

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Planning
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Sarah Lansdale, Director of Planning

NOTICE OF MEETING

May 4, 2011
12:00 - noon
Inc. Village of Patchogue Board Room

WALKING TOUR-VILLAGE OF PATCHOGUE- 10:30

Tentative Agenda Includes:

1. Adoption of minutes for February, March 2011
2. Public Portion
3. Chairman's report
4. Director's report
5. Guest Speakers:
 - Hon. Paul Pontieri, Mayor-Inc. Village of Patchogue
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
 - Arnold Manor 21700 0200 053000 (Babylon)
 - Brookhaven Village Square 0089900 0300 002002 (Brookhaven)
7. Section A14-24 of the Suffolk County Administrative Code

NONE
8. Other Business:
 - Consideration of draft of Suffolk County Comprehensive Plan-Volume 1

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on WEDNESDAY, June 1, 2011 in the Riverhead County Center Auditorium.

SUFFOLK COUNTY PLANNING COMMISSION

May 4, 2011

12:00 p.m.

Inc. Village of Patchogue

Board Room

Sara Lansdale,

Director of Planning

FIVE STAR REPORTING, INC.

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THE CHAIRMAN: Good afternoon.
Welcome to the May 2011 meeting of the
Suffolk County Planning Commission. I
apologize for being late.

I would note we have a quorum
present.

I would ask Secretary Esposito to
lead us in the pledge.

(Whereupon, all recited the pledge
of allegiance.)

THE CHAIRMAN: We have a new member
who has been appointed by the County
Executive and confirmed by the
legislature. Welcome Carl, and I'll ask
him to stand.

I, Carl Gabrielsen, do solemnly
affirm that I support the Constitution of
the United States and the Constitution of
the State of New York, and that I will
faithfully discharge my duties as a member
of the Suffolk County Planning Commission.

Welcome aboard.

(Applause.)

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It's good to have you with us.

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Hope you will have a chance during the

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course of our time together to get to know

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some of the Commission members and look

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forward to having you with us.

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MR. GABRIELSEN: Thank you.

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THE CHAIRMAN: The first item on

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the agenda is adoption of the minutes. I

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believe the editor and chief and I were

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E-mailing. She did not receive the March

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minutes.

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MS. HOLMES: We can go with yours.

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THE CHAIRMAN: I'll defer to you.

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MS. HOLMES: You have to make the

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decision.

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THE CHAIRMAN: I don't get paid

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enough to make decisions.

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MS. ESPOSITO: Double your salary.

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MS. HOLMES: You always have a

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substantial number. I usually have some

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but not as many as you do.

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THE CHAIRMAN: I will simply say to

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you if you would like an opportunity to

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review them comfortable with us putting

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off the motion if you feel like we can
move forward, we'll do that.

MS. HOLMES: I haven't seen them.
How do I know?

THE CHAIRMAN: In that case, we'll
postpone the adoption of the March minutes
without objection. We'll postpone it.

MS. HOLMES: You have to decide,
because I didn't see the February final or
I didn't see the February -- I didn't get
to do the input. They used your
corrections for their final, and I had a
couple which I gave you, and you have to
decide whether they're de minimis.

THE CHAIRMAN: What we'll do, I'll
make a motion to adopt the February
minutes as amended, including Commissioner
Holmes' edits.

Before I do that, any other
comments on the February minutes?

(No response.)

I'll entertain a motion to adopt
the February minutes as amended, including
her edits.

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MS. WEIR: I make a motion.

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THE CHAIRMAN: Motion by

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Commissioner Weir.

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MS. HOLMES: Seconded.

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THE CHAIRMAN: Seconded by

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Commissioner Holmes.

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All in favor, raise their hand.

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Nine to zero.

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The next item is the public

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portion. I have two cards right now. I

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have also a letter from the Greater

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Bellport Coalition. I'll read the letter

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into the minutes.

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It's from John Rogers, Chair of the

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Greater Bellport Coalition. It was

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received late yesterday.

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To the Planning Commission, this

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letter is to acknowledge the support of

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the Greater Bellport Coalition (GBC) for

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Blumenfeld Development Group's Brookhaven

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Village Square change of zone application.

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This project is consistent with the

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recommendations presented in the Greater

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Bellport Sustainable Community Plan

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accepted by Brookhaven town in April 2010 for a mixed use center, including a warehouse store.

Brookhaven Village Square will bring between 150 and 200 new jobs to the community and increase the tax base for the school district. Additionally, the Blumenfeld Development Group will provide a benefits package to compensate the community for the conversion of industrial property to the proposed use.

The GBC does not expect the proposed use to detract from the main street business district that is being developed along Montauk Highway one mile to the south and an economic analysis prepared by Saratoga Associates in October 2008 states that a warehouse store in that location as proposed is economically viable.

The Greater Bellport Coalition is a coalition of community groups formed in 2006 that is working with Brookhaven town and Sustainable Long island on the

2 implementation of the aforementioned
3 community development plan to guide the
4 growth of North Bellport.

5 Goals of the plan include
6 addressing such issues as downtown
7 revitalization, economic development,
8 housing, unemployment, neighborhood
9 safety, blight, open space preservation,
10 recreational opportunities and
11 walkability.

12 Thank you for your consideration.

13 Sincerely, John Rogers, Chair.

14 We have two other cards. Raffaella
15 Petrasek, come forward. We have a
16 microphone.

17 Spell your name for the record.

18 You have three minutes.

19 MS. PETRASEK: I would like Mr.
20 Blumenfeld to go first, please.

21 THE CHAIRMAN: You each have three
22 minutes.

23 MR. BLUMENTHAL: Brad Blumenfeld.

24 Good afternoon, I'm Brad

25 Blumenfeld, Vice-president of Blumenfeld

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Development Group. I'm here to make a statement on behalf of Brookhaven Village Square, a project that we're the developer on and proposing in the Town of Brookhaven that will be presented to the commission today.

Blumenfeld Development Group has owned this parcel four years and approximately two years prior to our acquisition, we had been in negotiations with the previous owner. During the six year period, we, as did the prior owner, aggressively marketed this property for industrial development.

In addition to our own efforts to market the property, we have coordinated with Empire State Development Corporation in its efforts to attract and retain industrial tenants here on Long Island. However, the location and long narrow configuration of the site presented insurmountable obstacles to several industrial users that we had initially considered or who initially considered the

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site despite the availability of Empire Zone benefits.

As a result of these efforts, we began to explore other development alternatives. Part of our efforts included participating in the local community planning process that was sponsored by the Town of Brookhaven and facilitated by Sustainable Long Island. Based on the land uses identified by the Greater Bellport Coalition and local residents, BDG developed a site plan that incorporates elements that were identified in the Greater Bellport community vision plan.

Many residents cited a need for indoor entertainment uses, development plans that open and invite residents into the site and connect to the surrounding area by activating the street frontage and use pedestrian friendly internal connections that are well-lit, visible and safe.

We met with representatives of the

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Town and the Greater Bellport Coalition to refine our conceptual plan to attempt to address various comments and suggestions. We also entered into a contract of sale for a parcel fronting along Station Road to improve the connection to an area that is seen by the community as the gateway to North Bellport.

In fact, on page sixty-two of the Greater Bellport vision plan issued on January 22, 2009, it identifies the property and recommends, quote, as follows:

"This property is one of the largest remaining parcels in the community. Early negotiations with the developer revealed a difficulty in attracting industrial tenants and the community's preference for alternative development. This area should be developed as a mixed use property incorporating office space and minimal levels of residential units.

Retail offerings should be targeted

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to neighborhood commercial sites and may accommodate the significant demand in the community for a warehouse store such as Cosco. This type of store would meet some needs of local residents and draw people from outside communities."

The plan goes further to say, "Although the project will be far more autocentric than the Hamlet Center, it should still accommodate pedestrians, maintain bus access and minimize surface parking on Station Road frontage. The development should be required to connect to the Hamlet Center, adopting such elements as through."

The community acknowledged that this development would require rezoning the property to J-2. It was recognized that the benefits to gain from the rezoning and it would be worth it. In figure six four on page sixty-eight of the study and table six two on sixty-nine of the study, it recommends that our site should be rezoned to J-2 and actually

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highlighted that it would be rezoned to J-2 which is the exact action that we are currently pursuing.

Brookhaven Village --

THE CHAIRMAN: Wrap up.

MR. BLUMENTHAL: Is my three minutes up? Can I have her three minutes?

THE CHAIRMAN: Yeah. You need to state your name for the record and you can yield.

MS. PETRASEK: Raffaella R-A-F-F-A-E-L-A P-E-T-R-A-S-E-K. I would like to yield my minutes to Mr. Blumenthal.

THE CHAIRMAN: Okay. That would be fine.

Please continue. You have three more minutes.

MR. BLUMENTHAL: The project is a multi-use developed project proposed to be developed on an approximately fifty-two acre parcel in North Bellport within the Town of Brookhaven. The project will be developed in two phases; phase one

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consisting of a hundred sixty-seven

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thousand square feet of retail

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entertainment use and phase two preserves

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the industrial zoning that would allow for

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approximately a hundred seventy thousand

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square feet of industrial development.

