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SUFFOLK COUNTY PLANNING COMMISSION

Port Jefferson Village Hall

Port Jefferson, New York

November 2, 2011

12:00 p.m.

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MEMBERS PRESENT:

DAVID CALONE, Chairman
ADRIENNE ESPOSITO, Secretary,
CARL GABRIELSEN, Town of Riverhead
DIANA WEIR, Town of East Hampton
LINDA HOLMES, Shelter Island
JENNIFER CASEY, Town of Huntington
MICHAEL KELLY, Town of Brookhaven
JOHN FINN, Town of Smithtown
MATTHEW CHARTRAND, Town of Islip
BARBARA ROBERTS, Town of Southampton
GLYNIS BERRY, At-Large

THOMAS YOUNG, ESQ., County Attorney for Planning Department

SARAH LANSDALE, Planning Director DANIEL J. GULIZIO, Deputy Planning Director ANDREW FRELENG, Chief Planner THEODORE KLEIN, Planning



- 1 11/2/11 Suffolk Planning Commission
- 2 THE CHAIRMAN: Welcome to the
- 3 November 2, 2011 meeting of the Suffolk County
- 4 Planning Commission. I note that a quorum is
- 5 present and I ask Secretary Esposito to lead us
- 6 in the pledge.
- 7 (Recitation of the Pledge of
- 8 Allegiance.)
- 9 The first order of business is to
- 10 swear in a new member of the planning
- 11 commission. Glynis, if you would please stand.
- 12 (Commissioner Berry was duly sworn in
- 13 by the Chairman.)
- 14 THE CHAIRMAN: Thank you, welcome. I
- 15 would note that we have, actually, with the
- 16 county executive's nomination and the county
- 17 legislature's confirmation of Commissioner
- 18 Berry, we actually have a full membership of
- 19 the commission. (Applause)
- THE CHAIRMAN: It's good to have a
- 21 full cohort. First item on the agenda is the
- 22 adoption of the minutes for August, 2011.
- 23 Without objection, I would like to table those.
- 24 The Editor-in-Chief and I have been chatting.
- 25 COMMISSIONER HOLMES: I would like to



- 1 11/2/11 Suffolk Planning Commission
- 2 mention that Susan Catalano is the sloppiest
- 3 court reporter that Five Star ever sent to us,
- 4 and I hope they never send her again because
- 5 she doesn't proofread her minutes, and the
- 6 August minutes was rather brief as our meetings
- 7 go, and I found seventy-two errors, when they
- 8 finally sent us the last seventeen pages, which
- 9 they left off in the earlier draft. So, you
- 10 know, let's table them, if you want to.
- 11 THE CHAIRMAN: Without objection,
- 12 we will table the minutes for August. We have
- 13 some work to do on that. We have some work to
- 14 do on several of the minutes. I know the
- 15 county has been struggling with that issue, and
- 16 it's something we need to work on. I'd like to
- 17 get this resolved and caught up by the end of
- 18 the year, but we will see what we can do.
- The next item is the public portion.
- 20 I have one card, Mr. Guy Germano.
- 21 MR. GERMANO: I will reserve for
- 22 later.
- 23 COMMISSIONER ESPOSITO: There is no
- 24 later.
- 25 MR. GERMANO: That's fine.



- 1 11/2/11 Suffolk Planning Commission
- THE CHAIRMAN: Thanks for being here.
- 3 If there is anything that you would like to
- 4 say, now is the time. It's okay if you wish
- 5 not to. Any other public comment? If not,
- 6 we will close the public portion.
- 7 Couple of remarks from the Chair
- 8 report. First of all, welcome to Port
- 9 Jefferson. This is a particularly meaningful
- 10 location for me since I was born in the
- 11 hospital right out the window here, and had my
- 12 first job here and went to high school here,
- 13 and it's good to be back. Also, of course, we
- 14 welcome our newest member, Glynis Berry. I
- 15 know some of you had the chance to meet her and
- 16 she was confirmed by the legislature a few
- 17 weeks ago. She's an architect from East
- 18 Marion. We're excited to have her with us and
- 19 I hope you all get a chance to know her.
- I want to thank Mayor Garant for
- 21 hosting us here today. We look forward to
- 22 hearing from the mayor and I believe Legislator
- 23 Viloria-Fisher will be here as well.
- To bring you up-to-date on some of
- 25 the activities, the Comprehensive Plan, earlier



- 1 11/2/11 Suffolk Planning Commission
- 2 this year the Planning Commission, for the
- 3 first time in thirty years, voted to release
- 4 the draft of Volume 1A. We presented that
- 5 draft to the legislature a few weeks ago. Our
- 6 general time line is to work toward finishing
- 7 Volume 1B around the end of this year and move
- 8 to completing Volume 2 by the end of next year.
- 9 With regard to the task forces, our
- 10 solar permit streamlining effort is going well.
- 11 That was announced at a press conference
- 12 involving a number of elected officials in the
- 13 end of September. We have nine out of
- 14 Suffolk's ten towns actively pursuing it. A
- 15 few of them have adopted pieces of it as part
- 16 of their process, and we hope that they will
- 17 all adopt by the end of the year. The only one
- 18 we are working on is Shelter Island. I ask
- 19 Commissioner Holmes to give a call to
- 20 Supervisor Dougherty to touch base on that. I
- 21 know the LIPA folks reached out to him in the
- 22 last couple of days to make sure he knew about
- 23 the program.
- The State of New York is looking at
- 25 this as possibly a model roll-out through out



- 1 11/2/11 Suffolk Planning Commission
- 2 the state, assuming goes well in Suffolk
- 3 County. We are excited about that.
- 4 On the East End Wind Code, as I
- 5 updated you in the past. We had several
- 6 meetings now on drafting a model wind code for
- 7 the East End municipalities. The town board
- 8 members from several East End towns have been
- 9 working with us on it, particularly staff from
- 10 East and Southampton have been working
- 11 diligently. We are planning on having a final
- 12 meeting on November 14th at Southampton Town
- 13 Hall regarding the proposed code with the
- 14 elected officials to go through it one more
- 15 time, and my goal is to present it at the
- 16 December meeting of the East End Supervisors or
- 17 Mayors Association, and I particularly want to
- 18 thank Commissioners Holmes and Weir who have
- 19 been at some of the meetings and assisted with
- 20 that.
- 21 With regard to our Protect and Grow
- 22 effort, as you know, at our urging, the county
- 23 has identified local sources of sewer
- 24 financing. I see Legislator Viloria-Fisher is
- 25 here, and you know the legislature passed that



- 1 11/2/11 Suffolk Planning Commission
- 2 bill in August and now Director Lansdale is
- 3 heading the committee reviewing specific
- 4 criteria to make sure financing goes to areas
- 5 in the county where development is most needed
- 6 and corresponds with the Comprehensive Plan and
- 7 to projects that support the values that the
- 8 Planning Commission and others have identified
- 9 as important to Suffolk's future, like
- 10 workforce housing, transit-oriented design,
- 11 energy efficient buildings, public safety, etc.
- 12 So, we will get an update from Director
- 13 Lansdale in a few minutes.
- 14 With regard to SUPP, it continues to
- 15 make progress. I know the Village of Port
- 16 Jefferson had staff at several of the meetings,
- 17 as have a number of planning directors from
- 18 various towns, as well as elected officials.
- 19 That continues to progress. We have been
- 20 working on that for a year. It's slow and
- 21 steady progress. It took Silicon Valley, when
- 22 they tried to do it, five or six years. The
- 23 key is if the next county executive embraces
- 24 this as the current county executive has and
- 25 the next administration continues to move it



- 1 11/2/11 Suffolk Planning Commission
- 2 forward as we have in the last year.
- 3 Professional certification for
- 4 commercial interiors, our idea is to follow the
- 5 lead of New York City in eliminating the need
- 6 for building inspections for routine interior
- 7 commercial alterations. This effort has the
- 8 support of ABLI and other groups, and
- 9 Commissioners Finn and Casey have been working
- 10 on that. We have a draft plan by Farrell
- 11 Fritz. Brookhaven Town has indicated a
- 12 willingness to pilot the program, and we will
- 13 be meeting with them this afternoon to put
- 14 together the first steps. That is good news
- 15 for making that a reality.
- With regard to housing, we started
- 17 working, as you know, on the Suffolk County
- 18 Housing Summit, which we are planning to host
- 19 in early February. The Town Supervisors
- 20 Association and Village Officials Association
- 21 are going to co-host with the Planning
- 22 Commission. The Long Island Housing
- 23 Partnership, thanks to Commissioner Weir, is
- 24 going to be our nonprofit partner organizing
- 25 and coordinating the event, and the Long Island



- 1 11/2/11 Suffolk Planning Commission
- 2 Business Institute will be involved as well.
- 3 We have Commissioner Kontokosta, Commissioners
- 4 Weir, Casey, Kelly and Roberts who we are
- 5 counting on to lead this effort and put it
- 6 together. I'd like to grab a few minutes with
- 7 those members after this meeting to catch up on
- 8 some of the planning.
- 9 With the task forces, we have public
- 10 safety. As you know, we have a draft design
- 11 standards that Andy worked on as well as Tom
- 12 McAdam. The Town of Brookhaven indicated an
- interest in piloting those, and we will be
- 14 meeting with them later this afternoon to work
- on getting those into their code so new
- 16 developments and new projects are designed with
- 17 public safety in mind. Some of you have been
- 18 on more than a year, District Attorney Tom
- 19 Spota has been a supporter of that effort and
- 20 we hope with Brookhaven testing it out, we will
- 21 find out whether it works. It's working in
- 22 other places around the country and overseas
- 23 and it should happen here.
- 24 Congratulations to Andy and the whole
- 25 staff and everyone around the table for the



- 1 11/2/11 Suffolk Planning Commission
- 2 great Planning Federation event. We had over
- 3 two hundred people, our highest attendance
- 4 ever. Congratulations to the staff. We had
- 5 folks from Melville to Montauk and I know some
- 6 folks from Nassau as well. Elected officials,
- 7 zoning board and planning board folks and a lot
- 8 of you, so thank you for that.
- 9 Under the County Charter, at this
- 10 meeting the Planning Commission needs to name a
- 11 nominating and rules committee that will report
- 12 back to the commission at our January meeting
- on proposed officers for next year and bylaws
- 14 changes. I will discuss that more at the end
- of the meeting. We have the guidelines
- 16 committee that Director Lansdale will give us
- 17 an update. There have been some stakeholder
- 18 meetings on that as we look towards changing
- 19 and updating our guidelines going forward and
- 20 hopefully resolve those by the end of the year.
- 21 The Nassau County Planning Commission
- 22 requested to meet with us and to do a joint
- 23 meeting with us. The goal would be to get to
- 24 know each other better, and they were
- 25 interested in some of the projects we started



- 1 11/2/11 Suffolk Planning Commission
- 2 here. The solar code is a good example. We
- 3 started that. A number of towns and villages
- 4 in Nassau are also getting on that standard.
- 5 But there is more that we can do together,
- 6 particularly with the regional council having
- 7 funding problems and not really as involved in
- 8 the policy level as we are or having the
- 9 authority that we have. I hope by working with
- 10 the planning commission across our county line,
- 11 we can work on things with regional
- 12 consequence.
- We are looking for possibly doing
- 14 that in Hauppauge the morning of our January
- 15 meeting, which is the first Wednesday in
- 16 January from ten a.m. to eleven-thirty a.m. I
- 17 think they will come to us and we will do a
- 18 joint meeting for an hour and a half or so
- 19 before we have our regular meeting.
- 20 That's the update of the activities
- 21 of the Planning Commission. Any questions or
- 22 comments around the table? Seeing none,
- 23 we will move to the Director's report and then
- 24 to our quest speakers.
- 25 COMMISSIONER LANSDALE: Just a couple



- 1 11/2/11 Suffolk Planning Commission
- 2 of updates. I want to build on what Chairman
- 3 Calone spoke about with the Planning
- 4 Federation. It was our highest attended event.
- 5 I want to extend my thanks on behalf of the
- 6 entire Commission for Andy spearheading the
- 7 coordination. It's the first event that we
- 8 went paperless in our invites and our resource
- 9 packet, and it was well received by the members
- 10 who attended. We had a roundtable for the
- 11 first time ever with of all the planning
- 12 directors of the various towns. That was one
- of the more highly rated sections, along
- 14 with the sewer debate and waste water
- 15 restructure debate, which many of you
- 16 participated as panelists, thank you all for
- 17 participating in that, especially Adrienne and
- 18 John Finn and others.
- We, as you know, continue to work on
- 20 the SUPP, along with the Department of Economic
- 21 Development and Workforce Housing, and
- 22 internally at the Planning Department level we
- 23 are looking at putting our referrals that we
- 24 receive from the various towns and villages on
- 25 line as a first step in the SUPP process so



