

# 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

## NOTICE OF MEETING

DATE: July 1, 2009  
TIME: 12:00 P.M.  
LOCATION: William Rogers Legislative Bldg., Rose Caracappa Auditorium  
DIRECTIONS: North County Complex, 725 Veterans Memorial Highway, Hauppauge

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### The Tentative Agenda Includes:

1. Adoption of minutes for May 6th
2. Public Portion
3. Chairman's report
4. Director's report
5. Guest Speakers:
  - Patrick (Skip) Heaney, Commissioner, Suffolk County Department of Economic Development & Workforce Housing
  - Bill Hillman, Chief Engineer, Suffolk County Department of Public Works
  - Dawn Thomas, Esq. Town Attorney, Riverhead  
Re: Enterprise Park at Calverton (EPCAL); Pine Barrens Overlay District Non-Disturbance Map.
6. Sections A14-14 to 23 of the Suffolk County Administrative Code
  - Pine Barrens Overlay District Non-Disturbance Map 0600 13500 0100 007034 et al (Riverhead)
  - Atlantis Holding Co., LLC 0600 12900 0400 020000 et al (Riverhead)
7. Section A14-24 of the Suffolk County Administrative Code:
  - None at this time
8. Discussion
  - Suffolk County Comprehensive Plan and appointment of Committee on Comprehensive Plan
  - Commission Jurisdiction and appointment of Committee on Jurisdiction
  - Suffolk County Shellfish Aquaculture Lease Program in Peconic and Gardiners Bays
9. Other Business
  - Annual Apartment Rental Survey – SC Department of Planning
  - Old Country Road (CR 58) (Riverhead)

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on WEDNESDAY, **August 5** at 12:00 P.M. in the William Rogers Legislative Bldg.; Rose Caracappa Auditorium, Hauppauge

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  - Suffolk County Shellfish Aquaculture Lease Program in Peconic and Gardiners Bays
9. Other Business
  - Peter Lambert, Principal Planner, Suffolk County Department of Planning  
Re: Annual Apartment Rental Survey
  - Old Country Road (CR 58) (Riverhead)

NOTE: The **NEXT MEETING** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on WEDNESDAY, **August 5th** at 12:00 P.M. in the Legislative Auditorium, in Hauppauge.

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SUFFOLK COUNTY PLANNING COMMISSION

WILLIAM H. ROGERS BUILDING  
LEGISLATIVE AUDITORIUM  
725 Veterans Memorial Highway  
Hauppauge, New York

July 1, 2009  
12:00 p.m.

F I N A L

BEFORE:

DAVID CALONE, Chairman  
Town of Babylon

REPORTED BY:

THERESA PAPE, Court Reporter/Notary Public

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

CONSTANTINE KONTOKOSTA, Vice Chairman,  
Page 1

3 07 01 09\_Planni ng\_Commi ssi on. txt  
Commi ssi on Member  
Villages Under 5,000 Popul ati on  
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5 ADRI ENNE ESPOSITO, Secretary,  
Commi ssi on Member  
Villages Over 5,000 Popul ati on  
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7 LINDA HOLMES, Commi ssi on Member  
Town of Shel ter Isl and  
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9 JOHN CARACCI OLO, Commi ssi on Member  
Town of Hunti ngton  
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11 BARBARA ROBERTS, Commi ssi on Member  
Town of Southampton  
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13 CHARLA BOLTON, Commi ssi on Member  
At Large  
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15 ROBERT BRAUN, Commi ssi on Member  
Town of Smi thtown  
16  
17 SARAH LANSDALE, Commi ssi on Member  
At Large  
18  
19 VINCENT TALDONE, Commi ssi on Member  
Town of Ri verhead  
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21 MI CHAEL KELLY, Commi ssi on Member  
Town of Brookhaven  
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23 JOSEPH POTTER, Commi ssi on Member  
Town of East Hampton  
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21 A B S E N T:

22 JOSHUA HORTON, Commi ssi on Member  
At Large  
23  
24 THOMAS McADAM, Commi ssi on Member  
Town of Southol d  
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1 Suffol k County Planni ng Commi ssi on 7/1/09 3

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3 S T A F F A P P E A R A N C E S:

4 THOMAS A. ISLES, Di rector of Planni ng  
5 DANIEL GULIZIO, Deputy Di rector of  
Suffol k County Planni ng Department  
6 ANDREW P. FRELENG, Chi ef Pl anner  
Suffol k County Planni ng Department  
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TED KLEIN, Senior Planner  
Suffolk County Planning Department  
PETER LAMBERT, Principal Planner  
Suffolk County Planning Department  
JOHN CORRAL  
Suffolk County Planning Department  
LINDA SPAHR, County Attorney  
CHRISSE EINEMANN, Staff

G U E S T S:

BILL HILLMAN, Chief Engineer,  
Suffolk County Department of  
Public Works  
DAWN THOMAS, ESQ., Town Attorney,  
Riverhead

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(WHEREUPON, this proceeding convened at  
12:00 p.m. Off-the-record discussions  
ensued, after which the following  
transpired:)  
(Time noted: 12:11 p.m.)  
CHAIRMAN CALONE: Good morning. The  
July meeting of the Suffolk County Planning  
Commission is now in session. I'll note that  
we have a quorum present, and I would ask the  
vice chairman to lead us in the pledge.

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CHAIRMAN CALONE: Okay. The first item on our agenda is the minutes of May 6th.

Editor-in-Chief Holmes, do you have thoughts or comments?

COMMISSIONER HOLMES: Well, I'm delighted to report that, under the completely dazzling stewardship of Teri, we had -- I could only find 13 small corrections. That's the good news. The bad news is, I had to file through 205 pages to find them. But there are just a few word changes that are kind of minor.

Page 75, and again on page -- on a

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couple of lines, 2, 7, and 10, the word "transit" is there and it should be "transom." It was the idea of "over the transom," which Teri's probably too young to remember brownstones with transoms.

And there's only one that I would -- was trying to puzzle out. On page 226, line 9, there is the word "Iceland," and I'm wondering if that was "Islandia"?

CHAIRMAN CALONE: I think that is Iceland. Isn't that the road in -- near the townhouse?

COMMISSIONER HOLMES: Iceland is --

CHAIRMAN CALONE: Iceland Drive or something?

17 COMMISSIONER HOLMES: -- the name of the  
18 road?

19 COMMISSIONER BOLTON: Iceland.

20 CHAIRMAN CALONE: In -- in Huntington.

21 COMMISSIONER HOLMES: Okay. So ignore  
22 that on page 226. That makes only -- that  
23 makes only 12.

24 CHAIRMAN CALONE: There you go.

25 And I submitted a few comments to Teri

1 Suffolk County Planning Commission 7/1/09 6  
2 as well, which were all simply typos and  
3 minor things like that.

4 So unless anyone else has any other  
5 comments --

6 COMMISSIONER HOLMES: I would move the  
7 adoption, as we know they will be corrected.

8 CHAIRMAN CALONE: Okay.

9 All in favor of -- or, actually, I'll  
10 asked for a second from the vice chairman.

11 VICE CHAIRMAN KONTOKOSTA: (Head  
12 gesture)

13 CHAIRMAN CALONE: And --

14 VICE CHAIRMAN KONTOKOSTA: You have it.

15 SECRETARY ESPOSITO: Good job,  
16 Constantine.

17 CHAIRMAN CALONE: Thanks.

18 And ask for a vote on the minutes.

19 All in favor of approving the minutes of  
20 May 6, 2009, please raise your hand.

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(WHEREUPON, the members voted.)

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CHAIRMAN CALONE: And those opposed?  
(WHEREUPON, there was no response.)

CHAIRMAN CALONE: And that passes  
unanimously. There are --

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COMMISSIONER HOLMES: As -- as amended.

CHAIRMAN CALONE: -- ten of us here  
right now.

COMMISSIONER HOLMES: As amended.

CHAIRMAN CALONE: As amended.

Thank you, ma'am.

Next, we move on to the public portion.

We have Elissa Ward here from Vision  
Long Island.

Elissa, please just come up to the  
microphone and just spell your name for the  
record, please.

MS. WARD: My name is spelled  
E-L-I-S-S-A, W-A-R-D.

Unfortunately, I -- I have only a draft  
of our comments for the County Road 58  
design. I will be submitting a final draft  
to the commission early next week, if that's  
all right.

Vision Long Island would like to repeat  
its recommendations from the previous Suffolk  
County Planning Commission hearing for making  
County Route 58 to a pedestrian safe,  
multimodal highway. If we are to have any



1 Suffolk County Planning Commission 7/1/09 8  
2 hope of slowing or stopping the  
3 ever-increasing traffic volumes on this  
4 roadway, there have to be viable alternatives  
5 to the automobile for people using this road.  
6 Creating a "cars-only" environment, which the  
7 proposed plan does, will force all those who  
8 can drive into their cars, and for those who  
9 cannot drive, they will either be unable to  
10 use the road or risk their own safety to do  
11 so. Bike lanes, places for buses to  
12 pull-over, and medians are measures that  
13 greatly increase safety along the roadway, as  
14 well as provide safe alternatives to the  
15 automobile.

16 Since it appears that the county is  
17 unwilling to take the time to acquire the  
18 necessary right-of-way to build the road  
19 properly, Vision would like to make the  
20 following recommendations to improve safety  
21 within the current plan.

22 First, plan for future improvements of  
23 the roadway by designing the edges of the  
24 roadway in such a way that will allow for  
25 future installation of bus lanes and bus pull

1 Suffolk County Planning Commission 7/1/09 9  
2 over areas. Locate utility poles and

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3 drainage in such a way that curbs could be --  
4 later be moved back without having to  
5 relocate the utility poles and drainage  
6 basins again. If medians cannot be installed  
7 at this time because the road is not wide  
8 enough to allow for U-turns, plan for future  
9 additional roundabouts, perhaps, at  
10 intersections to allow for U-turns in the  
11 future, to allow for a median.

12 At the westernmost portion of the  
13 roadway, where drivers are entering from the  
14 LIE, the extra right-of-way width that exists  
15 along that portion should be used for  
16 measures such as planted median or street  
17 trees between the sidewalk and the curb to  
18 alert drivers that they are no longer driving  
19 on the LIE and then to slow down and be  
20 cautious because pedestrians may be present.

21 All utility poles and signage should be  
22 either located within two feet of the face of  
23 the curb so that wheelchairs that have to  
24 navigate around these obstructions to  
25 sidewalks can do so on the -- the farside of

1 Suffolk County Planning Commission 7/1/09 10  
2 the sidewalk from the moving traffic so that  
3 if they -- if they are squeezing through,  
4 they're only in danger of falling into the  
5 grass and not into a travel lane. If that is  
6 not possible, then they should be located at  
7 the far extreme edge of the right-of-way to

8 allow for at least four to four and a half  
9 feet of space for wheel chairs to pass.  
10 Thirty-six inches may be adequate for passing  
11 through a doorway, but when squeezing between  
12 utility poles and speeding traffic, it's not  
13 enough.

14 Also, the county should consider how  
15 pedestrians will actually use crosswalks when  
16 designing them. Many of the crosswalks in  
17 the plan have very circuitous routes for the  
18 pedestrians to follow to cross the street.  
19 Many pedestrians will find that the striped  
20 pathways take them too far out of their way  
21 of their destination and will find -- make  
22 their own path which could lead to dangerous  
23 conditions. Pedestrian crossings shouldn't  
24 be an afterthought after the car paths have  
25 already been laid out, they should be --

1 Suffolk County Planning Commission 7/1/09 11  
2 their design should be integrated throughout  
3 the design of the roadway. And they should  
4 be as short and direct as possible to see  
5 that the pedestrians use the intended paths  
6 and don't create their own paths.

7 Many of the intersections along this  
8 roadway show only three, and sometimes only  
9 two, crosswalks to get from one side of an  
10 intersection to another. If there are four  
11 corners at an intersection, there should be

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12 four crosswalks, and pedestrians shouldn't be  
13 expected to make three road crossings when  
14 one should have been sufficient. You know,  
15 for example -- you know, if you're heading  
16 north on a road that crosses 58, you  
17 shouldn't have to cross east and then north  
18 and then west again to continue north along  
19 your path.

20 Many of the curb radii at these  
21 intersections are too large. Large curb  
22 radii increases crossing distances for  
23 pedestrians, as well as it allows cars to  
24 make turns at much -- much higher speeds.  
25 Particularly the intersections of Osborn and

1 Suffolk County Planning Commission 7/1/09 12  
2 Harrison, they are a 525-foot radius and  
3 a 135-foot radius respectively. Drivers  
4 could easily take these turns without slowing  
5 down at all.

6 (WHEREUPON, Commissioner Robert Braun  
7 joined the proceeding in progress.)

8 (Time noted: 12:18 p.m.)

9 MS. WARD: Radii should be designed to  
10 slow drivers down to about 15 to 20 miles an  
11 hour or less. Only when drivers are  
12 traveling below 20 miles an hour are they  
13 likely to yield to pedestrians; traveling at  
14 higher speeds, they rarely do.

15 For sidewalks across driveway entrances  
16 into parking lots, the driveway aprons should

17 be paved in concrete to signal the drivers  
18 entering and exiting the parking lots that  
19 they are crossing into pedestrian zones, and  
20 that they need to be aware that pedestrians  
21 may be present. Most drivers are un- --  
22 aren't looking for pedestrians as they're  
23 pulling out of the parking lot, they're not  
24 aware.

25 Buses stopping in the travel lanes can

1 Suffolk County Planning Commission 7/1/09 13  
2 create an unsafe condition where many cars  
3 are going to try to swerve to get around the  
4 stopped buses. If right-of-way cannot be  
5 acquired along the entire length of the  
6 roadway, then, at a minimum, it should be  
7 required just at the bus stops to allow for a  
8 safe place for the bus to pull over so as not  
9 to impede traffic in the travel lanes.

10 At the roundabout at Roanoke Avenue, the  
11 splitter islands should be extended along the  
12 entire length of the diagonally striped  
13 portion of the center lane in order to help  
14 slow the cars down as they approach the  
15 roundabout, giving pedestrians a chance to  
16 cross there because there is no signal light  
17 telling pedestrians they can cross there at  
18 the mercy of their -- of the drivers.

19 And it's understood there's not  
20 sufficient room within the 66-foot

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21 right-of-way to pull the sidewalks back from  
22 the curb, however, in areas where there is  
23 additional right-of-way, sidewalks should be  
24 pulled back in those areas to make at least  
25 those portions of the roadway safer for

1 Suffolk County Planning Commission 7/1/09 14  
2 pedestrians.

3 Signage and street trees should be  
4 placed --

5 CHAIRMAN CALONE: Elissa --

6 MS. WARD: -- in the area.

7 CHAIRMAN CALONE: -- we'll ask you to  
8 wrap up, please.

9 MS. WARD: Okay. And that's it.

10 CHAIRMAN CALONE: Thank you.

11 MS. WARD: That was the end.

12 CHAIRMAN CALONE: I appreciate --  
13 appreciate your comments. And just one thing  
14 I would just say is that I would encourage  
15 you to send your letter, if you have, you  
16 know, concerns. We're obviously -- we always  
17 like receiving mail, but we have a -- some  
18 limited jurisdiction here, if at all. So  
19 we -- I would certainly just encourage you to  
20 also send that to DPW --

21 MS. WARD: DPW as well.

22 CHAIRMAN CALONE: -- as well, because  
23 that's where the decision-makers are on this  
24 matter. So --

25 Any other speakers from the public?

1 Suffolk County Planni ng Commi ssi on 7/1/09 15  
2 (WHEREUPON, there was no response.)  
3 CHAIRMAN CALONE: Seei ng none, we' ll  
4 close the publi c porti on.  
5 Next i tem, we have the chair man' s  
6 report.  
7 Wel come back home to Hauppauge everyone.  
8 Today is Ri verhead day for us, and we  
9 have a number of matters all comi ng out of --  
10 or -- out of Ri verhead.  
11 County Road 58.  
12 As you all know, County DPW has taken  
13 some signi fi cant steps to i mprove publi c  
14 safety along the corri dor, as a resul t of the  
15 suggesti ons that came out of our last meeti ng  
16 last month.  
17 I had several conversati ons wi th the  
18 county executi ve i n whi ch he thanked us for  
19 playi ng such a constructi ve rol e. And whi le  
20 I personall y believe that more can be done, I  
21 also believe that what is proposed now is  
22 certainl y better than what was on the drawi ng  
23 board last month.  
24 Bi ll Hi l l man from DPW is here, and he' ll  
25 discuss i n a few mi nutes the county' s current

1 Suffolk County Planni ng Commi ssi on 7/1/09 16  
2 plan for County Road 58.

3 We also have on the agenda the EPCAL  
4 Clearing Map. This is the first of many  
5 times that EPCAL will likely be on our agenda  
6 in the months ahead.

7 And we also have the Atlantis Hotel in  
8 downtown Riverhead.

9 Just to update you on our two goals this  
10 year.

11 As you know, one of our main goals was  
12 beginning the county comprehensive plan  
13 update.

14 We do need a strategic plan as a county.  
15 But in order to determine where we're going,  
16 we also need to determine where we are. And  
17 the comprehensive plan will aim to analyze  
18 both of those aspects.

19 Today we'll consider a resolution  
20 formally launching a comprehensive plan  
21 effort. The county executive is excited  
22 about this, and Tom and I are going to meet  
23 with County Executive Levy in the next few  
24 weeks to talk about what role he wants to  
25 play in this effort.

1 Suffolk County Planning Commission 7/1/09 17

2 Obviously, there are many aspects to a  
3 comprehensive plan.

4 What are our strengths and weaknesses as  
5 a county;

6 What are our infrastructure needs;

7 How do we preserve enough farmland and



8 open space, and how much is enough;  
9 How do we make sure we have the kind of  
10 housing we need;  
11 How do we best encourage economic  
12 development and where.  
13 This will likely be a large effort over  
14 a long time, but we'll start today.  
15 The second item that we've been focusing  
16 on in terms of our goals is to work with the  
17 towns and villages to pursue the critical  
18 county-wide land use priorities that this  
19 commission has identified, and to share  
20 information and develop common approaches to  
21 address the common land use challenges  
22 municipalities face across Suffolk County.  
23 Now, the output from our task force  
24 effort can take many forms. We may, in some  
25 instances, propose formal policies. We may

1 Suffolk County Planning Commission 7/1/09 18  
2 propose model codes, best practices,  
3 statement of principles, or even just  
4 checklists.

5 The goal, of course, is not to try to do  
6 everything, but to do some meaningful things.

7 Again, I met with the county executive  
8 recently, he's very supportive of this  
9 effort.

10 I also had the privilege of meeting with  
11 Smithtown Supervisor Pat Vecchio in the last

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12 week or so. He's now the ninth supervisor  
13 that I've had a chance to sit down with and  
14 talk about this with, and he's excited about  
15 it. He asked to be on the public safety task  
16 force. And we anticipate him contributing to  
17 that, particularly as a result of his  
18 background as a former police officer.

19 I also met with Congressman Israel's  
20 staff in D.C. Congressman Israel wants to  
21 know when the next energy and environment  
22 task force meeting is, he would like to try  
23 to attend. He is very supportive of, you  
24 know, us helping lead an effort to get -- to  
25 help towns and municipalities work together

1 Suffolk County Planning Commission 7/1/09 19  
2 on energy issues.

3 Also, I had a chance to meet with  
4 Kevin Law from LIPA. They are very  
5 supportive of the effort, in particular, on  
6 the energy front with regard to trying to get  
7 some standardization across the county in  
8 terms of permitting processes for solar  
9 installation and energy conservation. They  
10 are looking to us and our task force to help  
11 come up with a standard that works. And  
12 they -- and Kevin indicated to me that he  
13 would be willing to put monetary resources  
14 behind whatever standard we came up with to  
15 help incentivize the towns and villages to  
16 work towards that common standard. So

17 certainly, having LIPA's financial support of  
18 that effort is a big plus.

19 Also, the Long Island Regional Planning  
20 Council has asked to learn a little bit more  
21 about our task force effort, with an eye  
22 towards endorsing this as an effort -- this  
23 effort as kind of a hallmark of regional  
24 thinking on Long Island. And next week  
25 Constantine and Adrienne and I are going to

1 Suffolk County Planning Commission 7/1/09 20  
2 present to them.

3 So that's kind of some overview of  
4 things that are happening.

5 I also, actually, just got a call, as I  
6 was walking here, from the town councilman  
7 from Smithtown, Robert Creighton. He's the  
8 former police commissioner of Suffolk County.  
9 He asked to be involved in the public safety  
10 task force as well. So that's new news for  
11 you.

12 COMMISSIONER BRAUN: Thank you.

13 CHAIRMAN CALONE: So we continue to get  
14 elected officials interested in working with  
15 us in putting together some useful guidelines  
16 and proposals.

17 So that's that.

18 I would like for maybe each of the task  
19 force heads to give a quick, you know, update  
20 on anything they want to share.

21 Maybe we'll start with you, Bob, with  
22 public safety.

23 COMMISSIONER BRAUN: Yeah, the public  
24 safety task force is growing, I hear, by  
25 leaps and bounds. I'm glad to hear that

1 Suffolk County Planning Commission 7/1/09 21  
2 Councilman Creighton is going to be joining  
3 us. We have identified a lot of good  
4 resources in this area, and the members of  
5 the commission who are members of the task  
6 force will be analyzing some of it and  
7 parcelling it around for the public officials  
8 to vet and comment on. So we're making some  
9 progress and we hope to continue to make some  
10 more.

11 CHAIRMAN CALONE: Thanks. Thanks, Bob.  
12 Next, why don't we turn to Vince with  
13 the accessible design and smart growth task  
14 force.

15 COMMISSIONER TALDONE: I would just like  
16 to report quickly that Charla and I met with  
17 some State DOT personnel regarding the State  
18 Seniors Program, which is an initiative of  
19 the governor and DOT, to work on particular  
20 intersections throughout Suffolk County in  
21 order to find ways to improve pedestrian  
22 safety. Again, focussing on senior safety,  
23 but, of course, that applies to many others.

24 The first intersection is the County  
25 Road -- excuse me, State Road 25 in Smithtown

1 Suffolk County Planning Commission 7/1/09 22  
2 between New York Avenue and 111 where DOT is  
3 looking at alternate materials for  
4 crosswalks, specialized signals that count  
5 backwards to give a person an idea as to how  
6 much time they have left and whether they  
7 should attempt to cross the street, reducing  
8 the width of the crossing area, and other  
9 measures that might actually increase safety.

10 And the excitement in this endeavor is  
11 really related to how the engineers are  
12 studying the intersection, what businesses  
13 and residences are nearby, accident reports,  
14 pedestrian injuries, and try to figure out  
15 what people are trying to do, and what's  
16 happening on the road before they propose  
17 particular improvements that would encourage  
18 folks who may be, in fact, terrified and  
19 don't use the intersection because they just  
20 can't get across, and that applies to lots of  
21 seniors who are just scared off by the threat  
22 of this intersection.

23 So it's a great effort, there's some  
24 very senior staff involved, and we are going  
25 to be participating there.

1 Suffolk County Planning Commission 7/1/09 23  
2 And in our other front on home design in

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3 terms of accessibility, we believe that  
4 Suffolk Community Council will, in fact, be  
5 getting the state grant that we will be  
6 working with them on to promote accessible  
7 design throughout the towns and villages in  
8 the county. And so we're pretty excited  
9 about that as well.

10 CHAIRMAN CALONE: Thanks, Vince.

11 And I think that Commissioner Holmes had  
12 a chance to speak actually in Shelter Island  
13 about that issue, if you want to just share  
14 for a moment.

15 COMMISSIONER HOLMES: I did. And they  
16 are -- they have been so wary of the  
17 energy, the -- you know, the energy  
18 efficiency that had been proposed a few weeks  
19 earlier, that I could see that this is  
20 something that -- though it's much simpler  
21 and much easier to implement, and our  
22 building department is very much behind it  
23 because the building inspector and his  
24 sister, the permit administrator -- this is  
25 Shelter Island -- they --

1 Suffolk County Planning Commission 7/1/09 24

2 (Laughter)

3 COMMISSIONER HOLMES: -- they -- they  
4 had to tear down their mother's house and  
5 rebuild it. And they didn't have these  
6 standards to go by, so they kept having to  
7 redo doors and whatnot, which feeds right

8 into what we're trying to achieve.

9 So with their backing, I'm hoping that  
10 the town board will be able to give positive  
11 consideration to the simple amendment to the  
12 building code. I hope.

13 CHAIRMAN CALONE: Thank -- thank you,  
14 Linda. That's great that you had a chance to  
15 speak with the town board about that. Thank  
16 you.

17 And next, I'll turn to Sarah with the  
18 energy and environment, and we had the  
19 kickoff for that a few weeks ago. So --

20 COMMISSIONER LANSDALE: Thank you so  
21 much.

22 I want to thank all the members of the  
23 commission who attended the meeting and who  
24 are participating in the ongoing efforts of  
25 this task force, including Job and Adrienne

1 Suffolk County Planning Commission 7/1/09 25  
2 and Chairman Calone, as well as Constantine.  
3 Thank you all for participating.

4 We had about ten people show up for the  
5 meeting, and it was an exciting kickoff. I  
6 want to thank the Town of Brookhaven for  
7 hosting the meeting. And we had great  
8 representation from many towns and villages  
9 across Suffolk County. And we hope to --  
10 what we're doing is dividing up into sub-task  
11 forces, looking around -- looking along the

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12 lines of energy and some other issues  
13 relating to the environment, and a bunch of  
14 us are heading up the sub-task forces of the  
15 task force. It's very complicated.  
16 CHAIRMAN CALONE: We like to multiply  
17 task forces.  
18 COMMISSIONER LANSDALE: Exactly.  
19 And I would like to acknowledge Jason,  
20 who is an intern with me at Sustainable Long  
21 Island who's here in the audience today.  
22 He's actually going to be doing the -- some  
23 of the background research to support this  
24 task force.  
25 Thanks.

1 Suffolk County Planning Commission 7/1/09 26  
2 CHAIRMAN CALONE: Thank you, Sarah. And  
3 thank you, also -- you know.  
4 SECRETARY ESPOSITO: Do you have the  
5 next meeting schedule? No; right?  
6 COMMISSIONER LANSDALE: No. The next  
7 step for this -- for this is all of the  
8 subcommittees are going to be hosting  
9 conference calls. So we're going to  
10 coordinate with all of you about conference  
11 call dates.  
12 CHAIRMAN CALONE: Thanks, Sarah.  
13 Adrienne couldn't be there, she was busy  
14 overthrowing the New York State Senate that  
15 day in Albany.  
16 (Laughter)



17 COMMISSIONER LANSDALE: It worked.  
18 CHAIRMAN CALONE: It worked. It worked,  
19 yeah. For better or worse, and we'll leave  
20 that to others to determine.  
21 But, Sarah, thank you very much.  
22 It was great, of course, to see  
23 representatives from the Town of Riverhead  
24 and Islip and Brookhaven. And I got a kick  
25 out of the fact that we had the -- I think

1 Suffolk County Planning Commission 7/1/09 27  
2 the easternmost mayor from Greenport there,  
3 as well as the westernmost mayor from Lloyd  
4 Harbor there. So it -- it certainly -- you  
5 know, we're certainly seeing, you know, some  
6 real interest, and the next steps are the  
7 critical ones.

8 Like I said, the fact that LIPA is  
9 willing to kind of use this forum as the way  
10 to kind of look at trying to create some  
11 standardization on energy conservation and  
12 solar for us, and maybe also for Nassau, is I  
13 think a very positive step.