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The plan incorporated additional

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walking paths to connect the development

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to the Bellport Station Road and the

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surrounding community as well as to

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improve the internal connections between

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and among the proposed uses.

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We've grouped the entertainment and

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food retailers close to create a shared

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outdoor eating and sitting area to further

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encourage the cross-use of these elements.

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The site plan attempts to address a call

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for increased walkability within the site

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as well as access from Station Road.

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In addition, we have preserved

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natural areas as well as added a village

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green and rain gardens to enhance the

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project's green scape. Twenty-five

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percent of the site has been preserved as

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natural with an additional hundred

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seventeen thousand square feet of

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landbanked parking areas that will remain

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natural, which increases the overall

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natural area to nearly thirty percent.

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When coupled with the landscaped

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areas, we achieve approximately forty-four

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percent overall green space. The plan is

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a thoughtful response to requests to

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preserve a significant portion of the site

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as natural while providing a pedestrian

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friendly connection to the street scape

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along Station Road.

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In order to preserve these areas,

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the parking areas have been reduced to a

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functional level. The Town admits to us

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that its parking requirements can be

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burdensome, thus creating large unused

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blacktop areas and recommended to us a

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twenty-five percent parking area, a

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variance, in order to facilitate the

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preservation areas.

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Additionally, we will coordinate

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with Suffolk County Transit to accommodate

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a bus stop for the two county bus lines

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that service the area.

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Once one has entered the site, a
village green will serve as the central

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connector among a ring of gardens

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surrounding a traffic circle to create a

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linear park lining the main entrance to

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the project. The linear park like area

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will incorporate rain gardens, which are

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depressions planted with native plants to

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help reduce and improve the quality of

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storm water runoff.

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Rain gardens allow storm water to

soak into the ground. The native plants

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not only enhance the filtration of the

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runoff, but generally do not require

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fertilizer.

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Additional rain gardens have been

dispersed throughout the project area to

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provide a way to use and optimize the rain

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fall. The village green, which is located

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within the entertainment section of the

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project, it will feature a gazebo and

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seating area and will be bordered by a

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pathway connecting the village green with other garden areas within the commercial section.

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The pathway will also connect with the industrial component. Gazebos and seating areas are strategically placed throughout the project to offer inviting outdoor seating and gathering areas for the patrons as well as employees.

THE CHAIRMAN: Thank you. Appreciate your time and showing us the information about the project.

Thank you.

Any other speakers from the public?

(No response.)

Seeing none, we'll close the public portion and move on to next item which is the chairman's report.

I want to thank Mayor Paul Pontieri and the Village for hosting this County planning commission meeting. This is the first time in more than a decade that the County planning commission is meeting in a village hall, and Patchogue, with its

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exciting renaissance over the last few years, it's the perfect place to do it.

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From the renovated theater to Copper Beach to ArtSpace, from the new YMCA to the bustling restaurant scene, from new projects like New Village to the Clare Rose development, Patchogue has much to teach the rest of Suffolk County about how to build a community.

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In a few minutes, we will hear more from Mayor Pontieri on the major land use issues affecting the village.

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I want to thank him for leading us on the walking tour this morning. A number of you were on that tour, as was the County Executive, I think three television stations and two print publications. Obviously, there's a lot of interest in Patchogue.

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For now, join me in congratulating our new planning director, Sarah Lansdale.

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(Applause.)

As I mentioned earlier, welcome to Carl Gabrielsen as the new Riverhead

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representative on the Commission, and next month, we'll be swearing in Bill Schoolman and, if the Legislature approves, we will also be swearing in Jennifer Casey as a representative from Huntington.

Looking forward to several new members here.

MS. HOLMES: Does that make us a full commission finally?

THE CHAIRMAN: They have comings and goings.

On to our business, as you know, our goal is to continue focus on land use issues that are critical to our future. In that regard, we are emphasizing county-wide issues such as the development of the Comprehensive Plan as well as related issues like housing, infrastructure financing and storm water management.

We hoped to be able to vote to release the first draft of the volume one of the Comprehensive Plan today for review and feedback. However, staff incorporated

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comments from members of the Commission.

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We do expect that to be on the agenda at

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our next meeting in Riverhead.

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The Director will give us an update

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later in the meeting.

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Regarding the plan, we would like

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to have a brief meeting of our

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Comprehensive Plan Steering committee

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right after this meet to discuss Volume 2

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of the Comprehensive plan and the next

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steps. That's Commissioners McAdam,

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Holmes, Weir, Robert and Kelly.

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Task forces with regards to energy

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and environment and solar permitting

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streamlining, last week the Nassau County

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Planning Commission signed off on the

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solar plan designed by our working group.

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They've asked the Nassau County Executive

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to give his blessing. Once we get that, a

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letter goes out to the municipalities from

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the two planning commissions and LIPA

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hopefully by the end of this month laying

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out the requirements of the program and

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the LIPA incentive, which is fifteen

2 thousand dollars for each town and five
3 thousand dollars for each of the first ten
4 villages from each county to adopt solar
5 streamlining efforts.

6 Several municipalities have already
7 indicated they would like to sign on,
8 including Babylon Town, Islip, Brookhaven,
9 Hempstead and a few others. Also, I
10 didn't know there was such a thing called
11 Photon Magazine, but Photon Magazine
12 happens to be the magazine of the solar
13 industry in the United States and they --
14 I did interview yesterday with them very
15 interested in the plan we put together, so
16 for all subscribers to the magazine, in
17 the July issue --

18 MS. ESPOSITO: Both of you.

19 THE CHAIRMAN: You probably are a
20 subscriber.

21 MS. ESPOSITO: Keeping it to
22 myself.

23 THE CHAIRMAN: The magazine is
24 going to do something on the cover. We've
25 been leading on that.

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I'll be sure to make copies for all
of you.

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With regard to the East End Wind
Code, we're working on our fourth meeting
bringing towns together to create a code
next week in Southold Town hall.

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The report from the staff indicates
East Hampton and Southampton taking the
lead on drafting the code and looks like
certainly the South Fork is going to have
a common code and work with the North Fork
and Riverhead. Our flier is going to
tweak their cods to reflect some of this
thinking.

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Storm water run off, green
methodologies for the storm water runoff
guidance document went out to Suffolk's
municipalities last month. We are now
planning on hosting a green methodologies
for storm water runoff symposium for
Suffolk and Nassau municipalities and
other stakeholders. That event is going
to be June twenty-second at one o'clock
from one PM to five PM at the County

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Legislature in Hauppauge.

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Thanks to Adrienne for putting that together. We have some great speakers lined up. It's certainly not just timely as New York State is looking at storm water issues, but also it's important that we figure out better ways to protect or estuaries.

Two weeks ago, the working group met internally to discuss municipal clearing standards in Suffolk and potential regional standards. John Finn hosted that meeting.

Thank you for doing that.

Any update on that conversation or that is sort of a work in progress?

MR. FINN: We had a great meeting. It was the first meeting although it was a great lunch we didn't have the Shelter Island column slow but attended by Esposito, Kelly, Kevin MacDonald from the Nature Conservancy and principally representing the chairman, CEO.

It was more of an introductory and

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more fact finding and a real good start to a good conversation that could lead to more facts and more figures we can share with the Commission and kind of shape thee clearing limits going forward.

Nothing to report other than it was a great start and look forward to coming up with a guidelines.

THE CHAIRMAN: Anything else you want to add?

MS. ESPOSITO: No.

THE CHAIRMAN: We also had the first conference call for commercial building energy efficiency standards yesterday among several of the towns to discuss the code for commercial buildings.

As you know, the towns are going in all different directions on this. We had Huntington, Babylon, Islip, Southampton on the call, as well as representatives of LIPA, LIA, USGBC and CDC.

John, you were on that call. Was there anything else to report?

MR. FINN: Again Constantine,

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commissioner Kontokosta put together a wide range of public officials and people in the private sector as well as utilities, so we'll be sending an agenda again and creating a road map, if you would, on how to standardize this across the county.

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So not everyone is going in their own different direction.

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THE CHAIRMAN: The vice-chairman is traveling today. He's not here. He led that, putting together and we'll be leading it up going forward.

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With regard to economic development committee, as you know, at the suggestion of this Commission, the County Executive created a group to focus on building Suffolk County's future where we should grow, preserve and pay for infrastructure.

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Few members of the working group I serve on, as well as Commissioner Kelly, Finn, Lansdale and a few others come up with some game changing ideas how to create a fund, a Suffolk County

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infrastructure bank. Right now, we're focusing on creating momentum to get something done in Albany for authorizing legislation we would need that would create the baseline for a funding mechanism that perhaps the next County Executive may pursue.

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Levy is working on this as well, but obviously this is going to be something that is going to take a bit of time. Whoever the next executive is, we will convince him or her this is worth doing.

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With regard to the Unified Permit Portal, we're moving ahead with quarterly meetings on that. Doing well, it's just going to take a long time.

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A new thing is the professional certification for commercial interiors. Our idea is to follow the lead of New York City and eliminate the need for building inspections of routine interior commercial alterations.

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This effort has something that has

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been brought to us by ABLI and has strong support of ABLI and other groups. At your request, John Racanelli of Farrell Fritz has put together a draft plan which we reviewed, and we need to work with some comments on that, but I met with the Town of Brookhaven. They were interested in piloting this once we get details.