- 1 11/2/11 Suffolk Planning Commission
- 2 that folkSCan see the status of the referrals
- 3 on line at the department level.
- 4 We are continuing to work on our
- 5 update to the Planning Commission guidelines.
- 6 This Friday, we had an interesting conversation
- 7 around native vegetation, storm water runoff
- 8 and other key environmental issues, and one of
- 9 the things the Towns of Islip, Brookhaven,
- 10 Smithtown and Southampton and many stakeholders
- 11 who participated. This will be our third
- 12 meeting of the guidelines committee. We are
- 13 looking to wrap that up at the end of this
- 14 year, early next year.
- We are continuing to work on the
- 16 Comprehensive Plan at the staff level and
- 17 working diligently on a couple of chapters,
- 18 including energy, land use, housing and natural
- 19 resources and doing that with the assistance of
- 20 several interns. We have now have three
- 21 interns, Kate O'Hagan, Carla Miranda and
- 22 Melissa Preska who are working to help us with
- 23 the Comprehensive Plan update.
- In addition to the housing summit
- 25 that Chairman Calone talked about, we are also



- 1 11/2/11 Suffolk Planning Commission
- 2 planning a parking summit for the second half
- 3 of next year. We are working with one of the
- 4 interns to help put that together. We are
- 5 working with the sewer infrastructure
- 6 committee. We have a meeting. It's open to
- 7 the public, November 4th. I want to thank
- 8 Glynis and Adrienne for sitting in on the
- 9 meetings. I will make sure --
- 10 THE CHAIRMAN: Where is it?
- 11 DIRECTOR LANSDALE: Twelve-thirty,
- 12 fourth floor of the Dennison building at the
- 13 Planning Department, our conference room. We
- 14 are also -- the county has submitted an
- 15 application on behalf of, in partnership with
- 16 Islip and Town of Brookhaven for a sewage
- 17 treatment plant at Ronkonkoma Hub as part of
- 18 the Regional Economic Development Council, and
- 19 I also want to thank, on behalf of the entire
- 20 staff, Chairman Calone and all members of the
- 21 Planning Commission for submitting a letter to
- 22 the members of the legislature advocating for
- 23 the department and the restoration of our
- 24 budget during this period.
- 25 COMMISSIONER ESPOSITO: Did that



- 1 11/2/11 Suffolk Planning Commission
- 2 actually go to the legislature?
- 3 DIRECTOR LANSDALE: Yes.
- 4 THE CHAIRMAN: I did get a call from
- 5 the county executive. He was not happy about
- 6 the letter. But, FYI. But I did get some
- 7 responses from the legislators who did receive
- 8 the letter. We all know they have difficult
- 9 decisions to make. I appreciate all of your
- 10 feedback and input on it. The Commission, as a
- 11 volunteer body, is trying to do a lot of things
- 12 to move the county forward. The department is
- 13 involved in a lot of important initiatives. We
- 14 can't do that without quality and number of
- 15 folks to get that done. We will see what
- 16 happens as a result of that process.
- 17 Maybe Legislator Fisher can give us a
- 18 sense of how that is playing out, if she thinks
- 19 that is appropriate. Any questions for
- 20 Director Lansdale? If not, I want to thank
- 21 Mayor Garant for hosting us and I know she
- 22 wants to say a few words of welcome and
- 23 highlight some of the things going on around
- 24 here. Thank you for the tour. About half of
- 25 us were on the tour.



1 11/2/11 Suffolk Planning Commission 2 MAYOR GARANT: I want to welcome 3 everybody. A lot of you are familiar faces that I have seen at some of the functions you 4 attended. I gave some of the members of the 5 6 Commission a nickel tour that turned into a 7 dime tour, but it was really only about the boardwalk and waterfront projects that we are 8 9 looking to do in conjunction with the Town of 10 Brookhaven to expand some of the asphalt into 11 green space and enhance some of the parks and 12 marine uses that we have along the waterfront. 13 I think the Commission saw the zone 14 change we did last year when we rezoned the 15 waterfront from a generic MW to MW1 and MW2 to preserve the maritime uses and working aspects 16 17 of the harborfront. We are working on many 18 projects, so everything that you folks talk 19 about, we are working on on a day-to-day basis 20 to try and enhance the quality of life here in 21 the village. Not only along with the town are 22 we working on the waterfront revitalization 23 programs and looking to work with the Department of State on widening the sidewalks 24 25 in upper and lower Port Jefferson.



- 1 11/2/11 Suffolk Planning Commission
- We are currently updating our Master
- 3 Plan. As part of that, we are looking to
- 4 create a revitalization zone in the upper port
- 5 C2 commercial district. On the south of the
- 6 side of the tracks we are back in the Town of
- 7 Brookhaven, so we are once again partering with
- 8 the town and the civic groups in the station
- 9 area. A little disappointed that the Route 112
- 10 restoration stopped at the 25A turnout because
- 11 they abandoned three quarters of a mile of road
- 12 that comes to the gate of Port Jefferson. We
- 13 are trying to work with the town to revitalize
- 14 that as well as the new gateway into Port
- 15 Jefferson Village.
- We are looking at instituting a
- 17 parking district in upper port. We have
- 18 managed parking in lower port and we are
- 19 looking to update the system. We got a grant
- 20 from the DEC to enhance and revegetate the Mill
- 21 Creek. We just did a study on stormwater
- 22 management, which you can see on some of the
- 23 boards up here, you can see some of visuals and
- 24 some of the things we are working on.
- I respect and appreciate the support



- 1 11/2/11 Suffolk Planning Commission
- 2 of the members of the Commission, planners,
- 3 fellow government leaders, Vivian
- 4 Viloria-Fisher. We can't do any of this on a
- 5 local level without the support of the
- 6 officials we deal with every day. Yesterday
- 7 Adrienne and I met and we had a lovely tour of
- 8 our power plant. We were hosted about three
- 9 hours. We can see the scope and size of the
- 10 project that we are dealing with there. We
- 11 would love to protect our waterfront and
- 12 harbor. I'm happy to announce that the plant
- 13 received a SPEDES permit, renewed for five
- 14 years to help us manage the once-through
- 15 cooling system that the plant utilizes to
- 16 produce energy through units three and four.
- 17 So they will be doing major upgrades to the
- 18 plant to continue to protect the environment of
- 19 the harbor, and so it's never a dull day in
- 20 Port Jefferson.
- 21 We have a ferry, train, two
- 22 hospitals, two vibrant commercial districts,
- 23 fourteen linear miles of beach, a country club,
- 24 sewer plant, landfill so we have a vibrant
- 25 active community and I invite you to come and



- 1 11/2/11 Suffolk Planning Commission
- 2 visit and come for a day or for your lifetime.
- 3 I have a lot of stuff hopefully coming down the
- 4 pike. See you guys soon.
- 5 THE CHAIRMAN: I want to acknowledge
- 6 Legislator Viloria-Fisher not only a friend of
- 7 the commission but it's great to see you here
- 8 in your district as opposed to Hauppauge.
- 9 LEG. VILORIA-FISHER: It's great to
- 10 be here. I don't see you showing off a copy of
- 11 this, but I have to tell you, I had a chance to
- 12 look through this. You really do Suffolk
- 13 County proud. Really, there is so much
- 14 information here -- if you only look at the
- 15 pictures, you get a good view, but I did read
- 16 the narrative too. I'm beginning to put some
- 17 questions together. I hope to have, although I
- 18 only have, I think, sixty days left as a
- 19 Legislator. I can ask questions after I'm not
- 20 a Legislator. I'll just be a gadfly.
- 21 Getting to the budget, I really you
- 22 want all to know what a great leader you have
- 23 in Sarah Lansdale here. You know, the budget
- 24 working group was working together and we were
- 25 presented a very difficult budget. We said



- 1 11/2/11 Suffolk Planning Commission
- 2 well, there is no clear picture that the
- 3 commissioner saw this before we did. We knew
- 4 that they hadn't. I suggested to my colleagues
- 5 that we reach out to the commissioners of the
- 6 different departments and just to ask what is
- 7 your priority so we could align the priorities.
- 8 We left that meeting at four o'clock
- 9 in the afternoon. I adopted three departments
- 10 to speak with, and one of them was Planning. I
- 11 made appointments with those three
- 12 commissioners, and Sarah was the first
- 13 commissioner to meet with me. I called at
- 14 four-thirty in the afternoon. At eight o'clock
- 15 the next morning we were meeting. She came
- 16 prepared with priorities, with notes. We went
- 17 over what is important to the department. You
- 18 can't construct a budget if you don't have the
- 19 functionality available to you, the
- 20 prioritization available to you as a decision
- 21 maker, because you can't set policy without the
- 22 institutional knowledge and with the
- 23 professional input of what is important.
- So, I just have to thank Sarah again
- 25 for being there, as I said, eight o'clock the



- 1 11/2/11 Suffolk Planning Commission
- 2 next morning. I meet with three commissioners,
- 3 one at eight, one at eight-thirty and one at
- 4 nine because at nine-thirty I was being taped
- 5 at Cablevision with Pat Halpern, so I had to
- 6 give them a little time to cover up the face
- 7 before the cameras started rolling. But it was
- 8 that important to us. John Kennedy met with, I
- 9 think with Jim Tomarken from Health that night.
- 10 Everybody understood the kind of pressure we
- 11 were under. I congratulate Sarah.
- 12 Andy, congratulations for putting
- 13 that program together, with three hundred
- 14 people?
- MR. FRELENG: Two hundred.
- 16 LEG. VILORIA-FISHER: Next year
- 17 three hundred. There is a lot I have to talk
- 18 about. I'll do it very briefly. Regarding the
- 19 Unified Permit Portal that is something that
- 20 some of us have been trying to work on for
- 21 years. I had been working tangentially on
- 22 parallel tracks with my colleague Connie Kepert
- 23 in Brookhaven Town who had that blue ribbon or
- 24 red tape cutting commission, I think she called
- 25 it, to try to get it so people could get



- 1 11/2/11 Suffolk Planning Commission
- 2 through the permitting process more easily. I
- 3 met with three Health Department commissioners,
- 4 not Planning, because it's the Health
- 5 Department permitting that sometimes slows
- 6 things down. We have to protect our drinking
- 7 water, we have to protect our environment, but
- 8 at the same time it's difficult for a people
- 9 who are paying for a mortgage on a business, to
- 10 pay for nine months and not be able to open it.
- 11 Which brings me to the budget. If
- 12 anybody saw the article on the kind of
- 13 testimony that we got from our Department of
- 14 Social Services, and Department of Health, with
- 15 the staff cuts that they would realize from
- 16 this budget that was presented to us, we would
- 17 not be able to do the kind -- the Health
- 18 Department would not be able to do those
- 19 Article 6 inspections and permitting for going
- 20 out more than six months because the staff
- 21 won't be there. Our Medical Examiner's Office
- 22 would not be able to release bodies to funeral
- 23 parlors for weeks. I asked, what about
- 24 religious restrictions. She said, we could not
- 25 meet them with only one medical examiner. They



- 1 11/2/11 Suffolk Planning Commission
- 2 wouldn't be able to release a body lying in the
- 3 street.
- 4 So we are working very hard to fix
- 5 the holes in the budget. Our beaches would
- 6 have to close because we wouldn't have the
- 7 staff in our Health Department to do the
- 8 coliform counts and see if our waters are safe.
- 9 If you can't inspect the waters, you can't let
- 10 people swim in them.
- I can't give you any details because
- 12 we haven't yet published -- we pretty much put
- 13 it to bed right now. Our Budget Review Office
- 14 is crunching the numbers. We will be meeting
- 15 Monday morning before we finalize the piece
- 16 that goes to the printer. So we will probably
- 17 be in Hauppauge very early Monday morning going
- 18 over that. So, if I could share more, I would,
- 19 but it's not definitive yet. We are trying to
- 20 put all the numbers together. You know it's a
- 21 bipartisan working group, so I'm proud of the
- 22 work we have done.
- I brought this on purpose because not
- 24 all of you were there when your chairman and
- 25 our commissioner presented this to the



