, depicted on the map,
14 it's picking up Great River in this
15 location (indicating). The study area
16 is outlined in red lines, going out to
17 the Bellport Outlets. But this also
18 shows the communities that are affected.
19 This portion of Sunrise Highway impacts
20 14 communities in Suffolk County, and,
21 as you can see, a lot of times these are
22 on the edge of the community.

23 So, the study of Bohemia would
24 certainly look at the community, but
25 it's only going to partially look at the

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 37
2 issue of Sunrise Highway; similar for
3 Sayville and so forth. What this did is
4 to look at it holistically in terms of
5 the entire corridor.

6 Sunrise is known to us pretty well,
7 but just to, you know, highlight it
8 here, it is a limited access highway.
9 It is only one of two arterial highways
10 in this portion of Suffolk County; we
11 have the Expressway to the north.

11 05 08PI anni ngCommi ssi on. txt
12 Sunrise Highway is an important regional
13 route, so it does serve a key regional
14 purpose. It also serves an important
15 local purpose in terms of providing
16 services to adjacent communities and so
17 forth.

18 Traffic volumes are very high. In
19 fact, there's the projections by DOT
20 when they reconstructed Sunrise Highway
21 a few years back (indicating). In the
22 Islip portion, we hit a number that they
23 expected to hit in 2015, back in
24 2003-2004. So it's growing at a very
25 high rate. This number of 7.2 percent

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 38
2 is way off the charts. We would
3 typically get something, maybe,
4 one and a half or two percent a year in
5 terms of ambient growth that's
6 occurring.

7 What's happened, I think, was with
8 Sunrise Highway being a good access
9 alternative, funnel traffic from other
10 locations, since there was capacity at
11 that time. And it does have an
12 incomplete service road system when you
13 get further to the east.

14 Here again, just the visuals

15 11 05 08PI anni ngCommi ssi on. txt
(i ndi cati ng). Thi s i s the Great Ri ver
16 plant. There' s shoppi ng centers wi th
17 rapi d room for devel opment, there' s car
18 l ots.

19 Next sli de.

20 MR. CORRAL: (Compl yi ng)

21 (WHEREUPON, Commi ssi oner Kontokosta
22 joi ns the meeti ng i n progress.)

23 (Ti me noted: 12: 37 p. m.)

24 DI RECTOR ISLES: What' s i nteresti ng
25 demographi cal ly and economi cal ly i s the

FIVE STAR REPORTING, INC. , 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 39
2 14 communi ti es consti tute about
3 ten percent of the county popul ati on;
4 about 150,000 peopl e. Popul ati on growth
5 i s relati vel y flat, whi ch i s about
6 one percent a year. So most of the area
7 i s bui lt up i n terms of the adj acent
8 communi ti es. It does have 5,000
9 busi nesses wi thi n the 14 communi ti es
10 we' ve talked about; 11 percent of the
11 county, 57,000 j obs.

12 It does pi ck up two very i mportant
13 i ndustri al areas, whi ch i s the Veterans
14 Memori al Hi ghway Corri dor, and then the
15 emergi ng i ndustri al area i n Yaphank i n
16 the Town of Brookhaven. What' s very
17 i nteresti ng here, too, i s the i ndustri al

11 05 08PI anni ngCommi ssi on. txt
18 vacancy rate. We looked at all the
19 major markets in the U.S. compared to
20 that. We're at about 4.2 percent
21 overall in Suffolk County. We've got
22 one of the lowest industrial vacancy
23 rates in the country at this point, here
24 again, looking at those major markets.
25 Office rates are moderate, they're

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 40
2 about 11 percent.

3 Retail vacancy rates are about
4 17 percent. If you remove the outlet
5 center, it would be about 11 percent.
6 Retail vacancy rates are going up. We
7 did a survey in 2005, they were at the
8 lowest level, as I said, in many, many
9 years. An indicator of the strong
10 economy. Not too surprising, we did a
11 survey as part of this survey more
12 recently, there's a definite uptick in
13 vacancy rates.

14 CHAIRMAN CALONE: Is that on a
15 square-foot basis? Take the greatest
16 number of unit size or --

17 DIRECTOR ISLES: We have a
18 methodology that -- it's based on square
19 footage.

20 The retail report that we did was

21 11 05 08PI anni ngCommi ssi on. txt
done at the request of the County
22 Attorney. We've been doing it since
23 like 1977. It's done every five years,
24 approximately. Peter Lambert is the
25 principal author of that.

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 41
2 Here again, looking at the pattern
3 of development and so forth
4 (indicating), and I won't go through all
5 of this in detail. We do have a copy of
6 the study that I'm going to provide to
7 you at today's meeting.
8 One interesting thing I will point
9 out is that, here again, shopping
10 centers are very significant part of
11 Sunrise Highway right now. And that's
12 not too surprising when you drive there.
13 But something to note is that it's -- it
14 is a significant land use.
15 The other one is multi family
16 housing. And one of the things that has
17 happened is -- particularly in the Town
18 of Islip, is the number of commercial
19 sites. The sites that were zoned for
20 commercials in the early '90s, were
21 rezoned for multi family housing units.
22 And there has been a fairly large growth
23 in that sector. And we think, as we

24 11 05 08PlanningCommi ssi on. txt
will report a little bit later to the
25 benefit of the highway overall in terms

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 42
2 of -- it has a much lower level of trip
3 generation in proximity to -- to
4 services at times. It's not ideal in
5 terms of having downtown housing, but we
6 think as a secondary housing site
7 policy, it's worth considering.

8 Next slide.

9 MR. CORRAL: (Compl ying)

10 DIRECTOR ISLES: We had then looked
11 at land uses. You know, we still have
12 about a third of the corridor that's
13 vacant land, so that's important in
14 terms of what should happen to that in
15 the future and so forth.

16 Here again, not giving you all
17 the -- you know, to get caught up in
18 statistics today, but a pretty even
19 distribution. Once again, noting the
20 commercial being pretty high as well.

21 Next slide.

22 MR. CORRAL: (Compl ying)

23 DIRECTOR ISLES: Here's the actual
24 study area (indicating). We did, you
25 know, site-by-site land use analysis.

FIVE STAR REPORTING, INC., 631-224-5054
Page 38

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 43

2 Looking at the aerial photographs, this
3 one is for the Islip portion, the next
4 slide would be for Brookhaven. Going
5 further out, much more vacant land out
6 here (indicating).

7 Next slide.

8 MR. CORRAL: (Complying)

9 DIRECTOR ISLES: This is an
10 interesting table we generated, which
11 was to look at comparison of land use by
12 trip generation; the number of cars that
13 are generated, as a result of the use.

14 If you look at residential, a
15 single-family home on a one acre lot,
16 the trips generated would be eight trips
17 a day. Since the total trip is going to
18 work, coming back, two trips. Going
19 picking up the kids from school -- all
20 those things that are associated with
21 that.

22 This is based on data from the
23 Institute of Transportation Engineers.
24 Heavily researched, sourced data, pretty
25 reliable.

FIVE STAR REPORTING, INC., 631-224-5054

♀

2 What we then did -- what we
3 calculated here was then trying this
4 factor of taking a hypothetical one acre
5 piece of land and applying these land
6 uses, to looking at the local town's
7 coverage -- allowances, and then
8 estimating the size of the building on
9 one acre, and then the traffic.

10 So what you see here then, is if
11 you increase residential densities,
12 traffic goes up a little bit. We have
13 59 for ten units to an acre. But then
14 as you get through the industrial --
15 that's actually not that bad. Warehouse
16 being also low. Office starts jumping
17 up, medical office jumps up. And then
18 you look at the retail, and the retail
19 jumps up considerably. So this is a
20 typical home center on one acre -- home
21 centers are built on plots about
22 20 acres now. So a home center would
23 generate about 6,000 trips per hour,
24 just to give you an overall sight.
25 We're trying to break that down on an

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 45
2 acre to an acre to an acre, with a
3 discount club and a shopping center
4 being up close to 400. Saturday peaks

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

are a little bit higher, obviously.
So this is a pretty handy reference
in terms of: Okay, we're considering a
site that's zoned for a shopping center
versus a site that could be multi family
housing. What are some of the
trade-offs, what are some of the goods,
what are some of the bads? And from a
traffic standpoint, you can
substantially reduce the trips that are
generated by going to some of those
other uses.

Next slide.

MR. CORRAL: (Compl ying)

SECRETARY ESPOSITO: You know,
actually, if we had another line item
there for open space, it would be zero,
zero. I'm just menti oning it.

DIRECTOR ISLES: This is just
looking at vacancy rates. We'll go to
the next slide.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4
5
6
7

SUFFOLK COUNTY PLANNING COMMISSION 46
MR. CORRAL: (Compl ying)
DIRECTOR ISLES: This one, I
thought, was interesting (indi cating).
Dan actually put this together. And
this is -- this is the existing retail
zone in the vicinity of Sunrise --

8 Sayville and Sunrise Highway; so,
9 Sayville, Holbrook, and Bayport.

10 This is what exists. This is
11 what's proposed. That's, basically,
12 doubling you. And then the questions
13 are, Well, how much is that? Is that a
14 lot? Is it too much?

15 This is Downtown Sayville, by their
16 square footage (indicating). So already
17 this substantially exceeds the work in
18 Sayville, and it certainly would double
19 it, and if you look at the fact that
20 this is not an area that has high
21 population growth, it's growing
22 one percent a year, in terms of economic
23 growth and so forth, to support
24 additional retail, it certainly would be
25 questionable.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 47

2 Next slide, please.

3 MR. CORRAL: (Compl ying)

4 DIRECTOR ISLES: Some of the
5 recommendations were broken down by the
6 many uses of transportation. The first
7 batch -- next slide -- would be --

8 MR. CORRAL: (Compl ying)

9 DIRECTOR ISLES: One of the things
10 we identified would be existing clusters

11 and nodes of development that exist
12 along Sunrise Highway. Sometimes the
13 perception is that it's nonstop
14 development, but if we start isolating
15 it down, there are these nodes.

16 So we think, within these nodes,
17 the idea of infilling development within
18 the geographic area of those nodes --
19 because we might need several sites that
20 are commercial, several shopping
21 centers -- for example, by Ocean Avenue
22 in the Bohemia/Oakdale section -- since
23 we feel development there, we think,
24 would be reinforcing strength in those
25 centers.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 48

2 Next slide.

3 MR. CORRAL: (Compl ying)

4 DIRECTOR ISLES: Illustrating that,
5 the nodes that were identified based on,
6 here again, the methodology of
7 identifying and defining nodes, we ended
8 up with three in Islip and we ended up
9 with three in Brookhaven Town.

10 Brookhaven is the more interesting
11 in its circumstance, since most of the
12 vacant land is out here. We've got the
13 Waverly Avenue cluster, which is where

14 the Home Depot and the other stores are.
15 We've got the 112 cluster where the Home
16 Depot just closed; a good planning
17 question as to what should happen to
18 that; we've got a big break here, then
19 we've got the Bellport Outlet Center.

20 So we're suggesting then, keep
21 development in these nodes as much as
22 possible, avoid sprawl, and create new
23 nodes if possible.

24 Last month, the Commission
25 considered an application, right about

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 49
2 here (indicating), for a Wal-Mart at
3 Hospital Road, and the Planning
4 Commission did recommend disapproval of
5 that for the Town of Brookhaven. And I
6 think this illustrates it best in terms
7 of, if we are concerned about retaining
8 existing centers -- our Downtown
9 Patchogue, Sayville -- those places
10 where there is a sense of place, there
11 is an existing investment of both
12 private capital or a public capital, a
13 sense of community and so forth, we have
14 significant investment in existing
15 shopping centers along Sunrise Highway.

16 One of the things we have seen,
Page 44

17 certainly in Western Suffolk, is that as
 18 the land tightens up, as new parcels
 19 zoned for retail are limited, there's
 20 much more incentive to reinvest in
 21 existing centers. We saw that within
 22 the Sayville and the Bohemia area, with
 23 the corner Time Square stores location,
 24 and that was renovated into a Kmart,
 25 Borders Books and so forth. It was an

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 50

2 opportunity to relandscape the site to
 3 an architectural and sign treatment.

4 We may not think shopping centers
 5 are the best use, sometimes they're on
 6 certain locations on Sunrise Highway,
 7 but if they're already there, we do feel
 8 there's a commitment to try to improve
 9 and sustain them as viable, economically
 10 healthy locations in the community.

11 Next slide, please.

12 MR. CORRAL: (Compl ying)

13 DIRECTOR ISLES: The other
 14 recommendati on would be also to consider
 15 mixed-use development in some of these
 16 nodes. Not to compete with downtowns,
 17 but to look at some of these -- like, if
 18 you were to envision this as, you know,
 19 one option, this would be the standard

20 shopping center site (indicating). The
 21 other option would be to allow maybe a
 22 mixture of uses. This is an example
 23 from Minnesota (indicating), where they
 24 put residential above stores.
 25 Obviously, it's a smart-growth idea that

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 51
 2 has been promoted extensively in the
 3 last decade. It's principally branded
 4 for downtown locations which often have
 5 this character anyway. But we think
 6 there may be options in certain
 7 locations to blend in other uses of
 8 office and of residential with the
 9 retail uses.
 10 Next slide, please.
 11 MR. CORRAL: (Compl ying)
 12 SECRETARY ESPOSITO: That's really
 13 a lovely shot of East Patchogue you
 14 provided.
 15 DIRECTOR ISLES: Right.
 16 CHAIRMAN CALONE: Good contrast.
 17 COMMISSIONER HOLMES: You would
 18 notice.
 19 DIRECTOR ISLES: Obviously, we also
 20 recommend holding onto as much of the
 21 industrial zoning, given the low vacancy
 22 rates, given the fact that it's not

23 something that competes with itself,
24 that there's a limit to how much
25 disposable income is available, not a

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 52

2 lot of population growth.

3 Here again, a new shopping center
4 would probably cannibalize and eat
5 through the existing shopping centers.
6 You don't have that same phenomenon with
7 this. That this actually creates
8 economic activity more so, hopefully,
9 than retail in this sense.

10 Next slide.

11 MR. CORRAL: (Compl ying)

12 DIRECTOR ISLES: Encourage
13 redevelopment is something I mentioned
14 before. This is the Gardiner Manor
15 Mall, which is declining. Approximately
16 an 80 percent vacancy rate.

17 Next slide, please.

18 MR. CORRAL: (Compl ying)

19 DIRECTOR ISLES: We also talked to
20 the two towns about uniformed
21 standards -- higher grade standards for
22 landscaping, architectural, and sign
23 control. This is a development in
24 Brookhaven, and this is one in Islip
25 (indicating).

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 53

2 What we're thinking about is
3 looking, here again, holistically as a
4 corridor, the two towns have been coming
5 up with ideas on some common themes of
6 architecture and landscaping and
7 signage, communi fyi ng and upgrading
8 qual i ty development.

9 Next slide.

10 MR. CORRAL: (Compl yi ng)

11 DIRECTOR ISLES: Traffic
12 recommendati ons: Looking at balanci ng
13 growth to reduce trip generati on. I
14 think what this shows, and what our
15 studies show as we look at the build-out
16 of the corridor, if we build out the
17 rest of the vacant land, the shopping
18 centers, we can expect a lot more local
19 trip generati on interfering potenti ally
20 with the regional highway tripus
21 (phonetic) in terms of movement of
22 traffic.

23 The State DOT has made the point
24 that we really should not encourage road
25 expansi on. The idea of wi deni ng Sunri se

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 54

2 further is not something that's likely
3 to happen; and nor is it something we
4 think should happen. So those
5 alternatives in increasing highway
6 capacity, we think, are not going to be
7 fruitful.

8 Next would be transit alternatives.
9 Obviously, we're a better connection to
10 assisting transit and potentially new
11 access to transit bus routes.

12 Possibly park-and-ride lots. That
13 would be further east in Brookhaven,
14 potentially. The idea being that those
15 who are taking commuter rides to Nassau,
16 to Western Suffolk, have the option all
17 through the Expressway to these
18 park-and-rides, which they simply don't
19 have on Sunrise Highway.

20 And then just understanding the
21 interaction between neighborhoods and
22 shopping center destinations. Here
23 again, a lot of times Sunrise is viewed
24 as sort of a no-man's land, it's not
25 part of a community, it just -- whatever

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 55

2 happens, happens. But they are, in

11 05 08PlanningCommis sion. txt
3 fact, parts of communi ties and
4 neighborhoods, and there needs to be
5 thought, in the planni ng process, in
6 terms of how they interact, how they
7 functi on. They exist -- we can be in
8 deni al, but they do exist.

9 Next slide.

10 MR. CORRAL: (Compl yi ng)

11 COMMI SSIONER BOLT ON: You know, if
12 you concentrate on those residenti al
13 infills in those areas --

14 DIRECTOR ISLES: Right.

15 COMMI SSIONER BOLT ON: -- then
16 transi t al ternati ves become more vi abl e
17 opti ons.

18 DIRECTOR ISLES: Three thousand
19 (i naudi bl e), addi ng affordabl e i ncome --

20 Okay. So here are, you know,
21 exampl es of cross access easements as a
22 way of, you know, avoi di ng movements
23 onto the hi ghways, the servi ce roads and
24 directl y from si te to si te. Consider
25 ramp meteri ng. Thi s i s another

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSION 56
2 recommendati on of State DOT. Regul ati ng
3 the flow of traffi c onto the mai n li ne.

4 Next slide.

5 MR. CORRAL: (Compl yi ng)

6
7
8
9
dedications of roadways for future
widening s and so forth, in terms of
adding new shoulders to turning lanes.

10
11
12
13
14
15
16
17
18
19
Off-site mitigation: Here again,
this is pretty standard at this point.
Here again, looking at it more
holistically in terms of the corridor,
in terms of, where do those impacts lie
from the shopping center/industrial
belt, whatever may exist on Sunrise
Highway in terms of intersecting
streets, intersections and so forth, and
in transportation improvement districts.

20
21
22
23
24
25
This was done up in Central Islip,
and it's another funding mechanism.
Which, you know, traditional funding for
highways comes through federal and state
funds, comes through local capital
funds. Those funds are often tapped or

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4
5
6
7
8
SUFFOLK COUNTY PLANNING COMMISSION 57
insufficient to provide for the needs of
the community. There can be a way of
collecting funds through improvement
districts, specific to a targeted area,
that would create tax funds to provide
for the local highway improvements. We
just think it's something that should be

11 05 08PlanningCommission.txt
weighed as the two towns go forward.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I think that's it; right?

MR. GULIZIO: (Head gesture)

DIRECTOR ISLES: Okay, that's it.

COMMISSIONER HOLMES: I have a question.

CHAIRMAN CALONE: Linda.

COMMISSIONER HOLMES: I saw, on your next-to-last slide, the recommendation for eliminating emerging access on the Sunrise. Did you target any particular areas that are particularly dangerous? The one I think of is Nicolls Road. When you're coming out on the access road from Sayville, it's terrifying, because you're trying to get onto the highway, and people are

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4
5
6
7
8
9
10
11

SUFFOLK COUNTY PLANNING COMMISSION 58

peeling off to go to Nicolls Road. And it's very hazardous, very difficult to avoid a collision. So I just wondered, do you have many areas like that along the highway that are as bad as the Nicolls Road?

DIRECTOR ISLES: The ramp metering idea that DOT came up with was primarily aimed at traffic going onto Sunrise Highway mainline.

11 05 08PI anni ngCommi ssi on. txt
12 In the mornings, for exampl e, when
13 there is congesti on in the waves, where
14 you have a traffi c light that says
15 i t' s --
16 COMMI SSI ONER HOLMES: Yes.
17 DI RECTOR ISLES: -- green --
18 COMMI SSI ONER HOLMES: Yes.
19 DI RECTOR ISLES: -- and it shoots a
20 surge of cars onto the highway --
21 COMMI SSI ONER HOLMES: Ri ght.
22 DI RECTOR ISLES: -- that further
23 slows down and impedes the flow. At
24 those kinds of si tuations they woul d
25 li ke to meter the traffi c on the --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 59
2 COMMI SSI ONER HOLMES: I see.
3 DI RECTOR ISLES: -- mai nli ne,
4 connected over to the --
5 COMMI SSI ONER HOLMES: Yes.
6 DI RECTOR ISLES: -- mai nli ne.
7 As far as Ni col l s Road and the
8 North Servi ce Road of Sunri se Hi ghway,
9 by Costco and so forth -- it is
10 ri di cul ous --
11 COMMI SSI ONER HOLMES: It is.
12 DI RECTOR ISLES: -- actual ly.
13 COMMI SSI ONER HOLMES: Yes.
14 DI RECTOR ISLES: -- we have

11 05 08PlanningCommission.txt
15 recommended that Beacon Drive be moved
16 further to the west. That's not an easy
17 thing to do, but there is a merge
18 conflict there.

