SUFFOLK COUNTY DEPARTMENT OF PLANNING

SUFFOLK COUNTY PLANNING COMMISSION MEETING

August 3, 2011

725 Veterans Memorial Highway
Hauppauge, New York
August 3, 2011
12:15 p.m.

BEFORE:
DAVID CALONE, Town of Babylon
ADRIENNE ESPOSITO, Villages of 5,000
LINDA HOLMES, Town of Shelter Island
JOSHUA HORTON, At-Large
THOMAS McADAM, Town of Southold
MICHAEL KELLY, Town of Brookhaven
JOHN FINN, Town of Smithtown
DIANA WEIR, Town of East Hampton
WILLIAM SCHOOLMAN, At-Large
JENNIFER CASEY, Town of Huntington
THOMAS YOUNG, ESQ., Suffolk County Attorney
DANIEL J. GULIZIO, Deputy Director
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CHAIRMAN CALONE: The first item on the agenda is adoption of minutes for June 2011. That was a rather lengthy meeting. Without objection we will table the adoption of the minutes for the June 2011 meeting.

We'll move to the public portion. There's a few cards here. First, I ask Tim Shea to join us. You know the drill. If you could spell your last name. You have three minutes.

MR. SHEA: Good afternoon chair members of the board. Jay Timothy Shea, Jr., S-h-e-a. I represent Jefferson Meadows. The project in question is a redevelopment project of a vacant and derelict eight-acre site located east of Route 112 in Port Jefferson Station that was primarily used as a car dealership and landscaping business. There are three buildings on the site. The development project here would result in demolition of the two landscape buildings, retrofitting of the existing car dealership and
construction of 96 affordable rental units
on site together with a health club open
to the public, office space, and a
concession that would be open to the
public. This was the first
blight-to-light application made in the
Town of Brookhaven pursuant to a new code
provision for the redevelopment of
blighted property for mixed use special
permit rather than having to go through
the time consuming process of the change
of zone. Part of the reason why we
brought this application the way we have
was to allow the mixed use development.

The other reason was because the
property in question is the subject of a
foreclosure action that is currently being
prosecuted by the lender. If the
blight-to-light application in front of
the planning board is not granted, it's
likely a foreclosure process will beat us
to the finish line. The bank would take
the property back, and we would anticipate
the property to remain vacant and derelict
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The project itself will cost construction approximately $13 million and will result in 112 construction jobs over a 12-month period of construction. At the end of the day there will be 25 full-time jobs on site and the real estate taxes will jump on the current $45,000 to $356,000 when fully assessed.

We have worked together with the Civic Local Association and Long Island Housing Partnership with regard to this project. And you should be hearing from them. The staff comments that we have reviewed make two major issues.

Mr. Calone, If I may take three minutes of Robert Renda's time who is next on the list.

CHAIRMAN CALONE: Mr. Renda needs to come forward to yield to you and myself the time.

Welcome, Mr. Renda. State your name and spelling of your last name.

MR. RENDA: Robert Renda,
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R-e-n-d-a. I would like to give my time to Mr. Shea.

CHAIRMAN CALONE: Mr. Shea, you have another three minutes.

MR. SHEA: Thank you very much, Mr. Calone. They make two major points here in recommending the dialogue of the application. The first of which is the fact that it is not within 500 or 1,250 feet of a commercial center or a downtown area and they note the distance is 2,600 feet from the nearest commercial center itself and to a certain extent which has a Uncle Giuseppe's supermarket, restaurant, liquor store and other uses on site.

The staff comments include the fact that Route 112 is under reconstruction. That reconstruction project includes sidewalks all along 112 between our site and Uncle Giuseppe's. It also includes bike lanes. Furthermore, the staff comments include the fact there is in fact a bus route that goes through 112 and could stop at the commercial center. I
disagree with the conclusion, however, that that makes it too far a distance. The 2,600 feet is the equivalent of 880. I don't believe that that is far enough to dissuade this board from recommending approval on this.

You should also note that there are other services in the immediate vicinity closer to the site. Immediately to the south there is a redevelopment of an existing gas station, which will have a convenience store that people can walk to for their emergency needs. To the east is a bank within 500 feet. Furthermore, there are other derelict properties along 112 both to the north and south some within 500 feet including the 84 site and a little bit further up is Dodge/Subaru dealership. Those properties are eventually going to come in for redevelopment, but somebody has to be the first in the pool. My client was willing to be the so-called guinea pig. We have worked with the planning department of the
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Town of Brookhaven at length to massage this application to meet their requirements, and we feel that we will have a positive hearing in front of the planning board.

Lastly, the other issue they brought up is the night trade loading with regard to sanitary waste. It is our full intention to hook up to an existing sewage treatment plant and, thus, we will meet Article 6 or to the treatment plant in compliance with law with the regard to nitrate loading so we do not believe that that is an issue which is the basis of denial.

I would like to thank the board for its time and hopefully we can have a local determination letter out of this board. Thank you very much.

CHAIRMAN CALONE: Thank you, Mr. Shea.

Next we have Gina Pellettieri. Please state your name and spell your last name for the record. You have three
MS. PELLETTIERI: Sure. My name is Gina Pellettieri, P-e-l-l-e-t-t-i-e-r-i. I am the director of technical assistance of the Long Island Housing Partnership. The proposed Jefferson Meadows Development will be an affordable rental development with 96 apartments at or below 80 percent and 120 percent of the area meeting income. As a point of reference under the present income guidelines, a single person has to make under $59,400 to fit in the 80 percent category and under $89,100 to fit into the 120 income category. LHP receives many phone calls daily from people looking for affordable, safe rental apartments. Many of them are young professionals looking for a place to live. The site is on a major north/south corridor with access to the bus transit. The positive impact on the local community will be twofold since the 112 corridor has many strip malls, some of which will be
First, it will attract young people who will be new customers for the local businesses; and second, it will eliminate blight in the area. Rental apartments are critical to Long Island. According to the Long Island Index only 17 percent of all housing units on Long Island are multifamily versus other parts of the region outside of the New York City area that have 39 percent.

It is also important to note that the Town of Brookhaven already designated this development as part of the blight-to-light initiative which takes blighted property and redevelops them.

The Housing Partnership supports this development and would like to see it bring much needed affordable housing to the area. Thank you.

CHAIRMAN CALONE: Thank you, ma'am, for being here. I appreciate your time.

Mr. Tsunis, you're up and you have
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three minutes.

MR. TSUNIS: Tim Tsunis, T-s-u-n-i-s, the Northern Group. I too read the report and they were very thorough with what they put out in the report. There are a few items that I would like to go over with the commission in regards to this site.

First, workforce housing in Suffolk County and Nassau County is very hard to get approved in municipalities. I've tried to do certain workforce housing areas and it never got past first base, and support from the local civic and neighbors in the area have been overwhelming for this site. They do not want to see a retail strip centers and other retail strip centers on the Route 112 corridor. I was the chairperson in the Port Jefferson Station Terryville Hamlet study and one of the many focuses was to eliminate any closed down or blighted center. Unfortunately four years ago when we did this study, this car
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dealership was still running and since then it's closed. I'm sure if it was closed back then, we would have endorsed a multifamily site on this property.

The location has a bus line and has been told a new highway. And what's increasingly difficult to find in the area of Suffolk County is an SVP plant. There is an STP plant across the street that we'll be hooking into. That coupled with the fact that we're doing the 100 percent build workforce housing on this site leads me to believe that this is a perfect storm in a perfect area to workforce housing. I can't emphasize how difficult it is to get all these parts lined up to do a community like this.

I'd also like to point out that there are three other dealerships on 112 that have closed over the last three years. The car dealerships in particular in Port Jefferson have been closing. They are relocated down in Medford and Smithtown.

The other point that I would like to
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talk to you about is that I've been
working with the civics and attended just
about every meeting over the last year.
This is going to be the beginning of Main
Street in Terryville/Port Jefferson
Station. We intend on putting antique
lightposts from Washington Avenue all the
way down to Nesconset Highway so that the
Giuseppe Market will be the focal point
and will be the Main Street of Port
Jefferson Station and Terryville. For
those reasons that not only do I believe
you will make a local determination, but
you owe it to the young people in Suffolk
County and on Long Island to give this
application your full support and approval
to refer it to the Town of Brookhaven. I
want to thank you for your time.

I have pictures. If I can show you,
one second, this is what the property
looks like now.

CHAIRMAN CALONE: I appreciate it.

That ends the public portion moving
now to the chair report. A few things to
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update.

As you know, our goal this year is to continue our focus on land use issues that are critical to Suffolk County's future. In that regard, we are emphasizing major countywide issues such as the development of the Comprehensive Plan as well as related issues like housing, infrastructure financing and storm water management.

In June, the Planning Commission voted to release the draft of Volume 1 of the Comprehensive Plan. This was an important step, a step that has not been taken by Suffolk County in 30 years. Director Lansdale and I will be presenting this draft and a sketch of future plans for the Comprehensive Plan process to the Legislature's EPA Committee on August 8th.

We would like to have a brief meeting of our Comprehensive Plan Steering Committee with Commissioner Roberts, Holmes, McAdam, Weir and Kelly for a
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couple of minutes to discuss Volume II of the Comp Plan and next steps.

With regard to our energy and environment taskforce—solar, solar permit streamlining, we had an exciting development with New York Department of State. Director of Codes Ron Piester came to Suffolk about four weeks ago to meet with our solar initiative and gave us his full support and wants to potentially roll out this solar permit streamlining plan statewide. With regard to the plan itself, the final issues have been resolved; LIPA's legal department has signed off; the draft letter has been sent to Nassau County Executive Mangano for his approval. Once we get that, a letter will go out from the two county planning commissions and LIPA to the 103 municipalities laying out the requirements of the program and LIPA incentive that it has $15,000 for each town and $5,000 for the first ten villages.

The County is also piggybacking on
this work to apply for a new Department of Energy grant aimed at helping regions streamline solar permitting and take other steps to make it easier to install solar panels. We have our four largest townships now on board for that. Director Lansdale and her team are heading up that effort and she can report more fully about that.

Wind Siting/East End Wind Code, we seem to have this back on track. The staff from East Hampton and Southampton who are working on the draft, as I think you know, we've had four meetings now among the East End municipalities. I hope that they will be in a position to give an overview of their finished work to the Planning Commission at our September meeting in East Hampton.

With regard to commercial building and energy efficiency standards, Vice Chairman Constantine Kontokosta and John Finn are leading that effort and have had two meetings including the last one a few
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weeks ago where the Department of State
came down to support the working group's
efforts. My understanding is that the
working group is focusing on the new green
building code which New York State is
going to approve for adoption as of
January 1st for the municipalities which
choose to do so. The working group is
going to focus on educating municipalities
about the new green building code and help
municipalities which want to adopt it,
ease into following it.

As you know, for the last year the
Planning Commission has made sewer
financing a major priority. To that end,
we co-hosted the County Executive Sewer
Summitt II in October where a major theme
was sewer infrastructure financing
mechanisms. We then encouraged the County
Executive to create a group to focus on
building the Suffolk County's future--
where we should grow, where we should
preserve and how we should pay for
infrastructure.
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As a result of the effort, the County Executive came up with a proposal that would, for the first time, provide an annual source of funding for sewer infrastructure development and upkeep. This is a tremendously important step for Suffolk County's future. And I'm excited to let you know that the Legislature approved the legislation last night.

