NOTICE OF MEETING

DATE: January 5, 2011
TIME: 12:00 P.M.
LOCATION: Hauppauge, Legislative Auditorium

Tentative Agenda Includes:

1. Adoption of minutes for September, October & November 2010
2. Public Portion
3. Chairman’s report
4. Director’s report
5. Guest Speakers: Yves Michel - Commissioner of Economic Development and Workforce Housing
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
   - 270 South Service Road 0400 25500 0100 037000 Town of Huntington
7. Section A14-24 of the Suffolk County Administrative Code
   - Hamlet Preserve 0200 97670 0100 001003 Town of Brookhaven
   - Was Four Estates 0400 05300 0200 029000 Town of Huntington
   - Old Field (Formerly Sunwood South) 0600 07600 0200 006000 Town of Riverhead
   - Nelson C. White Estate 0700 02200 0200 001000 et al. Town of Shelter Island
   - Vintage Vines LLC 0900 03100 0200 070000 et al. Town of Southampton
8. Discussion:
   - Suffolk County Comprehensive Plan – Volume 1
9. Other Business
   - Report of the Nominating Committee

NOTE: The next meeting of the SUFFOLK COUNTY PLANNING COMMISSION will be held on WEDNESDAY, February 2, 1011 location TBA
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NOTE: The next meeting of the SUFFOLK COUNTY PLANNING COMMISSION will be held on WEDNESDAY, February 2, 1011 location – Rose Caracappa Auditorium of the William Rogers Building, at 725 Veterans Memorial Highway in Hauppauge.
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SUFFOLK COUNTY PLANNING COMMISSION
County Legislature Building
Hauppauge, New York
January 5, 2011
12:15 p.m.

MEMBERS PRESENT:

DAVID CALONE, Chairman
CONSTANTINE KONTOKOSKA, Vice Chairman
MATTHEW CHARTRAND, Town of Islip
DIANA WEIR, Town of East Hampton
BARBARA ROBERTS, Town of Southampton
THOMAS MCACAM, Town of Southold
JOHN FINN, Town of Smithtown
VINCENT TALDONE, Town of Riverhead
JOSH HORTON, At-Large

THOMAS A. ISLES, Director of Planning
DANIEL J. GULIZIO, Deputy Planning Director
LINDA SPAHR, ESQ., Asst County Attorney
THOMAS YOUNG, ESQ., County Attorney for Planning Department

ANDREW FRELENG, Chief Planner
JOHN CORRAL, Planning Staff
THEODORE KLEIN, Planning Staff

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THE CHAIRMAN: We are getting started a little late. I'll note we have a quorum present. Welcome to the January, 2011 meeting of the Suffolk County Planning Commission. Happy New Year to everyone. I'll ask Commissioner Holmes to lead us in the pledge.

(Recitation of the Pledge of Allegiance.)

THE CHAIRMAN: The first item of the agenda is adoption of the minutes for we have September, October and November. I don't believe we have gotten the corrected September minutes back.

COMMISSIONER HOLMES: We have October and November I got to that. You probably didn't.

THE CHAIRMAN: I had, actually. A little late night reading last night. There were a number of edits that I had that were all typographical and punctuation and that type of thing. Yours were the same?

COMMISSIONER HOLMES: October, yes.

THE CHAIRMAN: Did you get to November?

COMMISSIONER HOLMES: I got to November. November I found just eleven rather minimal errors, some misspellings and misspelling of peoples' names, and a few words misspellings, mostly.

THE CHAIRMAN: Nothing substantive.

COMMISSIONER HOLMES: No.
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THE CHAIRMAN: Any other comments or edits? I should take this one at a time. We will table the September minutes without objection. There were a number of edits on that that month, so we decided to postpone that until we get back the corrections.

COMMISSIONER HOLMES: I think that was the one where I found ninety-one and you probably found even more.

THE CHAIRMAN: On the October, 2010 minutes, any other edits other than those that Commissioner Holmes and I submitted? Seeing none, I'll entertain a motion to adopt as amended.

COMMISSIONER HOLMES: I would make that motion.

COMMISSIONER ROBERTS: Second.

THE CHAIRMAN: All in favor, please raise your hand. Eight. On the November minutes, I would submit for the record the same, they with de minimis edits that I submitted and the same with Commissioner Holmes.

COMMISSIONER HOLMES: Same with me. November was even less. October there with thirty all together, but November was only eleven that I found.

THE CHAIRMAN: Motion by Commissioner Holmes to adopt the minutes. Please raise your hands. (Show of hands.)
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hands) Eight, zero.

Next item on the agenda is the public portion.

There is a card from Mr. Spiro, but you will hold off. I appreciate you being here. We will get to your topic a little bit later. Just so everyone remembers, we do have limitations on what we can ask an applicant. But certainly if you had anything you wanted to address affirmatively.

Then we will move onto the Chair report. We have a full agenda today. We have projects from five of the towns. In a few minutes we will hear from Yves Michel, Suffolk County Commissioner of Economic Development and Workforce Housing. I want today to give a brief update on the Commission’s activities. Next month we will have a larger discussion about plans for the year, so I will give you a quick overview, and any of our task force chairs want to jump in, feel free to do so.

On the County Comprehensive Plan, we have the first draft of Volume 1, which we will see later in the meeting, which is an exciting step in the progress which we have been working on that for a number of months now, almost a year. It’s certainly exciting to have the first volume in draft form.
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Task forces, a couple of updates. Energy and environment, solar permit effort, I presented the solar fast track permitting plan to the Clean Energy Leadership Task Force early in December, hosted by Molloy College. It was well received. We're going to incorporate a few ideas that we got. The LIPA budget passed at the end of December and includes some funding for the municipalities in Nassau and Suffolk to participate in our program. The idea in a letter will go out hopefully by the end of this month to the towns and villages of Suffolk and Nassau, signed by the head of LIPA, by the Chair of the Nassau County Planning Commission and by me outlining the plans for the program and how they will qualify for the LIPA incentive.

A few towns and villages indicated they are interested in participating, including Babylon Village, Islip, Brookhaven and the Town of Hempstead, so that's solar.

On wind, we had our wind symposium on December 15th. Hampton Bays, hosted by the Town of Southampton, Supervisor Kronholz, co-sponsored with the East End Mayors Association. The idea was to provide guidance and education for the Suffolk towns and villages on how to approach wind energy issues, particularly on the East End.

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where this issue has come up a lot.

About thirty people attended, including
electeds from most of the East End towns and some of the
villages, as well as the two state assemblymen. The town
electeds indicated strong interest in creating an East
End wind code, so we will coordinate a meeting, probably
late this month in East Hampton to bring the actual
people that will actually be writing that code to see if
we can create a unified wind code.

I want to thank Commissioners Chartrand and
Weir for attending, and Commissioner Esposito helped in
putting the agenda together, and I want to thank the
planning staff also for putting that together.

On the native vegetation we have a green
methodology guidance document which was passed two months
ago. And the county executive reviewed it and added a
letter from him. I think Adrienne and I will give the
whole thing one last read and get it out to the towns and
villages in the next week or so. That is the exciting
culmination of the project.

Last month we got an overview from the Planning
Department on the current state of the municipal clearing
standards in Suffolk. A lot has to happen offline, not
around the table. I think it would be key if a few

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folks, particularly Adrienne, Mike Kelly, John Finn, have a conversation with the Nature Conservancy about where we should go from here on the clearing standards and come up with a proposal that makes sense and bring it back to the table to discuss where it should go.

Lastly, we talked about this coming year doing a symposium on green methodologies for storm water runoff. I mentioned it to a few municipalities and there was interest in that, so we will start planning that in the next month or so two. Adrienne will probably take the lead on that.

We have the commercial energy efficiency building code. Constantine and John Finn will take the lead on that. It would be an effort to bring the towns and villages together to discuss a standard commercial building code on commercial buildings. The county executive expressed an interest in that, so I expect it will involve his office as well. And Constantine, as you possibly know, is not here, he's traveling, but he is defending his dissertation in the next two weeks. Doctor Kontokosta will hopefully be joining us in the next month. I know John is looking forward to leading that as well.

Economic development and smart growth, we are
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hopping to deal with a follow-up to Sewer Summit 2. Director Isles and I talked about this with the county executive to pull together a working group, discussion group to talk about new ways of financing infrastructure. There are a lot of possibilities out there, TIF funding, Long Island Infrastructure Bank, public-private partnerships, et cetera. That is going to be a key thing in this coming year.

Unified Permit Portal effort, a bunch of us have been involved with that for over a year now. It's internal into the county administration. Andy Freleng is the point person on that. The county executive asked Yves Michel to head the steering committee on that. He's quarterbacking that internally in the administration as well.

TOD best practices, I spoke with Eric Alexander. Vision Long Island is putting together a draft report which they will submit to us for feedback, and perhaps we can piggyback on that. On universal design, as I think I mentioned last month, Babylon adopted our proposed policy and Vince met with the town and Smithtown just before the holidays and I know there was some interest there in pursuing that. Anything you want to share that is new on that?

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COMMISSIONER TALDONE: No thank you.

THE CHAIRMAN: Public safety, we have our draft design standards that were being circulated to some of our electeds who have a public safety interest. On housing, when Constantine gets back next month, we will work on a plan for 2011 for housing. That will involve Diana as well now that she joined us.

A couple of last items for this coming year. We will try to work on the idea that John Finn suggested, which is a pre-call to review applications. We will work on that, probably set that up next month on a regular basis. That will probably be a half hour for people to call in and ask questions. That will probably be on a Monday or Tuesday, the day before commission meetings. There may be months when it isn't needed, but there may be months when it is needed.

Nominating committee will report later on. We adopted new rules in February. In your packets is the existing rules. We e-mailed those out yesterday. You should let Commissioner Horton know if you have any suggested changes on the rules. Let him know by the end of next week. I will ask counsel to take a look at that. We had a few things come up during the course of the year. I think we would want to think about the rules.
officers and adopt the rules and also adopt our schedule of meetings.

You have in your packet a tentative schedule of meetings. The idea was to hit the three towns that we have not visited in the last two years, Huntington, Smithtown and East Hampton. We also put in two meetings in villages, Patchogue and Port Jefferson, and a handful of meetings here and in Riverhead. Take a look at that.

Lastly, I would ask our guidelines committee, which is myself, Mike Kelly, John Finn, Linda Holmes and Diana Weir if we can meet briefly after this meeting to discuss a plan for review. I have the guideline book for everyone and we will try to briefly come up with a plan in the next month or two about reviewing those.

That is my report. Any comments or questions?

Seeing none, the next item is Director Isles.

DIRECTOR ISLES: Thank you, Mr. Chairman. A couple of items to update the Board on today. We have a matter that is a referral from the Town of Southampton known as 42 Sandy Hollow. It's an application that was received by the County Planning Commission on November 29, 2010. Andy Freleng and his staff reviewed that. We had a bit of back and forth with the municipality on the nature of the referral. There was confusion on -- this is a referral involving a waste treatment facility.
There is an application before the Board of Appeals. There apparently has been controversy on the matter. The referral that came to us had a number of issues with it in terms of the lack of clarity on the nature of the referral. We have been working with the Office of the County Attorney extensively in reviewing the materials. At this point, we don't believe this matter is ready for review by the Commission. We think it's incomplete. There are inconsistencies in the materials referred to us.

I don't know if the county attorney wants to comment any further at this time or if the board has any comments on it. It's possible that it could be ready for you at the next meeting. I wanted you to know we had received it. There are a number of questions. We believe it needs further clarification from the town and once it's ready, we will bring it forward for consideration.

COMMISSIONER WEIR: Is that the sixty affordable units in Tuckahoe?

MR. ISLES: It's a carting company and it's a waste disposal facility. It's on Sandy Hollow and the corporate name is 42 Sandy Hollow.