19 The other factor that happens, as
20 we noted in the report, is that the
21 service road is posted at a speed of
22 maybe 40 miles an hour. Ambient traffic
23 flow is much higher than that, so it
24 actually is functioning at, like,
25 mainline arterial speeds. And when

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 60
2 traffic engineers did calculations of,
3 well, what can work and what doesn't
4 work, they'll take the posted speed
5 limit, and they'll say, okay, we'll have
6 a certain number of gaps based on this
7 speed limit that will enable right-turn
8 movements. And one of the things we
9 make a point on in here is that they
10 should really base it on the actual
11 speeds, because it's completely
12 different --

13 COMMISSIONER HOLMES: Yes.

14 DIRECTOR ISLES: -- at that point.

15 There are other things that could
16 be done, but that's one of those things
17 that -- it sounds like a nice idea when

11 05 08PlanningCommission.txt
18 you read this traffic study, but when
19 you get out there on the actual ground
20 in terms of the situation, it may not
21 work as well as the design had suggested
22 it would work.

23 So this is the study, and we're
24 just going to hand it out.

25 The only thing I will ask you at

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 61
2 this point is -- this has not been
3 publicly released. My first public
4 meeting on this is November 18th, I'm
5 going to Bayport Civic. We have made
6 presentations to both towns at this
7 point, went to the Town Board last week.
8 The Town Board does not yet have a copy
9 of this.

10 So at this point I'd ask you to
11 hold this -- embargo this. And then,
12 probably in a week or so, I'll send an
13 e-mail and let you know that it --

14 COMMISSIONER BRAUN: Don't mail it
15 to Newsday today?

16 DIRECTOR ISLES: No. The
17 Commission Report as well. It is a
18 draft report, we are going to circulate
19 it for comment. And the intent here is
20 to gather the information, to do the

21 11 05 08PI anni ngCommi ssi on. txt
analysis, present ideas forward.

22 I would like to thank Peter
23 Lambert, I'd also like to thank Dan
24 Gulizio, for their work in preparation
25 of this study.

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 62

2 CHAIRMAN CALONE: So the process in
3 this will be, obviously, everyone have a
4 chance to review it and look at all of
5 the pictures. Obviously, a very
6 impressive study, at least, at a first
7 glance.

8 Thank you, Tom, for that overview.

9 And this will be coming back to us
10 for -- for us to discuss further, and
11 potentially to endorse it, probably, in
12 a couple of months then, I guess?

13 DIRECTOR ISLES: Right.

14 CHAIRMAN CALONE: Okay. Any other
15 questions for Tom on the -- or anyone on
16 the Sunrise Corridor?

17 COMMISSIONER TALDONE: (Indicating)

18 CHAIRMAN CALONE: Yeah, Vince.

19 COMMISSIONER TALDONE: A quick
20 question.

21 Is there an analysis in here on the
22 tax impact of taking those properties
23 that might have been developed as either

24 11 05 08PI anni ngCommi ssi on. txt
retail or offi ce/i ndustrial along
25 Sunrise, and converting that to

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 63
2 residential, in terms of impact on
3 school districts and property taxes?
4 DIRECTOR ISLES: There is not.
5 That is a larger issue that was beyond
6 the scope of the study. It is an
7 extremely timely issue, which has been
8 discussed in the media.
9 It is something that we are going
10 to be analyzing as part of an update to
11 the County's Farmland Protection Plan,
12 we are applying for a state grant to do
13 that. The original plan did look at the
14 cost impact of preserving farmland
15 versus the development of farmland. And
16 we intend, as part of that study, and
17 we'll have money to actually do it, to
18 do a detailed tax revenue impact
19 analysis to that, to have factual
20 information in front of us in terms of
21 actual case studies, (inaudible) or less
22 for farmlands, what happens with the
23 cost -- with the expenditures and so
24 forth. The intent would be the same
25 thing, what happens to residential, what

FIVE STAR REPORTING, INC., 631-224-5054
Page 57

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 64

2 happens to retail and so forth.

3 But as far as this study, this
4 focal study, there's nothing in there
5 that addresses that.

6 COMMISSIONER TALDONE: With that, I
7 would imagine the towns would be very
8 concerned. I know out here in
9 Riverhead, we're very much -- some --
10 many people, not all, are very much
11 looking forward to the commercial
12 development in our commercial corridor,
13 as well as property taxes on residents.
14 Brookhaven and Islip, no one needs to
15 comment on how people suffer there under
16 their tax burden. So I can imagine
17 that, converting this to residential
18 will not provide the tax revenue that an
19 office would in the townships.

20 Another quick question on trip
21 generations. Did they actually try to
22 come up with a way that -- evaluating
23 the length of the trip, or just number
24 of trips?

25 DIRECTOR ISLES: Just number of

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 65

2 trips.

3 COMMI SSI ONER TALDONE: So i f many
4 peopl e had been dri vi ng 20 mi les -- say,
5 20 mi nutes down the road, and now they
6 wi ll be dri vi ng fi ve mi nutes from their
7 hou se to Sunri se Hi ghway to get what
8 they need, that woul dn' t be i ncorporated
9 i nto thi s?

10 DI RECTOR ISLES: The ITE data
11 usu ally has an assumpti on for pass-by
12 traffi c. So the -- there' s always an
13 assumpti on that a certain amount of
14 peopl e are on the road, bei ng aware they
15 woul d have pul led i nto that si te or gone
16 out of that si te.

17 The purpose of thi s was to look at
18 i t from ki nd of a basi c level. Because
19 a lot of ti mes, when you' re looki ng at
20 traffi c i mpacts -- I' ve sat through
21 hundr eds, i f not thousand s of publi c
22 heari ngs, and have seen the traffi c
23 i mpacts. It' s not goi ng to have any
24 i mpact bui ldi ng the traffi c center i n
25 thi s i ndustri al park. We wanted to just

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 66
2 ki nd of clear the fog a li ttle bi t and
3 ki nd of look ed at i t. Basi c land use,
4 on a very si mpli sti c level, how do they

5 compare in (inaudible). And I -- you
6 know, we feel a hundred percent
7 confident these were actually presented.

8 From this, you can then work
9 another assumption, you know, what if
10 this and what if that. Is that by
11 traffic or, as you said, the person
12 being able to go to Home Depot five
13 minutes from their house versus
14 20 minutes to their house.

15 That's another dimension of that
16 being modeled, and, here again, that's
17 done with extreme care. This is not
18 easy information to validate. And, I
19 think on the point of the tax impact,
20 the -- there's no question that our
21 communities, our towns and villages
22 count on their growing tax base, to be
23 able to support quality of life,
24 services and so forth that are provided.
25 And that directly intercepts the zoning

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 67
2 policy. And, hopefully, in a positive
3 way. But I think that caution -- and
4 I'd like to give Dan a second to comment
5 on this, too, he's given this some
6 professional thought.

7 On the point of -- you know, we had
Page 60

8 this issue at Tanger when -- when they
 9 were facing the issue of community tax
 10 rate laws, and we're saying we don't
 11 disagree with that. But the ultimate
 12 alternative, a shopping center, are
 13 there other tax resources that give you
 14 what you need, in a mixed-used
 15 development, that would incorporate --
 16 it would be a great sense of place to
 17 have residential as well as retail and
 18 so forth.

19 Municipalities have extensive
 20 authority, under New York State Law, to
 21 create the communities that they think
 22 best represents their future. And all
 23 we want to say to them is, look at the
 24 full box of ideas you have, and you're
 25 thinking in terms of what can be, look

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 68
 2 at your needs, which is fact-based
 3 growth, which is important and we know
 4 that, but also look at the long-term
 5 consequences. And, an
 6 over-proliferation of shopping centers
 7 in the -- more on the western end,
 8 developed communities where they've had
 9 decades of downtown decline -- having
 10 worked in Bay Shore for 20 years of my

11 life, and just feeling that this
 12 persistence, in Riverhead today, where
 13 they put so much heart and soul and town
 14 resources into revitalizing their
 15 downtown, keeping their community strong
 16 and so forth. But these are not light
 17 decisions, they -- the balancing tax
 18 rate, but, also, the maintenance of
 19 community, the community identity, the
 20 sense of place, who they are and so
 21 forth, all of that gets wrapped into
 22 their individual planning and zoning
 23 decisions that are made on the deli, the
 24 shopping center and so forth, it's got
 25 to be looked at in this whole concept.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 69
 2 And so the tax dollars are
 3 important, but they can't be taken in
 4 isolation as comprehensive.
 5 COMMISSIONER TALDONE: One other
 6 comment before Dan jumps in.
 7 My first thought, which is, being a
 8 teenager out here, I remember exactly
 9 when the Gimbels Shopping Center
 10 declined in Bay Shore --
 11 DIRECTOR ISLES: Okay.
 12 COMMISSIONER TALDONE: -- and --
 13 you know, it couldn't compete with

14 Sunri se Hi ghway, because Sunri se Hi ghway
15 devastated some of the downtowns in many
16 ways, whi ch are now recovering. Housi ng
17 now, j ust in that locati on, along
18 Montauk Hi ghway where there' s local
19 shoppi ng, publi c transi t, rail road
20 access, al l the thi ngs you want for
21 folks, plus local shoppi ng in the
22 i mmedi ate area.

23 I j ust got concerned when I saw the
24 housi ng potenti al up on Sunri se Hi ghway,
25 competi ng now wi th our efforts to create

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSION 70
2 hamlet centers, where people who live in
3 walkable communi ties, near their public
4 transi t, whi ch is not movi ng, the
5 rail road is where it is, and all of us
6 woul d feed into it. So I' m concerned
7 that we' re going -- if thi s does go in
8 that di recti on, we' re going to head down
9 another path where downtown residenti al
10 devel opment is going to be competi ng
11 wi th these big open spaces along Sunri se
12 Hi ghway, wi th residenti al devel opment
13 money. And I' d be concerned to see it
14 move that way and defeat the efforts of
15 the hamlets.

16 DIRECTOR ISLES: That' s another
Page 63

17 answer to that case.

18 We labored on that, and -- Dan.

19 CHAIRMAN CALONE: Dan, do you have
20 any follow-up?

21 DEPUTY DIRECTOR GULIZIO: No -- not
22 to belabor it, but it's important to
23 look at it as comprehensively and
24 somewhat mile highly as possible. On
25 one hand you say, you know, you don't

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 71
2 want housing along the highway, say, to
3 interfere with downtown housing, but if
4 you looked at the amount of area within
5 the entire county that are devoted to
6 our downtowns -- the traditional
7 pedestrian-oriented downtowns, it's
8 probably one to two percent of our
9 entire land area. So the concept of
10 thinking you're going to adequately
11 diversify the housing process you can
12 use, our existing generations and future
13 generations are within that one to two
14 percent, is probably not likely. And
15 that was the basis for Islip's policy
16 ten years ago, or 15 years ago now, time
17 flies, to look at alternative locations
18 and secondary locations along the
19 highway, and move strip commercial

20
21
22
23
24
25

buildings.
One of the concerns that Islip had,
I think, at the time, in terms of the
commercial process, which are hence
reflected in Sunrise Highway in general,
the population has grown over the last

FIVE STAR REPORTING, INC., 631-224-5054

†

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

SUFFOLK COUNTY PLANNING COMMISSION 72

20 years along, unfortunately, Sunrise
Highway, about 15 percent. The amount
of retail has increased 85 percent
during that same time period.

So, under the essence of planning
to have a rational decision-making
process, would it rationally allow for
additional development consistent with
the population needs, is one of the
things you want to balance as you go
through the whole scheme. It's not
just, will this use generate more tax
revenues necessarily, or what are these
costs of services associated with that
additional -- those additional tax
generators.

There are 30,124 counties in the
United States. I think Suffolk is the
eighth largest in terms of population.

DIRECTOR ISLES: Twenty-third.

DEPUTY DIRECTOR GULIZIO:

23

Twenty-thi rd?

24

DIRECTOR ISLES: (Head gesture)

25

DEPUTY DIRECTOR GULIZIO:

FIVE STAR REPORTING, INC., 631-224-5054

♀

1

SUFFOLK COUNTY PLANNING COMMISSION 73

2

Twenty-thi rd. Very high -- the top one

3

percent in terms of the total. And when

4

you look at that, you would expect to

5

then therefore have, perhaps, based upon

6

the amount of development, affording the

7

low rates of the taxes, and that's not

8

really the case.

9

So I think you need to take some of

10

those fundamental assumptions and really

11

break them down to actual reality in

12

looking at the cost effects as well as,

13

you know, taxes and services.

14

CHAIRMAN CALONE: Thanks, Dan.

15

Any other comments or questions?

16

COMMISSIONER McADAM: (Indicating)

17

CHAIRMAN CALONE: Commissioner

18

McAdam.

19

COMMISSIONER McADAM: I have a

20

quick question.

21

Other than the cost, is there a

22

reason why the state didn't want to

23

widen Sunrise Highway in Patchogue,

24

considering the fact that that --

25

SECRETARY ESPOSITO: She can't hear

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 74
2 you.
3 COMMISSIONER McADAM: -- now with
4 development along Sunrise Highway,
5 wouldn't it be a situation where it
6 would be too late to do develop, then
7 you find out later you have to widen the
8 highway?
9 DIRECTOR ISLES: The point that
10 they expressed to us is that -- their
11 mindset is fundamentally changing in the
12 sense that they don't feel that
13 expansive growth in highway capacity
14 will be possible. There may be options
15 to add a lane here and there, maybe --
16 with a four-lane configuration going
17 through East Patchogue, could be a six
18 lane, that's a possibility. But
19 fundamentally, they don't see large
20 highway capacity expansion projects
21 being -- not only from a cost
22 standpoint, but -- but also, they're
23 beginning to look at other -- such as --
24 in terms of better managing the land
25 use, in terms of -- if we take the

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 75
2 eastern portion study area, through
3 Brookhaven, and develop shopping
4 centers, that would probably mandate
5 them to substantially put in a new
6 roadway, to handle both regional traffic
7 needs, as well as the local needs
8 generated by local land use.

9 They were very pleased to see the
10 study, and they participated in it. And
11 they like the idea of coordinating or
12 capturing the highway for land use. So
13 they seem to be shifting their thinking
14 a little bit, in terms of trying to
15 direct growth to existing centers,
16 trying to think about more than just the
17 highway planning aspect of it, but the
18 overall mobility, looking at other modes
19 of mobility; the rails and bus and so
20 forth.

21 So I can't give you a specific
22 answer, at least in that portion of
23 Patchogue. Their general statement to
24 us was clear in writing and so forth.
25 That, fundamentally, they don't want it

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 76
2 to massively be approached as a massive

11 05 08PlanningCommission.txt
3 highway. As a capacity expansion, they
4 feel that that time is due -- done, and
5 they want to look at better management,
6 more efficient management, and
7 coordination with local land use
8 agencies.

9 CHAIRMAN CALONE: Thanks, Tom.

10 Obviously, as we've seen, a
11 critical area for our county. If anyone
12 on the Commission is interested in being
13 a little bit more involved in trying
14 to -- on this going forward, we
15 certainly could have a -- one or more
16 persons be liaisons from this Commission
17 to the project, and just be a little bit
18 more -- as some of the conversations
19 evolve over the next, you know, month or
20 two or three.

21 DIRECTOR ISLES: Sure.

22 CHAIRMAN CALONE: So if anyone's
23 interested in serving in that capacity,
24 you know, formally --

25 COMMISSIONER HOLMES: I nominate --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 77

2 CHAIRMAN CALONE: -- let me know --

3 COMMISSIONER HOLMES: -- Vince

4 Tal done.

5 CHAIRMAN CALONE: Well, Vince may

11 05 08PlanningCommission.txt
not want to accept that nomination.

But, you just let me know after the meeting or -- or by e-mail if anyone's interested in being a little bit more involved.

All right. Great. Appreciate that, Tom, and -- and let's move on now to the regulatory agenda.

MR. FRELENG: Okay. The first application before the Commission is referred to us from the Town of Babylon, it is the application of 609 Montauk Corp. Jurisdiction for the Commission, that the subject property is adjacent to New York State Route 27A.

The applicants are seeking Town Planning Board Site Plan approval for the expansion of an existing 2,092 square foot bar/restaurant by 373 square feet. The proposal requires

FIVE STAR REPORTING, INC., 631-224-5054

♀

SUFFOLK COUNTY PLANNING COMMISSION 78

16 off-street parking stalls and only seven are provided, so this constitutes a 56 percent off-street parking shortfall.

The project is located on Buena Vista Drive -- I'm sorry, the southeast corner of the intersection of Buena

9 11 05 08PI anni ngCommi ssi on. txt
10 Vista Drive, which is a town road, and
11 West Montauk Highway, which is New York
12 State Route 27A, and this is in the
13 hamlet of Lindenhurst.

14 The subject property is located
15 within the corridor of E-Business zoning
16 along the state right-of-way.

17 That's the zoning up on the screen
18 (indicating).

19 South of the site are land in the
20 C-Residence district. North of the
21 subject site is the right-of-way for New
22 York State Route 27A, and beyond the
23 right-of-way, there are lands
24 residentially zoned in the Incorporated
25 Village of Lindenhurst.

It is the belief of the staff that

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 79
2 the proposed expansion of the
3 bar/restaurant is a further
4 over-intensification of the use of the
5 premises. The proposed use is a special
6 permit use in the zoning district, and
7 should be able to conform to the
8 district requirements without variance.
9 However, the subject parcel is more than
10 56 percent short of the minimum lot
11 area, and does not provide enough room

11 05 08PI anni ngCommi ssi on. txt
12 for the requi red off-street parki ng.
13 The current use is a preexi sti ng
14 nonconformi ng use, and the proposed
15 wou ld only i ncrease the degree of
16 nonconformi ty. The proposed expansi on
17 resul ts i n a 56.25 percent off-street
18 parki ng shortfall, and wou ld tend to
19 necessi tate the use of surroundi ng
20 roadways for parki ng purposes; thereby,
21 di mi ni shi ng the safety and
22 traffi c-carryi ng capaci ty of the state
23 and local roads.
24 Staff is recommendi ng di sapproval
25 for the reason that the proposed

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 80
2 expansi on the bar/restaurant is an
3 over-i nte nsi fi cati on of the use of the
4 premi ses. The comment whi ch fol lows is
5 from the staff report.
6 CHAIRMAN CALONE: Thank you, Andy.
7 Well, I'm the representative from
8 Babyl on. I don't have anything much to
9 add, other than that there is,
10 obvi ously, tremendous traffi c on that.
11 It's a narrow road, and a lot of retail
12 development on that area. But, anyway,
13 any other comments or questi ons --
14 COMMI SSI ONER BRAUN: What's the

11 05 08PI anni ngCommi ssi on. txt
15 use --
16 CHAIRMAN CALONE: -- about this?
17 COMMISSIONER BRAUN: -- that
18 this --
19 CHAIRMAN CALONE: Commissioner
20 Braun.
21 COMMISSIONER BRAUN: I'm sorry --
22 the use that this little expansion is to
23 be put to?
24 MR. FRELENG: It's a
25 bar/restaurant --

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 81
2 COMMISSIONER BRAUN: No, I know --
3 I know that whole thing. But why do
4 they need an extra 373 square feet?
5 MR. FRELENG: They're moving their
6 walk-in refrigerators, and increasing it
7 to the outside, and enclosing that
8 space. The resulting interior space
9 would be for extra seating.
10 CHAIRMAN CALONE: Any other
11 questions?
12 COMMISSIONER HORTON: You say
13 there's a lot of --
14 CHAIRMAN CALONE: Commissioner
15 Horton.
16 COMMISSIONER HORTON: You say
17 there's a lot of retail in the

11 05 08PI anni ngCommi ssi on. txt
18 surroundi ng --
19 CHAIRMAN CALONE: Yeah --
20 COMMI SSIONER HORTON: -- area?
21 CHAIRMAN CALONE: -- well ,
22 there's -- yeah, there's a lot of -- you
23 see all -- how close all those --
24 COMMI SSIONER HORTON: I can see the
25 devel opment, but I can' t see --

FIVE STAR REPORTING, INC. , 631-224-5054

‡

1 SUFFOLK COUNTY PLANNING COMMI SSION 82
2 CHAIRMAN CALONE: Yeah, it's a lot
3 of -- close in retail, right along the
4 road there. Not a lot of -- not a lot
5 of buffer there, and you can see,
6 there's not a ton of parking along that
7 stretch. So, a lot of the times, cars
8 are -- have to park on the -- on Montauk
9 Hi ghway.
10 MR. FRELENG: Thi s --
11 CHAIRMAN CALONE: At least in some
12 parts of that area.
13 MR. FRELENG: Thi s commerci al land
14 use right here is the furni ture factory
15 (indi cating). It wraps around the
16 subject property, as you can see.
17 COMMI SSIONER BRAUN: I thought that
18 was a vacant lot --
19 CHAIRMAN CALONE: Anyone el se --
20 sorry, Bob, you say something to that?