- 1 11/2/11 Suffolk Planning Commission
- 2 legislature, but we were very impressed.
- 3 You're volunteers, you're putting in your own
- 4 time. I want to say, it's a great document to
- 5 begin the conversation. You can't have the
- 6 conversation -- the only thing I wanted to ask
- 7 about that, because it's something I spent a
- 8 great deal of time on, it's health disparities
- 9 and access to health services. I'm wondering
- 10 if sometime maybe in Volume 2 we could get a
- 11 snapshot of that.
- I mention that because when I was
- 13 looking at page -- I haven't looked at it for a
- 14 while; I had other things on my mind -- I think
- 15 when you talk about the types -- when you look
- 16 at the type of employment and economic dollars,
- 17 our health services and professionals. I think
- 18 there was a category of jobs, I think
- 19 professional and services, but our health
- 20 industry is a very important piece of our
- 21 economic picture here. This morning I met with
- 22 Pederson-Craig, a not-for-profit, and our
- 23 models for health delivery systems are changing
- 24 a great deal. They need to change because of
- 25 tight money. They need to change because the



- 1 11/2/11 Suffolk Planning Commission
- 2 definitions in health care delivery are
- 3 changing, coming down from the federal
- 4 government and state. It's also changing
- 5 because of our demographic changes with older
- 6 populations and their needs.
- 7 So, when I spoke with Pederson-Craig
- 8 this morning, it was about collaborative
- 9 services. Pederson-Craig provides abuse and
- 10 mental health, but they are talking about
- 11 working with other agencies that provide more
- 12 health care for physical health, because you
- 13 have to integrate systems now. I think it
- 14 might be interesting to look, I know it's a
- 15 little bit out of your purview, but if you look
- 16 at economic challenges -- I don't want to take
- 17 up too much of your time.
- 18 THE CHAIRMAN: The quality of life
- 19 section is -- one of the most important
- 20 qualities of life is our health. Health
- 21 management is not only quality of life, but
- 22 also a driver of the economy. I think our
- 23 number three employer on Long Island is LIJ. I
- 24 know Sarah has more information about our next
- 25 volume.



- 1 11/2/11 Suffolk Planning Commission
- 2 COMMISSIONER LANSDALE: Yes, I just
- 3 had a meeting with Dr. Bob Scott, President of
- 4 Adelphi University. He produces Vital Signs,
- 5 which is index health statistics for the
- 6 region. There is that growing linkage between
- 7 community planning, land use planning and
- 8 health. That is something we will definitely
- 9 work on.
- 10 LEG. VILORIA-FISHER: The East End
- is really having a problem with access to
- 12 health care and that is an aging population;
- 13 that is important. I wanted to speak with our
- 14 mayor here about we are trying to see where we
- 15 are going with the property that used to be the
- 16 KFC on Hallock. I'm not throwing it on your
- 17 lap, I'm saying that the county now owns it
- 18 through tax default, so we are trying to see
- 19 what would be the best use of that corner.
- 20 I've been looking at that for quite a while.
- 21 I've been trying revitalize it for quite a
- 22 while because it's a blight.
- 23 MAYOR GARANT: There is a civic
- 24 meeting on November 22nd. They invited me, the
- 25 group that is working to revitalize the upper



- 1 11/2/11 Suffolk Planning Commission
- 2 port. That would be a good time to throw that
- 3 out. I'd be happy to help any way I can.
- 4 LEG. VILORIA-FISHER: Energy
- 5 efficiency. My green homes, green jobs task
- 6 force will be presenting the report at the EEE
- 7 legislative committee next week. What you are
- 8 doing regarding energy efficiency and green
- 9 buildings has been on my mind for a long time.
- 10 I introduced the lead legislation to require
- 11 all municipal buildings to be built according
- 12 to green standards.
- We are all working in the same
- 14 direction. Thank you for the work that you are
- 15 doing there. We will get a copy of that to
- 16 you. And of course the Commission will be
- 17 getting a copy of that.
- 18 THE CHAIRMAN: Is that next week?
- 19 LEG. VILORIA-FISHER: I don't have
- 20 the date with me. It's Wayne
- 21 Horsley'SCommittee. It's three E's, energy,
- 22 economic development and education. The Food
- 23 Policy Council is continuing our work. You
- 24 know, I well be reporting to you. Our Chair
- 25 right now is Yves Michel. John King has taken



- 1 11/2/11 Suffolk Planning Commission
- 2 a lead on one of the subcommittees. He does
- 3 the food distribution. That is working.
- 4 I'm excited about the solar code work
- 5 that you are doing because that is one of the
- 6 recommendations that came out of our green
- 7 homes, green jobs, that we need standardization
- 8 of the different codes, the thresholds that we
- 9 need. We need to standardize that throughout
- 10 our towns regionally. We need to have a
- 11 standard code and guidelines.
- I thank you for the work that you do.
- 13 By the way, one of the sights you missed in
- 14 your ten cent store is there is a legislative
- 15 office right here in town. I often joke that
- 16 they put all of the vices together. I'm
- 17 between the bar and tobacco lounge. Thank you
- 18 very much for coming here.
- 19 COMMISSIONER HOLMES: Can I ask a
- 20 question? LEG. VILORIA-FISHER:
- 21 Sure.
- 22 COMMISSIONER HOLMES: In your sixty
- 23 days left, do you think possibly you might help
- 24 us get legislation that would authorize us to
- 25 audio tape our meetings instead of having a



- 1 11/2/11 Suffolk Planning Commission
- 2 court reporter? With the outstanding stellar
- 3 exception of Judi, I'm having so much trouble.
- 4 LEG. VILORIA-FISHER: Guess what,
- 5 I'm ahead of you. I already asked counsel to
- 6 draw that up because I know that that can be
- 7 something that will save money, and we will
- 8 have the recording and minutes taken.
- 9 COMMISSIONER HOLMES: And a nice
- 10 summary. That would be wonderful.
- 11 LEG. VILORIA-FISHER: Sarah Lansdale
- 12 brought that suggestion to me. I acted on it
- 13 right away. I got in touch with counsel. I
- 14 believe it has been drafted and it will be laid
- 15 on the table next Wednesday.
- Any other questions? Thank you so
- 17 much.
- 18 THE CHAIRMAN: Moving onto the
- 19 administrative portion of the agenda, the first
- 20 item is the new New Frontier project in the
- 21 Town of Babylon.
- MR. FRELENG: Thank you. As
- 23 indicated the first referral --
- 24 COMMISSIONER WEIR: I must recuse
- 25 myself. MR. FRELENG: The first



- 1 11/2/11 Suffolk Planning Commission
- 2 matter on the regulatory agenda is the referral
- 3 from the Town of Babylon. New Frontier
- 4 jurisdiction is that the subject application is
- 5 adjacent to New York State Route 110, locally
- 6 known as Broadway. The applicant seeks Babylon
- 7 town board change of zone approval on nine
- 8 parcels for the construction of forty-five
- 9 thousand square feet of retail space and five
- 10 hundred residential multi-family. This is
- 11 going to be on twenty point two six acres.
- 12 Twenty percent of the units intend as
- 13 affordable housing component.
- 14 The referral also includes
- 15 re-subdivision approval of nine parcels into
- 16 five for the purpose of phase construction.
- 17 The first phase, including the retail component
- and fifty units of housing, is also referred
- 19 for site plan approval. The retail component
- 20 of phase one will require a use variance from
- 21 the Zoning Board of Appeals, has not been
- 22 referred to the Planning Commission pursuant to
- 23 Article 14 of the County Administrative Code.
- The subject property is currently
- 25 developed with approximately three hundred



- 1 11/2/11 Suffolk Planning Commission
- 2 seventy five residential trailers, and you can
- 3 see from the aerial photo up on the screen,
- 4 this is the layout of the manufactured home
- 5 park. The park appears to have little in the
- 6 way of typical residential amenities throughout
- 7 the mobile home park. With respect to General
- 8 Municipal Law considerations regarding
- 9 compatibility of land uses and community
- 10 character, we took a look at the existing
- 11 community character of the site, first in terms
- 12 of zoning. We note that the vicinity is
- 13 predominated by B residential zoning district.
- 14 The subject parcel iSCentral to senior citizen
- 15 designations, multi-family residences and two
- 16 parcels zoned E business an additional MR
- 17 parcel is noted south and adjacent to New York
- 18 State Route 110. That might be hard to see
- 19 here but we have some MR here. We have the
- 20 subject property zoned BE, senior citizen,
- 21 multi-family residence, senior citizen and
- 22 multi-family residence below.
- COMMISSIONER ESPOSITO: What is the
- 24 road to the east, the one that is going
- 25 diagonal?



- 1 11/2/11 Suffolk Planning Commission
- 2 MR. FRELENG: Great Neck Road. This
- 3 aspect here is not part of the subject
- 4 application. I'm just showing you the zoning
- 5 around the subject property. This is the
- 6 subject property. (Referring to the slide.)
- 7 Staff believes the proposal intends to
- 8 redevelop and provide land use to improve the
- 9 health safety and welfare conditions on the
- 10 subject property for the improvement of the
- 11 compatibility of land uses, community
- 12 character, public convenience and maintaining a
- 13 satisfactory community environment. It's the
- 14 belief of staff that the use can be compatible
- 15 with the existing land use character of the
- 16 area.
- 17 In terms of the Local Comprehensive
- 18 Plan recommendations, the Town of Babylon
- 19 Comprehensive Plan makes no specific
- 20 recommendations for the subject property.
- 21 There are some general recommendations in the
- 22 plan to develop a program of mixed uses which
- 23 strengthens highway strips, and to take a look
- 24 at the affordability of housing for young
- 25 families and increase the range of housing



- 1 11/2/11 Suffolk Planning Commission
- 2 choices. Those are generic statements in the
- 3 plan.
- 4 Notwithstanding the retail component,
- 5 the change of zone to MR would form the nucleus
- 6 of a higher density zoning district node
- 7 consisting of SC and MR, senior citizen and
- 8 multi-family residence zoning along this
- 9 location of Broadway. If you take a look at
- 10 zoning map, it seems appropriate to change the
- 11 zone of this property to match the high density
- 12 zoning in the area.
- So staff believes the proposed change
- of zone is compatible with the Town of Babylon
- 15 Comprehensive plan. In terms of the Suffolk
- 16 County Planning Commission guideline
- 17 considerations, the Town of Babylon, in concert
- 18 with the petitioner'SConsultants have jointly
- 19 prepared and submitted an "Analysis of
- 20 Conformance to the Suffolk County Planning
- 21 Commission Policies & Guidelines for the
- 22 Referral of Proposed Municipal Subdivision and
- 23 Zoning Actions." We have attached that to the
- 24 staff report. Planning staff has reviewed the
- 25 analysis formulated by the county and



- 1 11/2/11 Suffolk Planning Commission
- 2 petitioner. There do not appear to be any
- 3 significant environmental issues regarding the
- 4 proposed project negatively. All sanitary
- 5 waste generated by the project will be conveyed
- 6 to Suffolk County Sewer District 21. Proposed
- 7 plan includes recreation areas with a pool and
- 8 pool house, lawn and landscaped area and all
- 9 storm water runoff is to be retained on site
- 10 and treated in accordance with storm water
- 11 pollution prevention plans.
- This is a significant improvement
- over the existing conditions of the subject
- 14 property. The referred material to the Suffolk
- 15 County Planning Commission also indicates that
- 16 the petitioner hasConsidered energy efficiency
- 17 and one hundred units to be set aside for
- 18 affordable housing purposes. The petitioner
- 19 offered, as part of the development, a
- 20 relocation package and the Town of Babylon, in
- 21 connection with the Long Island Housing
- 22 Partnership, is preparing a short and long-term
- 23 relocation plan for current residents.
- 24 With respect to the site plan phase
- of the proposed development, elements of the



- 1 11/2/11 Suffolk Planning Commission
- 2 proposal from the perspective of the Town of
- 3 Babylon far exceed the density under the code.
- 4 For comparison purposes, other multi-family
- 5 rental projects in the area were revealed to
- 6 have these densities. I'm not going to go
- 7 through the exact densities in and around the
- 8 area, but suffice it to say that the subject
- 9 density is slightly higher than the average
- 10 density, with the exception of the senior
- 11 citizen projects.
- 12 The town and petitoners have put
- 13 forward in their analysis that there are
- 14 extenuating conditions associated with the
- 15 existing site conditions that warrant the
- 16 requested density. Foremost is the fact that
- 17 the mobile home park is under a consent order
- 18 with the Suffolk County Department of Health
- 19 Services with respect to violations and need to
- 20 connect with public sewers. The
- 21 petitionerSContend that the ability to prepare
- 22 and redevelop the site, coupled with the
- 23 relocation assistance adds cost to the project
- 24 that would not otherwise absent the unique
- 25 conditions associated with the site. They hope