COMMISSIONER WEIR: Sandy Hollow is the other (inaudible) I wasn't sure why there was the other --
Thank you for that clarification.

Counsel want to make any comment?

MS. SPAHR: No. If you have questions or if you want some clarification as to why the file is incomplete. The forty-five days from the initial referral will run next week, and we just wanted to make sure that the Commission was aware, since you previously acted with respect to this particular parcel of property, we wanted to make sure that you are aware of the facts and circumstances surrounding the submission of the application and why there has been a determination that it’s incomplete and can’t be considered by the Commission.

THE CHAIRMAN: Anyone have any follow-up questions about that? If not, we will move on. Thank you.

DIRECTOR ISLES: Next, we in the County Planning Board administer the County Farmland Program. We have ten thousand acres in the County’s Development Rights Program and we have twenty-two thousand acres in the County Agricultural Districts Program. Once a year the program allows the property owners to enter the ag district’s program. There is a one month window; that is January. It’s now open.
Once the application is received in the Planning Department, we prepare that for the Agriculture & Farmland Protection Board and the County Legislature. The County Planning Department is also involved in the review of the the Legacy Village proposal in Yaphank on county land. We are administering the environmental review process. We have a consultant to assist us on that, and presenting materials to the Council on Environmental Quality.

We received a Preliminary Draft Environmental Impact Statement and are reviewing it for completeness and are planning to present it to CEQ possibly later in January. CEQ makes a determination as to the ultimate completeness. The current document is twenty-five hundred pages and growing.

Let me point out related to that is that the Town of Brookhaven is working on a watershed plan for Carmans River. This area would fall within the groundwater boundaries, fifty year at least, parts are certainly closer than that. The impact of that in terms of planning policy which here would come to the Commission in terms of adoption of a watershed plan and impact on development in that area would certainly have to be considered. The balance of preservation and development and certainly that plan is important to that
Related to that is the County Comprehensive Resources Water Management Plan. A draft document has been completed. Comments are being accepted until March 1st. The department is reviewing that document. We do think it's very important. It is something that we have some questions with in terms of some of the materials and some of the conclusions. Certainly if this commission would like to get involved in that, let us know; we can connect you with the information.

I also mentioned to you the HUD Sustainable Communities Grant that we applied for on behalf of Suffolk County with the consortium of members throughout the Metropolitan region, including parts of Connecticut. This is actually seeking funding in the consortium effort. We expect to get over three hundred thousand dollars and match that with certain county staff time. We will use that for a county-wide plan TDR land use study. We are getting into the memorandum of agreement.

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That project is alive and well and moving forward.

I think it's important to mention that the Long Island Regional Planning Council Sustainability Plan that came out in their strategies recommendations in December. That is a very, very important step in the process that...
affects Suffolk County certainly in a significant way.

There are a series of strategies that are recommended, some of which get to the core in terms of the role of this commission in terms of authority of municipalities of Suffolk County dealing with issues of affordable housing and energy and so forth, one of which is to recommend a centralized permitting agency, things like that that I think this commission may be interested in and may want to comment on and so forth.

The Regional Planning Council, and we asked them for this, is also putting forward an outreach plan. We think that is important in terms of getting the public involved in seeing the plan and understanding the plan. We are happy to work with them, but here again, to make sure that we all know that is on the Radar screen at this time. The Chairman mentioned SUPP, Suffolk Unified Permitting Portal. We are working with Commissioner Michel on that as well. That is a priority project.
actual time, date and call-in number information. We anticipate doing it the Monday or Tuesday before the meeting. We have to cap it at no more than six members. It would be first come, first served. We would like to give it a try for a few months, adjust it if we need to. We will have the first one before the February meeting.

Thank you.

COMMISSIONER ROBERTS: Any reason for the cap?

DIRECTOR ISLES: Quorum.

MR. YOUNG: I have to discuss the open meeting law. There are restrictions on what you can do, and we have to be very careful in discussion. Even the format of setting up something firm like that with six people can give the impression that you are attempting to avoid that process, so I think we have to discuss that in a little more detail.

DIRECTOR ISLES: Okay.

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sort of dedicated and is useful.

COMMISSIONER McADAM: On a different subject, Gene Murphy, Planning Director of Islip, is retiring. I was wondering if it would be appropriate to present a certificate of appreciation, especially for the conferences he has been involved with that also. I think we had a tour in Islip or Islip-babylon with him at one point.

THE CHAIRMAN: He took us through Heartland. I think that is well deserved. Obviously, Gene has been a fixture on the planning community for many years and obviously made a tremendous impact. Mat, do you have any thoughts?

COMMISSIONER CHARTRAND: It makes sense.

THE CHAIRMAN: We can put something together for our next meeting. We can talk about that offline.

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COMMISSIONER HOLMES: How soon is he retiring?

THE CHAIRMAN: He's done. I don't know, he's still a consultant to the town. I don't know if that is any reason why that should give us pause.

DIRECTOR ISLES: He's no longer commissioner of planning, so he has retired as of December 28th. He's on board as a consultant, working two days a week. He will be in a different capacity. He will not be working on the projects he worked on.
THE CHAIRMAN: Okay, I appreciate that idea.

We can do a letter or something. On the Comprehensive Water Management Study, we had a presentation in the spring on that. It ended up being cut off because it was going so long. If folks want to hear a more condensed overview of what they came up with, they can have it here in Hauppauge, if they will have anything in March. If the Department wants to make any recommendation to the Commission about things we should focus on or long term planning issues indicated by the recommendations, I think you need to let us know.

Then lastly, on the HUD Long Island Regional Planning Council, I should say if there are particular things that they think that the Commission should be taking on. What I read on it, Michael White gave us a FIVE STAR REPORTING, INC. 631.224.5054

1/5/11 Suffolk Planning Commission presentation about three or four months ago on their recommendations. They kind of made recommendations on what the county should do, X, Y and Z, without specifying what entity in the county should do that. I think it would be helpful for us to understand if there are things that the Planning Commission can do to help move forward their strategies.

DIRECTOR ISLES: I think we are in the process where there is review and comment on the strategies. Some is implementing the strategies, some is is everybody...
in agreement with the strategies.

THE CHAIRMAN: Maybe we can get an overview from you about some of the highlights that they recommended. There was some tweaking to be done since the presentation.

DIRECTOR ISLES: We can do that.

COMMISSIONER KELLY: Just a quick question regarding the Long Island Index. I know they are coming out with their annual report next month. I think last year they provided a summary on the clock is ticking, which provided some insight. I don't know if there are any thoughts on having a presentation or waiting until after the roll-out.

THE CHAIRMAN: I think that is a good idea.

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They asked me to serve on the advisory board on that. We are meeting tomorrow morning. I don’t know what the conclusions are. They will do the formal public launch on January 20th at Adelphi, I think eight-thirty a.m.

But like last year, to Mr. Kelly’s point, we can ask them to come and give a briefing to the Commission, maybe in a month or two, on what they are suggesting. The focus was on the Department and permit approval process.

You may recall we actually sent a letter which I signed to Suffolk towns and villages on their behalf, asking the towns and villages to participate; in other
words, give feedback, what is the process like. They had a long process. There was a questionnaire that went out. They were very thankful to the Commission for being supportive of their efforts. We will see what they come up with. Commissioner McAdam.

COMMISSIONER McADAM: I guess since it’s January, last year there was some discussion about having a, I guess sort of a mini-course for Commission members on TDR, sewer credits, transfer development, some of those finer techniques that we talk about during the year. And we have a high turnover -- not a high turnover but we have a turnover of Commission members from year to year. I think perhaps we should think about planning something maybe before a meeting, an hour or two before or after a meeting to go over some of these things.

THE CHAIRMAN: There is a likelihood that there will be a few new numbers appointed within the next month or two. We are waiting on that. I know we did a briefing last year that the Planning Department did for the newer members -- I remember John went -- on some of these issues. If we think there is an appropriate time.

DIRECTOR ISLES: Whenever you want, we can do it.

THE CHAIRMAN: Planning 202. Let’s make a
note of that. Maybe in a month or two because there are some appointments imminent. We might want to wait. Any comments or questions? If not, I will ask Commissioner Yves Michel from the Department of Economic Department and Workforce Housing to come up to the podium, and first of all, let me say I think Yves has been in office about a year.

COMMISSIONER MICHEL: A little bit over.

THE CHAIRMAN: He has done a tremendous job and his leadership is evident. And speaking personally, I enjoy working with him. I'm interested to hear what the county executive and Commissioner Michel have in mind for economic development in 2011.

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COMMISSIONER MICHEL: Good afternoon, all of the commissioners and Chairman Calone. Let me take this opportunity to say Happy New Year one and all. As mentioned earlier, my name is Yves Michel. I'm the Commissioner of Economic Development and Workforce Housing for the County. I would like to clearly outline a few things that the county executive has been working on as a result of his economic development consortium that was put together a little over a year ago.

As a result of this consortium, we produced a ten point action plan based on recommendations from each of the committees within the consortium, some of which
are relevant to the Commission, and I would like to articulate those at a very high level.

The first one that I would like to share with you is the creation of a small business advisory council by executive order from the county executive. This advisory council will be charged with working with all of the small businesses within Suffolk County to help gauge the hurdles and the activities that are making doing business here in Suffolk little bit more difficult than it has to be. More importantly, address the issues with some comprehensive action items that we can ensure that they stay here, but not only stay here but thrive and grow. We believe that the medium and small businesses will be the businesses that are hiring over the next twelve to eighteen months with two or three individuals if the conditions are right, and we will do everything to ensure that that occurs.

The second thing I would like to touch base on is we increased our marketing budget in the Economic Development Department. When I first came on board, I had the opportunity to meet with a lot of legislators, businesses and other organizations. As I was sharing with them some of the programs that we have here in Suffolk County, in the State of New York and in the Economic Development Department, I was taken aback by how
much of these programs were unknown, so I felt it was paramount that we put a marketing effort together to not only advertise what we have, but this will be one of the reasons why we will say Suffolk better for business dot com, which outlines a lot of the programs that we have to offer, and we have gotten a tremendous response from businesses all over the tri-state area.

We met with businesses and speaking to businesses that are looking to expand or bring back their office operations that are currently in Manhattan here to FIVE STAR REPORTING, INC.

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Suffolk County. It is very exciting and that is the first step in letting them know that we have a lot of programs to offer. In addition to that, we have launched a monthly newsletter called Better for Business Better for Life, which is our new mantra and new theme. We feel it encapsulates what we are trying to do. If you go to the Web site you can review the issues of months past and sign up for future issues.

COMMISSIONER ROBERTS: Can you repeat the Web site?

COMMISSIONER MICHEL: Suffolk better for business dot com. With the Chairman's approval, I can e-mail you the link where you can distribute to the members.

THE CHAIRMAN: I'd be happy to do that.
Commissioner Michel: One of the things we can do as we reach out to small businesses, there are two things that the county executive heard and I can echo that. When we meet with the businesses that are stating there are two important things that they would like to see. That is to gain access to capital as well as access to clients. Under the Small Business Advisory Council, or SBAC for short, we are putting seminars together, and the one coming up January 11th is called Let's Get Ready.

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to Borrow. That seminar will have banks that are lending, traditional financing, alternative financing, micro-financing, credit unions as well as credit repair organizations. We interviewed everyone that is going to participate to make sure that are in a position not only to say that they will lend money to business but that they will.

That will be January 11th at the Sheraton and I can get that information to you. I would encourage if you have any medium or small businesses that would like to get access to capital to participate. It's from eight-thirty to twelve. The county executive will kick it off about nine a.m. and they will have an opportunity to meeting with these financial institutions to help them gain the capital that they require.

Commissioner Roberts: How are you publicizing
COMMISSIONER MICHEL: Newsday. Several Web sites we did an e-mail blast to all of the companies that we have this our touch database about and all of the chambers of commerce with in Nassau and Suffolk.