14 So we also have Constantine with the  
15 housing task force.

16 VICE CHAIRMAN KONTOKOSTA: Thank you,  
17 Chair.

18 Yes, the -- we're very excited. We have  
19 great participation from a number of  
20 different perspectives, varied interests and

21 07 01 09\_Planning\_Commission.txt  
groups from across the county, so we're  
22 excited about that.

23 We have our kickoff -- kind of full task  
24 force kickoff meeting that's going to be  
25 scheduled for later this month. And I would

1 Suffolk County Planning Commission 7/1/09 28  
2 I like to thank John Corral at this point for  
3 putting together a lot of important  
4 background information so that we could  
5 really hit the ground running and -- and have  
6 a good framework of kind of where we are in  
7 terms of housing on Long Island and where  
8 we're trying to -- to get to. So thank you  
9 for that, and look forward to it.

10 CHAIRMAN CALONE: Thank you, sir.  
11 Appreciate that.

12 VICE CHAIRMAN KONTOKOSTA: Yup.

13 CHAIRMAN CALONE: Barbara, do you want  
14 to -- do you have anything on the master  
15 plan up- --

16 COMMISSIONER ROBERTS: Just --

17 CHAIRMAN CALONE: -- idea?

18 COMMISSIONER ROBERTS: -- quickly.

19 We have reached out to get documents  
20 from a number of professional planners, and  
21 it does appear that there's a tremendous  
22 number of existing documents already that are  
23 best practices on how to do this. So this is  
24 evolving as a resource list. As I always  
25 have said, also, that this becomes a priority

1 Suffolk County Planning Commission 7/1/09 29  
2 to me personally in August. I'm coming off  
3 of a number of projects, so most of the work  
4 will be done in August.  
5 CHAIRMAN CALONE: Well, appreciate that,  
6 and appreciate, you know, others who will be  
7 helping you out. So thank you.  
8 Bottom line, I think we're at this point  
9 kind of nearing finalization of our task  
10 force membership. You know, we'll have a few  
11 electeds probably dribbling and drabbing in,  
12 but --  
13 (Laughter)  
14 CHAIRMAN CALONE: I mean that in the  
15 best possible sense of the word, dribbling and  
16 drabbing.  
17 I have for all of you a list of the task  
18 force members, you'll -- you'll see that  
19 somewhere.  
20 I'll pass this out. You'll see that  
21 it's in very small print because we have so  
22 many members of the task forces, and I  
23 decided to put it on one page. But, bottom  
24 line, I think that we're at a spot where we  
25 need to, you know, now be -- you know, we

1 Suffolk County Planning Commission 7/1/09 30  
2 have our membership, we have our advisors

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3 kind of in place. We really want to use this  
4 next month to finish defining those  
5 achievable goals and start having those  
6 meetings and calls towards achieving those  
7 goals.

8 So thank you all to all the -- the  
9 leaders, and if you can't read it, I  
10 apologize.

11 SECRETARY ESPOSITO: Does this come with  
12 a magnifying glass?

13 CHAIRMAN CALONE: That's all right.  
14 That doesn't include the sub-task forces.

15 But, anyway, suffice to say that we have  
16 a lot of people involved in this -- this  
17 effort now, and we want to thank all of you  
18 for helping build it into -- into what it is.

19 Just a couple last notes, housekeeping.

20 Tom and I are on the agenda at the  
21 county legislature in a few weeks to present  
22 the commission's annual report that we all  
23 adopted last month.

24 Today we're going to put together a  
25 small group of -- to look at our

1 Suffolk County Planning Commission 7/1/09 31  
2 jurisdiction, as well as a small group to do  
3 an oversight of the comprehensive plan.  
4 We'll talk about that a little later.  
5 Our counsel, Linda Spahr, is going to  
6 be, hopefully, next month, giving us some  
7 guidance on involvement in outside

8 activities. So we look forward to that.

9 Lastly, the intermunicipal agreements.

10 I just want to give you a quick update on  
11 that. We have -- about half the towns are  
12 now signed off on the intermunicipal  
13 agreements. I think they're about a third of  
14 the villages. Supervisor Vecchio told me  
15 that they are on board, they just need to get  
16 it on their town board agenda. I know Linda  
17 spoke with Supervisor Dougherty about it in  
18 Shelter Island. I have a follow-up call with  
19 him on that. And I think East Hampton --

20 I don't know if we have any new news out  
21 of East Hampton, Job, but I know they were  
22 kind of getting towards finalizing --

23 COMMISSIONER POTTER: I think it's --  
24 they call it with the town attorney.

25 CHAIRMAN CALONE: Okay. And that's to

1 Suffolk County Planning Commission 7/1/09 32

2 be determined in a length of time, I assume.

3 COMMISSIONER POTTER: I'll call them.

4 CHAIRMAN CALONE: Okay.

5 Anyway, John Corral is keeping a list of  
6 who signed up. I think we'll probably need  
7 to set a strategy for following up,  
8 particularly with the villages who we haven't  
9 heard from.

10 Lastly, I met with Pat Foye recently,  
11 he's a former head of Economic Development

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12 for New York State. He had some ideas on how  
13 we might better consider some economic  
14 development impacts, particularly the big  
15 projects we look at. So it's something that  
16 I'll be talking to some of you about going  
17 forward.

18 And the planning for our fall conference  
19 continues to go forward. We're spotlighting  
20 town and village innovations. The county  
21 executive said he'd like to attend, and I  
22 think we have some -- the classes are largely  
23 set for the fall conference for -- we're  
24 finalizing that now.

25 So that's my report, and I'll turn it

1 Suffolk County Planning Commission 7/1/09 33  
2 over to Tom.

3 DIRECTOR ISLES: Thank you,  
4 Mr. Chairman.

5 A few things to report from the  
6 departmental perspective.

7 First off is, we've kept you informed on  
8 a project we're actually working with Public  
9 Works on, which is the Sagtikos Corridor  
10 Transportation Land Use Study. It is a new  
11 tech study through the New York Metropolitan  
12 Transportation Council funded. It's been  
13 kind of a long process in getting to this  
14 point, but we do now have -- the bid process  
15 has been complete, and the bids are now  
16 submitted to the Evaluation Committee for

17 review. So we're hopeful that there will be  
18 selection of a firm at the -- enter into a  
19 contract and actually get that project  
20 underway.

21 That's obviously the epicenter of  
22 significant development in Western Suffolk  
23 County, grounded by the Heartland Town Center  
24 project, but also noted with Tanger Factory  
25 Outlet Center in Deer Park, PJ Ventures, and

1 Suffolk County Planning Commission 7/1/09 34  
2 so forth. So it's an area that really needs  
3 attention in planning in a coordinated manner  
4 between the various municipalities who will  
5 be involved in this effort, as well as some  
6 of the jurisdictions; the state, the county,  
7 the towns as well. So we will keep you  
8 posted as that proceeds.

9 Secondly, previously I have mentioned to  
10 you about a major amendment to the county's  
11 farmland program. We've actually had great  
12 assistance on that from Linda Spahr. Most of  
13 the staff work is being done through Jessica  
14 Kalmbacher. We're now completed with  
15 draft number, I think it's 41 we're up to at  
16 this point. But we've done extensive  
17 stakeholder outreach. We've made a number of  
18 changes to try to accommodate as many of the  
19 concerns with that. But the county's  
20 program, which is now 30 years old, we have

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21 about 10,000 acres of farmland protected in  
22 the county program, but it is outdated in a  
23 number of factors, not the least of which  
24 is -- particularly with enforcement, modern  
25 definitions of alternative energy, systems,

1 Suffolk County Planning Commission 7/1/09 35  
2 and so forth. So we are hoping to finalize  
3 that. I would like to present it to you,  
4 perhaps, at the August meeting, if not  
5 September, and then we'll submit that to the  
6 legislature.

7 Heartland, speaking of which with the  
8 prior matter, as I indicated, we attended the  
9 public hearing along with the chair of the  
10 planning commission on May 28th. The comment  
11 period is open until July 28th. The  
12 department -- here again, speaking for the  
13 department, will be submitting comments.  
14 But, here again, just so the commission is  
15 aware, since this is the largest project  
16 development project in the history of Suffolk  
17 County and will most certainly be subject to  
18 commission review.

19 I'll also point out that we had received  
20 some informal inquiries from two adjacent  
21 towns about the process for commission  
22 review, and also about the process for an  
23 objection at the County Planning Commission  
24 level. We will be -- we made an informal  
25 inquiry to the Department of Law. I will be



1 Suffolk County Planning Commission 7/1/09 36  
2 making a formal request for an opinion from  
3 the Department of Law. Specifically, how the  
4 commission's role will be defined, and if  
5 that process were to be triggered. Here  
6 again, I will keep you posted on that.

7 Another departmental project, here  
8 again, just for update purposes, is we are  
9 engaged in a feasibility study on the  
10 restoration of Robertson Duck Farm property,  
11 which is a county park, about 80 acres, in --  
12 in the vicinity of the Wertheim National  
13 Wildlife Refuge in the Carmans River  
14 corridor. It's an example of, here again,  
15 one of the 90 or so duck farms we had in  
16 Suffolk County. We have two left right now.  
17 And these duck farms can almost be compared  
18 to rollo brownfields. They have extensive  
19 environmental degradation, but there are also  
20 opportunities for restoration in terms of  
21 bringing it back to a natural environment.  
22 So we are halfway through, at this point,  
23 that study, and we'll keep you posted as  
24 that's completed.

25 The chair mentioned the federation event

1 Suffolk County Planning Commission 7/1/09 37  
2 which is scheduled for October 21st at

3 Brookhaven National Lab. We are finalizing  
4 the program. We are planning a program, here  
5 again, in consultation with the commission  
6 that will feature town and village  
7 initiatives in particular, and maybe a panel  
8 discussion.

9 We still have I think two or so vacant  
10 slots out of the nine courses that are  
11 offered. So any comments, suggestions, ideas  
12 from any of the commission members would be  
13 welcomed. We do want to finalize the program  
14 within the next two or so weeks so we can  
15 then meet our deadline on having the program  
16 out right after Labor Day, here again, to  
17 keep that fresh.

18 Next item is the commission has  
19 periodically had commission training  
20 sessions. Certainly, the federation event  
21 qualifies for that. We did talk about doing  
22 one for this meeting, but there was a  
23 conflict with an earlier event today. I'll  
24 just mention that -- that depending on where  
25 the commission wants to go, we can offer a

1 Suffolk County Planning Commission 7/1/09 38  
2 training session, if you would like, at a  
3 subsequent meeting, just let us know and we  
4 will put it together. If you want to do it  
5 for August, we would need, you know, at least  
6 a couple of weeks notice for that.

7 We do have a presentation a little later  
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8 on in the agenda on a rental survey that was  
9 conducted by the department through Peter  
10 Lambert, and we will hear more about that in  
11 a few minutes.

12 As far as the annual report, that is  
13 complete. We are in the final production and  
14 printing stages. It will probably be done in  
15 the next -- certainly within the next two  
16 weeks, probably within the next ten days or  
17 so. Our Cartographic Department,  
18 GIS Department is handling that. As the  
19 chair indicated, we are scheduled to appear  
20 at the Environment Planning and Agricultural  
21 Committee on July 27th, and certainly, it  
22 will be available then. We will certainly  
23 distribute that to you, and then, as the  
24 commission may desire, we can obviously do a  
25 broader distribution as you see fit.

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2 We do have two other items on the agenda  
3 later today. One dealing, as the chair  
4 indicated, with the comprehensive plan update  
5 that we'd like to discuss with you further.  
6 We also have a resolution on for the  
7 commission to consider supporting the  
8 county's aquaculture leasing program in the  
9 Peconic Bay system, and we'll talk about that  
10 further.

11 But as a final item, Dave -- the chair

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12 was in my office a month or two ago and  
13 happened to see that I had a copy of the  
14 annual report of the planning commission from  
15 1960. It was rather interesting, and so I  
16 brought it over today, I'm going to circulate  
17 it. So in 49 years from now, when somebody's  
18 reading back on the annual report you just  
19 adopted, it will give us a context. But  
20 what's interesting, as it relates to  
21 aquaculture, is one of their recommendations  
22 was -- in 1960 was, we've got to clean up  
23 this aquaculture mess out there and come up  
24 with a viable program. So it's a nice segue  
25 to the present.

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2 Thank you.

3 CHAIRMAN CALONE: And 49 years later,  
4 we're getting to that.

5 COMMISSIONER HOLMES: May I ask Tom a  
6 question?

7 CHAIRMAN CALONE: Linda, you can ask and  
8 he'll yell.

9 COMMISSIONER HOLMES: Tom, I wanted to  
10 ask you, there was a lot of excitement on  
11 Shelter Island recently because the heir to  
12 our historical Sylvester Manor has set up  
13 organic farming there, and there was some  
14 talk about Sylvester Manor possibly being a  
15 participant in the agricultural -- the  
16 preservation program, which would be

17 wonderful because there isn't any active  
18 preservation of this landmark itself, and  
19 it's, I believe, 400 acres. And so now that  
20 Bennett has reinstated organic farming --  
21 this had been known as the oldest continually  
22 operating plantation in the northern part of  
23 the United States. And I just wondered if  
24 there had -- if they were getting some  
25 feedback from the county on that, or was this

1 Suffolk County Planning Commission 7/1/09 41

2 just their wishful thinking?

3 DIRECTOR ISLES: No, in fact, this was a  
4 matter that was taken up by the Suffolk  
5 County Farmland Committee, of which county  
6 planning does provide staff support to that  
7 committee, and actually I sit on the  
8 committee.

9 That was taken up at their meeting on  
10 May 27th. The Farmland Committee did pass a  
11 resolution recommending that the agricultural  
12 portions of Sylvester Manor, which I think at  
13 this point are about 83 acres, be included in  
14 the county purchase development rights  
15 program. Subsequently, the county executive  
16 took that recommendation and submitted a  
17 resolution to the legislature to request  
18 authorization for that. So that's now in the  
19 pipeline.

20 COMMISSIONER HOLMES: Oh.

21 DIRECTOR ISLES: I think it's going to  
22 be -- it's been very strongly supported,  
23 certainly, by the Farmland Committee and the  
24 county executive. It is an incredible site.  
25 It's almost worth a site visit --

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2 COMMISSIONER HOLMES: It is.

3 DIRECTOR ISLES: -- by this committee at  
4 some point. But it is --

5 COMMISSIONER HOLMES: Wouldn't that be  
6 nice.

7 DIRECTOR ISLES: -- moving along and it  
8 is real at this point.

9 CHAIRMAN CALONE: For once Linda  
10 wouldn't have to take a boat to our meetings,  
11 so -- you know.

12 COMMISSIONER HOLMES: But it is  
13 incredible to see because --

14 DIRECTOR ISLES: Yeah, it is.

15 COMMISSIONER HOLMES: -- the manor house  
16 that's now standing was built in 1743, but  
17 the -- Sylvester Manor itself was established  
18 in 1652. So --

19 DIRECTOR ISLES: Right.

20 COMMISSIONER HOLMES: -- it is quite  
21 extraordinary.

22 Thank you.

23 CHAIRMAN CALONE: Any other comments or  
24 questions?

25 (WHEREUPON, there was no response.)

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2 CHAIRMAN CALONE: If not, thank you,  
3 Director Isles. And we'll move on to our  
4 presenters.

5 Commissioner Heaney is not able to join  
6 us today. We'll put him on the agenda,  
7 probably, for next month for a discussion  
8 about economic development around the county.

9 We do have with us Bill Hillman, chief  
10 engineer of the County Department of Public  
11 Works, who's going to talk a little bit about  
12 County Road 58.

13 Mr. Hillman, thank you for being here.

14 MR. HILLMAN: You're welcome.

15 We have received the letter or  
16 recommendation from the planning commission.  
17 I'd like to go through those. And we've  
18 evaluated them and addressed what we can at  
19 this stage. We do have a phased program that  
20 we would anticipate addressing for other  
21 issues. And I'd just like to go through them  
22 briefly one by one.

23 Installation of emergency vehicle  
24 preemptions. The Town of Riverhead needs to  
25 essentially identify the model that they

1 Suffolk County Planning Commission 7/1/09 44

2 would want to go with, and we'd be more than

3 happy to install those. What we typically do  
4 on a job of this nature is install the -- the  
5 wiring, and then subsequent, the town can  
6 come back and install the -- the actual unit.  
7 If the town would -- would identify a model,  
8 we would be more than happy to install those.

9 Upgrading the sidewalks for pedestrian  
10 safety. You know, we are restricted within a  
11 right-of-way, so -- we are maintaining a  
12 five-foot sidewalk and a minimum clearance of  
13 36 inches at the utility pole. It does meet  
14 ADA standards, and it's a very similar  
15 approach that we used on County Road 39. By  
16 all means, it's not what we would prefer to  
17 do, but it is within the right-of-way and it  
18 is -- it does meet all guidelines. So as  
19 indicated earlier, we think it's a better --  
20 ultimately, we're going to leave the road in  
21 better shape than it is right now. We  
22 would -- we'd love to have, you know, a  
23 two-foot utility strip with plantings in  
24 between. It would be great, but that  
25 right-of-way acquisition process would take

1 Suffolk County Planning Commission 7/1/09 45  
2 probably three to four years. And the  
3 overall larger project that -- is actually on  
4 the books, and what -- we would love to do  
5 it, but the price tags for that is 50 to  
6 \$70 million, and we just don't have that.



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MR. HILLMAN: Yes, ma'am.

SECRETARY ESPOSITO: What about the request from the testimony we heard earlier to have the 36 inches be on the grass side of the utility pole as opposed to the street side, so if someone, if -- if it happened, would just fall into the grass rather than fall into oncoming traffic? What about that?

MR. HILLMAN: And we're doing -- that was in our game plan to do that. We're practical, we're -- that's our game plan.

SECRETARY ESPOSITO: Okay. But when you say "we're practical," can you give us a percentage of the time; most of the time, some of the time, once?

MR. HILLMAN: I -- I don't know --

SECRETARY ESPOSITO: Okay.

MR. HILLMAN: -- the exact number, but I

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would say it's very few times that the pole would be towards the property line rather than towards the curb line. The majority of the instances, the poles would be along the curb line. In very rare instances, they would be at the property line.

SECRETARY ESPOSITO: Thank you.

MR. HILLMAN: So, again, 50 to \$70 million is a big, big price tag. We don't have those funds now. The department

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12 would love to build that road. It's a great  
13 road, but we just don't have the availability  
14 of funds at the moment.

15 Bus turnouts. We intend to have a  
16 multiple phase project. This initial phase  
17 that requires absolutely no right-of-way and  
18 will ultimately cost maybe 8 to \$9 million.

19 In the future, we're going to have a  
20 second phase which would come in and look at  
21 the bus stops. It takes us about three years  
22 to acquire property. You know, for acquiring  
23 property for the whole length of the road,  
24 which would be tens of millions of dollars,  
25 it would take three years, or for acquiring

1 Suffolk County Planning Commission 7/1/09 47  
2 very small parcels for specific bus turnouts,  
3 it would still take three years. Obviously,  
4 it would cost much less.

5 So our second phase of the project, we  
6 would go in and try and acquire the property  
7 necessary for bus turnouts.

8 In addition, during that phase, we will  
9 investigate the feasibility of medians and  
10 turnarounds. When you install medians, you  
11 don't eliminate access for the adjacent  
12 businesses, but you definitely restrict  
13 access. No longer can a vehicle make a left  
14 turn into that facility.

15 So if we -- we are -- the department,  
16 from a safety standpoint, is in favor of

17 medi ans. They're an excellent safety  
18 measure. However, they meet extensive  
19 outreach to the community. It's going to be  
20 a long planning process to do that. You need  
21 to have appropriate turnarounds.

22 What -- what we find is the destination  
23 stores, for example, a furniture store. If  
24 you're going to buy a couch and there's a  
25 place that you want to go to, you're going to

1 Suffolk County Planning Commission 7/1/09 48  
2 go there. And usually those businesses are  
3 not as vocal against medi ans. However,  
4 businesses such as pizzas -- pizza places,  
5 bagel stores, delis, their opinion is that  
6 nobody's going to turnaround to come to my  
7 store. And studies have shown that they're  
8 fairly accurate. A lot of times they'll  
9 continue down the street and go to a pizza  
10 place down the -- down the -- you know, up on  
11 the journey that they don't have to cross the  
12 medi an.

13 So we would love to install medi ans, but  
14 it's -- again, the right-of-way -- the  
15 right-of-way for the turnarounds that would  
16 be necessary could be expensive. But, again,  
17 it would be for the entire corridor, so we  
18 would look at those for spot locations.

19 So if we could -- if it's a reasonable  
20 cost and the community, both business

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21 community and local community, support the  
22 acquisition for jughandles, roundabouts,  
23 those types of things, then we would love to  
24 move forward, again, with a phase two that  
25 basically addresses possibly medians, but

1 Suffolk County Planning Commission 7/1/09 49  
2 definitely bus turnouts.

3 And the third phase would be the very  
4 large-scale project, if federal funds ever  
5 became available.

6 Just to give you -- everyone an idea --

7 CHAIRMAN CALONE: You were talking about  
8 a third phase?

9 MR. HILLMAN: Yeah --

10 CHAIRMAN CALONE: Okay. Sorry.

11 MR. HILLMAN: -- a little bit.

12 Just to give everyone an idea of -- when  
13 I say "federal funds," everybody thinks when  
14 federal funds are mentioned, Oh, they just  
15 fall from the sky. It's not really the case.

16 We get \$12 million a year from the feds  
17 to maintain and improve 1,400 miles --  
18 1,400 lane miles of county roads. So, you  
19 know, we have probably 60 -- 60 roadways all  
20 competing for that chunk of \$12 million. So  
21 when you put a price tag of 50 to  
22 \$70 million on a job, it's extremely  
23 difficult for us to do it without further  
24 assistance from the federal government and  
25 New York State.

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2 Did you have a question? I'm sorry.

3 CHAIRMAN CALONE: Nope. No.

4 MR. HILLMAN: So the raised medians we  
5 talked about.

6 Signalization for pedestrians. We will  
7 be including push buttons at all crosswalks  
8 and signalized intersections. So that's  
9 something where there's -- it's just standard  
10 practice.

11 Roadway lighting. An oddity of  
12 government is that lighting, even on a county  
13 road, is controlled and maintained by the  
14 towns. So, you know, we would refer that  
15 comment to the Town of Riverhead, which we  
16 would encourage to increase lighting where  
17 accidents are shown to have occurred more  
18 predominantly at night.

19 And landscaping. Under this project to  
20 the west we may have some opportunity for  
21 landscaping where we have a little more  
22 right-of-way. And in the areas where we do  
23 not have the right-of-way, we will be  
24 reaching out to adjacent property owners, and  
25 if they are amenable to it, we will install

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2 and plant trees, shrubs, anything really that

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3 they would have to maintain. It would be on  
4 their property, but we would install  
5 plantings on private property.

6 So that addresses the eight issues that  
7 were submitted at the end of May. I'd be  
8 interested in any questions or comments.

9 CHAIRMAN CALONE: Any questions?

10 COMMISSIONER HOLMES: (Indicating)

11 CHAIRMAN CALONE: Linda.

12 COMMISSIONER HOLMES: I have a question  
13 because we've all looked forward to this.

14 Is it your view that the widening of  
15 County Road 58 in and of itself will mitigate  
16 the traffic flow enough so that I am, in the  
17 future, I hope, not as terrorized as I am now  
18 by the 18 wheelers which refuse to use County  
19 Road 58 right now because it takes them too  
20 long and time is money to them. And they are  
21 careening along the North Road, and there  
22 isn't room for the two of us. And I'm  
23 wondering, A, you -- you feel that it's going  
24 to mitigate that, and B, how long it will --  
25 will it be before I can look forward to not

1 Suffolk County Planning Commission 7/1/09 52

2 being terrorized anymore?

3 MR. HILLMAN: Yes, that's a -- we're  
4 aware of that situation, and the North Road  
5 definitely is more of a local road. It  
6 winds, it has fixed objects, it's very close  
7 to the edge in numerous locations. So having

8 trucks on that road is really not desirable.  
9 And yes, we do believe that this project will  
10 alleviate the congestion and hopefully draw  
11 those trucks back to County Road 58.

12 This is the same exact thing that we did  
13 on County Road 39. I mean, everyone was  
14 screaming, my kids are sitting on the bus for  
15 two hours to get to school, the hospitals  
16 were complaining that they couldn't get  
17 nurses and doctors because no one would sit  
18 through the traffic. And it's the exact same  
19 roadway configuration within the same 66-foot  
20 of right-of-way. So yes -- and we're -- it  
21 worked -- as far as moving traffic, the  
22 template of County Road 39 has been  
23 fantastic. And yes, we've moved traffic, and  
24 we expect the same results here on County  
25 Road 58.

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2 As far as schedule goes, we received  
3 bids last week, which were very competitive  
4 bids. We will be awarding the contract  
5 within the next month to a month and a half.  
6 The schedule is to begin construction Labor  
7 Day -- yes, Labor Day '09, and to be complete  
8 before Memorial Day '10.

9 COMMISSIONER HOLMES: Oh, wow.

10 MR. HILLMAN: There's a half a million  
11 dollar bonus for the contractor if he

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12 finishes -- it's \$20,000 a day if he finishes  
13 early, up to a maximum of a half a million.  
14 So we want to get in and get out as quickly  
15 as we can.

16 CHAIRMAN CALONE: That's the right  
17 incentive to get them going, that's for sure.

18 SECRETARY ESPOSITO: Yeah.

19 COMMISSIONER POTTER: (Indicating)

20 CHAIRMAN CALONE: Job.

21 COMMISSIONER POTTER: Thank you for  
22 being here. I'd like to ask you two related  
23 questions.

24 Were there any changes made from -- in  
25 what you presented to us based on the

1 Suffolk County Planning Commission 7/1/09 54  
2 comments that came out of the commission, or  
3 did you just relate to us the plans that were  
4 already existing?

5 MR. HILLMAN: Those were general plans  
6 that were already existing. We knew and we  
7 wanted to talk -- the department knew we  
8 wanted to come back and -- and address  
9 potentials for medians and potentials for bus  
10 turnouts in a second phase. It was not  
11 included in our capital program, per se. We  
12 knew we wanted to do it, it was all in our  
13 minds and we intended to do that.

14 The county executive, through  
15 conversations with the chairman, is in  
16 support of that. So we will be introducing



17 that into our next capital program, and I  
18 think the input from this commission helped  
19 do that. As you know, we're in tight fiscal  
20 constraints, so without the input from the  
21 commission, I'm not sure that that second  
22 phase would have survived or even been  
23 introduced. But so, yes, there have been  
24 changes, but the actual plans that we have  
25 let -- in general, other than the emergency

1 Suffolk County Planning Commission 7/1/09 55

2 preemption, if the town identifies that, the  
3 plans are essentially as is.

4 COMMISSIONER POTTER: So you've kind of  
5 answered my question -- my second question,  
6 but my understand- -- this is a theoretical  
7 question.

8 In some counties in New York State,  
9 planning commissions like this do serve at  
10 least in an advisory capacity on projects  
11 which are being -- constructed projects being  
12 conducted by the county, in general. Do you  
13 think that that would be a useful thing for  
14 this commission to be more involved in an  
15 advisory capacity on projects that your  
16 department or other departments do?

17 MR. HILLMAN: I'm going to be very open  
18 and honest because that's the way I operate.

19 COMMISSIONER POTTER: I'm sure we'd like  
20 that.

21 MR. HILLMAN: I don't want to say yes or  
22 no. I would say we may want to have a  
23 dialogue on that to identify pros and cons to  
24 that. We have a tremendous bureaucratic  
25 layer that we need to go through presently.

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2 To add another layer onto that maybe  
3 problematic.