- 1 11/2/11 Suffolk Planning Commission
- 2 that the suffolk county planning commission
- 3 will find that the requested density is
- 4 warranted. The Town and petitioners identified
- 5 several variances from the local zoning law
- 6 provisions that will be needed to construct the
- 7 project as proposed. The Suffolk County
- 8 Planning Commission will have the opportunity
- 9 to deliberate the merits of the density of the
- 10 subject proposal, its site configuration,
- 11 parking requirements and other site planning
- 12 issues as reflected by the zoning relief
- 13 necessary at the time. The current referral
- 14 appears to reflect the evolution of planning
- 15 efforts between the Town staff and applicant
- 16 and considerations of affordable housing and
- 17 other Suffolk County Planning Commission
- 18 guidelines for development appear to have been
- 19 incorporated. The proposal would eliminate the
- 20 substandard living environment of the
- 21 manufactured home park and would improve the
- 22 livability of the surrounding community while
- 23 addressing the displacement of residents.
- So the point of the last statement I
- 25 made, there are some variances that are going



- 1 11/2/11 Suffolk Planning Commission
- 2 to be required as a result of the application.
- 3 The variances petitioned to the Zoning Board of
- 4 Appeals have not been referred to the
- 5 Commission, so the Commission will have the
- 6 chance later on to deliberate those aspects
- 7 that are being asked for relief. In
- 8 consideration, staff is recommending approval
- 9 of the change of zone request on the nine
- 10 parcels from E business and B residence to
- 11 multiple residence. The reason for that is
- 12 provided.
- 13 Staff is also recommending approval
- 14 of the re-subdivision of nine parcels to five
- 15 parcels for the purpose of a five phase
- 16 development. Staff is recommending approval of
- 17 the phase one site plan with the following
- 18 modifications and comments:
- 19 The first modification is that staff
- 20 recommends is that maximum number of units be
- 21 established consistent with the density of
- 22 similarly zoned parcels. The staff report goes
- 23 into the density of the multi attached unit
- 24 projects surrounding the subject property, and
- 25 for reasons explained, this project is at the



- 1 11/2/11 Suffolk Planning Commission
- 2 higher range of densities in the area, and it's
- 3 noted that that project is not a senior citizen
- 4 project where the higher density attributed in
- 5 the area are to senior citizen projects.
- 6 The staff recommended to the
- 7 Commission a modification. The second
- 8 modification being, in order to address equity
- 9 concerns, twenty percent of the units built in
- 10 phase one shall be set aside for affordable
- 11 housing purposes. In the Town of Babylon
- 12 reports the displaced residents will have first
- 13 preference for the affordable units in the
- 14 development. The timing of availability of
- 15 affordable units would be a crucial element for
- 16 relocation. Staff recommends to the commission
- 17 that an appropriate portion of the number of
- 18 the affordable units be set aside in phase one
- 19 so relocated persons will have the ability to
- 20 get into the program. Staff is recommending a
- 21 third modification that the application to the
- 22 town of Zoning Board of appeals shall be
- 23 referred to the Suffolk county planning
- 24 commission in accordance to New York State
- 25 General Municipal Law 239 and Article 14 of the



- 3 so the variance issues with respect to all the
- 4 relief required for the site plan can be
- 5 deliberated at the commission at a later date.
- 6 Staff is recommending some comments
- 7 that the commission should refer to the Town of
- 8 Babylon. With regard to the extenuating
- 9 circumstances existing with the site
- 10 conditions, the application will be stronger if
- 11 the applicant provides a financial analysis
- 12 that supports the contention. There was none
- 13 provided in the referral material provided
- 14 to the Suffolk County Planning Commission. We
- 15 are not aware of what financial analysis was
- 16 referred to the town. The town should really
- 17 consider providing more than twenty percent
- 18 towards affordable housing purposes. We want
- 19 to make sure that the displaced residents have
- 20 the maximum opportunity to be relocated on
- 21 site, if appropriate. The third comment that a
- 22 greater effort should be made to relocate
- 23 available parking behind the retail structures
- 24 and create additional green space along the
- 25 Broadway corridor. It's to break up the mass



- 1 11/2/11 Suffolk Planning Commission
- 2 of forty-five thousand square feet of retail,
- 3 to create a more friendly breakdown. That is
- 4 the staff report, Mr. Chairman.
- 5 THE CHAIRMAN: This is a Babylon
- 6 project. That means that -- I am the
- 7 representative.
- 8 COMMISSIONER LANSDALE: Andy, can you
- 9 go back to the zoning map?
- 10 THE CHAIRMAN: Did you want to show
- 11 the pictures Andy, too? I think that is
- 12 helpful.
- 13 MR. FRELENG: Existing conditions at
- 14 the site, this is across the street from the
- 15 proposed development. This is within the
- 16 proposed development. This is pretty much
- 17 typical state of the internal roadway network
- 18 and pedestrian circulation.
- 19 Another view of an internal street
- 20 network, this is across one of the attached
- 21 unit projects to the north. This is what the
- 22 streetscape would look like outside the mobile
- 23 home park. This is looking out from the park.
- 24 A typical streetescape. I believe the mobile
- 25 home park is to the right in this slide.



- 1 11/2/11 Suffolk Planning Commission
- 2 DIRECTOR LANSDALE: I want to -- can
- 3 you point out what color the senior housing is
- 4 and what that density is in relation to the
- 5 site?
- 6 MR. FRELENG: The two SC owned
- 7 properties is pale blue. Not your typical
- 8 zoning colors, but we are working with our
- 9 color blind staff. SC is up to the north
- 10 adjacent to the property and to the west
- 11 opposite Route 110. The densities for the SC
- 12 southward, Amityville, a hundred seventy-four
- 13 senior rental apartments, twenty-four point
- 14 nine units to the acre. That one is -- that
- 15 would be the South Wood complex. That has
- 16 twenty-four -- sorry, twenty-four point nine
- 17 units to the acre, and Crystal Manor complex
- 18 has sixty-two senior affordable units on two
- 19 point four acres, and that one is, that is
- 20 number three. That would be that.
- 21 (Indicating) Those are the two senior citizen
- 22 projects.
- 23 DIRECTOR LANSDALE: I did some
- 24 research on manufactured home parks, which is
- 25 the new term for mobile home parks or trailer



- 1 11/2/11 Suffolk Planning Commission
- 2 parks. There are approximately seventy-one
- 3 thousand residents in New York State that live
- 4 in manufactured home parks and there are
- 5 approximately forty parks in Suffolk County,
- 6 just for background.
- 7 THE CHAIRMAN: Just a few opening
- 8 comments from the area perspective. It is, as
- 9 your materials indicate, it is a parcel in need
- 10 of a lot of help. You can see that from the
- 11 photos, you can read that in the materials.
- 12 There are significant environmental issues.
- 13 There are -- the site itself hadn't been --
- 14 obviously, it's under a consent decree. It
- 15 needs to be upgraded.
- I think that in this case, I think
- 17 the town has done a good job working with the
- 18 developer to try to figure out what makes
- 19 sense. It's on Route 110, a critical corridor
- 20 for our region. I think that the plan that has
- 21 been come up with is a good one. It will allow
- 22 a lot of the environmental issues to be
- 23 remediated and allow some good commercial and
- 24 needed housing in the area.
- With respect to the density, it's on



- 1 11/2/11 Suffolk Planning Commission
- 2 par with sort of with some of the neighboring
- 3 parcels, a little bit more than some of the
- 4 others. There is a significant amount of
- 5 environmental work and really upgrades,
- 6 refurbishment that need to be done to the area,
- 7 and I think this project allows that to happen.
- 8 From my perspective, it's a relatively dense
- 9 project, but it's a much more appealing
- 10 project. I think it will be much better for
- 11 the area.
- 12 I think an important piece of this is
- 13 that the developer and town are working with
- 14 the Housing Partnership to make sure that those
- 15 who live there can either stay there in the
- 16 affordable units, and there is relocation
- 17 package that the Housing Partnership is
- 18 coordinating. I like the idea on the twenty
- 19 percent that we require, the twenty percent in
- 20 the phase one and also the town to ask about
- 21 whether the town should not consider more. I
- 22 think that is an appropriate comment. Other
- 23 thoughts, comments, questions?
- 24 COMMISSIONER CHARTRAND: Going
- 25 forward, the next phase, what is the pecentage



- 1 11/2/11 Suffolk Planning Commission
- 2 of workforce affordable housing going to be
- 3 then?
- 4 MR. FRELENG: It was not indicated in
- 5 the referral. Overall, the project is
- 6 proposing twenty percent. It wasn't broken
- 7 down.
- 8 THE CHAIRMAN: The idea is it has to
- 9 be twenty percent overall and the proposed
- 10 modification that it be done in phase one. We
- 11 will see phases two, three, four, five in the
- 12 future.
- MR. FRELENG: You should.
- 14 THE CHAIRMAN: Under the law we will.
- 15 Anything else?
- 16 COMMISSIONER CASEY: I like the idea
- of breaking up the commercial and putting the
- 18 parking behind. I think that is a good
- 19 recommendation. I think that will help not
- 20 have another strip mall look along there.
- 21 COMMISSIONER GABRIELSEN: I just want
- 22 to address the residential. Three hundred
- 23 seventy-five units in that. I'm thinking, how
- 24 many per household, you may have up to a
- 25 thousand people that are going to be displaced.



- 1 11/2/11 Suffolk Planning Commission
- 2 In phase one, we have fifty units going up, and
- 3 twenty percent of that would be, that they have
- 4 a choice on low income housing, you are talking
- 5 ten units. That is not really going to put a
- 6 dent into anything.
- 7 I was wondering, as far as coming up
- 8 with a short and long-term plan, have they come
- 9 up with anything yet?
- 10 COMMISSIONER ESPOSITO: Where are the
- 11 people going to go?
- MR. FRELENG: The project is
- 13 evolving. The Long Island Housing Partnership
- 14 has taken the lead. There is a financial
- 15 package to some of the residents there. All
- 16 the information we have that was referred to us
- 17 indicates that they are working on a relocation
- 18 package and they're in negotiations now.
- 19 COMMISSIONER GABRIELSEN: The twenty
- 20 percent doesn't do justice.
- THE CHAIRMAN: It doesn't mean
- they're going to rip the whole thing up in one
- 23 phase, either.
- 24 COMMISSIONER GABRIELSEN: That is my
- 25 next question.



- 1 11/2/11 Suffolk Planning Commission
- 2 COMMISSIONER ESPOSITO: To me it just
- 3 means they will lose their home in phases. It
- 4 seems like it's a massive relocation. Maybe
- 5 this is the not the Commission's purview, but
- 6 it seems like it's a massive relocation of
- 7 modest and low income homes and residents. And
- 8 I just can't imagine where they will go. I
- 9 can't imagine how they will resettle their
- 10 lives.
- 11 COMMISSIONER GABRIELSEN: I would
- 12 like to see the long-term plan that they have.
- 13 I just don't want to see them lost in the
- 14 shuffle.
- 15 COMMISSIONER ESPOSITO: This is a
- 16 major one. I roughly estimate there has to be
- 17 a minimum of eight hundred people, including
- 18 children.
- 19 THE CHAIRMAN: It's something like
- 20 that. The bottom line is this area -- as
- 21 someone who lives near here is in -- the status
- 22 quo doesn't work. It is environmentally
- 23 unsustainable. It's bad for public health.
- 24 It's not good for the corridor from a
- 25 commercial perspective. I think the equity



- 1 11/2/11 Suffolk Planning Commission
- 2 points are well taken. If this application had
- 3 come in and said we wish everyone the best, I
- 4 think that would be a problem. I think having
- 5 the Housing Partnership involved, and having
- 6 the developer acknowledge that and paying, I
- 7 think what I read three months or so, which was
- 8 a minimum amount of payment, plus relocation
- 9 expenses seems to be appropriate under the
- 10 circumstances.
- 11 COMMISSIONER FINN: Just a couple of
- 12 points. You would hate to see anybody
- 13 displaced from their home. If this applicant
- 14 wasn't before us, I think in the information
- 15 that we have seen, they're in violation of the
- 16 law right now. There is an environmental
- issue, they're unconnected to the sewer
- 18 district. Whether this developer comes along
- 19 to redevelop the property, they have a pending
- 20 problem as it stands.
- 21 The issue about the percentages, one
- 22 of the things with any multi-family housing to
- 23 encourage the number of affordable units, you
- 24 don't want them to be all lumped in one
- 25 building. As you come in a project of this