21 COMMISSIONER BRAUN: No, I just --
 22 looking at the -- at the aerial, I
 23 thought that was a vacant lot next to
 24 the building, and apparently it's not,
 25 it's a building.

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 83
 2 MR. FRELENG: No, there's a
 3 furniture factory building here
 4 (indicating).
 5 COMMISSIONER BRAUN: Yeah.
 6 COMMISSIONER HORTON: What is
 7 across Buena Vista, the -- the lot?
 8 MR. FRELENG: Here (indicating)?
 9 COMMISSIONER HORTON: Yeah. What
 10 takes place there?
 11 MR. FRELENG: I recall offhand,
 12 that it's a mixed commercial use, I
 13 think.
 14 COMMISSIONER HORTON: Does parking
 15 flow over into that lot --
 16 MR. FRELENG: No, that -- that --
 17 that parking lot is chained.
 18 CHAIRMAN CALONE: Say that again,
 19 Andy.
 20 MR. FRELENG: The parking lot is
 21 chained, and they're not allowing public
 22 use of the lot. It's only for the uses
 23 that are in the building.

11 05 08PI anni ngCommi ssi on. txt
24 CHAIRMAN CALONE: So the end result
25 of that is people can't park across the

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 84
2 street, whether they want to or not --
3 MR. FRELENG: That's correct.
4 CHAIRMAN CALONE: -- and they --
5 their -- the building is so tight there
6 that -- wrapping -- being wrapped around
7 that furniture building there, there's
8 not much parking anywhere within a
9 reasonable walk.
10 MR. FRELENG: Parking for this use
11 here is along Buena Vista Boulevard
12 (sic), right here, there's about five or
13 six spaces -- seven spaces, right along
14 here (indicating). There is no
15 on-street parking on the state
16 right-of-way, and this lot is chained
17 off, so there would be no option to park
18 in that lot as well.
19 COMMISSIONER HORTON: (Indicating)
20 CHAIRMAN CALONE: Okay.
21 Commissioner Horton.
22 COMMISSIONER HORTON: Well, if we
23 have the 73 square feet of additional
24 seating, what does that equate to in
25 relationship to the Health Department?

FIVE STAR REPORTING, INC., 631-224-5054
Page 76

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 85

2 MR. FRELENG: Well, we didn't
3 calculate that. The property is
4 substandard to start with, and staff
5 felt that it was a further
6 intensification of -- to nonconformity
7 to --

8 COMMISSIONER BRAUN: This --

9 MR. FRELENG: -- seating and
10 require additional parking.

11 COMMISSIONER BRAUN: Andy, that
12 enclosure is going between the -- to the
13 right of the existing building, and to
14 the left of that L-shaped building?

15 MR. FRELENG: Yes.

16 COMMISSIONER BRAUN: Is that the
17 idea?

18 MR. FRELENG: It's going in here
19 (indicating). You can see it from the
20 staff --

21 COMMISSIONER BRAUN: Is there any
22 use that that area can be put to now? I
23 mean, they couldn't put parking in there
24 if he wants to or --

25 MR. FRELENG: Well, we can't -- we

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 86
Page 77

2 couldn't get in there. I don't believe
3 you could get sufficient parking in
4 there. As you see from the site plan,
5 it's not very -- it's not a very wide
6 area. You might -- you could get --

7 CHAIRMAN CALONE: It looks like a
8 freezer.

9 MR. FRELENG: -- you could get a
10 parking space here, and maybe you could
11 figure out a way to wrap around one or
12 two spaces that -- the space is
13 insufficient for the use to start
14 with --

15 COMMISSIONER HOLMES: Yeah,
16 that's --

17 MR. FRELENG: -- and to further
18 expand the use as a bar/restaurant,
19 would be illogical in staff's opinion.

20 COMMISSIONER HOLMES: That's
21 what --

22 CHAIRMAN CALONE: Commissioner
23 Holmes.

24 COMMISSIONER HOLMES: That's what
25 puzzled me. What is their total parking

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 87
2 capacity now?

3 COMMISSIONER BRAUN: Those five
4 spots.

5 COMMI SSI ONER HOLMES: Those fi ve
6 spots along Buena Vi sta Road (si c), is
7 that it?

8 MR. FRELENG: That's correct.

9 COMMI SSI ONER HOLMES: So what kind
10 of business do they have now? Do
11 they -- if they're -- if they want to
12 put in more seating, you know, I mean,
13 they must have more than fi ve or si x
14 patrons --

15 CHAIRMAN CALONE: It's hard --

16 COMMI SSI ONER HOLMES: -- comi ng --

17 CHAIRMAN CALONE: -- for us to know
18 how many people attend there, but,
19 obvi ousl y, they woul dn' t be movi ng it at
20 the expense --

21 COMMI SSI ONER HOLMES: Yeah.

22 CHAIRMAN CALONE: -- unles s they
23 thought that there was a --

24 COMMI SSI ONER HOLMES: So --

25 CHAIRMAN CALONE: -- fi nanci al

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNI NG COMMI SSI ON 88

2 benefi t --

3 MR. FRELENG: We have the --

4 CHAIRMAN CALONE: -- to themsel ves.

5 MR. FRELENG: Staff knows -- we can
6 all assume the pattern of operation for
7 the land use, it's a bar/restaurant.

8 Staff was there at about 2:30,
9 three o'clock in the afternoon, there
10 was one or two available spaces for that
11 spot. So we were there at an off-peak
12 time, and there was only one or two
13 spaces that were available at that time.

14 CHAIRMAN CALONE: All right. Are
15 there any further questions about this
16 application?

17 COMMISSIONER HOLMES: I mean, would
18 we -- in the comment, would we say that
19 they should look at providing parking --
20 providing additional parking?

21 COMMISSIONER FIORE: (Indicating)

22 CHAIRMAN CALONE: Commissioner
23 Fiore.

24 COMMISSIONER FIORE: Not to belabor
25 this, this disapproval -- we were

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 89
2 recommended disapproval on it, and I
3 wholeheartedly agree with it, but it's
4 not -- it's up to the Chairman to make
5 the -- from the Town of Babylon, to --

6 CHAIRMAN CALONE: Right.

7 COMMISSIONER FIORE -- the ruling.

8 CHAIRMAN CALONE: I would agree
9 with Commissioner Fiore on this. If
10 we're going to disapprove it, we

11 disapprove it. And the reason we're
12 doing it is -- according to the staff
13 recommendation, is pretty clear. And I
14 don't think there is really any room for
15 them to add parking per se.

16 So I would entertain a motion to --
17 well, I'm sorry, I don't want to cut it
18 off early, but I think we can -- I think
19 we're kind of saying the same thing.

20 COMMISSIONER HOLMES: I'll second
21 it.

22 COMMISSIONER FIORE: I'll make the
23 motion.

24 CHAIRMAN CALONE: Moved by
25 Commissioner Fiore, seconded by

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 90
2 Commissioner Holmes.

3 All in favor of accepting the staff
4 report as written, please raise your
5 hand.

6 (WHEREUPON, the Members voted.)

7 CHAIRMAN CALONE: All opposed?

8 (WHEREUPON, there was no response.)

9 CHAIRMAN CALONE: Unanimous; 12 to
10 zero.

11 MR. FRELENG: Thank you,

12 Mr. Chairman.

13 I'm just going to skip over the
Page 81

11 05 08PlanningCommission.txt

14 next one, Deputy Director Gulizio is
15 doing Primrose Villas, LLC, so I'll just
16 go to the next one I'm doing, which is
17 Vasco Holdings, LLC.

18 The application is referred to us
19 from the Town of Smithtown.
20 Jurisdiction for the Commission is that
21 it's adjacent to New York State
22 Route 25, which is Middle Country Road.

23 The applicants are seeking Town
24 Board change of zone approval from
25 Wholesale Industry, which is indicated

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 91
2 as WSI, and Residential -21 to
3 Neighborhood Business to allow for the
4 conversion of an existing building, to
5 permit "retail stores, take-out
6 restaurants, personal service shops or
7 similar uses," as tenants in the
8 existing building. The proposal
9 requires 107 parking spaces and 72 exist
10 on-site, resulting in a nearly
11 33 percent off-street parking shortfall.

12 The subject property is located on
13 the northeast corner of the intersection
14 of Sunny Road, which is a town road, and
15 Middle Country Road, which is a state
16 road, New York State Route 25, in the

17
18
19
20
21
22
23
24
25

hamlet of Saint James.
The subject property is located within a corridor WSI Industrial zoning, as you can see up on the screen (indicating). The back portion of the site is in R21. South of the site is the state right-of-way, and beyond are land with -- WSI district. North of the subject site are properties in the R21

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

SUFFOLK COUNTY PLANNING COMMISSION 92
residential district.
It's the belief of the staff that the proposed change of zone would constitute a noncomprehensive alteration of zoning pattern in the locale. This corridor in this location is zoned WSI, and recognizes the interrelationship between land uses and congestion management on the road corridor. The Neighborhood Business zone is a more intense zoning designation, allowing a range of high intensity motor vehicle trip generators, such as these things, dwellings, churches banks, personal service shops, offices, restaurants, retail, taverns, bars, et cetera. Permitting the petition for a zone change to Neighborhood Business, in the

20 opinion of the staff, would be
21 inconsistent with the pattern of zoning
22 in the surrounding area, and could be
23 considered a spot zoning.

24 It should be indicated that the
25 Town of Smithtown is undergoing a

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 93
2 comprehensive plan amendment, and they
3 are studying various areas throughout
4 the town, including this one. But staff
5 believes that it would be premature to
6 go ahead and change the zone on this
7 site, prior to the adoption of the new
8 comprehensive plan.

9 Moreover, the proposed conversion
10 of the existing building would
11 constitute an unwarranted
12 over-intensification of the use of the
13 premises, as would be evident by the
14 required off-street parking shortfall.

15 Staff is recommending disapproval
16 for the following seven reasons:

17 The first being that the change of
18 zone would constitute an unwarranted,
19 inappropriate, noncomprehensive
20 alteration of the zoning pattern in the
21 locale;

22 The second being that it's

23 inconsistent with the pattern of zoning
24 in the surrounding area and is
25 considered a spot zoning;

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 94

2 The third reason for disapproval
3 being that it tends to substantially
4 undermine the effectiveness of the
5 zoning ordinance;

6 Fourth reason being that approval
7 of the petition would tend to establish
8 a precedent for further such zoning and
9 land development patterns in the locale;

10 Fifth being that the proposed
11 conversion of the existing building
12 would constitute an unwarranted
13 over-intensification of the use of the
14 premises;

15 Sixth condition for disapproval --
16 sixth reason for disapproval would be
17 the resulting use of the building, under
18 the approved zoning designation, would
19 tend to necessitate the use of the
20 surrounding roadways for parking
21 purposes, diminishing the safety and
22 traffic-carrying capacity;

23 And then, seven, the premises could
24 be reasonably developed in accordance
25 with the existing WSI District

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 95
2 requirement.
3 The comments which follow are
4 excerpted for the staff report, and
5 there's the rationale for reasons for
6 disapproval.
7 COMMISSIONER BRAUN: Andy, what's
8 in that building now, in that location?
9 MR. FRELENG: It is vacant at the
10 moment. I believe prior to that -- I'm
11 not quite sure what the uses were, but
12 prior to that it was a wholesale
13 industry use.
14 COMMISSIONER BRAUN: That's about a
15 block away from me, and I have no clue
16 in recognizing it.
17 CHAIRMAN CALONE: Well, I was about
18 to call on you to ask you whether you
19 had anything from Smithtown --
20 COMMISSIONER BRAUN: No, I mean --
21 SECRETARY ESPOSITO: If it's been
22 deserted --
23 COMMISSIONER BRAUN: Yeah, I think
24 it's just a derelict, basically,
25 building at the moment.

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 96
2 MR. FRELENG: The site has
3 undergone recently a facade
4 renovation --
5 COMMISSIONER BRAUN: Oh, that's
6 that one?
7 MR. FRELENG: Yes. And there is
8 currently no parking -- there's
9 currently no parking now -- this is a
10 dated photo. Since the facade
11 renovation, there's currently no parking
12 allowed in the front. This has all been
13 landscaped and grassed.
14 COMMISSIONER BRAUN: That's right.
15 MR. FRELENG: The spaces have been
16 broken up into retail spaces, but it is
17 not occupied at the moment.
18 CHAIRMAN CALONE: Andy, anything
19 else you had?
20 MR. FRELENG: There's nothing else,
21 other than --
22 COMMISSIONER BRAUN: They did --
23 CHAIRMAN CALONE: Okay.
24 COMMISSIONER BRAUN: -- these
25 renovations first, and then they're

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 97
2 asking for permission later?

11 05 08PI anni ngCommi ssi on. txt
SECRETARY ESPOSITO: Ri ght.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. FRELENG: It's easier to ask
for forgiveness --

COMMISSIONER BRAUN: It's easier to
get forgiveness than it is to get
permission, yeah, we know that.

CHAIRMAN CALONE: Bob, do you have
anything on the area that you want to
share?

COMMISSIONER BRAUN: Well, I have
to say that the -- the appearance of the
building is vastly better than what you
see in that photograph. I mean, it's a
nice looking little building. The fact
that they kind of neglected to, you
know, do their homework before they --

SECRETARY ESPOSITO: Neglected.

COMMISSIONER BRAUN: -- did it, is
unfortunate. But, it's a big
improvement to the look, because that --
what you see there is what it looked
like until recently. And now it
looks -- it's very nice. It's very

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4
5

SUFFOLK COUNTY PLANNING COMMISSION 98
clean, modern, looks like a village type
of facade.
CHAIRMAN CALONE: Is there anything
in there now or --

6 COMMI SSI ONER BRAUN: Nothi ng i n
7 there.

8 MR. FRELENG: I have a photograph
9 whi ch the appli cants provi ded, I don' t
10 know i f you want me to pass i t around --

11 COMMI SSI ONER ROBERTS: Yeah.

12 COMMI SSI ONER BOLTON: Yeah.

13 SECRETARY ESPOSITO: Yeah.

14 MR. FRELENG: -- but, as i ndi cated,
15 they di d do a facade renovati on, they
16 cleaned up a bunch of i t.

17 CHAI RMAN CALONE: We' ll see i f --
18 wheth er we agree wi th Bob' s taste of
19 wheth er or not i t' s well done or not.

20 COMMI SSI ONER BRAUN: Well , compar ed
21 to what was there -- please, you know.

22 MR. FRELENG: The i ssues for the
23 staff, i f I coul d just rei terate, i s
24 j ust the change of the zone from the
25 WSI , whi ch i s a lower i ntensi ty tri p

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNI NG COMMI SSI ON 99
2 generat or, to the Nei ghborhood Busi ness,
3 whi ch i s a higher i ntensi ty.

4 COMMI SSI ONER BRAUN: I f they -- i f
5 the change of zone i s granted, do they
6 need to come back to us for anythi ng;
7 the si te plan or anythi ng l ike that?

8 MR. FRELENG: I f the change of zone

9 11 05 08PI anni ngCommi ssi on. txt
is granted, they would need to file a
10 site plan approval. Whether or not it's
11 referred --

12 CHAIRMAN CALONE: It should be
13 referred.

14 MR. FRELENG: It should be
15 referred.

16 COMMISSIONER BRAUN: It should be,
17 it's all on -- you know.

18 MR. FRELENG: It should be
19 referred.

20 COMMISSIONER BOLTON: (Indicating)

21 CHAIRMAN CALONE: Commissioner
22 Bolton.

23 COMMISSIONER BOLTON: Isn't this a
24 form of spot zoning? I mean, this is a
25 comprehensive --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 100

2 COMMISSIONER BRAUN: Spot zoning.

3 COMMISSIONER BOLTON: -- of this
4 large area, and you've got this little
5 thing now coming in (inaudible), so --

6 DIRECTOR ISLES: He said the Town
7 of Smithtown is doing a comprehensive
8 plan update. One thing they can do is
9 address it from that process and call
10 for rezoning overall.

11 COMMISSIONER BOLTON: That's

12 11 05 08PI anni ngCommi ssi on. txt
comprehensi ve --
13 DIRECTOR ISLES: Ri ght.
14 COMMI SSIONER BOLTON: Yes.
15 CHAI RMAN CALONE: Other comments,
16 questi ons?
17 COMMI SSIONER TALDONE: Yes.
18 CHAI RMAN CALONE: Commi ssi oner
19 Tal done.
20 COMMI SSIONER TALDONE: A qui ck
21 questi on regardi ng processes. Do we get
22 comments from the local planni ng
23 department? I mean, thi s is comi ng to
24 us -- it seems it is spot zoni ng, all
25 the -- all the thi ngs that we pick up

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSION 101
2 on, what do they say? I mean, I know
3 they can't control their applications,
4 it comes in and it gets passed on to us.
5 But have they ever expressed to us, so
6 we can get a feel for why they might be
7 supporting thi s, and we're not --
8 DIRECTOR ISLES: They're not
9 necessari ly supporti ng --
10 COMMI SSIONER TALDONE: -- seei ng
11 i t?
12 DIRECTOR ISLES: -- I'll turn to
13 Andy, he's our primary contact wi th
14 thi s.

15 MR. FRELENG: We do get the staff
16 reports from the localities. The staff
17 reported, in this case -- indicated that
18 there were issues at the staff level
19 with regard to the application.

20 I have to tell you that staff tries
21 to look at these things in vacuum
22 sometimes, so we don't get bogged down
23 to the local concern. We're looking at
24 fundamental planning techniques to apply
25 to the site, particularly if it's a

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 102
2 regional or intermunicipal
3 consideration.

4 With respect to this, what raises
5 this as a flag of the
6 over-intensification of the use and the
7 lack of parking, which would put
8 overflow parking into the state
9 right-of-way, which does make this
10 particular site plan a regional
11 consideration.

12 COMMISSIONER TALDONE: I mean, I
13 can see the obvious badness of this --

14 MR. FRELENG: Right.

15 COMMISSIONER TALDONE: -- it's
16 clear. You know, I know how I'm going
17 to vote, and can kind of sense how

11 05 08PlanningCommission.txt
18 everyone will vote on -- because it's so
19 obvious. But it just begs the question,
20 what is the local planning group
21 thinking?

22 MR. FRELENG: To answer shortly, in
23 this instance, the staff for the Town of
24 Smithtown has not explored the project.

25 COMMISSIONER TALDONE: Okay.

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 103

2 CHAIRMAN CALONE: But they're
3 obligated to pass it onto us,
4 obviously --

5 COMMISSIONER TALDONE: Yeah, I
6 understand.

7 CHAIRMAN CALONE: -- you know,
8 whether they give us comments or not,
9 it's coming to us kind of -- you know,
10 we're fresh, and we -- they look at it.

11 COMMISSIONER McADAM: (Indicating)

12 COMMISSIONER BOLTON: (Indicating)

13 CHAIRMAN CALONE: Commissioner
14 McAdam, then Commissioner Bolton.

15 COMMISSIONER McADAM: There's
16 parking next to the property, to
17 the left?

18 MR. FRELENG: There is parking on
19 site --

20 COMMISSIONER McADAM: Well, not in

11 05 08PlanningCommission.txt
21 front, but -- yeah -- I guess on the
22 left side, is that their property?
23 MR. FRELENG: This is all the site
24 plan before us. The access would come
25 in and wrap around. So access comes in

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 104
2 and wraps around the building.
3 CHAIRMAN CALONE: And even with all
4 that, there's not enough parking?
5 MR. FRELENG: There is no available
6 public parking along this street. This
7 is all private (indicating).
8 COMMISSIONER McADAM: But there's
9 no -- not -- as Dave pointed out,
10 there's not enough public parking on the
11 property --
12 MR. FRELENG: There is no -- I'm
13 sorry, there is no --
14 CHAIRMAN CALONE: On the site
15 itself.
16 DIRECTOR ISLES: On the site
17 itself.
18 COMMISSIONER McADAM: On the site
19 itself.
20 MR. FRELENG: No, as the staff
21 report indicated, they're required to
22 have -- they're required to have
23 107 parking spaces, and they only have

24 11 05 08PI anni ngCommi ssi on. txt
72 on si te.

25 SECRETARY ESPOSITO: And then none

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 105

2 are off street.

3 MR. FRELENG: And there are none
4 available on -- off -- on the public
5 street here, or in the right-of-way of
6 the town roadway.

7 COMMISSIONER McADAM: Okay.

8 CHAIRMAN CALONE: I mean,
9 obviously, in the past, if there's a
10 small variance, we have often said, you
11 know, it's okay, but it's -- you know,
12 at least my recollection of history is,
13 getting to a percentage, which is very
14 substantial.