While I was disappointed that the bill did not end up having specific criteria to ensure that this financing goes to the areas in the county where development is most needed and correspondence with the Comprehensive Plan and to projects that support the values that the Planning Commission and others have identified as important to Suffolk's future, such as workforce housing, transit-oriented development, energy efficient buildings, public safety, et cetera. The good news is that a committee has been created to look at potential criteria and that committee is going to be chaired by
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Director Lansdale.

With regard to Suffolk Unified Permit Portal, we have started holding quarterly steering committee meetings and things are progressing, but this will definitely be a multi-year process. We are going to have the next quarterly meeting in the next month or so.

With regard to professional certification for commercial interiors, the idea here is follow the lead of NYC and eliminate the need for building inspections for routine interior commercial alterations. This effort has the support of ABLI and other groups. At our request, John Racanelli of Farrell Fritz has put together a draft plan which we have reviewed. Brookhaven Town has indicated an interest in piloting this once we get the details reviewed. I want to thank Jennifer Casey is now going to be heading up this effort with the help of John Finn.

We are going to be starting a new
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effort on agriculture that will be headed
by Carl Gabrielsen. Sarah and Carl met
recently to get going on that. Update
with regard to public safety, we have
drafted design standards and are waiting
from feedback from a few town council
members for across Suffolk on that. Once
we get that, we are going to meet with
District Attorney Tom Spota to see if we
can get the help of his office to endorse
this initiative. Brookhaven has expressed
a strong interest in moving on this.

With regard to housing, as all of you
know, we started work on planning a
Suffolk County Housing Conference for
January. We had a brainstorming meeting
today. I have spoken with the Suffolk
County Village Officials Executive
Committee and the head of the Suffolk
County Town Supervisor Association and
both of those organizations have expressed
a desire to be co-hosts for the event.
Commissioners Kontokosta, Weir, Kelly,
Roberts and Casey are going to be the
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leaders in putting that event together.

We had a discussion last meeting on
Pine Barrens credits and water credits.
The commission struggled a little bit
about what to do particularly related to
specific projects. I don't know what the
right answer is, but I do know we need to
come up with a way of addressing these
from the Regional Commission standpoint.

I was asked by the Suffolk County
Village Officials Association to meet with
their executive committee a few weeks ago.
They are very interested in our work and
are happy to spread our model to Suffolk's
33 villages.

The Guideline Committee will meet
after today's meeting to continue to
review. Next month, East Hampton, the
prettiest town hall in the county, will be
our 10th town that we have had a meeting
in over the last two plus years.

MS. LANSDALE: Thank you so much,
Mr. Chairman. I just wanted to update you
on a couple of additional planning items
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by Department of Suffolk County and elaborate on some of the things.

We have submitted a letter of intent last Friday to partner with the Towns of Brookhaven, Babylon, Islip, and Huntington and we're currently seeking additional partners on that effort. It's a $1 million grant by the Department of Energy to streamline commercial and residential photovoltaic tag permits and also come up with innovative financing to expand the PC market on Long Island. The second initiative is the Comprehensive Planning. It's been a long time coming. We are proud to announce that the chairman and I will be presenting the first volume of this Comprehensive Plan at Monday's environment Planning and Agriculture Committee of the legislature.

Also, proud to note that this is the first document in Suffolk County that actually has QR code on. QR codes are the black and white code you see in advertisement print where you take cell
phones and scan it and it goes immediately to the link. It will be linked to the website to go and get additional information, the information that's contained in our comprehensive plan.

The specific information in the comprehensive plan is demographic information, quality of life and economic information. And members of the Commission have seen and received a preview of that information two meetings ago. It includes 2010 census information.

The next thing I want to report on is the food and farming initiatives by the Suffolk County Planning Commission. I had a great meeting last week with Carl Gabrielson and he has agreed to serve as the chair of the agriculture committee plan. That will be one of the next sections of our comprehensive plan. He is looking into organizing something on behalf of the Planning Commission for October 24th, which is National Food Day,
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and organizing a session at the October
12th planning federation meeting related
to zoning issues around local food
production.

I also want to remind members of the
planning commission that September is the
open enrollment period for the acquisition
of farmland development rights. As you
may know, earlier this year Chapter 8 was
updated and Chapter 8 is the County's
farmland acquisition process. So, the big
change is that there's an open enrollment
period so we're looking at all of these
properties and potentially holistically
comparing properties against one another
rather than on own individual merits. It
will be a great process and it is
beginning in September. Thank you so
much.

CHAIRMAN CALONE: Any questions
for Director Lansdale? I see none. I
just should have noted that I mentioned
that Ron Piester, the Head of Codes New
York State came down to Suffolk County,
but the reason he came down was because he
heard of the various things going on and
wanted to be part of them and wanted to
know what we were up to on the various
things including the solar thing, which we
will be announcing and releasing in the
next few weeks, and commercial energy
efficiency that John and Constantine are
working. There's a lot of good things and
these could be models for New York State
and he was, you know, full-throated
enforcing many of these projects. So
thank you you all again on letting that
happen.

MS. LANSDALE: I just wanted to
make another announcement. Suffolk County
has been involved in development with Long
Island Farm Bureau. On August 5th,
there's the Long Island Farmers Market Day
from 12:00 to 5:00 at the Suffolk County
Farm in Yaphank. I just want to make note
there's fliers posted outside this room
with further information. It's important
that we support our local farmers.
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CHAIRMAN CALONE: Thank you. Next we're going to move on to the guest speakers portion. We have -- the Town of Islip has an update on their comprehensive plan. In a few minutes, we have the director, David Genaway.

David, you want to tell us what's up in Islip.

MR. GENAWAY: Thank you, Chairman Calone. Just for the record, David Genaway, G-e-n-a-w-a-y, Commissioner of Department of Planning and Development from the Town of Islip. Thanks for allowing us to present and speak today. We are very honored. This is an initiative we are very energized about. We're happy to embark on another round of update. And I guess I will try to move through this pretty quickly. I will give a little bit of background and then I would like to jump into some of the numbers in the plan itself, and then just have a little commentary about the format of the plan.
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Historically, the Town of Islip has had a pretty rich tradition of Comprehensive Planning beginning even in the sixties carrying all the way through the seventies. Technically the most recent comprehensive plan update was done in 1979 and, again, sort of revalidated in 1989.

In addition, there have been a few more hamlet-specific or sites neighborhood-specific comprehensive plan updates since then including, the Sunnybrook Plan, which is a neighborhood in Bay Shore which was adopted in 2001, and the Oakdale Vision Plan, which was adopted in 2008. So since the adoption of the '79 plan, we have been continuously active, just not in a holistic way. It's something we really want to get back to. Many of you may know when it comes to building and planning in the Town of Islip, what's happened over time is that we've become an extremely permit centric planning department. Our volume is
extraordinary. The vast majority of our human capital within the department is spent on permit review. I think this is the function fact of the building division falling underneath the planning department umbrella. So we've really got boots on the ground when it comes to building activity. The effects of that is that it's been more and more difficult for us to spend a lot of time in the vision process in the comprehensive plan process, and I think that's something we should get back to. We really should do some front-ended planning here and have all of our land development, especially our larger land development proposals be in accordance with a comprehensive plan. This is exactly what section 272-A of the town law was intended to do. So that's really just a little of bit of history. That's why we're here. And I won't read every slide word for word. By the way, I have very few slides. I have for you five or six slides here.
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I guess, Andrew, as we go through them, you can click on them.

The first slide here is really, again, a statement of the seven goals of our comprehensive plan that was originally adopted in 1979, diversified housing, protect natural resources, provide recreational services, provide efficient quality public services, transportation, education, health, safety and consumer protection, promote identifiable communities to promote those commercial and industrial developments that are compatible and harmonious, and to promote attractive environments.

I guess the points that we would like to convey here is that those are exactly the same kind of policy initiatives we want to continue. Those are still valid. One of the paragraphs in Section 272-A of the town law, which was actually a recent amendment to the state law, obligates municipalities or towns to set a schedule for the constant restudying and
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revalidation of the comprehensive plan.
So that's really part of what this is as
well is that, although, we're not making
any specific policy changes here, we want
to, at least in a fair and open
governmental process, really take a good
hard look at these things and ask the
question are these things still valid.
And after doing so, we do believe those
items are still valid. That's slide
number one.

I guess we will go into phase two of
the presentation. That's really to jump
into if the numbers really quickly.
Really this round of Comprehensive
Planning update is really strictly related
to some of the demographic updates. As
Director Lansdale mentioned before, the
emergence of 2010 census data has created
new opportunities now that we have this
fresh data and we're able to really look
at it again.

Really to briefly summarize this one,
76.3 percent of housing stock is made up
of single-family dwellings. Relative to Suffolk County and New York State comparatively speaking, Islip is more diversified. Housing is compared to the nation as a whole. We are less diversified.

Next slide, Andrew.

This is a very common graph that I'm sure that we've all seen, especially in Nassau County and Suffolk County. During the post-war era, we've seen a gradual leveling off of population growth, that's true, and that's true coming after the 2010 census updates. We're up to 335,000 now up from 322,000 in 2000. So that's generally what our population numbers are looking like.

Next slide, Andrew.

Ethnicity is another element of demographic updates that we looked at. In a snapshot view the town continues to be largely made up of a white population. One of the most notable numbers that we like to point out here is the piece of pie
that's colored red here, that's the 29 percent of our population that's of Hispanic or Latino origin. As you will see in future slides, that population is largely made up of living Brentwood, Central Islip and Bay Shore.

Next slide, Andrew.

This is a really interesting slide. I will give the staff credit for this. By the way, I'm remiss if I didn't acknowledge the extraordinary efforts of Jessica Joyce and Dan Turner who are two of our fantastic employees. Thank you. This graph is a sorting of population growth by hamlet of all the hamlets within the town. As you can see, the graphic that really jumps out at us is the overall population growth in Brentwood. Central Islip and Bay Shore are in distant second. And all the way on the right side you can see the hamlet -- I will go in reverse order -- the hamlets of Islip, Ronkonkoma, West Islip and Islip Terrace and Oakdale actually lost population.
Next slide, Andrew.

This is another graph that should look relatively familiar to us. Our population is aging. You can see the differences between the blue and the red bars. Blue representing the year 2000. The red representing the year 2010. We're seeing a shift in age-courts. We are losing young people and older people.

This is the second to the last slide. This is our population density curve. Showing, again, to really briefly summarize here, Brentwood has the highest population density followed by Central Islip and West Islip.

Next slide, Andrew.

This slide is good a comparative slide with the previous. You can see 20 percent of the population exists in Brentwood. Even though Brentwood is one of our larger hamlets making up the largest percentage of the town's land area, 26 percent of the population is within Brentwood. So that's basically it. That's slide eight of
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eight.