- 1 11/2/11 Suffolk Planning Commission
- 2 size of five hundred units, first building on
- 3 the right is all people living in the
- 4 affordable unit. They tried that in the '70's
- 5 and that didn't work, you want them spread out
- 6 over the community.
- 7 I understand the need to have three
- 8 hundred seventy-five units be affordable, and
- 9 you want them to have a home, but the goal is
- 10 to have this a successful real estate venture.
- 11 From a development standpoint, there are a lot
- 12 of dollars going out the door. For him to
- demonstrate that this is going to work, twenty
- 14 percent is onerous from an affordability
- 15 standpoint. To have them all lumped in the
- 16 first phase is not such a good idea.
- 17 As to the commercial propery, I can
- 18 understand wanting to have the campus feel.
- 19 One of the things to be mindful of when you
- 20 have a surface area, from a retail perspective,
- 21 you have that flexibility. When you start
- 22 making multiple buildings you don't have those
- 23 footprints to deal with those type of retailers
- 24 that come in because you're confined by the
- 25 size of those premises, so I would be a little



- 1 11/2/11 Suffolk Planning Commission
- 2 reluctant to break those buildings up to into
- 3 smaller buildings. You can all separate the
- 4 footprint. It's separate. it's in the front,
- 5 it's properly located. I would be leery of
- 6 making these buildings smaller.
- 7 COMMISSIONER CASEY: I think they can
- 8 put the parking behind that. I think that
- 9 makes it more pleasing to the eye.
- 10 COMMISSIONER FINN: But it doesn't
- 11 make it more successful. If you go to some of
- 12 the downtown areas, the areas where you can
- 13 park in the front are more successful from a
- 14 retail perspective.
- 15 THE CHAIRMAN: One comment. It says
- 16 the two structures could be broken up. It
- doesn't say should be, in my mind that comment
- 18 is relatively benign. Just raising the issue,
- 19 from another planning perspective, going back
- 20 to the town saying you may want to look at
- 21 this. I think at the end of the day that is
- 22 negotiation between the developer and town. Us
- 23 simply throwing it out as a comment, I don't
- 24 see that as a problem.
- 25 COMMISSIONER HOLMES: First, this is



- 1 11/2/11 Suffolk Planning Commission
- 2 a residential development, not retail, and I
- 3 don't think you can compare the two that well.
- 4 COMMISSIONER ESPOSITO: It's both.
- 5 COMMISSIONER HOLMES: I think that
- 6 the estimates that some commissioners are
- 7 making about the population in this mobile home
- 8 park is excessive because most people I know
- 9 who live in mobile homes, it's one person or a
- 10 couple. There aren't that many total families
- 11 living in mobile homes. It would be helpful if
- 12 we had a figure for the population that is in
- 13 that mobile home park now. That would be
- 14 helpful for us. I don't think we can assume a
- 15 thousand or even eight hundred or something
- 16 like that. I think it's probably less.
- 17 THE CHAIRMAN: I think that was in
- 18 the DGEIS.
- MR. FRELENG: The number of mobile
- 20 homes fluctuates. We originally calculated
- 21 three fifty. I'm sure the Town of Babylon has
- 22 that number and Long Island Housing Partnership
- 23 has that.
- 24 COMMISSIONER ESPOSITO: They better
- 25 have it. I want to point out a small but happy



- 1 11/2/11 Suffolk Planning Commission
- 2 thing. First, I want to respectfully disagree
- 3 with my colleague. As someone who grew up in
- 4 Amityville, and has been in that area, there
- 5 are families living there. One happy thing,
- 6 Andy skipped this very significant line. The
- 7 proposed development includes, in addition to
- 8 the retail and housing units, recreation areas
- 9 with a pool and pool house -- ninety thousand
- 10 square feet of permeable pavers. I wanted to
- 11 bring that out here. Say something nice about
- 12 permeable pavers and say how delighted we are
- 13 to see that.
- 14 THE CHAIRMAN: Thanks for brightening
- 15 our day, Adrienne. We are starting to see
- 16 this. I think this is the result of the effort
- of the Commission in the last two or three
- 18 years, a number of the policies we have been
- 19 advocating, energy efficiency. Babylon has
- 20 been a leader in this all along, things like
- 21 permeable pavers.
- 22 I want to also note this is not the
- 23 first time, but we have now seen the review by,
- 24 I guess it's Nelson, Pope & Voorhis comparing
- 25 the project to the Commission guidelines. I'm



- 1 11/2/11 Suffolk Planning Commission
- 2 sure we didn't take that on face value. I'm
- 3 sure it's helpful to us, if take a look at it,
- 4 to know that the developer and consultants are
- 5 thinking about the regional guidelines when
- 6 they are thinking about the project. We have
- 7 seen that in the last few months. It's
- 8 encouraging for us to see these sort of issues
- 9 that we have been flagging and raising being
- 10 incorporated into the thinking of the
- 11 developers and consultants.
- 12 At the end of the day, these things
- only get built project by project. Unless the
- 14 projects incorporate this regional thinking, it
- 15 doesn't get done.
- 16 COMMISSIONER BERRY: First, I support
- 17 the comments that were made by the staff. I'd
- 18 like to have a little more discussion about
- 19 some of these issues and a couple of
- 20 suggestions in addition. First of all, going
- 21 down to the five lots I think is fine. But I
- 22 would make a suggestion in a slight
- 23 realignment. The small retail in front of
- 24 phase three I think should be cut off of phase
- 25 one and combined with phase three. I think how



- 1 11/2/11 Suffolk Planning Commission
- 2 you develop that will have an
- 3 interrelationship.
- 4 Phase one doesn't have any green
- 5 space for its residents. And there is also no
- 6 indication of where deliveries are made, so
- 7 there could be a safety issue of how that is
- 8 laid out. When they look at phase one, I think
- 9 they need to consider those safety items.
- 10 I'm also concerned about how many
- 11 people are being displaced. And actually I
- 12 think it would be a better project if phase
- 13 three were done first. I think it sets the
- 14 tone. It's really a mixed use. You would have
- 15 more affordable houses as part of that. I
- 16 think it's a better start to the project.
- 17 In terms of the density, a couple of
- 18 things that are supportive of what the staff is
- 19 recommending, is that the parking, forty-three
- 20 percent is cut. That is a very high
- 21 percentage, and there is no compensation given
- 22 for that. I'm afraid if they start having
- 23 traffic issues, they will start taking the
- 24 green space back, which is one of the charming
- 25 points about this plan, that each residential



- 11/2/11 Suffolk Planning Commission 1 part has green outdoor space, except for phase 2 3 If we are going to allow less parking, I 4 think it needs to be compensated by a program 5 that is carefully thought out; for instance, shared cars or something like that. They need 6 7 to address this seriously and not just say we 8 are cutting forty-three percent of the parking 9 because I don't think that would be a viable 10 option. 11 The other thing that bothers me is 12 that they asked for -- they increased the 13 density without having to pay for development 14 credits elsewhere to decrease density in other locations, but we have seen no financial sort 15 of reasoning on why we should allow that. 16 17 for the higher density, especially as recommended by the staff, but if we are going 18 19 to forgo a lower density elsewhere, maybe that 20 money should be go towards the families being 21 displaced and/or the clean up. I think that 22 equation needs to be looked at more carefully. 23 THE CHAIRMAN: We have a bunch of
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things here. Andy do you want to respond to

24

25

any of those?

- 1 11/2/11 Suffolk Planning Commission
- 2 MR. FRELENG: Staff has no comments
- 3 on that. I don't think that is something to
- 4 respond to. The reallotment of lot line is
- 5 something the Commission can consider as a
- 6 comment. We have no hard numbers on the number
- 7 of folks being displaced.
- 8 With respect to phase three being
- 9 done first, I think from a planning perspective
- 10 that is logical. That is the core of the
- 11 development project and most of the residential
- 12 units are there and this could be oriented to
- 13 the way that it relates to the rest of the
- 14 site.
- 15 Staff did indicate that variances
- 16 would be the subject of review from the Town of
- 17 Babylon will have to be referred to the
- 18 Commission, and the Commission will then have
- 19 the opportunity to deliberate the adequacy of
- 20 parking, lot lines and a whole bunch of issues
- 21 that would have to be relieved.
- The Commission does have a policy
- 23 that increases in density should be offset by a
- 24 density shift. Staff is four square behind the
- 25 concept. The applicants put forth a number of



- 1 11/2/11 Suffolk Planning Commission
- 2 reasons why that should be reconsidered as a
- 3 mandate. The only comment that staff had was
- 4 that staff was not provided with any financial
- 5 analysis to be provided to the Commission to
- 6 see if that was a substantial argument. We
- 7 have to rely on the locality to iron these
- 8 issues out.
- 9 THE CHAIRMAN: Any other thoughts?
- 10 Seeing none, there are a few things here to
- 11 chat about and see if there is any other
- 12 interest to raising any of the issues to a
- 13 condition. Realignment to the lot line,
- 14 carving out phase five.
- 15 COMMISSIONER BERRY: Taking part of
- 16 phase one that is in front of phase three, so
- 17 that is developed with phase three. Also, so
- 18 that green space can be allocated to phase one.
- THE CHAIRMAN: What is the proposal?
- 20 COMMISSIONER BERRY: The
- 21 proposal is to realign two of the proposed lots
- 22 so that the retail that is in front of phase
- 23 three would be part of phase three and allow
- 24 for green space for phase one.
- 25 COMMISSIONER HOLMES: I'm confused.



- 1 11/2/11 Suffolk Planning Commission
- 2 Could you say that again?
- 3 THE CHAIRMAN: I think a fundamental
- 4 issue is we don't know the background of why it
- 5 was done the way it was done.
- 6 MR. FRELENG: So we are all clear,
- 7 phase one includes forty-eight thousand square
- 8 feet of retail and fifty units on top. I think
- 9 Commissioner Berry is recommending to remove
- 10 that piece of retail from phase one, consider
- 11 it in the development with phase three, so you
- 12 can either -- staff recommending breaking this
- 13 up and maybe move the retail around and try and
- 14 provide more green space to try and relate it
- 15 to more to what is being developed on that
- 16 site. COMMISSIONER
- 17 CHARTRAND: Is that even within our scope?
- 18 THE CHAIRMAN: I think we would be
- 19 hard pressed to be redrawing lines.
- 20 COMMISSIONER CASEY: I think one of
- 21 the issues is we want to have more residential
- 22 units being built first because so many people
- 23 are being displaced, and the first phase is
- 24 only fifty units and that is why she suggested
- 25 it. I think one of the issues is getting



- 1 11/2/11 Suffolk Planning Commission
- 2 housing built so maybe some of the people
- 3 getting displaced have a place to go.
- I have another question. Some of
- 5 these people own these homes. My concern is
- 6 are they going to get some kind of money for
- 7 these things?
- 8 MR. FRELENG: Some of them are
- 9 rented, some of them are sublet from the owner.
- 10 COMMISSIONER CASEY: They just lease
- 11 the land. That is another financial component.
- 12 These are people's homes, even thought they're
- 13 not regular homes, they're still something that
- 14 people have ownership interest in. They might
- 15 have mortgages on them.
- 16 MR. FRELENG: Staff doesn't have
- 17 details on them. I just know that the Long
- 18 Island Housing Partnership and the Town of
- 19 Babylon are working out the details.
- 20 DIRECTOR LANSDALE: It's my
- 21 understanding that that the Town of Babylon and
- 22 Long Island Housing Partnership are working
- 23 with the residents of that park, and working
- 24 out actively a way to resolve this for
- 25 everyone.