4 You know, I think there's a view that  
5 highway engineers, traffic engineers just  
6 want to put black- -- blacktop down and build  
7 roads. It's not the case. We have a traffic  
8 engineering group that is well versed in  
9 pedestrian mobility, bicycle paths and how to  
10 incorporate all those things into a highway  
11 project. At the end of the day, we have a  
12 budget that we need to stay within, and we  
13 design a project to the budget. And we -- we  
14 don't -- you know, and we also adhere to  
15 guidelines.

16 If something's going to be unsafe, we  
17 will not build it. If it's to guidelines and  
18 we feel that it is safe, we will progress the  
19 job. It may not be the job that we exactly  
20 want, but if we feel that it's -- we're  
21 leaving the roadway condition better than  
22 when we saw it, yes, we will move forward.  
23 And it may not be the project that everyone  
24 wants, but it's the project that we can  
25 deliver and we'll move forward. You know,

1 Suffolk County Planning Commission 7/1/09 57  
2 the large, grandiose 50, 60, \$70  
3 million jobs, they're great, we -- and,  
4 again, we would love to build those. Those  
5 are the roadways we would love to design, but  
6 we have to stay within the budget.

7 So I would say that that's a question we  
8 should maybe continue to -- to discuss. When  
9 you -- we can provide you with a comfort  
10 level that we're not, you know, engineers  
11 just looking to paint the world black so we  
12 can move vehicles. We do take into account  
13 the other two modes of traffic.

14 For example, Carlton Avenue on County  
15 Road -- which is County Road 17 in Central  
16 Islip. Again, we had to go within the  
17 existing right-of-way. We didn't have the  
18 time nor the funds to acquire property, which  
19 we would have preferred to do. I'm not sure  
20 the community would have preferred it.

21 The section I'm talking about is from  
22 Suffolk Avenue up to the Long Island  
23 Expressway. It has two schools on it. And  
24 it is essentially a residential road, other  
25 than the two schools. They are fronted by

1 Suffolk County Planning Commission 7/1/09 58  
2 residences, not businesses. And we would

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3 have been acquiring property and moving the  
4 roadway basically closer to their front step,  
5 which is not all that positive, however, we  
6 wanted to -- two schools with young kids, and  
7 our engineers went out and observed when the  
8 bell rings, what happens. They come out like  
9 ants and they're -- they're everywhere. And  
10 we realized we had to do a better job in this  
11 location with the other modes of traffic.  
12 Children ride bikes to school. They -- they  
13 predominantly walk to school. So in that  
14 instance, we worked with State DOT, actually,  
15 and their -- and their traffic crew, and came  
16 up with their minimum guidelines --

17 COMMISSIONER POTTER: I'm starting to  
18 feel guilty I've taken up too much of the  
19 commission's time with my question, but --

20 So you have an open mind about it?

21 MR. HILLMAN: Without a doubt. We do  
22 what we can and we're -- we're very open, and  
23 we'd like to -- to, you know, do the best job  
24 we can.

25 COMMISSIONER POTTER: Thank -- thank

1 Suffolk County Planning Commission 7/1/09 59

2 you.

3 CHAIRMAN CALONE: Thank you, Bill.

4 Thank you, Job.

5 Any other questions?

6 COMMISSIONER ROBERTS: (Indicating)

7 CHAIRMAN CALONE: Barbara.

8           COMMISSIONER ROBERTS: Could you give us  
9           a sense of how this contract could affect our  
10          local economy? Does most of this money go to  
11          local contractors, and what percent go to  
12          women-owned or minority-owned businesses?

13          MR. HILLMAN: The majority of our  
14          contracts are done by local -- local  
15          contractors. We do have a local preference  
16          law that would -- if someone outside of  
17          Nassau/Suffolk County were to win this, and  
18          the second bidder was within ten percent, we  
19          could go to the local firm. However, very  
20          rarely do firms -- contractors from outside  
21          Nassau/Suffolk bid on our work, unless it's  
22          real large stuff. Which we -- this was won  
23          by a local firm. And we do have a standard  
24          clause that we try -- we work very hard to  
25          achieve, which is 12 percent minority and

1           Suffolk County Planning Commission 7/1/09      60  
2           women-owned business participating.

3           CHAIRMAN CALONE: Thank you.

4           Anything else?

5           COMMISSIONER TALDONE: (Indicating)

6           CHAIRMAN CALONE: Vince.

7           COMMISSIONER TALDONE: Mr. Hillman, I'd  
8           like to say at first, I want to thank you for  
9           being here today as well. And I do fully  
10          understand that you have the staff skills  
11          that would be required to do the kind of road

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12 that communities would truly want, and I know  
13 you are limited by funding and -- and  
14 political direction, but I do want to address  
15 a few quick issues here.

16 First, I'd like to say, I support  
17 everything that was said earlier by Vision  
18 Long Island's representative, so I needn't  
19 repeat it. And I won't go through all of the  
20 suggestions we made at last month's meeting  
21 because those were all delivered to your  
22 office. But I do want to address a couple of  
23 key points.

24 One, on the signal preemption system.  
25 Our town has chosen a system. We forwarded

1 Suffolk County Planning Commission 7/1/09 61  
2 that in a letter from our town engineer to  
3 your department. There is only one system  
4 now that can be used due to a patent battle.  
5 So if other people were talking about  
6 possibly considering alternatives, there is  
7 no alternatives, there's one system, and that  
8 has been delivered to your department.

9 So am I correct in stating that if you  
10 get a copy of that request for the specific  
11 system, you will, in fact, install them into  
12 the lights so that all the town needs to  
13 do -- instead of just putting wires up there  
14 for us, all the town needs to do is get out  
15 there and purchase the equipment for the  
16 vehicle themselves, which can then operate

17 off those signals?

18 MR. HILLMAN: I have seen that -- that  
19 letter, and we are in discussion with Ken  
20 Testa, the town engineer.

21 There indeed is two systems. And we are  
22 aware that -- or I should say, two vendors  
23 that provide this equipment. We aren't aware  
24 that the town has selected a vendor.  
25 However, that vendor has two systems -- two

1 Suffolk County Planning Commission 7/1/09 62  
2 models. One is a strobe model, and one is a  
3 GPS-based model. So that's what we're trying  
4 to get clarified, because the fire  
5 departments need to know that town wide so  
6 that they can purchase their equipment. Are  
7 they going to purchase the -- the strobe  
8 equipment, or are they going to purchase the  
9 GPS equipment?

10 COMMISSIONER TALDONE: What is the time  
11 frame that you -- you need a final decision  
12 from our town engineer? When do you --

13 MR. HILLMAN: I mean, it's fairly  
14 flexible. The traffic signal work will be  
15 ongoing. I would say, you know, before --  
16 before Labor Day would be fantastic.

17 COMMISSIONER TALDONE: Very well.  
18 I'll -- I'll make sure that that happens, if  
19 I can.

20 A couple of other quick points.

21           Regarding pedestrian safety that you  
22 spoke of earlier. You did, and then, just to  
23 jump back a bit, talk about the accessibility  
24 to the smaller stores, people's choices of  
25 the pizzeria or the nail salon, making that

1           Suffolk County Planning Commission 7/1/09     63  
2           turn or they may continue driving and never  
3 come back. The cost of that convenience, of  
4 course, continues.

5           The injuries and accidents that we have  
6 regularly in Riverhead, head-on collisions,  
7 body parts all over the road, it's not  
8 pretty. This new plan does nothing to help  
9 address that, but yes, it will be easier to  
10 turn into the pizzeria and the nail salon  
11 without having to go around. So I'm fairly  
12 disappointed in this.

13           Now, I do understand that in a way it's  
14 a self-imposed hardship, you're narrowing the  
15 lanes, so now the left-hand U-turn would be  
16 too tight for cars to make. So you built the  
17 lanes too tight, now we can't make the  
18 left-hand turn, and thus, we can't build the  
19 median.

20           Leaving that aside --

21           MR. HILLMAN: Let me -- let me just  
22 clarify that.

23           Even if the -- the -- the lanes were  
24 larger than 11 feet, the standard 12 feet,  
25 that's still not going to allow for a bus, a



1 Suffolk County Planni ng Commi ssi on 7/1/09 64  
2 tractor trailer, or anything of that nature  
3 to do a U-turn. A vehi c- -- a car, even wi th  
4 the narrow lanes, may be able to do a U-turn.  
5 But, again, we have to think of all modes of  
6 traffi c; the buses and the deli very trucks,  
7 and thi ngs of that nature. They need a much  
8 wider turni ng radi us. So you need a -- a  
9 full enough turnaround, not just go to a  
10 traffi c signal and do a U-turn. That -- that  
11 doesn' t work.

12 COMMI SSI ONER TALDONE: So, actual ly,  
13 the -- the roundabout that Eli ssa was  
14 referring to earli er would be a way to meet  
15 between the main turn- -- roundabout out by  
16 the hospi tal -- there would be several in  
17 between -- that would be the opti on for  
18 larger vehi cles to turn around and head back.

19 MR. HI LLMAN: A roundabout or  
20 j ughandl es.

21 COMMI SSI ONER TALDONE: -- to do that.

22 MR. HI LLMAN: Correct.

23 COMMI SSI ONER TALDONE: Okay. There are  
24 a couple of then quick thi ngs. I won' t -- I  
25 promi sed everyone here I woul dn' t hold up the

1 Suffolk County Planni ng Commi ssi on 7/1/09 65  
2 whole meeti ng wi th thi s project, but

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3 pedestrian crossings, and particularly, you  
4 mentioned students before.

5 Harrison Avenue, which is about two  
6 blocks west of our hospital, is the street  
7 where our high school and junior high are  
8 located. At lunchtime, the kids are up there  
9 crossing Route 58, heading to the Taco Bell  
10 and wherever else they're going. Major  
11 intersection, major concern at least by me  
12 and others in the town for their safety.

13 The community hospital at Roanoke Avenue  
14 and 58 is not just any business, it's not  
15 just a nail salon, it's our community  
16 hospital. People arrive there on foot all  
17 the time, running across that intersection  
18 now, which only has two lanes and a center  
19 median, which is not a passing median. Now  
20 we're going to have four lanes, and people  
21 are expected to walk a block east or a block  
22 west, cross the street, and then come back to  
23 the hospital. It's not going to happen, they  
24 will continue to use the crosswalks by the  
25 traffic circle, and I'm afraid that this road

1 Suffolk County Planning Commission 7/1/09 66  
2 design just increases risks to them.

3 And we proposed -- in understanding that  
4 you can't possibly extend the project to --  
5 at this time to buy the additional  
6 right-of-way, we came up with several ideas  
7 including the one used at Brookhaven

8 Hospital, which is the lighted crosswalk.  
9 The amber lights go on as a person steps  
10 through the crosswalk.

11 We also suggested, as Elissa had  
12 mentioned earlier, changing the material of  
13 the crosswalks. So that when people come off  
14 the expressway in an expressway state of  
15 mind, they understand they're now entering a  
16 boulevard, a shopping district. There are  
17 crosswalks, their -- their wheels make a  
18 different sound when they cross the brick or  
19 concrete crosswalks. It just give them the  
20 visual cue to understand that there may be  
21 people crossing here.

22 Now, we've stressed that at the hospital  
23 we think something major needs to be done  
24 there to alert people as they're entering  
25 that circle that there will be or could be

1 Suffolk County Planning Commission 7/1/09 67  
2 pedestrians crossing. That doesn't require  
3 additional right-of-way, it doesn't require  
4 any kind of lane reconfiguration, it just  
5 requires using a little bit more money to buy  
6 some better material. And I leave the  
7 material to DPW. I know bricks are very  
8 expensive, you know, concrete is less, but  
9 these materials are used throughout the  
10 country in order to create that visual cue.  
11 And DOT is now working with us to see where

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12 they can install this in order to increase  
13 safety for pedestrians, and DPW is going in  
14 exactly the opposite direction.

15 So can you explain why that suggestion  
16 has not been incorporated into the revised  
17 plan?

18 MR. HILLMAN: Sure.

19 The request was to provide safer  
20 crosswalks, if I recall correctly, which  
21 we -- we believe we've already done. The  
22 textured or colored crosswalks generally are  
23 more downtown-type areas to beautify a  
24 downtown. In -- in traffic engineering and  
25 in trying to protect a pedestrian, what

1 Suffolk County Planning Commission 7/1/09 68  
2 you're really trying to do is capture the  
3 attention of the driver at all different  
4 hours of the day. Also, specifically at  
5 night when a pedestrian may be obscured due  
6 to low visibility light. The product that  
7 does that is the high reflective tape.

8 Now, typically what we'll do is we will  
9 install just bars on a crosswalk. When we  
10 want to give that crosswalk some punch, we  
11 create what's called a ladder where you have  
12 large paint or reflective material connecting  
13 the two bars so it looks like a ladder. And  
14 that's -- at night, especially, that's really  
15 what catches your eye.

16 So although a textured and/or a colored  
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17 crosswalk may look -- look very pretty, from  
18 a vehicular and pedestrian safety standpoint  
19 only, it really doesn't do the job.

20 So it's the high reflective materials,  
21 and the more of that you can get on the  
22 pavement, the better off we're going to be.

23 By all means, colored pavement in the  
24 crosswalk is something we can do, but don't  
25 think that it's going to improve safety.

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2 It's not. It actually may take away from  
3 that, because the black pavement and the  
4 white reflective is really good contrast. So  
5 it really identifies your crosswalk.

6 COMMISSIONER TALDONE: Well, I -- I  
7 don't agree with you on that, but I'll leave  
8 that one alone.

9 MR. HILLMAN: I have numerous studies  
10 that -- that --

11 COMMISSIONER TALDONE: No, I have  
12 numerous studies for you as well, so we  
13 can --

14 CHAIRMAN CALONE: Okay. We won't get  
15 into exchanging studies. Right.

16 COMMISSIONER TALDONE: We don't do that.

17 CHAIRMAN CALONE: Please continue.

18 COMMISSIONER TALDONE: Lastly, I just  
19 want to say that the Town of Riverhead has  
20 been working for years to provide additional

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21 right-of-way at our major -- for our site  
22 plan process. We've spent an enormous amount  
23 of time and energy bringing in bus shelters,  
24 trying to encourage the use of public  
25 transit.

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2 For each shelter that you take away,  
3 you're creating a dangerous environment for  
4 the bus to stop in a moving lane, which of  
5 course is illegal, but I doubt that our  
6 police officers will be giving your buses --  
7 the county buses ticket. Nonetheless, every  
8 time an accident happens, as was mentioned  
9 earlier when someone tries to get around the  
10 bus, any trial attorney worth his weight is  
11 going to blame the county at least partially  
12 for having stopped illegally in a moving  
13 lane. So you're creating a situation where  
14 the county is going to be facing some  
15 liability in the years which may cost -- in  
16 the years ahead which may cost quite a bit of  
17 money. But not -- you know, that's your  
18 choice to do.

19 I -- I just -- I guess I'm clear here  
20 that if we give you the decision -- the final  
21 decision on the preemption signals, you will  
22 put them into the light. That is what you  
23 said, and I --

24 MR. HILLMAN: Correct.

25 COMMISSIONER TALDONE: -- I'm

1 Suffolk County Planni ng Commi ssi on 7/1/09 71  
2 understanding that correctly?  
3 CHAIRMAN CALONE: When you say "we,"  
4 you're talking about the town.  
5 COMMISSIONER TALDONE: The town.  
6 CHAIRMAN CALONE: Correct. Okay.  
7 COMMISSIONER TALDONE: When the town  
8 provides you with the final choice, you will  
9 actually install those in the lights.  
10 You are using the reflective tapes on  
11 the -- on the crosswalks. And in the  
12 intersections where there's only two or three  
13 crosswalks, where pedestrians are expected --  
14 rather than following the natural course, are  
15 expected to go around and cross three times  
16 instead of once, would you consider revising  
17 those intersections to provide crosswalks to  
18 all four corners?  
19 MR. HILLMAN: Defi ni tely. And I don't  
20 know that -- I'd have to, again, review the  
21 plan, but in -- in my head I can't  
22 speci fi cally pick out a locati on that has  
23 three, but probably there's locati ons that  
24 have two. Crossing 58, you don't always need  
25 a crosswalk crossing the side street. So

1 Suffolk County Planni ng Commi ssi on 7/1/09 72  
2 i t's evaluated as we go through the design

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3 process. So yeah -- but yes, we'd be more  
4 than happy to revisit those circumstances --

5 COMMISSIONER TALDONE: Okay.

6 MR. HILLMAN: -- at those locations.

7 COMMISSIONER TALDONE: And just my last  
8 comment --

9 MR. HILLMAN: If I could just address  
10 one thing that you --

11 COMMISSIONER TALDONE: Sure.

12 MR. HILLMAN: -- stated for the record.  
13 Our review of the Vehicle and Traffic  
14 Law does not indicate that a bus stopping in  
15 the roadway is illegal. So I'm not -- if you  
16 could forward me your -- your sections of the  
17 Vehicle and Traffic Law that dictate that,  
18 we'd be more than happy to review that again,  
19 but our review indicates that a bus stopping  
20 in the travel lane is -- is legal.

21 COMMISSIONER TALDONE: Very well.  
22 I'll -- I actually got that from the  
23 Department of Public Works Transit Operations  
24 Division, but I'll get a copy and send it  
25 down the hall to you.

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2 MR. HILLMAN: Well, we coordinated  
3 with -- with the --

4 COMMISSIONER TALDONE: And Bob Shinnick  
5 is fine with this?

6 MR. HILLMAN: He would prefer bus  
7 turnouts, as would we. But when you say it's



8 illegal for a bus to stop in the lane, that's  
9 inaccurate.

10 COMMISSIONER TALDONE: Okay. I may  
11 stand corrected, but I will look into that.

12 MR. HILLMAN: Okay.

13 COMMISSIONER TALDONE: My last comment,  
14 and I really need to put this on record  
15 again, is the Town of Riverhead passed a  
16 comprehensive plan in 2003. This County  
17 Planning Commission -- well, I shouldn't say  
18 the planning commission, the planning  
19 department prepared a -- a smart growth  
20 policy plan in 2000, did some follow-up work  
21 in 2003. A lot of effort has gone into  
22 projecting this sort of mitigation measures  
23 that would be needed in order to make the  
24 growth that we anticipated along Route 58 to  
25 be done in -- in a coordinated and safe

1 Suffolk County Planning Commission 7/1/09 74  
2 fashion.

3 Much of what's been recommended by the  
4 planning department and the town's planning  
5 focuses are really being ignored in this  
6 plan. And I understand that you're saying  
7 it's not your choice to build within a  
8 limited budget, you'd rather build a better  
9 road. And I understand that fully, so please  
10 don't take this as a personal attack.

11 But I'll just say that I'm extremely

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12 disappointed that the Department of Public  
13 Works is ignoring the county's own planning  
14 recommendations and the town's planning  
15 recommendations in order to increase  
16 automotive capacity at the expense of every  
17 other mode of transit. But I thank you for  
18 coming here and talking to us.

19 CHAIRMAN CALONE: Thank you, Vince.

20 Any other comments or questions?

21 (WHEREUPON, there was no response.)

22 CHAIRMAN CALONE: If not, I'll get the  
23 last word.

24 Thank you for coming. And I want to  
25 thank you and the county executive for

1 Suffolk County Planning Commission 7/1/09 75  
2 certainly moving towards understanding some  
3 of the issues that we raised. I think that,  
4 you know, we are a merely advisory capacity  
5 here. But we hope that we've certainly  
6 raised some issues that have -- I think  
7 you've indicated, brought some things to the  
8 floor that maybe weren't, you know, at the  
9 top of the list. And I'm encouraged that the  
10 second phase is going to go forward in a way  
11 that was maybe more hypothetical in the past  
12 and maybe more real now.

13 I would encourage you particularly with  
14 regard to some of the things we heard with  
15 regard to the town having already negotiated  
16 some rights-of-way to move as quickly as you

17 can on those bus -- on those bus turnouts. I  
18 think that's a low cost issue -- item for the  
19 county, since the town has already done a bit  
20 of the work for us and -- and can  
21 significantly improve safety.

22 I will say simply that the only thing  
23 I'm disappointed with is -- you know, as a  
24 result of the conversations we've had with  
25 the county executive and you, is just with

1 Suffolk County Planning Commission 7/1/09 76  
2 regard to the pedestrian crosswalks. I  
3 think, you know, some of our conversations  
4 might have led us to believe that there might  
5 have been some -- for instances, the  
6 difference in the surface may have been  
7 something that could be looked at. But I'll  
8 leave that alone, and it's certainly your  
9 discretion. We're just here to kind of, you  
10 know, informally advise, because we don't  
11 even have formal advisory authority here.

12 But the good news is, we've gotten some  
13 of the information you needed from the town,  
14 and hopefully we've raised some issues that  
15 matter.

16 The only other thing I'm disappointed  
17 with is that we haven't been able to find  
18 some places where we could put the medians.  
19 I would encourage you to talk to  
20 Councilwoman Blass, who's here with us, after

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21 the meeting perhaps. And I know the town did  
22 some looking at that, and I think there was a  
23 study done that might be useful. You may  
24 even know about it, but I'm just simply  
25 throwing that out to you about where there

1 Suffolk County Planning Commission 7/1/09 77  
2 might be some possibilities for some medians.

3 But, again, thank you --

4 MR. HILLMAN: If I could just --

5 CHAIRMAN CALONE: -- for your  
6 willingness to -- to --

7 MR. HILLMAN: -- touch on that comment  
8 real quick.

9 CHAIRMAN CALONE: Yes, sir.

10 MR. HILLMAN: I have a set of plans  
11 marked up with all the driveway entrances and  
12 exits that show us we could probably put in  
13 about four medians in length of about 150 to  
14 250 feet. And what we determined is that  
15 just -- medians that pop up on a two-,  
16 three-mile stretch out of nowhere become more  
17 hazardous than helpful. We're in favor of  
18 medians, but they need to be consistent.

19 So we've taken a very hard look at it.  
20 And without restricting left turns in or out  
21 from a facility, which we wouldn't just go  
22 ahead and do, it would be very difficult to  
23 do medians right now.

24 CHAIRMAN CALONE: Okay.

25 MR. HILLMAN: But we have taken -- we  
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1 Suffolk County Planni ng Commi ssi on 7/1/09 78

2 took a second look at it, I have the plans  
3 with me if anybody would like to see them.

4 CHAIRMAN CALONE: Appreciate that. And,  
5 again, you can speak with some of the  
6 representatives from the town to get their  
7 feedback on that, but thank you.

8 And, also, look, the bottom line,  
9 this is a much needed improvement to  
10 County Road 58. And I think a lot of  
11 people -- Commissioner Holmes is not alone in  
12 her recognition that it's a problem there.  
13 So I think everyone understands the need to  
14 do it and do it timely, and we appreciate you  
15 balancing some of these safety issues.

16 MR. HILLMAN: Thank you.

17 CHAIRMAN CALONE: Thank you very much.

18 We're going to move on now to the Town  
19 of Riverhead's EPCAL project. This is --  
20 we're going to have a presentation with  
21 Dawn Thomas, which really just feeds right  
22 into kind of our vote on this topic.

23 So, Ms. Thomas, if you could, kind of  
24 a -- you know, a quick overview of the  
25 property, and then Andy, I think, will pick

1 Suffolk County Planni ng Commi ssi on 7/1/09 79

2 up from there with actual presentation to us

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on this.

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So thank you.  
MS. THOMAS: Okay. And thank you and good afternoon to everyone. Thanks for giving us the opportunity to present our amendment to the Pine Barrens Overlay District within the town code, the Town of Riverhead.

Most of you know that the EPCAL property was deeded to the town by the federal government by the Navy after Grumman departed. The original legislation was in 1993, and the ultimate transfer was in 1996 pursuant to a lengthy comprehensive reuse plan. In connection with that reuse plan, redevelopment was to occur to allow economic revitalization of the property to replace (inaudible) opportunities.

In any event, we're here today -- we have a -- we have some development projects in the works and pending, and we have a proposal to amend our Pine Barrens Overlay District.

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The EPCAL parcel is 2,900 acres. The original industrial core of that property was subdivided, that was 500 acres, and sold, and it's being redeveloped. The balance of the property, as I said earlier, is subject to some development proposals.

8 The amendment to our Pine Barrens  
9 Overlay District would treat EPCAL as one  
10 parcel for the purposes of applying the  
11 clearing limits from the overlay zone to the  
12 parcel.

13 As many of you are aware, the parcels  
14 located in -- I think it's in the -- there's  
15 an overview of the location, and then the  
16 next slide is a close-up, and then the  
17 following slide shows that the parcel's  
18 located partially in the Pine Barrens core  
19 area on the western end and the balance is  
20 located within the compatible growth area  
21 (indicating). The Pine Barrens plan requires  
22 that the property, and any property within  
23 the compatible growth area, be subjected to  
24 clearing limits of 35 percent -- 65/35  
25 balance. So 35 percent nonclearing areas,

1 Suffolk County Planning Commission 7/1/09 81  
2 65 percent redevelopment.

3 Part of the reason that the board was  
4 proposing this amendment was to establish  
5 nonclearing -- non-cleared areas prior to the  
6 redevelopment beginning, and also to ensure  
7 that non-cleared areas are as contiguous as  
8 is practicable, which is one of the goals --  
9 primary goals in the Pine Barrens plan.

10 The amendment that we're proposing is  
11 simple, I think you have a copy of it. The

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12 underlined portions are the additions, the  
13 non-underlined portions are what exists  
14 presently, and what exists presently is a  
15 mirror image of the current standards that  
16 the Pine Barrens Commission adopted pursuant  
17 to the Pine Barrens Legislation in 1985.

18 Part of the reason that the town board  
19 considered this amendment was the result of  
20 our Berman subdivision. The Berman  
21 subdivision was subject to a comprehensive  
22 development plan in -- between 2001 when that  
23 property was sold and 2005 when it was  
24 subdivided. The application of the clearing  
25 standards was developing into a piecemeal

1 Suffolk County Planning Commission 7/1/09 82  
2 scenario.

3 So you can see the green sections are  
4 some of the application's site-specific  
5 65/35 clearing limits (indicating).

6 And the next line --

7 CHAIRMAN CALONE: And, Dawn, that's the  
8 Berman? That -- that part, that development  
9 south of the runway there?

10 MS. THOMAS: That's correct. And it's  
11 outlined in the dash.

12 It's a little tough to see --

13 COMMISSIONER BRAUN: Just a little.

14 MS. THOMAS: -- but the comprehensive  
15 development plan --

16 (Laughter)



17 MS. THOMAS: Sorry. It looks better on  
18 my version.

19 The great thing about the comprehensive  
20 development plan for that subdivision was  
21 that it gave the developers a very clear  
22 understanding of what the development  
23 standards would be when they came to the --  
24 the parcel. And all the way on the right  
25 where the green arrow is our -- the

1 Suffolk County Planning Commission 7/1/09 83  
2 application, at that time, of the over- -- of  
3 the clearing standards, 65/35 --

4 COMMISSIONER HOLMES: Where is the green  
5 arrow?

6 MS. THOMAS: -- that resulted in --

7 SECRETARY ESPOSITO: It doesn't matter.

8 CHAIRMAN CALONE: The third column from  
9 the right.

10 MS. THOMAS: Yeah.

11 That shows --

12 CHAIRMAN CALONE: But you can't read it  
13 here.

14 MS. THOMAS: -- of the 500 acres, a  
15 total of 35 percent would be -- well, you're  
16 not going to be able to read it, but  
17 ultimately, the 35 percent would be -- remain  
18 uncleared and 65 redeveloped.