15 MR. FRELENG: Currently, if there's
16 a parking deficiency of less than ten
17 percent, staff is likely to just comment
18 on that. When it gets to be ten percent
19 or more, then we take a harder look. If
20 they're deficient one-third of the
21 required parking, certainly that --
22 that's going to -- based on their
23 standards, that would require overflow,
24 and that's going to put it into the
25 state right-of-way, which makes it a

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 106
2 regional concern.
3 CHAIRMAN CALONE: Appreciate it,
4 Andy. Appreciate your work on it.
5 Any other comments or questions?
6 (WHEREUPON, there was no response.)
7 CHAIRMAN CALONE: If not --
8 COMMISSIONER BOLTON: (Indicating)
9 CHAIRMAN CALONE: -- Charla would
10 make the motion to --
11 COMMISSIONER BOLTON: I make a
12 motion to --
13 CHAIRMAN CALONE: -- approve the
14 staff report --
15 COMMISSIONER BOLTON: -- accept the
16 staff recommendations.
17 CHAIRMAN CALONE: I'm looking for a
18 second.
19 COMMISSIONER ROBERTS: Second.
20 CHAIRMAN CALONE: Second by
21 Commissioner Roberts.
22 All in favor of approving the staff
23 recommendations for the seven -- or
24 disapproval for the seven reasons
25 indicated, please raise your hands.

FIVE STAR REPORTING, INC., 631-224-5054

♀

2 (WHEREUPON, the Members voted.)
 3 CHAIRMAN CALONE: All opposed?
 4 (WHEREUPON, there was no response.)
 5 CHAIRMAN CALONE: Abstentions?
 6 (WHEREUPON, there was no response.)
 7 CHAIRMAN CALONE: Twelve to zero,
 8 and the obvious badness is amended.
 9 Moving on.
 10 MR. FRELENG: If it pleases the
 11 Chair, we're just going to do the
 12 subdivision one to the standard, and
 13 then we'll go to Deputy Gulizio's staff
 14 report.
 15 CHAIRMAN CALONE: Okay. John.
 16 MR. CORRAL: Okay. The one
 17 subdivision we have today is Parsonage
 18 Road. The jurisdiction for this is it's
 19 within 500 feet of mapped wetland, and
 20 within 500 feet of Suffolk County land.
 21 It's a proposed three-lot
 22 industrial subdivision. The current --
 23 it currently has sand, gravel,
 24 stockpiles, and it's also a former
 25 landfill that's has been lined. It's

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 108
 2 located within an industrial zoning
 3 area, with residential to the north and
 4 the south.

5 In the subdivision itself, it was
6 originally an 11.8 acre lot, and then a
7 smaller 0.6 acre lot, and the new
8 subdivision being proposed is to take
9 the larger lot and create a new lot here
10 (indicating). So that would be a
11 6.7 acre lot, and a 5.15 acre lot
12 introduced, and reduce the 0.6 acre lot
13 to a 0.4 acre lot. The zoning here is
14 L-1, so the acreage for the lots should
15 be 1 acre. So that would be taking a
16 0.6 acre lot, and reducing it to 0.4.

17 The current access here is off
18 Parsonage Road. But for this one
19 currently, before the proposed
20 subdivision is landlocked, it is -- it's
21 over a private driveway. So the access
22 currently for the larger lot is off
23 Parsonage Road, and then for the
24 landlocked lot is off a private
25 driveway.

FIVE STAR REPORTING, INC., 631-224-5054

♀

2 The proposed subdivision would
3 create a second landlocked lot, using
4 the same access for -- for the north --
5 northern lot, and then, because it's the
6 same access for that private driveway,
7 it's a newly traded landlocked lot.

8 DIRECTOR ISLES: So all of this is
9 a private driveway --
10 MR. FRELENG: Yes.
11 DIRECTOR ISLES: -- down through
12 here (indicating)?
13 MR. CORRAL: Right.
14 CHAIRMAN CALONE: And it goes to
15 that -- okay -- the lot on the east
16 side?
17 MR. CORRAL: Yeah, this -- this in
18 the dotted line, is the newly proposed
19 lot that would be landlocked. And then,
20 also, the newly going -- reduced in
21 size, that lot there (indicating),
22 that's also landlocked.
23 Our recommendation because of this
24 is disapproval, because it's creating a
25 landlocked lot, which is against our

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 110
2 Commission Guidelines. It could create
3 all -- problems with access going
4 forward, if ownership changes over the
5 lot, there could be issues -- access to
6 the lot in the future. Also, public
7 utilities. Currently, the applicant
8 stated there's no utilities going to the
9 site, but in the future, utilities and
10 also emergency vehicles.

11 So, due to the creation of the
12 landlocked lot, and reducing a lot
13 that's already presently substandard in
14 size, we're recommending disapproval.

15 CHAIRMAN CALONE: Thank you, John.
16 Any comments, questions?

17 COMMISSIONER McADAM: (Indicating)

18 CHAIRMAN CALONE: Yes, Commissioner
19 McAdam.

20 COMMISSIONER McADAM: Are they
21 actually building on the landfill?

22 MR. CORRAL: They didn't propose
23 any new additional building. There is
24 one small concrete building existing
25 here (indicating), and a conveyer system

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 111
2 there.

3 CHAIRMAN CALONE: What's the --
4 this is actually -- it's helpful,
5 because it's a little easier to see.

6 SECRETARY ESPOSITO: Yeah, this is
7 better.

8 CHAIRMAN CALONE: So on the bottom
9 side of this picture, that would be the
10 driveway coming in; right?

11 MR. CORRAL: Right.

12 CHAIRMAN CALONE: And we see the --
13 in red, the existing little lot, and

14 they want to create another lot on the
15 left side of the picture.

16 COMMI SSI ONER BRAUN: What's --
17 what's -- I mean, what's the point?

18 COMMI SSI ONER HOLMES: Yeah, what
19 are they pl anni ng --

20 SECRETARY ESPOSITO: That's what I
21 want to know.

22 CHAI RMAN CALONE: Okay, everyone
23 has the same questi on.

24 COMMI SSI ONER HOLMES: Yes.

25 MR. CORRAL: In the appli cation,

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNI NG COMMI SSI ON 112
2 all they proposed was to create this --

3 COMMI SSI ONER HOLMES: Three --

4 MR. CORRAL: -- lot, and they gave
5 no i nformati on on --

6 COMMI SSI ONER HOLMES: What they
7 pl an --

8 MR. CORRAL: -- their --

9 COMMI SSI ONER HOLMES: -- to do wi th
10 i t.

11 MR. CORRAL: -- future pl anni ng.

12 CHAI RMAN CALONE: Commi ssi oner
13 Bol ton.

14 COMMI SSI ONER BOLTON: You have
15 three lots and you have 11.7 acres;
16 right? So i f you're modi fyi ng one lot

17 because it's (inaudible), and you've got
18 three other lots to focus on, there's
19 nothing illegal about that; right? I
20 mean, assuming it's a group modification
21 of the Planning Board for whatever
22 reason they serve?

23 DIRECTOR ISLES: There's nothing
24 illegal about it, but if the Planning
25 Board approves --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 113
2 COMMISSIONER BOLTON: I mean --
3 yeah.
4 DIRECTOR ISLES: If it's 0.6 now,
5 it's a legal lot, approved by the
6 Planning Board, approved by the Health
7 Department and filed with County Clerk,
8 that's one thing. If they want to make
9 it less than that, I don't believe the
10 Planning Board would have the authority
11 to approve that. It would be successful
12 if they got a variance on that. But I
13 think it begs the question, if they have
14 enough land to create conforming lots
15 while creating nonconforming substandard
16 lots and so forth, and then with the
17 question of access, the property owner
18 apparently owns this private driveway
19 (indicating), why not make that a

20 dedi catabl e road and provi de a
21 cul -de-sac? It's not an occasi on we're
22 trying to wedge into a preexi sti ng
23 downtown --

24 COMMI SSI ONER BOLTON: Exactl y.

25 DI RECTOR ISLES: Thi s i s -- i n many

FIVE STAR REPORTING, INC., 631-224-5054

‡

1 SUFFOLK COUNTY PLANNI NG COMMI SSI ON 114

2 ways, thi s i s an opportuni ty to --

3 COMMI SSI ONER BOLTON: To do better.

4 DI RECTOR ISLES: -- conform the
5 subdi vi si on and conform the l ots and
6 access.

7 CHAIRMAN CALONE: I wonder i f we
8 shoul d say that.

9 COMMI SSI ONER BOLTON: And that's
10 reall y what you're thi nki ng? I mean, I
11 just wanted that to be clear --

12 DI RECTOR ISLES: Okay.

13 COMMI SSI ONER BOLTON: -- because
14 I -- you know, I don't see any other use
15 for thi s parcel .

16 DI RECTOR ISLES: I'm not sure about
17 that.

18 COMMI SSI ON BOLTON: You know, i t
19 doesn't look l ike -- well, let's put i t
20 thi s way, i t l ooks l ike i t's surroundi ng
21 and -- I mean, obvi ousl y, i t's i n a more
22 l ight i ndustri al area, when i t coul d be

23 cleaner and better. But, you know, I
24 just wanted it clear that -- that, you
25 know, what kind of an automatic --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 115

2 disapproval of subdividing the parcel.

3 DIRECTOR ISLES: Okay. I

4 understand your point.

5 DEPUTY DIRECTOR GULIZIO:

6 (Indicating)

7 CHAIRMAN CALONE: Dan.

8 DEPUTY DIRECTOR GULIZIO: One other

9 point that's important, keep in mind,

10 this is a light industrial zoning

11 district. This is located in the

12 community of East Setauket, in the Town

13 of Brookhaven. It's zoned for light

14 industrial, and all the activities are

15 required to take place inside the

16 building.

17 COMMISSIONER BOLTON: Right.

18 DEPUTY DIRECTOR GULIZIO: So you

19 have a nonconforming use, with

20 nonconforming access, being further

21 subdivided, so it's reached the level

22 of nonconformity. But under the code,

23 any subdivision of nonconforming use is

24 supposed to terminate the

25 nonconformities also. So it's --

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 116
2 COMMISSIONER BOLTON: That's
3 helpful, Dan.
4 DEPUTY DIRECTOR GULIZIO: Not to be
5 flip about it, but it's almost
6 subdivision without rules. So we have a
7 nonconforming use, we don't have
8 conforming lots, we want to make them
9 more nonconforming, and we don't have
10 supporting access, but we'll create
11 another lot anyway, also without access.
12 CHAIRMAN CALONE: Okay.
13 COMMISSIONER KONTOKOSTA:
14 (Indicating)
15 CHAIRMAN CALONE: Yeah,
16 Constantine.
17 COMMISSIONER KONTOKOSTA: Just,
18 we've mentioned substandard lot many
19 times, why is that not considered for
20 one of the items for disapproval? Is
21 there a reason?
22 MR. CORRAL: We can add that. I
23 was just focusing on the landlocked
24 lots. I -- we can add that as a
25 separate reason.

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 117
2 CHAIRMAN CALONE: Any objection to
3 doing that?
4 (WHEREUPON, there was no response.)
5 CHAIRMAN CALONE: Seeing none, I
6 think that makes sense.
7 Any other comments, questions?
8 (WHEREUPON, there was no response.)
9 CHAIRMAN CALONE: If not, I'll
10 entertain a motion to approve the staff
11 report as amended.
12 COMMISSIONER FIORE: (Indicating)
13 COMMISSIONER HOLMES: (Indicating)
14 CHAIRMAN CALONE: Motion by
15 Commissioner Fiore, seconded by
16 Commissioner Holmes.
17 All in favor of approving the staff
18 report for disapproval due to the
19 landlocked lots and as amended, please
20 raise your hand.
21 (WHEREUPON, the Members voted.)
22 CHAIRMAN CALONE: All those
23 opposed?
24 (WHEREUPON, there was no response.)
25 CHAIRMAN CALONE: Abstentions?

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 118
2 (WHEREUPON, there was no response.)

3 CHAIRMAN CALONE: Twelve to zero.

4 Thank you, Andy; thank you, John;
5 and I think Dan is taking the next one,
6 which is not in your packet, and is a
7 single piece of paper.

8 COMMISSIONER BRAUN: It's not a
9 five-page thing?

10 COMMISSIONER HOLMES: Yes.

11 CHAIRMAN CALONE: This is what I
12 was talking about earlier --

13 COMMISSIONER HOLMES: Yes.

14 CHAIRMAN CALONE: -- in terms of
15 making it a more abbreviated --

16 COMMISSIONER HOLMES: Yes.

17 CHAIRMAN CALONE: -- review.

18 COMMISSIONER HOLMES: We have --
19 this is our modern move forward review.

20 CHAIRMAN CALONE: Well, we'll try.
21 We'll see how it goes.

22 DEPUTY DIRECTOR GULIZIO: Just for
23 a point of background, one of the
24 reasons we wanted to bring an
25 application like this to you, even

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 119

2 though it's not regionally significant,
3 is, number one, you only see a
4 percentage of all the applications the
5 towns and villages actually submit or

11 05 08PlanningCommission.txt
6 receive in terms of local permit
7 applications. So when we place
8 conditions on the very small percent of
9 these applications that you see, it's
10 having a disproportionate impact, a
11 positive or a negative, on that
12 particular application, because it's a
13 small percentage of a whole spectrum of
14 applications. We also wanted to look at
15 all the referrals that we get, in terms
16 of at least treating them as fairly and
17 as consistently as possible, with
18 respect to some of -- the Commission's
19 more significant policies, such as
20 workforce housing.

21 So this application involves a
22 roughly three-acre site; I think it's
23 3.04 acres. It's located on the west
24 side of Old Nichols Road, that's just
25 south of the Long Island Motor Parkway,

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 120
2 County 67, which is the basis for the
3 Commission's jurisdiction. It is zoned
4 for multiple family housing in the
5 Village of Islanda.

6 They are proposing 12 semi attached
7 housing units, and cluster them two
8 units each, along with accessory parking

11 05 08PI anni ngCommi ssi on. txt
for 24 vehi cl es.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

The sole purpose in bringing it before the Commission is that if we were to just recommend it as a local determination, we could include a comment -- a nonbinding comment that they provide workforce housing, a minimum percentage, let's say, 20 percent, consistent with Commission Guidelines. We felt it was more consistent -- a little less arbitrary, actually, to bring these types of applications to the Commission.

You can place that on as a condition, which would then have to be more seriously considered by the local municipality, they would have to -- if

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1
2
3
4
5
6
7
8
9
10
11

SUFFOLK COUNTY PLANNING COMMISSION 121
they wanted to disregard it, override it by simple majority vote --

CHAIRMAN CALONE: And just to make clear, procedurally, the staff can always add comments on local determinations, but only the Commission can add --

DEPUTY DIRECTOR GULIZIO:
Conditions.

CHAIRMAN CALONE: -- conditions; so

11 05 08PlanningCommission.txt
12 it actually has to come here. And I
13 just want to, you know, credit Dan on
14 this. But we had talked with
15 Westchester County, see how they'd
16 been -- not with regard to affordable
17 housing, just how they evaluate
18 projects. And I spoke with the Chair of
19 the Westchester County Planning
20 Commission, and Dan actually went up to
21 Westchester a couple months ago now, and
22 met with them, just to kind of see how
23 they do things. And one thing that they
24 do, is they do these more abbreviated
25 reviews. It's a specific issue -- you

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 122
2 know, that one thing that we need to do
3 so we don't have to see every -- you
4 know, get a full, full review.
5 So, anyway, sorry.
6 DEPUTY DIRECTOR GULIZIO: That
7 being said, we would respectfully
8 recommend approval of the application,
9 with the condition that a minimum of
10 20 percent -- again, it's your call,
11 obviously, how you want to handle the
12 20 percent, but 20 percent of 12 is 2.4,
13 I believe, of those units. So you would
14 need to round up or round down;

11 05 08PI anni ngCommi ssi on. txt
15 whi chever is your most preferenced. We
16 would respectfully recommend rounding
17 up, but I always round up on these.

18 CHAIRMAN CALONE: Right.

19 DEPUTY DIRECTOR GULIZIO: So a
20 minimum of 20 percent, or, in this case,
21 three units be set aside as workforce
22 housing in accordance with Commission
23 Guidelines.

24 CHAIRMAN CALONE: Thank you, Dan.

25 Don, any comments from the Islip

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 123
2 perspective?

3 COMMISSIONER FIORE: Yeah. I'm
4 looking, and I don't see -- there's just
5 an entrance -- one entrance, Dan?

6 DEPUTY DIRECTOR GULIZIO: There's
7 only --

8 COMMISSIONER FIORE: No egress?

9 DEPUTY DIRECTOR GULIZIO: There's
10 only one point of access directly
11 adjacent to Old Nichols Road in this
12 case. There's no other --

13 COMMISSIONER FIORE: Normally, we
14 have a problem with that; right? And
15 I'm -- and I -- I happen to have a
16 problem with that; all right?

17 CHAIRMAN CALONE: We can certainly

18 11 05 08PI anni ngCommi ssi on. txt
add addi ti onal condi ti ons.

19 COMMI SSI ONER FIORE: Emergency uses
20 only in this -- I mean, if something
21 happens --

22 COMMI SSI ONER HOLMES: Yeah.

23 DEPUTY DI RECTOR GULI ZIO: There's
24 li mi ted opportuni ty -- if you go to the
25 aeri al , John --

FIVE STAR REPORTING, INC. , 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 124

2 MR. CORRAL: (Compl yi ng)

3 DEPUTY DI RECTOR GULI ZIO: --

4 there's a li mi ted opportuni ty for
5 addi ti onal point of access. We could
6 certainly include that as a comment,
7 that the applicant should be willing to
8 set aside an easement for future access,
9 in the event it becomes avail able, but
10 we can't force them to actually gain
11 access at the present time.

12 There's single-fami ly resi denti al
13 devel opment to the north. There's a
14 possi bi li ty of straining to the south;
15 that's also single fami ly, it's one long
16 lot, similar to this lot. And right on
17 the corner -- the northeast corner of
18 this lot, is a 7-Eleven, it's right at
19 the i ntersecti on of Motor Parkway and
20 Old Ni chol s Road.

11 05 08PI anni ngCommi ssi on. txt
21 So, unfortunately, there's not
22 another solution in terms of immediately
23 providing a secondary point of access.
24 We can include that as a conditional
25 comment, if you saw fit.

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 125
2 COMMISSIONER HOLMES: You mean an
3 easement for emergency use, is that the
4 way you phrased it?
5 DEPUTY DIRECTOR GULIZIO: That's
6 one alternative, whatever is the
7 Commission's preference.
8 Again, the single-family homes to
9 the north, there's probably not going to
10 be an opportunity. It's probably best,
11 just looking at it quickly, to
12 recommend, in the event additional
13 access can be accomplished, it should be
14 provided to the south or to the north if
15 it becomes available.
16 CHAIRMAN CALONE: This is a little
17 unique, because of the shape of the
18 property --
19 DEPUTY DIRECTOR GULIZIO: Yeah.
20 CHAIRMAN CALONE: -- we all can
21 see. You know, if you just reconfigure
22 a road-friendly, you know, means of
23 access -- this seems to be pretty tight

24 11 05 08PI anni ngCommi ssi on. txt
there.

25 DEPUTY DIRECTOR GULIZIO: Well,

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 126

2 it's like the cul-de-sac to the south,
3 Brandon with Crest Court. It's roughly
4 the same length, in terms of length of
5 cul-de-sacs. So it's not completely
6 typical in terms of what is in the area.

7 MR. FRELENG: (Indicating)

8 SECRETARY ESPOSITO: Plus to say
9 that the property --

10 CHAIRMAN CALONE: Andy.

11 MR. FRELENG: I just wanted to
12 point out that this is county-owned land
13 (indicating). This is a residential lot
14 that could be further subdivided
15 (indicating). This is a single lot that
16 could be further subdivided
17 (indicating). So there is potential to
18 subdivide these lots --

19 COMMISSIONER FIORE: Is it the same
20 owner?

21 MR. FRELENG: No.

22 CHAIRMAN CALONE: So maybe Dan's
23 comment with regard to -- you know,
24 there may potentially be access in the
25 future --

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 127

2 COMMISSIONER HOLMES: That --
3 that's what you were saying, is that, we
4 would ask them to consider creating an
5 easement should the property become
6 available? Is that what you're saying?

7 DEPUTY DIRECTOR GULIZIO: I think,
8 realistically speaking, I would phrase
9 it to the extent that consideration
10 should be given for alternative means of
11 access, like ingress or egress, should
12 it become available.