MS. ESPOSITO: Just to clarify, is
26 percent of the landmass in Brentwood.
How does it compare to the landmass --

MR. GENAWAY: Andrew, can you go
to the previous slide? The percentage of
land area in Brentwood -- Brentwood makes
up 15.5 percent of our land area,
meanwhile it's holding 26.6 percent of our
population. The irony here is that if we
did take a closer look at our housing
stock, Brentwood is the vast majority of
the housing stock. Brentwood is our
detached single-family dwellings. So we
simultaneously have a housing stock which
is traditional post-war single-family
dwellings. Meanwhile population density
is our highest there and our level of
population growth immigration is the
highest in Brentwood.

This is a perfect way to segue into
phase three of the presentation, which is
just a few notes on the -- I wanted to
talk about two things, first of all, about
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the media, the formal of this plan
itself. We can talk about content all
day, what are the demographic updates,
what are the future policy initiatives.
One of the things I really want to
implement here is a change in the way we
think about the Comprehensive Planning in
the town. Specifically, its method of
distribution, and one of the things that I
think is problematic across the island and
across the country is that there's always
a perception that if you want to build
somewhere, you have to have a connection
to the planning staff, you have to have a
connection to the planning board of the
town board, if you want to build, you have
to know somebody in town hall. That's a
perception that I really think is
problematic. I think historically,
especially in the Town of Islip, we always
had a planning doctrine that is larger
than ourselves and that if there were a
reason for recommending the granting or
denial of the zoning change, it wasn't
because we had a personal problem with it
or because there was a particular person
making the application, but because there
was something wrong with the application
itself violating an adopted planning
doctrine, that there was a philosophy
larger than ourselves that we were basing
our recommendation on. That's always been
true. One of the things that I think is
difficult is that traditionally
comprehensive plan was a book that sat on
the shelf. The development community
didn't really know what the planning dogma
was for the town.

So really I guess one of the primary
points to make here is -- as you can see,
all of the slides we've just gone through
are in this poster format here. It's all
consolidated in one document. It's thin.
It's distributable. It could be PDF. It
could be put up on the town's website. We
could create color printouts and have them
distributed all over the place. In fact,
the staff has -- we have another copy of
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this. We put it up in the corridor outside of our office so when people in the waiting area waiting for meetings with planning staff, they can read these things and think to themselves this is what a planning department is supposed to do. They don't just process permits. They implement a vision.

The other thing I'd like to point out -- it's very difficult to see, I'm not sure if the members can see -- in the upper left-hand corner, you see we've created a control number system. It's never existed before. In this case, we're calling this round of updates CP2011-01, really representing a first in a new system of comprehensive updates. Although, there is an extraordinary amount of background data and charts and graphs and analysis that we've got in the files in the office and certainly all of which are available for anybody to view, we want to have a single document that is the summary document with a control number on
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it that provides a message to everyone, the development community and all policy-makers, that the statements contained within these posters are really part of a system, a larger system. The next round, which I'm sure the commission will see soon, will be labeled CP2011-02 and so on down the road.

I will close with this. This round, as most of us are aware, the comprehensive plan really has a pretty standard table of contents. Here is a snapshot of reality, here's what's wrong with reality, here's our opportunities and constraints, what can we do and what can't we, what are the recommendations, how do we change the future, how do we steer the bus here. As you can see here, there are virtually no recommendations yet. We're not at that point yet. We still have to take the snapshot of what is our environment today. So I'll close with that.

This is just really just the beginning step of an ongoing recurring comprehensive
plan update. As always, demographic updates are always a great starting point. As you can see, although we're not making any policy recommendations, you can see in looking at some of the numbers, there are some policy recommendation numbers that come out. We diversified housing in Brentwood and everywhere. Basically all of our downtown. I will close with that, Mr. Chairman. I will take any questions if the members have any.

CHAIRMAN CALONE: Two things, I think your articulate comprehensive plan, particularly in these days, is important. I have been talking about the comprehensive plan the County is doing as a strategic plan because at the end of the day unless it is a strategic plan for the County that has really the road map where it's going, it's not worth doing in the first place. It's where are we, what are we doing, how do we get there? I think you're making this format accessible makes
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I have a question. Brentwood shows 10,000 more folks there over in the last decade. Since 10,000 more heads on pillows and I'm wondering where are they going? I know we haven't seen a ton of new development in Brentwood. Is it really just sort of crowding into the spaces that already are -- or how would you characterize it?

MR. GENAWAY: I would say it's the former because of the housing stock is so monotonous. Again, this data was derived from the census data using their standard surveying techniques rather than using a formal head count using local data.

It's my belief that we're seeing a lot of illegal immigrations, basement apartments. One corollary that we should do here to take it to the next level is to do all of the board of appeals data. In the Town of Islip, the board of appeals has as a matter of original jurisdiction, not just variance authority but the
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issuance specific for exception of two different types of accessory houses.

Basically a mother/daughter, the general term is a mother/daughter, family use only for an accessory apartment. We would expect to see a spike in ZBA activity authorizing more legal accessory apartments in Brentwood. Everyone else who’s living in a basement without that ZBA approval, it's an illegal conversion.

So naturally from a safety perspective, a fire code perspective, we want to make sure that we are diversifying our housing stock in Brentwood to accommodate the growing immigration.

CHAIRMAN CALONE: I know this commission sees the whole county. It's not unique for Brentwood. Brentwood has probably had the highest spike among our hamlets across the county. That's one of the important reasons we want to have this housing summit for Suffolk County to share and discuss ways of solving that problem and how do we get ahead of that problem in
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other places. I know we have a couple questions. I appreciate you raising that issue.

Mr. Schoolman.

MR. SCHOOLMAN: I have a question about your comprehensive plan which has existed since 1979. Could you inform me of some specific efforts that have gone on with regard to Goal Number 6?

MR. GENAWAY: Yes, I can. I don't have it memorized. There we go.

MR. SCHOOLMAN: The reason is, I have a business and I'm in Islip and personally I would say to you I did not -- have been there a while and I have not observed any efforts with regard to number six, so maybe you could cover that.

MR. GENAWAY: Sure. I guess one of the first things that come to mind is one of the elements of Comprehensive Planning that I failed to mention aside from the Sunnybrook and the Oakdale Vision plan in 2008, was the Town Overall Economic Development Plan, which was
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adopted in 1996. This was a key plan and largely stemming from some of the outsourcing and downturn of the firms like Grumman, some of the military contracts and military industrial firms. And the key recommendation in that plan was, to boil it down, industrial zoning is good in the Town of Islip. It provides jobs. It provides a tax base. It doesn't provide a tremendous burden to the school district.

So that generally speaking, when the town is considering zoning changes, they should attempt to keep industrial zoning unless the proposal was so overwhelmingly in accordance with other recommendations that it passed merit. Specifically, I don't know how detailed you'd like us to get.

We've been successful in denying multiple applications that sought to remove industrial zoning in favor of retail, for example. The Serota application comes to mind. It's a key parcel located on the north side of Sunrise Highway confluence of Nichols
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Road. I think examples like that, where we got a series of zoning applications that came in that were successfully denied or conversely where there were applications to change to industrial one zoning in order to provide that local employment need identified in number six. Those are some good examples.

MR. SCHOOLMAN: Could you point to any project that taxpayer money has been used for in a proactive way that promoted job growth in the Town of Islip?

MR. GENAWAY: Well, I think rather than the use of taxpayer money, probably not so much, however, our Director of Economic Development, Bill Mannings and even the County themselves has and IDA. There are extraordinary tax amenities that can be offered to firms in order to regroup, to get them to your local municipality. Unfortunately, I don't have the numbers off the top of the head, but I can say the local IDA and actually even --

MR. SCHOOLMAN: I'm not referring
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to tax breaks. I'm referring to any--

CHAIRMAN CALONE: I don't want to
ger into a long colloquy here, but there's
certainly -- I don't want to talk about
this offline. I want to focus on the
comprehensive plan. The issue with regard
with the comprehensive, we're going to
discuss in a few minutes.

MR. KELLY: Is there any insight
or any thought about the definition of
"family structure" in terms of the
immigrants that do come in? Many of them
to the same house, let's say, and would
that impact or would that drive the
single-family detached dwelling versus
need for more housing diversification?
The family structure is not really there.

MR. GENAWAY: I think it would.
That's a great question. The thing that
comes immediately to mind when you ask the
question is, we do have a very explicit
definition of family in our zoning
ordinance. I think it's prudent to do
that, otherwise, you have something so
subjective, it's extremely difficult for your code enforcement arm to enforce whether someone is living in a legal house. In this case, our definition of family is extremely tight. There's a term called consanguinity. There's a first degree of consanguinity that one has to have. You can't have your eighth cousin living in your house and still have that count as a family. You have to have a central cooking facility. You can't have multiple cooking facilities. You can't have multiple utilities. You can't have multiple cable bills. So we've done our best to try to really define this in a way that's defensible. At the same time, we realized that we've got to do more on the visioning side. In fact, a duly adopted comprehensive plan, should result in board in motions on the change of the zoning proactively. Why wait for a developer to pitch us something? Specifically in Brentwood, that's a good item to point out.
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Second item in Brentwood. The second more limiting factor in Brentwood is not local zoning. It's Article 6, County Health. There's no sewers in Brentwood. Zoning may be gratuitous. You may be able to get an enormous number of units by local zoning in Brentwood, but you can't get it by County Health rules. So that's another element that really should be flushed out more. I'm happy to talk about it.

CHAIRMAN CALONE: Last comment, Commissioner Finn.

MR. FINN: Listening to you speak here today is very refreshing. And some of the initiatives that Commissioner Calone is taking is Planning Commission corrective which is to kind of help with your process. And one of those that you alluded to earlier were the boots on the ground statement. We have a new member, Jennifer Casey, so I'd like to hear your thoughts about how you would welcome that input from the County, like other
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townships, Town of Brookhaven perhaps
adopting such as we craft this
legislation.

Also, the hearing on the zoning on the
zone town motion is something that is
great to hear you bring up that point, but
on the business side and economic
development side, the barriers entering
this marketplace over the last two decades
are now coming to fruition with the major
macroeconomic problems that we're
confronted with here on Long Island. So
the fact that you're taking that proactive
approach is refreshing, and we'd like your
efforts too of freeing up your staff and
so you can focus on that vision, which we
all are welcoming while we give our time
here on this Commission.

MR. GENAWAY: Agreed and duly
noted. As always, we appreciate advice
and the analysis that the commission and
staff can give us from county level.
We've got a great relationship, constantly
meeting and we want to make sure we're
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coordinating. Specifically relating to the boots on the ground, I also think that our involvement in the SUPP process is helpful too. Especially if we can create a more official way of coordinating between some of the parallel County reviews that are happening either for County Health along with some of the local reviews too. So I have to qualify that by saying, as far as we've come on our computer systems and tracking systems in town, we still have to retrofit a little bit. We have to fix up our own shop before we can coordinate with a larger county SUPP system, we're well on our way and we look forward to continuing to that.

CHAIRMAN CALONE: Well, let me give you credit there because with the SUPP or SUPP, as I call it, program, we wouldn't have been able to launch that without your leadership and the leadership of a few other folks like you across the county that see that the future is making this stuff digital, making this stuff
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electronic, making these applications
easier and streamlined and consistent and
transparent. All that is what that
subprocess is aimed to doing. As I said
earlier, it's going to take us a while.
It's going to take a lot of work to do 43
municipalities in Suffolk County. It's
worth doing. It wouldn't be possible
without your help in getting it off the
ground.