19 So in keeping with the theme of  
20 predictability in development, we thought it

21 07\_01\_09\_Planning\_Commission.txt  
would be helpful if we could -- and I think  
22 you can just go to the next slide --  
23 MR. CORRAL: (Compl ying)  
24 MS. THOMAS: -- treat EPCAL as one  
25 parcel while it still is, with the exception

1 Suffolk County Planning Commission 7/1/09 84  
2 of the industrial core, and establish  
3 predevelopment, the non-cleared areas. And  
4 so that's the public notice map (indicating).

5 And if you go to the next slide, I think  
6 it shows the overlay on the aerial.

7 MR. CORRAL: (Compl ying)

8 MS. THOMAS: You can see what areas  
9 we're looking at. Of course, the Pine  
10 Barrens core is there, and some other areas  
11 that we have selected based upon existing  
12 regulations that would preclude or restrict  
13 development.

14 SECRETARY ESPOSITO: But how did you  
15 define non-cleared areas? Did you define  
16 them as areas that have never been cleared,  
17 or have been cleared within -- you know,  
18 prior to 50 years ago? Was there some  
19 definition that you utilized when making this  
20 clarification?

21 MS. THOMAS: The existing Pine Barrens  
22 Overlay zoning in our town is a mirror of the  
23 County or the State Pine Barrens Commission.  
24 The definition of nonclearing is -- is the  
25 same. It's not different. And so to the

1 Suffolk County Planning Commission 7/1/09 85  
2 extent that parts -- parts of that  
3 property -- and I think one of the things  
4 that we considered at our level is that --  
5 the fact that property may have been cleared  
6 some years ago, and particularly on this  
7 property, probably 50 years ago, number one,  
8 created some habitats that may not have  
9 otherwise been created, and two, may be  
10 valuable, even though it's not pine trees,  
11 per se, but rather other individual  
12 vegetation.

13 So I don't know if that answers your  
14 question, but --

15 COMMISSIONER POTTER: (Indicating)

16 CHAIRMAN CALONE: Job, yeah.

17 COMMISSIONER POTTER: We don't have the  
18 benefit of having been at the public hearing  
19 which took place.

20 If someone were to step back and look at  
21 this and evaluate this, the natural habitat  
22 and the value of what's there, did you  
23 receive comment from any environmental  
24 organizations or people who are knowledgeable  
25 in that field on these green areas and

1 Suffolk County Planning Commission 7/1/09 86  
2 what -- how they match up with what is -- is

3 07 01 09\_Planning\_Commission.txt  
there and valuable on the site?

4 MS. THOMAS: We did receive quite a few  
5 comments in that regard, and I think it's  
6 important to mention at this point that this  
7 is a -- just a nonclearing map.

8 The development project -- the property  
9 was subject to a generic environmental impact  
10 statement that was extensive in the mid-'90s,  
11 and each and every site-specific -- or  
12 project that comes through will have a  
13 site-specific supplemental environmental  
14 impact statement. So any and all  
15 environmental conditions, which we know there  
16 are many at the property, will be addressed  
17 in those documents. So in addition to what  
18 we have here, there may be additional areas  
19 that are either preserved in -- completely  
20 or, you know, limited in terms of  
21 development.

22 So this is not a preservation map. I  
23 think I want to make that clear. It's a  
24 nonclearing map only. And there will be  
25 additional work done, extensive work, and

1 Suffolk County Planning Commission 7/1/09 87  
2 it's already begun on evaluating  
3 environmental conditions at the property.

4 COMMISSIONER POTTER: Maybe I didn't  
5 phrase the question as well as I could have.

6 (Discussion held off the record)

7 COMMISSIONER POTTER: So the chair asked

8 a good question which goes to this, too.  
9 What is -- this isn't my question, it's  
10 the chair's question.  
11 What is the green --  
12 CHAIRMAN CALONE: It's all of our  
13 question.  
14 MS. THOMAS: The green --  
15 COMMISSIONER POTTER: What is shown in  
16 green? What does the green mean?  
17 MS. THOMAS: I'm sorry. The nonclearing  
18 area that -- that the town establishes to  
19 be -- not to be cleared.  
20 COMMISSIONER POTTER: All right. So --  
21 COMMISSIONER BRAUN: Isn't some of that  
22 already cleared?  
23 COMMISSIONER POTTER: So my question,  
24 then, is -- my question is -- why is it  
25 green, I suppose, is what I'm asking.

1 Suffolk County Planning Commission 7/1/09 88  
2 What is the relationship between what's  
3 green and what's environmentally valuable on  
4 that property?  
5 MS. THOMAS: There are -- the reason  
6 that we selected the areas in green were  
7 principally because they were restricted by  
8 other regulations. Like in the Pine Barrens  
9 core, that's obviously a sensitive area. The  
10 area along the bottom part of the parcel, the  
11 southerly part, restricted by Wild Scenic

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12 Recreational Rivers Act. We also have  
13 Freshwater Wetlands, Article 24 Regulations,  
14 and that's restricted up in the upper  
15 right-hand corner, the northeast corner. And  
16 then along the runways is the potential --  
17 although not completely vetted  
18 scientifically, grassland -- potential  
19 grassland habitat.

20 COMMISSIONER POTTER: Just one last  
21 question, then I'll stop.

22 So I see that maybe three large -- what  
23 appear there to be three large blocks of  
24 forest that are not green. Are those areas  
25 that would be potentially protected down the

1 Suffolk County Planning Commission 7/1/09 89  
2 road or --

3 MS. THOMAS: Are you referring to on  
4 either side of the runways?

5 COMMISSIONER POTTER: Yes.

6 MS. THOMAS: Okay. Those would be  
7 subject to site-specific SEQRA review which  
8 could generate, depending upon what is  
9 discovered in those comprehensive  
10 evaluations, needs to be protected. So it  
11 could be habitat, it could be wetlands, it  
12 could be, you know, any number of  
13 environmental conditions that are there that  
14 are not a hundred percent done in the study.

15 COMMISSIONER POTTER: Thank you.

16 SECRETARY ESPOSITO: So then --

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MS. THOMAS: You're welcome.

SECRETARY ESPOSITO: -- this is really simply an exercise in illustrating what already needs to be protected? I mean, if it's -- by state and federal law. Wild and Scenic Rivers, State Pine Barrens Act, Wetlands Protection Act.

MS. THOMAS: Correct. That's correct. And I think we have an obligation to preserve

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those portions of the property pursuant to those regulations along with others, but --

SECRETARY ESPOSITO: Well, it's not an obligation, it's a legal mandate.

MS. THOMAS: Yes.

SECRETARY ESPOSITO: Okay. Okay.

MS. THOMAS: Same thing.

SECRETARY ESPOSITO: Okay.

MS. THOMAS: Obligation, legal mandate.

And we recognize our significant environmental assets on the property that will need to be protected, but we also have to do a nonclearing map. So at some point or another during the development of the property, whether it be now, when the property's still unified, or later, when the property's being divided to be redeveloped, we will have to establish that nonclearing area. So this is the area we have selected

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based on the --

22 CHAIRMAN CALONE: I think an important  
23 point here is this -- this is more than just  
24 one parcel here; right? What you've done is  
25 kind of looked at -- more holistically at the

1 Suffolk County Planning Commission 7/1/09 91  
2 piece of land and said, you know, Here's  
3 where -- as opposed to doing it piecemeal as  
4 individual -- you know, I think it's -- it's  
5 going to be a couple of different sites most  
6 likely here, let's look at the --  
7 holistically at the piece of land and say,  
8 let's say, a priori, what we want to make  
9 sure we're, you know, protecting.

10 MS. THOMAS: Yes.

11 CHAIRMAN CALONE: At a minimum, right?

12 MS. THOMAS: Yes.

13 CHAIRMAN CALONE: This has got to be a  
14 minimum.

15 MS. THOMAS: And that's correct.

16 The property is being -- in the process  
17 of being divided now. As I mentioned  
18 earlier, one of the -- the unfortunate  
19 developments in the Berman subdivision was  
20 that piecemeal application of nonclearing  
21 area.

22 The Pine Barrens plan specifically  
23 requires and recommends that we have  
24 contiguous areas. So while we still have a  
25 contiguous parcel, we thought it might be



1 Suffolk County Planni ng Commi ssi on 7/1/09 92  
2 appropriate for -- not only to acquire those  
3 areas for nonclearing, but also for  
4 predictabi lity for develo pers. And before we  
5 wind up backing ourselves into the process  
6 where the develo per comes in and makes a  
7 suggesti on, let's make the suggesti on for  
8 them and, you know, forward it from there.  
9 CHAIRMAN CALONE: Okay.  
10 COMMI SSI ONER HOLMES: (Indi cati ng)  
11 CHAIRMAN CALONE: Commi ssi oner Hol mes --  
12 COMMI SSI ONER BRAUN: (Indi cati ng)  
13 CHAIRMAN CALONE: -- and then  
14 Commi ssi oner Braun.  
15 COMMI SSI ONER HOLMES: Thank you.  
16 Havi ng spent quite a bit of time on that  
17 property, I was on Bobby Goodale's Advi sory  
18 Commi ssi on to the town for quite some time, I  
19 forget where the Navy brownfi elds cleanup  
20 site is on this map. If you'd show --  
21 MS. THOMAS: There were a few di fferent  
22 sites, and I'm -- I was tryi ng to use this --  
23 okay.  
24 One is here (indi cati ng). One is there  
25 (indi cati ng). Thi s one was also

1 Suffolk County Planni ng Commi ssi on 7/1/09 93  
2 (indi cati ng). And there's -- and I can't --

3 I'm not -- there's one right in this area  
4 that we just got concluded with that was  
5 turned over to the town (indicating).

6 COMMISSIONER HOLMES: So some are within  
7 the green area. Does that mean they've  
8 already been addressed? They've already been  
9 cleaned up, or they're still in the process?

10 MS. THOMAS: The larger piece here is  
11 still in the process (indicating), as well as  
12 this piece (indicating). This piece is  
13 underway at the moment, and they're starting  
14 over here (indicating). The piece in the  
15 center has been turned over to the town  
16 (indicating), and it's is being redeveloped  
17 with a metro-biofield. You may have heard --

18 COMMISSIONER HOLMES: Yeah.

19 MS. THOMAS: -- of that application.  
20 That's where that -- that project is going.  
21 And the corner piece up here is now -- was  
22 deeded to the town (indicating). As the Navy  
23 cleaned up the pieces, they turned them over  
24 to the town for redevelopment --

25 COMMISSIONER HOLMES: I see.

2 MS. THOMAS: -- pursuant to the  
3 original --

4 COMMISSIONER HOLMES: So there is still  
5 two parcels that the Navy is still working  
6 on?

7 MS. THOMAS: Correct.  
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8           COMMISSIONER HOLMES: Boy, it's taking  
9 them a long time. But it was a big --  
10           MS. THOMAS: Rather than be thorough.  
11           CHAIRMAN CALONE: And they had the  
12 wisdom of putting some right in the middle of  
13 a wetland, which is interesting.  
14           Commissioner Braun.  
15           COMMISSIONER BRAUN: Do I understand  
16 that the green overlay here constitutes  
17 35 percent of the entire parcel (indicating)?  
18           MS. THOMAS: The green overlay shown on  
19 this map is 29.68, but the green -- the  
20 Berman subdivision had its own separate  
21 mandate for 35 percent. So when you add that  
22 obligation to what we've mapped here, you get  
23 the 35 percent.  
24           COMMISSIONER BRAUN: Are there any  
25 already separately owned parcels within the

1           Suffolk County Planning Commission 7/1/09      95  
2 green area that would then be undevelopable  
3 as a result of this? In other words, it's  
4 not all owned in common anymore, it's in  
5 pieces already.  
6           MS. THOMAS: Only the black outlined  
7 section --  
8           CHAIRMAN CALONE: Between the runways.  
9           MS. THOMAS: -- between the runways,  
10 and --  
11           COMMISSIONER BRAUN: Yeah.

12 MS. THOMAS: -- you'll see there's a  
13 little flag lot down on the western side next  
14 to the Pine Barrens core.  
15 COMMISSIONER BRAUN: Right.  
16 MS. THOMAS: Those are the only two  
17 privately owned parcels.  
18 Next to the northeast pond is the Stony  
19 Brook -- Stony Brook Business Incubator,  
20 that's owned by the State of New York. But  
21 other than that, the town owns the balance of  
22 the acreage.  
23 CHAIRMAN CALONE: So, basically, all the  
24 green is in areas that's still town owned --  
25 MS. THOMAS: That's correct.

1 Suffolk County Planning Commission 7/1/09 96  
2 CHAIRMAN CALONE: -- which is the --  
3 MS. THOMAS: Yes.  
4 CHAIRMAN CALONE: -- reason why you're  
5 doing it now.  
6 MS. THOMAS: Absolutely.  
7 CHAIRMAN CALONE: Okay.  
8 All right. Any other thoughts,  
9 comments, or questions?  
10 I don't know if you had anything else  
11 you wanted to provide.  
12 MS. THOMAS: I think that's it.  
13 COMMISSIONER TALDONE: (Indicating)  
14 CHAIRMAN CALONE: If not, we'll move  
15 on --  
16 Oh, I'm sorry, Vince.  
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17           COMMISSIONER TALDONE: Just a quick  
18 comment in terms of a layman's point of view,  
19 since I'm not an environmental expert.

20           I mean, this seems to make quite a bit  
21 of sense to me, because even though some of  
22 those lands may have remediation measures  
23 that need to be taken in cleaning them up,  
24 they are -- they seem to me to be the key  
25 areas along the water, the river, the -- the

1           Suffolk County Planning Commission 7/1/09     97  
2 pond, the areas that would seem to me at face  
3 value to be most significant. So by setting  
4 this map now, we're letting everyone know  
5 what is to be left alone.

6           And in terms of enforcement in the  
7 future, it makes it quite a bit easier to  
8 have these contiguous parcels in that most  
9 significant area from an enforcement  
10 standpoint, because I've seen many other  
11 buffer zones in other areas going towards  
12 Ridge where buffer zones were there in the  
13 deeds and they gradually disappear over time.  
14 So while the clearing limits are complied  
15 with when the C of O is issued, if you go  
16 back a few years later, you find problems,  
17 and then you have to deal with those  
18 problems.

19           In this way, everyone knows when they  
20 come in, this is it to be left alone and it's

21 07 01 09\_Planning\_Commission.txt  
all contiguous, so it's pretty easy to  
22 identify and not make mistakes.  
23 So I think it's a great idea.  
24 CHAIRMAN CALONE: Okay, Vince.  
25 Bob, did you have anything else?

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2 COMMISSIONER BRAUN: No.

3 CHAIRMAN CALONE: Okay.

4 VICE CHAIRMAN KONTOKOSTA: Just one  
5 question.

6 CHAIRMAN CALONE: Constantine.

7 VICE CHAIRMAN KONTOKOSTA: Just a  
8 question on the green area shown.

9 Will that remain in town ownership, or  
10 are you planning on subdividing that and  
11 selling it with the individual eventual lots?

12 MS. THOMAS: It's hard to say now, but  
13 most of it will likely remain in town  
14 ownership. Certainly, the core -- the Pine  
15 Barrens core would remain in town ownership.  
16 Most likely any areas within the Wild Scenic  
17 Recreational Rivers area would also remain in  
18 town ownership. But it's hard to say at this  
19 point.

20 COMMISSIONER HOLMES: (Indicating)

21 CHAIRMAN CALONE: Commissioner Holmes.

22 COMMISSIONER HOLMES: Hasn't the town  
23 leased a lot of their -- or leased out to  
24 Grubb & Ellis the development outreach for  
25 the parcels which the town owns?

1 Suffolk County Planni ng Commi ssi on 7/1/09 99  
2 MS. THOMAS: Engaged them as our broker?  
3 COMMI SSI ONER HOLMES: Yeah.  
4 MS. THOMAS: I'm not sure who the broker  
5 is. I know it was at one time Grubb & Ellis.  
6 I think there's a --  
7 COMMI SSI ONER HOLMES: Is there another  
8 now?  
9 MS. THOMAS: I think the same real  
10 estate broker, Jack O'Connor, that we've been  
11 working with from the beginning is with  
12 another firm, and I'm not sure of the name,  
13 I'm sorry.  
14 COMMI SSI ONER HOLMES: Okay. Thank you.  
15 CHAIRMAN CALONE: Okay.  
16 Thank you, Dawn. Appreciate your  
17 time --  
18 MS. THOMAS: Thank you very much.  
19 CHAIRMAN CALONE: -- and -- and  
20 reviewing this for us. And I think we'll  
21 then move on -- unless there's other  
22 questions, we'll move on to our staff report  
23 on this project.  
24 Andy.  
25 MR. FRELENG: Thank you, Mr. Chai rman,

1 Suffolk County Planni ng Commi ssi on 7/1/09 100  
2 I adies and gentlemen of the commi ssi on.

3 The first regulatory item on the agenda,  
4 as you've indicated, comes to us from the  
5 Town of Riverhead. This is the referral of  
6 the Map Designating Non-Disturbance Areas  
7 Pursuant to the Pine Barrens Overlay  
8 District.

9 The jurisdiction for the commission is  
10 that the subject referral is an amendment to  
11 the zoning code. The subject property is  
12 adjacent to New York State Route 25, and the  
13 subject property is adjacent -- is within the  
14 Central Pine Barrens region of Suffolk  
15 County.

16 The applicants have explained to you  
17 that this is an application on the Town Board  
18 own motion for an amendment to the Riverhead  
19 Town Zoning Code, Article XXXV, Pine Barrens  
20 Overlay District, seeking to establish  
21 non-disturbance areas for the EPCAL property.

22 For the record, the property is -- I'm  
23 sorry -- this amendment is applicable to  
24 approximately 2,900 acres of the Enterprise  
25 Park at Calverton situated at the southeast

1 Suffolk County Planning Commission 7/1/09 101  
2 corner of Middle Country Road, which is  
3 New York State Route 25, and Wading  
4 River-Manorville Road in the hamlet of  
5 Calverton.

6 Access for the subject property  
7 currently is only one point of vehicular



8 access, and that is from the south. That is  
9 a multi purpose construc- -- employee access.  
10 At times a construction access is open from  
11 Route 25 at the north end of the property.  
12 At the time we did our site inspection, that  
13 construction access happened to be open.

14 Now, the proposed amendment is for the  
15 adoption of a map that will establish a  
16 65 percent clearing limitation on EPCAL  
17 property with designated non-disturbance  
18 areas. The subject property is located  
19 within the Central Suffolk Special  
20 Groundwater Protection Area, Hydro-geologic  
21 Groundwater Management Zone III, pursuant to  
22 Article 6 of the Sanitary Code. The  
23 property's located in the Central Suffolk  
24 County Pine Barrens zone and is affected by  
25 New York State Wild Scenic and Recreational

1 Suffolk County Planning Commission 7/1/09 102  
2 Rivers Act, New York State DEC freshwater  
3 wetlands regulations, and New York State DEC  
4 and U.S. Fish and Wildlife regulations  
5 related to protected animals; particularly  
6 the tiger salamander and possibly others.

7 The map proposed indicates reserved  
8 areas and non-disturbance amounting to  
9 37.77 percent of the vegetation on the  
10 subject property. Said open space reserve  
11 would be in accordance with the Suffolk

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12 County Planni ng Commi ssi on gui del i nes for  
13 commerci al devel opment wi thi n Pi ne Barrens  
14 regi ons of the county. The com mi ssi on  
15 gui del i nes is an allowabl e 65 percent  
16 cleari ng of nativ e vegetati on found on si te  
17 for commerci al and industri al properti es.  
18 Freshwater wetland area, area under the New  
19 York State Wild Sceni c and Recreati onal  
20 Rivers Act, and Core Preservati on Area of the  
21 Central Pi ne Barrens Zone is i ncl uded i n the  
22 35 percent reserve area. As noted by the  
23 com mi ssi on, pursuant to regul ati ons,  
24 parti cul arly, Pi ne Barrens regul ati ons, these  
25 areas are enti tled to be i ncl uded i n

1 Suffol k County Planni ng Commi ssi on 7/1/09 103  
2 non-di sturbance areas.

3 So wi th regard to the staff overvi ew,  
4 the map i ncl udes a narrow stri p of  
5 non-clearance area adj acent to New York State  
6 Route 25. Thi s area of the si te is  
7 fragm ented and mi ni mally useful, i n the  
8 staff' s opi ni on, for habi tat use. It al so  
9 appears to be i mpacted by a servi ce road  
10 l ocal ed j usti nsi de the fence li ne.

11 If I coul d, for a moment, j ust go  
12 through the rest of the graphi cs that we have  
13 here. I want ed to show you the pi ctures.

14 MR. CORRAL: (Compl yi ng)

15 MR. FRELENG: That' s good, you read my  
16 mi nd.

17 This is an overview of the subject  
18 property (indicating). The tax maps are --  
19 the lines are indicated by the red. As you  
20 know, this parcel in here is further  
21 subdivided, but these are the existing tax  
22 map parcels (indicating).

23 This is the zoning on the subject  
24 property and in and around the area  
25 (indicating). You have the plant recreation

1 Suffolk County Planning Commission 7/1/09 104  
2 park (indicating), we have the plant  
3 industrial park (indicating), there's light  
4 industrial zoning (indicating), an office  
5 zone (indicating). So there are essentially  
6 four major zones on the site.

7 Okay. This shows the non-disturbance  
8 map, the clearing limits on the property  
9 (indicating). The area I just spoke to is  
10 this fragmented strip of open space right  
11 along the north here (indicating), possibly  
12 intended as a visual buffer along the  
13 roadway.

14 Next slide.

15 MR. CORRAL: (Compl ying)

16 MR. FRELENG: As indicated in the staff  
17 report, this is along Route 25 (indicating).

18 This is a representation of the road  
19 that runs along the inside of the fence along  
20 Route 25 (indicating). It fragments the

21 07\_01\_09\_Planning\_Commission.txt  
wooded sliver, if you will, along the  
22 roadway.

23 Next slide.

24 MR. CORRAL: (Compl ying)

25 MR. FRELENG: Just to give you an idea

1 Suffolk County Planning Commission 7/1/09 105  
2 of what the site looks like in the field,  
3 this would be standing at the construction  
4 entrance along Route 25 looking west  
5 (indicating). This is a treeline  
6 (indicating). Most of this area here in the  
7 treeline would be not protected in the  
8 non-disturbance area.

9 This is looking, I guess, a little bit  
10 further south -- east, I'm sorry. It's  
11 looking the other way east, back towards the  
12 hamlet of Riverhead (indicating). And,  
13 again, you can see the grassy -- the field  
14 areas that -- some areas are put in the  
15 non-disturbance area.

16 This is a parcel along the south side of  
17 the property (indicating).

18 This is a large pond that you can see in  
19 most aerials south of the Berman subdivision,  
20 and this is in the non-disturbance area  
21 (indicating). At the time we did our site  
22 inspection, there were two fishermen floating  
23 in the water, making me very jealous. But  
24 there are fish in there --

25 CHAIRMAN CALONE: You restrained  
Page 90

1 Suffolk County Planni ng Commi ssi on 7/1/09 106  
2 yoursel f, huh, Andy?  
3 MR. FRELENG: Thi s i s the di scharge  
4 poi nt, though, for the sewage treatment  
5 plant.  
6 Next slide.  
7 MR. CORRAL: (Compl yi ng)  
8 COMMI SSIONER POTTER: Does that mean the  
9 fi sh are l arge, Andy?  
10 MR. FRELENG: They' re l arge, and  
11 lumpy --  
12 SECRETARY ESPOSITO: Oh, man.  
13 MR. FRELENG: -- and you woul dn' t want  
14 to eat them.  
15 CHAIRMAN CALONE: Wait, wait, wait.  
16 Thi s i s the -- thi s i s -- presently, thi s i s  
17 under the -- under the current setup, thi s i s  
18 where the di scharge i s?  
19 MR. FRELENG: Yes.  
20 CHAIRMAN CALONE: Like on the -- for the  
21 existi ng faci l i ti es?  
22 MR. FRELENG: Under the Calverton  
23 National Weapons Industrial Reserve Pl ant,  
24 when Grumman operated there, they had a  
25 sewage treatment faci l i ty, and the poi nt of

1 Suffolk County Planni ng Commi ssi on 7/1/09 107  
2 the SPEDS di scharge poi nt was, I bel i eve, to

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the pond.

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DIRECTOR ISLES: Right. And it's my understanding, too, it's the intention of the Town of Riverhead to proceed with an upgrade to the facility -- the sewage treatment facility so that there would be a discharge relocated to the north, so it would be on the other side of the groundwater divide. And that also that the level of treatment would move up from secondary to tertiary level treatment.

CHAIRMAN CALONE: So an improvement in the treatment and in where it's discharged?

DIRECTOR ISLES: Right.

SECRETARY ESPOSITO: But I think the question is, does the town have the money to do that? The intention's great, we just wonder if they have the money.

DIRECTOR ISLES: I think that's associated with the development of the property, but I can't answer that question specifically.

MR. FRELENG: Staff apologizes for

Suffolk County Planning Commission 7/1/09 108  
interjecting some levity with the fishing and derailing the -- the folks of the commission, but getting back to the staff report then.  
So staff has some concern about that strip of non-disturbance area. And we feel that if the non-disturbance area was to have

8 vital habitat use, that those areas would  
9 really not be valuable. However, we did hear  
10 from the town that the purpose of the  
11 non-disturbance map is not necessarily for  
12 habitat protection.

13 The second point the staff notes is that  
14 there are grassland areas adjacent to the  
15 eastern runway. Any mowing or habitat  
16 maintenance, particularly for avian species,  
17 should be in accordance with applicable  
18 Federal Aviation Administration rules and  
19 regulations.

20 Certainly, we know that avian strikes to  
21 aircraft, it was -- it was a significant  
22 issue. Those areas have to be maintained,  
23 but we also know that certain bird species  
24 like grass habitats. So any maintenance of  
25 that area, we would recommend that the

1 Suffolk County Planning Commission 7/1/09 109  
2 commission condition that -- that the town go  
3 to the FAA.

4 COMMISSIONER BRAUN: Andy, does the --  
5 the current runways, there's no proposal --  
6 or maybe I'm wrong.

7 Is it anybody's intention that they  
8 remain in aviation use?

9 COMMISSIONER HOLMES: Yes.

10 MR. FRELENG: It's my understanding that  
11 the western runway would be removed

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12 pursuant to development, but the eastern  
13 runway is being maintained for a possible  
14 aviation use.

15 COMMISSIONER BRAUN: And that includes  
16 those two green stripes on the right side  
17 there?

18 MR. FRELENG: That would be part of the  
19 cleared area for a runway, yes.

20 COMMISSIONER HOLMES: I believe it's for  
21 private aircraft and for freight moving by  
22 air. I believe that's what the proposed uses  
23 are, or the current uses.

24 COMMISSIONER BRAUN: So when we say  
25 that's a non-disturbance area, what's going

1 Suffolk County Planning Commission 7/1/09 110  
2 to be not disturbed is a runway. I mean --

3 MR. FRELENG: Well, no, the grassland  
4 around the run- --

5 COMMISSIONER BRAUN: How wide is the  
6 runway?

7 MR. FRELENG: Well --

8 COMMISSIONER HOLMES: Wide.

9 MR. FRELENG: -- it's a pretty --

10 CHAIRMAN CALONE: It's as wide as a  
11 runway.

12 MR. FRELENG: -- it's a pretty wide  
13 runway. As you know, it's designed for the  
14 largest of jets. It's a pretty significant  
15 runway. But on each side of the runway there  
16 are grassed areas.