13 COMMISSIONER BRAUN: Or additional
14 needs.

15 DEPUTY DIRECTOR GULIZIO: Excuse
16 me?

17 COMMISSIONER BRAUN: Additional
18 needs.

19 DEPUTY DIRECTOR GULIZIO: Right.

20 COMMISSIONER FIORE: That cul - --

21 CHAIRMAN CALONE: Don.

22 COMMISSIONER FIORE: That
23 cul-de-sac kind of squashes that theory,
24 though. All right. You can see that
25 that only has one entrance on there and

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 128

2 there's no other way out, so maybe
3 we'll --
4 DEPUTY DIRECTOR GULIZIO: That's
5 why I wouldn't make it a --
6 COMMISSIONER FIORE: -- maybe we'll
7 wait on that, you know.
8 DEPUTY DIRECTOR GULIZIO: I mean, a
9 comment I think is appropriate enough, I
10 don't know if I'd make it a condition.
11 COMMISSIONER FIORE: Right.
12 COMMISSIONER HOLMES: Yeah, because
13 it would be impossible --
14 COMMISSIONER McADAM: (Indicating)
15 CHAIRMAN CALONE: Commissioner
16 McAdam.
17 COMMISSIONER McADAM: Dan, the
18 property that's -- I don't know, is that
19 north of it, I guess --
20 CHAIRMAN CALONE: The one by the
21 parkway?
22 COMMISSIONER McADAM: -- the vacant
23 lot there, that -- the adjoining
24 property --
25 DEPUTY DIRECTOR GULIZIO: Yes.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 129
2 COMMISSIONER McADAM: -- can't they
3 negotiate or can't -- is there any way
4 of negotiating with -- with that owner

5 for an easement across the property? I
6 mean --

7 DEPUTY DIRECTOR GULIZIO: It's an
8 interesting --

9 COMMISSIONER McADAM: -- can we do
10 something like that?

11 DEPUTY DIRECTOR GULIZIO: I have to
12 say, honestly, it's an issue wrestled
13 with for -- for my 18 years at the Town
14 of Islip and the Town of Brookhaven.
15 And unless that applicant is in the
16 process of considering an additional --
17 you know, a second application, it's
18 very difficult to coordinate the
19 additional access. I mean, you're not
20 dealing with a map, people, street
21 system, it's an individual lot, with a
22 sole point of access.

23 I think it would be very difficult
24 to coordinate it. It could be a request
25 that they go out and reach out to an

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 130
2 adjacent property, you know, during that
3 permit process; yes, I think that's
4 something the village could more
5 properly do than the Commission,
6 necessarily. But it's probably, at the
7 end of the day, a difficult thing to

8 accomplish, I mean, in the short term.

9 COMMISSIONER McADAM: What about
10 splitting the driveway off of -- on Old
11 Nichols Road, instead of having the one
12 entrance that they would -- at least
13 widen at least one entrance --

14 COMMISSIONER HOLMES: Yeah.

15 COMMISSIONER McADAM: -- block, so
16 they could at least go in the other
17 side?

18 DEPUTY DIRECTOR GULIZIO: Sure. I
19 mean, that's something that could be
20 added.

21 COMMISSIONER HOLMES: Yeah.

22 DIRECTOR ISLES: It shouldn't be a
23 condition to block that entrance, but we
24 could consider it as a comment.

25 CHAIRMAN CALONE: Yeah, I guess

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 131
2 it's a good point that Director Isles
3 raised. Generally, when these kinds of
4 applications were -- the only reason
5 they're before us -- for instance, this
6 would not be regionally significant,
7 and, therefore, we're not going to
8 afford it to our rules. You know,
9 certainly now it's a "Hey, while we're
10 looking at this for affordable housing,

11 we noted X, Y or Z." But because there
12 hasn't been a full review, it's
13 difficult for us to tell them --
14 actually make it a condition. I think
15 it's a good point.

16 DEPUTY DIRECTOR GULIZIO: So just
17 one comment?

18 CHAIRMAN CALONE: Okay. We have
19 two suggestions for comments:

20 One, you know, keeping an eye on
21 the future towards obtaining a second
22 means of access;

23 And two, widening the entrances.

24 COMMISSIONER HOLMES: Splitting the
25 entrance.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 132

2 CHAIRMAN CALONE: To the extent
3 possible.

4 Any objection to either of those
5 two comments?

6 (WHEREUPON, there was no response.)

7 CHAIRMAN CALONE: Okay, seeing
8 none.

9 Any other comments or questions or
10 discussion about this.

11 COMMISSIONER TALDONE: I just have
12 a quick comment.

13 CHAIRMAN CALONE: Yes.

14 COMMISSIONER TALDONE: I'm not
15 aware of whether this road is a bus
16 route that runs on Nichols Road. So I
17 can't really comment on the access to
18 the housing from the road where a bus
19 might stop and pick up passengers. How
20 do we get that information? And I'm --
21 I'm just -- I might have looked that up
22 if I'd gotten notified by e-mail a few
23 days ago.

24 CHAIRMAN CALONE: Well, just so
25 everyone's clear, and this kind of came

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 133
2 up in the last couple of days and we
3 decided to move in this direction,
4 honestly. I think in the future, we're
5 going to see these a lot earlier. So
6 that's -- that's one thing. But it
7 doesn't obviate your point, I just
8 wanted to make that point, because this
9 is a new idea, it just kind of came up.

10 COMMISSIONER TALDONE: Okay.

11 CHAIRMAN CALONE: But, obviously,
12 we need to, in the future, you know,
13 keep an eye on the transportation access
14 to the deadline.

15 COMMISSIONER TALDONE: If there's
16 not a public bus route, and we want

17 affordable housing in there, I mean,
18 there's entire likelihood that someone
19 in that housing might use those systems.

20 COMMISSIONER HOLMES: As I recall,
21 having traveled on Old Nichols Road
22 quiet a bit at one point, I don't
23 remember ever seeing buses.

24 CHAIRMAN CALONE: Right.

25 COMMISSIONER BOLTON: But there are

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 134

2 buses --

3 CHAIRMAN CALONE: Commissioner
4 Bolton.

5 COMMISSIONER BOLTON: -- on Motor
6 Parkway; right?

7 COMMISSIONER KONTOKOSTA:
8 Mr. Chair?

9 CHAIRMAN CALONE: Yes.
10 (Discussion held off the record)

11 CHAIRMAN CALONE: The comment was
12 just that there are buses on Motor
13 Parkway.

14 Constantine.

15 COMMISSIONER KONTOKOSTA: So just a
16 question. So this kind of abbreviated,
17 formatted -- the purpose of this is,
18 perhaps, bring to our attention a
19 greater number of applications for a

20 specific item that may be of importance
21 to us?

22 CHAIRMAN CALONE: Exactly. Yeah,
23 and we talked about this earlier, but it
24 was just that -- and I had said -- I
25 think it's usually affordable housing

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 135
2 and energy efficiency that come --
3 they're the kind of things where you
4 kind of zero in on one particular
5 aspect, and, heck, I think it was --
6 maybe you who's raised issues in the
7 past. And of the equity issue, we only
8 see a few applications, and this kind of
9 gets to some degree at trying to
10 encourage affordable housing.
11 Otherwise, it wouldn't come to us.

12 COMMISSIONER KONTOKOSTA: On the
13 equity --

14 CHAIRMAN CALONE: But, developing
15 affordable housing.

16 COMMISSIONER KONTOKOSTA: I mean,
17 the equity issue is more towards better
18 policies than -- I mean, we're seeing
19 this here, that -- we might want to look
20 at one specific thing, but as soon as we
21 look at the map, other issues are
22 raised, and then we don't have the full

23 slate of information, and then -- so it
24 becomes a big -- a bigger issue.

25 But I appreciate the idea. I think

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 136

2 it's a good one to make it -- make it a
3 procedure this way.

4 DEPUTY DIRECTOR GULIZIO: So I take
5 it you're all happy with the abbreviated
6 application.

7 COMMISSIONER FIORE: (Indicating)

8 CHAIRMAN CALONE: Don.

9 COMMISSIONER FIORE: Motion to
10 accept --

11 COMMISSIONER HOLMES:

12 Conditionally.

13 CHAIRMAN CALONE: Yeah, Don.

14 COMMISSIONER FIORE: Motion to
15 accept.

16 COMMISSIONER HOLMES: Having --

17 CHAIRMAN CALONE: Motion to accept,
18 with the two comments.

19 COMMISSIONER HOLMES: Having been
20 born in White Plains, I second it.

21 CHAIRMAN CALONE: Okay, by the lady
22 from White Plains.

23 All in favor of approving the
24 condition with the two comments that we
25 talked about, please raise your hands.

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 137
2 (WHEREUPON, the Members voted.)
3 CHAIRMAN CALONE: Oh, no,
4 affordable housing's a condition.
5 SECRETARY ESPOSITO: All right.
6 CHAIRMAN CALONE: The condition is
7 affordable housing, the two --
8 DEPUTY DIRECTOR GULIZIO: One
9 condition and two comments.
10 CHAIRMAN CALONE: -- the two
11 comments are access and widening.
12 All in favor, raise your hand.
13 Apologize for that.
14 (WHEREUPON, the Members voted.)
15 CHAIRMAN CALONE: Okay. Passes 12
16 to zero.
17 All right, next we have the
18 Nominating Committee. We have four
19 members who have indicated a willingness
20 to serve on the Nominating Committee.
21 Those being Commissioners Roberts,
22 Bolton, Holmes, and Braun.
23 Any other folks who would like to
24 serve on the Nominating Committee, or
25 like to express an interest in doing

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 138

2 so --

3 Just to remind you, the Nomi nating
4 Commi ttee has two roles:

5 One, nomi nating folks for the three
6 offi ces, bei ng Chai r, Vi ce Chai r, and
7 Secretary;

8 And also to review our rules. And
9 the rules are one page that we don't --
10 I don't need to look at them right now,
11 because I know them so well, but we
12 should ci rculate those. Everyone should
13 have an opportunity to take a look at
14 those and make suggestions to the
15 Nomi nating Commi ttee about any changes
16 they would like to see.

17 I know that -- I remember that one
18 thing that the Nomi nating Commi ttee is
19 going to be asked to review under our
20 current rule, is whether we should have
21 explicit term limits or not. That's one
22 thing that will be on the agenda for the
23 Nomi nating Commi ttee.

24 MR. FRELENG: The members of --

25 CHAIRMAN CALONE: Any --

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 139

2 MR. FRELENG: I'm sorry. The

11 05 08PI anni ngCommi ssi on. txt
3 member of the Nomi nati ng Commi ttee?

4 CHAI RMAN CALONE: Commi ssi oners
5 Roberts, Bol ton, Hol mes, and Braun, and
6 I di dn' t see any other sel f-nomi nati ons.
7 So thanks to you, the four of you
8 servi ng.

9 The ti meli ne, under our rul es, i s
10 January -- our January meeti ng, there
11 needs to be nomi nati ons, and there
12 shoul d be electi on of new offi cers and
13 approval of the rul es at our February
14 meeti ng. So the schedul e got a l i t t l e
15 bi t altered l ast year, and I thi nk i t
16 woul d be appropri ate to try to sti ck
17 wi th that schedul e.

18 The members of the Nomi nati ng
19 Commi ttee can touch base wi th each other
20 afterwards and -- and l et al l of us know
21 the procedur es that you want to use for,
22 you know, recei vi ng nomi nati ons,
23 et cetera. So you guys can fi gure that
24 out and get back to al l of us.

25 COMMI SSI ONER HOLMES: Are you

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 140

2 appoi nti ng a Chai r, or do we --

3 CHAI RMAN CALONE: Oh, I --

4 COMMI SSI ONER HOLMES: -- fi ght
5 among oursel ves?

6 CHAIRMAN CALONE: I guess, under
7 the rules, I can, but I think maybe it's
8 better in this situation that you guys
9 discuss --
10 COMMISSIONER BRAUN: We're going to
11 arm wrestle for it.
12 COMMISSIONER HOLMES: Yes.
13 CHAIRMAN CALONE: Good luck to you
14 all.
15 COMMISSIONER BRAUN: Good luck to
16 me, never mind them.
17 COMMISSIONER HOLMES: That's right.
18 We will --
19 CHAIRMAN CALONE: Commissioner
20 Holmes.
21 COMMISSIONER HOLMES: We would
22 announce a Chair to you by e-mail,
23 and --
24 CHAIRMAN CALONE: Yeah, you know, I
25 don't know if it needs to be -- I mean,

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 141
2 I guess you guys can decide how you want
3 to --
4 COMMISSIONER HOLMES: Well --
5 CHAIRMAN CALONE: -- organize it,
6 whatever you want.
7 COMMISSIONER HOLMES: -- the reason
8 I ask is that we wanted to stress that

11 05 08PI anni ngCommi ssi on. txt
anyone i nterested i n servi ng --

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMI SSI ONER BRAUN: As an offi cer.
COMMI SSI ONER HOLMES: -- as one of
the offi cers, needs to be able to
contact the Chair of the Nomi nati ng
Commi ttee. That woul d --
COMMI SSI ONER BRAUN: Or anyone of
us.
COMMI SSI ONER ROBERTS: No, i t
shoul d be anyone --
COMMI SSI ONER BOLTON: Anyone.
COMMI SSI ONER ROBERTS: Let' s have a
meeting about thi s --
CHAI RMAN CALONE: You all can
di scuss that, and --
COMMI SSI ONER ROBERTS: -- have the
same rows --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4
5
6
7
8
9
10
11

SUFFOLK COUNTY PLANNI NG COMMI SSI ON 142
CHAI RMAN CALONE: -- you can get
back --
COMMI SSI ONER HOLMES: Ri ght.
CHAI RMAN CALONE: -- to us on the
procedures --
COMMI SSI ONER HOLMES: Wel l, that
was i mportant --
COMMI SSI ONER BOLTON: That' s ri ght.
COMMI SSI ONER HOLMES: -- last time,
and we kept stressi ng i t.

11 05 08PI anni ngCommi ssi on. txt
12 CHAIRMAN CALONE: You --
13 COMMISSIONER HOLMES: But it is
14 true that if anyone gives their name to
15 any member of the Nominating Committee,
16 that it is circulated by e-mail --
17 CHAIRMAN CALONE: Sure.
18 COMMISSIONER HOLMES: -- to the
19 other members of the Nominating
20 Committee.
21 CHAIRMAN CALONE: Sure.
22 COMMISSIONER HOLMES: That was the
23 procedure we did last year.
24 CHAIRMAN CALONE: Well, without
25 rehashing last year, I think that's --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 143
2 COMMISSIONER HOLMES: Yeah.
3 CHAIRMAN CALONE: -- a fair point,
4 and -- and I think you all can just bat
5 it around yourselves, and you can let
6 all of us know how you want to proceed.
7 Any other questions about the
8 Nominating --
9 SECRETARY ESPOSITO: Yes. Can they
10 e-mail to us how they'd like to proceed,
11 so we know --
12 COMMISSIONER ROBERTS: Yes.
13 COMMISSIONER HOLMES: Yes.
14 SECRETARY ESPOSITO: Okay.

15 COMMISSIONER ROBERTS: That's the
16 number one thing --

17 (Overlapping conversations)

18 CHAIRMAN CALONE: And we will
19 all -- you can also verbally tell us
20 again, at our meeting in December --

21 COMMISSIONER HOLMES: Yeah.

22 CHAIRMAN CALONE: -- how you would
23 like to proceed, and -- the only thing I
24 know is in our rules -- actually -- I
25 think we counted them all, actually --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 144
2 that the requirement's that there be
3 nominations in January, and there would
4 be a vote in February. So that is the
5 requirement.

6 COMMISSIONER BRAUN: And where --

7 CHAIRMAN CALONE: Any other --

8 COMMISSIONER BRAUN: Where are we
9 meeting in December, by the way?

10 COMMISSIONER HORTON: In Shelter
11 Island.

12 COMMISSIONER BRAUN: I thought -- I
13 thought White Plains.

14 CHAIRMAN CALONE: Josh
15 graciously -- Josh has an office in
16 Shelter Island. When I visit Shelter
17 Island, I actually bump into him.

11 05 08PI anni ngCommi ssi on. txt
18 COMMI SSI ONER HOLMES: Does he
19 real ly?
20 CHAI RMAN CALONE: I di dn' t --
21 COMMI SSI ONER HOLMES: I di dn' t know
22 that.
23 CHAI RMAN CALONE: -- know I knew
24 too many peopl e i n Shel ter Isl and,
25 but --

FIVE STAR REPORTING, INC. , 631-224-5054

‡

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 145
2 COMMI SSI ONER HOLMES: You have an
3 offi ce on Shel ter Isl and?
4 CHAI RMAN CALONE: -- I' m sorry I
5 revealed that.
6 COMMI SSI ONER BRAUN: How l ong have
7 you been l i vi ng there?
8 COMMI SSI ONER HOLMES: Onl y
9 40 years.
10 COMMI SSI ONER BRAUN: He' s the other
11 guy on the Isl and.
12 CHAI RMAN CALONE: Okay.
13 SECRETARY ESPOSITO: You know, that
14 new offi ce that opened up --
15 CHAI RMAN CALONE: We --
16 SECRETARY ESPOSITO: -- that was
17 hi m.
18 COMMI SSI ONER HOLMES: I' m sti ll a
19 year-round --
20 CHAI RMAN CALONE: Okay.

11 05 08PI anni ngCommi ssi on. txt
21 COMMI SSI ONER HOLMES: -- I've been
22 there 40 years.
23 CHAIRMAN CALONE: We have
24 another -- one last important thing to
25 deal with today at this meeting, and

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 146
2 that is going through our Guidelines.
3 And I think it'll take about a half
4 hour, but I think it's important that we
5 go through it so everyone's on the same
6 page.
7 SECRETARY ESPOSITO: Okay, but I
8 think he's really asking where are we
9 meeting.
10 CHAIRMAN CALONE: You really are
11 asking that --
12 COMMI SSI ONER BRAUN: I really am.
13 SECRETARY ESPOSITO: Yes.
14 CHAIRMAN CALONE: We're in
15 Hauppauge.
16 SECRETARY ESPOSITO: Yes.
17 COMMI SSI ONER BRAUN: Okay, thank
18 you.
19 CHAIRMAN CALONE: A little closer
20 to home, Bob.
21 COMMI SSI ONER BRAUN: Yes, thank
22 you.
23 CHAIRMAN CALONE: We are back on

24 11 05 08PI anni ngCommi ssi on. txt
the home turf, so to speak.

25 When -- you know, in the past, the

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 147

2 Commission's managed the Legislature
3 here in -- you know, in Riverhead,
4 during the Riverhead meetings, and any
5 idea when that gets -- not that the
6 Culinary Institute isn't great and we
7 have excellent food, but any idea when
8 that's --

9 MR. FRELENG: I would estimate they
10 are nowhere near giving you a delivery
11 date, when it will be complete. If
12 you've been in there, it looks like a
13 war zone.

14 COMMISSIONER HOLMES: Yeah, it --

15 MR. FRELENG: So we're --

16 COMMISSIONER HOLMES: -- it's in
17 such disrepair.

18 MR. FRELENG: -- from six months to
19 more away from completion.

20 CHAIRMAN CALONE: Well, unless
21 folks have objections, we'll keep trying
22 to meet here when we're in Riverhead.

23 MR. FRELENG: The Commission should
24 be aware that this place costs to use
25 the facilities. They've waived it

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 148
2 twice. I don't know if they would waive
3 it in the future.
4 CHAIRMAN CALONE: We also have the
5 Cornell -- I mean, we have met at
6 Cornell before. We just ran into an
7 issue, some of you all remember last
8 time --
9 COMMISSIONER BRAUN: Yeah, we
10 were -- we had a nine-hour meeting --
11 CHAIRMAN CALONE: Well, that was --
12 you know, that was a marathon.
13 Okay. Let's move onto the next
14 item on the agenda, which is the
15 Guidelines.
16 Dan.
17 DEPUTY DIRECTOR GULIZIO: You were
18 all e-mailed a fairly thick version of
19 the Guidelines, which everyone had an
20 opportunity to provide comments on
21 may -- this is going back --
22 COMMISSIONER HOLMES: Oh, that
23 was --
24 DEPUTY DIRECTOR GULIZIO: --
25 probably a over a year ago --

FIVE STAR REPORTING, INC., 631-224-5054

♀

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMISSIONER BRAUN: Yeah.
DEPUTY DIRECTOR GULIZIO: -- the original set of comments. We've completed all of those edits that we received comments on, incorporated those and then started just to look at the overall format and see if we could kind of condense it a little bit, make it a little bit more streamlined in terms of the amount of language, and we have been diligently working on that.

Today, what I have for you, is a set of the most recent draft, which is substantially thinner than the other draft. And most importantly, this -- it includes a brief Introduction, a set of review of -- in terms of application requirements, how people submit a referral item, and then the Procedures by which the Commission would operate in terms of processing applications.