COMMISSIONER HOLMES: Are you possibly also coordinating with Joe Connolly at the Wall Street Journal, who does a two minute business report on CBS?

COMMISSIONER MICHEL: Surely.

COMMISSIONER HOLMES: He talks a lot about the small business seminars and he could probably plug.

COMMISSIONER MICHEL: We are, as a matter of fact. The Suffolk County radio spot comes before his business news and he articulates that as well. Very good suggestion. Thank you, Commissioner Holmes.

COMMISSIONER KELLY: Is there a flyer that you could e-mail?

COMMISSIONER MICHEL: Yes.

COMMISSIONER KELLY: That would be great. I would like to share that with our association. They would be very much interested.

COMMISSIONER WEIR: Commissioner, have you also spoken to the LIA? They have a blast that they could help. That is a pretty big organization as well.

COMMISSIONER MICHEL: I have to honestly say I
had not, but I will as soon as I leave here.

COMMISSIONER WEIR: Even though they are bi-county, they can separate out which businesses. You want both because businesses move back and forth. They have about six thousand membership.

THE CHAIRMAN: Their e-mail comes out about once or twice a week.

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COMMISSIONER ROBERTS: Is this free?

COMMISSIONER MICHEL: Yes, it is.

COMMISSIONER WEIR: That is even better. We like free.

COMMISSIONER MICHEL: One of the things that I would also like to share with you out of the consortium is a lot of the businesses that we had the opportunity to meet with, they clearly stated to us they are looking for qualified potential employees; however, the people that they had an opportunity to interview had the academic skills but not the real world or practical skills.

What we did we met with all of the top 20 IT companies here in Suffolk County, just to see exactly what are the skills that they so desperately need that they are unable to find when they interview potential employees. The skills set including Java, C-plus plus,
Cisco certification, things along those lines. When we received all those skills, the county executive recently met with all of the university presidents, local colleges, vocational schools as well as some of the certificate programs. We got the college presidents to commit to modifying their course work to teach these skills. In addition to that, we got the businesses to commit to putting cooperative programs in place. If it's a four year institution where in your sophomore, junior or senior year you would have an opportunity to do an internship at these organizations. By the way, at the end of your cooperative program, they will guaranty to employ one or two individuals through that. This addresses many things, one of which is if we can enable an individual to get the real world experience in addition to the academic experience, they will be much more inclined to stay here in Suffolk County, because there is a light at the end of the tunnel where they have an opportunity to work at the company they had an internship with.

The company does a trial run with this individual to see if this individual understands the culture of the organization and understands the work that is required; they will be a much better fit as opposed to coming in green. The individual can say I truly would
I like to be in this industry. It gives the individual the opportunity to stay here, and we are doing a the same thing with the health care industry and also the manufacturing industry and we are very excited about the response that we got thus far. The universities are very bullish in moving this forward, and some of the leaders like what is happening in Suffolk County. Stony Brook as well as BOCES.

I believe that initiative that is most germane to this commission is the Suffolk Unified Permit Portal, mentioned earlier by the Chairman as well as Director Isles. Obviously, SUPP is something that is very near and dear to everyone's heart here and I would like to applaud the outstanding efforts of Andy Freleng, who is working in my department with an intern creating an application that encompasses the data all of the ten towns have they used when they go through the application process. Dave Calone and I have e-mailed each other two, three, six o'clock in the morning to exchange ideas. That is moving along very nicely. At this point in time the Commissioner of IT is interviewing and met with most of the Commissioners, its planning commissioners or directors of each of the ten towns to basically assess their current IT equipment and also the process in which they are accepting, managing and producing permits right
He will be issuing a report so we can have a snapshot of exactly what kind of technology is being used in the process. Our first step is to have a link from FIVE STAR REPORTING, INC. 631.224.5054

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our Web site to each of these ten municipalities and the majority of the thirty-two or thirty-three villages so one person can click on the County Web site and get hot linked to the Web sites in their respective municipalities. Once that is completed, we are forming two steering committees, one for IT, which will be led by Commissioner Gary Quinn, with several of the members here to be involved, and other will be the process and implementation committee. We feel that is the best route to take to bring this initiative to fruition. We will be going along the same footprint that Silicon Valley used when they moved this together.

We also did research on other municipalities in the United States as well as their e-permitting application. Some of the municipalities have policies that are home grown off the shelf. The analysis is to see what is the best of breed, if you will. More importantly, we don't want to give the impression that the local municipality will lose their home rule. What is important is the parameter passing from one system to the other. That is why the technology part of it is
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too much time. I will be happy to address any question
that any commissioners have at this time.

THE CHAIRMAN: Let me start from the
presentation, it is obvious just there is a lot of
activity going on in Suffolk County. If you look to see
when the activity started, it really started with
Commissioner Michel taking office a year or so ago. My
hat is off to you. One of the great things about this
commission is that we have different skill sets and
different perspectives around the table. Barbara Roberts
is our primary person on economic development issues. I
urge you to get together about how we can be more
helpful. SUPP is part and parcel of that type of thing,
when you talk about the needs long term needs of our
county. Land development is not a long term strategy
when you live on an island. We need to build a high tech
strategy. We have seen in our tours around the county
some of the possibilities like EPCAL. We have seen some
of the land that has some real economic opportunities. I
think Barbara can help coordinate that.

COMMISSIONER MICHEL: I have received some
e-mails from Barbara as well and they have been extremely
on point, so I look forward to continuing the work.

COMMISSIONER CHARTRAND: Do you have any push back from the towns on the permit process?

COMMISSIONER MICHEL: Initially, yes. We had a meeting several months ago. We had a conversation with each of the supervisors of each of the ten towns and a lot of the members in this commission were involved with those initial conversations. Once we basically articulated the process, they saw the value. Then it was up to us to meet with their respective commissioners or directors of planning as well. Some of the town did push back and some of the towns I honestly will say may not participate in the first, second or third round, but I believe we will have a core group that will move forward once we explain the benefits. More importantly, when they see the benefits, I do believe they will participate.

THE CHAIRMAN: I call on Commissioner Kelly.

I should note that the Long Island Business Institute, which Commissioner Kelly is involved, was helpful in some of the original thinking about this.

COMMISSIONER KELLY: A question for you, not pertaining to economic development, on the housing side of things. Have you set forth any goals for this year in terms of number of units you plan to produce on the
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Nicaloff has done a tremendous job in that program. She is fantastic on how she gets things done. Is there a way we can work with you to try to set some type of agenda or goal?

COMMISSIONER MICHEL: Surely. I have to echo your thoughts and views on Director Jill Rosen Nicaloff, the director of workforce housing. We funded over a thousand affordable units in multiple structures and areas. And working very closely with the Long Island Housing Partnership, we have several in the pipeline and also some which we are working with at this point in time. In fact, I believe Courtroom Square, one of the projects we are working on in Bay Shore, that is scheduled to close on Friday. We have about five to six hundred units in our pipeline for 2011. We may have more. It all depends on the funding that we have for workforce housing or affordable and next generation housing.

I would welcome the opportunity for you to come in and sit with Jill and myself and give your input. One of the things I state everywhere I go, I think we have some bright people and great strategies. We have some honest ways of trying to solve some problems, but we don't have all the answers, so I always encourage people
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to reach out to me or give me the opportunity to reach to
you to seek your guidance.

COMMISSIONER KELLY: You pick up the paper this
morning and you see school closings and you see
consolidation of schools, and last month, Newsday did an
issue where permits are way down, which correlates to
taxes going way up. There is a continuing dialogue that
transpires between the two. I think to help us in
planning, I think that helps us to know how many permits
are you seeking or expect to deliver this year? That is
why I opened up that dialogue. Thank you.

COMMISSIONER MICHEL: You are welcome.

COMMISSIONER WEIR: To piggyback on
Commissioner Kelly, when you talk about funding, the
County and Legislature has been supportive always in a
bipartisan fashion. We appreciate that. Housing is
needed for the workforce. I know the infrastructure fund
has a lot of funds that have not been used for many
reasons, but the acquisition funds are active right now
and have been.

I was wondering, do you foresee any addition to
the fund, since it will be depleted. These units may not
all been funded. Is there any advancement on getting
more funding for that?
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COMMISSIONER MICHEL: We did put in a request for 2011 and subsequent years. We are very confident that there will be some funding. The level of funding, we are not sure what that is at this point in time. However, the infrastructure fund is still very robust. We believe that this is a critical piece as we move forward with the Department, and also to ensure that we do have workforce and affordable housing here. So yes, we do. The dollar amount I don't know at this point.

COMMISSIONER ROBERTS: That was fantastic.

Two questions on economic development. One, are there any programs to leverage the intellectual property coming out of our institutions like Brookhaven Lab and Stony Brook in more of an incubator model, and second, are there any programs designed to bring large corporations into Suffolk County?

COMMISSIONER MICHEL: I'll address the latter first. There are plans to bring large corporations to Suffolk County. We are talking to two of them at this point. One of the things we feel we have an advantage is the Employer Assisted Housing Program, where we will assist the employers to get key individuals to relocate here and provide down payment assistance so they can buy a home. That is a key retention tool and also a key tool...
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When you are out trying to recruit the talent as well as businesses. That has been well received working the Long Island Housing Partnership and Community Department, which also falls under Economic Department.

When I speak to other municipalities and I explain to them we have this program, they are floored. They said, so you are helping an organization provide down payment assistance to attract and retain key individuals, and I say absolutely. We also have tax abatement and sales tax programs as well.

The second question, how do we harness some of the intellectual talent. We are putting together, similar to the Angel Network, to take these concepts and do one of two things, get these concepts marketed so they can have a relationship with an organization where it can be licensed, or to take it to market through the incubators. In addition to that, within my department we have a club called the Inventors and Entrepreneurs Club.

If you look at everything we do as a pyramid, the top tier would be the big businesses. As you go down is the medium and smaller businesses. The last tier would be inventor and entrepreneur. Working with them we can provide guidance and how to get it patented, sold or how to create a company around it.
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2 We believe the next Google or next Apple or
3 Cisco, there is no reason why it can't be here on Long
4 Island. We need to create an environment that enables
5 that idea to take root and grow and be wildly successful.
6 THE CHAIRMAN: It's always interesting to
7 remember that Google and Apple and Cisco started as one
8 or two person companies in the garage. We have plenty of
9 garages around here.
10 COMMISSIONER MICHEL: And we have basements.
11 THE CHAIRMAN: I would say as a member of
12 the -- board member of the Long Island Angel Network, if
13 there are particular companies that are ready for private
14 capital, I would be interested in seeing it and getting it
15 out to some of our members. On housing, I see around
16 this table we will probably encounter this in a few
17 minutes when we get to our applications, there is an
18 opportunity with regard to regional leadership.
19 I know in the county in workforce housing,
20 which is critical in terms of how municipalities deal
21 with affordable housing, whether there are requirements
22 on site, whether there is in lieu payments, how in lieu
23 payments should work, other places have moved to more of
24 a regional way of looking at that. How municipality by
25 municipality we talked about maybe doing a housing summit

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towards the end of the year. I talked with the county executive about it. A way to try to bring municipalities together to see if there are some best practices or tools we can use to help municipalities.

The great thing about this commission, we have people like Diana Weir, who has a great background, and Mike Kelly, who actually built these kinds of houses. We have around this table a great group of folks, so we want to make sure we are working together to figure out what should come next in the future of the county on housing.

Commissioner Horton.

COMMISSIONER HORTON: In the context of this dialogue, has the County taken on the effort to analyze what affordable housing has been constructed as a result of the New York State Legislature's law that was enacted about two years ago mandating that each municipality have within the context of the subdivision zoning code, I don't recall if it's ten percent.

COMMISSIONER WEIR: Yes.

COMMISSIONER HORTON: Has the County analyzed what the County has developed. It would be a quick analysis, given the market.