Great to have the biggest town to try this out. Thank you to Commissioner Finn for working with me on that effort, and Kontokosta.

Two last sub groups, public safety; hoping to meet with the DA last month. We were not able to get our schedules together. Hopefully we will meet with him this month for support for public safety efforts.

We've had many conversations with Brookhaven. They have expressed a strong interest in being the leader on public safety guidelines.

Housing, we're looking at doing a County Housing Summit in the late part of

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this year. Planning on that is starting

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in the summer. Obviously we have the

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Vice-Chairman as well as the Commissioner

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Weir from housing, Commissioner Kelly,

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quite the authorities on housing around

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that table. We want to take advantage of

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that.

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Update on tax forces, the

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guidelines committee will meet today after

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the meeting to continue working through

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the guidelines. You may have read in

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Newsday, the Heartland application is

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probably going our way in the next few

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months. I mentioned this last month.

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I do expect I'm going to call a

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special meeting to deal with that

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application, given its size and importance

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for the County. Commissioner Lansdale and

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Vice-chairman Kontokosta and I had lunch

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with the Nassau County planning

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commission. They've requested that the

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two planning commissions hold a joint

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meeting this summer.

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The goal would be to get to know

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each other better, understand each other's processes, learn from each other and want to get involved in projects we've been working on. They are willing to come to Suffolk County for the meeting. I think we're appreciative of that.

We're going to get proposed dates from them. I'll get back you to on that.

MS. ESPOSITO: A routine meeting of ours?

THE CHAIRMAN: I don't believe we can do it that way. We'll talk to counsel. A special meeting, wouldn't have anything else on the agenda.

MR. FINN: We'll talk about that.

THE CHAIRMAN: We have to make it open to the public presumably. We should also involve the regional planning council.

I want to point out that --

MS. HOLMES: I hope you will mention the final acquisition of the Sylvester's (phonetic) Manor farmland that the County and town are partnering on.

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That was announced yesterday in
Newsday.

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THE CHAIRMAN: Very exciting.

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Those on the tour of Shelter Island had a
chance to go and see it, which is a
beautiful piece of property on the coast
of Shelter Island and very exciting news.

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MS. HOLMES: As a matter of fact,

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we are thrilled that Bennett who met with
us, unlike his great uncle, he is

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interested in getting the manor on the

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National Registry of Historic Places,

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which his great uncle would never consent

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to because he feared bus loads of

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tourists, but Bennett is working with the

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County Historical Society on that, and we

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are very excited.

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THE CHAIRMAN: Congratulations,

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thanks to the County Executive's office as

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well as the legislature and others for

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getting that done. Beautiful piece of

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property next time. A meeting on shelter

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Island three years from now, we'll make

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sure you get there. It's a real regional

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asset.

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Given our new members that have come on ones that will be coming on, I think we're going to look to do a new member training and overview for TDR and Pine Barrens credits and wastewater credits. I think we'll do that at the July meeting in Hauppauge up at the Legislature that day.

Lastly we're at the Riverhead county center next month. We will be getting an update on agricultural issues from Joe Gergela, the head of the Long Island Farm Bureau.

I want to do a presentation to Vince Taldone to thank him for his years of service on the Planning Commission.

That is my report.

Any comments or questions?

(No response.)

Thank you for all you're doing on this stuff. It's great and you're making a difference.

I'll turn it over to Sarah.

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MS. LANSDALE: Thank you.

I want to note that today marks my first week as Director of Planning. I've inherited a tremendous team through the great work of Tom Isles and other planning directors.

A tremendous staff that I have of twenty-five members, and also I feel fortunate to coordinate efforts with the Long Island Regional Planning Council Director, Michael White, and then to work with all of you as members of the Planning Commission. Thank you.

We have a bunch of programs that we're working on. One is the HUD sustainability grant that was awarded. It is approximately three hundred seventy-four thousand dollars, and to look at part of a regional effort our part for Suffolk County focusing on the transfer of development rights program.

The County has two TDR programs and various municipalities within Suffolk have TDR programs. We want to look at

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optimizing the use of all these programs

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so that they're all working together to

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achieve regional goals of land protection

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and development.

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We're also working on, the Chairman

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noted, the update comprehensive plan which

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we will release in June. We want to take

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this month and incorporate the recent

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release of data from the 2010 census into

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it, so it becomes the most up to date

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plan.

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That information can form our

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policy decisions moving forward. Those

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are the two things I wanted to note.

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I want to acknowledge Dan Gulizio

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for doing a great job in the month or two

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in the interim acting as interim director.

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Thank you.

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(Applause.)

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Anything else?

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MR. GULIZIO: No.

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THE CHAIRMAN: Thank you.

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Any questions for her?

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(No response.)

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THE CHAIRMAN: I want to recognize the Mayor of the Village and thank him for letting us use his table and ask him to say a few words, give an update on what is going on.

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We were on the tour.

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MR. PONTIERI: You fill that chair very well. Congratulations, Sarah.

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We took a walk around town today. We went over to ArtSpace, Copper Beach. Many on the board for a while were part of that planning process when this Commission took a look at it, and we have the ones that are coming up; Tritech which is a large one, two hundred ninety one units thirty-eight thousand square feet of retail and fifteen thousand square feet of office space. There are challenges left with that, parking challenges. We have to deal with that.

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We have challenges within the community. Whenever you add something that dynamic to a community, it creates some consternation on some sides. On

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other sides, the need to move forward. Those are the things. Land use isn't just that it is multi use, a bigger piece of that. How do you deal with the community to make sure that you get what you need?

Most times, you don't get a hundred percent. You have to make sure that the disenfranchised side of that project you're looking at becomes part of the process. That is what we're working with now, especially with the Tritech.

There are those things that happened. Diana remembers Copper Beach, the first we did. Now we have Mr. Kelly's project, Clare Rose, eleven acres to be redeveloped a hundred sixty-three units.

Am driven by the fact we need to support our downtown and community, for the Village of Patchogue. I've said many times it's also been a community of transition, moving from something to something. In the eighteen hundred's, there was a working river. In fact, a week ago looking at and talking about Mill

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Pond, just north of where Briarcliff and the YMCA is, that was converted. The river was the lake, the lake was part of the river. At that point it was dammed up in 1852 --1752 and turned into a grist mill.

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Transitioned ourselves. There were a thousand hotel rooms between here and Sayville and Bellport in the late eighteen hundred's. The train went east, they went east. It became a very vital commercial district, a mall of its times from the early nineteen hundred's, twenties through the early seventies the malls, big box stores became vacant.

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Now on Main Street, you walk one end to the other. You went from the Brickhouse to the other restaurants within the community, the river was beginning to take shape in middle eighty-five, eighty-six and now you have four more restaurants on the river. The transition communities have to -- I believe they are going to transition from something to

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something else.

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Mark Lesko talked of it with his blight to light. I always tell him he stole it from us. In 2000, the second time I ran, we did blight to light. We took old boarding houses, blighted properties in the south end of town and gave it greater density. We ran the sewer line and put up Bay Village with sixty-three condos, four and a half acres of property. He ran the sewer lines. Spent a million dollars for the line.

I said if you give him density, he'll give you something in return. What a tremendous asset. It allowed Lombardi's to move down there. It exploded into something larger than we thought. We need to deal with those issues. There are parking issues with that.

If you go down River Avenue, one of the things we didn't see on the tour, the new sewer plant. Bellport has a golf course, we have a sewer plant. The sewer plant allows us to do things that most

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other communities don't have the
opportunity to do.

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One of those assets is the
Patchogue Theater. A quick bit of history
of Patchogue, there were mayors that have
done things in this village to put us in a
position today.

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We preserved thirty acres of
parkland on the water that's open to
everybody, and then preserved thirty
acres. We started the parking plan, BU,
business district and all parking was
provided by businesses downtown. Created
twenty-five hundred parking spaces.

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In eighty-four, under the consent
order from the DEC, we upgraded the sewer
plant. Norm had an application at that
time. He could take and repair and
rebuild it to the hundred thousand gallons
that it was or take a gamble to five
hundred thousand. What possessed him to
do that, I don't know because sewage
disposal at that time was so small; just
downtown.

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He took the political gamble,
bonded it for one million dollars. Each
of these mayors saw tomorrow. There was
not much concern about political
ramifications of today. Don't worry about
tomorrow. They built parking lots with
bulldozers.

If you look at the fifty-three
aerial in my office, you'll see a number
of buildings that were taken for those
parking -- it was incredible. They said
it necessary for us to survive and
preserve us. We need to do this.

Patchogue Theater, in ninety-six,
the mayor at that time took the theater.
Now three and a half percent of the budget
goes to carry the debt service on four
million dollars that were put into that
theater. It was seven million dollars in
renovations, but it became an anchor to
the downtown we maintain and own.

That puts a hundred fifty thousand
people on the street. You have a hundred
fifty thousand. Of those, you got two

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hundred ninety-one of Tritech, the one

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sixty-three at Clare Rose, the eighty, the

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forty-five, the forty-five at Secret

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Village. You have the density you need

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for downtown to survive.

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For those that were here and heard

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me, when you go up South Ocean and get by

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Copper Beach, you stand there. To the

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west, you have Copper Beach, eighty units.