The most substantive section of this is the Policy and Guidelines Chapter, which is Chapter 4. The Policy

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4

SUFFOLK COUNTY PLANNING COMMISSION 150
and Guidelines, as I think we've mentioned briefly in the past, is the idea of setting out a set of core

5 principles and standards and policies
 6 and guidelines, which the Commission
 7 could then use as a yardstick in
 8 reviewing regionally significant
 9 applications that are referred to the
 10 Commission, comprehensive plans,
 11 corridor studies, hamlet center studies,
 12 affordable housing plans and programs,
 13 urban renewal plans.

14 If prior set of Guidelines, while
 15 being excellent in terms of the
 16 site-specific standards -- the length of
 17 a cul-de-sac, how to treat bluff --
 18 didn't adequately address the idea,
 19 well, how do we look at a comprehensive
 20 plan; how do we look at a new zoning
 21 ordinance for a planned development
 22 district in Main Street of Patchogue if
 23 we don't have standards with which to
 24 kind of guide global regionally
 25 significant planning policies?

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 151

2 So Chapter 4, the Policy and
 3 Guidelines, attempted to establish those
 4 set of core principles, and I kind of
 5 would urge you to just -- because it's
 6 another large document for you to look
 7 at, to essentially focus on -- take a

8 Look at the Introduction, the
 9 Requirements and the Procedures, but
 10 focus the majority of your energy on the
 11 Policy and Guidelines, because we
 12 suggested Policy and Guidelines to the
 13 Commission, the Guidelines Committee
 14 provided feedback, and we revised the
 15 structure pursuant to that feedback,
 16 which we'll get in -- some direction
 17 from the Guidelines Subcommittee, but
 18 those Guidelines are essentially your
 19 standards.

20 We can suggest -- we'll provide
 21 continued recommendations on them, but,
 22 ultimately, you need to be comfortable
 23 with those Guidelines, because you're
 24 going to be applying them every time you
 25 get a comprehensive plan or a hamlet

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 152
 2 center study, or some other reason, a
 3 planning document from a town or
 4 village.
 5 So I'll hand you out those copies.
 6 I've also summarized old policies
 7 within a single document. Taking out
 8 all the explanatory language within,
 9 just so you know exactly what the
 10 policies are.

11 You can go to Chapter 4 and read up
12 in terms of what -- what do we mean by
13 those policies, what are we suggesting
14 by those policies. But, I think it's an
15 easier way of kind of getting your hands
16 around -- or kind of wrapping your
17 thoughts around the idea, well, what
18 policies and guidelines are most
19 regionally significant, and here was the
20 one I incorporated, is there a standard
21 as you apply them to individual referral
22 items.

23 So I'll pass these two packets
24 around. Take one of each, please, and
25 then I'll -- as you're doing that, I'll

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 153
2 speak briefly in terms of what are those
3 Policies and Guidelines, and maybe try
4 to summarize them quickly.

5 Dave, is that --

6 CHAIRMAN CALONE: Sure. That would
7 be great, and, obviously, others can
8 jump in if they want.

9 I want to apologize to the full --
10 the full working group, because I was
11 hoping that we'd be able to get
12 something to the full working group in
13 the last -- a week or so ahead of time.

14 We weren't able to do that, and so I
15 know some of you all haven't had a
16 chance to see the latest version. So I
17 apologize for that. But now we can all
18 look at it together.

19 And just to focus on one thing Dan
20 said, Chapter -- Dan did a really great
21 job in downsizing this document, in a
22 good way.

23 The application requirements that
24 have been existing in our Guidelines for
25 years and years and years have been

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 154
2 simplified. And like Dan said,
3 Chapters 1, 2, and 3, you can kind of
4 give a quick over -- skim of, but it's
5 really just the procedures we use. They
6 haven't changed tremendously. The only
7 change in Chapters 1, 2, and 3, is the
8 Reconsideration Provision. So please do
9 look at that. That was edited --
10 remember, we all looked at that, maybe a
11 couple months ago now. Based upon the
12 feedback from everyone around this
13 table, Dan edited that.

14 So the Reconsideration is
15 Chapter 3, Section H, and so please do
16 take a look at that. But most of the

17 rest of Chapters 1, 2 and 3 are pretty
18 much just procedural. So I -- like I
19 said, they're certainly better -- you
20 know, they're more streamlined than they
21 were in the past. And, again, Chapter 4
22 is the main -- the main aspect.

23 COMMISSIONER HOLMES: Okay.

24 CHAIRMAN CALONE: The only thing
25 I'm going to say, Dan, is we also talked

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 155
2 about taking the site-specific --
3 site-specific rules that are now in the
4 appendices, and actually maybe making a
5 chapter out of them so they're not seen
6 as an add on, because they actually
7 are -- they still will be, the criteria
8 that we apply to individual sites. So
9 that would be --

10 DEPUTY DIRECTOR GULIZIO: I have.

11 CHAIRMAN CALONE: -- kind of
12 finishes D and E, along with B, will
13 probably end up a new chapter that will
14 be just -- so, in other words, Chapter 4
15 will be -- general Policies and
16 Guidelines will be applied to kind of
17 the big picture things, and maybe
18 Chapter 5 -- the new Chapter 5 will be
19 kind of just pulling out of the appendix

20 site-specific criteria that we have
21 been, for years, applying to individual
22 projects.

23 DEPUTY DIRECTOR GULIZIO: Just to
24 cut down on some of the paperwork,
25 because I knew this would be a draft, I

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 156
2 didn't give you that additional
3 Chapter 5 on the Site-Specific
4 Standards. I will do that when I e-mail
5 out the updated version on Thursday.

6 COMMISSIONER BRAUN: (Indicating)
7 DEPUTY DIRECTOR GULIZIO: Bob.

8 COMMISSIONER BRAUN: Dan, can I
9 also make a suggestion that --

10 DEPUTY DIRECTOR GULIZIO: Sure.

11 COMMISSIONER BRAUN: -- the pages
12 be numbered and the --

13 DEPUTY DIRECTOR GULIZIO: Sure.

14 COMMISSIONER BRAUN: -- page -- you
15 know, and then the table reads --
16 because it's -- it's hard to find
17 anything, when you -- you open it up and
18 you look at a page, it doesn't have
19 any --

20 DEPUTY DIRECTOR GULIZIO:
21 Absolutely.

22 COMMISSIONER BRAUN: -- you know.

23 DEPUTY DIRECTOR GULIZIO: I mean,
24 if it's easier in terms of e-mail, I can
25 also e-mail out each chapter separately,

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 157
2 as a separate Word document.

3 COMMISSIONER BRAUN: Either way.

4 DEPUTY DIRECTOR GULIZIO: If
5 that's easier for you --

6 COMMISSIONER HOLMES: It would be
7 for me, because I definitely can't
8 download --

9 DEPUTY DIRECTOR GULIZIO: Okay.

10 COMMISSIONER HOLMES: -- a whole
11 document.

12 DEPUTY DIRECTOR GULIZIO: I'll do
13 both. I'll do both.

14 COMMISSIONER McADAM: Southold
15 Town, I think it was last week, they had
16 a public hearing on design standards,
17 and I believe you have the
18 application -- or you should have the
19 application from them?

20 DEPUTY DIRECTOR GULIZIO: Yes.

21 COMMISSIONER McADAM: Now, will
22 they have to comply to these -- to these
23 Guidelines? The fact that the -- you
24 know, that they were at that public
25 hearing before we issued Guidelines?

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 158
2 DEPUTY DIRECTOR GULIZIO: Generally
3 speaking, no. Again, these are draft
4 guidelines right now. So we would apply
5 the existing standards to that --
6 COMMISSIONER McADAM: Now, would
7 that design standard go to the -- go to
8 the full Commission, or would that be
9 something that staff would approve?
10 DEPUTY DIRECTOR GULIZIO: Again, I
11 think we're looking at that at the staff
12 level right now.
13 COMMISSIONER McADAM: Okay.
14 DEPUTY DIRECTOR GULIZIO: I don't
15 know if we made a determination as to
16 whether or not it's something we would
17 be referring to the Commission.
18 DIRECTOR ISLES: (Inaudible)
19 DEPUTY DIRECTOR GULIZIO: Right. I
20 don't think it meets any of the specific
21 standards under the Commission's
22 Regionally Significant Guidelines. If
23 you have any thoughts about that that
24 you prefer to bring up, certainly, let
25 us know.

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 159

2 COMMISSIONER McADAM: No, no,
3 that's fine.

4 DEPUTY DIRECTOR GULIZIO: Just,
5 again, a little brief summary in terms
6 of Chapter 4. And, again, I have to
7 thank the Guidelines Committee.
8 Constantine, Sarah, and David have been
9 giving me a lot of input, and helping to
10 shape the chapter and the overall
11 structure of the Guidelines.

12 In terms of the subsections of the
13 Policies and Guidelines, it's broken
14 down into nine basic categories -- nine
15 or eight: Equity and Sustainability,
16 Land Use, Housing, Economic Development,
17 Transportation, Environment, Design,
18 Cooperation. And those -- if you look
19 at the chapter, they're the general
20 policy goals to start each of those
21 subsections. And then specific
22 policies, in addition to the general
23 goal.

24 From the staff's standpoint, we are
25 as flexible as can be in terms of

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 160

2 accommodating what the Commission's

11 05 08PlanningCommission.txt
3 views are. We look at this as
4 essentially a starting point. Where we
5 try to do our best job in giving you
6 direction and advice in terms of what is
7 most significant in terms of policies
8 for the Commission today. But, again,
9 because we don't have a plan that we can
10 draw from, we had to start somewhere, so
11 please feel free to provide any comments
12 you may have -- suggestions you have
13 here today.

14 COMMISSIONER HOLMES: Are you going
15 to go -- could I ask a question about
16 the wording of reconsideration?

17 DEPUTY DIRECTOR GULIZIO: Sure.

18 CHAIRMAN CALONE: Linda, let's all
19 get on the same page here.

20 COMMISSIONER HOLMES: Yeah.

21 It's --

22 CHAIRMAN CALONE: That's in the
23 back of Chapter 3.

24 COMMISSIONER HOLMES: Chapter 4,
25 Part H.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 161

2 CHAIRMAN CALONE: It should be
3 Chapter 3, I think.

4 COMMISSIONER HOLMES: Three -- I'm
5 sorry, Chapter 3, Part H.

6 CHAIRMAN CALONE: Which is
7 somewhere around a third of the way
8 through the document.

9 COMMISSIONER HOLMES: Yeah.

10 DEPUTY DIRECTOR GULIZIO: It's the
11 second to the last paragraph.

12 CHAIRMAN CALONE: Yes, great.

13 COMMISSIONER HOLMES: The first of
14 the criteria that we say we're going to
15 use, I think the wording is just a
16 little bit confusing. "Material facts
17 used to support its determination were
18 erroneous." I thought that in our
19 discussions, we -- one of the criteria
20 would be, if substantial material
21 information was brought to our
22 attention, that would affect -- would
23 affect our decision, or is that not it?
24 Because material facts we have found in
25 the past were incomplete, and then

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 162
2 sometimes were misleading. So sometimes
3 they were misleading or -- or maybe
4 erroneous. But I think what we wrestled
5 with a lot was that material facts were
6 incomplete, that there was other
7 information that had not been presented
8 to us that would very much have affected

11 05 08PlanningCommission.txt
9 our deliberations. Am I incorrect in
10 what I'm remembering?

11 DEPUTY DIRECTOR GULIZIO: I'm not
12 certain. I wouldn't say you were
13 incorrect --

14 CHAIRMAN CALONE: It was a few
15 months ago. In fact, I think we had it
16 the last time we were here, so it was
17 several months ago.

18 COMMISSIONER BRAUN: Right.

19 SECRETARY ESPOSITO: Yeah.

20 DEPUTY DIRECTOR GULIZIO: We can
21 certainly -- if the Commission is
22 comfortable with that, we can certainly
23 add that language in. The only thing I
24 would say, I wouldn't characterize it
25 "A material fact was incomplete," I

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 163
2 would say that either there was an
3 omission of a material fact --

4 COMMISSIONER BRAUN: Yeah, were
5 erroneous --

6 COMMISSIONER HOLMES: Yes.

7 COMMISSIONER BRAUN: -- or omitted.

8 COMMISSIONER HOLMES: Yes, were
9 erroneous or omitted. That would --
10 that would be very good. That would
11 make me comfortable.

11 05 08PI anni ngCommi ssi on. txt
12 CHAIRMAN CALONE: Okay. Now, let's
13 just be clear that we can't -- the
14 material facts used to support the
15 determination --
16 COMMISSIONER HOLMES: Yes.
17 CHAIRMAN CALONE: -- is erroneous.
18 So it can't be --
19 SECRETARY ESPOSITO: Or omitted.
20 CHAIRMAN CALONE: Yes. But I --
21 COMMISSIONER HOLMES: Or omitted.
22 CHAIRMAN CALONE: Obviously, the
23 material fact wasn't the one we used --
24 COMMISSIONER HOLMES: Because I
25 remember there was -- there was one

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 164
2 instance when --
3 CHAIRMAN CALONE: No, no, I think
4 we're with you.
5 COMMISSIONER HOLMES: -- they
6 made -- somebody in the community had
7 additional information that was --
8 CHAIRMAN CALONE: Okay.
9 COMMISSIONER HOLMES: -- not
10 presented to us --
11 CHAIRMAN CALONE: All right.
12 COMMISSIONER HOLMES: -- in the
13 application.
14 (WHEREUPON, Director Isles and

11 05 08PI anni ngCommi ssi on. txt
15 County Attorney Spahr left the meeting
16 in progress.)

17 (Time noted: 2:06 p.m.)

18 CHAIRMAN CALONE: I think we're
19 with you, Linda. I think maybe it would
20 just have to be, material facts were
21 omitted or --

22 COMMISSIONER BRAUN: Or -- or --

23 CHAIRMAN CALONE: -- or material
24 facts used to support a determination
25 were --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 165

2 COMMISSIONER BRAUN: Right. Yeah.

3 COMMISSIONER HOLMES: We're --
4 instead of saying erroneous, just saying
5 omitted?

6 SECRETARY ESPOSITO: No.

7 CHAIRMAN CALONE: No.

8 SECRETARY ESPOSITO: What he's --

9 COMMISSIONER HOLMES: Erroneous
10 or --

11 SECRETARY ESPOSITO: Linda --

12 Linda --

13 CHAIRMAN CALONE: I'm agreeing, I'm
14 just rephrasing.

15 SECRETARY ESPOSITO: He's agreeing,
16 he's rephrasing for clarity. A material
17 fact that was omitted --

11 05 08PI anni ngCommi ssi on. txt
18 CHAIRMAN CALONE: Correct.
19 SECRETARY ESPOSITO: -- coul dn' t
20 have been used to make a determinati on.
21 So he' s j ust rephrasing the questi on to
22 say, i f materi al facts were omi tted, or
23 erroneous --
24 COMMI SSI ONER HOLMES: Yes, that' s
25 what --

FIVE STAR REPORTING, INC. , 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 166
2 SECRETARY ESPOSITO: -- materi al
3 facts were used to support the
4 determinati on.
5 DEPUTY DIRECTOR GULIZIO: I got i t.
6 (Overl appi ng conversati ons)
7 COMMI SSI ONER HOLMES: Yeah,
8 let' s -- let' s -- say that agai n.
9 COMMI SSI ONER BRAUN: Dan' s got i t.
10 CHAIRMAN CALONE: Okay. Tom.
11 COMMI SSI ONER McADAM: Di d we change
12 the second paragraph --
13 (Overl appi ng conversati ons)
14 CHAIRMAN CALONE: There was an
15 ini tial , i n an earl ier draft, talki ng
16 about town poli cy, but I thi nk Li nda
17 Spahr, who' s l eft actual ly, asked us to
18 take that out.
19 Dan, I don' t -- and, agai n, i t was
20 a couple of months ago.

21 DEPUTY DIRECTOR GULIZIO: It was
 22 defi nitely in before, and I know --
 23 COMMISSIONER BRAUN: What was that?
 24 DEPUTY DIRECTOR GULIZIO: -- it
 25 came out.

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 167
 2 The question of whether or not it
 3 should be just -- the second criteria
 4 should be just based upon a change.
 5 In County policy, it should be
 6 based upon a change, and in Town policy
 7 also. And I think the idea behind --
 8 the cause behind it was, the County
 9 doesn't control Town policy. We're
 10 applying county standards to local
 11 actions. We're not applying town
 12 standards to local actions in
 13 evaluating -- it's not a --
 14 CHAIRMAN CALONE: I think that's
 15 right. And just so everyone knows,
 16 Linda Spahr did go through this, and
 17 there were a couple of little tweaks
 18 here and there that she had recommended
 19 and worked with Dan on a month or two
 20 ago. So, my recollection is that's how
 21 that came --
 22 COMMISSIONER BRAUN: But, I mean --
 23 CHAIRMAN CALONE: Yeah.

11 05 08PI anni ngCommi ssi on. txt
24 COMMI SSI ONER BRAUN: -- even in
25 the -- for example, in the adoption of a

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 168
2 new comprehensive plan, there might be
3 new considerations for an applicati on
4 already considered because the plan
5 changed. As a -- you know, as an
6 example. So I think the town policy
7 does belong in there. But I don't
8 recall the discussi on wi th Linda,
9 unfortunately.

10 CHAIRMAN CALONE: No, we had -- in
11 fact, you guys -- I think it was a
12 conversati on you guys had after a
13 meeting, that I may have been privy to,
14 but --

15 COMMI SSI ONER ROBERTS: But this is
16 a legal questi on, and we're supposed to
17 tell Dan to take back to the powers that
18 be. That was our instructi ons; right?

19 CHAIRMAN CALONE: Good conclusi on.

20 MR. FRELENG: I think --

21 COMMI SSI ONER McADAM: Can I just
22 ask a little questi on on that?

23 CHAIRMAN CALONE: Well, let's just
24 let Andy chime in here.

25 MR. FRELENG: I just wanted to

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 169
2 point out that, we do apply local
3 standards; parking, you know, uses
4 within the zone. So --
5 COMMISSIONER ROBERTS: Yeah.
6 MR. FRELENG: So we do apply local
7 standards.
8 COMMISSIONER ROBERTS: I'm hearing
9 they wanted to include it, but there may
10 have been a legal reason not to. So I
11 think we --
12 CHAIRMAN CALONE: Right.
13 COMMISSIONER ROBERTS: -- we just
14 check it with legal counsel.
15 CHAIRMAN CALONE: I think that's
16 fine.
17 COMMISSIONER McADAM: Mr. Chairman?
18 CHAIRMAN CALONE: Yes, sir.
19 COMMISSIONER McADAM: On the same
20 sentence, is there ever a situation
21 where a higher governmental, like the
22 state or federal government, may change
23 something that essential? Is that
24 ever --
25 MR. FRELENG: Yes.

FIVE STAR REPORTING, INC., 631-224-5054

♀

2 COMMISSIONER McADAM: -- possible?

3 MR. FRELENG: They just changed the

4 housing policy that was in effect

5 (inaudible).

6 COMMISSIONER ROBERTS: Yes.

7 CHAIRMAN CALONE: Okay.

8 COMMISSIONER ROBERTS: Yes.

9 CHAIRMAN CALONE: Maybe it should

10 be municipal, County, State, or Federal.

11 DEPUTY DIRECTOR GULIZIO: I wish I

12 had my notes with me, because I know --

13 CHAIRMAN CALONE: Okay.

14 DEPUTY DIRECTOR GULIZIO: I'll

15 check with Linda on that.

16 CHAIRMAN CALONE: The only issue

17 that I remember with the omitted, and

18 maybe I'm just voicing on the side, and

19 I really don't want to belabor this, but

20 the omitted thing was that -- where do

21 we draw the line in terms of what was

22 omitted. You know, and I guess that

23 will just be a factual determination we

24 made, here's a new fact that we didn't

25 know, is it important enough to rehear

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 171

2 it?

3 COMMISSIONER HOLMES: Well --

4 COMMISSIONER ROBERTS: You would

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

need a majority vote --
CHAIRMAN CALONE: Yes.
COMMISSIONER ROBERTS: -- because
that's something that's a little bit --
CHAIRMAN CALONE: Right.
COMMISSIONER ROBERTS: -- gray,
then we --
CHAIRMAN CALONE: People may vote
against it.
COMMISSIONER ROBERTS: -- make a
judgment of whether --
COMMISSIONER HOLMES: Well, you
know, to use Barbara's favorite classic,
the Sag Harbor -- there was a great deal
of annoyance at the Commission because
we had not considered that this village
had approved off-site locations for
affordable housing, and that fact was
not presented to us. So I think that
was part of what spurred our wish to
have criteria for reconsideration.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4
5
6
7

SUFFOLK COUNTY PLANNING COMMISSION 172
CHAIRMAN CALONE: And that --
COMMISSIONER HOLMES: So --
CHAIRMAN CALONE: I think you're
right, and it will be a case-by-case
position.
COMMISSIONER ROBERTS: Right.