COMMISSIONER WEIR: Zero, none. I can tell you that the economic downturn, I think, is a major
factor. The developments that we are building, a hundred percent affordable, even before the inclusionary legislation, took a downturn.

THE CHAIRMAN: It will come back. The housing market will come back, but the state has provided some leadership here. It's a high level.

COMMISSIONER FINN: Commissioner Kelly brought up a point about anticipated starts this year on permits. Do you have a handle on the number that is required because when we hear numbers of zero being delivered to the marketplace, from my standpoint, we are a commercial real estate landlord, we have tenants that have employees and overwhelmingly, in addition to the taxes and energy costs on Long Island, it is attracting young, qualified people to work, to afford to pay them a salary.

The labor pool is not as deep as you may think here because of the fact that young people are going away to college and not coming back. When they come back, they are living with mom and dad. Do we have a handle on the number required, and then once we understand that, then we can figure a mechanism and there may be a new process. Let the market determine how many units are going to be delivered rather than getting involved with another study commission.

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If we gauge the community and say we need three or four thousand affordable housing units, let's see how we can get there. Nobody talks about how many we need. I was wondering if you had any thoughts on that.

COMMISSIONER MICHEL: That is an excellent question, Commissioner. I think that really lends itself to us looking at this from a regional point of view because we don't have those numbers. I know we worked with certain municipalities, let's say Village of Patchogue, where we have been active in getting affordable housing. The same thing would hold true in Bay Shore and Brentwood. I'm working closely with the village mayor of Port Jefferson at this point. We had a wonderful presentation, which Commissioner Weir attended, and all of the other stakeholders.

From a county point of view, we do not. We do have an idea of where these projects would make the most sense, within the county, where we can build them. But a comprehensive total number, I don't have that. If that information is available, I would love to hear it.

DIRECTOR ISLES: Just to add to the workforce housing, building permits are down historically in record numbers. They they are starting to go back up. 2009 was the lowest on record in the last sixty years. We are up around ten percent. The Long Island Workforce Housing
Act only applies to developments at maximum yield. We don't see a lot of those.

The other factor is that anything in the pipeline at the time of the enactment of the law was excluded. It may take a few years to get through the approval process. It hasn't produced a heck of a lot and probably won't produce a heck of a lot in the foreseeable future.

As far as the issue of how many affordable housing units do we need, the market has done a correction where it adjusted the price of homes to factor in cost when that is something that is appropriate as well. Comprehensive Plan update, we will be providing some information in the first volume with respect to that today.

In terms of a regional housing question, that is something we should try to address in terms of the document.

THE CHAIRMAN: Great conversation. Thank you so much for being here. Quick point, then we need to move on to the regulatory agenda.

COMMISSIONER WEIR: I have been working with East Hampton Town with illegal apartments. That has been a safety valve for the need of the affordable housing issue. You can't even put a number on the number of
illegal apartments. A lot of the towns are struggling with the accessory apartment legislation to bring them up to code and legalize them. I'm sure we will see them in the upcoming months before this board. That is an issue that we can't put a number on right now.

DIRECTOR ISLES: The other factor we need to look at is the difference between affordable rental versus affordable ownership. Affordable rental is a different situation. It can be twenty-five hundred, three thousand dollars. That kind of shocked me. I think we have to look at this in a number of different levels.

COMMISSIONER ROBERTS: Diana also mentioned it might be of use to us to have the Planning Commission do a review of the accessory apartment legislation.

COMMISSIONER KELLY: Director Isles brought up a good point regarding the affordability component. As the fair market values decrease to such an extent, typically the value placed on workforce homes is usually tied to an income level. My concern is the requirements that we have for workforce housing on new applications, that mandate that goes to the value between the fair market value and the value of workforce units. If that gap isn't sufficient, then we could wind up with a severe glut on homes that have
restrictions on them that we can't sell. If a workforce unit is selling for two hundred sixty thousand dollars, but a fair market valued home with no restrictions is selling at two seventy-five because market pressures have brought them down, that requirement on the two sixty--

COMMISSIONER WEIR: Why bother.

COMMISSIONER KELLY: I think that goes back to our guidelines. We should be cognizant of that.

THE CHAIRMAN: We are going to redo our guidelines. That is a very valid point. Thank you so much, Yves, for being here. (Applause)

COMMISSIONER MICHEL: I would like to thank all the members of the Commission, especially you, Chairman Calone, and I would like to make myself available to come back in front of the members of the Commission in the near future to give you another update and also to share ideas, thoughts and gauge your direction. Have a wonderful year and thank you for your time.

THE CHAIRMAN: We have a full agenda. Let's try to keep our conversations in the next hour or so pretty focused, and I ask our staff to give that...

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from the Town of Huntington as application of 270 South Service Road. Jurisdiction for the Commission is that the application is adjacent to New York State Route 495.

The applicants are seeking Town Planning Board site plan approval for the construction of seven story, one hundred seventy-five thousand six hundred ninety-two square foot office building with two restaurants and a bank. I'm sorry, three restaurants and a bank. The location for the property is on the southeast corner of Walt Whitman Road, which is a town road, and the Long Island Expressway, the South Service Road of that right-of-way.

This is in the Hamlet of Melville. Let's go through some of the graphics that we have up there so we can see what we have. This is an aerial of the subject property along Walt Whitman Road. Larger view. The property to the west is the big vacant piece on the other side of Walt Whitman Road is the property of the Cannon Corporation being developed as we speak. To the east of the subject property, that is the property of Ruby's

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THE CHAIRMAN: What is that, the new Leeds development on the property, the big office tower?

MR. FRELENG: That is Ruby's to the east. That is the zoning in the area. It's mostly industrial, 1
Light Industrial. This is the site plan, and we will go back to the details of the site plan in a second. This is an oblique of the project site. It's a couple of years old. This is from the South Service Road looking towards east of the subject property. The subject building is right about there. Behind it you might be able to see the Ruby's Costume building. There is the Cannon site.

We wanted to give you the impression of the height of the buildings. This is a skyline associated with this part of Walt Whitman Road, so we wanted give you that impression as you approach down the Expressway right-of-way, this is the subject building. It's a one story building. It's proposed to be demolished. This is another site of the back of the building. You can see Ruby's Costume, the Leeds building that was referred to here. This is across the street looking east. This is a typical building in the area.

You see most of the building is four stories with a fifth story right here. This is another view going up Route 110 or south along Route 110 trying to show you the skyline aspects of the corridor. That is Ruby's look looking west to the subject building would be behind there. That is a five story building.

Going back to the staff report. We go to the
site plan. There are three points of unsignalized, unrestricted ingress egress for the subject property. One access point is from the South Service Road at the eastern end. This entrance is to be combined with the existing entrance to the property to the east, which is Ruby's, for one shared access point to the two properties. Two accesses proposed to Walt Whitman Road to the subject property.

There are no significant environmental constraints on the subject site. Staff took a look at the five critical county priorities. We note that the subject application does not indicate in the referral materials any attention to energy efficiency. It is not served by public transportation. We also noted that the application does not indicate any attention to the safety of the patrons of the restaurant or workers in the building.

With regard to other issues or aspects that the

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Commission would review with regard to land uses, we felt the proposed seven story building was out of character with the area. It is noted this would require relief from the Town of Huntington Board of Zoning Appeals. The Cannon site is five stories and Ruby's is also at five stories. Most of the buildings in the area along Broad Hollow Road don't exceed five stories in height and there
is a predominance of three stories in the general area. It's the position of the staff that the proposed height of the building is not in character with the surrounding community and may be an aesthetic impact to the corridor of Route 495. Approval of the height may tend to undermine effectiveness of the zoning ordinance, which limits height to forty-five feet. It may set a precedent for further land development in the locale.

Staff is recommending approval subject to conditions, the first condition being that the applicant consult with the Suffolk County Planning Commission guidelines on energy efficiency and incorporate practical measures into the project design.

The applicant shall be directed to consult with the Suffolk County Department of Public Works Transit Division to explore the options of bringing bus service to the site. There is no bus route that runs directly along the service road or up and down Walt Whitman Road. It would be a slight hoof to get to a bus station.

Condition Number 3 is that the applicant be directed to consult the guidelines on public safety and universal design. Four, that the proposed building be reduced to no more than five stories and the language that follows is the rationale from the staff report.

That is the staff report, Mr. Chairman.
THE CHAIRMAN: Any comments or questions from the board?

COMMISSIONER KELLY: Just a question regarding elevations. I understand your concern regarding the height of seven stories. But in proximity to Cannon and Ruby's is this site lower, higher or equal elevation?

MR. FRELENG: It's equal or close elevation to the property to the east, which is Ruby's. The Cannon site is actually in a large depression, so this property is higher than Cannon and about the same as Ruby's.

One way to achieve the same gross square footage would be to expand the footprint of the building and lower the height of the building. It would be the same gross area.

COMMISSIONER KELLY: Would there be a problem with the parking requirements?

MR. FRELENG: We don't know, but in staff's opinion, we felt it would be better than a height variance.

THE CHAIRMAN: I like the way you laid out the staff report. It's little different than it has in the past. I thought it works well.

MR. FRELENG: Thank you. The staff appreciates that we are experimenting with formats and trying to reduce staff time, focus the review to the
Commission's priorities.

COMMISSIONER TALDONE: Couple of questions.

One related to the height of the building. Do we actually have as a commission standard that somehow discourages buildings of that height?

MR. FRELENG: The short answer is no. The long answer is no we review community character and those types of issues.

COMMISSIONER TALDONE: My personal view on this, we are, as a county, trying to develop the 110 corridor as a center of business. I would expect larger buildings in that location. So I wasn't in any way troubled by the height of the building. I don't know how the other commissioners feel.

My other point is really public transit. I believe the S1, which is the busiest route in the County, runs on 110 basically a block from that site. I would suggest also, because it is the busiest route, Route 110 is very difficult to get through. It's highly unlikely that the County would reroute the bus off 110 to come to a particular building and go back on the route because there are many buildings that would want the same kind of services. I would suggest changing the condition. Let me find that.

MR. FRELENG: While you find that description,
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12 it was just staff's thought that you have some
13 development going that is pretty significant Cannon
14 development; we don't know the nature of the employee
15 commuters going back and forth. We thought it would be
16 worthwhile to have a discussion with DPW.

17 COMMISSIONER TALDONE: I don't disagree. I
18 suggest changing the language. Cannon is directly on
19 110.

20 MR. FRELENG: No, it's on the South Service
21 Road.

22 THE CHAIRMAN: So it's further away, it's
23 further west. You have one of the biggest buildings
24 going up.

25 COMMISSIONER TALDONE: I suggest to that

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extent, options for safe pedestrian access to the
existing S1 bus route. Let them decide how to make that
access happen. They build these new buildings. Whether
they will reroute the bus or creating a pedestrian route,
they should be meeting with DPW creating the early stages
of the planning of the site to see how that would be
done.

THE CHAIRMAN: It's a long block. For people
like me, a thousand feet is a long way. The one thing I
would say there, you may want to suggest that we make
either bringing bus service to the site and/or we have --
COMMISSIONER WEIR: Or safe pedestrian access.
COMMISSIONER TALDONE: Bringing the bus off route is not an option. We have to think about how to make it convenient for people and safe to go from and to the bus stop that already exists on Route 110. They are looking at making express service to make it faster to get to the Long Island Railroad station. Get them that last quarter mile or long block really becomes critical because if it's an unsafe or an uncomfortable walk, people won't do it.

THE CHAIRMAN: Any objection to adding the language Vince described? Seeing none, we will add that condition. Any other thoughts or comments?

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COMMISSIONER McADAM: Andy, when you started the presentation had you a photograph of the South Service Road and you indicated the skyline. Would the seven stories bring it above the skyline, is that --

MR. FRELENG: It is the belief of staff that the seven stories would bring it above the skyline.