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To the east, you have Secret Village,

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forty-five ArtSpace with forty-eight.

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Basically it's a hundred seventy units on

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about ten acres. That's seventeen per

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acre. You cannot feel the density.

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If we do anything, we need to

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change the perception that density is not

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math. It is a product of design. If you

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look at design architects, you get an

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engineer's mind to take a look. I don't

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know what I like, I know what I don't

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like. If you show me something, I can

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tell you I don't like it.

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It conforms to the personality of

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the community. You have copper Beach. I

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always look at Patchogue as a little bit of urban in a large suburban sprawl. If you notice when you go from Manhattan to Queens, it goes to townhouses, a three story townhouses-sort of look. As you move through and keep moving, the three get to single family residences.

That is a downtown residential unit transitioning its way through. If what comes out of what we handle, how what we handle, look at density and design and marry those to the properties and places therein, I think you'll find those changes that you need.

I want to welcome you to Patchogue. You get to go to the theater, whether it be on Main Street, go down to the water, have cocktails at Lombardi's and look at the water, there's a lot of neat stuff going on here.

Thank you.

Congratulations, Sarah. Again, welcome.

(Applause.)

2 THE CHAIRMAN: Thank you for your
3 leadership. I think I said this during
4 tour. We have forty-three municipalities
5 in Suffolk County, all different. There
6 is a reason time and again people talk
7 about Patchogue as a place of inspiration;
8 because of the work you've done in
9 combination with the County and private
10 developers, it takes all three.

11 Your vision has been critical and,
12 congratulations to you.

13 Our question for you is as we come
14 from all different towns and interact with
15 mayors and such, how do we bottle this
16 figure out how to make this something that
17 is Patchogue renaissance be able to touch
18 other downtowns.

19 There are number of downtowns in
20 the County struggling and some exciting
21 things are happening, none more than here.
22 Thanks for showing us a little of what
23 it's all about.

24 We'll touch base later. Catch you
25 in about an hour.

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We'll move on to the administrative agenda. The first item is Arnold Manor from Babylon.

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Andy.

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MR. FRELENG: Thank you.

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As noted, Arnold Manor is the first item on the agenda and is referred from the Town of Babylon.

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Jurisdiction for the Commission, the subject property is adjacent to County Road Ninety-six, Great East Neck Road. The applicant is seeking Town Board change of zone approval from E Business and B Residence to Multiple Residence for the construction of fourteen multifamily units on point six seven acres. Thirty-five off street parking stalls are required pursuant to Town of Babylon Zoning Law.

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The subject parcel is located on the northeast corner of Great East Neck Road and Evergreen Street. County Road Ninety-six in the Hamlet of West Babylon.

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A review of the character of the land use and the zoning pattern in the

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area indicates the subject property is found in the southern terminus of the B Residential District. To the south across Evergreen Street is an area of G Industrial backing on the Long Island Railroad right of way.

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Area to the west across County Road Ninety-six is mostly residential zoning with the exception of a shopping center district. The predominant land uses -- take a look at the aerial -- in the area proximate to the subject property is reflective of the zoning; particularly note, the industry use to the south.

Site plan, the applicant is proposing one point of ingress/egress to the subject property. The main access is proposed at the southeast corner of the property to Evergreen Street. There is no emergency or alternative access proposed.

With regards to environmental conditions, there are no significant constraints on the property. The Commission may notice or recognize this

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application.

The current application is a re-referral from the Town due to the addition of an affordable workforce housing component of six units of fourteen or forty-two percent, forty-three percent of the overall site units.

Some parking modifications are made where there is no longer a parking stall shortfall pursuant to Town of Babylon zoning law. There are variances remaining, including lot size variance, density variance and setback relief. There is no material in the current referral package or prior related to the consideration of energy efficiency, public safety or universal design which are Commission policies.

The Suffolk County Planning Commission disapproved the prior referral by resolution on February 3, 2010 for the following reasons:

It constitutes the unwarranted over intensification and use of the premises.

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It tends to substantially undermine the effectiveness of the zoning ordinance.

It appears incongruous with nearby industrially zoned lands.

The question before the Commission is whether the inclusion of the workforce housing component to the proposed project outweighs other planning considerations outlined in the staff report.

It is noted that provision of workforce housing is now required by law. It is acknowledged that the applicant offered forty-two point nine percent of the units to be affordable above the law's required ten percent and the Commission's policy of twenty.

Staff is recommending disapproval for the following reasons:

Similar to the prior disapproval, the subject application constitutes the unwarranted over intensification of the use of the premises.

This subject property is point six seven acres in area where the minimum all

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right size of the requested MR zoning

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district pursuant to the Town of Babylon

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zoning law is two acres. The applicant is

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also requesting a density of approximately

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twenty-one units to the acre. The

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permitted number of one bedroom units on

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this site pursuant to the Town of Babylon

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zoning law would be seven.

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The petition does not include a

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component offering substantial open space

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or parks, elder care, day care or other

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amenities to the benefit of the residents

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of the community surrounding the proposed

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development.

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The second reason is that it would

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only tend to substantially undermine the

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effectiveness of the zoning ordinance

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paragraph which follows and is excerpted

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from the staff report; the reason being,

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as there would be multiple dimensional

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variances that would require relief from

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the Board of Zoning Appeals should the MR

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zone be put in place on this site and the

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proposed site plan be considered.

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That would include lot area variance, density, other setback variances that will undermine the effectiveness of the MR district and appears incongruous, the third reason for disapproval.

At this point, take a look at some of the slides. This is the site plan. The applicant is proposing one point of access close to the intersection.

Next slide.

MS. ESPOSITO: Which one is Great Neck Road? Go back.

MR. FRELENG: I can show you a picture of Great Neck Road. That is Great East Neck Road.

THE CHAIRMAN: It's all on the side.

MS. ESPOSITO: It goes north, south basically.

MR. FRELENG: Great East Neck Road is right here (indicating).

MS. ESPOSITO: Point of access?

MR. FRELENG: Right here, Evergreen Street on the eastern corner of the

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southeastern corner of the property.

I want to show you, we did site inspection on this. This is the character of Evergreen Street where access is proposed to looking north.

This is the industrial building directly south of the subject property. This is looking at one of the open areas along the industrial area.

If you recall from the site plan, the way it is laid out creates a horseshoe facing the industrial area corner of staff.

Character of the road again.

That is the concern of the subject property. This is Great East Neck Road, the subject property. Great East Neck Road looking south, I believe.

You will note from the aerial, this is a high density project across Great East Neck Road directly to the west. That is the property.

On the zoning map, you can see there are three high density projects in

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the vicinity of the subject property.

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These two projects go back to 1983, and

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again one to the south, eighty-eight.

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All our files are in archives and

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we're not able to pull them. I do not

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know what the Commission did back then.

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But the subject application is for

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MR zoning.

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These are senior citizens zones.

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Density for a senior citizens as of right

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is twenty -- sorry, twenty-five units to

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the acre. This property here is

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twenty-eight to the acre, and this

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property is twenty-one units to the acre

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as of right.

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If you recall as of rights in the

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MR District on this property would be

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about seven to the acre. This property

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here is the application of Maple Court,

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also a senior condo project approved in

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ninety-one. Twelve units -- sorry seven

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point five to the acre.

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Off the map is a condo project that

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was reviewed by the Commission in 2006.

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This was a change of zone application for G industrial I business to MR. The Commission disapproved that application in 2006.

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That is some supporting information with regard to projects in the area. That is mostly the staff report, Mr. Chairman.

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Something sure I give you all the decisions in the area and show you the nap that is the staff report.

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THE CHAIRMAN: Thank you.

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Babylon project, that's me. We don't do disapprovals that often. I actually thought the disapproval we did in last year on this project was well warranted.

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This is an extensive addition of density in an area where there is no train station, no downtown. I live about a mile from there. It's a very haphazard development.

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Frankly I think that it's been changed slightly to add workforce housing is a good thing. We like that. In my

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mind, that addition doesn't change the fact this is a troubling project.

That is my opinion so --

I invite other comments or thoughts around the table. Anyone else have questions.

MR. CHARTRAND: I agree with Dave. The area down there doesn't fit into the community down there. I don't think they've changed enough from the last proposal that was in front of us. We disapproved it then.

THE CHAIRMAN: That is our precedent. We can override that if there is a significant change to do it.

Your point is well taken.

Other thoughts?

MS. HOLMES: Just as staff noted and Mike noted, there really isn't anything -- a substantial difference or change for the better in this new application, and whoever Arnold is should ask for his name to be taken off this.

MS. WEIR: Is there any overall

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plan for Babylon for this area; any type of hamlet study or comprehensive plan that addresses this particular area since there are other high density developments there?

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MR. FRELENG: No. The Town of Babylon comprehensive plan, I don't have the date on when it was last adopted does not specifically mention the site. There is no on-going planning initiatives in this area.

MS. WEIR: From this Commission, to study areas like that, no directives; that is not a role we play?

THE CHAIRMAN: Obviously we have on occasion encouraged municipalities to do planning.

The Town of Babylon is focusing on other areas; Wyandanch and other things like that. They haven't put together a vision for this area as yet. It's certainly something we could recommend to them.