8 CHAIRMAN CALONE: In that case, we
9 didn't know a fact that was important.
10 COMMISSIONER HOLMES: Yes.
11 CHAIRMAN CALONE: In other cases,
12 there might have been a fact we didn't
13 know --
14 COMMISSIONER HOLMES: And then --
15 CHAIRMAN CALONE: -- really wasn't
16 important.
17 COMMISSIONER HOLMES: -- how are
18 the facts brought to our attention,
19 when -- when there is -- if we are
20 considering reconsideration, who brings
21 that to our attention?
22 MR. FRELENG: (Indicating)
23 CHAIRMAN CALONE: Andy.
24 MR. FRELENG: I think the only
25 mechanism that you have is that, in the

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 173
2 first instance, the Commission denied an
3 application. The second instance, it's
4 going to be rereferred from the
5 municipality --
6 COMMISSIONER HOLMES: From the
7 municipality.
8 MR. FRELENG: -- with information
9 indicating how the Commission misjudged
10 the application, or didn't have

11 information. So that's how you're going
12 to get it back --

13 COMMI SSI ONER BRAUN: Can I -- can
14 I --

15 MR. FRELENG: -- it's going to be
16 rereferred from the municipal level.

17 My concern is, though, that the
18 municipality will refer an application,
19 which staff will sit on, until they
20 bring it to the Commission for the
21 Commission to vote with a majority, so
22 we can schedule it for the next meeting.
23 So we have to deem that application --
24 when they rerefer it, deem it
25 incomplete, until the Commission passes

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 174
2 a resolution to rehear it.

3 COMMI SSI ONER BRAUN: You're
4 absolutely right.

5 MR. FRELENG: So you have to be
6 aware of that, because the --

7 COMMI SSI ONER BRAUN: Forty-five
8 days has to start when we decide we want
9 to look at it again.

10 MR. FRELENG: Right.

11 COMMI SSI ONER BRAUN: In other
12 words, you can't look at it.

13 CHAIRMAN CALONE: I actually --
Page 157

14
15
16
17
18
19
20
21
22
23
24
25

that's the legal issue.

SECRETARY ESPOSITO: Yes.

CHAIRMAN CALONE: Linda had an issue with that. But is there any reason why we can't -- you can't -- you know you have a rereferral, we can't vote on it whether they hear it that day?

COMMISSIONER BRAUN: Well, he's got to prepare it.

CHAIRMAN CALONE: Okay. Well, how many do you get a year?

FIVE STAR REPORTING, INC., 631-224-5054

♀

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

SUFFOLK COUNTY PLANNING COMMISSION 175

MR. FRELENG: Rereferrals? We don't get -- we don't get a lot of rereferrals.

COMMISSIONER BRAUN: Let me ask another --

CHAIRMAN CALONE: I'm just trying to get whether it's a frequent issue or not.

COMMISSIONER BRAUN: Let me ask a practical question.

CHAIRMAN CALONE: Yes, sir.

COMMISSIONER BRAUN: If the municipality is going to send something back because they think we made a mistake or we didn't understand

17 something and something was left out,
18 and, as a result, what the municipality
19 is really saying is, we want to do
20 something other than what you said to
21 do, why don't they just override us with
22 a supermajority in the first place? Why
23 would it come back?

24 DEPUTY DIRECTOR GULIZIO: Well,
25 that's --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 176

2 CHAIRMAN CALONE: Maybe --

3 DEPUTY DIRECTOR GULIZIO: --

4 Trumpets.

5 CHAIRMAN CALONE: -- that's why we
6 don't get many rereferrals.

7 DEPUTY DIRECTOR GULIZIO: But
8 that's the whole basis --

9 COMMISSIONER HOLMES: That's with
10 Trumpets.

11 DEPUTY DIRECTOR GULIZIO: -- behind
12 Trumpets, and the basis for this
13 language. Because at times, they don't
14 want to reconsider or override us by a
15 supermajority vote, they want us to
16 reconsider our vote. That was the whole
17 basis behind Trumpets --

18 COMMISSIONER HOLMES: That's right.

19 DEPUTY DIRECTOR GULIZIO: -- and

20
21
22
23
24
25

the --
SECRETARY ESPOSITO: And it's more
than they don't want to, it's that they
couldn't. So they would --
COMMI SSI ONER BRAUN: So the
majori ty would refer it --

FIVE STAR REPORTING, INC., 631-224-5054

†

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

SUFFOLK COUNTY PLANNING COMMI SSI ON 177
SECRETARY ESPOSITO: Let me finish
the sentence.
COMMI SSI ONER BRAUN: -- but the
supermajori ty --
SECRETARY ESPOSITO: They wanted --
COMMI SSI ONER HOLMES: That's
exactly it, they had di ffi cul ty in the
local planni ng board, as I recall --
SECRETARY ESPOSITO: That's what
I'm sayi ng.
COMMI SSI ONER HOLMES: -- that they
could not get -- they barely could get
their -- because they --
CHAI RMAN CALONE: We shoul d
probably not talk --
COMMI SSI ONER HOLMES: -- di d not
have a supermajori ty agreed.
SECRETARY ESPOSITO: Well, we don't
want to talk completel y about
Trumpets --
CHAI RMAN CALONE: We shoul d not

23

talk about specific cases.

24

SECRETARY ESPOSITO: -- but

25

Let's -- but I think the point here is

FIVE STAR REPORTING, INC., 631-224-5054

♀

1

SUFFOLK COUNTY PLANNING COMMISSION 178

2

well taken, that if any particular

3

planning committee doesn't have enough

4

votes to override us, then they send it

5

back to us so that they don't have to --

6

COMMISSIONER BRAUN: Yes.

7

SECRETARY ESPOSITO: -- that's the

8

genesis and what we're trying to solve

9

here.

10

COMMISSIONER BRAUN: Okay.

11

CHAIRMAN CALONE: All right, let's

12

move on. Let's move on to Chapter 4,

13

which is the more substantive stuff.

14

But I think we should take just a couple

15

minutes to walk through, at least in a

16

high level, Dan, the eight categories.

17

DEPUTY DIRECTOR GULIZIO: Sure.

18

Just in terms of Equity and

19

Sustainability, the first general policy

20

goal is to appreciate that economic

21

vitality, environmental quality, and

22

social equity are mutually dependent and

23

reinforcing. Utilize a concept of

24

sustainability predicated on a

25

commitment to social justice, equity,

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 179
2 and fairness to guide county policy.
3 It's kind of a mile high policy.
4 The idea being, linking the three Es, as
5 I've come to understand them, Equity,
6 Environment, and Economic Development.
7 So we want to have a balance between all
8 three. One of the overarching goals
9 behind the county's -- the Commission's,
10 I should say, policies.
11 Specific Equity and Sustainability
12 policies is promoting equal access to
13 economic, environmental, and social
14 opportunities. Again, consistent with
15 that idea, everyone should have equal
16 access to environmental resources,
17 economic development opportunities, and
18 develop social programs or opportunities
19 provided by government.
20 Also, promoting equity in the
21 distribution of societal burdens and
22 potential land use impacts. This kind
23 of is the genesis of environmental
24 justice, and the idea is being, in
25 addition to having equal access to

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 180

2 environmental resources, like open space
3 and parklands, individual communities
4 shouldn't be disproportionately impacted
5 by obnoxious uses, heavy industrial
6 uses, power plants, landfills,
7 et cetera.

8 You know, one of the more
9 disturbing things, when you locate a
10 land use map, is you'll notice a lot of
11 the landfills in the individual towns
12 are located right at the town border.
13 And I think that's done, unfortunately,
14 intentionally so that they're only
15 adversely impacting half of their
16 residents, and the other half is being
17 impacted in other towns.

18 And towns, at times you can take on
19 those policies concerning the placement
20 of parks. There may be a perfectly
21 appropriate location for, say, a town
22 park, but because it straddles municipal
23 boundaries, they'll have -- express
24 reservations on locating there because
25 it will also provide access to non-town

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 181

2 residents to potentially use those

11 05 08PlanningCommission.txt
resources.

So I think it's just something that should be interwoven into all the policies, and something we should, you know, think about.

The specific language, to kind of flush that out or give that more weight, is within Chapter 4, and it follows consistently with this format.

In terms of Land Use: Promote sustainable land use and development throughout the county by focusing density, transit and mixed uses in downtowns, hamlet centers and areas with adequate infrastructure.

This essentially follows the premise that we don't need growth just for growth sake, but we want growth in a logical, rational way so that we can take the greatest advantage of infrastructures; mitigate impacts associated with growth, such as public transit or public transportations, to

FIVE STAR REPORTING, INC., 631-224-5054

♀

SUFFOLK COUNTY PLANNING COMMISSION 182
minimize trips. That then there, of course, has an environmental benefit because it includes or reduces the underlying carbon footprint, reduces the

11 05 08PlanningCommis sion. txt
6 amount of air pollution, and, again,
7 provides for a more -- overall systemic
8 standpoint, provides for more walkable,
9 compact, efficient hamlet centers.

10 Specific land use policies include
11 again, minimizing sprawl, encouraging a
12 mixture of land uses, increases in --
13 and this is, again, a controversial -- I
14 would say a somewhat controversial
15 topic. This is one of my -- I'll be
16 clear, this is one of my two cents I put
17 in, and one of the ideas is also linked,
18 increases in density to the transfer or
19 purchase of development rights.

20 One of the fundamental premises
21 behind the Pine Barrens Act is that
22 there should be no wipeouts and no
23 windfalls. Meaning, whatever policy was
24 ultimately adopted by the Pine Barrens
25 Commission, by the state, shouldn't

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 183
2 result in complete wipeouts of
3 individual property values or
4 windfalls of individual property values.

5 So it's not just a matter of going
6 in and getting density graphs, it's
7 coming up with a bonus saying -- again,
8 we have applications that will be coming

9 11 05 08PlanningCommission.txt
before the Commission in the next
10 several months. It's going to involve
11 very dramatic increases in density. And
12 the question is, should those increases
13 in density be tied to any other type of
14 linkage, to either the transferring
15 development rights, purchasing
16 development rights, or some other type
17 of mitigation in terms of maybe public
18 transportation improvements to help
19 balance that windfall in terms of
20 increasing density.

21 There's a whole host of
22 considerations that should go into those
23 types of decisions. We put in and there
24 is a suggestion -- that's something you
25 should at least contemplate as you're

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 184
2 going through the Guidelines. And,
3 again, we're happy to take any comments
4 you may have in relation to it.

5 Housing: Encouraging sustainable
6 communities by shaping county
7 development regulations, programs and
8 policies to create energy-efficient,
9 well-designed housing that meets the
10 diverse needs of current and future
11 county residents.

12 It's a very succinct way of stating
 13 something that seems, on its face,
 14 obvious and reasonable. The application
 15 of that or -- on individual instances or
 16 individual referrals is going to be the
 17 challenging aspect of it. How you
 18 actually do that on ground would be, I
 19 think, very challenging. If you look
 20 across at the diversity of our
 21 42 municipal entities and the diversity
 22 of the communities within those --

23 Yes, Bob.

24 COMMISSIONER BRAUN: Do we want to
 25 do anything -- I'm sorry, Dave?

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 185

2 CHAIRMAN CALONE: (No response)

3 COMMISSIONER BRAUN: Maybe I'll
 4 just address Dan directly.

5 Do we want to do anything about
 6 specifically identifying -- the Chair is
 7 otherwise occupied. Specifically
 8 identifying percentages for affordable
 9 housing in improved --

10 DEPUTY DIRECTOR GULIZIO: That's --
 11 that's --

12 COMMISSIONER BRAUN: -- or levels
 13 of income that go along with that. I
 14 have to tell you, one of the things I

11 05 08PlanningCommission.txt
15 hear every time I go to a Charter
16 Revisions Commission meeting is two
17 things: The municipalities aren't clear
18 about what things they're supposed to
19 refer, and I said we'll be able to
20 clarify that for them; and then the
21 municipalities also want to know, well,
22 what does the county think affordable
23 housing means? And I don't know if
24 they're looking for -- certainly they
25 don't want us to dictate to them, but

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 186
2 they'd like to know what our feelings
3 are in that area.
4 (WHEREUPON, Commissioner Fiore left
5 the meeting in progress.)
6 (Time noted: 2:20 p.m.)
7 DEPUTY DIRECTOR GULIZIO: That's a
8 great point, and just, again, we also
9 previously sent around to everyone
10 affordable housing conditions, which
11 specifically addressed not just the
12 percentage of the number of units that
13 should be set aside as workforce or
14 affordable units, but also to be
15 targeting (inaudible) groups --
16 COMMISSIONER BRAUN: Right.
17 DEPUTY DIRECTOR GULIZIO: -- and

11 05 08PlanningCommission.txt
18 several other conditions. Those
19 conditions would also be a part of your
20 Guidelines that could be applied on a
21 case-by-case basis with applications.
22 So the short answer is yes, we do
23 want to specify that, because that's one
24 of the most important roles of the
25 Commission in order to promote a

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 187
2 consistent standing across the county.
3 COMMISSIONER BRAUN: Right.
4 CHAIRMAN CALONE: And those are now
5 in Appendix B, we're going to --
6 DEPUTY DIRECTOR GULIZIO: Right.
7 CHAIRMAN CALONE: -- move that --
8 moved up into a section that's --
9 COMMISSIONER BRAUN: Right.
10 CHAIRMAN CALONE: -- site-specific
11 chapter.
12 MR. FRELENG: Commissioner Braun,
13 the Charter Division to Recision
14 Commission should know that it's quite
15 clearly been spelled -- in terms of what
16 to refer, it's spelled out quite clear
17 --
18 COMMISSIONER BRAUN: But they're
19 looking for the intermunicipal
20 agreements that we've been talking about

11 05 08PlanningCommission.txt
21 to minimize some of the former
22 applications. You know, they want to
23 know why we said -- just because this
24 is, you know, off of Route 25A,
25 somebody's asking for a curb cut, what

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 188
2 does the Commission care. You know,
3 that type of thing. And the answer is
4 because that's the way it is, and once
5 we have some kind of intermunicipal --
6 CHAIRMAN CALONE: Right.
7 COMMISSIONER BRAUN: --
8 agreement --
9 CHAIRMAN CALONE: And the message
10 from this body is, we don't -- we -- you
11 know, there are situations we don't
12 care, we need to get them out --
13 COMMISSIONER BRAUN: Right.
14 CHAIRMAN CALONE: -- you know,
15 approved, so they can --
16 COMMISSIONER BRAUN: Exactly.
17 CHAIRMAN CALONE: So we'll work on
18 it, but we do need to move on that part
19 of it.
20 COMMISSIONER BRAUN: Right.
21 COMMISSIONER HOLMES: When -- you
22 know, Bob raised a good point about the
23 Charter Commission asking for clarity.

11 05 08PI anni ngCommi ssi on. txt
24 I still feel that the word "affordable"
25 could be expanded, because that's why we

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 189
2 called it, on Shelter Island, "community
3 housing." Because more and more
4 affordable doesn't mean low income and
5 workforce. We are equally concerned
6 about senior citizens being able to
7 afford.

8 DEPUTY DIRECTOR GULIZIO: Sure.
9 COMMISSIONER HOLMES: And that
10 housing being built -- we've seen a lot
11 of applications where it was "senior
12 housing" being created, because that's
13 like a moneymaker -- oh, did I say a bad
14 word? But, you know, many communities
15 want to create housing that several
16 groups in the community can benefit
17 from, and keep the community more
18 stable. So --

19 DEPUTY DIRECTOR GULIZIO: I agree,
20 and I think that's where the conditions
21 that the Commission has been working on
22 is coming into play, and kind of
23 promote, you know, a more equitable
24 distribution of those types of
25 (inaudible).

FIVE STAR REPORTING, INC., 631-224-5054
Page 171

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 190

2 COMMISSIONER HOLMES: To be able to
3 mention, you know, senior in the same
4 breath, you know --

5 DEPUTY DIRECTOR GULIZIO: Sure.

6 COMMISSIONER HOLMES: -- income
7 needs. I -- you know, I -- I just --
8 that's why I sort of -- affordable is
9 almost too narrow a -- or the
10 connotation of it is too narrow.
11 Whereas, if we say community, it right
12 away encompasses elements of the
13 community that each community is looking
14 at.

15 DEPUTY DIRECTOR GULIZIO: Sure. I
16 mean, we can -- we can use whatever
17 words the Commission is most comfortable
18 with. I think the conditions are also
19 flushed out better, what the Commission
20 means by affordable --

21 COMMISSIONER HOLMES: Yeah.

22 DEPUTY DIRECTOR GULIZIO: -- more
23 than an individual word even.

24 In terms of specific housing
25 policies -- again, you'll see a certain

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 191

2 amount of redundancy in the policies,
3 because it's -- again, the idea is
4 sustainability. Creating an equity,
5 protection of the environment and
6 acknowledge development. To help meet
7 the needs of both existing generations
8 as well as future generations has all
9 been called upon.

10 An equitable distribution of
11 housing across all communities. Again,
12 the idea of a fair share distribution of
13 workforce, affordable or community
14 housing. So it's not adversely
15 impacting one or a static number of
16 communities.

17 Housing policies, having a rational
18 nexus between increases in density,
19 infrastructure availability, retail
20 service, environmental constraints.
21 Again, the idea of creating a sense of
22 balance in the terms of where we allow
23 additional increases in density related
24 to our houses.

25 Economic Development: Supporting

FIVE STAR REPORTING, INC., 631-224-5054

♀

5 entrepreneurs to national firms, that
6 are linked to transit, housing, and
7 services. Economic opportunity must be
8 equitably distributed among the entire
9 range of potential workers.

10 And, again, just the idea -- if
11 anybody has read in the papers recently
12 about coming to terms with our Empire
13 Zones, where originally Empire Zones --
14 the specific intent was to target
15 economically disadvantaged communities
16 and encourage businesses to move to
17 those disadvantaged communities, provide
18 economic opportunities, create jobs,
19 create tax revenues for those areas.
20 When we look at the actual wealth of
21 those programs, there are modifications
22 made to the Empire Zones to allow for
23 noncontiguous additions to the Empire
24 Zones. Meaning, somebody didn't have to
25 move to the economically disadvantaged

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 193
2 area to do their business, they could
3 stay in place. And so some of those, I
4 think, initial considerations that were
5 behind the Legislation were lost, based
6 upon amendments. And, again, there's
7 also a little follow-up, I think that

8 they're finding now, is that many of
9 those Empire Zone applications failed to
10 actually result in the number of jobs,
11 in the amount of development that was
12 promised in return, again, in the tax
13 benefit that they received at the time
14 that they entered the program.

15 Again, just, specific policies,
16 again, making sure that everyone has an
17 equal opportunity to economic
18 development within the region, promoting
19 a mixture of economic development
20 opportunities so that they're not so
21 dependant upon -- say, dependence free,
22 like they were back in the '80s, where
23 the economy took a big hit because of
24 national changes in our economy.

25 And, again, any comments anybody

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 194
2 has with respect to these criteria,
3 please just -- if it's easier to write
4 them out, write them out. If you want
5 to make changes within the document and
6 e-mail it later, that's fine. Whatever
7 is most convenient for you to
8 communicate it.

9 CHAIRMAN CALONE: However, we will
10 be voting on this next month. So the

11 timetable for review -- and particularly
 12 Section 4. Again, don't worry about the
 13 other sections on that. I mean, I
 14 urge -- I don't want to discourage you
 15 in looking at -- again, if you want to
 16 spend your time the most efficient way,
 17 focus on Chapter 4 and get your comments
 18 back. I think we'll probably need them,
 19 you know, by a week from today, so that
 20 Dan can incorporate them and make sure
 21 we get them back out a week or so before
 22 the meeting.

23 Please continue.

24 DEPUTY DIRECTOR GULIZIO: The big
 25 picture in terms of transportation, what

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 195
 2 we -- we developed, historically, was an
 3 overdependence on automobile modes of
 4 transportation. What we tried to do was
 5 to promote, again, a diversification of
 6 our transportation system. Try to
 7 promote a transportation management;
 8 meaning, managed trips. Reduced the
 9 number of trips through zoning, as
 10 opposed to expanding the infrastructure.

11 I think what all levels of
 12 government are seeing is that, not only
 13 can we not afford to expand our

14 infrastructures, we can't afford to
 15 maintain the infrastructure that we
 16 already have. So we ought to think
 17 differently, and maybe we ought to
 18 concentrate more on managing the amount
 19 of growth that we have in terms of
 20 just -- I looked into different -- a
 21 different mixture of land use, and
 22 rather than just continue to expand
 23 based upon what someone decided they
 24 want in terms of an individual land use
 25 category.