COMMISSIONER McADAM: Since it's an office building and restaurant, do you know how they calculated the requirement? Did they do it separately or combine it?

MR. FRELENG: The typical way would be to calculate it based on the uses. We didn't go in to try
to calculate the parking. We noted that the site plan indicated that they had the code required amount of parking.

COMMISSIONER FINN: I thought you had done a great job on this report. This is kind of from a commercial real estate developer. When we talk about location, location, location, this is right on the main thoroughfare of the Island. You show a skyline of the trees and you can't even see the building. The developer who is going to take the site, how big is the current size building on the lot?

MR. FRELENG: It's in the staff report. The current building is approximately a hundred thirty thousand square feet.

COMMISSIONER FINN: They're going to demolish a hundred thirty thousand square foot, one story building and construct a state of the art multi-story office building. So, and in the midst of other buildings there has to be some sort of differentiate themselves with the product.

More to Vince's point about height, as a commission we have to address height because we live on an island where we have want to have open space and preservation. On major thoroughfares, we want to cap the heights of the buildings. The idea of having a
restaurant on top of a five story building versus a seven story building would make it more of a viable project. In my opinion, two stories is not going to make that much of a difference.

The other aspect, the economic benefit of this project going from a one story, one hundred thirty thousand square foot building to hundred seventy-five thousand square foot multi-story building from construction cost, jobs and the tax benefit. Do you know what the current tax roll is on the building in its current state?

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MR. FRELENG: No.

COMMISSIONER FINN: If you take the standard area for a building of the size and configuration, it's probably in the neighborhood of three hundred thousand. You talk about the end product, at the end of the day you're talking about seven hundred thousand. At the end of a ten year period, without tax increases, you're talking about a five to six million dollar benefit. As a commission, we wouldn't want to prohibit. But I recognize the height significance. Not eliminate it, but than having it a condition. I recommend making it a comment and stress it as you did in your report, but not to make it a condition.

MR. FRELENG: I was going to say staff
appreciates the position of the Commission. I think the Commission should appreciate the position of the staff. We don't have that discretion. We compare it with what is required under the law, community character. We just note that this building is not in character with everything else that is out there and points it out to the Board. We are not recommending. We don't have a position on height, so to speak, from the Department, we are just recommending that this building is higher than the character and it's not compatible with other buildings in the area.

THE CHAIRMAN: I think it's another thing to consider. We should not compare it against having nothing there. We should compare five stories versus seven stories. I think the other standards are kind of the standard conditions and approval. It sounds like a good project. It's kind of an older building. It sounds like this would be a nice addition. Whether it's five stories and a little or wider versus seven stories and little taller, it does not mean they won't do the project, it's just the visual impact along the Expressway.

I heard a couple of people say that maybe it should not be something we should consider, but I want to give Director Isles a chance to say a few words.
DIRECTOR ISLES: I want to add the comments on the height variance might best be addressed by the Town Board. If the feeling of the Commission is you know what, your restriction is too low. The Town of Huntington has established a zoning code where they established certain densities of height, bulk and floor area ratio space and so forth. The zoning law in New York State is the towns are allowed to create these restrictions.

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In terms of variances have specific purpose and meaning, and a variance is only expected to be given under an exception. State law spells that out. The Commission is not here to say whether five is appropriate or seven is appropriate. It introduces the question maybe the Town of Huntington's code is wrong and should be changed. It's something for the Town to address. They they just completed their plan. There is a legal distinction that a variance is viewed as an exception to specific criteria. We want to call this to your attention and really what you are talking about is a code change approach.

I'm little bit concerned about here again just kind of a random basis here, seven is okay and here five is okay. I think it should be a little more comprehensive. Here again, it's tied to variance,
specific exception criteria.

COMMISSIONER TALDONE: Just quickly, last month you recall making the opposite argument in terms of a product at Exit 68 as you enter the Pine Barrens. A different location, an area that will not be developed into a high density corridor. I was opposed to it in that instance.

In this situation, this is an area we know we...

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heard about the development of 110. I'm not knowledgeable enough to make a recommendation, not a recommendation actually to impose a condition and say you really ought to keep this building smaller. I don't know that to be the case. That may be the place where they will allow the higher density and hopefully offset it somewhere else. I would want that changed to a comment rather than a condition. We want them to be concerned about it. We are not saying that it's wrong to go to seven stories, or we believe it's wrong to go to seven stories, and I think that is what I think is implied here.

COMMISSIONER HOLMES: I just would like to have us focus on what Director Isles just pointed out. This is according to Huntington's code and the State law. I think we have to point that out as a condition and let Huntington Town deal with whether they want to make a
change in the zoning for this area, but they are
constricted by State law and at the moment by their own
regulations.

THE CHAIRMAN: I think there is basically a
motion to make this is a comment. Is there a second for
that? Motion by Commissioner Taldone, second by
Commissioner Finn. All in favor of amending the staff

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report to make the changes from a condition, Number 4,
changing from a condition to comment, please raise your
hand. (Show of hands) Five to make it a comment.
That's six. I can't count. That fails.

I guess my question would be for those who want
to make it a comment, would that preclude you from
supporting the staff report. I understand your
preference to make it a. Comment would it preclude you
from voting on it if we keep it as a condition?

COMMISSIONER HORTON: I would be inclined to
vote for it because the Town does have the ability to
deal with that.

THE CHAIRMAN: Anyone else want to share with
me their thoughts?

COMMISSIONER FINN: If, as a commission, we
were to change it to a condition, it would still have to
go to a Town BZA. Do they have a method to which they
can override? Does it still require a super majority
amongst their board members?

THE CHAIRMAN: Yes.

COMMISSIONER FINN: If we changed it to a comment and keep the verbiage the same, they would still need to get some sort of approval above and beyond the Town because of the height variance at the Town level.

THE CHAIRMAN: If we changed it to a comment and keep the verbiage the same, they would still need to get some sort of approval above and beyond the Town because of the height variance at the Town level.

COMMISSIONER KELLY: ZBA.

COMMISSIONER FINN: There is still a step that has to been taken at the Town level. It still has to go through the Town's processes to get the approval. Once we say it's five stories and they they need a super majority of the space and they they don't get that, it's a non-issue at the ZBA; is that correct?

THE CHAIRMAN: If it is a condition, that's right. Anyone else? Any other thoughts? Everyone comfortable with the staff recommendation if it is a condition? Does anyone else share that thought? Are you comfortable with the staff recommendation if it is a condition?

COMMISSIONER TALDONE: It's a deal breaker for me.

COMMISSIONER KELLY: In terms of skyline, I know we are not talking about that as the aesthetics of it you look at Manhattan, it's a skyline. Some of the beauty is the difference in height. The argument in this
case, it's not necessarily a deal breaker for me. I know this thing is going to get built. I think the process would be much easier going through the Town. While that is not necessarily an overriding issue for us, it would make life easier for the applicant to go through the process with this as a condition, albeit it's not a deal breaker.

COMMISSIONER FINN: You mean as a comment or condition?

COMMISSIONER KELLY: Comment.

COMMISSIONER FINN: You just said as a condition.

THE CHAIRMAN: The question is if it's a deal breaker, if it stays as a condition, which is what the vote was.

COMMISSIONER McADAM: I agree with it as a condition, but the part that I guess I want to reiterate is what the Director said. I think it's important, since it is a planned corridor, that if the plan is to have a skyline on that particular corridor, then it should be planned in advance, at least for now, try to remain consistent with the building that is going on in this area, or if the Town decides they they don't want to approve it now, they they want to develop a skyline along this particular corridor, then they can do that and fit
this particular project into it.

What I have seen in my time here is we will say we will approve it at seven stores, and the next application will come in at nine stories and they will

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say well, you have seven stories there already. Then the next thing we will up to the H. Lee Dennison building, and I remember when that went up, and that was a critical time in the Hauppauge area, and then the State building went up. It goes on and on.

At that time there was a lack of planning. They they put these two buildings up and I would hate to see that repeated again along this particular corridor.

COMMISSIONER FINN: I agree with that, but the two buildings that you reference are government buildings, they're not private developed buildings. There is a major distinction between a building that goes up through this process versus government. The government basically bypasses this process.

On the heels of listening to our County's Economic Development person, Yves Michel, we have to start thinking about how we are going to foster economic development and growth. When you drive down the roadway you see no activity. Cannon, after eighteen years of almost dying to stay here on Long Island; we finally got that job going. Next door we have Ruby's.
We have to create this sense that we want development from the ground up and create this economic stimulus from the ground up. By putting conditions on things like this, it's going to impede the process. It's not going to help it go through.

DIRECTOR ISLES: Both of which are five stories, and they're two brand new buildings consistent with the Town zoning.

THE CHAIRMAN: I don't think anyone is opposed to the development in any way; it's this aspect of it. I think the question would be for a plan that said the application is here, it's kind of what are you going to do. The question is whether we do it as a condition, whether we adopt it or not and we have to wrap it up.

MR. FRELENG: I do apologize, I want to back up to Commissioner McAdam said the only intent we have is the intent of the applicant to build a seven story building. The only intent of the Town is reflected through their zoning ordinance, which they have not changed, and their Comprehensive Plan, which was recently reviewed does not make any recommendations for that area with regard to intent. The only intent of the Town, the way we interpret it, is to leave it as a forty-five foot, five story corridor and it's the applicant's intent to go to seven stories.
THE CHAIRMAN: If we adopt this and the Town decides to make it seven stories, they will have to overcome a majority plus one vote.

COMMISSIONER WEIR: One last comment. It's not a deal breaker for me. I understand the concept of seven stories and I agree with this gentleman. I'm hoping that we should watch this because we want to make sure they don't lose square footage because of parking restrictions and hurt the applicant. If they have a plan that will work for them on a flatter building, I hope they they don't have too many problems with the parking. Then you start the whole circle over again.

COMMISSIONER ROBERTS: If we were to pass this as a condition, is it possible to add the language that we wish the Town to look at the issues, if it is time to rethink the story limit in this area. I think there is an opportunity potentially to actually have this issue cleaned up for a longer term; otherwise, I can imagine that we will be having this conversation over and over again.

THE CHAIRMAN: That is a fair point. I don't think that is a condition, but we can certainly add a comment to the motion that the Commission believes this is a critical economic development corridor for the County, and the Town should be concerned about the height.
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DIRECTOR ISLES: Commissioner Kelly is wincing.

COMMISSIONER KELLY: With all due respect, some of the comments would take an application like this and put it into a study period. I would defer on the more conservative side to staff's.

THE CHAIRMAN: Here's the good news, according to our draft schedule, on April 6th we will be in the Huntington Town Board room. The supervisor and council members will be sure to raise that. I'll entertain a motion. Motion by Commissioner McAdam to adopt the staff report as amended. Seconded by Commissioner Roberts. All in favor, please raise your hands. (Show of hands.) Eight. Opposed, two. That passes.

Item 2, next item is the Hamlet Preserve. John Corral.

MR. CORRAL: The applicant seeks Town Planning Board approval for a one hundred fifty-five single family clustered subdivision on two hundred and five acres. This subdivision you actually reviewed, the Suffolk County Planning Commission reviewed in August, 2010. This subdivision has been altered. There are nine additional lots and some other changes to it, but the overall subdivision is similar to the one you reviewed in
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August, 2010.

I'll quickly summarize the changes and the differences between the two and the differences between the recommendations. This is a close up view of the subject property. It's two hundred fifty acres. It was a former Links at Shirley. It was an eighteen hole golf course and par three eighteen hole golf course with driving range. There are three man-made ponds. They're also connected by a man-made creek. That is the existing conditions of the property.

It's the Suffolk County's Planning Division jurisdiction. It's directly to the east of William Floyd Parkway, County Road 46. Surrounded by middle density residential single family homes and the William Floyd School District property to the northeast.