Remember, this area is fairly developed. Planning mistakes of dozens of

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years ago are built in to the ground for

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many years, not that there couldn't be

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some redevelopment but this area, there is

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not a lot of -- it's not a hub of any

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sort.

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Lindenhurst is another mile or two

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down the road and the Village of Babylon

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is down the other way. It's a between

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area, which is fine. It just isn't really

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in the character of that area in any way.

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Other thoughts?

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(No response.)

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Seeing known, I'll entertain a

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motion.

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MS. HOLMES: Motion.

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THE CHAIRMAN: Motion to adopt the

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staff report, Commissioner Holmes.

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MS. ESPOSITO: Second.

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THE CHAIRMAN: Seconded by

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Commissioner Esposito.

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All in favor of adopting the staff

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report?

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Nine to zero.

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Thank you.

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The next item is Brookhaven

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Village.

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MR. FRELENG: Thank you.

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This was referred to us from the

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Town of Brookhaven. Jurisdiction is that

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the subject property is adjacent to County

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Road Ninety-nine, Woodside Avenue and also

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adjacent to Twenty-seven, Sunrise Highway.

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The applicants are seeking Town

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Board change of zone approval from L-1,

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light industrial to J-2 Business on an

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approximately twenty-eight acre portion of

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a fifty-two point nine acre property in

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order to develop the entire subject

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property into a commercial retail center

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and industrial park.

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The proposed development of the

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subject property is to be phased. Phase

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one involves the construction of ninety

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thousand square feet major retailer, a

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movie theater, a restaurant, a bank and

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adjoining retail store located on pads.

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Phase two involves the proposed

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construction of six office/industrial

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buildings for a total gross floor area for
the two phased project of three hundred
thirty-seven square feet.

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Off-street parking requirements
from the Town zoning law is 2,120 parking
stalls. The applicant is proposing only
1,572 parking stalls, a twenty-five or
twenty-six percent shortfall. Of the
total proposed parking proposed, 420
stalls are proposed to be land banked.

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The applicant is proposing twelve
acres of open space, landscaped areas
including a village green, rain gardens, a
gazebo, a roundabout and pond.

Wastewater is to be pumped off site
to an existing sewage treatment plant.

The subject property is located on
the southwest corner of Woodside Avenue,
Ninety-nine, and South Village Drive in
the hamlet of Bellport.

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Looking at the zoning map, a review
of the character of the land use and
zoning pattern in the vicinity indicates
that the subject property is located at

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the terminal end of a long corridor of

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Light Industrial Zoning along Station Road

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ending at the Sunrise Highway

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right-of-way.

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East and west of the subject

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property is residentially zoned land with

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the exception of the southwest end of the

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subject property across Station Road where

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the zoning is light industrial and J-2

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Business.

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MS. ESPOSITO: Is that sewage

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treatment plant hooking up to --

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MR. FRELENG: No.

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MS. ESPOSITO: To the subdivision

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off to the east?

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MR. FRELENG: It would be in the

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sewer plant Medford District number Seven.

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They have a force main that goes off the

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property.

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Land use in the area is reflective

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of the zoning designations. Lands to the

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east are improved with detached single

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family homes. Out parcels at the

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southwestern boarder of the subject

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property are improved with light

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industrial use. A retail outlet center is

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located at the southwest end of the area

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on the west side of Station Road.

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The subject application intends to

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have three access points into the proposed

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development. One access to Woodside Drive

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appears to be restricted to right turns.

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This access point requires approval from

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DPW and appears to be the primary access

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point for the industrial portion of the

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development. A second access point to

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Sunrise Highway north service road would

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require approval from the New York State

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Department of Transportation.

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The third point of access is from

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Bellport Station Road. This access point

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is proposed to be unrestricted but

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controlled with a new traffic signal.

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Entry into the proposed development via

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this access is intended to pass the

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round-about, the rain gardens and village

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green.

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With regards to environmental

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conditions, there is no significant

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constraints on the subject property. It

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should be noted that the subject property

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is located in a minority and economically

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distressed community as defined by

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Commission guidelines.

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There are several recommendations

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from Comprehensive Planning Initiative of

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the subject property. The Town of

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Brookhaven in 1996 adopted a land use plan

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recommending industrial use for the

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subject property.

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The Greater Bellport Sustainable

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Community plan adopted in April 2009

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recommends mixed use development

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incorporating office space minimal levels

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of residential use.

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The plan makes suggestions as to

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the type of full big box or warehouse

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store to be located on the subject

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property. The sunrise Highway Corridor

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Study adopted by the Town of Brookhaven in

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August 2009 -- not adopted, completed in

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August 2009 recommends that for the

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Station Road area north of Sunrise

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Highway, all industrial zoned land should

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be retained for tax base and economic

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development purposes.

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It continues to state that

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additional retail uses should be confined

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to existing retail locations along Sunrise

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Highway. Limiting additional retail

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construction in the Station Road node will

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help foster retail development within the

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envisioned North Bellport downtown on

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Montauk Highway and will help to limit

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commercial sprawl along Sunrise Highway.

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The corridor plan also notes that

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there is a niche opportunity for

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industrially zoned property in this area to

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develop into a green technology park. The

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industrially zoned land in this area is

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situated in proximity to the Town's

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recycling facility, landfill and compost

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facility.

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There is more detail in the staff

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report as far as the proposal, but I've

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skipped through it to be brief.

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With regard to the staff analysis, in terms of protection related to vegetative clearing, the SCPC currently has no specific standard for clearing vegetation outside of Pine Barren zones. The most lenient clearing restrictions that the Planning Commission uses in Pine Barren zones is for commercially zoned properties; that would be sixty-five percent clearing or leaving thirty-five percent in its natural state.

The proposal would leave only twenty-five percent of the site in natural vegetation. The staff believes that the applicant should attempt to preserve a greater amount of natural vegetation on site in order to achieve best management practices for control of storm water runoff and other issues regarding groundwater preservation.

The proposal may impact economic development of areas to the south such as the remaining Bellport Outlet, Bellport Village, East Patchogue, etc. The

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proposal is silent on the availability of vacant commercial/retail space south and to the west of the proposed site.

Without a comparative analysis of the impact of existing adjacent and area commercial development as well as an analysis as to the viability of an adaptive reuse of existing vacant commercial space, a change of zone may be premature without that study.

The proposal to change the zoning designation of the site may constitute the unwarranted alteration of zoning patterns in this locale.

Staff provided to the Commission in their packet a spread sheet which shows vacancy rates for stores in and around the area, as well as the Town of Brookhaven and Suffolk County. I don't want to go into that in detail, but it is interesting to note that by comparison to the Town of Brookhaven or Suffolk County, North Bellport maintains a high percentage of vacancy.

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Take a look at the aerial.

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THE CHAIRMAN: Does everyone see
it?

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MR. FRELENG: Staff wants to point
out locations.

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THE CHAIRMAN: Hold on. You're
making a point about this. I want to make
sure everyone sees it. You had it as the
last page of my packet.

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MR. FRELENG: Put it on the screen.
I want to point out on the spread
sheet, I do want to note when we go
through the aerials and pictures that
there are vacant commercial properties in
the area. Some members may be aware of
that.

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So this is the spread sheet showing
the stores vacancy rates in the Bellport
area. Just as a notation, the vacancy
rate would change depending on the number
of stores being counted in the area. A
lot of stores have been demolished and
rebuilt. Rates fluctuate, but the trend
in the rates I think is interesting to

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note.

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There are some notations on the spread sheet. Also Deputy Gulizio has given staff information with regard to downtown retail ratios. We did not get a chance to give that to you or put that up on the screen.

I think what staff would like to present, there is a trend from west to east on the square footage per capita on retail.

MR. GULIZIO: It's no surprise that the retail per capita throughout the County varies from town to town.

What we found in the analysis is that generally speaking, the east end towns which have amount of commercial development in the downtown in addition have lower per capita amounts of retail.

Retail per capital, for instance, in East Hampton it's five square foot per capita. In the Town of Brookhaven, it is twenty-seven square foot per capita.

When we look at Southampton, twelve

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square foot. For Southold, it's twelve

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square foot. Shelter Island is nine

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square feet. If one store goes out, that

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could change the whole thing.

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One of the other issues we looked

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at, in addition to per capita, is the idea

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where is that retail, how much retail

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exists in downtown versus shopping

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centers? Those numbers are not surprising

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when we looked at the data.

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In Brookhaven, for every acre of

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development in the downtown, there is

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eighteen of shopping center outside the

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downtown. That is just shopping center

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development. We define that as having

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three or four stores. That doesn't

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include a lot of smaller centers or a

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larger center that only has one or two

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stores.

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When we compare that with something

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like a Town of Southold, we find for every

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acre of retail outside the downtown, there

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is actually an acre and a half in the

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downtown. It's hard to make

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generalizations across the county as

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diverse as Suffolk.

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One of the things we would

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recommend from a smart growth and planning

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standpoint, try to focus as much retail in

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downtown as opposed to shopping center

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development. It is certainly mixed from

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community to community.

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Some statistics that we see are

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disturbing when we look at the amount of

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shopping center development out of the

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downtown in some towns in Suffolk County.