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 196
 2 Moving quicker, in terms of
 3 Environmental policy: Generally
 4 speaking, protect, preserve and restore
 5 critical natural resources to maintain a
 6 healthy and diverse ecosystem for
 7 present and future generations. Promote
 8 biodiversity, limit greenhouse gases,
 9 and improve water and air quality by
 10 requiring energy efficiency in design,
 11 construction, land use, and industry.
 12 I'll state at the outset that when
 13 these were originally drafted, there
 14 were more, probably, environmental
 15 policies and transportation policies
 16 than other policies. What I tried to do
 Page 177

17 is bifurcate the environmental policies.
 18 The most critical four or five are up
 19 front. There's a series of additional
 20 ones that I put in for your
 21 consideration. Again, if you're
 22 uncomfortable, if you feel it's not
 23 striking the proper balance in terms of
 24 sustainably moving us forward, then give
 25 us that direction and we can wear it

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 197
 2 down.

3 CHAIRMAN CALONE: What's the things
 4 on the second part of -- of -- what's
 5 with the things below the line that you
 6 said not to include? Were they
 7 controversial, or are they just maybe
 8 not priorities as -- the same way the
 9 other ones are?

10 DEPUTY DIRECTOR GULIZIO: I think
 11 they were a lesser priority. I think
 12 there was one, potentially,
 13 controversial in terms of costal zone
 14 management policy. But I think,
 15 generally speaking, I tried to put the
 16 ones on top of the line, so to speak, as
 17 being more core fundamentally
 18 significant, regionally significant
 19 environmental policies.

20
21
22
23
24
25

CHAIRMAN CALONE: Okay.

COMMISSIONER BOLTON: Can I comment on that?

CHAIRMAN CALONE: Charla.

COMMISSIONER BOLTON: Under the environment, and then -- as SEQRA

FIVE STAR REPORTING, INC., 631-224-5054

†

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

SUFFOLK COUNTY PLANNING COMMISSION 198

defines the environment, which seems to be pretty fundamental to this section --

DEPUTY DIRECTOR GULIZIO: Sure.

COMMISSIONER BOLTON: -- and, historically, resources are considered to be part of the environment --

DEPUTY DIRECTOR GULIZIO: Sure.

COMMISSIONER BOLTON: -- and I don't see anything in this entire section that even remotely refers to that. And I really -- if I were to look at it more comprehensively, I would say that providing affordable housing -- does it later provide affordable housing by reducing existing buildings, specifically existing historic buildings? It's a way of reducing the footprint of the resources that we consume, it's a way of providing aesthetic interests and community continuity, and, obviously --

23 SECRETARY ESPOSITO: And reduci ng
24 the demand for land space.

25 COMMI SSI ONER BOLTON: Yeah, and

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNI NG COMMI SSI ON 199

2 reduces, obvi ously, the demand for land.

3 So --

4 DEPUTY DI RECTOR GULI ZI O: Okay.

5 COMMI SSI ONER BOLTON: -- I don' t
6 understand how that woul d have been --

7 DEPUTY DI RECTOR GULI ZI O: Okay.

8 COMMI SSI ONER BOLTON: --

9 conveni entl y mi ssed.

10 DEPUTY DI RECTOR GULI ZI O: It wasn' t
11 conveni entl y mi ssed. Let me just say
12 thi s very pl ai n.

13 SECRETARY ESPOSITO: You sound l ike
14 me, cal m down.

15 COMMI SSI ONER BRAUN: It was
16 i nconveni entl y mi ssed.

17 CHAI RMAN CALONE: Ri ght.

18 COMMI SSI ONER HOLMES:

19 I nconveni entl y mi ssed.

20 CHAI RMAN CALONE: First of all ,
21 that' s a great poi nt and we have great
22 respect for it. I' m sure Dan wi ll --

23 DEPUTY DI RECTOR GULI ZI O: I don' t
24 have any di sagreement wi th the
25 perspecti ve. There were references to

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 200
2 historic preservation in the original
3 draft. We've been working diligently to
4 try to apply (inaudible) from the
5 comments we've already received. It's
6 an omission on my part, it will go back
7 in, it was not intentionally dropped.
8 COMMISSIONER BOLTON: It's possible
9 that you can meld it with another of the
10 points and just add -- like, preserve
11 open space, farmland, and historic
12 resources and -- I don't know, something
13 like that. Because, you know,
14 clustering is one of the main ways to do
15 that in the analysis process.
16 DEPUTY DIRECTOR GULIZIO: It's an
17 oversight based upon --
18 COMMISSIONER BOLTON: Thank you,
19 Dan.
20 CHAIRMAN CALONE: All right, let's
21 move on, we're most of the way through
22 this.
23 SECRETARY ESPOSITO: Yeah, but now
24 it's getting fun.
25 DEPUTY DIRECTOR GULIZIO: Just

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 201
2 moving on, in terms of Design: Again,
3 one of the things we want to promote is
4 the idea of flexibility in design so
5 that we can better address some of our
6 energy needs, so that we can better
7 address some of our needs in terms of
8 zoning, flexibility to promote mixed
9 uses in our downtowns. We don't want
10 our zoning to actually determine or
11 promote a form of land use we actually
12 don't want to see.

13 Unfortunat ely, if you look at some
14 of our development patterns, our
15 earliest development patterns are our
16 compact pedestrian-oriented downtowns.
17 When we went to our subdivision and land
18 development regulations of the '50s and
19 '60s, we mostly found automobile,
20 highway, eccentric development patterns,
21 where you see the buildings being pushed
22 back from the road, large parking lots
23 in front of the buildings. It helps to
24 actually promote sprawl more than
25 promoting a downtown and

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 202
2 pedestrian-oriented area. So we want to

11 05 08PI anni ngCommi ssi on. txt
3 make sure that we address that wi thi n
4 some of the poli ci es to the Commi ssi on.

5 Cooperation is a uni que concept.
6 In the Sunrise Highway Corri dor Study
7 that you actual ly -- Tom did a great
8 presentation of before, is, I think, a
9 perfect exampl e. A type of
10 intermuni ci pal devel opment al cooperati on
11 that we woul d like to promote, and we
12 think the Commi ssi on is in a perfect
13 posi ti on to promote.

14 That's the first study that I'm
15 aware of that actual ly takes two towns,
16 the Town of Islip and the Town of
17 Brookhaven. We sat down with the two
18 towns, with the State DOT of our County
19 Department of Public Works and County
20 Planni ng, and joint ly prepared a study.
21 It hasn' t been done before. There are a
22 series of tools -- intermuni ci pal tools
23 that allows subcommi ttees to do that.
24 Even parts of intermuni ci pal boards,
25 they can share authori ty like the Pine

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 203
2 Barrens Commi ssi on, you can do joint
3 studies, have them adapted joint ly
4 through an intermuni ci pal agreement,
5 they can both become bi ndi ng.

6 So we want to promote that as much
7 as possible, not just between towns but
8 across governmental boundaries also.
9 It's something that seems to make sense
10 in terms of recognizing the county's
11 role, goal in coordinating the towns and
12 villages efforts, as well as recognizing
13 the county's role throughout the region,
14 including New York City to our west and
15 Nassau County.

16 So, again, a very brief summary
17 that's probably too long anyway in
18 reality, but --

19 CHAIRMAN CALONE: Let me just say
20 about I and -- I and J, for the Energy
21 Efficiency Guidelines --

22 COMMISSIONER BRAUN: I and F, it
23 says.

24 COMMISSIONER HOLMES: Yeah, the --
25 yeah --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 204

2 CHAIRMAN CALONE: Well --

3 COMMISSIONER HOLMES: -- the Public
4 Safety.

5 CHAIRMAN CALONE: -- it's the new
6 alphabet.

7 DEPUTY DIRECTOR GULIZIO: Again,
8 with the F, we've deleted --

9 SECRETARY ESPOSITO: It was done in
10 haste --
11 DEPUTY DIRECTOR GULIZIO: -- and
12 added --
13 CHAIRMAN CALONE: It was not
14 conveniently overlooked.
15 SECRETARY ESPOSITO: And was done
16 in haste, and will be amended.
17 CHAIRMAN CALONE: There you go.
18 The Energy Efficiency Guidelines,
19 which we've already gone through, Sarah
20 had pulled a group together, I know a
21 bunch of people were involved. As I
22 recall, Barbara, Constantine, Dan,
23 myself. This is what emerged from that.
24 This needs to be resent out to the
25 stakeholders, to make sure that this is

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 205
2 kind of the final draft. So this may be
3 tweaked a little bit.
4 The other thing is that, for this
5 chapter, these -- this needs to be
6 simplified. This is actually Guidelines
7 that you would apply to a particular
8 project. So it actually belongs in the
9 site-specific chapter. And what we'll
10 do -- we'll need to do, is for this I,
11 is just come up, as we did for the

11 05 08PI anni ngCommi ssi on. txt
12 previ ous pages, a paragraph is more high
13 level , phi losophi cal .

14 The same is true with the Public
15 Safety Gui del i nes. The Publ ic Safety
16 Gui del i nes also are Si te-Speci fi c
17 Gui del i nes. Agai n, we've already kind
18 of gone through those, we don't need to
19 go through them agai n.

20 COMMI SSI ONER BRAUN: Yes.

21 CHAIRMAN CALONE: These are the
22 same ones that Di strict Attorney Spota
23 worked with us. But, agai n, we can,
24 just for this chapter, work on another
25 paragraph, and put the si te-speci fi c

FIVE STAR REPORTING, INC. , 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMI SSI ON 206
2 parts of it in the appropriate chapter.
3 So that's a change you'll see by next
4 month.

5 The Regi onal Si gni fi cance for
6 Projects, you know, that's -- we already
7 passed with Appendi x A. And Appendi x B,
8 the Affordable Housi ng Condi ti on,
9 there's a working group that's been
10 working on -- that also wi ll be pulled
11 i nto a Si te-Speci fi c Chapter. And C,
12 the Intermuni cipal Agreement, that's
13 appropriate to be left as an appendi x.
14 That's more just F -- you know, an FYI ,

11 05 08PlanningCommission.txt
15 but that's what we need to be taking --
16 once we pass this thing next month,
17 that's what we need to be taking to the
18 towns and villages, and start cutting
19 down on the paperwork.

20 Any other comments or questions on
21 the Guidelines right now?

22 COMMISSIONER ROBERTS: (Indicating)

23 CHAIRMAN CALONE: Barbara.

24 COMMISSIONER ROBERTS: Two
25 thoughts. I imagine many people will

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 207
2 just read the summary. And going back
3 to Robert's point, I would suggest we
4 put a little bit more about our
5 Affordable Housing Guidelines in this
6 summary statement, so it's kind of clear
7 what we're saying about the -- I think
8 it could be two or three sentences.

9 And another thing, I've already
10 sent you an e-mail, I'm just still a
11 little concerned there's a hurdle in the
12 Regionally Significant Guidelines. It's
13 still too high for the East End Towns.

14 It's already come to my attention,
15 a few projects that we're housing for
16 15 units coming in, is right near bodies
17 of water that would, under our

11 05 08PlanningCommission.txt
18 Guidelines, come in front of us. So I'm
19 still suggesting that we maybe lower the
20 Guidelines more like 25 or 30 percent of
21 our Guidelines. East End Towns, the
22 population is 150,000 of the five East
23 End Towns. The five Western Towns is
24 1.6 million. If our population is only
25 ten percent -- so, I think that hurdle

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 208
2 still should be more like 25 to 30
3 percent.

4 CHAIRMAN CALONE: It would be
5 interesting to know from Andy's
6 perspective -- not to put you on the
7 spot, Andy -- but the only possible data
8 is for overinclusive. And so the
9 question is, how often do we get -- you
10 know, if we're lowering the bar the way
11 Barbara's talking about, I don't have
12 any -- personally, I don't have any --

13 COMMISSIONER ROBERTS: It's more
14 the --

15 CHAIRMAN CALONE: -- just we start
16 getting too much.

17 COMMISSIONER ROBERTS: -- the condo
18 projects near water that you're going to
19 have 15 or 20 units, and it really could
20 make a commotion in the community. So

11 05 08PI anni ngCommi ssi on. txt
21 it's either that you would lower it to
22 the water -- that might be one of --
23 CHAIRMAN CALONE: Or lower it for
24 the combination, because that's what
25 you're talking about, you want to narrow

FIVE STAR REPORTING, INC., 631-224-5054

†

1 SUFFOLK COUNTY PLANNING COMMISSION 209
2 it down.
3 Maybe you guys could think a little
4 bit about that for us?
5 DEPUTY DIRECTOR GULIZIO: Sure.
6 Again, just another
7 editorialized -- it also doesn't include
8 staff or Commission members if they hear
9 of an application from going outside of
10 that list. It's a minimal bar, these
11 applications, we know you definitely
12 want to see.
13 CHAIRMAN CALONE: Well, that's
14 actually a good point. So that, you
15 know, if nothing else, staff be aware
16 that if there's something on the water,
17 we at least probably should have a
18 conversation with members in that town,
19 maybe say, Hey --
20 COMMISSIONER HOLMES: Yes. Yes.
21 CHAIRMAN CALONE: -- is this
22 something that you think's significant
23 for your town. I don't know, Barbara's

24 11 05 08PI anni ngCommi ssi on. txt
actually already raised one good project
25 that's in Sag Harbor and --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 210
2 COMMISSIONER ROBERTS: It's two --
3 CHAIRMAN CALONE: Two.
4 COMMISSIONER ROBERTS: -- and then
5 I think the one in Riverhead.
6 CHAIRMAN CALONE: Right. But that
7 one would definitely come through
8 anyway. But the one in Sag Harbor that,
9 you know, would not meet the Guidelines
10 at the bar that we've set now, but, you
11 know, Barbara's aware of the big issue
12 in the village.
13 COMMISSIONER ROBERTS: In the whole
14 area.
15 CHAIRMAN CALONE: So --
16 MR. FRELENG: Just --
17 CHAIRMAN CALONE: Andy.
18 MR. FRELENG: Just to emphasize
19 that point, none of the matters that you
20 looked at today fell under the
21 regionally significant criteria. Staff
22 brought them --
23 COMMISSIONER ROBERTS: You're
24 right.
25 MR. FRELENG: -- to the

FIVE STAR REPORTING, INC., 631-224-5054
Page 190

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 211
2 attention --
3 COMMISSIONER ROBERTS: And --
4 MR. FRELENG: -- of the Commission
5 because we felt they were issues that
6 you needed to address.
7 COMMISSIONER ROBERTS: You're
8 right.
9 SECRETARY ESPOSITO: Can I ask a
10 procedural question to this?
11 CHAIRMAN CALONE: Adrienne.
12 SECRETARY ESPOSITO: So we
13 submit -- suggest the changes to Dan --
14 CHAIRMAN CALONE: Yes.
15 SECRETARY ESPOSITO: -- and what if
16 there are suggested changes that are
17 submitted, but conflict with other ones
18 that somebody else has made? How are we
19 going to rectify that between now and
20 next month?
21 CHAIRMAN CALONE: It's true.
22 That's a good point.
23 SECRETARY ESPOSITO: I mean, I'm
24 going through, for instance, the
25 environmental section, but somebody may

FIVE STAR REPORTING, INC., 631-224-5054

♀

2 disagree with some of the suggestions
3 that I make. So how do we deal with
4 that?

5 DEPUTY DIRECTOR GULIZIO: That's
6 going to be the challenge. And,
7 honestly, even -- you know, just doing
8 it on a micro level, just coordinating
9 three sets of comments is difficult
10 because just even structurally --
11 hopefully, structurally, everyone will
12 be at least comfortable with the general
13 format. I don't know if you think
14 it's --

15 CHAIRMAN CALONE: I think the only
16 thing to do would be to recirculate
17 things -- you know, really have a tight
18 deadline for all of us, of -- a week
19 from now, and that Dan have it -- Dan's
20 deadline for getting it back to us,
21 probably a week after that, and that
22 would be able to identify those issues.
23 We can always do a conference call to
24 focus on a specific issue, or two or
25 three --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 213
2 COMMISSIONER HOLMES: Can we say by
3 November 15th, and not a week from now?
4 Because I won't -- I have to be away --

5 CHAIRMAN CALONE: Okay.
6 COMMISSIONER BRAUN: A week from
7 now is November 12th.
8 COMMISSIONER HOLMES: Yeah, so --
9 CHAIRMAN CALONE: All right. So at
10 the end of that week, which is the 14th,
11 we need our comments back, and then,
12 Dan, we need the stuff back from you
13 guys by the 21st, and then -- you know,
14 we all can celebrate Thanksgiving
15 together.
16 COMMISSIONER HOLMES: We'll all go
17 to Dave's for turkey and --
18 CHAIRMAN CALONE: There you go.
19 Bring your own cranberry sauce.
20 COMMISSIONER ROBERTS: We actually
21 could meet earlier, like the 11th --
22 CHAIRMAN CALONE: Yes.
23 COMMISSIONER ROBERTS: -- if there
24 are issues --
25 CHAIRMAN CALONE: No, that's --

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 214
2 that is a good point, yes.
3 It would be good to get it down
4 ahead of time, you know, if we can't
5 come to an agreement, but I agree
6 that --
7 COMMISSIONER ROBERTS: Maybe we
Page 193

8 should just all put it in our calendars
9 for -- assume we'll set a meeting at
10 eleven o'clock, so if there are --

11 COMMISSIONER LANSDALE: (Head
12 gesture)

13 CHAIRMAN CALONE: Okay.

14 COMMISSIONER ROBERTS: No, Sarah?

15 COMMISSIONER HOLMES: Eleven
16 o'clock in the morning?

17 CHAIRMAN CALONE: No, no, the issue
18 is not when our formal meetings are,
19 it's that, if you can, save that time,
20 because we may want to have the
21 Committee of the whole working group, if
22 there's any last issues to be discussed.

23 So, hopefully, we can resolve --
24 hopefully, Andy, there won't be issues,
25 but if there are, that's okay, and we'll

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 215
2 try to deal with them in a conference
3 call. And if we absolutely need to, try
4 to keep that hour free ahead of the
5 meeting.

6 Anyone else have any comments or
7 questions?

8 (WHEREUPON, there was no response.)

9 CHAIRMAN CALONE: Also, if anyone
10 wants to be liaison to the Sunrise

11 Highway group, let me know. I have a
12 couple thing I know I need to circulate.

13 Anything else?

14 COMMISSIONER ROBERTS: On the
15 Nominating Committee --

16 CHAIRMAN CALONE: Yes.

17 COMMISSIONER ROBERTS: -- we'll
18 offer to send around -- maybe we'll set
19 up a conference call for us early next
20 week, and get organized.

21 COMMISSIONER BRAUN: Early next
22 week is Monday for me.

23 COMMISSIONER ROBERTS: Right.

24 Monday? Is that fine --

25 COMMISSIONER BRAUN: Monday is the

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 216
2 only day next week.

3 COMMISSIONER ROBERTS: Fine with
4 me.

5 COMMISSIONER BRAUN: Yeah, that's
6 fine.

7 COMMISSIONER ROBERTS: Monday.
8 Okay?

9 COMMISSIONER BRAUN: Monday?

10 COMMISSIONER ROBERTS: Monday?

11 CHAIRMAN CALONE: Okay, this is not
12 part of the meeting --

13 COMMISSIONER BRAUN: Okay.

11 05 08PI anni ngCommi ssi on. txt

14 CHAIRMAN CALONE: -- so you guys
15 can discuss it afterwards.

16 COMMISSIONER HOLMES: Yes.

17 CHAIRMAN CALONE: Any other
18 comments or questions?

19 (WHEREUPON, there was no response.)

20 CHAIRMAN CALONE: If not, I'll
21 entertain a motion to adjourn.

22 COMMISSIONER HOLMES: So moved.

23 COMMISSIONER BRAUN: So moved.

24 CHAIRMAN CALONE: Holmes, Braun.

25 All in favor?

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 217

2 (WHEREUPON, the Members voted.)

3 CHAIRMAN CALONE: Have a good day.

4 (WHEREUPON, the meeting of the
5 Suffolk County Planning Commission
6 adjourned at 2:42 p.m.)

7

8

9

10

11

12

13

14

15

16

17
18
19
20
21
22
23
24
25

FIVE STAR REPORTING, INC., 631-224-5054

♀

1 SUFFOLK COUNTY PLANNING COMMISSION 218

2

3

4 C E R T I F I C A T E

5

6 I, THERESA PAPE, a Shorthand Reporter and
7 Notary Public of the State of New York, do hereby
8 certify:

9 That the foregoing is a true and accurate
10 transcription of the stenographic notes taken
11 herein.

12 I further certify that I am not related to
13 any of the parties to this action by blood or
14 marriage; and that I am in no way interested in the
15 outcome of this matter.

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand this 5th day of November, 2008.

18

19

20

21

22

23

24

25

THERESA PAPE

FIVE STAR REPORTING, INC. , 631-224-5054