The zoning for the subject property is Residential A-1, which allows one residence per forty thousand square feet. That is the predominant zoning in the area. This is the revised of subdivision layout that we received. The difference, as I mentioned, is nine additional residential lots, which is the result of a reinterpretation application of the Town's Wetlands Overlay District. With that reapplication, nine additional lots were yielded and...
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resulted in nine additional lots in the subdivision.

The lots that are added are in two areas right up here and two lots, I'm sorry, three lots right here.

Other differences with this subdivision in the previous subdivision this was an emergency crash gate access. Now it's a connected town roadway. This now also is a connecting town roadway. They also now in this subdivision have dedicated this area to be open space dedicated to the Town of Brookhaven. I believe it's approximately thirty acres.

In the previous subdivision, all of the open space was possibly going to be dedicated. We made a comment they they might consider just the larger tract on the eastern side of the property, which it appears that they have done, and the other areas will be homeowners association open space areas. Also, just in this subdivision it was checked at one of our previous conditions was a fifty foot setback from the William Floyd Parkway. This has at least fifty foot setbacks on William Floyd Parkway, so that condition was taken out.

There was also -- this recharge basin was reduced in size and an additional recharge basin was added. There are now four recharge basins. This is kind of a summary of the subdivision that we received.
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Basically the conditions and comments are similar to the conditions and comments in the August subdivision, but updated for this subdivision. The recommendation is conditional approval.

THE CHAIRMAN: Just to be clear, the conditions and comments were as we passed them two months ago with one or two exceptions.

MR. CORRAL: The first one because the location of the wetlands was an important component of developing yield. We added the condition prior to final subdivision approval. Wetlands, if present, shall be flagged in the field by a qualified expert and indicated on the final subdivision map. That was actually a comment in the previous subdivision.

Because now the homeowners association open space, we have covenants and restrictions shall be placed on the homeowners association open space areas to ensure that the designated areas remain properly maintained. Open space affordable housing was increased by one lot, ten percent was the Suffolk County Planning Commission requirement. Instead of fifteen lots, it was increased to sixteen.

The other conditions and comments were saying that comments have been moved to conditions as described.
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All the others are the same.

THE CHAIRMAN: I'd like to keep the conversation kind of tight here. We had this two months ago and adopted almost the identical report. The good news is that our analysis has moved the project in a positive way with respect to those two aspects; that is great. This is a Brookhaven project. Mike Kelly, any additional thoughts?

COMMISSIONER KELLY: Thank you. If I recall correctly, the wetlands were man-made spaces and we had those as conditions. I don't see any reason for the applicant to go back and flag that. I would make a recommendation that we place that as a comment.

Also regarding workforce or affordable set aside, I thought this applicant had made application prior to the January 1, 2009, State requirement, and if the condition is the guideline for the Suffolk County Planning Commission's requirement, I would make that comment as a condition as well because there was no requirement prior to January 1, 2009.

MR. CORRAL: If I could, we do have a comment addressing the New York workforce housing. This condition is related to the Suffolk County Planning Commission affordable housing guidelines. In terms of
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the wetlands, in the information received from the applicant, there was concern about the Town may be now considering some of those areas around the man-made ponds wetlands because of the location of the wetlands. They're not New York State designated wetlands, but there was information that the Town may be considering them wetlands now. So, for setbacks and yield, we thought it was important to determine the location if there are wetlands.

THE CHAIRMAN: Okay. Other thoughts or comments?

COMMISSIONER McADAM: John, in any of the submissions, did they reference whether the Health Department or Water Authority approved or disapproved anything, just on what they they submitted?

MR. CORRAL: I don't believe in the application there has been final approvals from the Health Department or Suffolk County. They're both in the process of evaluating this application.

COMMISSIONER McADAM: Thank you.

THE CHAIRMAN: Comments or questions?

COMMISSIONER TALDONE: Just quickly a comment regarding the wetlands. I'm still little bit uncomfortable with a property owner who has created a
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water feature that subsequently is being a wetland and prevents him from developing the property. I want to go home and fill in my pond in the backyard right away. That is just a comment. My other - Restriction Number 5, actually Condition Number 5 can be reworded to the applicant shall provide an offer of dedication or dedication of land. It's just the wording is a little confusing, of a dedication or dedication of land necessary for a bus turn-out if deemed appropriate by blah blah blah. It's all there.

THE CHAIRMAN: Any objection to making that edit? No objection. Seeing none, I recognize Mr. Kelly.

COMMISSIONER KELLY: Going back to the affordable component, it looks like these are all single family detached homes, I imagine, like any other Hamlet developments, somewhat on an upscale nature. Is it appropriate for the applicant to set aside workforce units here versus a payment in lieu, or what other options could he have other than that as a condition?

THE CHAIRMAN: One, it was the policy of this commission since Felix Grucci was here. When he was on this board, he was the one that put together this twenty percent thing; we changed that two years ago to ten percent as-of-right, twenty percent change of zone.
made it more flexible in the last two years. The other thing it says is in accordance with the guidelines. The guidelines provide for an in lieu of, if the municipality determines it's appropriate. It's strictly language other than if you feel like it. 

We are sending along the referral a page or two that relate to the guidelines with our referrals now as a matter of course.

MR. FRELENG: Correct, they get a copy of the Commission's guidelines relative to that.

THE CHAIRMAN: That way they have it. We don't include all the language because it's a half a page long. The relevant page is provided. Hopefully that will address your concern.

COMMISSIONER WEIR: Motion to accept.

COMMISSIONER HOLMES: Second.

THE CHAIRMAN: All in favor of adopting the staff report with Condition 5 amended? (Show of hands) Nine. Any opposed? One. So no abstentions. It's nine to one.

The next item is Was Four Estates. Another one we have seen before, so I would like to keep the conversation very focused.

MR. CORRAL: This application, as Commissioner

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Holmes mentioned, the Planning Commission reviewed in 2008 and disapproved. The subdivision has been amended and sent back to us. I'll go over the changes with you. It's a three lot subdivision on two point-o-eight acres in the Hamlet of East Northport. It's adjacent to the county land to the east and across the street from the Northport Junior High School.

There are two structures on the site with steep slopes. The whole site has relatively steep slopes with an average slope on the site which is calculated to be twenty-two percent. Because of that, it falls under Town of Huntington steep slope ordinance, which the Town Planning Board approved a yield of three lots for the subject property.

There is another shot of it. The zoning for the property is R-10. This is the amended subdivision map which shows the previous subdivision had a private road with easements. This has a dedicated common area with the roadway to be maintained by a homeowners association. It also has a dedicated nine thousand one hundred thirty-three square foot area to be dedicated to the County with the County parkland directly to the east of the subject property.

That is the summary of the amended subdivision.

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the common area with the private roadway.

THE CHAIRMAN: They have improved it basically consistent with our conditions,

MR. CORRAL: Right. The conditions, as we have been doing this previously disapproved subdivision for landlocked lots, we have been conditioning that the access road be placed within a fifty foot right-of-way and built to the Town of Huntington's road specifications, so the roadway is suitable for Town dedication with the steep slopes. I just wanted to make sure that the road is suitable for emergency vehicles and if in the future there was any issue with access to the lots or problems with the homeowners association, ensure access to the lots.

The second is with the steep slopes and County land to the east, and the roadway. The importance of ensuring that all the storm water is kept on site. The third is that prior to final subdivision approval, the dedication of land to the County, the County and applicant should agree to the terms of the dedication. I brought that up. There is a fence running along the eastern property line and just dealing with that issue with the fence and those types of issues.

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That is the staff report. I'll be glad to answer any questions.
THE CHAIRMAN: Since we had this and it's mostly changed to fit our conditions, any comments about the remaining conditions? The one thing that I would ask if we could add as a comment with regard to storm water runoff, that the applicant explore utilizing green methodologies for storm water runoff. I believe we had, in the past, given examples of like that bioswale. If you don't have specific guidelines, if you would flag that issue to the applicant.

Any objection to adding that as a comment?

None. Any discussion on the application? If not, I will entertain a motion to approve the staff report with the one additional comment added. Motion by Commissioner Roberts and seconded by Commissioner Taldone. All in favor, raise your hand. (Show of hands)

Next item on the agenda is Old Field in Riverhead.

MR. CORRAL: This is a subdivision on a hundred acre parcel of forty-eight lots, two of which are large agricultural lots and approximately forty-six half acre clustered residential lots. To the south is the Calverton Cemetery. Further south you can see the edge of the runway for the Calverton airport, EPCAL site. About a mile and a half to the east is a retail center for Wading River. Directly to the east is the Suffolk
County farmland development rights and to the west is Town of Riverhead farmland development rights. It's adjacent to Route 25A, within twenty-five hundred feet of an ag district and also within a mile of Calverton airport.

This is a close-up of the subject property. It's a current sod farm with one -- it's a little difficult to see -- with one farmhouse and barn located on the southern edge of the property right there. It's almost completely clear, but there are some wooded areas on the very southwest corner of the property. The zoning for the property is RB-80, which allows as a minimum lot size of residential properties of eighty thousand square feet. The property, the zoning just to the south is Defense Institutional and there is a Commercial Business District a little further to the west.

This is the subdivision, and it's a clustered subdivision, creating two large farm lots. One is thirty-five point acres on the south edge where the existing farmhouse and barn is. The other is thirty-one point nine acres at the north end there are forty-six

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residential lots, and then the two potential residential lots on the farm lots.

Due to Suffolk County Department of Health restrictions, the forty-eight residences on forty-one
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6 acres are allowed to be kept in agricultural use. If you can see, Farm Lot 2 has five point eight acres designated as agricultural use and twenty-six point eight acres non-agricultural use. The Suffolk County Planning Commission received this before in 2007 and disapproved it due to the only one access point, creating cul-de-sacs of over a thousand square feet, and also a sunburst type cul-de-sac design which allowed maximum frontage and maximizing the amount of lots that could be placed on the subdivision.

We received this again in December of 2010. They have more tightly clustered the subdivision. They kept the agricultural open space areas much more continuous than the previous subdivision. They have eliminated the starburst cul-de-sac design, but there still is only one point of access for the forty-six residential lots off Hulse Landing Road. The total length of that is over a thousand feet.

So, based on the comments from our disapproval from the previous subdivision and now this new subdivision referral, we recommend approval with the following conditions and comments: One, the first condition is that a second roadway be constructed connecting Hulse Landing Road to the proposed subdivision's internal road network. That would give, if
there was an emergency and that roadway is cut off, a
second access point would eliminate the over a thousand
foot cul-de-sac type configuration. That is one of the
conditions.

The second is that the storm water runoff is
kept on site. With the State road to the south and
county farmland development rights to the east and Town
development rights to the west, we felt that it was an
important condition. We wanted to place a comment; the
disapproval of the previous was that the agricultural use
areas, that a covenant be placed for no further
subdivision. This condition has covenants and
restrictions shall be placed to prevent any further
subdivision and ensure that the remaining undeveloped
lands are used for agricultural structures and activities
permitted by Town law. It's similar to a condition that
was placed on Southampton subdivisions with agricultural
areas similar to that.

Also with agricultural areas adjacent to

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residential lots, that the covenant to notify residents
of the location of the agricultural land. That is a
fourth condition. With the Suffolk County Planning
Commission's affordable guidelines, a condition that five
lots be set aside as affordable. The final condition is
that the applicant consult with the Suffolk County
Planning Commission's energy efficiency and public safety guidelines. A final comment, in looking at this we felt it might be possible, we had this as a comment, to move the residential lots to the north and then buffer the agricultural use of the Farm Lot 1 with some of the non-agricultural use land that in Farm Lot 2. We recommended that it as a comment back to the Town.

One final comment, that is not on the subdivision map. It was noted that there was a discrepancy between the tax map and subdivision map. The tax map doesn't show this access according to State Road 25A. We felt it was a good idea to notify the Town of the difference between the subdivision space and tax map so they can reconcile the difference. I wanted to add it verbally. It wasn't in the report.