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MR. FRELENG: The site plan is on

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the screen. This is a two phase project,

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this being the second industrial

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component. This is phase one. That is

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the commercial component; movie theater

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and restaurant. That is the retail

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building.

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This is where the rain gardens, the

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village green bank and retail pad would

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be.

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MS. ESPOSITO: Point out the

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roadways.

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THE CHAIRMAN: Sunrise Highway is down here. This is Station Road. This is Woodside (indicating).

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MS. ESPOSITO: In relationship to this, where are the boarded up outlets?

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MR. FRELENG: South and to the west. They're down in here (indicating).

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MS. ESPOSITO: On Sunrise, so they're west of this project?

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MR. FRELENG: Southwest.

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MS. ESPOSITO: This borders

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Sunrise? The boarded up outlets are on both sides of Sunrise.

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MR. FRELENG: The north side of the Bellport outlets is no longer boarded up. Parts have been demolished, Home Depot moved in and to the extent of the vacancy rate in there, it seems to be pretty good. They've demolished some buildings, so a lot of that is cleaned up.

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The south side though is the abandoned boarded up outlet.

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The staff report, I'll skip most of it housing elements, they're not part of

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this proposal though recommended in the plan.

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Staff notes there is a shortfall in parking. If all required parking was put on site, there would be less open space and green space proposed, which is indicative of perhaps over intensification of the property.

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The industrial zoned land in this area is situated in proximity to the landfill and compost facility. There is possibility on the entire industrially zoned property for a technology/light industrial park.

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Going through the site photos, this is looking at the property. This is looking up Station Road, I believe north. I believe that is the Sunrise Highway service road (indicating).

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Staff does note in the report that Suffolk County Water Authority did have some concerns with the development. There is a well field very close to the subject property. They've asked that some

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monitoring be done in the future.

I wanted to show you the well site.

This is the functioning and operating Bellport Outlet after the Home Depot was built, looking towards the landfill. I believe that is looking east. This is looking, I think that is Home Depot. That would be looking back west.

An other shot of Home Depot close up. This, on the other hand, is the south side of Sunrise Highway and the abandoned Bellport Outlet.

Staff notes the concern of developing a new commercial retail center when this one still exists in it condition. Staff is recommending disapproval for the following reasons:

The proposal to change the zoning designation constitutes the unwarranted alteration of zoning patterns in the locale. The rationale which follows highlights recommendations from the Sunrise Highway Corridor Plan.

Recommendation for disapproval

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reason number two is it constitutes the unwarranted over intensification premises of the use of the premises. The rationale which follows discusses natural vegetation that is preserved on site and discusses the parking shortfall. These are two reasons for disapproval.

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THE CHAIRMAN: Thank you.

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Appreciate that.

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This is a Brookhaven project,

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commercial issue from Brookhaven. To give

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thoughts on the area and start us off,

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Michael Kelly.

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MR. KELLY: Thanks for the report,

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thanks Mr. Chairman.

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Obviously the Town and the Island

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is in desperate need for jobs and job

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creation. Certain periods of time when we

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looked at our critical county wide

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priorities the five various priorities, I

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believe sometimes at certain points in our

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decision making, one may be outweighed or

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used to outweigh, or carry more weight I

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should say, than others.

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Number two in our critical priority is economic development, and you look at an area of the Town of Brookhaven, you say if there's a minority and economically distressed area, it's Bellport. We note that in your report.

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What can we do as a Commission and also society to say what can we do to bring jobs there? This is it. This is going to create a lot of jobs.

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There is an industrial park here that may be in phase two of the development. I think that is critical. That is not going to just create jobs for our citizens, but the multiplier effect that comes with something like that is something that we have to take into consideration when we do an application like this.

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I was listening to Dan's analysis on the retail ratio, and yes, I do believe that if we are going to create a vibrant downtown, that's a goal for all of us in creating transient oriented areas, but

2 until a municipality has the leadership to
3 put feet in the downtown by creating more
4 greater density in the downtown, I think
5 those downtowns will never thrive.

6 I look at an application like this
7 and say it's something that I believe will
8 help not just Town of Brookhaven but also
9 the residents of the Bellport area by
10 creating jobs, and I believe that is what
11 is needed in that area.

12 THE CHAIRMAN: I would note it
13 might be -- if you look at pictures of
14 Bellport development, seeing empty areas,
15 "Gosh, wouldn't it be great if we could
16 develop that area and leave the other
17 area?" That is not the choice, that is
18 not in front of us. The owner made an
19 application, and this is what it is.

20 I would say one thing with regard
21 to downtowns. I'm very sensitive to the
22 need to protect downtowns as a critical
23 regional resource. I'm bothered less by
24 that project than if it had been a
25 different project, because if it had been

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a slew of retail stores, these kinds of things, trying to create a quasi downtown, that would bother me quite a bit.

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This includes things that really don't work in downtowns like big multiplex movie theaters, a single box store. Those you don't want to consider in downtowns anyway. If we can create something that would bring people to the area -- there is a big multiplex and one single box store. That can have a real positive economic impact.

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Just a thought.

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MS. WEIR: I feel that it's a little different than outlets. That was just outlet stores. This does have a theater, bank, different things that would bring people for different reasons; a restaurant. It's not as simple as throwing out a bunch of retail stores, "lots of luck, go shop."

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It's a different dynamic I agree with Kelly. It might be a little better for that area in creating jobs, different

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jobs.

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MR. KELLY: Also on the south side of the Sunrise Highway with the abandoned mall, you know, we had a perfect dialogue with the mayor. At a certain point, certain uses are no longer viable. I think that is what we've proven out on that; the retail center doesn't work.

You know, at a certain point, we as a Town have to look at flags like that. "What can work there?" "This doesn't work, let's not try to force anything back in there of the same use. Maybe there's a different use that would make that area successful."

I'm not as concerned trying to get retail back there. It didn't work.

THE CHAIRMAN: Retail is what does take away from downtown in some ways. Bellport, with the south part failing, it provided an opportunity for some of renaissance in Patchogue; some stores and restaurants being developed.

If that had been what was proposed

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here, I would have a real problem with

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that frankly, but one restaurant, one

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theater; these are big things. But one

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theater and restaurant and retail of some

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sort, Cosco or whatever, those don't

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strike me as things that take away from

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downtown.

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MS. WEIR: There's also industrial

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office complex second phase which will

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bring working people to stop at the

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restaurant. There is a little dynamic

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going on rather than all shopping.

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That is another thing that has to

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be taken into consideration.

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MR. CHARTRAND: This is like the

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whole corridor going from Sunrise to the

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LIE industrial corridor, correct?

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MR. FRELENG: That's correct.

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MR. FINN: A couple of points of

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note. This echoing Commissioner Kelly's

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sentiment about in this environment when

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we talk about this, as Long Islanders, we

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have environmental concerns. One thing

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that doesn't get analyzed in these reports

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is the economic environment impact on projects such as this to create for this Bellport area.

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Bellport has made some headlines in the past year, especially the minute that they got shot spot, which is a big highlight of the community. When a weapon is discharged, they can locate where that person is shot.

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On the flip side of the project that three hundred, over three hundred thousand square feet of space, construction costs somewhere in the neighborhood of seventy million dollars, the tax positive implications in the neighborhood of a million to two a year increase in tax environment.

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These are bullets we have to emphasize, and you look at market analysis, Bellport center boarded up, vacant, a hundred thousand feet is excluded from this data about vacancy. Imagine what the vacancy rate would be with one thousand square feet of plywood

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boarded up stores? Why would somebody want to invest into this market place, given all those impediments?

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The dump, the Town dump is there and so on. The fact we have this application which is going to bring job creation, tax base and the other point I want to mention is the vegetation clearing limits.

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We started out with this task force first meeting a couple of weeks ago, looked at commercial projects on how thirty-five percent vegetation clearing limits would impact a commercial project. That is Pine Barrens clearing limits. We're applying those to this application.

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We demonstrated that in our working meeting. More of a non-starter from a commercial standpoint. It would have made it invariable to have a thirty-five percent clearing limit.

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This applicant is twenty-five percent with land banked parking bringing it up to thirty percent. There was

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attempts there.

So we should figure out a way to come up with some sort of approval for this project and not just disapprove it from the get-go.

MS. ESPOSITO: One is that -- let me ask a question first. Andy or Dan, this area has pretty much, I would say in a non-eloquent way, been dumped on for a long time. The landfill, Long Island compost, which started out at one side, we have Global down in Bellport, a trucking company, US Rail, a proposal for better modes -- we have now a proposal for a casino.

If you lived in the area, you take them all seriously, not to mention Caithness two and the rumor of three. The community there, as someone who has worked with them extensively over landfill issues in the last few months, they would take the clearing standard seriously, even though some might say it's an industrial area.

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If you live there, you don't view it as area, you view it as a neighborhood. I think that we have standards here to protect those people who view it as their neighborhood and have their life savings invested in homes, and you want to see those life savings mean something.

I feel pretty strongly about clearing standards as not just a number. It is a number that has a meaning and creates a picture, but my question is, is there any -- is any planning going to be done for this area or is it going to continue to be a hodge-podge of whatever is thrown out there?

Is there hope for this area? Those people want to close the landfill in seventeen years when the landfill is done and convert it into something like the Town of Hempstead did. That is their goal.