- 1 11/2/11 Suffolk Planning Commission 2 COMMISSIONER KONTOKOSKA: Rearranging 3 lots, there is a logic, I hope, that went in 4 the subdivision of the development that is far 5 beyond the information that we have, or making decisions on changing that would go far beyond 6 7 the information that we need to make an 8 educated recommendation on that. It highlights 9 an important issue that I think has been coming up a lot; that is phased development, which is 10 11 a major concern. It's mitigated by the 12 involvement of the town and Long Island Housing 13 Partnership. 14 It's your concern that a developer 15 will come in for approval for a phased plan, cram in the money making parts, for lack of a 16 17 better term, and abandon the remaining phases. 18 I think there needs to be a way to look at 19 agreement between the developer, the town and 20 perhaps the local community representatives or 21 between the town and developer to actually look 22 at locking in how the benefits would be 23 accruing over the life of the development. 24
- To be honest, if some benefits are given in exchange for the developers giving



- 1 11/2/11 Suffolk Planning Commission
- 2 affordable housing and increased density, there
- 3 is some response if the project isn't built out
- 4 as planned, then the town gets to recoup, or
- 5 the residents get to recoup some of their
- 6 losses, as we are seeing in other areas in the
- 7 country.
- 8 I think it's a practice we should look at.
- 9 The punchline is we need to have some
- 10 way to make sure that the phased developments
- 11 proceed as planned and each individual phase is
- 12 sustainable in its own right.
- 13 THE CHAIRMAN: Was it Patchoque where
- 14 it was a phased development and there were
- 15 certain guarantees given by the developer,
- 16 covenants, right? I think that would be
- 17 germane for us to raise that issue here,
- 18 suggesting that a community development
- 19 agreement covering all the phases be entered
- 20 into between the developer and township would
- 21 be, I guess the right parties. I don't think
- 22 we need to define what is in that. The public
- 23 benefit is something that the town is in a
- 24 better position to judge what they think they
- 25 are. We can throw out what we think they are,



- 1 11/2/11 Suffolk Planning Commission
- 2 green space, et cetera, it might be simply just
- 3 noting to the town and developer that we think
- 4 a community development agreement is
- 5 appropriate in this case, given the phased
- 6 development. What do you think would be
- 7 appropriate?
- 8 COMMISSIONER KONTOKOSKA: There are
- 9 other methods of doing it, deed restrictions,
- 10 covenants, conditions on the approvals for the
- 11 individual phases. We should bring it to the
- 12 attention of the town, that there needs to be
- 13 some strategy to make sure the benefits of the
- 14 development actually accrue and they're not
- 15 front loaded to the first phase of the
- 16 development.
- 17 COMMISSIONER GABRIELSEN: What would
- 18 that be, condition or comment?
- 19 COMMISSIONER FINN: I think that
- 20 needs to be a comment.
- 21 THE CHAIRMAN: I think that is good,
- 22 I want to make sure we don't lose some of the
- 23 other issues. I think the vice chairman talked
- 24 about a little bit about the lot line
- 25 realignment. I think the same thing goes



- 1 11/2/11 Suffolk Planning Commission
- 2 towards to the pacing of the phase of the
- 3 development, what makes sense from a
- 4 construction perspective. Phase one does have a
- 5 relatively low number of units compared to
- 6 other parts of the project. I want to see if
- 7 there is any kind of support for adding
- 8 something along the lines that the developer
- 9 consider in terms of doing phase three first.
- 10 Is there any other support for that around the
- 11 table?
- 12 COMMISSIONER ROBERTS: I think we
- 13 should support that.
- 14 COMMISSIONER HOLMES: I think that is
- 15 a good idea. If there isn't a compelling
- 16 reason not to do it.
- 17 COMMISSIONER CASEY: Maybe phase two
- 18 would be easier. I think give them the option
- 19 that they should have more housing.
- 20 COMMISSIONER ESPOSITO: I don't think
- 21 we can do that.
- 22 THE CHAIRMAN: I think the only thing
- 23 we can consider doing is saying just concerned
- 24 about the amount of units being put on line and
- 25 that we would encourage the town or developer



- 1 11/2/11 Suffolk Planning Commission
- 2 to consider doing phase three or one of the
- 3 other phases first that has a greater
- 4 frontloading of the housing units.
- 5 COMMISSIONER ROBERTS: I appreciate
- 6 that point of view. It's very problematic to
- 7 me that we don't have more information on the
- 8 relocation plan of perhaps a thousand people in
- 9 these trailers. That definitely has regional
- 10 significance. I'm mulling on how we can have
- 11 that message put in and will we have an
- 12 opportunity to hear that plan? I think it's
- important for us to know what is going to
- 14 happen to these people in the trailers.
- 15 THE CHAIRMAN: We are hearing three
- 16 pieces, change of zone, subdivision and site
- 17 plan for the first piece in phase one. So this
- is the time where, once that zone is changed,
- 19 the project is going forward. The rest is how
- 20 you are going to move the deck chairs around.
- 21 COMMISSIONER ROBERTS: Perhaps adding
- 22 a comment here when this comes back to us for
- 23 further review that that plan is part of what
- 24 is presented in front of this Commission.
- 25 COMMISSIONER FINN: To that point,



- 1 11/2/11 Suffolk Planning Commission
- 2 it's got to be some logic to that. You see the
- 3 site plan is staged in phases. Obviously, they
- 4 are thinking about this, so this is going to
- 5 been ramped up. It's interesting how they
- 6 picked phase one; we can only guess at this
- 7 point. On the commercial side, if they have a
- 8 plan to leave and allow the three hundred
- 9 seventy-five trailers to be -- it's a point
- 10 that they have it in phases. There has to be
- 11 some logic to that.
- 12 COMMISSIONER CASEY: I was curious
- 13 where they superimpose what. This is what is
- 14 on top now?
- MR. FRELENG: We don't have an
- 16 overlay.
- 17 THE CHAIRMAN: Phase one is the upper
- 18 left-hand corner, the northwest corner.
- MR. FRELENG: Phase one would be
- 20 approximately the center of the property right
- 21 here.
- 22 COMMISSIONER CASEY: There is
- 23 trailers where the retail stage is going.
- MR. FRELENG: This is north.
- 25 COMMISSIONER CASEY: There are a



- 1 11/2/11 Suffolk Planning Commission
- 2 bunch of trailers in there.
- 3 MR. FRELENG: This is phase one, so
- 4 there are a bunch of trailers right here.
- 5 THE CHAIRMAN: Here are a couple of
- 6 things I heard around the table. One, that
- 7 there be strategy indicating that the benefits
- 8 of the entire development, accrue, and not --
- 9 and that there be some agreement -- some kind
- 10 of condition on the project that public
- 11 amenities are fully delivered. That is not an
- 12 elegant way of saying that, but that's the
- 13 idea.
- 14 The second one, as Barbara mentioned,
- 15 the Commission is going to look to see an
- 16 understanding of the housing plan when this
- 17 comes back to the Commission for site plan
- 18 review. The third thing is that the developer
- 19 consider doing phase three before phase one. I
- 20 think there is some disagreement about that.
- 21 The last issue which Commissioner
- 22 Berry mentioned, that I have in mind also,
- 23 something about public safety. I think we can
- 24 have a situation of relaying the public safety
- 25 guidelines which cover a bunch of public safety



- 1 11/2/11 Suffolk Planning Commission
- 2 issues that would be involved in this project.
- I think those are four potential
- 4 comments. I'd like to take them one by one to
- 5 see if we have agreement on them. See if there
- 6 is any objection to adding them as comments.
- 7 If are there any other issues that people want
- 8 to raise?
- 9 COMMISSIONER ROBERTS: I thought we
- 10 had an agreement that rather than suggest phase
- 11 three first, that we would suggest that they
- 12 look at possibly changing the phasing so more
- 13 housing was done.
- 14 COMMISSIONER CASEY: That works
- 15 better.
- 16 THE CHAIRMAN: The public safety one,
- 17 we have a typical sort of language would be the
- 18 developer be directed to consult the Planning
- 19 Commission's quidelines on public safety. Any
- 20 thoughts or objection to including our language
- 21 on public safety? Seeing none, we will add
- 22 that as a comment.
- Two, when the Commission receives
- 24 future referrals in that project with regard to
- 25 the site plan, that the Commission will be



- 1 11/2/11 Suffolk Planning Commission
- 2 looking to see a definitive housing plan has
- 3 been -- housing relocation plan -- any other
- 4 thoughts on that?
- 5 COMMISSIONER BERRY: I think I would
- 6 like to say including costs for relocation.
- 7 THE CHAIRMAN: We would like to see a
- 8 housing relocation plan for existing residents.
- 9 COMMISSIONER ROBERTS: And trailers.
- 10 COMMISSIONER ESPOSITO: That is what
- 11 he means.
- 12 COMMISSIONER ROBERTS: In trailers.
- 13 COMMISSIONER FINN: Is it
- 14 ownership or rentals?
- THE CHAIRMAN: They're not all
- 16 rentals. They're all owned by someone.
- 17 COMMISSIONER FINN: They're on a
- 18 ground lease?
- 19 THE CHAIRMAN: Yes.
- MR. FRELENG: Proposals for all
- 21 rental, the trailers are a mix of people
- 22 renting from the owners and people who occupy
- 23 the trailers.
- 24 THE CHAIRMAN: New proposal will be
- 25 all rental. Comment number two. Any



- 1 11/2/11 Suffolk Planning Commission
- 2 objections to adding that? Seeing none.
- 3 Then the one with regard to the
- 4 phasing comment to the extent that we recommend
- 5 that the order of the phased development take
- 6 into account emphasizing prioritizing housing
- 7 developments earlier in the development, which
- 8 is the time line. That is an inarticulate way
- 9 of saying it.
- 10 COMMISSIONER BERRY: More houses in
- 11 the earlier phases.
- 12 THE CHAIRMAN: That the developer and
- town consider putting more housing units
- 14 earlier in the development of the project.
- MR. FRELENG: We can adopt that in
- 16 concept and draft it up and circulate it among
- 17 the Board.
- 18 THE CHAIRMAN: The last one, that
- 19 town and developer enter into some kind of
- 20 agreement or some kind of -- there be some kind
- 21 of strategy that the benefits of development
- 22 are guaranteed to accrue. The benefits of the
- 23 entire development are guaranteed to accrue.
- 24 VICE CHAIRMAN KONTOKOSTA: Or some
- 25 agreement is made that outlines and stipulates



- 1 11/2/11 Suffolk Planning Commission
- 2 the benefits that would be provided by the
- 3 developer in exchange for approval. The main
- 4 concern is the first phase is built and then
- 5 demolition begins on other units and if future
- 6 housing isn't built for one reason or another,
- 7 then those people lose their houses. I would
- 8 like to see that relocation assistance is given
- 9 to anyone whose home was taken in this process.
- 10 THE CHAIRMAN: Benefits including
- 11 relocation assistance. Any objections to that?
- 12 COMMISSIONER ESPOSITO: Can you read
- 13 it again?
- 14 MR. FRELENG: Developer enter into
- 15 strategy to distribute the benefits on the
- 16 entire development of the agreement should
- 17 outline and stipulate the benefits provided,
- 18 including relocation assistance. That is that
- 19 I have. We will massage that and circulate it
- 20 around.
- 21 COMMISSIONER ESPOSITO: That is the
- 22 equivalent of the town sharing information.
- COMMISSIONER HOLMES: No, between the
- 24 town and developer.
- 25 THE CHAIRMAN: That there should be



- 1 11/2/11 Suffolk Planning Commission
- 2 an agreement with regard to the overall
- 3 benefits of the development. We don't know
- 4 that that exists now. We have seen it in
- 5 Patchogue where an agreement was reached on the
- 6 river project where they were going to do it,
- 7 no matter what, even if the phases didn't
- 8 materialize.
- 9 COMMISSIONER FINN: It says noted
- 10 that the petitioner has offered as mitigation
- 11 of the displacement of the mobile home park a
- 12 relocation package. Perhaps we should find out
- 13 what the relocation package is.
- 14 THE CHAIRMAN: When they come back,
- 15 we want to understand what the relocation
- 16 package is. The benefit, the point is that the
- 17 package should survive, whether phase one
- 18 occurs and phase two doesn't occur or whatever.
- 19 This is a comment, but I think it's an
- 20 important one. That is with regard to making
- 21 sure that the benefits of the bargain accrue
- 22 to the community no matter what happens.
- 23 Separate and distinct. People are going to be
- 24 displaced no matter what.
- We have those four comments. Any



- 1 11/2/11 Suffolk Planning Commission
- 2 other considerations? If not, we will move on.
- 3 COMMISSIONER BERRY: I have a
- 4 question. Was anybody else concerned about the
- 5 parking?
- THE CHAIRMAN: I know we will see
- 7 that again with regard to the future phases of
- 8 the site plan. With regard to phase one, that
- 9 would be the time to speak with regard to
- 10 parking. How much was it under on phase one?
- 11 MR. FRELENG: I don't have that
- 12 readily available. The town was going to
- indicate that they were going to look at the
- 14 particular phases as they came in. I don't
- 15 recall any other concerns about that.
- 16 THE CHAIRMAN: If there is an underage here,
- 17 there should be an overage elsewhere. That is
- 18 a cumulative thing that we should keep an eye
- on. Any other thoughts, comments, suggestions?
- 20 Seeing none, I think we have a staff report
- 21 which we amended by adding four comments.
- I had one question on the first
- 23 modification. I think it's confusing. The
- 24 second and third ones, second one, I certainly
- 25 support and I also like the fact that there is