I also want to recognize you've only
been in your job now six months or so, so
I think you've established yourself as a
regional leader, not only with that, but
also I want to acknowledge and let
everyone know that we had our East
End/East Wind meeting out in East Hampton
and Dave drove all the way out to East
Hampton Town Hall to brief everyone, the
east end towns on the Islip code and
what's going on, pros and cons, lessons
learned and all that. So I want to
acknowledge your leadership in the Town of
Islip and helping us think regionally as
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w ell. Thank you.

MR. GENAWAY: Thank you.

CHAIRMAN CALONE: Last brief goes to Commission Weir.

MS. WEIR: I want to thank you.

Islip has been the leader in workforce housing for over 25 years before it was even a word. So we thank you for you that. I see nothing in your statement goals about energy efficiency or accessibility universal design.

MR. GENAWAY: I couldn't agree more. I think those are valid elements to include. Again, because Comprehensive Planning is a precursor process, in other words, a constant iterative process, I think immediately the next or future rounds of this should include elements like that. As you're aware, Diana, we really try not to codify, but we have established a track record in terms of negotiation on zoning changes really implementing affordable housing and energy techniques. Over time we do expect that
to emerge as statute not just a negotiation, but it will be in our code and really we shouldn't put the cart before the horse. It should be here first. We want to do our visioning first and then implementing that vision.

CHAIRMAN CALONE: Thank you, Dave, for your time.

Next up is a brief update on Shelter Island from Commissioner Holmes.

MS. HOLMES: I'm sorry, our supervisor could not come today to talk about the extension of the causeway moratorium. If he had been able to come, he would have also mentioned that he announced at the town board meeting yesterday, which was that the county legislature has agreed to fund $700,000 and the town with funds the other $300,000 to acquire the development right for a little over 26 acres at Sylvester Manor. That's step one.

And step two will happen after January when another 57 acres will be purchased.
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for development rights at Sylvester Manor. So we're very excited about that and very grateful for the legislature because both the legislature and the town agreed that wait for federal funding that's supposed to come offset our expenses with all the turbulence in Washington, so we're moving it ahead.

CHAIRMAN CALONE: Thank you Commissioner Holmes for the update.

We'll move now on to the four items on the regulatory agenda. First up is the Town of Islip Comprehensive Plan update.

MR. FRELENG: The Islip Town Board proposes to amend and update the Town Comprehensive Plan to highlight the demographics of the town in terms of population, race, housing, and growth in order to understand the current population and trends to properly plan for future needs and development. The one-page amendment released as a single electronic web page seeks to highlight current demographics and trends within the Town of
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Islip in order to set the stage for future changes to the Town's Comprehensive Plan.

From the staff's interpretation and review of the material we've heard from the Town of Islip, the Town of Islip appears to be making progress in the development of a Comprehensive Plan update. The update of the Town Comprehensive Plan will help to ensure that future development adheres to goals of the community of Islip as reflected in the Plan. The inclusion of factual demographic data sets the foundation for the derivation of all assumptions and recommendations of the Plan.

CHAIRMAN CALONE: Any questions?

Any comments around the tables? Motion to adopt? Motion by Commissioner Kelly and second by Commissioner Weir. All in favor for adopting the staff recommendation for reasons indicated, please raise your hand. That is nine to zero.

Next item on our agenda is Shelter Island Moratorium on Development of
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Causeways Areas.

MR. FRELENG: Thank you, Mr. Chairman.

The next referral is the Extension of Temporary Moratorium on Development of Causeway Areas of Shelter Island. What you see before you is an addendum to the second.

The Shelter Island Town Board proposes to enact a five-month moratorium extension on Development of Causeway Areas and will be December 31, 2011.

The Town of Shelter Island has indicated while draft legislation to address the zoning and wetland issues in the subject areas are close to completion.

It will not be ready to adopt by the end of the current moratorium. In order to address the issues raised, the existing moratorium is proposed to be extended.

The staff analysis for this is that the Town of Shelter Island has adopted the Moratorium on Development of Causeway Areas incorporating some of the comments
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of the Suffolk County Planning Commission
on April 6, 2011 referral approval related
to the necessity of the moratorium and
cases involving hardship. It would appear
that progress is being made toward the
development of a local ordinance and the
process of soliciting public comment has
resulted in some reconsiderations of the
law. The five month extension would
appear reasonable bringing the entire
moratorium period for the Moratorium on
the Development of Causeway Areas to nine
months current.

The staff is recommending approval for
the following reason: The Town of Shelter
Island has indicated pursuant to their
resolution, that they are making progress
in pursuing a local ordinance to deal
directly with the special development
regulations necessary for the low-lying
areas along the two Ram Island Causeways.
That is the recommendation of staff.

MR. CALONE: Thank you, Andy.

Just to clarify, this is the same
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application that we saw five months ago?

MR. FRELENG: That is correct.

This is an extension on that review.

CHAIRMAN CALONE: Those of you who were on the Shelter Island tour, we drove through this area. Commissioner Holmes, any thoughts on Shelter Island?

MS. HOLMES: Yes. Sorry about that, Andy. We are grateful that the staff has recommended approval because the town board had to go ahead and vote last Friday evening extending the moratorium because the moratorium expired on July 31st, and as the staff has noted, the town has been making progress in the initial moratorium period. The town had a committee, which met many times to recommend how to draft the new law because at our June 10th public hearing, it became apparent that members of the public were saying why are you talking about a coastal barrier district moratorium. We're really talking about the causeways because all the rest of our coastal barrier areas are
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owned by the Town or the county. So we have been focusing. The Town has been focusing on the causeways. And it is in a process of hiring a consultant to delineate the wetland and inventory the vegetation on the causeways. And we hope that process gets done before October because the vegetation dies. And we are all very glad that the Town is working so much on this moratorium and on making the causeway. The big change that they're probably going to do with their new law is make the causeway a separate zone rather than part of an overlay district. So that is an important change.

CHAIRMAN CALONE: We are looking forward to getting that in due course.

Any questions for the staff?

MS. CASEY: I was presenting an application issue with the hardship.

MS. HOLMES: There was one application that prompted the original moratorium, which was one dwelling which had been constructed on the causeway and
was damaged by fire about three years ago. And the owner of that property applied to rebuild his house, and the Town had to give him a permit to enter onto the wetland to demolish the existing house and then the DEC gave him a permit to rebuild, but not in the same location. He had to move the dwelling near the road and the dwelling is on stilts. And as a matter of fact, there's a lot of concern because the stilts go 12 feet above the ground, but they go 40 feet below the ground and that's of concern to us. That dwelling is being rebuilt now. And that's the one dwelling that's there.

CHAIRMAN CALONE: Thank you. Any other thoughts, questions, comments, or other suggestions? I see none. Motion to adopt? Motion by Commissioner Holmes and second by Commissioner Weir. All in favor of adopting the resolution approving the moratorium in five months, raise your hands? That's nine to zero.

Next item on the agenda is the
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Jefferson Meadows project.

MR. FRELENG: Thank you, Mr. Chairman and good afternoon members of the board. This application comes from the Town of Brookhaven and the application is Jefferson Meadows, LLC, location of the property is at the southeast corner of New York State Route 112 and Jefferson Avenue and the jurisdiction is adjacent to New York State Route 112.

The applicants are requesting a special permit from the Town of Brookhaven Planning Board pursuant to Article 41, redevelopment Initiative, Section 85-493.C of Brookhaven Town Zoning Law.

Applicants proposed a demolition of blighted buildings previously used as a car dealership and a landscaping business with accessory uses and proposes the construction of a multi-family attached unit development, including the construction of 96 workforce housing rental units.

The applicant proposes to retrofit the
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existing car dealership building to house
office space, a health club for use by the
public, a community clubhouse and a
concession stand.

In addition, the Town of Brookhaven
Zoning Law requirement for off-street
parking relevant to this proposal is 240
stalls. The proposal includes 240
off-street parking stalls, 40 of which are
land banked to provide additional greenery
around the subject development.

A storm water retention pond is
proposed as part of the storm water
management system on site as well as to be
an aesthetic amenity.

The application material indicates
that the development is to connect to an
existing sewage treatment facility.

The applicant also proposes the
incorporation of approximately five acres
of landscaping and recreational areas
including gazebos, putting green, walking
trails, playground, tennis and bocci
courts.
In terms of staff analysis, general municipal law considerations, the staff believes that the application issues are compatible with the existing residential and commercial character of the area.

The local comprehensive plan recommendations of the Town of Brookhaven 1996 Comprehensive Land Use Plan identifies the subject parcel as appropriate for one acre or less residential development. The applicant also puts forth that the 1996 plan states that consideration should be given to placement of multi-family housing along major roadways, as well as the need to continue to provide a choice of housing types for an aging population desiring to remain in the community.

Brookhaven Town is currently preparing a new Comprehensive Plan entitled "Brookhaven 2030." Goals for this plan include protecting open space and the environment, redirecting growth to areas with existing infrastructure, revitalizing
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downtowns, making them pedestrian
oriented, among other recommendations.
The subject parcel was included in the
Port Jefferson Station, Terryville,
Comsewogue Moratorium area, there were no
specific recommendations for the subject
parcel in the Port Jefferson, Terryville,
Comsewogue Hamlet Comprehensive Plan.
The Department notes the nuanced
recommendations of the Town's 1996
Comprehensive Plan relative to this
parcel. The plan recommends zoning of one
acre residential or less, but generally
recommends the consideration of
multi-family housing along major
transportation corridors throughout the
town. This proposal is not at a
one-unit-per-acre-or-less density as
recommended by the plan map but rather
proposes a density of approximately 12
units to the acre. Moreover, the proposal
is not in a downtown development center as
evisioned in any of the updates in
progress.
In terms of the redevelopment initiative of the Town of Brookhaven Zoning Law, Section 85-493.C of said article allows the petition for inclusion in the program by property owners whose property has not been targeted for redevelopment and elimination of blight in a community-based adopted hamlet plan or corridor plan or land use plan or the Town's Comprehensive Plan and the property does not have a blight plan adopted by the Town Board which determines the property is blighted and appropriate for redevelopment. Pursuant to this section, random parcels may apply to the planning Board of inclusion in the redevelopment initiative.

Applicability for a redevelopment designation by the Planning Board is based upon the submission by the applicant of a point analysis or score card and review and approval by the Planning Board.

Suffolk County Department of Planning staff does not have the facts on hand to
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to assess portions of the score

As a matter of practice, the
Suffolk County Planning Commission does
not make determinations on the
interpretation petitions to the local
Planning Board where the Planning Board is
acting in a fact-finding quasi-judicial
capacity.

In terms of Suffolk County Planning
Commission Guideline Considerations, there
are four policy goals and specific
policies of the Suffolk County Planning
Commission that the goal application
contradicts. Section 4.2A, which is a
policy relating to promoting sustainable
land use by encouraging density, transit,
and mixed uses in downtowns, hamlet
centers and areas with adequate
infrastructure.