THE CHAIRMAN: Thank you for the presentation. This is the third straight one where we have seen it coming back and being substantially improved. This is a FIVE STAR REPORTING, INC.
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Riverhead project. Mr. Taldone.

COMMISSIONER TALDONE: I concur almost entirely with the staff's recommendations. I just want to make two changes which I think are minor. Condition Number 1, the proposed second roadway, I would add which may be limited to emergency vehicle use, and then just continue that restriction. I believe that is a fairly
busy street. The Town is not all that fond of creating
too many curb cuts for access to the development, but if
you limit it to emergency vehicle use, that suits our
purposes, I believe. I put that forward.

Also under Condition 6, where it reads energy
efficiency and public safety, I would change that to
energy efficiency, public safety and universal design.

THE CHAIRMAN: I'll take these one at a time
to make sure I get these things. The proposed two edits,
one is Condition 1 to add after the word "roadway" the
phrase "which may be limited to emergency vehicle use."
Any objection to making that addition? Without
objection, we will add that language to the conditions.

Then the second proposal with respect to
Condition 6, that we add change the guidelines being
referred to to including energy efficiency, public safety
and universal design guidelines. Any objection to that?

COMMISSIONER WEIR: I have a general question

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Seeing none, we will make that change.

I would also add Comment Number 3, just the
same one from the previous application with regard to
green methodologies, storm water runoff, that the
applicant explore green methodologies, for instance,
bioswales, et cetera. Any objection? Seeing none, we
will add that as Comment Number 3

COMMISSIONER WEIR: I have a general question
for staff. Now that we are seeing a lot of the affordability, because of your guidelines and the State guidelines, I never have seen anything yet on maintaining affordability or asking the towns to put covenants and restrictions on the resale. These are one acre lots, pretty large homes. I don't think there is any subsidy going in. The subsidy is basically a density bonus for the developer.

It's so much trouble to get these built, we usually have some kind of maintaining affordability restriction on the resale. Islip has it, Huntington, Southampton has it. I think we should establish it region wide. I don't see that on the comments.

THE CHAIRMAN: We reference the guidelines and conditions. The guidelines do include resalability.

COMMISSIONER ROBERTS: Page 32.

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THE CHAIRMAN: The one advantage of the Commission, and part of it is relationship building, under the County charter our role is to advise towns and villages on best practices use. Whether that is accepted by the towns and villages, that is a relationship building thing that we have been working on in the last couple of years, to kind of build the trust so they they see us as a resource.

COMMISSIONER WEIR: I have seen that thirty year -- I just brought that up as a comment -- I had seen the thirty year thing.

THE CHAIRMAN: Since you're on the guidelines committee.

COMMISSIONER WEIR: For the future, I wanted to make that comment to remember that I remembered it.

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because I will forget it.

COMMISSIONER McADAM: John, this area is within one mile of the airport?

MR. CORRAL: Yes.

COMMISSIONER McADAM: Do you need a covenant for that?

MR. CORRAL: The Suffolk County Planning Commission does have comments related to when it's within one mile of an airport.

COMMISSIONER McADAM: Doesn't it actually need
like you do with agricultural? I think Southold, there was a reference to that also, that if it's within one mile of an airport, they they actually put it into the deed to the property.

MR. FRELENG: The standard language that we have, I believe, says covenants or conditions must be placed on the map. Typically when it's placed on the map, it usually gets rolled over to some sort of covenant or restriction placed on the deed.

THE CHAIRMAN: Is there anything that we need to change as a result of this? Okay. If not, I'll entertain a motion to adopt the amended application, amendments to Condition 1 and 6 and adding the verbal comment to the end. Motion by Commissioner Taldone.

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of the Town of Shelter Island. The proposed lots range in size with an average lot size of one hundred seventy-nine thousand six hundred ninety-one square feet, or roughly four acres. The proposed subdivision allows reduction in the allowable density in the site by sixty-seven percent.

The land is presently improved with a house, garage. Existing dirt driveway provides access to the site. Let's take a look at some photos first. This is an aerial of the property. It should be pointed out there is a substantial amount of wetland property along the area of West Neck Creek. This is the shoreline of the creek. There is a canal that comes in and there are FIVE STAR REPORTING, INC.
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an awful lot of wetlands associated with the creek system.

This is an oblique view of the subject property. Again, the wetlands here along the shoreline. You can see the existing structures. That is another aerial. We did not, unfortunately, get a chance to do a site inspection, but we believe these aerials represent a good depiction of the area.

The property proposed to be preserved is approximately eleven acres or approximately twenty-one percent of the site. The subdivision also includes the transfer of land to two adjacent adjoining out parcels.
With regard to the access, six of the proposed lots are to have access via an eighteen hundred sixty-nine foot paved country lane style cul-de-sac. The pavement is to be oil and stone to be improved to a width of sixteen feet, within what appears to be a fifty foot wide private right-of-way easement. Three lots have access from Menantic Road and one from Simpson Avenue.

With regard to environmental conditions, they they are mapped Federal and State wetlands. The staff's analysis regarding the critical county wide priorities of the Commission indicates that subdivision of the property will require protection of the wetlands on site. Wetlands tend to migrate over time, particularly with the rise and fall of the water table. The most landward limit of wetlands was last flagged almost ten years ago. Staff believes the boundary should be reflagged in the field so that the setbacks and conservation easements are accurately marked.

Suffolk County Planning Commission policy is that no new residential structure or sanitary disposal facility should be constructed or otherwise located less than one hundred feet from the most landward limit of wetland vegetation. Moreover, the Commission generally requires a conservation easement be placed along the shoreline to prevent disturbance of the shoreline.
The Commission does have in their guidelines and in their standards going way back that in order to preserve the integrity of the wetlands and shoreline of the West Neck Creek, access to the beach should only be by a suitable structure. In the alternative sometimes access to the beach could be restricted to a community access structure. In addition, there is no information in the referral material that any of the structures that might be proposed could be constructed with energy efficiency in mind. There is no information in the referral materials if there are any considerations or

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 provision of workforce housing for this project. There is no information in the referral material with regard to public safety, and the Commission must be aware that the proposed cul-de-sac exceeds the Suffolk County Planning Commission guidelines on cul-de-sac length by thirteen percent.

The staff is recommending conditional approval with the following conditions: The first is that the most landward limit of wetland on the site shall be re-flagged in the field and represented by all new surveys, maps, plans, plats or sketches. The second condition is no new structure or sanitary facility be constructed located less that a hundred feet from the most landward limit of wetland vegetation. Condition 3 is
that a conservation easement be established along the wetland boundary.

4, that the access to the beach be limited to a suitable structure located at or near the common lot line of two or more lots. In the rationale that follows, there is a sentence that indicates preferably there should be only one beach access for the community.

5 is that the applicant shall be directed to consult the Suffolk County Planning Commission guidelines on energy efficiency. Number 6 that is ten percent or

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one lot be set aside for affordable housing purposes in accordance with the Suffolk County Planning Commission guidelines.

7, the applicant be directed to consult the County guidebook on details for public safety and that the proposed roadway and right-of-way should be shortened to a thousand feet. In the rationale are some points on how to treat a private road giving it a proper name, et cetera. That is the staff report.

COMMISSIONER HOLMES: First of all, I have to say, I just cannot believe that this application is coming before this commission now. Because this estate was applying for subdivision approval in the Town Planning Board when I was in the Planning Board in the late 1970's. The problem is the family keeps withdrawing
the application and resubmitting it and then withdrawing it again and changing it little bit. Unfortunately for them, during this long period of time, the Health Department has changed its regulations and now requires that there be a test well on each lot and some of the lots didn't meet Health Department requirements, so that has held up their application procedure. Now that they apparently have met those requirements, and I agree entirely with the staff recommendation, and the

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conditions and the comments because we did have always big discussion about right-of-ways that were private roads and making them at least sixteen feet for a fire truck, but there was always the concern about a private road being designated, and I'm glad to see that here.

I would certainly support the staff recommendations here. I just can't believe it has taken this family so long, because Nelson White has been dead for years. This is his granddaughter pushing this. I hope they're successful after all that time.

THE CHAIRMAN: The good news is that the value of the land has probably increased over the last thirty years.

COMMISSIONER HOLMES: Up and down and up and down.

THE CHAIRMAN: One thing I think is important,
it sort of is a general issue. Number 6 relating to affordable housing purposes, I think we need to say in the condition in accordance with the Suffolk County Planning Commission guidelines.

COMMISSIONER HOLMES: The applicant is really not aware of our guidelines, because they have been before the planning board for so long.

THE CHAIRMAN: Unless they are related to

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MR. FRELENG: The administrative codes requires you label them as reasons.

COMMISSIONER HOLMES: Just label them as reasons or rationale. I think it would be very helpful for them to have the extract of the pages of the guidelines, because I do believe those are unfamiliar to the applicant.

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THE CHAIRMAN: I think this is important as far as the affordable housing guidelines. The Town may wish to require in lieu of payment because of the situation of this property on the water. We should not prejudge that. It's sort of at the discretion of the town. At least they will know the guidelines include those options for them.

COMMISSIONER ROBERTS: I'm a little confused about that argument. To me that makes my concern more. It sounds to me that we are asking for a super majority override of ten percent on this location, that we were closing out the possibility of our options.

THE CHAIRMAN: I wasn't intending to do that. I was intending to make it more open. It says now one lot to be set aside for affordable housing purposes.

COMMISSIONER ROBERTS: What is the wording that you were suggesting?

THE CHAIRMAN: In accordance with the Suffolk Planning Commission
County Planning Commission guidelines. In the guidelines it gives alternatives.

COMMISSIONER HOLMES: Would it be better if we say one lot as stated in the Planning Commission guidelines?

COMMISSIONER ROBERTS: I would be a thousand percent more comfortable with that.

THE CHAIRMAN: Any objection to that? We will make that change.

MR. FRELENG: Can you restate that?

THE CHAIRMAN: To be set aside for affordable housing purposes.

COMMISSIONER HOLMES: Ten percent, or one lot shall been set aside for affordable housing purposes or using options as stated in the County Planning Commission guidelines, copy of which is enclosed.

COMMISSIONER HORTON: Why don't we refer to the guidelines?

THE CHAIRMAN: We had this discussion last time. Refer to the guidelines, send them the guidelines and in there it explicitly says a lot of things. There are options, there are perpetuity aspects, a lot of other stuff in the guidelines other than the alternatives.

COMMISSIONER HORTON: I would recommend that.

COMMISSIONER HOLMES: In this instance, we are
dealing with people who are not familiar with the affordable housing --

THE CHAIRMAN: I don't think many people are.

COMMISSIONER HORTON: With all due respect,
you go through the process with the Town as well as legal counsel. It's digestable and I'm sure they will be able to digest it in very short order.

THE CHAIRMAN: Josh suggests we make it set aside for affordable housing purposes in accordance with the Commission affordable housing guidelines. It's different from what Barbara was saying.

COMMISSIONER ROBERTS: It's been a continuous problem for me. I'm in the minority.

THE CHAIRMAN: We will include the page which has the options.

COMMISSIONER HOLMES: We are not to offer an alternative.

THE CHAIRMAN: We can vote on it. I believe we had a vote a month or so on this. The point is the guidelines include alternatives and lots of other stuff.

COMMISSIONER HOLMES: How is Condition 6 going to be worded now, Josh?

THE CHAIRMAN: The way we had it before. Barbara's suggestion which was that ten percent or one lot shall been set aside for affordable housing purposes.
in accordance with the Suffolk County Planning Commission guidelines. Barbara made a suggestion. If you want to vote on it, we can vote on it change the language.

COMMISSIONER HOLMES: I think adding alternatives

THE CHAIRMAN: We can entertain a motion to amend it to add the words "in accordance with the policies and alternatives in the Suffolk County Planning commission guidelines." That is just a motion. I'm suggesting that that is what it would be. If you want to make that motion.