What do we offer them as a Planning Commission?

MR. GULIZIO: A couple of documents

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that are out there, fairly recently

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drafted; the Greater Bellport Community

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Plan developed in cooperation with

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Sustainable Long Island and the Sunrise

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Highway Corridor Study.

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Unfortunately, neither of those has

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been adopted by the Town so they're not

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binding policy. They are helpful in terms

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or informational purposes.

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I believe the Greater Bellport Plan

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did talk about the idea of, as presented

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earlier, mixed use consistent for this

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property. Even the Corridor Study in

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cooperation with the Town talked about the

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need to preserve the industrial tax base

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and concentrate additional retail

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development with existing retail needs and

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not increase the number of retail needs

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along the corridor.

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One of the other statistics the

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Sunrise Corridor Study flushed out was the

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idea that the Town of Brookhaven as a

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whole has less than one percent of land

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use zoned or used for light industrial

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purposes. Every time there is an

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application for a loss of industrial

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development, it may not seem significant,

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but from an overall long range physical

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standpoint, continued erosion of the

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Town's tax base, significant impact on the

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Town's ability to maintain costs moving

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into the future.

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One of the other issues that came

11

up in the Corridor Study is the

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transformation taking place with some of

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the economy on Long Island. There has

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been a gradual shift to increase in jobs

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seen in the last few years. It has been

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more retail and service oriented jobs.

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Loss in jobs, in addition to construction,

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there has been a loss of manufacturing,

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higher value light industrial development

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jobs.

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As we're talking about helping

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communities, one thing to keep in mind is

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that jobs the communities need are high

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value, added manufacturing and technical

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jobs so that they can afford some of the

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homes that they want to move into on Long

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Island. Unfortunately some of those

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retail and service oriented aren't

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sufficient enough, even though increasing

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in number, still losing overall value in

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terms of benefit toward the local economy.

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That is some difficult balances we

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have to look at. Do we want to spur

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growth? Yes, absolutely. Type of growth

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is also important.

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THE CHAIRMAN: I agree with one

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thing Finn said and disagree with another.

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MR. FINN: Not the first time.

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THE CHAIRMAN: Won't be the last.

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MR. KELLY: First time in agreeing.

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THE CHAIRMAN: You mentioned about

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economic development. You know, speaking

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about this from a personal perspective as

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a venture capitalist and real estate

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investor in other places in the country,

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clearly it is important, but when you're

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talking about from a Planning Commission

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perspective, any application we get is

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going to be people investing money and

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economic development.

Now those are some things to consider, but as Dan is saying, as a Planning Commission, we need to be looking out a decade. Once this is built in this way, it is built in this way. It limits future options. Those are the things we need the think about.

We do disagree in general on this project, but our mind set is not just for today. As nice as an investment is for today, we welcome as it is today, we need to be thinking about a decade ahead.

That is that.

On the clearing standards, though, I do think that is an important point. With regard to the thirty-five percent, that is our Commission guideline as well the Pine Barrens Commission's guidelines for clearing.

This project is not in the Pine Barrens. We have discussed the need to create a standard around this table for the Commission to apply with regard to

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clearing standards. I think we all

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recognize some are appropriate. It's

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something we can develop, we don't have

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those today.

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We typically do not, though we can,

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make exceptions simply as a condition, a

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number that we have noted in our

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guidelines as here is our policy. We

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haven't thought it through.

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I have a problem with ad hocking

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it, saying thirty-five percent. I think

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we can say we generally support, you know,

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and understand the value of having

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clearing standards. We like to encourage

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the applicant and towns to look at ways to

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increase -- decrease the amount of

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disturbed land, but also recognize their

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balancing that with some other amenities

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they have or walkability issues.

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It is a balance. If we say

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thirty-five percent, we don't know what

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we're losing by saying that on any given

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project.

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I would say clearing standards we

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may want to include as a comment. I don't
3 that we should say a number. We don't
4 have a policy, recognizing that is going
5 to be balanced with other aspects of the
6 development.

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Commissioner Weir:

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MS. WEIR: I was just scratching my
9 head.

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MR. KELLY: On the tax issue and
the long term tax impacts, right now the
property is sitting as vacant land, I
would imagine taxed as vacant land. If it
gets redeveloped and gets onto the tax
roles, it has a life of fifteen or twenty
or thirty years, it's going to be a
monumental increase.

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The fact that it is industrial
vacant land does not necessarily mean
generating taxes. It may down the road,
but an investor has to come in and accept
that. That might not happen for forever,
especially when there is land elsewhere in
the county at a cheaper rate.

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I look at it as -- the taxes as

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something that can -- taxes for the

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municipality is going to increase once

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this thing gets developed. That's got to

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be taken into account.

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MR. CHARTRAND: Do we know if

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there's any IDA money in this project?

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MR. FRELENG: There's no

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information in the referral if there is

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any. I don't know.

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MR. FINN: I'm going to agree with

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you. This is one issue we talk about in

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this region with this County's role with

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this area and Town of Brookhaven

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specifically.

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You mentioned seventeen years they

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want to close the dump. Right now that

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dump makes up the -- landfill, sorry.

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That constitutes forty percent of the

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Town's budget.

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MS. ESPOSITO: Thirty.

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MR. FIN: At one time it was forty.

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Not to speak for the residents of

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Bellport, they're going to be looking for

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a commercial tax positive investment once

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that comes off the rolls. If it does as projected, that is going to have a huge economic impact.

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That's going to impact all residents of the Town of Brookhaven. As a property owner in the Town of Brookhaven, that is something we're mindful of; balancing a tax base, and we all know with the taxes going to school districts and all this in the face of enrollment going down, here we are. This is a project that commercial sources have said is an active market place for where this could lead --

People are ready to go, shovel ready. This is important for the residents of Bellport and the Town and residents of Suffolk County.

MS. ESPOSITO: John, you're saying that if this gets approved, we can ask the supervisor to close the landfill earlier?

MR. FINN: That is not what I'm saying.

THE CHAIRMAN: See if you were going to join the rally --

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MR. FINN: This is an economic impact that's going to be the eight hundred pound gorilla in fifteen years for the Town without tax investment. We need economic development. It's imperative. This is a good way to change the parodyne of what is going on with the dump, compost facility -- landfill, sorry.

THE CHAIRMAN: I heard a few things. There seems to be a general mood towards approval. The clearing standards issue, how you believe that should be a comment to any approval.

I also heard the need about -- for the Town to do some planning in this area. That doesn't mean drawing up a plan that sits on a shelf and is not approved and is not helpful to anyone. It's one waste of taxpayer money, and doesn't give us guidance.

We rely on that. All we can do is guess. The sunrise Corridor Study involved a lot of effort by this Planning Department and others, until it was

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adopted. We can't give it more than

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persuasive sort of weight. We don't know

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if the residents are buying into it.

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I believe we need to have a comment

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to the Town saying all of the benefit to

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that community as well as to the County.

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If they would, they can have some

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decisions about some policy in the

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Bellport area.

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Those are two clearing standards

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and planning needs; two issues.

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MR. MCADAM: Two questions. I

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think you mentioned that the Suffolk

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County Water Authority had a problem with

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the project. I have concerns about it.

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The other question I have is

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Medford sewer district number seven, was

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it in their plan for the use of the

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capacity for Medford number seven to

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include the development of this project?

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MR. FRELENG: We don't have

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knowledge of that. We don't know, but it

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is a jurisdiction of Suffolk County DPW

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and the sewer agency to take that into

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account when they approve facilities.

I would imagine that applicants are having conversations with DPW right now and the applicant is purporting there is capacity at that plant. We didn't have any information other than the wastewater was going off site to an existing sewage treatment plant.

I can't answer that.

THE CHAIRMAN: That is DPW's game.

MR. MCADAM: Usually they have, sewer districts in the past, provided for capacity. Generally they have some kind of plan as to how they want to use excess capacity.

The question I have is whether or not this was included in their plan to carry it further? If they do approve it, are they excluding somebody else who was originally in the plan or do they plan to expand the plant? And the Water Authority problem.

THE CHAIRMAN: The sewer thing, first we have no knowledge. Michael, you

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were mumbling something?

MR. KELLY: I was praying.

Having been in several sewer districts, maybe that is relevant or not relevant. Once capacity is issued whether it is allotted for this property or a different property, you can buy it, move it, transfer it as owners of the property, assuming when they purchased the property. Maybe they purchased it with the sewer capacity.

We don't know all that. All they're say in the application is that they have the capacity. All we need to know.

Whether DPW charges them more --

MS. ESPOSITO: They did.

MR. KELLY: In terms of the water, having built a condo site across the street from a well field, we ran into the same issue. Our resolution was that we were able to help the Water Authority dig deeper wells.

That is how we got through the

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whatever issue Suffolk County Water had,
so they are amenable to working things
out.

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THE CHAIRMAN: There was a point in
the report about the applicant should
continue dialoguing with the Water
authority on this.

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Thank you for raising it, Tom.

Our water is one of most basic
resources here in the soul source aquifer
location. There's a need for there being
on going conversation with Suffolk County
Water and the department of Health.

Maybe a comment on that would make
sense.