The subject property is not located in
the downtown, hamlet center or within 500
feet of a Main Street Business District.
The subject property is more than
one-quarter mile from any above land
forms. Pedestrian sidewalks and bicycle lanes along any of these routes, along any of these destinations is sporadic and at the time of this Route 112 a redevelopment is going on, and drive up and down the road, all the sidewalks are not complete. It should be noted that New York State Route 112 is undergoing a design upgrade as I just indicated. It should also be noted that an inquiry to the website WALKSCORE.COM rates the walkability of the subject property to typical residential amenities to be 32 out of a possible 100. The intended 100 percent affordable rental complex at this location may be remotely situated. Moreover, it is the belief of the staff that the premises could be developed in accordance with the existing J-2 Business District zoning requirements which are applicable to the site.

Section 4.2.B of the specific land use policies: Increases in density should be tied to purchase and transfer of development rights or to one-for-one
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density offset through upzoning of vacant privately owned land.

Section 4.4.B is specific energy efficiency policies the applicant indicated, through the submitted materials, that the proposal will conform to a LEED.

Section 4.5.A and B with regard to commission guidelines regarding public safety. Apart from the special permit action, that would improve and occupy a vacant and abandoned land use. The application material does not indicate public safety. The applicant should be directed to consult the Suffolk County Planning Commission Guidelines on Public Safety prior to referral of the final site plan application.

Section 4.7.A regarding transportation: The subject property is not located in a downtown or hamlet or center or within 500 feet of a Main Street Business District. Staff also notes that 112 is undergoing an upgrade and may
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include bike lanes and sidewalks. It is also noted by the staff that Suffolk County Transit Operates a bus line along New York State Route 112.

It is the belief of the staff that by design, 100 percent rental and 100 percent affordable, the subject of special permit will have a lower single occupant motor vehicle demand than a typical suburban development and have high dependence on pedestrian, bicycle, mass transit or multi-modal options. This is substantiated by the U.S census analysis and for this reason and locational parameters, proximity to a Main Street Business District, downtown or hamlet centers are a significant element in the consideration of that request.

Section 4.8.B in terms of the environment and in terms of the application is not foul of any significant constraints. It should be noted that the applicants are proposing a pump station estimated of 22,980 gallons of waste water
to off-site treatment plant, which tentatively has been identified. The closest identified would be associated with Woodhaven Nursing Home to the north or Sterling Woods Condominiums to the south or the newly being developed commercial park to the west.

It is premature at this time to be able to determine how to comply with the goals of the special ground water protection area which indicates that sewage water treatment should be regionalized or discharged out of the special groundwater protection areas. The issue of the viability of the connection to existing STP's in the area is the jurisdiction of of the Suffolk County Department of Health Services, the Suffolk County Department of Public Works and the Suffolk County Sewer Agency. Staff believes the applicant should be in contact with these agencies as soon as possible.

Section 4.9.A&B with regard to
universal design principles and utilize green infrastructure: There is no indication in the referral that the applicants have given consideration with respect to the universal design. Staff is also recommending that applicant take a look at managing stormwater-natural vegetation and green methodologies and study of man-made ponds in Suffolk County, New York.

Staff is recommending disapproval with the reason that the proposed special permit use contradicts Suffolk County Planning Commission Guidelines as follows: Section 4.2.A, which regards to promote sustainable land use by encouraging density, transit, and mixed uses in downtowns, in hamlet centers and areas with adequate infrastructure.

The second reason for disapproval is that it contradicts Section 4.2.B of the specific land use policies which increases to the density should be tied to the purchase and/or transfer of development
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rights or to a one-for-one density offset through upzoning of vacant privately owned land. The application makes no increase in density.

The third policy the application contradicts is regarding public safety.

Apart from the proposed special action, that would improve and occupy a vacant and abandoned land use of public safety in relation to commission guidelines.

And lastly, Section 4.9A&B, there is no discussion material on universal design. Staff, therefore, is recommending there are four reasons that contradict the Planning Commission Guidelines.

CHAIRMAN CALONE: Thank you.

Commissioner Kelly.

MR. KELLY: Well, I'd like to applaud the Town of Brookhaven supervisor and the Planning Commission on this Blight-To-Light initiative. I think Blight-To-Light is an innovative and progressive tool used to expedite parcels
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throughout the Town of Brookhaven. I believe we recommended approval value for that legislation some time last year. And in regards to this applicant, in particular, it looks like this application provides to the town much needed rental units and this application goes above and beyond providing rental units because a lot of those units are the much needed affordable units. We have an application that provides rental units all in the same application.

The fact that it is a redevelopment is something that is also a benefit to the town in that it will clean up a blight as well as increase the taxpayers of the town.

I believe the sewer treatment plan connection is very much positive, as well as the fact that the application would be a LEED certified development, which is, again, a benefit to the environment.

Those are my comments. I would make a motion -- after the dialogue and
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discussion, I would make a motion to
approve this application.

CHAIRMAN CALONE: We'll hold off
on that and have some discussion.

Secretary Esposito?

MS. ESPOSITO: It's a little
confusing on page 6. A couple of the
different STP's are identified, but then
it also says that it's unclear if those
STP's will be discharging into the SGPA or
the hydrologically Zone 3.

Can you just elaborate for me the ones
that have been tentatively identified is
discharged point into hydrologically Zone
3 or SGPA or do we know that?

MR. FRELENG: We don't know that.

Presumably there are one of them
discharging.

MS. ESPOSITO: Some of them, but I
don't know all.

MR. KELLY: They are both现存的.

MS. ESPOSITO: I understand they
are existing, yes. That's it. Thank
CHAIRMAN CALONE: Director Deputy Gulizio has a quick comment.

MR. GULIZIO: One of the conversations of the staff has not been discussed today as far as today the actual ordinance Blight-To-Light Code, which Commissioner Finn stated during the meeting out at Shelter Island, I believe. One aspect of the code requires in order for a property to be considered pursuant to the Blight-To-Light program one of two actions must take place. First, specifically the property must either be identified blighted pursuant to adopted plan, hamlet plan, corridor plan, or comprehensive plan, or the property must be designated by the Town Board pursuant to resolution. One of the concerns staff had in connection with this application is that neither of those actions has, in fact, taken place.

CHAIRMAN CALONE: How is the law set up to do that?
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MR. GULIZIO: It would be pursuant
to reviewing of the code that that action
either on the part of the Town or would be
pursuant to the plan would take place
prior to the Planning Board considering
the application.

CHAIRMAN CALONE: Commissioner
Casey.

MS. CASEY: The consideration for
the application if we do decide to do
that, they would need to do that.

CHAIRMAN CALONE: Sure. We can
condition anything, if the board so
desires.

MR. FRELENG: Mr. Chairman, just
to follow up on Deputy Gulizio's
comments. We had several discussions with
Town of the Brookhaven regarding their
interpretation of their law. We
interpreted differently than they
interpreted it, but they come under the
section which allows random sites to come
in, however, we don't interpret it the
same way. However, Brookhaven has
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interpreted the ordinance, the process and
pursuant to that Section 8549C3 allows
properties included through a special
permit application and ranking of the
score card, which as staff indicated,
staff of the Town of Brookhaven and
applicant are outside of the rank of this
property.

CHAIRMAN CALONE: The question
is: Do either of one of the ranks have
some score they need to get to meet the
standard in order to get to the corridor?

MR. FRELENG: That is correct.

They need to meet a certain score in order
to meet under the initiative. Also, the
Town of Brookhaven maintains 89 zoning map
lists five criteria for density on zoning,
go from very low to low one, acre or less
to high density to plan development. With
the understanding of staff's
interpretation there certainly is a high
density designated parcel on the zoning
map.

CHAIRMAN CALONE: On the zoning
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map it doesn't indicate it's high density?

MR. FRELENG: Again, there's very low density, low density, one acre or less, high density and planned development. This property is mapped as one acre or less and it is not a high density or plan development.

CHAIRMAN CALONE: That does not mean one acre or less. It means one acre or more.

MR. FRELENG: We can interpret what it is not as high density.

CHAIRMAN CALONE: Director Lansdale.

MS. LANSDALE: I just wanted to add and follow up on comments and discuss about how this project fits in the Blight-To-Light Code. Discussions Town of Brookhaven they have acknowledged will be updating their Blight-To-Light initiative so that it becomes clearer in the future, the projects, how random projects without the blight designation.
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MR. FRELENG: The subject application is the property outlined in red.

CHAIRMAN CALONE: On the corner there, the triangle.

MR. FRELENG: That's the application of Sterling Woods. This is a 61-unit project on 13.8 acres. The density on this project is 4.4 acres. The subject application is outlined in red and just to the south is the application theatre development. The Town of Brookhaven will determine if it's blighted.

CHAIRMAN CALONE: There has to be some definition. I think it's pretty clear it's an unused car dealership in terms of the fact they haven't been using it for anything.

Let me make one statement. These car dealerships are going to be coming back to us time and time again. The car industry was hit hard within the past couple of years. In Suffolk County a
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bunch have been closed. We have been getting a lot of these things. This is an important issue for this Commission, but also for our County with regard to how to deal with these paved over, unused and as they are now unusable property. Something needs to be done with them. The question is what, but to leave it like it is. Obviously no one wants that. My personal opinion, they clearly could be blighted because it isn't usable the way it is in we have lots of these around the county.

MR. FRELENG: Mr. Chairman, the subject property is Zone J2 business. There are almost two dozen as of right uses for the subject property, there's a commercial center, health club, schools, offices, pharmacies, some undertaken pharmacies, so it's not like they're not permitted uses on the subject property.

CHAIRMAN CALONE: Commissioner Kelly.

MR. KELLY: How long has the property been vacant?
MR. FRELENG: The Commission has no knowledge of the fact find of the endeavor plan.

MR. SCHOOLMAN: I think it's four years.

CHAIRMAN CALONE: It might be closer to three. I drive by there all the time. Several years, Mike.

MR. KELLY: Thank you.

CHAIRMAN CALONE: Commissioner Finn.

MR. FINN: I want to follow up on what Commissioner Esposito said about the loading on this site. One of the things from the Commissioner we've identified I think is to encourage parcels to connect to existing sewer treatment plants wherever possible so we don't have sites that maintain their individual cesspool's septic on site. Clearly, the one point this applicant addresses is discharging theirs to a different site will be treated as a plus for this location.

MS. ESPOSITO: You're half
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correct. Yes, it is true we do agree that treated sewer and sewer treatment plants are more advantageous than two septic systems. However, if you read the Suffolk County Special Ground Protection Area Plan, it is very, very clear that adding even treated sewerage load to special low hydrologic areas, zone 3 is a designation of the overall drinking water supply for Long Island, and in the case Suffolk and it is strongly advised not to do that. So part of the goals of this Commission is to attain the goals of SPGA plan, not a force of law. So that is true. That's why most towns ignore it with the exception of Oyster Bay. So, you know, we have to take that to the next level. It's not cross poles but how do we deal with it on a hydraulic basis.

CHAIRMAN CALONE: Commissioner Finn.

MR. FINN: That's well said. In the Suffolk County Comprehensive Plan and there is a graph on
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Page ES-7.