17 SECRETARY ESPOSITO: Okay. But why --  
18 why does that count and not the wooded area a  
19 little bit to the north? Why is that small  
20 strip of grass area so valuable it gets to  
21 count as part of the 35 percent, and the  
22 wooded areas so unvaluable that they count as  
23 nothing?

24 CHAIRMAN CALONE: I think that's where  
25 the owls live.

1 Suffolk County Planning Commission 7/1/09 111

2 MR. FRELENG: Staff can't answer that.

3 SECRETARY ESPOSITO: I don't --

4 CHAIRMAN CALONE: No, no, no, I think  
5 that's --

6 SECRETARY ESPOSITO: We don't know that.

7 CHAIRMAN CALONE: No, I think that's  
8 where --

9 SECRETARY ESPOSITO: No, I -- DEC has  
10 not determined that, and I don't know how we  
11 are going to determine that.

12 COMMISSIONER HOLMES: I believe the  
13 wooded area was always --

14 SECRETARY ESPOSITO: Sorry.

15 COMMISSIONER HOLMES: -- a part of the  
16 buffer zone.

17 SECRETARY ESPOSITO: The wooded areas  
18 I'm referring to are the ones that are not  
19 currently highlighted.

20 COMMISSIONER HOLMES: Right.

21 SECRETARY ESPOSITO: There are wooded  
22 areas in there --  
23 COMMISSIONER HOLMES: Right.  
24 SECRETARY ESPOSITO: -- and so it begs  
25 the question -- I understand how much of this

1 Suffolk County Planning Commission 7/1/09 112  
2 has been determined, I don't understand how  
3 all of it has been determined or the value  
4 that has been assigned to some of these areas  
5 above other areas.

6 MR. FRELENG: The third point that staff  
7 noted when we reviewed the non-clearance map  
8 was that the non-clearance areas on the map  
9 adjacent to Swan Pond Road and New York State  
10 Route 25 are segmented by several access  
11 points and breaks. So you can see that  
12 indicated along here, there are several  
13 breaks in the strip (indicating), and along  
14 here there are several breaks -- I think  
15 there's three, I don't know where the other  
16 one is. Maybe that one (indicating). But  
17 there are several breaks.

18 The commission may recall that back in  
19 September 1st of 1999, the commission passed  
20 a resolution with a condition, that was  
21 condition number 3, which allowed only one  
22 point of coordinated access to Swan Pond Road  
23 for employees of the redeveloped EPCAL site.  
24 Time has passed, obviously, but the  
25 commission does not have on file a record of

1 Suffolk County Planni ng Commi ssi on 7/1/09 113  
2 an overri de resoluti on or findi ngs from the  
3 town contrary to the commi ssi on' s  
4 determi nati on. Therefore, the purpose of  
5 these breaks is not clear to staff and  
6 contrary to a standi ng commi ssi on resoluti on.  
7 So staff wanted to poi nt that out.

8 The clearance areas include two ponds  
9 and associated wetl and areas adj acent to New  
10 York State Route 25 at the northeast corner  
11 of the si te. That woul d be thi s here  
12 (i ndi cati ng).

13 What staff noted wi th regard to thi s is  
14 once you put -- once you take i nto account  
15 the wetl and, and the setback from the  
16 wetl and, and then the -- the non-di sturbance  
17 cleari ng area, whi ch I thi nk is based on  
18 tiger sal amander habi tat and a thousand feet  
19 around the wetl ands, staff noted that  
20 devel opment of thi s parcel then becomes  
21 rel ati vel y probl emati c.

22 Staff di scussi ons wi th the Town of  
23 Ri verhead i ndi cate that they bel i eve that the  
24 upper east corner of thi s parcel may be  
25 devel opabl e, but the staff di d fi nd that

1 Suffolk County Planni ng Commi ssi on 7/1/09 114  
2 devel opment of that l ot may be probl emati c

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3 and that the town should detail what  
4 development surrounding these ponds could  
5 look like, or what could be accommodated, and  
6 the area may be better utilized -- the entire  
7 parcel may be better utilized as part of the  
8 non-clearance area requirements.

9 The proposed map designates portions of  
10 the site as non-clearance areas which have  
11 already been disturbed and previously  
12 cleared. As indicated, we've discussed some  
13 of those areas in here --

14 John, can you go to the aerial for a  
15 second.

16 MR. CORRAL: (Compl ying)

17 MR. FRELENG: You can see that there are  
18 disturbed areas within -- inside -- and I  
19 guess in here (indicating) -- inside the  
20 non-disturbance areas (indicating). Some of  
21 those areas are protected by the Wild Scenic  
22 and Recreational Rivers boundary, which is  
23 roughly 500 feet, I think, along this way  
24 (indicating), but it was brought up by  
25 commission discussion and deliberation just

1 Suffolk County Planning Commission 7/1/09 115  
2 now, and staff did note that these areas may  
3 better serve as development areas than  
4 non-disturbance areas depending their level  
5 of disturbance and their habitat value.

6 Some minor notes. The map legend  
7 includes a reference to 177.75 acres of

8 non-clearance associated with the M-GBC. LLC  
9 subdivision. We would request that some  
10 detail to the location of these  
11 non-disturbance acres within the sub- --  
12 subdivision be shown, if that's at all  
13 possible. We did see in the presentation by  
14 the town that they had at least two parcels  
15 that they could delineate where the  
16 non-disturbance areas were. So if it was  
17 possible, it should be shown on the map where  
18 the non-disturbance areas are to see if they  
19 add to in any way the contiguous block of  
20 open space that the town is trying to create.

21 In addition, it has been, I'll say,  
22 alleged that there's owl habitat on the  
23 subject property. We believe that the Town  
24 of Riverhead should delineate and preserve,  
25 similar to tiger salamander habitat, any owl

1 Suffolk County Planning Commission 7/1/09 116  
2 habitat -- any legitimate, bonafide owl  
3 habitat that needs to be preserved on the  
4 site.

5 It is suggested that a schedule be added  
6 to the legend on the map indicating the tax  
7 map section, block, and lot identifying  
8 numbers for the various parcels on the EPCAL  
9 nonclearing map. This is just basically a  
10 housekeeping item. While we discussed the  
11 map internally in -- in-house, we found it

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12 would be easier if we could just refer to  
13 some of these parcels by their tax map parcel  
14 rather than that parcel in the lower right  
15 corner.

16 Lastly, it's also suggested that the  
17 roads on the adjacent and the subject site be  
18 identified, including Wading River-Manorville  
19 Road, and the internal roads inside -- inside  
20 the metes and bounds description. This would  
21 help us identify the metes and bounds. The  
22 town did provide us with the metes and bounds  
23 description, and it would be easier if the  
24 roads were identified within the -- within  
25 and around the site if you wanted to follow

1 Suffolk County Planning Commission 7/1/09 117  
2 that metes and bounds description.

3 So that is the synopsis of the staff  
4 report.

5 CHAIRMAN CALONE: Thank you, Andy.

6 I think there's been some draft  
7 questions raised that we may not have the  
8 answers to. But under county law, we are  
9 allowed to ask municipal officials to assist  
10 us in our consideration.

11 MR. FRELENG: Mr. --

12 CHAIRMAN CALONE: So what I --

13 MR. FRELENG: Mr. Chairman, I'm -- I'm  
14 sorry.

15 Staff is recommending approval of the  
16 amendment with the above comments.

17 CHAIRMAN CALONE: Thank you, Andy.  
18 MR. FRELENG: I apologize, I missed  
19 that.  
20 CHAIRMAN CALONE: Gotcha.  
21 And so, without objection, what I'd  
22 like to do is ask Ms. Thomas or  
23 Councilwoman Blass, whoever's best put to  
24 come up here and answer these questions.  
25 I think Adrienne in particular had a

1 Suffolk County Planning Commission 7/1/09 118  
2 question that, you know, you all may be in a  
3 better place to answer than anyone else.

4 MS. THOMAS: Yeah, I did take notes on  
5 several of the questions.

6 The question related to aircraft use.

7 The 10,000-foot runway is currently  
8 active and could be used in connection with  
9 the industrial uses that are redeveloping  
10 within that core area, and actually is used  
11 on a regular basis by a skydiving company.  
12 And we expect and hope that that will be an  
13 asset to the property as an accessory to the  
14 industrial uses --

15 CHAIRMAN CALONE: Sure.

16 MS. THOMAS: -- that will be developed  
17 there.

18 The segmented road breaks. One of the  
19 road breaks you may have observed might be  
20 Navy accessing the remediation site just to

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21 the west of the discharge pond that you had  
22 identified earlier, and --  
23 CHAIRMAN CALONE: That's the big one up  
24 in the top --  
25 DIRECTOR ISLES: No.

1 Suffolk County Planning Commission 7/1/09 119

2 MS. THOMAS: No --  
3 CHAIRMAN CALONE: -- northeast or --  
4 MS. THOMAS: -- on the bottom of the  
5 parcel.  
6 CHAIRMAN CALONE: Oh, the bottom.  
7 MS. THOMAS: It's covered in green on  
8 what we're looking at here, but at the very  
9 bottom of that --  
10 MR. FRELENG: (Indicating)  
11 MS. THOMAS: There you go.  
12 CHAIRMAN CALONE: Yeah. Okay.  
13 MS. THOMAS: Just to the left -- to the  
14 west of that is a Navy remediation parcel,  
15 and they are currently working there. So you  
16 may have seen that road break.  
17 And to the extent we've identified road  
18 breaks in the nonclearing area, those would  
19 just -- they're not -- we're not creating  
20 road breaks if it would be inconsistent with  
21 any prior planning commission determination.  
22 We would have to discuss that and evaluate  
23 it, and -- but at the moment, we're not --  
24 it's just a nonclearing map. And so that  
25 would just indicate that it would be possible



1 Suffolk County Planning Commission 7/1/09 120  
2 to be cleared, but not necessarily -- we're  
3 not planning on that at the moment.

4 CHAIRMAN CALONE: I understand there's a  
5 lot of things to be determined with this  
6 whole thing, this is a very early step in  
7 what is going to be a long process. So I  
8 appreciate --

9 MS. THOMAS: Yeah, and I'm sure we'll be  
10 back together again on this parcel --

11 CHAIRMAN CALONE: Several times, I'm  
12 sure.

13 MS. THOMAS: -- in the future. And, you  
14 know, as it should be.

15 The comment regarding the cleared areas  
16 versus the treed areas. We have the 35/65  
17 obligation. There is -- it's hard to  
18 evaluate without further review of the --  
19 further SEQRA review, which will occur  
20 site-specific, and may actually require  
21 preservation of some of those wooded areas if  
22 they are a habitat. That's important and  
23 necessary.

24 SECRETARY ESPOSITO: But can you explain  
25 how it is the -- the strips along the runway

1 Suffolk County Planning Commission 7/1/09 121  
2 made it into your 35 percent calculation?

3 MS. THOMAS: Yes. Those are grassland  
4 areas, and we are anticipating that they and  
5 others, possibly, might be habitat for  
6 endangered or threatened bird species. And  
7 so we thought, as a balance to the types of  
8 vegetation we were preserving, that the  
9 grasslands might be as valuable as the tree  
10 areas.

11 I don't know if that answers your  
12 question.

13 CHAIRMAN CALONE: Adrienne, if you --

14 COMMISSIONER POTTER: I want to just  
15 follow up.

16 I'm having a problem really because, for  
17 me and perhaps for others, this is the first  
18 time we've seen this map. And I'm -- I'm  
19 really not getting enough information to have  
20 put this differently.

21 I'm sure that this has been an excellent  
22 job and very important on the Town of  
23 Riverhead's part to get this done. I don't  
24 personally have enough information to form an  
25 opinion on the quality of it. And so the

1 Suffolk County Planning Commission 7/1/09 122  
2 question is, if those cleared areas along the  
3 runway would not be able to be used in any  
4 case, because they'll have to remain cleared  
5 if it's an active runway, so I -- you know, I  
6 think the question remains why that green  
7 area wouldn't be used to protect forests?

8 MS. THOMAS: I don't think the clearing  
9 limits specifically require the protection of  
10 forests. In fact, the comprehensive land use  
11 plan for the Pine Barrens specifies many  
12 different types of plant species that are  
13 valuable in the Pine Barrens area. So to the  
14 extent that they're native species, they  
15 would be equally as valuable whether they be  
16 grasslands or -- or other types of  
17 ground-type shrubs versus trees, I think, is  
18 the response.

19 VICE CHAIRMAN KONTOKOSTA: (Indicating)

20 CHAIRMAN CALONE: Okay. Constantine had  
21 a question.

22 VICE CHAIRMAN KONTOKOSTA: Just a quick  
23 question on -- what legal mechanism will be  
24 used to preserve this -- this non-disturbed  
25 area; will it be an easement or some other

1 Suffolk County Planning Commission 7/1/09 123  
2 kind of preservation mechanism?

3 MS. THOMAS: The way it exists -- the  
4 way we're proposing it to be is through local  
5 law. And the map would be adopted as part of  
6 the town zoning code, so we can enforce it  
7 just as we would enforce any other zoning  
8 code in the town.

9 COMMISSIONER HOLMES: (Indicating)

10 CHAIRMAN CALONE: Commissioner Holmes.

11 COMMISSIONER HOLMES: I was concerned

07 01 09\_Planning\_Commission.txt  
12 with staff's notation that the commission did  
13 pass a resolution in September 1999 that  
14 there be only one point of coordinated access  
15 to Swan Pond Road for EPCAL, and if -- was  
16 there an override of that or -- or -- or not?  
17 Because, as he pointed out, we don't have  
18 anything in our file that there was an  
19 override to those findings of ours.

20 MS. THOMAS: I do not believe there was  
21 an override, no.

22 COMMISSIONER HOLMES: Well, where does  
23 that leave us then, Andy?

24 MR. FRELENG: Commissioner Holmes, we  
25 would have to defer to counsel, but whatever

1 Suffolk County Planning Commission 7/1/09 124  
2 the town might do that may be procedurally  
3 defective at their level is really not an  
4 issue for us. So we're pointing that out,  
5 and the town could remedy any defect that  
6 they have.

7 CHAIRMAN CALONE: What was the situation  
8 of the application when it came to us? What  
9 was it, was it a zone change or --

10 MR. FRELENG: It was a change of zone  
11 application establishing the PIP and the PRP  
12 zone.

13 MS. THOMAS: We are not proposing at  
14 this point any road breaks there. So --

15 CHAIRMAN CALONE: Right. This --

16 MS. THOMAS: -- to the extent that that  
Page 106

17 would be a conflict, that's not happening.

18 CHAIRMAN CALONE: Yeah. It's  
19 interesting, it's a little different. You're  
20 not saying we're putting a road there, you're  
21 saying we're just not necessarily putting in  
22 the shady green.

23 MS. THOMAS: And there were two other  
24 comments I just wanted to address.

25 One was, Tom was correct about the

1 Suffolk County Planning Commission 7/1/09 125  
2 tertiary treatment on the sewer. It will be  
3 moved -- changed from secondary to tertiary  
4 treatment and moved ultimately beyond the  
5 north brown water divide so that it  
6 discharges to ground rather than to surface  
7 water.

8 And the other was, I think it's  
9 important to note that when the original  
10 transfer was made from the Navy, the  
11 entire -- and I do have a slide and I --

12 MR. CORRAL: (Compl ying)

13 MS. THOMAS: -- it might be the third  
14 slide in my presentation.

15 MR. CORRAL: (Compl ying)

16 MS. THOMAS: There was --  
17 The original transfer involved a total  
18 of 6,000 acres.

19 MR. CORRAL: (Compl ying)

20 COMMISSIONER HOLMES: Yes.

21  
22  
23  
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25

MS. THOMAS: That one. Okay.

If you can see, the Navy, in its wisdom,  
determined to transfer 6,000 acres;  
3,000 which was for complete preservation,  
and you can see those areas, those are in

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Suffolk County Planning Commission 7/1/09 126

green, they were the approaches to the  
runways, and 3,000 was for economic  
redevelopment.

So the -- the wisdom behind it was,  
Yeah, we know, we're going to dispense with  
this property, we don't need it anymore.  
We're going to preserve half, develop half.

Of the 3,000 that the town was given to  
redevelop, there'll probably be about close  
to half that will ultimately be preserved  
whether by environmental regulations and town  
zoning development standards.

So it's quite a preservation opportunity  
that's been given to us with the balance of  
redevelopment for economic purposes.

CHAIRMAN CALONE: Okay. And that's a  
good point. And this is part of a larger --  
much larger parcel originally.

MS. THOMAS: Yeah. And I think that's a  
good illustration of where -- where it's at.

CHAIRMAN CALONE: Okay.

MS. THOMAS: And that green -- the green  
space that the Navy gave is also very well  
interconnected with other existing --

1 Suffolk County Planni ng Commi ssi on 7/1/09 127

2 CHAIRMAN CALONE: When you say "the  
3 green space," it's outlined in green there,  
4 it's diff- -- it's all different colors,  
5 though; right?

6 MS. THOMAS: The lighter green on the  
7 bottom, it looks like the approaches to the  
8 runway; and then, also, you could see Robert  
9 Cushman Murphy County Park, that's all  
10 connected and it's all within the Pine  
11 Barrens area, and --

12 CHAIRMAN CALONE: Gotcha.

13 MS. THOMAS: So everybody was thinki ng  
14 ahead about that.

15 COMMI SSIONER BOLTON: (I ndi cati ng)

16 CHAIRMAN CALONE: Thank you.

17 Commi ssi oner Bol ton.

18 COMMI SSIONER BOLTON: I have a couple of  
19 questi ons. Actual ly, I need some  
20 clari ficati on because thi s sti ll i s uncl ear  
21 to me.

22 The i ndi vi dual areas on thi s map that  
23 are desi gnated ei ther di s- -- di sturbance  
24 areas or non-di sturbance areas, and there' s a  
25 certai n boundary. And then you say as

1 Suffolk County Planni ng Commi ssi on 7/1/09 128

2 i ndi vi dual parcel s come i n, they' re subj ect

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3 to SEQRA. And during that SEQRA review, the  
4 actual -- actual inventories would take place  
5 on the separate sites to determine what, in  
6 terms of a natural resources, are existing.

7 MS. THOMAS: That's correct.

8 COMMISSIONER BOLTON: Now, if that's to  
9 take place, is there -- if that's to take  
10 place, is there -- is there -- will this map  
11 be amended and new boundaries established  
12 with respect to non-disturbance areas?

13 MS. THOMAS: It would.

14 COMMISSIONER BOLTON: Because that's  
15 what I'm trying to figure out. Is -- I mean,  
16 is that SEQRA review going to have meaning in  
17 terms of future defined preservation areas?

18 MS. THOMAS: Yes. And I think -- I just  
19 want to clarify, again, this is a nonclearing  
20 map. So it's -- it's not the SEQRA review.  
21 And each -- each project would have its own  
22 very comprehensive site-specific SEQRA review  
23 that would -- and -- and, actually,  
24 currently, the county's evaluating habitat  
25 and species on the site, and will continue to

1 Suffolk County Planning Commission 7/1/09 129  
2 do that with the developers. And when -- and  
3 -- those processes conclude, there may be  
4 additional areas. If it were appropriate,  
5 the town could amend the map, with the  
6 consideration and input of the Suffolk County  
7 Planning Commission, to modify this map. But



8 for the purposes -- for our purposes now,  
9 this is our proposal.

10 COMMISSIONER BOLTON: I understand that  
11 as currently. However, I'm thinking that in  
12 the future, it should be memorialized in an  
13 amended manner. Because, otherwise, this map  
14 is floating out there, and then the SEQRA  
15 findings are floating out there, and they  
16 haven't really been joined.

17 CHAIRMAN CALONE: Presumably you'll put  
18 together maybe a master map that will have  
19 all the areas where they --

20 COMMISSIONER BOLTON: Yeah.

21 CHAIRMAN CALONE: -- can develop.

22 COMMISSIONER BOLTON: I mean, something  
23 that really makes it very clear what can be  
24 and what cannot be done on that site.

25 MS. THOMAS: I think, ultimately, it

1 Suffolk County Planning Commission 7/1/09 130  
2 will be a combination of local law and/or  
3 covenants and restrictions that are placed  
4 upon the various preserved or conserved  
5 areas.

6 COMMISSIONER BOLTON: But I think the  
7 map is important. And I --

8 MS. THOMAS: I agree.

9 COMMISSIONER BOLTON: -- have to keep  
10 reiterating this, because it makes a big  
11 difference in terms of future development.

12 MS. THOMAS: Yeah, I agree, and I think  
13 that's a great comment. We will certainly  
14 take it under advisement.

15 CHAIRMAN CALONE: The other thing I  
16 think that's helpful with is simply just, so  
17 that the public understands that there are  
18 significant areas within this project that  
19 are carved out from development. The  
20 35 percent here and, undoubtedly, some  
21 additional amount through the SEQRA process  
22 will also be, you know, not --  
23 non-developable land.

24 MS. THOMAS: Correct.

25 COMMISSIONER BOLTON: And then a second

1 Suffolk County Planning Commission 7/1/09 131  
2 point is that if there are areas currently  
3 disturbed, but are designated as  
4 non-disturbed areas on this map, those areas  
5 are potentially subject of interest for  
6 rehabilitation; is that correct? I mean, is  
7 that anticipated in this?

8 MS. THOMAS: Yes, correct. You are  
9 correct, that's anticipated. And it's  
10 possible through the private developers that  
11 we can achieve some of that re- --  
12 re-vegetation or habitat improvement. You  
13 know, we're looking forward to doing all of  
14 those things when we -- when we get there.

15 COMMISSIONER BOLTON: So the purpose of  
16 preserving this designated area on the south

17 side of the site, ultimately, in a sense, is  
18 looked at as protective rehabilitation for  
19 those water bodies?

20 MS. THOMAS: Water bodies and habitats  
21 and other --

22 COMMISSIONER BOLTON: Habitats.

23 MS. THOMAS: -- and other important  
24 environmental features, yes.

25 COMMISSIONER BOLTON: Okay. Thank you.

1 Suffolk County Planning Commission 7/1/09 132

2 MS. THOMAS: Thank you.

3 CHAIRMAN CALONE: Okay. Any other  
4 thoughts or questions at least for  
5 Ms. Thomas?

6 (WHEREUPON, there was no response.)

7 CHAIRMAN CALONE: Okay. Thank you very  
8 much --

9 MS. THOMAS: Thank you very much.

10 CHAIRMAN CALONE: -- for clarifying some  
11 of those things.

12 And thank you, Andy, for the staff  
13 report as well.

14 Vince, I always ask someone from the  
15 locality if you had any particular comments.  
16 You already talked a little bit --

17 COMMISSIONER TALDONE: No.

18 CHAIRMAN CALONE: -- I don't think  
19 there's anything else you want to add.

20 The staff report is for approval with

21 07 01 09\_Planning\_Commission.txt  
comments. There's a number of comments.

22 One -- well, we can all -- we've all  
23 read them. I'm not going to go through them  
24 all. But there's a bunch -- a variety of  
25 comments.

1 Suffolk County Planning Commission 7/1/09 133

2 Anyone have any -- any issues they want  
3 to raise, or suggestions?

4 SECRETARY ESPOSITO: (Indicating)

5 CHAIRMAN CALONE: Adrienne.

6 SECRETARY ESPOSITO: Just again, so the  
7 map before us, I think we all realize, is a  
8 map simply which abides by federal and state  
9 statutes, with the exception of the areas in  
10 the runway, which may or may not be  
11 environmentally significant based on the  
12 testimony we heard. We heard that they may  
13 be important to birds as a part of the  
14 feeding ground, or -- or they may not.

15 And from a groundwater perspective, you  
16 all know this is in a special groundwater  
17 protection area, it's also in Hydro-geologic  
18 Zone III. Open areas -- open wooded areas,  
19 excuse me, are the best way to preserve a  
20 quality and quantity of drinking water. And  
21 those areas, with the exception of the  
22 western side, have been -- you know, it --  
23 are open for development according to this  
24 map.

25 So I'm not quite sure -- I understand  
Page 114

1 Suffolk County Planning Commission 7/1/09 134  
2 80 percent of what has been shaded green,  
3 because it's already mandated to be  
4 preserved. The other 20 percent is somewhat  
5 subjective and debatable, and I don't know of  
6 any science that tells us that's the optimal  
7 place to preserve. I reviewed the staff  
8 comments that say maybe there should have  
9 been a bigger buffer around the wetlands.

10 I don't know how we come to the  
11 conclusion that this is the best -- and --  
12 and the line up in the northern section there  
13 just seems a little random.

14 So I'm just putting it out there as  
15 80 percent I think is defensible and -- and  
16 it probably makes sense. 20 percent is -- I  
17 would call it somewhat random or at least  
18 debatable.

19 COMMISSIONER POTTER: (Indicating)

20 CHAIRMAN CALONE: Job.

21 COMMISSIONER POTTER: My sense of this  
22 at this point is that when it comes to a  
23 vote, I'm going to abstain. I agree with the  
24 commission member to my left. I -- I think  
25 that in order to vote on this, what I would

1 Suffolk County Planning Commission 7/1/09 135  
2 really like to have seen would have been a

3 presentation of the entire site in terms of  
4 the environmental -- important environmental  
5 habitat on the site, and then a much more  
6 explicit explanation of the town's reasoning  
7 in where the green space has been put.  
8 Particularly the cleared area, the runways,  
9 which, barring endangered species known to be  
10 there, I don't understand what's there.

11 COMMISSIONER BRAUN: (Indicating)

12 CHAIRMAN CALONE: Commissioner Braun.

13 COMMISSIONER BRAUN: I -- I still, as  
14 well, am confused about the situation with  
15 the runway.

16 If the paved portion of the current  
17 runway is beneath those two green stripes --

18 CHAIRMAN CALONE: Which it is not. It's  
19 between the two green stripes.

20 COMMISSIONER BRAUN: Okay. Even if it's  
21 the narrow band in between. And if we're all  
22 concerned about, as Andy mentioned very much  
23 in passing, bird strikes and such with  
24 aircraft, I don't know how we can balance the  
25 preservation or the nonclearing of grasslands

1 Suffolk County Planning Commission 7/1/09 136  
2 against the safety of aviation and the FAA  
3 requirements on that -- on that -- in that  
4 area. And as Commissioner Esposito has said  
5 a number of times, it seems that there are  
6 much less problematic areas that could be  
7 designated under this plan. So I have that

8 reservation. I think, from my perspective, I  
9 would -- I intend to vote in favor of the  
10 proposal, but I just want my reservations to  
11 be part of the record.

12 MR. FRELENG: Mr. Chairman.

13 CHAIRMAN CALONE: Yes, Andy.

14 MR. FRELENG: If I could just clarify.

15 The town clarified to me when staff  
16 contacted them, with regard to the grass  
17 areas, it's their interpretation that mowing  
18 the grass to maintain it as a grass area is  
19 not clearing it. So even though they go in  
20 to maintain and mow the grassed area, it's  
21 still viable in a non-clearance area. So I  
22 just wanted to make that clarification.

23 SECRETARY ESPOSITO: Okay. But let's  
24 not lose the point that was raised earlier  
25 that it doesn't appear that that area would

1 Suffolk County Planning Commission 7/1/09 137  
2 be utilized in any way anyway. I mean, I  
3 can't imagine them setting up, you know, an  
4 ice cream shop or a park for children in the  
5 middle of a runway.

6 So what would happen to that area if it  
7 wasn't part of the green space?

8 COMMISSIONER POTTER: Could I -- could I  
9 just answer that question?

10 CHAIRMAN CALONE: Any -- you're going to  
11 answer that question?

12

COMMISSIONER POTTER: I am.

13

CHAIRMAN CALONE: Okay.

14

SECRETARY ESPOSITO: Oh -- oh, okay.