MS. WEIR: One final question about
parking. I was wondering does the parking
requirement, that's normally twenty-five
percent also, does that include the
industrial office space as well?

In other words, the industrial
office space and all other uses, are the
parking -- because I'm assuming most of
the time that industrial space is during

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the day and the movie and shopping will probably be at night. Maybe that is why the Town --

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The usage wouldn't be the same, parking all day long. The Town said they could go twenty-five percent less.

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MR. FRELENG: The Town hasn't said anything yet. They made referral to us yet. I believe parking is combined. The applicant has not proposed any shared parking arrangement. At the time both phases are developed, that would be the proposed parking count.

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THE CHAIRMAN: Would that come to us again?

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MR. FRELENG: The parking variance should come to us at that time.

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THE CHAIRMAN: The issues for type of uses are so different. It may not be an issue. It's not like everyone is using these at the same time; matinee pricing aside.

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MS. WEIR: Sundays, weekends.

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THE CHAIRMAN: If it comes back to

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us, it would be helpful.

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Other thoughts, comments,
questions?

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MS. ESPOSITO: Just a question.
You mentioned that a well field is
adjacent to the site. What does that
mean? South, east of the site?

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MR. FRELENG: Adjacent to the site.

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MS. ESPOSITO: On the site?

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MR. FRELENG: Adjacent to the site

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yes.

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MS. WEIR: That cuts out Suffolk

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County Water Authority property.

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MR. FRELENG: It's an elevated

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water storage tank Suffolk County Water

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Authority property. The Water Authority's

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issue was that with regard to their well

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field, the subject property is in the zone

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of capture of the well.

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The Water Authority noted that

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wastewater is not being discharged on

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site. There's still a concern that

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activities on site that might impact the

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groundwater table and impact the well.

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THE CHAIRMAN: Rain gardens are located on the western side of the property?

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MS. ESPOSITO: This is the first project we have ever seen with rain gardens. Can we thank the applicant?

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MS. FRELENG: What staff was trying to present was some information, what you can see and totally in the North Bellport area is disuse full of the Bellport Outlets as a result of developments of other outlets in the area there is an impact when you develop retail counter impact elsewhere.

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There are Home Depots in the area that have shut down and have switched uses. What staff was trying to convey was the impact of the addition of ninety-six thousand square feet of retail on possibly the Bellport Village commercial business district. It's a significant impact, we believe, and we want to make sure we highlighted that before the Commission continues to deliberation this project.

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In addition, there is the policy of the development of green fields particularly when have vacant commercial and properly zoned sites in the area. That is another issue we need to weigh.

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It's a totally wooded piece of property and we want appropriate development sites in the area. I wanted to reiterate that as you deliberate.

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THE CHAIRMAN: I would note obviously there's a good amount of retail footage. Half of that is the movie theater.

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Andy no ninety-six is. Just the big box and retail pad.

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THE CHAIRMAN: Okay.

Taking out the theater, other things could be single big box, Cosco or whatever.

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MR. FINN: This is one of the things as I sit here, only speaking about my background, this is an issue from a land use standpoint that Long Island is confronted with when you have

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municipalities getting involved in free market.

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I want to make that point.

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MR. FRELENG: At the same time, we are looking to preserve our downtowns. We observe that development not in our downtowns impacts downtowns, so this is

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something we weigh.

MR. FINN: Absolutely. We're sitting in Patchogue, which is a beacon where this is happening successfully. We talk about that as a goal, but it's a difficult task. Sometimes even you have to have a mechanism for development of downtowns because of assemblage issues and the amount of parcels that have to go to create a development.

That is going to create this economic impact and doing this in downtown areas could be a difficult feat.

I do respect the idea that that should be a goal to make a vibrant downtown community, but that was the point I want to mention.

MS. ESPOSITO: He's scaring me.

I think that we need to bear in mind to find balance between planning a community, which is what the County does very well, and allowing free market to exist.

Planning implies, by the very

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nature of it. That you have a vision that then is carried forth.

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My problem with that area, there's never been a vision for it. That is why it has ended up in such a hodge-podge or degraded circumstances, so I think that planning a vision for the future and implementing those puzzle pieces to carry that forth is what our Commission should be about and what the department is to be about.

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We need to look at that picture more holistically.

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MR. FINN: Agree.

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THE CHAIRMAN: We had a number of comments.

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I want to correct myself. After sounding all high and mighty about the Town of Brookhaven not doing a plan, I misread the report, Director Lansdale pointed out the Town did adopt one of the plans that went through this area.

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I stand corrected. I apologize.

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The clearing standards issue, water

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issue, this is the Water Authority's ball of wax, as well as Health Department from our perspective.

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It is valid that we mention it, something we're keeping an eye on and consider important.

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Any other thoughts, comments, questions?

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MS. HOLMES: Do you want to verbalize the comments that we made?

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THE CHAIRMAN: To sum up, we should encourage the applicant and Town to work together to maximize the clearing natural vegetation, undisturbed natural vegetation on the site.

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The second comment is the applicant needs to work with the Town and dialogue with Suffolk County Water and Health with respect to the well field adjacent to the property.

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MS. WEIR: There was mention of a bus stop that would be brought in. Have continuing dialogue --

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Did you mention that?

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MR. FRELENG: I did not mention that in my statement.

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MS. HOLMES: In the presentation.

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MS. WEIR: That would be something that would help the traffic and so forth. Have bus stops there that is accessible to people that need it.

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There are other accessible standards to be looked into.

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THE CHAIRMAN: I believe we have standard language on that.

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MR. FRELENG: We do.

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THE CHAIRMAN: Encouraging the applicant to work with --

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MR. FRELENG: Public Works, Transportation.

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MS. WEIR: All these areas within the site, to make sure they are made accessible to everyone.

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THE CHAIRMAN: That is a separate thing, concern about walkability. You work with DPW with respect to attaining public transit, access to the site, a separate one, you know, insure walkability within

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the site, to make sure everyone can access the amenities on the property.

MS. WEIR: They have to follow ADA.

THE CHAIRMAN: The comment goes to the applicant and the Town for regional considerations. Make sure they keep them in mind.

The four comments that we discussed, any objection to those?

(No response.)

I'll entertain a motion.

MR. MCADAM: The Town of Brookhaven plan, what was it?

MS. LANSDALE: Page three on the staff report, the paragraph entitled Comprehensive Plan Recommendations. Second sentence, adopted by the town board, April 28, 2009 dot dot dot.

THE CHAIRMAN: Thank you for the school district maps.

Thank you for doing that.

MR. GULIZIO: Was that plan adopted pursuant to SEQRA or accepted as complete? There is a distinction.

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MR. FRELENG: Staff called the
Town. They indicated it was adopted, but
I will go back and double check and report
back.

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THE CHAIRMAN: The question is was
SEQRA ever done?

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MR. GULIZIO: Call me cynical,
John. My guess is it was accepted by the
Town, which means it's not binding policy,
SEQRA has not been applied to it.

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MR. FRELENG: I tried to clarify
that with the clerk's office.

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MS. HOLMES: They said adopted and
gave you a date.

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MR. FRELENG: Yes. I will double
check that.

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THE CHAIRMAN: We don't need to
slow down our consideration for that.
Thank you for raising the issue.

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The four comments -- I'll entertain
a motion, Commissioner Kelly. Moved by
Commissioner Kelly to recommend approval
of that.

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MR. KELLY: With the four comments

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that were articulated so well by the
Chairman.

THE CHAIRMAN: For the record,
there are four conditions we discussed:
Clearing standards, maximizing clearing
standards, dialogues with Suffolk County
Water and Health on the water issue,
working with DPW on the public transit
access to the site and, four, enhancing
walkability or insuring walkability
throughout the site for all people.
Safety and walkability.

Is that okay with you?

MR. KELLY: Yes.

That is the motion. All in favor?
Seconded by Commission Weir.

All in favor?

Eight opposed, one abstain. The
motion is adopted eight to zero to one.

That ends the regular agenda.

The last item, an overview on the
Comprehensive Plan.

Do you want to do anything more?

MS. LANSDALE: No.

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We'll look forward to seeing everyone in Riverhead next month.

Anyone have any comments or issues?

MS. HOLMES: In relation to the Comprehensive Plan, my only comments were that areas of the draft ought to be blended so that it is recognized that one section repeats the data that was in a previous section.

Seth Foreman was concerned about that.

Is that one of the things you're fixing?

MR. GULIZIO: Yes.

THE CHAIRMAN: Do you want to add anything?

MR. GULIZIO: No.

THE CHAIRMAN: The meeting with the committee for a few minutes. Guidelines group in the room next door. I'm hoping it's less than an hour.

I'll entertain a motion to adjourn.

MS. WEIR: I make a motion.

THE CHAIRMAN: Motion by

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Commissioner Weir.

MS. HOLMES: Seconded.

THE CHAIRMAN: Seconded by
Commissioner Holmes.

(TIME NOTED : 2:05 P.M.)

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CERTIFICATION

I, DONNA L. SPRATT, a Notary
Public in and for the State of New
York, do hereby certify:

THAT the foregoing is a true and
accurate transcript of my
stenographic notes.

IN WITNESS WHEREOF, I have
hereunto set my hand this 13th day
of May 2011.

DONNA L. SPRATT

ERRATA SHEET

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