- 1 11/2/11 Suffolk Planning Commission
 2 a comment that says you can go further, and I
 3 think the third one is obvious. The first one,
 4 I don't know what that means, "maximum number
 5 of units shall be established consistent with
 6 the density of similarly zoned parcels." It's
 - 7 a little more dense than some of the things
 - 8 nearby. It's a little less dense than the
 - 9 senior next to it.
- 10 If this goes to a planning board or
- 11 town board, I don't know that they know what we
- 12 are trying to say. If that's the case, I
- 13 suggest that we strike it or say that we think
- 14 it isn't consistent for some reason.
- MR. FRELENG: Similarly zoned
- 16 properties would be the other MR properties. I
- 17 think in terms of planning, you can make a
- 18 distinction between the spinoff impacts one,
- 19 for lack of a better term, of attached units
- 20 whether affordable or senior units. I think
- 21 trip generation multipliers would be different
- 22 for seniors than attached units. Staff is
- 23 recommending MR stay as MR and senior citizen
- 24 stay as senior citizen, unless there are
- 25 extenuating circumstances, as the developer



- 1 11/2/11 Suffolk Planning Commission
- 2 provided. However, that needs to be in the
- 3 record. Staff believes if you're going to use
- 4 MR, you should be consistent with MR, and
- 5 senior citizen should be consistent.
- THE CHAIRMAN: This is more than what
- 7 is allowed in MR, and less than what is allowed
- 8 in senior citizen.
- 9 MR. FRELENG: Correct.
- 10 COMMISSIONER HOLMES: They should be
- 11 consist. THE CHAIRMAN: In my mind,
- 12 this project, there are a lot of extenuating
- 13 circumstances in my mind because of the kind of
- 14 project and environmental issues and rundown
- 15 nature of this area that requires a lot of
- 16 work. Personally, I believe that the --
- 17 allowing more density here can make sense
- 18 because there are significant problems and
- 19 community benefit.
- 20 This doesn't say that. This says
- 21 something that, I mean --
- MR. FRELENG: This provides an
- 23 opportunity for the locality to provide, in
- 24 their deliberations, the rationale for going
- 25 beyond seventeen, seventeen and fifteen units



- 1 11/2/11 Suffolk Planning Commission
- 2 to the acre, to more like what they are
- 3 proposing, which is twenty-four units to the
- 4 acre, which is more consistent with the SC
- 5 code.
- In this particular instance, we are
- 7 going to allow a higher density. It allows the
- 8 next project that comes in not to use this as a
- 9 case study for higher density in an MR zone.
- 10 THE CHAIRMAN: This is saying it
- 11 should be less. With respect to this
- 12 commission, it should be less. Now Town of
- 13 Babylon is going to deviate from that, you have
- 14 to override us and you have to put that on the
- 15 record. It's a different thing than saying we
- 16 think, in the circumstance, given the knowledge
- 17 that we have, which isn't complete, it makes
- 18 sense to have the higher density, but you, Town
- 19 of Babylon, should put that on the record.
- 20 It's a different thing.
- 21 We can procedurally force them to put
- 22 it on the record or procedurally, through a
- 23 modification, to force them to put it on the
- 24 record without us necessarily taking a
- 25 position, whether it is or is not appropriate



- 1 11/2/11 Suffolk Planning Commission
- 2 to have a higher density than what is currently
- 3 there. This density as scripted out here, it
- 4 is not appropriate. Town of Babylon, you
- 5 override us if you feel like it.
- 6 It's different than saying we
- 7 understand there is a lot of issues. We think,
- 8 Town of Babylon, you should put on the record
- 9 why you think the density is appropriate.
- 10 MR. FRELENG: The proposal is not
- 11 consistent with the MR code.
- 12 COMMISSIONER FINN: To that point,
- 13 you had the benefit, which most of us have not,
- 14 to visit this site. This site specific,
- 15 wouldn't you think, as a planning professional,
- 16 this would warrant the additional density, to
- 17 take the existing conditions, to make this plan
- 18 come to fruition? Would you be an advocate to
- 19 have additional density in this location?
- MR. FRELENG: Are you asking staff's
- 21 personal opinion? I don't know the economics
- 22 of the project. I don't know if seven units to
- 23 the acre plus fifty thousand square feet of
- 24 retail would make the project work for the
- 25 developer. From my personal opinion, is a



- 1 11/2/11 Suffolk Planning Commission
- 2 redevelopment of the site a good idea? Yes,
- 3 but I don't know what the appropriate density
- 4 is. COMMISSIONER FINN: I
- 5 understand what your concern is going down the
- 6 road with painting site plans with a brush.
- 7 This particular situation is an unusual
- 8 situation. It's a health and safety hazard and
- 9 it's a problem. The site is a problem. This
- 10 applicant knew that, which we never talk about
- 11 did on this commission, but is density a bonus
- 12 or incentive for someone to come in and take a
- 13 blighted property.
- 14 We know on adjacent parcels they have
- 15 the same exact density, if not more than this
- 16 site. I think the way the modification is
- 17 written, I think it sends the wrong message. I
- 18 think it's we will make a modification that is
- 19 too dense, or just strike it altogether.
- MR. FRELENG: If you ask this staff
- 21 member's personal opinion, I think this project
- 22 may be too dense if you look at the number of
- 23 variances that are required in order to do the
- 24 project. Staff doesn't have the luxury of
- 25 taking into account the other items the



- 1 11/2/11 Suffolk Planning Commission
- 2 commission takes into account, like economics.
- 3 That's the Board's discretion. Staff is
- 4 looking at it from a planning perspective.
- 5 THE CHAIRMAN: We can do one or two
- 6 things. We can make a value judgment, or
- 7 simply say to the town we recognize what you
- 8 are saying, this is more dense than typical of
- 9 MR code, but we are not in a position to judge
- 10 all the public benefits. So if the planning
- 11 board believes this is appropriate to allow the
- 12 increased density, they should say their
- 13 reasons on the record. We can simply say that
- 14 without us making a determination whether it's
- 15 too much or too little, whether it works or
- 16 doesn't work for a developer.
- 17 COMMISSIONER ESPOSITO: I think that
- 18 is the way we should go. We don't have
- 19 information to make a greater evaluation than
- 20 that. I think it would be inappropriate to
- 21 start directing, based on such limited
- 22 information. I prefer that be the tactic that
- 23 the Planning Commission takes.
- 24 VICE-PRESIDENT KONTOKOSTA: I agree.
- 25 There is a DEIS that has been done. Where are



- 1 11/2/11 Suffolk Planning Commission
- 2 they on the SEQRA process? Has a finding
- 3 statement been issued?
- 4 MR. FRELENG: I'm not sure, I don't
- 5 think a finding statement has been issued.
- 6 VICE PRESIDENT KONTOKOSTA: That is a
- 7 key barometer of what the impacts would be.
- 8 THE CHAIRMAN: The Suffolk County
- 9 Planning Commission notes that the density
- 10 proposed by the application is greater than
- 11 that allowed by the MR code. If the town
- 12 planning board believes that the benefit
- 13 justifies the excess of the MR code, they
- 14 should enumerate those justifications in their
- 15 decision.
- 16 COMMISSIONER HOLMES: It should not
- 17 be a "should," it should be a "shall;" is that
- 18 right? THE CHAIRMAN: Sure, that
- 19 is why the committee works with others.
- MR. FRELENG: Just to follow up,
- 21 phase one is about thirty percent short of the
- 22 required parking.
- 23 COMMISSIONER HOLMES: Would you read
- 24 that again, David?
- 25 THE CHAIRMAN: Change modification



- 1 11/2/11 Suffolk Planning Commission
- 2 one to the following: The Suffolk County
- 3 Planning Commission notes that the density
- 4 proposed by this application is greater than
- 5 that allowed by the MR code. If the town
- 6 planning board believes the community benefits
- 7 of the application justify density in excess of
- 8 the MR code, they shall enumerate those
- 9 justifications in their decision.
- Any thoughts, comments, questions?
- 11 Any objection to making that change? Seeing
- 12 none, we will make that change. We have two
- 13 other modifications. Any comments or
- 14 suggestions? If not, I will entertain a motion
- 15 to adopt the resolution with the three
- 16 modifications, including number one, which is
- 17 amended, and there are three comments as
- 18 articulated by staff and four comments as added
- 19 by the Commission.
- 20 COMMISSIONER HOLMES: Move the
- 21 adoption of the staff report as amended.
- 22 COMMISSIONER CHARTRAND: Seconded.
- THE CHAIRMAN: All in favor, please
- 24 raise your hand. (Show of hands) Ten to zero.
- 25 Next item is the Mount Sinai Industrial.



- 1 11/2/11 Suffolk Planning Commission
- 2 Welcome back, Commissioner Weir.
- 3 MR. FRELENG: The next referral is
- 4 from the Town of Brookhaven, Mount Sinai
- 5 Industrial, LLC, otherwise known as Mount Sinai
- 6 Village Center. The applicants request a
- 7 change of zone totaling thirty point three two
- 8 acres from L-1 Industrial, J-2 Business and A-1
- 9 Residential to all J-2 Business in order to
- 10 develop the site as a mixed use commercial
- 11 center with retail, office, bank, restaurant,
- 12 all totaling proposed gross floor area of
- 13 approximately two hundred thirty-three thousand
- 14 fifty-eight square feet. The proposed
- 15 commercial center includes ten buildings, two
- 16 of which are anchor retail and sub-anchor
- 17 retail, a store converted to a bank, a one
- 18 hundred seat stand alone restaurant and six
- 19 other one and two and three story retail
- 20 buildings. There is an office component in the
- 21 project that is the second floor of three of
- 22 the proposed retail buildings, and total office
- 23 component is seventeen thousand six hundred
- 24 square feet.
- 25 The Town of Brookhaven zoning law



- 1 11/2/11 Suffolk Planning Commission
- 2 requirement for off street parking is not met
- 3 and would require relief. Parking is
- 4 approximately twenty percent short of the
- 5 requirement.
- 6 The application material indicates
- 7 that the development is not going to be
- 8 connected to an existing sewage treatment
- 9 facility or propose to construct a sewage
- 10 treatment plant on site. Rather, the
- 11 development of the commercial center will
- 12 discharge sanitary waste to septic tanks and
- 13 leaching rings on site in accordance with
- 14 Suffolk County Department of Health Services
- 15 requirements.
- The petition also includes the
- 17 proposed creation of a commercial center which
- 18 includes a village center type development with
- 19 a boulevard design and internal sense-of-place,
- 20 walkability between office, retail and public
- 21 outdoor use space. Approximately twenty-three
- 22 point eight two percent of the subject property
- 23 provided as natural open space.
- 24 In terms of General Municipal Law
- 25 considerations, the proposal does not appear to



- 1 11/2/11 Suffolk Planning Commission
- 2 have any significant regional or
- 3 inter-community concerns regarding the
- 4 development of the subject property. One item
- 5 of note is that the subject development is
- 6 adjacent to the County Route 111 corridor,
- 7 which is undeveloped and proximate to county
- 8 parkland which may form the headland of the
- 9 Greenbelt Trail. Opportunities exist to link
- 10 the pedestrian network with possible future
- 11 trailheads to the regional trail system.
- The Town of Brookhaven 1996 Land Use
- 13 Plan identified the subject parcel as
- 14 appropriate for residential use. The proposal
- does not appear to be consistent with the '96
- 16 Comprehensive Plan. Several other initiatives
- 17 have been conducted; none have been adopted by
- 18 the Brookhaven Town Board. The commentaries
- 19 from the later planning documents indicate a
- 20 desire to improve the subject property with
- 21 commercial uses along the 25A corridor with
- 22 considerations for residential lots or planned
- 23 retirement community units.
- You can see from the zoning map the
- 25 residential areas. The plans also recommend