CHAIRMAN CALONE: Commission Comprehensive Plan?

MR. FINN: Yes, Suffolk County Commission Comprehensive Plan 2035 Executive Summary on Page E8-7 is a graph. To me this graph is alarming and that graph says a story that we're hearing time and time again on this island about how we're not catering to our young people and we're catering to affordability. So just wondering, as a commission member, when we as a Commission and as a County sound the alarm?

Just a little background note is I gave a presentation to the Smithtown School District this past week about housing with housing of students they're expecting a 15 percent rate decrease in school-aged children, kindergarten to fifth grade the next five years. Moreover, currently there is 70 percent of households in Town of Smithtown do not currently have a school-aged children
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residing at residences. These are
statistics and we have to do something
about that. Not to say this particular
application here.

CHAIRMAN CALONE: Thank you.

Director Lansdale.

MS. LANSDALE: Because it is very
easy to misinterpret on that graph, I want
to point out a clarification, that what
you're seeing in that demographic
information is that the age group that
many people talking about leaving Long
Island is actually smaller demographically
than other age groups. During the fifties
and sixties, Suffolk County's population
tripled in size and what you see is the
birthrate in the seventies was lower,
hence, you have a smaller demographic of
children in that group. What you see in
that graph, as the children age that were
born in the late sixties, early seventies,
what you see is that smaller age group
moving through different age corridors.
So that's part of what that graph is
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explaining, and I'll go into further
details about that on Monday. I would
like to talk to you more about it
offline.

CHAIRMAN CALONE: Commissioner
McAdam.

MR. McADAM: Could you tell me
about the sewer district? Is it a private
district? Is it a county district? Do
you know anything about that capacity?

MR. FRELENG: We have no
information in the referral package where
they were connecting or capacity, only a
general indication that they tend to
connect to the existing sewage treatment
plant.

CHAIRMAN CALONE: Commissioner
Kelly.

MR. KELLY: I am familiar with the
Sterling Woods, also there's a nursing
home in close proximity as well above, all
private plants. And in advancement of the
application, such as the subject
application, would require Health
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Department approval for connection to that plant and would have to meet whatever regulations the department has.

Andy, in your commentary you had mentioned that the code -- I don't know if it was 96 plan or the more recent family code in Brookhaven, recommended high density housing on major thoroughfares?

MR. FRELENG: That's correct.

There was a general recommendation for that.

MR. KELLY: Thank you.

CHAIRMAN CALONE: Commissioner Esposito.

MS. ESPOSITO: I want to make one general comment to my good friend Commissioner Finn. I read other county plans, also, I feel alarmed about, you know, again the Suffolk County Drinking Water Comprehensive Plan which illustrates even under Health Department approval for all treatment facilities and cross polls, we are still seeing, what I would characterize as dramatic degradation of
quality and quantity of drinking water. So I agree that we need to keep young people and do affordable housing. What I'm asking is that we do it in a way that allows the ability of drinking water supply that carries to the future because if we don't have an adequate clean, safe drinking water supply, then we haven't really done them justice and we haven't really started our function in managing our resources in a holistic manner and achieve the goals as well as, you know, a healthy and safe environment.

CHAIRMAN CALONE: Do you think this project doesn't protect fairly the ground water?

MS. ESPOSITO: We know it's a hydrologically Zone 3 SGPA. We know those areas are more sensitive drinking water than other areas. Hydrologically Zone 3 is probably the most important zone on all of Long Island. We need to keep that in mind and move forward. It's not one project. It's the mere fact of all of these types
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of projects adding up to that. I know
that is a bigger question than what we
have before us, but that's the issue.

CHAIRMAN CALONE: It's the same
issue with the Pine Barrens. We can look
at one project and say there's Pine Barren
credits on that. It's a nice project. We
like this project. At the same time you
can say that for every project and all of
a sudden you have a real problem. I think
your points are well taken.

I'd like to entertain a motion that
the application to be approved. Motion to
approve? Second by Commissioner McAdam
all in favor of adopting resolution for
approval of the project, please raise your
hand.

Move on to the next item, Lowe's Home
Centers, Inc. Town of Smithtown.

MR. FRELENG: Lowe's application
located on the west side of Crooked Hill
Road and north side of Long Island
Expressway Service Road south of Henry
Street in the hamlet of Commack,
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jurisdiction is adjacent to County Road 13 and County Road 4 and Expressway 495, 500 feet of the county line of the Town of Huntington and Islip.

Regional significance of the proposal of the development proposes over 100,000 square feet and the staff was provided with affidavits and certificates of certified mailing of the public note of today's meeting to owners/occupants of the property of 1,000 feet of the subject property. The main parcel is 19.77 acres and the corner property has .26 acre.

The applicant seeks Zoning Board of Appeals approval in order to construct a free-standing Lowe's Retail Store having a total of 187,925 square feet, which includes both the building of 149,667 square feet.

The proposal requires a special exception, several variances and relief by the Zoning Board of Appeals.

Special Exception Variance would permit the sale and exchange of propane;
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that is, 20 gallons barbecue type propane
tank cylinders. The applicant may request
a variance to increase the maximum on site
propane of 200 gallons to 400 gallons.

Also, there is a parking variance in
question. The proposal in accordance with
the town code is classified as a Community
Shopping Center and defined in that code
requires one parking stall for 125 square
feet for overall store area. The
application requires 1,504 parking stalls
plus two for proposed propane exchange for
a total of 1,506 parking stalls. The
applicant proposes the physical
construction of 517 parking stalls and
land-bank 493 parking stalls for a total
of 1,010 parking stalls on site
Accordingly, the applicant seeks a 496
stall parking variance or 33 percent
reduction which may be considered
significant. No marking site has been
provided show that the on site parking
would be adequate.

Another variance is height variance:
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Permission to increase the maximum building height from 35 feet to 52 feet.

There's several sign permits, one being off site sign permit for the corner of Commack Road and Henry Street to increase the maximum number of ground signs to increase the quake foot of the wall sign and then to add six wall signs.

That staff analysis as follows regarding general municipal laws, Section 239-L authorizes the Suffolk County Planning Commission to consider inter-community and countywide issues. Staff reviewed the application as generally compatible with existing community character.

And with regard to the local Comprehensive Planning of the Town of Smithtown, which was last adopted in 1957 and they currently do have in-house updates underway, the staff proposed that the Lowe's Home Center would be considered consistent with the goals of the plan. The proposal will improve the local
Regarding Suffolk County Planning Commission Guidelines, four of the five general critical countywide priorities being addressed in the application with the exception of the housing diversity.

Of have commission guidelines to Section 4.2(B) of the guidelines relate to specific land use policies, promoting redevelopment and infill development as an alternative to continued sprawl.

Section 4.5(B) of the SCPC Guidelines relates to the specific public safety policies specific, incorporate design traffic, increase public safety regarding the plan. There is an existing access point which a proposal calls for moving over to here, which will be opposite the existing ingress/egress from the Costco property and they will install a traffic light.

The staff will propose a development improvement of local roadway regarding Section 4.7(A) of the guidelines regarding
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general transportation policy goals. The
site of the houses and shopping by the
nature of its location which is Suffolk
County Transit Bus Route 41 and also close
proximity east and westbound exit of Long
Island Expressway.

Section 4.7(B) of the SCPC Guidelines
relates to the specific transportation
policy of access management standards.
It's the belief by staff by relocating the
one ingress along Crooked Hill Road,
opposite I think egress of the Costco
sight, possibly installing a traffic
signal light there will address that
concern. And also the application calls
for relocating an ingress/egress adjacent
to the gas station. There's a drive right
here I will show you on the onsite photos,
that's going to be moved westbound along
the service road which will alleviate
conflicts along that section of the
roadway. Therefore, to eliminate
conflicts and eliminate on those
neighbors' properties as well as the
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Suffolk property.

Section 4.8(A), general environment policy goals resources. Based on the referral material conception site plan, it will consume less land.

Section 4.9(B) of the guidelines relates to specific design policy to utilize green infrastructure.

Section 4.10(A) of the guidelines relates to general cooperation policy goal. The County recognizes the importance and need for cooperation and coordination between County agencies, local municipalities and neighboring jurisdictions.

The staff has influence of the 1,000 foot law and the Suffolk County guidelines has notified the neighboring municipalities, Town of Huntington and Town of Smithtown and also occupants/owners of properties within 1,000 feet of today's public meeting.

The County has received correspondences; one yesterday from the
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Town of Huntington and the Town of Smithtown required the applicant to provide a traffic study regarding the Lowe's application. Today the Town of Islip also repeated that request of a traffic study be requested that the Town Planning Commission be aware of the substantial potential development across the street from the LIE, Muttontown Square.

Staff analysis recommendation of approval with the following modifications: One, the building shall be reduced in size to be in accordance with the on site parking requirements of Town of Smithtown's Zoning Code or the applicant shall be directed to provide a Comprehensive Parking Analysis to determine that the proposed number of on site parking stalls, both improved and land-banked, would be adequate to accommodate all future parking demands.

Modification 2, the applicant shall meet the Suffolk County Planning
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Commission Guidelines relating to Energy Efficiency.

Modification 3, the applicant shall meet the Suffolk County Planning Commission Guidelines relating to Public Safety.

Modification 4, the applicant shall incorporate elements of the Suffolk County Planning Commission publication on Managing Storm Water Natural vegetation and Green Methodologies.

It is noted that there are two areas containing a significant number of land-banked parking stalls that are designated as landscaped areas to be used for storm water infiltration purposes, but then it requires the conversion of the land-banked parking stalls should be a component of the proposed Lowe's storm water management plan.

This is the existing point of access that is going to be moved westbound farther away from the point of access gas station. This is the north service road
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looking west, the multiplex. This is the parking field in front of the Commack Multiplex looking west. This is that same parking field looking here. This area here would be converted back to a landscape area. This is a rear parking area that's also designated for parking, land-banked parking, which would be landscaped. This is the same parking field looking south. This along here is land-banked and this area is land-banked. This is Henry Street looking east. This traffic light is Crooked Hill Road and Henry Street. This is the aerial of the parking field land-banked area. This is the proposed ingress/egress that's supposed to be moved southward. This is that egress along Crooked Hill Road. If you move down, opposite this point of egress from the property, this is SPB property onto the site proposal of the traffic light. This is looking northbound. That's the presentation staff report.
CHAIRMAN CALONE: Thank you. A couple of things. First of all, this is a note for staff. This is FYI for future purposes when listing planning guidelines, there really should be six. It's my fault because one time in a letter I combined them into five -- environmental and energy efficiency. And we should split them out for future letters to talk about this. I think it was in the preface of something, and somehow -- again, it is my fault, but it really should be separate. We don't want energy efficiency environment protection in some ways related to switch together. Just to clarify that.