15

CHAIRMAN CALONE: Job.

16

COMMISSIONER POTTER: I have the

17

unfortunate experience of having dealt with

18

the East Hampton Airport for years on the

19

town board, and as I'm sure the planners and

20

others know, on either side of the pavement,

21

there's an extensive cleared area which is

22

required by the FAA in the event the planes

23

go off the runway.

24

So I think what we're driving at is that

25

those two green strips cannot be touched or

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Suffolk County Planning Commission 7/1/09 138

2

used, other than mowing, in any case as long

3

as that's an active runway. So it seems that

4

it's perhaps a waste of an opportunity to

5

take that nonclearing regulation and place it

6

someplace where perhaps there's something

7

that should not be cleared, such as a forest.

8

I think that --

9

Does that explain what we're thinking

10

over here?

11

CHAIRMAN CALONE: Right.

12

SECRETARY ESPOSITO: That's what I'm

13

thinking.

14

CHAIRMAN CALONE: That makes sense.

15

COMMISSIONER POTTER: Okay.

16

CHAIRMAN CALONE: I understand. That



17 makes sense to me, but --

18 COMMISSIONER POTTER: Okay.

19 CHAIRMAN CALONE: I mean, one -- one  
20 thing we could do is consider adding a -- you  
21 know, a comment or even a condition that the  
22 town look to, you know, utilize some space.  
23 So included within the nonclearing areas,  
24 other areas other than the runway to get to  
25 the 35 percent. You know, you could go

1 Suffolk County Planning Commission 7/1/09 139  
2 something like that.

3 COMMISSIONER HOLMES: Do you mean --

4 CHAIRMAN CALONE: But Tom wanted to say  
5 something, so I don't want --

6 DIRECTOR ISLES: Just one comment to add  
7 to the discussion, hopefully, not too much to  
8 the confusion. But the -- but it is  
9 obviously a complex site environmentally,  
10 with a variety of habitat and environmental  
11 attributes.

12 I just wanted to share with you that the  
13 county did go through a similar exercise with  
14 Francis S. Gabreski Airport in Westhampton  
15 Beach about three years ago. We actually  
16 went to the Pine Barrens Commission to  
17 designate the 35 percent we had to do there.  
18 We had a part of the property in the core,  
19 most of it was in the compatible growth area  
20 as is the case here.

21           What we ended up there, and what the  
22           Pine Barrens Commission did accept, was a  
23           non-clearance area that included everything  
24           in the core, and included wooded areas as  
25           well as some of the grasslands around the

1           Suffolk County Planning Commission 7/1/09   140  
2           airport area.

3           So, here again, I can't say that it's  
4           precisely, you know, similar, and the  
5           questions certainly are valid questions from  
6           the staff's standpoint, we went through the  
7           same thing. But I just wanted to give you an  
8           example of another airport that went through  
9           a process, and it was determined, here again,  
10          with the Pine Barrens Commission, that that  
11          variety of habitat and that solution in that  
12          case seemed okay.

13          This has not gone to the Pine Barrens  
14          Commission, I'm not sure if it will go under  
15          the legal terms and conditions of this, but  
16          just as a reference in terms of that prior  
17          experience.

18                 CHAIRMAN CALONE: Thank you, Tom.

19                 Other thoughts, comments?

20                 COMMISSIONER HOLMES: Did you mean in  
21                 your comment, Dave, that, sort of, why waste  
22                 a green area designation on an area that's  
23                 already required by the FAA to be maintained  
24                 in a certain way, why not apply some of that  
25                 green area to some of the woodlands; is that

1 Suffolk County Planni ng Commi ssi on 7/1/09 141  
2 what you were --  
3 COMMI SSIONER POTTER: That's it exactly.  
4 CHAIRMAN CALONE: Yeah, and just for --  
5 that was Job's point and really Adrienne's  
6 point that -- that I was just really  
7 recapitulating it.  
8 COMMI SSIONER HOLMES: Could we find a  
9 wording for that?  
10 SECRETARY ESPOSITO: I like Job's  
11 wording.  
12 CHAIRMAN CALONE: What was Job's  
13 wording?  
14 SECRETARY ESPOSITO: That --  
15 COMMI SSIONER POTTER: I don't know  
16 how -- I mean, I don't know that could be put  
17 in as a comment, but it doesn't -- without  
18 knowing why Riverhead put it there, I -- I  
19 mean, just -- this is a personal issue for  
20 me, I just don't have enough information to  
21 vote.  
22 CHAIRMAN CALONE: You know, look, this  
23 is the inherent nature of this review  
24 process. Okay. We have certain information  
25 from the town, we have certain information

1 Suffolk County Planni ng Commi ssi on 7/1/09 142  
2 from the staff. We will never know

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3 everything so that's why we're not the  
4 ultimate deciders.

5 That said, we should provide our  
6 comments and give them the expertise -- as  
7 the people around this table, we should  
8 provide that expertise. So --

9 COMMISSIONER ROBERTS: (Indicating)

10 CHAIRMAN CALONE: Barbara.

11 COMMISSIONER ROBERTS: David, I like  
12 your idea that we need a condition not a  
13 comment, but I am stuck what -- what it  
14 should be, so I'll throw it back to you a  
15 bit. But I think some of us would be more  
16 comfortable approving this if we came up with  
17 what it is that's bothering us that should be  
18 a condition.

19 CHAIRMAN CALONE: Okay.

20 COMMISSIONER HOLMES: Could we phrase it  
21 possibly that -- as a condition, the town  
22 should consider designating some of the green  
23 area to forest area and not along the runway  
24 where it's already required that some  
25 grassland be maintained and mowed as required

1 Suffolk County Planning Commission 7/1/09 143

2 by the FAA that --

3 CHAIRMAN CALONE: Yeah, I wouldn't --

4 COMMISSIONER HOLMES: -- you know.

5 CHAIRMAN CALONE: I wouldn't want us to  
6 say that it is required or isn't required,  
7 but that it -- you know, it may be required

8 and --  
9 COMMISSIONER HOLMES: Well --  
10 CHAIRMAN CALONE: -- but I think it --  
11 COMMISSIONER HOLMES: -- Job knows  
12 because --  
13 CHAIRMAN CALONE: Well --  
14 COMMISSIONER HOLMES: -- East Hampton  
15 had the same --  
16 CHAIRMAN CALONE: I just don't --  
17 COMMISSIONER HOLMES: -- we -- we all  
18 know that, you know, runways -- areas next to  
19 runways have to be maintained low. I mean,  
20 for fire reasons --  
21 CHAIRMAN CALONE: Sure, sure, sure,  
22 sure.  
23 COMMISSIONER HOLMES: -- and for going  
24 off.  
25 CHAIRMAN CALONE: I think your general

1 Suffolk County Planning Commission 7/1/09 144  
2 point may be well be -- well taken. The  
3 precise wording may be slightly --  
4 COMMISSIONER HOLMES: Yeah.  
5 CHAIRMAN CALONE: -- we can tweak,  
6 but --  
7 Does anyone have any comments or  
8 thoughts on Commissioner Holmes' idea that we  
9 simply just make a condition that the town --  
10 COMMISSIONER HOLMES: Examine.  
11 CHAIRMAN CALONE: -- examine the

07 01 09\_Planning\_Commission.txt  
12 moving -- or considering in- -- moving some  
13 of the nonclearing limits from the grasslands  
14 around the -- the runway that may well be,  
15 although otherwise required, any way --  
16 COMMISSIONER HOLMES: Yes.  
17 CHAIRMAN CALONE: -- to other more  
18 environmentally sensitive parts of the  
19 property?  
20 COMMISSIONER HOLMES: Such as --  
21 CHAIRMAN CALONE: Hold on. That's just  
22 a -- that's just a thought, let's get  
23 comments on it.  
24 COMMISSIONER CARACCILO:  
25 Mr. Chairman.

1 Suffolk County Planning Commission 7/1/09 145  
2 CHAIRMAN CALONE: John.  
3 COMMISSIONER CARACCILO: I don't see  
4 how we could do that. We're either approving  
5 the map as they did it or not approving the  
6 map. And to put a condition, you know, we're  
7 saying we're not approving the map. I think  
8 a comment would probably be a better  
9 suggestion that we ei- -- are we approving  
10 the map --  
11 COMMISSIONER HOLMES: Don't we sometimes  
12 approve with conditions --  
13 COMMISSIONER ROBERTS: Yeah, absolutely.  
14 COMMISSIONER HOLMES: -- as well as  
15 comments?  
16 COMMISSIONER CARACCILO: I mean, but

17 this is a rare occasion, we're approving --  
18 you know, we're approving, you know, a plan  
19 that they laid out in front of us, and we're  
20 saying we don't like that plan. I mean, I  
21 think that's a little -- we don't like  
22 20 percent of that plan.

23 CHAIRMAN CALONE: Or some tweak of --  
24 either some --

25 COMMISSIONER CARACCILO: Correct.

1 Suffolk County Planning Commission 7/1/09 146

2 CHAIRMAN CALONE: -- some portion of it.  
3 Whatever --

4 COMMISSIONER CARACCILO: While we  
5 acknowledge the plan that they put forward as  
6 a good effort and 80 percent of it is  
7 correct, maybe we can make a comment that --

8 COMMISSIONER HOLMES: Well, I think the  
9 point's well taken, it would be better to be  
10 an additional comment since we perhaps do  
11 want to signal our approval of their  
12 preliminary idea here.

13 CHAIRMAN CALONE: Well, you know, I  
14 don't -- I don't know that -- I don't know  
15 that there's any reason why we can't do a  
16 condition. I certainly understand that a  
17 comment is probably more, you know, favorable  
18 than a condition. I mean, we obviously get  
19 site plans and zone changes often enough, and  
20 we do --

21           COMMISSIONER CARACCILO: And look at  
22           that as they didn't accept our condition, you  
23           know, what would you have from that?  
24           COMMISSIONER BRAUN: A condition to  
25           examine is not a -- not a condition anyway.

1           Suffolk County Planning Commission 7/1/09    147

2           You know, have some discussions.

3           SECRETARY ESPOSITO: Right.

4           CHAIRMAN CALONE: It is a weak  
5           condition, certainly.

6           COMMISSIONER HOLMES: That's exactly it.

7           CHAIRMAN CALONE: We had this same  
8           discussion, I think, about Patchogue.

9           SECRETARY ESPOSITO: Yes, we had this  
10          discussion before.

11          COMMISSIONER TALDONE: (Indicating)

12          CHAIRMAN CALONE: Yes, Vince.

13          COMMISSIONER TALDONE: I'd just like to  
14          say that I support the weak condition in that  
15          I look at this as a very, very, very  
16          long-term project. And I see the lands  
17          closest, again, to the waterways -- and not  
18          for this decade, but the next decade, for  
19          decades and decades to come -- as being the  
20          areas of most concern and will, over time,  
21          become the most environmentally important.  
22          If they're currently disturbed and they don't  
23          appear to be the most valuable land, that  
24          will change over time.

25          So, to me, it sort of makes sense to try



1 Suffolk County Planni ng Commi ssi on 7/1/09 148  
2 and restrict or -- or create these  
3 non-disturbance areas closest to the  
4 waterways, and yes, it is right next to the  
5 runway. So, yes, you know, maybe the town  
6 ought to look at this a little more  
7 carefully, and that we can do that as a  
8 comment or a condition.

9 But I -- I don't know enough about the  
10 environmental issues here to say that it  
11 would be better to preserve a treed area or a  
12 forested area further away from the  
13 waterways. I don't have that expertise, so I  
14 wouldn't dare to say such a thing.

15 CHAIRMAN CALONE: I think that's fair.

16 SECRETARY ESPOSITO: I think I would --

17 CHAIRMAN CALONE: I think that's fair.

18 Adrienne.

19 SECRETARY ESPOSITO: I think, though,  
20 for me, I would like to approve it with a  
21 condition or not at all. Because what  
22 happened here is that where there was a law  
23 mandating the preservation, the town followed  
24 it, but when they had the opportunity for the  
25 other 20 percent, they just took something

1 Suffolk County Planni ng Commi ssi on 7/1/09 149  
2 that's not really buildable and counted it.

3 And that's what we called a freebee. So the  
4 town --

5 COMMISSIONER BRAUN: They're all  
6 freebees.

7 SECRETARY ESPOSITO: Well, apparently so  
8 does the town.

9 And what I think is important for this  
10 commission to do is look for situations like  
11 that and send a message back to the town that  
12 this isn't developable any way along that  
13 particular stripe, and you could have, and  
14 probably should have -- they could have,  
15 because we may not all agree, utilized the  
16 35 percent in a more effective, efficient  
17 manner for -- whether it be groundwater  
18 protection or habitat protection.

19 CHAIRMAN CALONE: Right. I think  
20 that's --

21 COMMISSIONER HOLMES: That's good --

22 CHAIRMAN CALONE: Well --

23 COMMISSIONER HOLMES: -- as long as we  
24 use the word "examine."

25 As Bob said, we want them to discuss the

1 Suffolk County Planning Commission 7/1/09 150  
2 possibility of reconsidering making the area  
3 along the runway part of the green zone.

4 CHAIRMAN CALONE: I think that's fine.  
5 I think we also need to respect the fact that  
6 this is the town's property, and at the end  
7 of the day, they'll have a final say on it.

8 And they will -- you know, there's a balance  
9 here between what's -- you know, what kind of  
10 price they can get and what kind of, you  
11 know, development is doable on the land and  
12 the environmental aspects of it. And I think  
13 Vince was well -- was correct in saying, we  
14 don't have that answer. But I -- I don't  
15 disagree with Adrienne that they should at  
16 least consider -- you know, if you're going  
17 to get -- if you have a chance at a freebee,  
18 so to -- to use your phrase, you should at  
19 least consider using it. And you, the town  
20 board, can decide how you want that balance  
21 to come out. Whether it's --

22 COMMISSIONER HOLMES: That's right.

23 CHAIRMAN CALONE: -- you know --

24 COMMISSIONER HOLMES: That's right.

25 CHAIRMAN CALONE: -- you want to save a

1 Suffolk County Planning Commission 7/1/09 151  
2 little more land for environmental  
3 protection, you want to have a little more  
4 land available for development, that's what a  
5 town board's for.

6 COMMISSIONER POTTER: (Indicating)

7 CHAIRMAN CALONE: The question --

8 I'm sorry, Job.

9 COMMISSIONER POTTER: Yeah. My question  
10 is really for you, Mr. Chairman, because I  
11 think you hit on an important point, which is

12 how the actual developable portion of the  
13 land and the value of the land and the future  
14 use may have played into this clearing plan.  
15 Because I -- I do think that those strips  
16 along the side of the runway were perhaps  
17 almost put there so as not to encumber other  
18 land.

19 And my question for you is, is the  
20 thought process that went into this something  
21 that we really should be more aware of, and  
22 should -- you know, should we understand the  
23 full logic of this?

24 CHAIRMAN CALONE: Well, you know, I  
25 don't -- I think our staff has done the job

1 Suffolk County Planning Commission 7/1/09 152  
2 that they did in terms of looking at the --  
3 the merits of the -- the project, and I  
4 think -- you know, I certainly take -- I  
5 personally take the town at face value that  
6 this is what they think is the best thing to  
7 do, and, you know, how they weigh things is  
8 up to them. And I think what we can do as a  
9 county and regional planning body is simply  
10 state -- I think we're -- there seem to be  
11 comfortable stating one way or another, which  
12 is, you know, take a look at this, understand  
13 that we think you might have a freebee,  
14 and --

15 Look, the bottom line is this comes back  
16 to us, you know, any number of times in site

17 plans, perhaps, you know, more individual  
18 parcel zone changes. I don't know what will  
19 happen, but, I mean, there will be other  
20 opportunities for us to opine about specific  
21 pieces of this land going forward.

22 COMMISSIONER HOLMES: (Indicating)

23 CHAIRMAN CALONE: Yeah,

24 Commissioner Holmes.

25 COMMISSIONER HOLMES: I think one thing

1 Suffolk County Planning Commission 7/1/09 153  
2 we could keep in mind is being sensitive to  
3 the fact that the Town of Riverhead has  
4 already spent, by my quick calculation, about  
5 19 years studying this, back -- going back to  
6 when the Navy was first talking about turning  
7 over the property to Riverhead. So in terms  
8 of their detailed consideration of it, I  
9 think, you know, having come this far with it  
10 is -- is a good thing.

11 CHAIRMAN CALONE: Okay. Thank you,  
12 Commissioner Holmes.

13 COMMISSIONER TALDONE: (Indicating)

14 CHAIRMAN CALONE: Yeah, yeah, Vince.

15 COMMISSIONER TALDONE: And just one --  
16 one last point, to the people that -- that  
17 said earlier, because I think it's very  
18 significant. There are other lands, and  
19 large portions of lands that are already set  
20 aside in the core. There is also an

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21 obligation that the town had to develop this  
22 property for economic development.

23 COMMISSIONER HOLMES: Yes.

24 COMMISSIONER TALDONE: And the Navy  
25 returned it to the town with some

1 Suffolk County Planning Commission 7/1/09 154  
2 requirements. And the county still believes  
3 that to preserve what needs to be -- to be  
4 preserved and also to provide the appropriate  
5 spaces for economic development to occur.  
6 And that's very important to the East End and  
7 perhaps the whole county.

8 CHAIRMAN CALONE: That's a good point,  
9 it's well taken.

10 All right. Let's move on.

11 We have a -- I don't see any objection  
12 to there being some language in this regard  
13 with regard to encouraging the town to take a  
14 look at moving some of the space from the  
15 grassland area to other areas undefined,  
16 other areas on the parcel, that might be of  
17 environmental significance.

18 I think the question that was open is  
19 whether that should be a condition -- a weak  
20 condition, which is, you know --

21 COMMISSIONER HOLMES: Maybe we should --

22 CHAIRMAN CALONE: Well, no, no, no,  
23 because we can't -- we can't require it of  
24 the map -- well, we could require it of the  
25 map. The map -- we approve the map, but you

1 Suffolk County Planning Commission 7/1/09 155  
2 have to change it in X or --  
3 COMMISSIONER HOLMES: Maybe we could  
4 just go back to the word "examine" and make  
5 it, whether it's a condition or comment, that  
6 we would welcome their input in the future as  
7 to their rationale for, you know, why the  
8 grassland area was included, because, you  
9 know --  
10 CHAIRMAN CALONE: Okay.  
11 COMMISSIONER HOLMES: -- there's a  
12 puzzlement.  
13 CHAIRMAN CALONE: I think your point  
14 about examine is well taken. It's a good  
15 word. The question is -- is --  
16 John, you were -- I think were most kind  
17 of concerned about making this a comment,  
18 asking them to examine something --  
19 COMMISSIONER CARACCILO: We don't have  
20 that information about if we remove that  
21 20 percent -- you know, first of all, we  
22 don't have -- I'm not comfortable with making  
23 that determination, because, you know -- I'm  
24 hearing that if it's mowed, it could be good,  
25 and owls might live there, and the

1 Suffolk County Planning Commission 7/1/09 156  
2 salamander -- I don't know that. So I'm not

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3 comfortable removing that 20 percent. And  
4 I'm definitely not comfortable, and I don't  
5 have the information in front of me, about  
6 where to put that 20 percent.  
7 CHAIRMAN CALONE: No, that's  
8 definitely --  
9 COMMISSIONER CARACCILO: You know, so  
10 that's why, to me, if we're saying we're  
11 going to not -- you know, if we're putting a  
12 condition that you must remove that  
13 20 percent, I'm not --  
14 COMMISSIONER HOLMES: No --  
15 COMMISSIONER CARACCILO: -- comfortable  
16 doing that.  
17 COMMISSIONER HOLMES: -- no, we're not.  
18 We're --  
19 CHAIRMAN CALONE: And I -- and I --  
20 COMMISSIONER CARACCILO: That's why --  
21 CHAIRMAN CALONE: Okay.  
22 (Overlapping conversations)  
23 COMMISSIONER CARACCILO: It has to be a  
24 comment.  
25 CHAIRMAN CALONE: Okay. I think that --

1 Suffolk County Planning Commission 7/1/09 157  
2 I don't want to jumble over semantics either.  
3 I think your point that it be a condition  
4 that you have to change the map in this way,  
5 I don't think anyone's suggesting that --

6 COMMISSIONER HOLMES: No.  
7 CHAIRMAN CALONE: -- or at least I



8 haven't heard that. I think what is  
9 suggested is that it be -- is that the town  
10 examine, to use your words, you know,  
11 removing some of the nonclearing limits  
12 around the runway to other places, undefined,  
13 that the town might have a diff- -- might  
14 also have environmental significance. That  
15 was it.

16 COMMISSIONER CARACCILO: We should put  
17 that in ink, Mr. Chair.

18 CHAIRMAN CALONE: Okay. Andy's got  
19 that, I'm not worried about that part.

20 The only question, honestly, is just  
21 whether it's a condition or a comment.

22 It is -- and I'm going to use the phrase  
23 again, it is a weak condition because it is  
24 easily met, because we're asking them to  
25 consider something.

1 Suffolk County Planning Commission 7/1/09 158

2 It is a con- -- we've had this  
3 conversation before, a comment will be one of  
4 the numerous comments. A condition is  
5 something that the town board has to  
6 physically do to satisfy the condition. In  
7 other words, they do need to have some  
8 conversation about --

9 COMMISSIONER HOLMES: Yeah.

10 CHAIRMAN CALONE: -- that issue.

11 COMMISSIONER HOLMES: Yeah.

12 CHAIRMAN CALONE: That is the  
13 substantive difference between making a  
14 comment and a condition.  
15 COMMISSIONER CARACCILO: And I think --  
16 CHAIRMAN CALONE: There's not a large  
17 one.  
18 COMMISSIONER CARACCILO: No, I think  
19 I'm very comfortable with what you just said,  
20 a condition -- a condition to examine is --  
21 is --  
22 COMMISSIONER HOLMES: A weak --  
23 COMMISSIONER CARACCILO: -- is very --  
24 COMMISSIONER HOLMES: -- condition.  
25 COMMISSIONER CARACCILO: -- comfortable

1 Suffolk County Planning Commission 7/1/09 159  
2 to me.  
3 CHAIRMAN CALONE: Okay. Appreciate  
4 that.  
5 Then would you make the motion?  
6 Unless there's any other -- unless  
7 there's any other comments or questions.  
8 COMMISSIONER CARACCILO: I make a  
9 motion that we add that as a condition, Andy.  
10 CHAIRMAN CALONE: Okay.  
11 COMMISSIONER TALDONE: I'll second it.  
12 CHAIRMAN CALONE: Well, I'll just do  
13 this without objection.  
14 Is there any objection to adding that as  
15 a condition?  
16 (WHEREUPON, there was no response.)

17 CHAIRMAN CALONE: Seeing none. Okay.

18 Thank you, John.

19 And are there any other comments or

20 questions about the staff report at all?

21 (WHEREUPON, there was no response.)

22 CHAIRMAN CALONE: Seeing none, I'll

23 entertain a motion to adopt the staff report

24 as amended.

25 COMMISSIONER TALDONE: (Indicating)

1 Suffolk County Planning Commission 7/1/09 160

2 COMMISSIONER HOLMES: (Indicating)

3 CHAIRMAN CALONE: Motion by

4 Commissioner Taldone, seconded by

5 Commissioner Holmes.

6 All in favor of adopting the staff  
7 report as amended with the comments that are  
8 indicated and the one condition that we've  
9 added that the town examine, please raise  
10 your hand if you approve.

11 (WHEREUPON, the members voted.)

12 CHAIRMAN CALONE: That's ten.

13 Opposed?

14 (WHEREUPON, there was no response.)

15 CHAIRMAN CALONE: And abstain?

16 (WHEREUPON, the members voted.)

17 CHAIRMAN CALONE: One.

18 Ten to zero to one.

19 (WHEREUPON, a brief recess was taken.

20 After which the following transpired:)

21 (WHEREUPON, Commissioner Caracciolo left  
22 the Legislative Auditorium.)  
23 (Time noted: 2:33 p.m.)  
24 CHAIRMAN CALONE: Okay. We're going to  
25 get going.

1 Suffolk County Planning Commission 7/1/09 161

2 The next item on our agenda is Atlantis  
3 Hotel in Downtown Riverhead. And I would  
4 just -- before we begin with this, I believe  
5 we have a recusal.

6 So, Vince, why don't you verbalize that.

7 COMMISSIONER TALDONE: Sure. I will be  
8 recusing myself on this item because I did  
9 vote on this matter before the Landmarks  
10 Preservation Commission of the town, and I've  
11 not yet received our Ethics Commission's  
12 ruling on whether I can also act here on the  
13 Planning Commission. So I will recuse  
14 myself.

15 CHAIRMAN CALONE: Thank you, Vince.

16 Okay. Andy, let's do Atlantis.

17 MR. FRELENG: Thank you, Mr. Chairman.

18 The next referral comes to us from the  
19 Town of Riverhead. This is the application  
20 of Atlantis Holding Company, LLC.

21 Jurisdiction for the commission is that  
22 the subject property is adjacent to New York  
23 State Route 25 and the Peconic River.

24 The applicants seek town planning board  
25 site plan/special permit approval for the

1 Suffolk County Planning Commission 7/1/09 162  
2 construction of a 29,172-square-foot,  
3 120-room waterfront hotel with associated  
4 amenities. The continuation of an  
5 approximate 65-slip marina and the  
6 construction of a 1,000-square foot concrete  
7 pad for washing of marina vessels are also  
8 proposed. The application of the Town of  
9 Riverhead Parking Schedule would require the  
10 provision of 120 off-street parking stalls.  
11 Sixty-five off-street parking stalls are  
12 provided on site and 45 stall parking lot is  
13 controlled by the project sponsors  
14 approximately 75 linear feet north of the  
15 subject property across East Main Street.  
16 This would equate to 110 off-street parking  
17 stalls. This is a ten-stall shortfall or  
18 approximately an eight percent variance from  
19 the town requirement. However, since the  
20 subject property and proposed improvements  
21 lie within the boundaries of the Town of  
22 Riverhead Parking District Number 1,  
23 off-street parking for this proposal is not  
24 required. It is proposed by the project  
25 sponsors that supplemental valet parking be

1 Suffolk County Planning Commission 7/1/09 163  
2 instituted for the hotel.

3 The subject property is located on the  
4 south side of East Main Street, which is New  
5 York State Route 25, approximately 350 feet  
6 west of Howell Lane in the hamlet/commercial  
7 business center of Riverhead.

8 A review of the character of the land  
9 use and zoning pattern in the vicinity  
10 indicates that the subject property is  
11 located in an area of Downtown Center zoning  
12 districts comprised of DC-1, DC-2, DC-3, and  
13 DC-4. Land use in the area is reflective of  
14 a downtown retail, commercial -- is  
15 reflective of downtown retail, commercial,  
16 and office uses.

17 Okay. Adjacent to the subject property  
18 to the west is --

19 Go to the aerial a second, John.

20 MR. CORRAL: (Compl ying)

21 MR. FRELENG: -- we've got a mix of  
22 commercial uses that run up Main Street, and  
23 to the east is an existing -- I'm sorry. To  
24 the east is single family -- I'm sorry. A --  
25 I believe it's an office building or a

1 Suffolk County Planning Commission 7/1/09 164

2 mixed-use single-family/office use.

3 The subject application proposes two  
4 points of access to East Main Street. The  
5 westernmost access is a non-restricted  
6 ingress/egress. You can see that on the site  
7 plan. That would be the westernmost access,

8 so that would be this access here  
9 (indicating). The easternmost access appears  
10 to be an ingress/egress -- I'm sorry, an  
11 ingress only. No alternate or emergency  
12 access is proposed. No cross access to the  
13 adjacent sites are proposed for either motor  
14 vehicles or pedestrians.