COMMISSIONER HOLMES: I make the motion.

COMMISSIONER ROBERTS: Second.

THE CHAIRMAN: We will vote on whether to change the wording, which is now ten percent or one lot to be set aside for affordable housing purposes in accordance with the Suffolk County Planning Commission guidelines. The proposal is shall be set aside for affordable housing purposes in accordance with the policies and alternatives of the Suffolk County Planning Commission guidelines. That is the motion. All in favor of adopting the new language, please raise your hand.

(Show of hands) Three. Opposed. Seven. We will leave
When we have the review of the guidelines we can include something about alternatives. I think it's clear.

COMMISSIONER ROBERTS: I don't agree with that. It's buried, unless you read every word.

COMMISSIONER KELLY: Andy, a question on Number 4. The access points to the beach. On the map that we have in the package, would that mean there are two access points to the beach and/or if that is the case, would there been requisite easements or such that would be required for the adjacent property owners?

MR. FRELENG: I don't know how many structures you would have. There are a couple out there for some of the lots. It will then say, in the top left corner there is a structure sticking out. You would probably get another one possibly down here.

COMMISSIONER HOLMES: Nelson White's house is there.

MR. FRELENG: It may not be applicable if you take a harder look at that what we are trying to do is protect the shoreline.

COMMISSIONER KELLY: I agree. Logistically does that box in anybody else? Which map is that?
Where is the beach?

Lot 5 and 6. You might get one there, Lot 8 and 9.

Is there a beach there?

West Neck Creek, there is sand along there.

It's beach in quotes. Access to the water.

Most people use boats in that area.

When you say a suitable structure, what does that mean?

That would be determined by the New York State DEC. We defer to the State DEC.

Typically it's an elevated walkway with slatted boards that allow light to pass through.

It also has trustees that regulate wetlands. The Town Board acts as trustees that specifically regulate wetlands.

Any other thoughts, comments, questions? If not entertain, a motion to adopt the staff report with the amendment to Condition 6. Motion by Commissioner Holmes, second by --

I have a comment. I would like to propose amending Condition 7 to add
universal design. Shelter Island is the oldest population in Suffolk County.

THE CHAIRMAN: Any objections? Seeing none, thank you. So, we have an amendment to Number 6. To clarify, we have an amendment to Number 7 with regard to universal design. Motion by Commissioner Holmes to adopt the staff's report with the two changes. Second by Commissioner Taldone. All in favor. Ten to zero.

MR. FRELENG: Mr. Chairman, can we just go over the language to Condition 6?

THE CHAIRMAN: Ten percent or one lot shall be set aside for affordable housing purposes, in accordance with the Suffolk County Planning Commission guidelines, which I think is sort of our usual formulation. The last item on our agenda is Vintage Vines Southampton. Ted.

MR. KLEIN: This was sent to us from Southampton, located in the Hamlet of Brideghampton, located on the west side of Bridgehampton-Sag Harbor Turnpike on the south end of Barn Lane. Regional significance of the property is that exceeds fifty percent of the established threshold. Fifty new residential units and physical alteration of twenty acres.

The applicant proposes subdividing forty eight point seven acres of woodlands into thirty-seven lots in
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a reduced density planned residential development.
Zoning is R-20 in an Aquifer Protection Overlay District, minimum twenty thousand square feet with appropriate clearing and fertilization restrictions. Material provided from the Town indicates an as-of-right yield of thirty-seven single family lots.

The proposed average lot size is approximately thirty thousand two hundred two square feet. The average overall density is about one point three acres per unit. This will be situated in a cluster of twenty-five point seven acres plus three point six acres of land for the right-of-way; therefore, nineteen point five acres or forty percent of the land area is proposed for open space. Septic will be handled on site by cesspools.

Water provided by the Suffolk County Water Authority. Access will be fifty foot wide right-of-way that will connect Bridgehampton-Sag Harbor Turnpike to Barn Lane to the south.

There is no recharge basin. Proposed space and storm water run off will be handled by structures in the right-of-way. Since the area that will be disturbed is greater than an acre, it will require a SPDES permit based on the storm water pollution prevention plan required by the DEC..
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The layout is that the lots and road positioned on the highest elevation of the site to the north. The proposed open space is down to the south along the right-of-way crossing. In addition, the Suffolk County Planning Commission has guidelines regarding steep slopes and relates to storm water runoff, so we like to see the disturbance regulated to the areas of at least steeper slopes, which would be upland, and all storm runoff should be contained on site.

The proposed subdivision is located on Sag Harbor Turnpike, which has a Suffolk Transit route that runs along it, and the applicant should work with Suffolk Transit to ensure there is a viable bus stop. The newly planned development should be designed and constructed with energy efficiency and public safety standards in mind. The applicant should be directed to consult the adopted guidelines.

The subdivision is proposing thirty-seven lots and affordable housing guidelines require as-of-right applications should set aside ten percent of the lots as affordable. Staff recommends approval subject to the six conditions listed in the staff report.

THE CHAIRMAN: Just a note, the indentations here, I ask whatever we adopt, it identifies what is the
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rationale versus from what the condition is.

MR. FRELENG: That will be in the resolutions they the Commission that they go out.

THE CHAIRMAN: For future staff reports. This is a Southampton project. Commissioner Roberts.

COMMISSIONER ROBERTS: This is just a land division. There is no intent to build homes on this property; is that correct?

MR. KLEIN: I don't know the answer to that; it's a subdivision application.

DIRECTOR ISLES: The idea, however, is once a subdivision is approved, that they are permitted to sell individual lots which are subject to permit applications.

COMMISSIONER ROBERTS: This is a piece of property in the highest, most expensive area of the Hamptons. It's in the middle of horse country and the South Fork vineyard country. I have little bit of difficulty with the affordable housing. I don't think we have to go through this again. I would like to stress when we look at the guidelines that we perhaps product at standarding the language. I make the bigger suggestion to make the staff reports more efficient is that the language in this report is totally different from the one we saw on the Shelter Island report.
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It seems to me at this stage we should agree on the paragraph that is the same language on affordable housing that continues everywhere. I suggest that we get into the habit that maybe some of the standard requirements, such as adding universal design, that there is a certain number of our conditions. If we have the habit, if there is a one to five or six we automatically know what is there that we just know that anything unusual follows. Other than that, I would approve what is the staff is suggesting.

COMMISSIONER HOLMES: I'm little puzzled with the designation by Commissioner Roberts that that property is in an upscale area because the Bridgehampton-Sag Harbor Expressway has a great number of modest homes that in fact that is the original black community of Bridgehampton. I just -- Barn Road is further along in that area of affordable homes, isn't it?

COMMISSIONER WEIR: We have several affordable housing developments right on the turnpike.

THE CHAIRMAN: Given the hour, that may be. I'm not disputing anything that the Commissioner Weir is saying it doesn't really impact on this. The staff is recommending consistent with our guidelines that we do the ten percent.
COMMISSIONER KELLY: Ted, any input or knowledge on the out parcel that is located towards the southerly portion of the map.

MR. KLEIN: Well, it is an out parcel the railroad spur is right below that could be designated as a trail. I believe the town to make more open space to the south too, as far as the designation on the out parcel. I think they're going to require them to provide an easement to it from the proposed right-of-way. That is all I know.

THE CHAIRMAN: Let me note for Condition 5, let's add universal design. Without objection, seeing none, we will add that.

COMMISSIONER WEIR: The green way of doing things.

THE CHAIRMAN: You did put down green methodologies. The other thing is with regard to the Condition 4, Suffolk County Transit, it says to ensure there is a bus stop in walking distance. I think we should add to be determined by Suffolk County Transit, that it is appropriate.

MR. KLEIN: There is a community center across the street.

COMMISSIONER TALDONE: In this instance you
don’t even need the condition. I would like to make a motion to remove it.

COMMISSIONER McADAM: When there is a subdivision like this right on a main bus route, is there a provision, especially if there is a large number of units in the subdivision, is there a provision they have to provide a bus shelter?

COMMISSIONER TALDONE: No, there wouldn’t be, unless the town imposes it. I wouldn’t imagine it in this instance. I don’t imagine it would be a high enough volume location, but I do believe there is a substantial shoulder on this road, which is why I’m not asking for any offers of dedication. The bus just pulls off the road and it picks up people. It’s a flagging strip.

THE CHAIRMAN: The motion was to delete the condition. Any opposition? Seeing none, we have deleted Condition 4. We have added universal design standards. Any questions or comments about the application? If not, I’ll entertain a motion to accept the staff report as amended. Motion by Commissioner Chartrand and seconded by Commissioner Weir. Ten-zero. Commissioner Roberts’ comments are well intended.

COMMISSIONER HOLMES: It will save time here.

THE CHAIRMAN: We would like to end our

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meetings by three o'clock and it's two fifty-nine. The nominating committee report. I defer to the Chair, Josh.

COMMISSIONER HORTON: Myself, my four or five personalities and Commissioner Taldone in accordance with the procedures set forth for nominating, our recommendation for nomination for the offices of chairman, vice chairman and secretary are putting forth the officers that currently hold those positions or held those positions in 2010 and continue to hold them now. Dave Calone for chairman, Constantine, I grew up with him and I call him Dino, Constantine Kontokosta for vice chairman and Adrienne Esposito for secretary. Furthermore, we have canvassed the Commission for feedback for suggested changes to our rules and received none. So as set forth as follows.

THE CHAIRMAN: Thank you, Nominating Chairman Horton for organizing that. I think we found out we e-mailed a slightly older version of the rules. I sent out the new version which had two or three additions to it. My guess is there won't be any change to that. If you have anything, let Commissioner Horton know by the end of next week.

I asked our counsel to review the rules and give us any thoughts. What we will do in our February

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meeting is adopt the rules and the schedule of meetings
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and we will elect officers. Under the County law, the County committee has nominated three individuals for the officerships. However, nominations are permitted from the floor, so if anybody would like to nominate themselves at the February meeting, you can do that. Be aware of that.

Lastly, I appreciate the nomination and would like to have a chance to meet with all of you individually for a cup of coffee or lunch just to chat about the Commission, what you think we should be pursuing. I will be in touch with everyone in the next couple of weeks.

Lastly, Director Isles has put together Volume 1 of the Comprehensive Plan. It is available. We will hand it out and we can have a conversation on that at the next meeting.

DIRECTOR ISLES: We appreciate the input of the Commission. At this point, I'm anticipating three volumes. Today we have a draft for Volume 1. We will be happy to have a discussion with you in the future. It's mostly a facts and figures document, building the foundation of information to allow us to go forward.

THE CHAIRMAN: You talked about having five star reporting, Inc.

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DIRECTOR ISLES: Director Gulizio has made contact with nine of the ten towns. I'm actually in the process of -- we will be advising you of those dates. Most of it is waiting for responses from the individual towns.

THE CHAIRMAN: I ask that we do this with some forewarnings so the leaders in that particular town can participate. Any other comments or anything?

COMMISSIONER McADAM: We have a week to submit any changes to who?

THE CHAIRMAN: Just let Josh know by the end of next week. The rules are two pages long, so there shouldn't be any problem. The guidelines committee, let's spend five minutes. I'll entertain a motion to adjourn. Motion by Commissioner Horton, second by Commissioner Weir. All in favor? Nine to zero.

DIRECTOR ISLES: This is an internal document for your review. We ask that it not be circulated outside of the Commission. It is a draft.

(Time noted: 3:00 p.m.)

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STATE OF NEW YORK)

COUNTY OF SUFFOLK)

I, JUDI GALLOP, a Stenotype Reporter and Notary Public for the State of New York, do hereby certify:

THAT this is a true and accurate transcription of the Suffolk County Planning Commission meeting held on January 5, 2011.

I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of January, 2011.

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-----JUDI GALLOP-------