Secondly, at the beginning of the staff analysis it says where in the New York State General Municipal Law, the Commission gets authority to enforce jurisdiction. There's been some questions in the last couple of months what the Commission's jurisdiction is. I never know off the top of my head what section. This is all the Commission members. The
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folks asked what the Commission
jurisdiction is they're supposed to be
looking at, you can direct them to GML
Section 239-L. Now, this is a little
summary, but it does use this phrase I
remember, "consider inter-community and
countywide issues." You need to focus on
the bigger picture issue like the one we
just talked about in the last application,
Affordable Housing and Redevelopment and
inground water protection. All completely
valid issues. All issues where regional
thought needs to be conveyed to the
municipality decision. That's the role of
the Planning Commission. If folks ask you
about what's the jurisdiction, Section
239-L, again, summarized there in the
middle of page 2.

Now, with regard to this specific
application, the Smithtown Project, I'd
like -- I want to just mention one thing,
we have a few conditions in here that we
don't typically have. The word being used
is modification. It's actually the right
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word under the law. The law calls them modifications. They're substantively the same I think. I think the Department uses the correct word under the law. I think that's appropriate. We'll try to remember to call them modifications.

Number 3 here, the public safety guidelines were never meant to be a condition because they're sort of principals and it would be hard for an applicant to meet all of them; some of them would be divergent, quite frankly, but the idea is to bring up to the applicant those principals so they're aware of the general considerations. The same is for energy efficiency standards. We do have some numbers in there. Those numbers are several years old. The state law has actually sort of passed them by a little bit. I would caution us against or staying to meet our guidelines on energy efficiency and public safety in particular. I think consulting is a valid raising of that issue of exactly what we
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should be doing in observing the

guidelines. Maybe if we get them updated,
maybe at some point we can have that as a
condition and modification. It is not in
that state now. Just to be clear, public
safety was never really intended a
modification. It should be sort of a
comment or soft condition -- consult --
because it's meant to raise the issues to
the eyes of the applicant.

What is more important of in terms of
public safety of the work we're doing now
is reaching out to downtown villages and
have them actually incorporate design
standards correctly.

Lastly, I will refer to storm water to
shall incorporate elements, I don't know,
Secretary Esposito can chime in on this.
The publication doesn't have specific
things. It has examples of things you can
do and should do. And, again, our
condition or modification should, they
should consult it and try to incorporate
it, we want them to be thinking about
this. I just urge not to use that language. That's all. Just for future reference for the staff.

MS. LANSDALE: I wanted to see if you'd like us, from a staff perspective, to elaborate further on the modification and the comments versus condition versus modification for the Commission.

CHAIRMAN CALONE: Is there something you would like to share? You can do it now or later.

MS. LANSDALE: It's your pleasure.

CHAIRMAN CALONE: If there is something quick, you can do it.

MS. LANSDALE: I am looking at Daniel or Thomas, Tom Young, to see if they'd like to add anything at this point.

MS. WEIR: Can I just ask a question then?

CHAIRMAN CALONE: Let me just say that I don't want to hang up too long on this. I have an airplane to catch. If there is something with regard to this
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application, if not then we can postpone it after we discuss this application.

Diana, you have a question?

MS. WEIR: The modification is now a condition that's interchangeable is what I'm asking. That's all.

MR. YOUNG: The correct term is modification. Cases have held that to be the same as saying the condition, but the proper term in the statute is modification.

MS. WEIR: Just to be clear, it's still a condition now called modification?

CHAIRMAN CALONE: All right. If you don't mind, if we postpone any further conversation about that until after we get through this in case folks leave and I have limited time myself.

Before we go to John, one other thing I want everybody to know is we have the packet letter of the Town of Huntington expressing some concerns, and Ted, you said this was Islip also, expressing
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Concerns. I assume they're somewhat similar. We have the author right here. He'll sign copies for you after.

Commissioner Finn, if you want to start off.

MR. FINN: I'm excited to see another applicant in the Town of Smithtown. We've been pretty quiet, a town of 100,000 people very few give very limited opportunity to review any applicants for the Town of Smithtown.

This applicant, this location has seen a kind of a -- over the years has intended uses and through market conditions, it kind of went and failed, and then have been redeveloped. It's an ongoing area that's on a major thoroughfare there, the Long Island Expressway and the Sagtikos to the north/south parkway. Lowe's coming into this site -- we have another site that's on the eastern boundary of the town, however, it's not in the town. It's in the Town of Brookhaven. They took over a vacant KMart site, which, you know, as a
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Smithtown resident, I enjoy that location. It did take some considerable amount of time for a boarded up KMart to turn into a Lowe's site. This site being now a vacant movie theatre site. Just immediately to the east is, I believe, a new shop right there.

CHAIRMAN CALONE: Costco is on the corner.

MR. FINN: In particular, there's a Kitchen Expo right there. I've visited the Expo site frequently and it has been vacant and redeveloped as a Shop Rite. Just immediately to the south of this parcel is a redevelopment site off Crooked Hill Road that encompassed a WalMart, I believe a Home Depot, if I'm not mistaken, which used to be what is being proposed on this movie theatre site. We see in the area that I believe is pretty evident is a sea of asphalt here obviously through to conduct and vacant asphalt. Unfortunately that's a theme throughout Long Island, but that's another story. We have a sea of
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asphalt and that would require for the vacant movie theatre.

The applicant I think is intending to, by your description, Ted, is to kind of clean up some of the access points to this site. And as a commercial developer myself, I like to see landscaped areas and more green on a site plan and they're going to be converting a lot of this asphalt into some parking. From a regional standpoint and commission's input, I don't think as personally counting parking spaces, as far as, you know, dictating size of the building at this level. I don't think that's a regional component for what this Commission should be instructed to give their input. I think the vacancy and the economic development, those were some of the principles that were highlighted. I don't see in your comments, Ted, but obviously the job creation, the tax-based increase, and the point noted on the 20-acre site and looking at the Home Depot
behind is on a much smaller site. My recommendation would be the approval and eliminate the first modification of reducing the size of the building and have that be more of a town issue. Obviously, the Commissioner already pointed out some of the other conditions or modifications that are more general in nature and it would be hard for an applicant to pinpoint and see to its successful compliance to these issues. So we may want to change that language from shall meet to considering or some of the other past language that we've used for the Commission.

CHAIRMAN CALONE: Which one are you talking about?

MR. FINN: Two, three and four.

MR. KLEIN: On modification number one, we would like to delete the first half of this statement or the whole thing?

CHAIRMAN CALONE: There is no proposal.
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MS. ESPOSITO: He just made one.

MR. FINN: My comment was the discussion would be that we shouldn't recommend the reduction of the size of the building, and, again, counting parking spots, I don't think this is something regional. I think that is more of a site plan specific matter that's to be considered under this standpoint.

CHAIRMAN CALONE: There is no formal proposal. I understand your perspective. There is no motion here. Let's just have a conversation about that. Does the staff want to respond in any way to that?

MR. FRELENG: The only comment that staff would have is the insufficient parking could result in overflow to the counting right-of-way or the state right-of-way. That's a criteria and that's why we do count parking. Jurisdiction to the Commission is, you know, adequate flow of traffic on county
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and state right-of-ways. That is the indicator. Do you have a shortfalling or required parking overflowing also indicates over possible intensification. That is generally why we count parking spaces.

MR. KLEIN: Regarding the Town classification and it's quite old, goes back to 1960, based on the definition based on the size of property, it's 20 acres. It's a proposal of 100,000 square feet. It meets certain classifications within the shopping center. It could be classified as a community shopping center. That's how they set their parking requirements, so it's that code that was written in the sixties we're still going by. We have surveyed the area. It is a sea of asphalt. The town has acknowledged the code is old, the parking restrictions are old.

CHAIRMAN CALONE: When you say, that, you mean they ask too much or the requirement is overgenerous?
MR. KLEIN: Asphalt on site, they are aware of that.

CHAIRMAN CALONE: So it seems to me when you put there in the second piece, kind of adds the flexibility that might be -- which I think makes sense -- which is if that code doesn't make sense or doesn't make any sense on the property, just do a parking analysis and show you don't need that many.

MR. KLEIN: That's nationwide, these kind of uses. They all have parking variances.

CHAIRMAN CALONE: I have no doubt that Lowe's is capable of doing that. I think your modification by putting in or down there I think makes a lot of sense in that. Abide by the parking or if the town and you guys seem to think it doesn't make sense, do a little study and figure then what makes sense. As John said, keep green as much as you can. What Andy said is right. The bottom line, this is on several county, you know, jurisdictional
roads and I think has the implication that we want to make sure there is enough parking so it doesn't cause problems spilling out in the roads. One of the jurisdictional items is keep an eye on that issue. That's why over the years, we always sort of kept a vague eye on that. We don't get number by number by making sure they are sufficient.

CHAIRMAN CALONE: Commissioner Kelly.

MR. KELLY: The land-banked parking and the landscaped stalls, if those were in the parking, would the applicant meet the local code?

MR. SCHOOLMAN: Not the Town of Smithtown Code. It would meet -- if you remember we had a Lowe's in the Town of Huntington a few months ago ago -- it will meet their code. So to answer your question, no, it wouldn't meet the county code.

MR. KELLY: What's the size of the existing --
Chairman Calone: Let's take a quick break.

(Whereupon, a short recess was taken.)

Chairman Calone: Go ahead, Mike.

Mr. Kelly: Just on the square footage to the existing cinema in comparison of the footage --

Mr. Klein: I don't know what the square footage is of the multiplex. I know what the square footage of the parking requirements are for the multiplex. The 38,000 square feet garden center, is that roofed over or is that an open area? I can't say for certainty what it is, but it is within the Department's regulations.

Chairman Calone: Commissioner Schoolman.

Mr. Schoolman: I want to comment that I would be in favor of the proposal. I would personally like to see the modifications or conditions, whatever we're calling it, be converted to comments, because I think a condition has
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to be very specific and understandable and
not something that is vague. All of these
are too vague for me. That's just my
comments.

CHAIRMAN CALONE: Certainly the
wording is a question. What do you mean
by "vague?" The question from a legal
perspective for myself is sort of too
vague if you don't know whether you have
accomplished the condition or the
modification.

MR. SCHOOLMAN: Just take number
three, you pointed to that earlier. I
mean, you know, you can get a pass or fail
from 1,000 different people with different
answers. What does that mean, the
guidelines relating to the public safety?

CHAIRMAN CALONE: We have specific
guidelines that we provide.

MR. SCHOOLMAN: Are they very
specific that --

CHAIRMAN CALONE: They are two
pages long, the guidelines relating to
public safety, and we send them with
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referral.

MS. LANSDALE: I will be more than
happy to send those to you.

CHAIRMAN CALONE: Your point is
well taken from the perspective. We have
public safety guidelines that are 23 pages
long, and then the guidebook itself --
excuse me, the managing itself of the book
we put out. I think what's important here
from the perspective of making these
conditions is we call them consultant. It
is a wording we use of know whether you
actually look at them or not, have you
consulted them.

MR. SCHOOLMAN: I guess my
interpretation was making it into a
comment that you have to do it, but I
couldn't want to kill or see something
ekilled for that modification.

CHAIRMAN CALONE: Two points on
that. I think it's a good point. One, we
can't presume kill or not kill. However,
we certainly know how strong our
conditions are by how we word them. If we
meet the guidelines, that is a very
different thing than saying "consult the
guidelines." And I think the tradition of
the Commission is sort of on some of these
is say "consult the guidelines." Are we
aware of these issues? Are there a strong
order of options? It's very difficult for
us to say you have to meet them because
they are principals -- they're ideas.
They may or may not work on any particular
project. That's why I think consult those
guidelines and are very specific and staff
that with the letter.