15 I'm not sure I got that ingress/egress  
16 right. I think I got it backwards in the  
17 staff report. This looks like an "in" only  
18 right here, and this looks like an ingress  
19 and egress uncontrolled (indicating).

20 With regard to environmental conditions,  
21 it's significant to note that regulated tidal  
22 wetlands associated with the Peconic River  
23 occur adjacent and to the south of the  
24 subject site. While there is a boardwalk and  
25 some things going on here (indicating), there

1 Suffolk County Planning Commission 7/1/09 165  
2 is a flagged wetland line along the shoreline  
3 of the subject properties. So I wanted to  
4 point that out.

5 With regard to the staff analysis, it's  
6 the belief of the staff that the requested  
7 site plan/special permit is reasonably  
8 appropriate notwithstanding the following  
9 issues.

10 It is indicated on the submitted site  
11 plan that the most landward limit of tidal

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12 wetland was delineated in 2002. The landward  
13 limit of wetland vegetation is known to  
14 migrate, particularly after a two-year  
15 period. Staff believes that the most  
16 landward limit of tidal wetland vegetation  
17 should be reflagged in the field by a  
18 qualified expert. No new structure or  
19 sanitary disposal facility should be located  
20 less than 100 feet from the most landward  
21 limit of tidal wetland vegetation. And  
22 that's pursuant to commission guidelines.  
23 All appropriate regulatory wetland permits  
24 and approvals should be granted by outside  
25 agencies prior to final approval of the site

1 Suffolk County Planning Commission 7/1/09 166  
2 plan.

3 Commission staff notes the valet parking  
4 proposal, and has concerns with respect to  
5 multiple turn movements from the proposed  
6 hotel/conference center to various parking  
7 lots in the area. The area is known to be  
8 extremely congested at certain times of the  
9 day and at certain times of the year. The  
10 tendency for available parking spaces on site  
11 and at the proposed valet parking lot to be  
12 filled to capacity, even flowing over onto  
13 adjacent residential streets during business  
14 hours of the aquarium is also noted. The New  
15 York State DOT should be contacted and the  
16 valet parking plan should be reviewed so that



17 the safety and carrying capacity of the state  
18 right-of-way is not compromised.

19 The proposed layout of the proposed  
20 hotel complex does not include alternate or  
21 emergency vehicle access, nor does it include  
22 motor vehicle or pedestrian cross access  
23 easements to the adjacent property.

24 I want to just correct myself here. On  
25 the south side of the subject property there

1 Suffolk County Planning Commission 7/1/09 167  
2 is a boardwalk that goes from the Riverhead  
3 Parking Lot along the south side, over this  
4 water body, along to the marina site along  
5 here (indicating). It's not sure in the  
6 future, once this becomes part of the  
7 Atlantis Marina, whether they will continue  
8 that across or whether somehow it will be  
9 gated. It's not clear. But there is  
10 currently a public passageway from the  
11 Riverhead lot to the marina. And it blocks  
12 off the aquarium use by a fence. You'll see  
13 some photos when we get to that in a second.

14 Okay. Pedestrian access should be  
15 established to the properties adjacent and  
16 to the east of the subject site for future  
17 connection should the adjacent sites come  
18 under site plan review.

19 So while this site develops, we're  
20 indicating that there should be some sort of

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21 pedestrian access that, in the future, could  
22 link these properties to the east, if and  
23 when they develop (indicating). And as you  
24 can see in this aerial here, you can see this  
25 boardwalk that runs along the south side of

1 Suffolk County Planning Commission 7/1/09 168  
2 the site (indicating).

3 Moreover, the applicant should be  
4 required to consult with the Suffolk County  
5 Transit for the possibility of a bus turn-off  
6 at the location of this project site. It is  
7 noted that there is an existing bus stop on  
8 East Main Street for Suffolk County Transit  
9 Bus route 8A. Improvements to the bus stop  
10 should be made if warranted.

11 So we note that there is a bus stop  
12 there. There isn't a turn-off unless they go  
13 onto the subject site itself. So we thought  
14 that it would be beneficial that the  
15 applicants or the town spoke with DOT/DPW to  
16 see if there's a possibility to include a  
17 turn-off.

18 There's no indication in the submitted  
19 materials to the Suffolk County Planning  
20 Commission that the proposed project has been  
21 designed with energy efficiency or public  
22 safety in mind. The applicant should be  
23 directed to consult the Suffolk County  
24 Planning Commission guidelines on energy  
25 efficiency and public safety.

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2 Staff is recommending approval with the  
3 following conditions.

4 Condition one relates to the most  
5 landward limit of tidal wetland being  
6 reflagged in the field.

7 Condition two requires that no  
8 structures or sanitary systems be located  
9 within 100 feet of that most landward limit  
10 of wetland.

11 Three indicates that all appropriate  
12 regulatory wetland permits and approvals be  
13 granted by outside agencies as soon as  
14 possible.

15 Four indicates that the New York State  
16 DOT be contacted and valet -- and the valet  
17 parking plan be reviewed.

18 Condition five indicates that the  
19 applicant be required to consult with Suffolk  
20 County Transit for the possibility of a bus  
21 turn-off.

22 Condition six is related to the proposed  
23 layout of the hotel complex. Include  
24 considerations for alternate and emergency  
25 access, as well as cross access easements to

1 Suffolk County Planning Commission 7/1/09 170

2 adjacent property.

3           Seven is the applicant shall be directed  
4           to consult with the Suffolk County Planning  
5           Commission guidelines on energy efficiency  
6           and public safety.

7           The paragraphs which follow each one of  
8           those conditions is the rationale from the  
9           staff report.

10          That is the summary of the staff report,  
11          Mr. Chairman.

12          CHAIRMAN CALONE: Thank you, Andy.  
13          Appreciate it.

14          And ordinarily I'd ask the local  
15          representative to speak. Vince is, as some  
16          of you I think caught, recusing himself on  
17          this matter.

18          I guess I'll say a few words since this  
19          is the place that I spend more time in  
20          Suffolk County than anywhere else, other than  
21          my house, which is the consequence of having  
22          a two-year-old and a three-year-old.

23          It is a wonderful facility, of course,  
24          and a real asset to the county. And it's  
25          great to see the continued development there

1           Suffolk County Planning Commission 7/1/09   171

2           and in Downtown Riverhead in general.

3           I do have two concerns, at least, I'll  
4           throw out there and see if anyone else has  
5           thought about it.

6           Since I go there quite frequently, the  
7           parking there is very problematic. And that

8 leads to two issues.

9 One, I'm concerned about the fact that  
10 the hotel's being put right on top of the  
11 existing parking. But a consequence of that  
12 is that, you know, a number of people park  
13 across the street. And I have seen several  
14 kind of near incidents or times when you  
15 pause, because people coming around that bend  
16 on -- towards Main -- towards downtown, you  
17 know, are going relatively quickly. You have  
18 a lot of little kids, a lot of people pushing  
19 strollers. And the major parking is across  
20 the street on the other side of East Main  
21 Street.

22 So I would love to see us say something  
23 about, you know, there being a need to -- to  
24 put some pretty aggressive pedestrian  
25 protections in. I know we don't kind of

1 Suffolk County Planning Commission 7/1/09 172  
2 control the road with this plan, but we do  
3 control one side of the -- both sides of the  
4 road, actually, or the town does. So I'd  
5 love us to say something, you know, regarding  
6 the traffic safety.

7 The other thing is that with regard to  
8 the parking, it would be great to see the --  
9 maybe some of the valet be required to move  
10 off site.

11 I don't know, Andy, and it wasn't clear

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12 to me. Is the valet just the people would  
13 take their cars and park -- the valet would  
14 park them somewhere within the 110 spaces  
15 that are already allocated?

16 MR. FRELENG: That wasn't --  
17 Mr. Chairman, that wasn't indicated in the  
18 plan, but it's my understanding that the  
19 valet parking would be anywhere that there's  
20 available parking in the district.

21 CHAIRMAN CALONE: In the downtown  
22 parking district.

23 MR. FRELENG: In the parking district.

24 CHAIRMAN CALONE: Okay. That's  
25 certainly helpful with regard to, you know,

1 Suffolk County Planning Commission 7/1/09 173  
2 reassuring there's enough on-site parking.  
3 As many of you who have been there know  
4 there's not -- there's very minimal parking  
5 there as it is, and it looks like they're  
6 taking some piece of that to put the hotel  
7 on. They are creating new parking, which is  
8 great.

9 So, anyway, those are my two issues, but  
10 anyone else have thoughts?

11 MR. FRELENG: If it pleases the chair,  
12 can I just go through the photos? It might  
13 help get an idea of what we're looking at.

14 CHAIRMAN CALONE: You going to show us  
15 the seal show, too?

16 MR. FRELENG: No.

17

(Laughter)

18

SECRETARY ESPOSITO: Do you have any of  
the shark tank?

19

(Laughter)

20

21

MR. FRELENG: All right. This is --  
this obviously is the front of the building  
(indicating). To the right of this slide  
will be where they're proposing to add an  
additional part of the aquarium.

22

23

24

25

1

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2

Again, this is another view of that  
looking back west (indicating).

3

4

Okay. This is a view looking west,  
again, at the side of the existing aquarium  
(indicating).

5

6

7

This is the location of the proposed  
hotel (indicating). And as the chair's  
indicated, this parking would be relocated to  
the back of the hotel once that's  
constructed.

10

11

12

Another view of that parking lot  
(indicating).

13

14

CHAIRMAN CALONE: That's not  
infrequent --

15

16

MR. FRELENG: By the way, if you go  
back --

17

18

CHAIRMAN CALONE: -- that lot's full.

19

20

MR. FRELENG: -- go back a slide a  
second.

21  
22  
23  
24  
25

MR. CORRAL: (Compl ying)

MR. FRELENG: We did this site  
inspection, what time, John, 11:30?

MR. CORRAL: (Head gesture)

MR. FRELENG: 11:30, and the parking lot

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for the aquarium on a Monday --

MR. CORRAL: Yeah.

MR. FRELENG: -- on a Monday was full.

CHAIRMAN CALONE: Look, yeah, it's --  
it's a mixed blessing; right? It's fantastic  
that people are going there, it's just a  
concern --

MR. FRELENG: Products of success.

CHAIRMAN CALONE: -- having little kids  
and having to push strollers across that  
street, you know, with the -- the situation  
there.

MR. FRELENG: This is a view of New York  
State Route 25 if we're looking west again  
(indicating). Traffic's moving relatively  
quickly, and there was no congestion at the  
time we were at the site.

Again, that's a view going down the  
street opposite the aquarium (indicating).

And that is the parking lot that's  
across the street (indicating). And it was  
at this time about 80 percent full at 11:30  
in the morning on a Monday.

A pedestrian crossing the street in the



1 Suffolk County Planning Commission 7/1/09 176  
2 existing crosswalk as it exists (indicating).  
3 Looking down the street -- what you can't see  
4 in this slide is that, for whatever reason,  
5 there are people now parking, again, at  
6 11:30, up and down this residential street.  
7 Okay. This is from the back of the site  
8 looking northwest at the hotel site  
9 (indicating).  
10 Again, another shot looking at the  
11 parking, that would be displaced  
12 (indicating).  
13 Okay. This is looking from the far east  
14 of the site, looking back at the marina now  
15 (indicating). The parking that we just  
16 looked at is to the right of the slide.  
17 This is some of the retail buildings  
18 that currently exist as part of Atlantis  
19 Marine World, and I would anticipate that the  
20 new structure would have a similar look  
21 (indicating).  
22 Next slide.  
23 MR. CORRAL: (Compliyng)  
24 MR. FRELENG: This is from the south  
25 looking north at the back of the retail on

1 Suffolk County Planning Commission 7/1/09 177  
2 the far eastern side of the aquarium as part

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3 of the marina property (indicating). So this  
4 retail really fronts on the marina, though as  
5 part of the aquarium site.

6 That's the existing marina as it looks  
7 today (indicating).

8 That is one of the amenities going to  
9 Atlantis Marine World is you can take the  
10 Atlantis Explorer out into the Peconic River  
11 (indicating). It happened to be leaving  
12 while we were there, so we snapped a shot.  
13 We thought maybe Cartography could use it in  
14 the future for something.

15 Next slide.

16 MR. CORRAL: (Compl ying)

17 MR. FRELENG: This is the public walkway  
18 that goes along the south side of Atlantis  
19 Marine World (indicating). To the right, I  
20 guess in front of me -- I didn't know I was  
21 in the shot -- but there's a water feature  
22 and there's a manmade river that pours into  
23 this water feature. It's very nice, if you  
24 ever have the opportunity to walk along the  
25 south side. And from what you can see here,

1 Suffolk County Planning Commission 7/1/09 178  
2 you can look back into Atlantis Marine World,  
3 you can hear the seal show going on, whatever  
4 else is going on at the time.

5 Again, this is another shot from the  
6 pedestrian walkway on the south side of the  
7 site (indicating).

8 Staff believes that something like this  
9 should continue -- as they develop the site,  
10 it should continue, at least, as part of the  
11 promenade in Downtown Riverhead.

12 Again, this is part of the development  
13 site (indicating). This is on the far east  
14 side of the -- I guess the arena area, the  
15 center of the marina property.

16 Next slide.

17 MR. CORRAL: (Compl ying)

18 MR. FRELENG: This is the existing  
19 restaurant on the marina site that will stay  
20 as part of the development proposal .

21 I think that -- that's all .

22 Thank you, Mr. Chair man.

23 CHAIRMAN CALONE: Thank you, Andy.

24 Any other --

25 COMMISSIONER HOLMES: (Indicati ng)

1 Suffolk County Planning Commission 7/1/09 179

2 CHAIRMAN CALONE: Yes,

3 Commissioner Holmes.

4 COMMISSIONER HOLMES: Did I understand  
5 you correctly to say that people now park on  
6 both sides of the street? Are you talking  
7 about Main Street?

8 MR. FRELENG: No, not on New York --

9 COMMISSIONER HOLMES: No.

10 MR. FRELENG: -- State Route 25

11 Main Street. No, on the residential

07 01 09\_Planning\_Commission.txt  
12 streets --  
13 COMMISSIONER HOLMES: Okay.  
14 MR. FRELENG: -- north of the subject  
15 property, there's the parking lot. And then  
16 along that parking lot is the school, or if  
17 they don't want to -- I think there's a paid  
18 parking lot, they park on that residential  
19 street.  
20 COMMISSIONER HOLMES: I see. Because  
21 I -- I am mindful of what it's like on the  
22 North Road where people are much more  
23 inclined to be driving more slowly where that  
24 Harbes Farm and then their berry stand across  
25 the road. When those are active, the

1 Suffolk County Planning Commission 7/1/09 180  
2 pedestrian traffic is unbelievable with  
3 little children running back and forth, and,  
4 you know, people have to know to really slow  
5 down.

6 I just can't imagine this situation  
7 going unaddressed. You know, that there is  
8 so much --

9 What would you propose to improve  
10 pedestrian safety at that location?

11 MR. FRELENG: Well, there are a number  
12 of -- staff didn't make any specific  
13 recommendations. There are a number of  
14 things that can be done. We -- you know,  
15 similar to the discussion that we had with  
16 DPW today, there are a number of pedestrian

17 amenities for crosswalks that we could  
18 incorporate.

19 We do have knowledge that the -- that  
20 Atlantis does put out a crossing guard at  
21 certain times to help pedestrians cross the  
22 street. Although at the time we were there,  
23 we couldn't verify that. Anecdotally, I have  
24 seen a crossing guard there on other times,  
25 but at the time we did our site inspection,

1 Suffolk County Planning Commission 7/1/09 181  
2 there was no crossing guard there. And we  
3 don't have any knowledge of when that  
4 crossing guard is there, what parameters are  
5 required to put the crossing guard there.

6 COMMISSIONER HOLMES: I see. Okay.  
7 Thank you.

8 CHAIRMAN CALONE: Thank you,  
9 Commissioner Holmes.

10 COMMISSIONER LANSDALE: (Indicating)

11 CHAIRMAN CALONE: Commissioner Lansdale.

12 COMMISSIONER LANSDALE: One of the  
13 assets that the -- Downtown Riverhead has is  
14 its proximity to the Peconic River. And what  
15 we've seen -- what I've seen in other places  
16 on Long Island is increasing -- of -- of  
17 downtowns when they are revitalizing  
18 themselves, of increasing the viewsheds so  
19 that people understand that there is the  
20 Peconic River right behind the downtown.

21 Does this proposed redevelopment -- I  
22 can't see on the site plan whether there are  
23 viewsheds built into this redevelopment of  
24 this property.

25 MR. FRELENG: Nothing was specifically

1 Suffolk County Planning Commission 7/1/09 182  
2 called out in the referral to us. I do not  
3 believe that -- just from my personal  
4 knowledge, I don't believe that there are --  
5 there are any line of sights to the river  
6 from either of the two parcels, or the  
7 existing aquarium and the marina parcels. So  
8 if you're driving down New York State  
9 Route 25 now, there is no line of sight to  
10 the river. And I do not believe they're  
11 proposing to create a public view to the  
12 river.

13 CHAIRMAN CALONE: I concur with that,  
14 I -- you almost don't know that you're on the  
15 river until you go out the back door there --

16 COMMISSIONER LANSDALE: Right.

17 CHAIRMAN CALONE: -- and then you see  
18 the river there.

19 I had a question just with regard to the  
20 parking. I understand that the town's  
21 perspective on this is that, you know, it's  
22 part of the downtown parking district. But I  
23 wonder if you can show us on the aerial  
24 how -- where the nearest part of that parking  
25 district or -- you know, municipal spots are.

1 Suffolk County Planning Commission 7/1/09 183

2 I remember that there are signs, actually,  
3 when you're downtown, to actually park on the  
4 north side of the aquarium. You know, it  
5 kind of directs you to some of those lots  
6 behind some of the stores on the north  
7 side.

8 MR. FRELENG: Right. Well, when you  
9 come to the aquarium, your first choice,  
10 obviously as it exists, is to park here and  
11 then here (indicating), and then there is  
12 parking along the west side, over here  
13 there's some parking (indicating), and then,  
14 you know, you're -- you're obligated at that  
15 point to go into the municipal parking lot.  
16 The closest municipal parking lot is along  
17 the river behind the stores.

18 CHAIRMAN CALONE: Yeah, is that -- I  
19 mean, down to the lower left-hand corner,  
20 does that start the municipal lots down  
21 there --

22 MR. FRELENG: Yes.

23 CHAIRMAN CALONE: -- that isn't private?

24 MR. FRELENG: Yes, this is part of the  
25 municipal lot, down here (indicating).

1 Suffolk County Planning Commission 7/1/09 184

2 CHAIRMAN CALONE: Okay.

3 MR. FRELENG: It runs right up --  
4 CHAIRMAN CALONE: All right.  
5 Bob you had something, and then --  
6 COMMISSIONER BRAUN: Yeah --  
7 CHAIRMAN CALONE: -- Charla.  
8 COMMISSIONER BRAUN: -- Andy, you had  
9 said something about you didn't know whether  
10 that boardwalk was going to remain accessible  
11 to the general public or not.  
12 Who owns that now? Is that owned by the  
13 Atlantis --  
14 MR. FRELENG: It was -- it was not --  
15 this existing boardwalk here is not -- it's  
16 not called out in the site plan. The  
17 ownership of it, I -- I'm going to take a  
18 guess that this is -- belongs to the Town of  
19 Riverhead. But I believe that it is -- I  
20 believe it belongs to the Town of Riverhead  
21 only because it just seems like the  
22 continuing part of the promenade --  
23 COMMISSIONER HOLMES: I'm sure you're  
24 right, because when they did their original  
25 hoped for revitalization some years back,

1 Suffolk County Planning Commission 7/1/09 185  
2 they created that boardwalk.

3 CHAIRMAN CALONE: Well, in keeping with  
4 out -- the notion that we can ask elected  
5 officials for their opinion --

6 COMMISSIONER HOLMES: Yes.

7 CHAIRMAN CALONE: -- we have a -- we're



8 privileged to have one with us. So Barbara  
9 or Rick or one of -- do you have a quick  
10 answer to that question?

11 COUNCILWOMAN BLASS: Yes. Thank you,  
12 Mr. Chairman.

13 I believe the portion of the boardwalk  
14 that's behind this facility itself is  
15 privately owned, but it does connect to the  
16 portion that is owned by the Town of  
17 Riverhead.

18 CHAIRMAN CALONE: And where's that  
19 line -- where -- where does it --

20 COUNCILWOMAN BLASS: (No response)

21 CHAIRMAN CALONE: I'm sorry, you're just  
22 saying, basically, on the site it's --

23 COUNCILWOMAN BLASS: On the site --

24 CHAIRMAN CALONE: -- it's private --

25 COUNCILWOMAN BLASS: -- it's theirs.

1 Suffolk County Planning Commission 7/1/09 186

2 CHAIRMAN CALONE: Yeah. Gotcha.

3 So once you're on their property --

4 COUNCILWOMAN BLASS: It is owned --

5 CHAIRMAN CALONE: -- that line is  
6 theirs.

7 COUNCILWOMAN BLASS: -- and was improved  
8 by them. Yes.

9 CHAIRMAN CALONE: Gotcha.

10 Thank you, ma'am.

11 MR. FRELENG: So I apologize, I

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12 shouldn't have taken a guess.  
13 SECRETARY ESPOSITO: It was an educated  
14 guess.  
15 CHAIRMAN CALONE: It was an educated  
16 guess, we just had someone more educated.  
17 Thank you, Barbara.  
18 Bob, was that --  
19 COMMISSIONER BRAUN: Yeah, and I think I  
20 would --  
21 CHAIRMAN CALONE: -- the answer to your  
22 question?  
23 COMMISSIONER BRAUN: -- I would want to  
24 consider asking them to let that remain  
25 accessible to the public just for the -- the

1 Suffolk County Planning Commission 7/1/09 187  
2 same reasons we were talking about in light  
3 of this site to the river and so forth.  
4 COMMISSIONER BOLTON: (Indicating)  
5 CHAIRMAN CALONE: Sure.  
6 Charla.  
7 COMMISSIONER BOLTON: Since Vince can't  
8 comment on this application, I'd like to just  
9 make the following comments.  
10 CHAIRMAN CALONE: Whoa, whoa, whoa,  
11 whoa, whoa.  
12 SECRETARY ESPOSITO: This should not  
13 be --  
14 CHAIRMAN CALONE: We can't use proxies  
15 to make comments.  
16 COMMISSIONER TALDONE: I didn't say

17 anythi ng.  
18 COMMI SSI ONER BOLTON: No, thi s i s all --  
19 CHAI RMAN CALONE: Thi s i s your --  
20 COMMI SSI ONER BOLTON: -- comi ng from me.  
21 CHAI RMAN CALONE: -- own thoughts and  
22 opi ni ons?  
23 COMMI SSI ONER BOLTON: Yes --  
24 CHAI RMAN CALONE: Okay.  
25 COMMI SSI ONER BOLTON: -- absol utel y.

1 Suffol k County Planni ng Commi ssi on 7/1/09 188  
2 CHAI RMAN CALONE: There' s nothi ng  
3 whatsoever to do wi th --  
4 COMMI SSI ONER BOLTON: I' m not speaki ng  
5 for Vi nce --  
6 CHAI RMAN CALONE: Okay.  
7 COMMI SSI ONER BOLTON: -- I' m speaki ng  
8 for mysel f --  
9 CHAI RMAN CALONE: I thi nk that woul d  
10 be --  
11 COMMI SSI ONER BOLTON: -- as a member  
12 of --  
13 CHAI RMAN CALONE: Is that okay, Counsel ?  
14 MS. SPAHR: I' m not getti ng i nvol ved.  
15 (Laughte r)  
16 CHAI RMAN CALONE: Okay.  
17 Charl a, as l ong as thes e are your --  
18 thes e are your thoughts.  
19 COMMI SSI ONER BOLTON: Absol utel y.  
20 CHAI RMAN CALONE: Okay.

21                   COMMISSIONER BOLTON: No. So we're not  
22                   in consultation.  
23                   COMMISSIONER TALDONE: (Head gesture)  
24                   CHAIRMAN CALONE: Okay. I'll take you  
25                   on your word.

1                   Suffolk County Planning Commission 7/1/09   189

2                   COMMISSIONER BOLTON: But they do  
3                   address two issues that we're covering in our  
4                   task force.  
5                   And one is the question of pedestrian  
6                   safety. And this is a really central area  
7                   for pedestrian activity for people of all  
8                   ages and disabilities and abilities. And for  
9                   that reason, I think there should be a really  
10                  very well-articulated pedestrian access  
11                  system in this location that would include  
12                  not only a well-marked and well-defined and  
13                  visible-at-all-times crossway, but also  
14                  pedestrian-actuated signal system. And this  
15                  would obviously be probably one of the most  
16                  important locations in Riverhead to consider  
17                  this, and I would like to see that as part of  
18                  our comment that we send back.

19                  CHAIRMAN CALONE: Okay.

20                  DIRECTOR ISLES: (Indicating)

21                  CHAIRMAN CALONE: Okay. Thank you,  
22                  Charla.

23                  VICE CHAIRMAN KONTOKOSTA: (Indicating)

24                  CHAIRMAN CALONE: Constantine.

25                  VICE CHAIRMAN KONTOKOSTA: Tom.

1 Suffolk County Planni ng Commi ssi on 7/1/09 190

2 CHAIRMAN CALONE: Oh, Tom, sorry.

3 DIRECTOR ISLES: Well, the only poi nt on  
4 that is that depending on how you word your  
5 condi ti on, and we don' t di sagree wi th it from  
6 a staff' s standpoi nt, it is a state road so  
7 they woul d have to approve it through --  
8 through a process, obvi ously.

9 COMMI SSIONER BOLTON: Ri ght. So the  
10 Town of the Ri verhead woul d have to work wi th  
11 the state on it.

12 DIRECTOR ISLES: Ri ght, and the  
13 appli cant as well .

14 COMMI SSIONER BOLTON: And it appears  
15 that the state has an i nterest i n doi ng thi s  
16 ki nd of work, based on our experi ence.

17 DIRECTOR ISLES: Ri ght. It j ust may  
18 be -- it is beyond the power of the town  
19 uni laterally to cause that.

20 COMMI SSIONER BOLTON: I understand that.

21 DIRECTOR ISLES: Okay.

22 CHAIRMAN CALONE: J ust a questi on on  
23 that, Di rector. The town can call for, I  
24 assume, the -- wi th respect to the plan  
25 i tsel f and the property i tsel f, coul d there

1 Suffolk County Planni ng Commi ssi on 7/1/09 191

2 be pedestri an, you know, ameni ti es? You

3 know, so they may not be able to actually put  
4 rumble strips down on the road, but they  
5 might be able to have signage as long as it's  
6 on that property?

7 DIRECTOR ISLES: Sure, on the site, per  
8 the site plan approval as approved by the  
9 Town of Riverhead, that would be fine.  
10 Within the right-of-way of the state highway,  
11 it's all subject to State DOT approval.

12 CHAIRMAN CALONE: Right.

13 DIRECTOR ISLES: So just in terms of the  
14 obligation of the Town of Riverhead, they're  
15 limited and they can request it or encourage  
16 it, but the final phase, obviously, by DOT.  
17 A push from the commission and certainly a  
18 push from the town would probably help.

19 CHAIRMAN CALONE: Right.

20 COMMISSIONER BOLTON: (Indicating)

21 CHAIRMAN CALONE: Charla.

22 COMMISSIONER BOLTON: Mr. Chairman, I  
23 just want to clarify, since there was a  
24 question about -- that I'm speaking as a  
25 member of the accessible design task force.

1 Suffolk County Planning Commission 7/1/09 192

2 CHAIRMAN CALONE: Appreciate that. I  
3 know you've done a lot of work on that. So  
4 thank you, Charla.

5 Other thoughts, comments, questions?

6 VICE CHAIRMAN KONTOKOSTA: (Indicating)

7 CHAIRMAN CALONE: Constantine.

8 VICE CHAIRMAN KONTOKOSTA: I find the  
9 parking here really concerning and  
10 problematic, because it seems like the  
11 analysis is somewhat incomplete in terms of  
12 the parking stalls required. Because  
13 obviously you have the bedrooms, but then you  
14 have the employees of the hotel, you have the  
15 conference space which would have some  
16 impact, not to mention that we have the  
17 proposed building of 72,000 square feet which  
18 would have some parking requirements, and  
19 then we have, of course, on top of that, the  
20 loss of the existing parking for the  
21 aquarium.

22 So the net number here is actually  
23 probably much larger in terms of the  
24 shortfall of parking, if there were -- let's  
25 say, if there were the requirement of

1 Suffolk County Planning Commission 7/1/09 193  
2 parking. So I can see that being -- given  
3 that this is already a parking problem, to  
4 begin with, that it might -- might only  
5 exacerbate that.

6 The question I have then is, has there  
7 been analysis or study done of the existing  
8 municipal parking and their ability to handle  
9 all this additional requirement?

10 MR. FRELENG: Yes. It's staffs  
11 understanding that at the time the Town of

07 01 09\_Planning\_Commission.txt  
12 Riverhead did their urban renewal study, they  
13 supplemented that with a draft environmental  
14 impact statement which did an analysis of the  
15 parking district, if you will. And it was  
16 the conclusion of that analysis that there  
17 was sufficient parking in the parking  
18 district to accommodate the uses.

19 CHAIRMAN CALONE: I guess the question  
20 with that is also the proximity. If you  
21 treated the parking district as simply a  
22 thing that has enough spots in it to  
23 accommodate that, that may be one thing.  
24 It's also, however, this parcel's at the far  
25 extreme end of the parking district and, you

1 Suffolk County Planning Commission 7/1/09 194  
2 know, a pretty good walk from the heart where  
3 I think where most of the stalls -- the  
4 parking stalls are located.

5 As you indicated, there are a handful of  
6 stalls -- municipal parking stalls towards  
7 the site, but that's on the south side -- I'm  
8 sorry, the bulk of the parking on the south  
9 side is further -- is further west,  
10 certainly, and I think all of the municipal  
11 parking on the north side is much -- you  
12 know, considerably further west.

13 So I think the proximity of it within  
14 the parking district is also -- obviously  
15 feeds into that concern.

16 MR. FRELENG: Well, staff has discussed  
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17 with the commission, on other projects in the  
18 district, similar issues, the distribution  
19 and the relative convenience of accessible  
20 parking, that's the issue, not the  
21 availability of spaces.

22 CHAIRMAN CALONE: All right. Any other  
23 thoughts or comments or anything?

24 (WHEREUPON, there was no response.)

25 CHAIRMAN CALONE: If not, the two main

1 Suffolk County Planning Commission 7/1/09 195  
2 issues that we have identified were the  
3 parking and pedestrian safety.

4 My personal thought, since it's  
5 something that I'm concerned about with  
6 regard to the pedestrian safety, was actually  
7 that we add one condition and one comment.

8 The condition being that the applicant  
9 need to provide improved pedestrian safety  
10 measures, including -- I'm sorry, to include  
11 signage on the property itself. So not in  
12 the right-of-way, because we can't require  
13 that of them, but as close as you can get to  
14 the right-of-way.

15 And then a comment simply to the town  
16 encouraging them to work with DOT to work on  
17 a well-articulated pedestrian access system  
18 along the lines that Charla's talking about,  
19 perhaps to include signals -- signalization,  
20 different kinds of road material, that it be

07 01 09\_Planning\_Commission.txt  
21 well-marked, those kinds of things. I'm sure  
22 the town is well aware of this issue.  
23 It's -- you know, simply having a comment,  
24 kind of just having us buttress it, may be  
25 somewhat helpful, I would hope.

1 Suffolk County Planning Commission 7/1/09 196

2 Any comments or thoughts on those two  
3 ideas?

4 COMMISSIONER BOLTON: (Indicating)

5 CHAIRMAN CALONE: Charla.

6 COMMISSIONER BOLTON: I said a  
7 pedestrian-actuated traffic signal, because  
8 since pedestrians are probably -- there's  
9 more pedestrian activity, there needs to be  
10 some kind of a system that would allow them  
11 to cross conveniently without, you know,  
12 waiting for the traffic signal to signal  
13 through, in other words. To be able to --

14 CHAIRMAN CALONE: Right.

15 COMMISSIONER BOLTON: -- to activate it.

16 CHAIRMAN CALONE: There actually is no  
17 light or anything there, it's just an --

18 COMMISSIONER BOLTON: No.

19 CHAIRMAN CALONE: -- open road. So --

20 COMMISSIONER BOLTON: Now, that would  
21 include a light, of course, but it would be  
22 activated by pedestrian --

23 CHAIRMAN CALONE: A button of some  
24 sense.

25 COMMISSIONER BOLTON: Yeah, a button or  
Page 168

1 Suffolk County Planning Commission 7/1/09 197  
2 even -- there's a way to put it actually in  
3 the crosswalk, so when a person steps on it,  
4 then the light can change.  
5 CHAIRMAN CALONE: Interesting.  
6 COMMISSIONER BOLTON: Yeah.  
7 CHAIRMAN CALONE: Okay. So that would  
8 be part of our -- a comment just to the town  
9 to encourage them to discuss that with DOT,  
10 and kind of obviously indicating our support  
11 for that.  
12 Any objections to that comment?  
13 (WHEREUPON, there was no response.)  
14 CHAIRMAN CALONE: Seeing none, any  
15 objections to a condition that the applicant  
16 take additional steps to improve pedestrian  
17 safety, particularly with regard to  
18 well-marked pedestrian walkways on their  
19 property? Any objection to that?  
20 (WHEREUPON, there was no response.)  
21 CHAIRMAN CALONE: Seeing none, we'll  
22 include that.  
23 Then the other -- the other issue we  
24 have is the parking one. And the question is  
25 simply what to -- what else to add to the

1 Suffolk County Planning Commission 7/1/09 198  
2 conditions that we have on parking.

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Any thoughts?

(WHEREUPON, there was no response.)

CHAIRMAN CALONE: One thought would be to ensure that the valet system is parking cars, you know, not on -- on -- on the premises, thereby freeing up at least spaces within the site itself. So that's one possibility.

MR. FRELENG: Mr. Chairman, you said not on site?

CHAIRMAN CALONE: Yeah, if you're using valet, to basically use the parking district -- the municipal lots and not the lots on site, thereby freeing up more spaces for people --

COMMISSIONER HOLMES: Oh, gee, that's terrible.

CHAIRMAN CALONE: -- parking --

COMMISSIONER HOLMES: Who wants to wait around for a valet to go across the street and down the block?

MR. FRELENG: It's staffs impression that the valet parking is for the hotel

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occupants.

CHAIRMAN CALONE: Right.

COMMISSIONER HOLMES: Yeah.

MR. FRELENG: They would call for their car, the car would be brought, and they would come down. They really wouldn't have to

8 wait.

9 COMMISSIONER HOLMES: Oh, okay. Just

10 for the hotel then?

11 MR. FRELENG: Well, I don't know, I'm

12 just saying that. I would --

13 COMMISSIONER HOLMES: The valet --

14 MR. FRELENG: -- believe that the valet

15 would work --

16 COMMISSIONER HOLMES: -- parking is just

17 for the hotel.

18 Do any of our experts know, to clarify

19 this for us?

20 MR. HANDLEY: Mr. Freleng is correct.

21 COMMISSIONER HOLMES: What?

22 CHAIRMAN CALONE: Yes.

23 MR. HANDLEY: Mr. Freleng is correct.

24 SECRETARY ESPOSITO: Again.

25 CHAIRMAN CALONE: He's above the Mendoza

1 Suffolk County Planning Commission 7/1/09 200

2 line.

3 MR. HANDLEY: This time -- this time

4 Mr. Freleng is correct.

5 CHAIRMAN CALONE: Okay. I mean, if

6 there isn't widespread, you know, consensus

7 in that we should do something on parking,

8 that's okay, but, I mean, that was just an

9 idea. But we can -- we can move forward.

10 Any other comments or questions?

11 Anything to add?

12 07 01 09\_Planning\_Commission.txt  
(WHEREUPON, there was no response.)

13 CHAIRMAN CALONE: If not, we'll

14 entertain a motion to adopt the --

15 COMMISSIONER HOLMES: I would move to

16 adopt the staff report with the billion

17 conditions.

18 CHAIRMAN CALONE: I think there are

19 seven -- no, sorry, there are eight now, and

20 we have one comment as well.

21 COMMISSIONER BOLTON: (Indicating)

22 CHAIRMAN CALONE: So you're moving it as

23 amended.

24 Seconded by Commissioner Bolton.

25 All in favor, please raise your hand.

1 Suffolk County Planning Commission 7/1/09 201

2 (WHEREUPON, the members voted.)

3 CHAIRMAN CALONE: Nine, and no -- no --

4 no opposition, and one -- one recusal from

5 Commissioner Talone.

6 Okay. Let's move forward and wrap

7 things up.

8 We have the comprehensive plan.

9 Look, we've talked about the

10 comprehensive plan numerous times. The

11 bottom line is we need to actually authorize

12 the department to move forward with starting

13 the process.

14 DIRECTOR ISLES: Right.

15 CHAIRMAN CALONE: Tom, if there's

16 anything else you want to add on that.

17 DIRECTOR ISLES: The only thing to add  
18 is we have, with the chair, worked on a  
19 resolution to -- to do that. And then  
20 attached to the resolution is an outline  
21 showing the first two phases, sections one  
22 and two of that project. That's the latest  
23 draft that staff has generated.

24 CHAIRMAN CALONE: Okay. Great, Tom.

25 And we all know that that's going to be

1 Suffolk County Planning Commission 7/1/09 202  
2 a work in progress as we go forward with  
3 regard to the timetable and the steps taken.

4 I also want to just note that the  
5 resolution -- a number of you around the  
6 table made comments on the resolution. I  
7 incorporated those and sent that to Tom. So  
8 that's kind of a -- a joint project of a  
9 bunch of people, just to give credit where  
10 its due.

11 And are there are any comments or  
12 questions on starting the process of creating  
13 a County Comprehensive Plan?

14 Commissioner Bolton --

15 COMMISSIONER BOLTON: I don't have any  
16 questions.

17 CHAIRMAN CALONE: Oh, okay. You seemed  
18 poised.

19 COMMISSIONER BOLTON: No.

20 I have comments on the comprehensive

21 07 01 09\_Planning\_Commission.txt  
plan update, the list of -- you know, the  
22 outline.

23 CHAIRMAN CALONE: Okay.

24 COMMISSIONER BOLTON: And I don't know  
25 when you would want us to make those; after

1 Suffolk County Planning Commission 7/1/09 203  
2 the resolution, before the resolution.

3 CHAIRMAN CALONE: Yeah, well, if you  
4 have something that you think urgently needs  
5 to be changed, we can do that. Again, this  
6 will be an ongoing process of revision and  
7 what to include and not include.

8 COMMISSIONER BOLTON: Okay. In that  
9 case, I'll accept it right now.

10 CHAIRMAN CALONE: Okay.

11 Any other thoughts or comments?

12 (WHEREUPON, there was no response.)

13 CHAIRMAN CALONE: Seeing none, I'll  
14 entertain a motion to approve the resolution  
15 to initiate the process of creating a Suffolk  
16 County Comprehensive Plan.

17 COMMISSIONER BOLTON: So moved.

18 SECRETARY ESPOSITO: So moved.

19 CHAIRMAN CALONE: Moved by  
20 Commissioner Bolton, seconded by  
21 Secretary Esposito.

22 All in favor, please raise your hand.

23 (WHEREUPON, the members voted.)

24 CHAIRMAN CALONE: That passes  
25 unani mousl y. Thank you. Ten to zero.



1 Suffolk County Planning Commission 7/1/09 204

2 Next item is -- which we will not spend  
3 much time on, is the -- oh, I apologize.

4 We will need going forward a small  
5 subset of our members to kind of be in  
6 consultation with the department on the  
7 comprehensive plan. I know that a couple of  
8 you have expressed interest in being involved  
9 in that group. I don't think this will be a  
10 major time commitment, but I do think it will  
11 extend for a long time. It will be the kind  
12 of thing where Tom and I bounce some ideas  
13 off of you, or, you know, et cetera.

14 I've talked to some of you about it. If  
15 anyone else would be interested in joining  
16 that group, let me know within the next week  
17 and then we'll do it that way, if that's  
18 okay.

19 The other item we have is the  
20 jurisdiction. I don't think we need to get  
21 into a long conversation about jurisdiction.

22 The bottom line is that this came up in  
23 the context of what someone mentioned here  
24 today, which is there are -- what Job  
25 mentioned, I think, which is that other

1 Suffolk County Planning Commission 7/1/09 205

2 counties do have -- county planning

3 commissions around this county do have the  
4 formal role of advising on county highway  
5 projects. There are also other powers that  
6 some planning commissions have.

7 Some members of the legislature have  
8 expressed an interest in discussing our  
9 jurisdiction in those regards, and we will  
10 need a few of us to just kind of bat around  
11 some ideas, working with our counsel, working  
12 with the department about what's even  
13 feasible, and what we should do.

14 So I know one or two of you have also  
15 indicated an interest in that. This is, I  
16 think, a very short-term thing. I think a  
17 phone call or two over the next month or so  
18 we should -- and I'll probably report back to  
19 all of us with some thoughts.

20 If any of you are interested in that,  
21 again, you can let me know offline and -- and  
22 we'll, you know, kind of get that rolling.

23 The last item for discussion is the  
24 Suffolk County Shellfish Aquaculture Lease  
25 Program. We have a resolution on that.

1 Suffolk County Planning Commission 7/1/09 206

2 We've had a report on that, an extensive  
3 report from DeWitt Davies I think maybe two  
4 or three meetings ago. So I don't know  
5 that -- we don't need to recapitulate all  
6 that, but Tom you can give us an update of  
7 where we are and about the resolution.

8 DIRECTOR ISLES: Okay. Where we are is  
9 that the county executive has submitted a  
10 proposed local law to the Suffolk County  
11 Legislature to adopt the Suffolk County  
12 Aquaculture Lease Program.

13 This is a very small-scale aquaculture  
14 program. The grant of the land that the  
15 State of New York gave to Suffolk County was  
16 about 110,000 acres. Existing aquaculture --  
17 shellfish aquaculture is about 27,000 acres.  
18 What this program would do -- would allow an  
19 expansion of about 31,073 acres. So it's  
20 still less than three percent of the overall  
21 bay area. So it is very small scale.

22 At this point we have a short brochure  
23 that's also -- we've circulated to you today.

24 The resolution is to put the planning  
25 commission on record as in support of the

1 Suffolk County Planning Commission 7/1/09 207  
2 program, which we would respectfully request  
3 your consideration of.

4 This program has been developed in close  
5 coordination with the five East End towns and  
6 various other stakeholders, and it's an  
7 attempt to clean up an antiquated ad hoc  
8 system that presently exists in the bay and  
9 put into place a structured system with  
10 oversight and so forth.

11 It has both economic and environmental

07 01 09\_Planning\_Commission.txt  
12 benefits, and we think with the -- all the  
13 input over the past three and a half years  
14 with the stakeholders that consideration by  
15 the legislature at this time is warranted,  
16 and we are looking for support at this point.  
17 We expect that later on this summer the  
18 legislature will act one way or another.

19 CHAIRMAN CALONE: Thank you, Director.  
20 Any comments from anyone here on -- on  
21 the program?

22 (WHEREUPON, there was no response.)

23 CHAIRMAN CALONE: Like I said, we did  
24 have --

25 COMMISSIONER ROBERTS: (Indicating)

1 Suffolk County Planning Commission 7/1/09 208

2 CHAIRMAN CALONE: -- a lot of discussion  
3 about it last time --  
4 Barbara.

5 COMMISSIONER ROBERTS: I would just  
6 point out that it is something I was  
7 personally very interested in, and I have  
8 attended a number of meetings and can totally  
9 endorse where this has ended up.

10 CHAIRMAN CALONE: That's great. Thank  
11 you.

12 COMMISSIONER HOLMES: Then you make the  
13 motion.

14 (Laughter)

15 CHAIRMAN CALONE: Any other comments or  
16 questions?

17 (WHEREUPON, there was no response.)  
18 CHAIRMAN CALONE: If not, I'll entertain  
19 a motion to adopt the resolution supporting  
20 the adoption of a County Aquaculture Leasing  
21 Program.  
22 COMMISSIONER ROBERTS: (Indicating)  
23 COMMISSIONER HOLMES: And I'll second.  
24 CHAIRMAN CALONE: Made by  
25 Commissioner Roberts and seconded by

1 Suffolk County Planning Commission 7/1/09 209  
2 Commissioner Holmes.  
3 All those in favor, please raise your  
4 hand.  
5 (WHEREUPON, the members voted.)  
6 CHAIRMAN CALONE: And those opposed?  
7 (WHEREUPON, there was no response.)  
8 CHAIRMAN CALONE: And that passes ten to  
9 zero also.  
10 Thank you all.  
11 Our last item, as always, our closer,  
12 our Mariano Rivera, is Peter Lambert.  
13 (Laughter)  
14 CHAIRMAN CALONE: Peter, I haven't  
15 looked at what you put together, but if you  
16 want to give us a brief overview.  
17 MR. LAMBERT: Sure.  
18 In your packet is some information in  
19 the form of a memo with a little table on it.  
20 And what it is is information on estimates of

07 01 09\_Planning\_Commission.txt  
21 rental apartment rates, rental rates in  
22 Suffolk County, also in Nassau County,  
23 including Eastern Suffolk. And what I have  
24 done most years since 1989 is to just take a  
25 snapshot of one day in time and look at all

1 Suffolk County Planning Commission 7/1/09 210  
2 the listings of apartments and what they're  
3 renting for and where they're located, and  
4 come out with an average by the number of  
5 bedrooms and by location.

6 And so what you see here in the table is  
7 that rents have generally risen through the  
8 period of 1993 to 2009. But what's  
9 interesting is that they're a little more  
10 stable in the way they move than house  
11 selling prices, which have tended to  
12 skyrocket and now are declining  
13 significantly. So the change in the rent  
14 numbers is not as dramatic.

15 When housing prices were skyrocketing,  
16 the rents were going up but not nearly at the  
17 same rate. And now that home values have  
18 declined, rents are still increasing  
19 modestly. And what you see in the following  
20 pages are the details of the rent figures  
21 through the years and various towns by the  
22 number of bedrooms.

23 And that is a quick summary of what I  
24 put together. If you have any questions,  
25 I'll be happy to answer them.

1 Suffolk County Planni ng Commi ssi on 7/1/09 211  
2 COMMI SSI ONER HOLMES: You have no data  
3 on Shel ter Isl and.  
4 MR. LAMBERT: It's in there.  
5 COMMI SSI ONER HOLMES: It's in there.  
6 MR. LAMBERT: There aren't too many  
7 listi ngs, but we're -- we're -- I had more  
8 than three listi ngs for Shel ter Isl and.  
9 COMMI SSI ONER HOLMES: Oh, I see.  
10 MR. LAMBERT: The number does appear --  
11 COMMI SSI ONER HOLMES: Yes, you have all  
12 uni ts --  
13 MR. LAMBERT: -- in the table.  
14 COMMI SSI ONER HOLMES: -- all uni ts.  
15 MR. LAMBERT: Ri ght.  
16 COMMI SSI ONER HOLMES: That's ri ght.  
17 I -- I see now, you have a 2009 all uni ts --  
18 MR. LAMBERT: Ri ght.  
19 COMMI SSI ONER HOLMES: -- data for  
20 Shel ter Isl and.  
21 MR. LAMBERT: Ri ght. The only time I'll  
22 ever have a number in there is if there were  
23 at least three apartment --  
24 COMMI SSI ONER HOLMES: Ri ght.  
25 MR. LAMBERT: -- listi ngs in that

1 Suffolk County Planni ng Commi ssi on 7/1/09 212  
2 category.

3                   COMMISSIONER HOLMES: Well, there are a  
4                   good many rentals, but most of them are off  
5                   the books. Sorry.  
6                   MR. LAMBERT: Right. Okay. So I was  
7                   just checking published sources.  
8                   CHAIRMAN CALONE: We chose not to break  
9                   out the illegal rentals.  
10                  COMMISSIONER HOLMES: Yes. Yes. Which  
11                  are numerous.  
12                  CHAIRMAN CALONE: Okay. That's very  
13                  interesting. Thank you.  
14                  COMMISSIONER TALDONE: Can I ask a  
15                  question?  
16                  CHAIRMAN CALONE: Yes, Vince, of course.  
17                  COMMISSIONER TALDONE: Peter, actually,  
18                  that was my question.  
19                  What are your sources actually other  
20                  than the MLS system to --  
21                  COMMISSIONER HOLMES: Push the button.  
22                  MR. LAMBERT: The sources are --  
23                  CHAIRMAN CALONE: You know, he is. The  
24                  light's on.  
25                  SECRETARY ESPOSITO: His light's on.

1                   Suffolk County Planning Commission 7/1/09   213  
2                   COMMISSIONER TALDONE: It's on.  
3                   SECRETARY ESPOSITO: Project, Vince.  
4                   CHAIRMAN CALONE: Modern technology.  
5                   COMMISSIONER TALDONE: Peter, that was  
6                   exactly my question regarding the source of  
7                   information. Other than the MLS, how else do  
                    Page 182



8 you compile rental data?

9 MR. LAMBERT: The sources are described  
10 in the memo. And for many years in the  
11 beginning when I first did this, I used only  
12 Newsday. And the number of listings in  
13 Newsday declined dramatically. And then in  
14 the late '90s, when the Internet started to  
15 become another source for apartment listings,  
16 and then I took on Craigslist, last two years  
17 or so, as another source. And even that had  
18 less listings this year than in the past, so  
19 I added MLS, as you mentioned, this year. So  
20 those are the three sources for those  
21 listings.

22 CHAIRMAN CALONE: And you pick the same  
23 day each year?

24 MR. LAMBERT: Roughly. I try to. It's  
25 used to be January, now it tends to move --

1 Suffolk County Planning Commission 7/1/09 214  
2 it's more April. Yeah, it's roughly the  
3 same.

4 DIRECTOR ISLES: A snapshot.

5 CHAIRMAN CALONE: Yeah.

6 MR. LAMBERT: One day in time pretty  
7 much.

8 COMMISSIONER HOLMES: If I -- I don't  
9 suppose you would want to move it forward  
10 more, but all of a sudden, now, on Shelter  
11 Island, a whole bunch of people are

07\_01\_09\_Planning\_Commission.txt  
12 clambering to rent. And that's --  
13 SECRETARY ESPOSITO: They can't afford  
14 those houses.  
15 COMMISSIONER HOLMES: -- only come up  
16 recently.  
17 CHAIRMAN CALONE: Because they can't  
18 sell.  
19 COMMISSIONER HOLMES: Some of it's  
20 seasonal, but some of it is not.  
21 MR. LAMBERT: I think we probably will  
22 be seeing -- there is an increased demand for  
23 rental housing now because the market is --  
24 COMMISSIONER HOLMES: Right.  
25 MR. LAMBERT: -- not very good for

1 Suffolk County Planning Commission 7/1/09 215  
2 housing. Some people have to rent --  
3 COMMISSIONER HOLMES: Right. A lot of  
4 people are offering for rental because they  
5 can't sell --  
6 MR. LAMBERT: Right.  
7 COMMISSIONER HOLMES: Right.  
8 CHAIRMAN CALONE: Interesting.  
9 Well, we may well see prices continue to  
10 dip slightly on the rent side then, the  
11 longer that people can't sell.  
12 COMMISSIONER TALDONE: If I may say,  
13 this information is particularly important to  
14 me because in one of my other hats at the  
15 Southampton Town Housing Authority, we're  
16 looking at projects that will be coming

17 online in a year or two from now. And we're  
18 a little bit concerned with where the rents  
19 will be. So it's a little -- well, it's  
20 comforting in some way to see that they're at  
21 least stable.

22 MR. LAMBERT: Right.

23 COMMISSIONER POTTER: (Indicating)

24 CHAIRMAN CALONE: Job.

25 COMMISSIONER POTTER: You know, roughly,

1 Suffolk County Planning Commission 7/1/09 216

2 what's the margin of error on this? At what  
3 point can we make a statement using these  
4 numbers?

5 MR. LAMBERT: This is not a scientific  
6 survey, but it is -- it does fall in line  
7 with some of the other numbers that are out  
8 there for rental rates that HUD put together.  
9 They have some averages of what rates are  
10 expected to be. Also, census figures report  
11 average rental rates, and these are in line  
12 with those as well.

13 COMMISSIONER POTTER: Okay. Thank you.

14 MR. LAMBERT: So I do trust the numbers.

15 COMMISSIONER POTTER: Okay.

16 CHAIRMAN CALONE: All right. Any

17 other --

18 COMMISSIONER ROBERTS: (Indicating)

19 CHAIRMAN CALONE: -- yes,

20 Commissioner Roberts.

21                   COMMISSIONER ROBERTS: David, this could  
22                   be an opportunity for press for the  
23                   commission. Will this go out as a press  
24                   release?  
25                   CHAIRMAN CALONE: I guess we -- we

1                   Suffolk County Planning Commission 7/1/09   217  
2                   certainly could do that.

3                   DIRECTOR ISLES: Yeah.

4                   CHAIRMAN CALONE: Yeah, that's a great  
5                   idea, actually.

6                   It's fresh data; right?

7                   COMMISSIONER HOLMES: Yes.

8                   MR. LAMBERT: 2009.

9                   CHAIRMAN CALONE: All right.

10                  That's a great idea, Barbara. Thank  
11                  you. Maybe we'll -- we'll talk to the press  
12                  office about putting that out. Good.

13                  Any other thoughts or comments.

14                  (WHEREUPON, there was no response.)

15                  CHAIRMAN CALONE: If not, I told some of  
16                  you we'd be done by 2 o'clock --

17                  COMMISSIONER HOLMES: You lied.

18                  CHAIRMAN CALONE: -- and I --

19                  (Laughter)

20                  CHAIRMAN CALONE: That was my out.

21                  Anyway, I'll entertain a motion to  
22                  adjourn.

23                  All in --

24                  COMMISSIONER BRAUN: No, nobody voted.

25                  (Laughter)

1 Suffolk County Planni ng Commi ssi on 7/1/09 218  
2 CHAIRMAN CALONE: Everyone' s brai n-dead.  
3 Thank you, Vi nce, for maki ng the moti on  
4 to adjourn, and thank you, Charla, for  
5 secondi ng i t.  
6 All i n favor of adjourni ng?  
7 ALL: Aye.  
8 CHAIRMAN CALONE: Thank you all .  
9 (WHEREUPON, the meeti ng of the Suffolk  
10 County Planni ng Commi ssi on adjourned at  
11 3: 19 p. m. )  
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1 Suffolk County Planni ng Commi ssi on 7/1/09 219  
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C E R T I F I C A T E

I, THERESA PAPE, a Shorthand Reporter and Notary Public of the State of New York, do hereby certify:

That the foregoing is a true and accurate transcription of the stenographic notes taken herein.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of July 2009.

\_\_\_\_\_  
THERESA PAPE