CHAIRMAN CALONE: Thank you for
raising that issue, Bill. I think that's
a good one.

Commissioner Casey?

MS. WEIR: Do you take into
consideration or do planning guidelines
take into consideration the usage of the
property, because as a movie theatre, they
are only usually used in the evenings and
during the day for the matinees? You have
a shopping center, an active shopping
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center, people are going to be in and out all day because they are open 9:00 to 10:00. How does that work? You know, in a move theater all the parking spots are used at the same time. It's just a question in general on any case.

MR. GULIZIO: Different uses has different parking requirements.

MS. WIER: Okay. I just wanted to make sure of that.

CHAIRMAN CALONE: Commissioner Casey.

MS. CASEY: With respect to traffic analysis, I think that is very important and I refer to the letter of Town of Islip and the Town of Huntington. There is a lot of commercial activity in the area. There's a Costco across the street as well as others. I think it is very important that we incorporate the traffic analysis in any recommendation that we mention.

Also, with respect to the stormwater, having attended that seminar, I think it's
very important that they consult and maybe incorporate those elements into now asphalt which is was more than new than in the future.

CHAIRMAN CALONE: Commissioner Finn.

MR. FINN: One point I know we have the issue of park land which has been kicked around and we the Town of Islip director here. When we look at this application, according to what counsel instructed us several times, we have to look at what this means for this applicant, not what is a pending development in the future or what that applicant would look like. I just wanted to reiterate that point.

MR. YOUNG: We are basing it on the referral that was sent to us. The referral is what was presented to the Planning Department and what they're reporting to us. That is the total of any personal knowledge of the individual. There should not be any other
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documentation or anything, just the referral.

CHAIRMAN CALONE: The fact is, we can't erase it from your mind. It is what it is. When the analysis is done, particularly traffic, because it's an accumulative kind of thing, you know, the traffic is kind of coming down the line. That's a different analysis. All we can say is you should do a traffic analysis. That's our recommendation.

MS. CASEY: Any traffic analysis is important because the theatre will use it more in the evening, and Lowe's will use it during the daytime. There is always a lot of daytime traffic for other stores and shopping centers around there.

MR. FINN: An applicant of this nature, wouldn't it be safe to make the assumption that they've done their traffic study?

MR. FRELENG: We can't presume that. It may be logical to think that, but they didn't refer it to us.
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MR. FINN: Your conversation with the town, did you ask them about the traffic impact analysis or any traffic information on the project given this size, given this location and given all the things we know as Commission? Did you ask the applicant to provide traffic impact analysis?

MR. KLEIN: I did not supply that to the town as of yet. They did not provide a traffic impact study. The town does not intend for them to require to.

CHAIRMAN CALONE: Other townships are asking that.

MR. KLEIN: The question that is going to go in the modification.

CHAIRMAN CALONE: John, the question is, did it come up? The answer is no, it has not come up. That's a fair question.

Were there any objections to editing the conditions two, three, and four with regard to the applicant shall consult rather than the applicant shall meet and
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the applicant shall incorporate? Is there any objection to that? I see none.

MS. ESPOSITO: This is not an objection, but it is a comment. At some point I think this commission should talk about how we do this a little bit better. We work very, very hard on the guidelines. The committee develops and crafts guidelines that we believe in and then we ask the Suffolk County Planning Department to assess each of these applications according to those guidelines. I think what we need to do is figure out how we can incorporate those guidelines and to get the actual guidelines implemented. On the first two segments of that and we need to do a third one. At some point we need to have a meaningful discussion of implementation of guidelines because I think they are very specific and I think there are a number or numerous portions of the different guidelines that can and should be implemented by the application. We should
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talk more about how that actually happens rather than suggesting to them that they read the work that's been done.

CHAIRMAN CALONE: Commissioner Holmes.

MS. HOLMES: We already have instituted the practice of sending the copy of the specific guideline. When we say we want them to consult the guideline, we include a copy of it so they you know --

MS. ESPOSITO: I don't want to discuss now. We send it to them, but I know I get a lot of mail I don't read, but not including anybody here.

CHAIRMAN CALONE: It's a fair point. The guidelines are written in several different ways. Public safety is a set of principles. It's something the town is working on something. Tom and Andy are working on actually changing that into a code townships could actually adopt. That would be ideal. Energy efficiency is actually a standard. Some
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towns adopted that and others haven't.
What do we do about that? Is that okay or is that something that we sort of wanted to impose? It's difficult when we stand at the end of the food chain to impose that.

We have a modification to those middle three terms and edits or changes to those three modifications. Without objection, the traffic study requested by Huntington and Islip.

Any other comments or questions or considerations.

MS. CASEY: The traffic study.

MR. FINN: We are going to eliminate the restriction of the size of the building?

CHAIRMAN CALONE: No. Sorry. You did mention that. I thought we were -- if you'd like to raise that as a suggestion, you can do that. We will take everyone's temperature on that.

MR. FINN: The point is if we're requesting the applicant to do a traffic
analysis and parking analysis, that should be determined after reviewing that it is in compliance. Obviously, the size issue will be encompassed in that.

CHAIRMAN CALONE: You would not reduce the size if the traffic analysis prevails.

Is that clear enough, the way it's written?

MS. HOLMES: It's an either/or.

CHAIRMAN CALONE: John, are you removing that suggestion or leaving that?

MR. FINN: Again, this applicant of this size with this applicant being Lowe's, I think it's quite clear on what they need from a parking requirement for their successful operation of their store. They wouldn't go in and buy this location and knock it down and redevelop it and under park their lot as a result of from their analysis. If we're going to require them to do a parking and traffic study and analysis, then I just have an issue to reduce the size of the building
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on twenty acres. That's my point.

MS. HOLMES: That's why we have either/or in here. The either need to reduce the size of the building or do a study or show why they don't need to reduce the size.

MS. ESPOSITO: I just want to comment on the issue that that has been the role of the commission for years for parking and traffic as part of the analysis of these projects. I'm a little curious as to why you're wondering about that.

MR. FINN: From my experience, going through the town process, all these questions have been asked and answered at the town level, whether there's a sidewalk, whethere there's an issue. Again, I don't think this Commission has done that in the past.

CHAIRMAN CALONE: I think there are things that we throw away and things that we focus on. Parking is one of those and traffic is one of those because of
where the location is, if it's on a major county road, our job is supposedly under the county, to protect the road. It's not the right word, but sort of keep an eye of the roads. When you have a situation where a township controls zoning on their property and burden the county, because it's a county road, that's the kind of thing. We can either do it or not.

Linda.

MS. HOLMES: John was raising an objection to requiring reducing the height barrier. But the people are -- the applicant is asking the increase in height variance from 35 to 52 feet. We're saying either lower the height or prove why you have adequate parking to take care of that increase in size. That's what we're saying.

MR. FINN: My point, Commissioner Holmes, is towards height not the size of the building. We are asking them to reduce the size of the building.

MS. HOLMES: Maybe we misused the
CHAIRMAN CALONE: Tom just wanted to make a very good point. He just said the state law requires to look at traffic. One of the ramifications of that of why it's a regional thing regional is because it can impede on county or state roads, which I think is why we tend to look at it.

MR. FINN: Again, I'm not saying not to look at traffic. I'm not saying not to look at the parking study. They are saying to reduce the size of the building to meet the parking requirement. What I'm saying is that if we're going to make a statement that has to do with parking study and traffic impact analysis, then so be it. And if they did not, if the parking is insufficient, then obviously reducing the sheer size of the building will be better parking.

CHAIRMAN CALONE: The option is reduce the building size or you get rid of the landbank?
MR. FINN: Yes.

CHAIRMAN CALONE: Your point is why dictate reducing the size when they can also reduce the land bank?

MR. KLEIN: There is a third option. It hasn't been mentioned.

CHAIRMAN CALONE: John, I'm going to brief this to try to summarize this a little bit. This is saying either reduce the size if you do a traffic study. The traffic study is, you know, if you have enough in the plan or don't have enough in the plan. If you don't have enough in the plan, there are several options to address that. One can be reduce the building size. One can be reducing the landbank.

MS. HOLMES: Exactly.

MR. GULIZIO: Just to clarify. There is landbank parking proposed on the site. There is parking proposed on the site. When you combined those two, there are 30 percent of parking. So improving all of the landbank parking doesn't
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eliminate the 30 percent of the parking
that is being sought. That's not a
solution to the problem recognized by the
staff.

MR. KLEIN: There are strict
requirements required. The one stall
12,500 square feet across the floor area
is excessive. For comparison, the Town of
Huntington, that is only required one 200
square feet.

MR. FINN: You bring up a point
about the Town of Smithtown's and its
comprehensive plan, because I happen to be
a resident of Town of the Smithtown.

CHAIRMAN CALONE: This doesn't
bother me that much. If you want to make
a motion to strike that first part of the
condition or modification, do it if you
will and we will vote on it.

MR. FINN: I think the mere fact
of having a number five that requiring the
town to do a parking analysis and impact
analysis, we should remove the part of the
building to reduce in size.
Chairman Calone: Your motion is to strike everything before the semicolon?

Mr. Finn: That would be correct.

Chairman Calone: That's the motion.

All in favor of stripping out the semicolon, please raise your hand? Five proposed, four. We don't need eight votes on an internal resolution. This is simply just amending what's going to be proposed. So the majority of the commission voted to take that out. Right? We don't need eight votes for the action. It's not to actually make the motion.

Mr. Young: I think that's still an action.

Chairman Calone: Tom, there hasn't been a motion made on the question in question, the item time in question, right?

Mr. Young: Right.

Chairman Calone: This is what's
the language of the motion, then you second, then you need your vote on it. Quite frankly, if you make a motion right now, as long as I recognize it and we would vote on it. This is sort of how to work together to figure out where people's heads are at. Tom.

Tom, to avoid that, why don't I just entertain a motion that doesn't include beginning and just do it straight up.

Make a motion with 1 through 5 with 2, 3 and 4 saying "consult" and without the condition one reading "The applicant should be directed to provide a parking analysis to determine the on sight parking stalls for approved improved landbank to be adequate for all parking demands." Can I make that motion?

MR. FINN: So moved.

CHAIRMAN CALONE: Second by Commissioner Kelly.

All in favor of adopting it is as proposed, please raise your hand. That should be eight. 8-0-1 the motion carries
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as proposed.

Thank you all. The meeting is

adjourned.

(Time noted: 3:20 p.m.)
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I, SUZANNE CATALANO, a Notary Public for and within the State of New York, do hereby certify that the above is a correct transcription of my stenographic notes.

SUZANNE CATALANO
I wish to make the following changes, for the following reasons:

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**Notes:**

- **C** indicates a capital letter.
- **C** stands for the letter 'C'.
- **C** is the 3rd letter of the alphabet.
- **C** is a common abbreviation for 'category'.
- **C** is used in various contexts including categories, certifications, and certification processes.
- **C** often represents a summary or additional material in some documents.
- **C** can denote a column or section in tables for specific data or information.
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