- 1 11/2/11 Suffolk Planning Commission
- 2 limiting the big box retail element on the site
- 3 to a maximum of seventy-five thousand square
- 4 feet of gross floor area. The plan also
- 5 recommends a minimum of twenty-five percent
- 6 undisturbed natural area and buffering to the
- 7 adjacent residential community. In context
- 8 with later planning studies, the proposed
- 9 change of zone for the subject property would
- 10 appear to be in conceptual conformance.
- 11 Planning Department staff
- 12 consistently had a concern that we related to
- 13 the Town of Brookhaven that townwide, the town
- 14 has less than one percent of its land
- 15 industrially zoned. Staff believes a light
- 16 industrial park, tradesperson park or even a
- 17 technology park could be a viable option. The
- 18 town contends that there is not a significant
- 19 base in the Hamlet of Mount Sinai. It's
- 20 pointed out that there are scattered industrial
- 21 zoned lands with existing uses and some
- 22 potential growth.
- 23 Staff wanted to take a look at that.
- 24 It's hard to see from the graphic here. This
- 25 is the subject property. We tried to show some



- 1 11/2/11 Suffolk Planning Commission
- 2 radiuses, three point one nine, four and a
- 3 quarter miles.
- 4 THE CHAIRMAN: What is this
- 5 articulating?
- 6 MR. FRELENG: Other light
- 7 industrially zoned properties in the area, just
- 8 to pictorially represent the applicant's
- 9 contention that there are existing scattered
- 10 industrially zoned lands with potential for
- 11 growth near the subject property.
- 12 THE CHAIRMAN: Do those parcels have
- 13 room for growth?
- 14 MR. FRELENG: Some have redeveloped
- 15 as businesses roll-over and some have vacancies
- 16 with the ability to develop. The applicant
- 17 contends that neither Mount Sinai or the region
- 18 would suffer from the land use conversion.
- 19 Another concern raised by the
- 20 department was with respect to shopping center
- 21 vacancy rates in that area. We, in the staff
- 22 report, we indicate what the vacancy rights
- 23 rates are for those areas. The applicant's
- 24 consultant concluded that the vacancies that
- 25 exist in the area may be more related to the



- 1 11/2/11 Suffolk Planning Commission
- 2 style of development of the strip commercial
- 3 centers, poor access, poor signage, rent
- 4 considerations or other factors. The applicant
- 5 feels there is a significant market share in
- 6 the area to develop the land as proposed.
- 7 COMMISSIONER WEIR: The purple piece,
- 8 is that the subject property?
- 9 MR. FRELENG: It's right in the
- 10 middle. Within three and a half miles there
- 11 are a couple of identified pieces heading due
- 12 west. South, four and a quarter miles there is
- 13 a parcel zoned light industrial, and all the
- 14 way out here, about four and a quarter miles,
- 15 there is another piece large piece of zoned
- 16 industrial.
- 17 With regard to the Suffolk County
- 18 Planning Commission guideline considerations,
- 19 the Town of Brookhaven Department of Planning,
- 20 Environment and Land Management, in concert
- 21 with the petitioner's consultant, Nelson, Pope
- 22 & Voorhis, had jointly prepared an "Analysis of
- 23 Conformance to the Suffolk County Planning
- 24 Commission Policies & Guidelines for the
- 25 Referral of Proposed Municipal Subdivision and



- 1 11/2/11 Suffolk Planning Commission
- 2 Zoning Actions" dated October 11, 2011.
- 3 Suffolk County Planning staff reviewed the
- 4 analysis formulated by the town and petitioner
- 5 and has following observations:
- If you take a look at the overall
- 7 area, Suffolk County has been acquiring land
- 8 for open space purposes to the east of the
- 9 property and adjacent to County Road 111 that
- 10 was to be at one time the extension of County
- 11 Road 111. It ends at the Expressway.
- 12 There were plans to bring it up and through the
- 13 Port Jefferson area up to Setauket. The county
- 14 is picking up land. There is a county holding
- 15 here.
- What you can't see is that this trail
- 17 hopscotchs and links all the way down in to the
- 18 Pine Barrens. This could conceivably be part
- 19 of a trail system where this would be the
- 20 headlands of a trail. Staff thinks it would be
- 21 appropriate to consider design elements of a
- 22 project along the northeast property line that
- 23 enhances the open space qualities of Suffolk
- 24 County lands. If we go to the site plan, you
- 25 can see the right-of-way for County Road 111



- 1 11/2/11 Suffolk Planning Commission
- 2 runs along this property, and there could be
- 3 connections made or some sort of amenities.
- 4 This buffer appears to be off site, and we want
- 5 to make sure there is a vegetated buffer along
- 6 the parking line is substantial enough to
- 7 provide protection to the right-of-way.
- 8 You can see the vegetation here.
- 9 When we get into site plan, maybe you can bump
- 10 it out another five feet or so.
- 11 THE CHAIRMAN: This is not a site
- 12 plan?
- 13 MR. FRELENG: This is a change of
- 14 zone.
- 15 THE CHAIRMAN: We will frequently
- 16 flag these kinds of issues the staff identifies
- 17 as comments in a change of zone. This way,
- 18 when the site plan is fleshed out, the
- 19 developer is aware of what issues they may not
- 20 be thinking about that we may be looking at
- 21 from a regional perspective that are particular
- 22 to this project, like the one Andy spoke about.
- MR. FRELENG: The petitioner includes
- 24 elements of the development proposal that would
- 25 be in conformance with Suffolk County Planning



- 1 11/2/11 Suffolk Planning Commission
- 2 Commission guidelines, including energy
- 3 efficiency, traffic safety, walkability. There
- 4 is a whole list of public benefits and
- 5 mitigations that the applicants are proposing.
- 6 There is connectivity between the adjacent
- 7 sites. Again, staff is just saying that we
- 8 should just pay attention to the Greenbelt
- 9 Trail to develop in the future.
- In terms of energy efficiency, we are
- 11 proposing to be redesigned and looking towards
- 12 the reorientation of the subject site. The
- 13 site has been designed in an attempt to be
- 14 walkable.
- 15 With all of the above considerations,
- 16 staff is recommending approval with the
- 17 following comments:
- 18 First is that the subject property,
- 19 while it's not located in the Central Pine
- 20 Barrens, it is situate to the Suffolk County
- 21 owned lands and unimproved corridor for County
- 22 Road 111. The second comment being that site
- 23 planning and variance relief, if any, is
- 24 subject to the Suffolk County Planning
- 25 Commission and should be referred for our later



- 1 11/2/11 Suffolk Planning Commission
- 2 review. That is the staff report.
- 3 THE CHAIRMAN: This is a Brookhaven
- 4 project. Since Mike is not here and I lived
- 5 most of my life in Mount Sinai, I can tell you
- 6 that this is a significant improvement over the
- 7 aesthetics of the existing strip mall kind of
- 8 atmosphere that pervades my home town. You
- 9 don't want to pave paradise to put up a parking
- 10 lot.
- 11 COMMISSIONER ESPOSITO: Thanks, Joni.
- 12 THE CHAIRMAN: This is a good use of
- 13 the land and it's industrially zoned. It's
- 14 meant to be developed. I don't believe this is
- 15 on any county list.
- MR. FRELENG: Staff does not have any
- 17 specific knowledge of that.
- 18 THE CHAIRMAN: It's meant to be
- 19 utilized in an industrial capacity. The
- 20 question is changing it to the kind of capacity
- 21 that we here. My question is the over
- 22 intensification of the commercial. At the end
- 23 of the day, that is something the developer has
- 24 to decide on. If we are going to do more
- 25 commercial in the area, this is a more tasteful



- 1 11/2/11 Suffolk Planning Commission
- 2 way of doing it.
- I want to raise the issue of storm
- 4 water runoff. Before I get to that, I will ask
- 5 if there are any other comments.
- 6 COMMISSIONER HOLMES: Having driven
- 7 past the site on the way here today, I agree
- 8 that the proposal would be an improvement.
- 9 There is a lot of pavement.
- 10 COMMISSIONER ESPOSITO: Not much
- 11 paradise.
- 12 COMMISSIONER WEIR: This has
- 13 structures on it already, or is this
- 14 unimproved?
- MR. FRELENG: It's unimproved.
- 16 THE CHAIRMAN: It's treed. It's
- 17 wooded.
- 18 COMMISSIONER ESPOSITO: Open space
- 19 doesn't need to be improved, in some people's
- 20 eyes. COMMISSIONER BERRY:
- 21 Although I admire the design, it is a green
- 22 field instead of a gray or brown field.
- 23 Because of that, although I agree with the
- 24 change in zoning, I don't think they should be
- 25 given anything extra. For instance, I think



- 1 11/2/11 Suffolk Planning Commission
- 2 that the twenty-five percent undisturbed land
- 3 should be on the lots that they own and not
- 4 include the right-of-way.
- 5 I agree with the comments that the
- 6 staff made about linking to the future
- 7 greenway. Also relative to the parking,
- 8 they're asking for twenty percent relief. I
- 9 have no problem with them not building the
- 10 twenty percent, but the design does encourage
- 11 temporary intensive uses of open space. I
- 12 think we may find in the future they may need
- 13 that parking. I would like to see that parking
- 14 banked in addition to the twenty-five percent
- 15 undisturbed.
- 16 THE CHAIRMAN: Do we have-- he
- 17 doesn't have a parking variance yet. This is
- 18 just a change of zone? MR. FRELENG:
- 19 This is based on the conceptual plan provided
- 20 with the change of zone, correct.
- 21 THE CHAIRMAN: While it's
- 22 instructive, there hasn't been any specific
- 23 application as to what their -- what kind of
- 24 parking they are proposing.
- MR. FRELENG: It's conceptual. It



- 1 11/2/11 Suffolk Planning Commission
- 2 still has to go through site plan, and at that
- 3 point they have to negotiate the parking, and
- 4 they may have to go to the ZBA for variance.
- 5 The conceptual plan is showing they will need a
- 6 variance for twenty percent of the parking.
- 7 THE CHAIRMAN: I think it would be
- 8 appropriate to say we are concerned about the
- 9 parking shortfall; we are going to keep an eye
- 10 on it.
- 11 MR. FRELENG: It should be noted if
- 12 they are going to provide the parking as land
- 13 banked, it's is going to been functional in the
- 14 future and they may have to change the size of
- 15 some of the buildings or go higher or changed
- 16 the footprint. It's kind of an advisory that
- 17 the applicant may want to change the size of
- 18 the buildings.
- 19 THE CHAIRMAN: We can say we are
- 20 concerned about the shortfall. We are not
- 21 ruling on it now. It's not really before us
- 22 now. It's not at site plan. But we are saying
- 23 that we have some concerns about the adequacy
- 24 of the parking. Unless there is an objection.
- 25 COMMISSIONER WEIR: The size of these



- 1 11/2/11 Suffolk Planning Commission
- 2 large retail, is that big box stores? Is that
- 3 a Lowe's type of situation?
- 4 MR. FRELENG: One is seventy-five
- 5 thousand square feet. In accordance with some
- of the local planning initiatives, they don't
- 7 go larger than seventy-five thousand square
- 8 feet, and the other is fifty thousand square
- 9 feet.
- 10 COMMISSIONER ESPOSITO: I'm going to
- 11 beat this drum. I know it's a conceptual site
- 12 plan. We should mention to them this is the
- 13 perfect situation to include green
- 14 methodologies for storm water runoff, permeable
- 15 pavement, bioswales, natural vegetation uses.
- 16 It's green space now. It's the perfect
- 17 situation to tailor it to meet those storm
- 18 water guidelines, and we will be looking
- 19 forward as to how they use them when we get the
- 20 site plan. Just saying.
- 21 THE CHAIRMAN: I think they can
- 22 consult our guidelines, our publication on
- 23 green methodology storm water runoff. These
- 24 are all comments. Anyone have any issues with
- 25 the change of zone? (No response)



- 1 11/2/11 Suffolk Planning Commission
- 2 There are two existing comments, one
- 3 on parking one on storm water.
- 4 COMMISSIONER BERRY: And the
- 5 twenty-five percent undisturbed should be on
- 6 their property rather than included in the
- 7 right-of-way.
- 8 THE CHAIRMAN: The proposal preserves
- 9 approximately twenty-five percent natural
- 10 vegetation, natural place clustered -- oh, I
- 11 read that as saying that it doesn't include
- 12 that. That is on the parcel. Am I reading
- 13 that wrong?
- MR. FRELENG: The proposal is
- 15 twenty-three point eight two percent along the
- 16 southern property boundary. Unadopted property
- 17 documents for the area recommend twenty-five
- 18 percent. The applicant is saying if you take
- 19 the abandoned roadway and combine it with the
- 20 project, you have twenty-five percent.
- THE CHAIRMAN: No one adopted the
- 22 twenty-five percent standard. It's typical
- 23 Brookhaven. It's not in the Pine Barrens?
- MR. FRELENG: No. Staff was hesitant
- 25 to put a benchmark on what Commission



- 1 11/2/11 Suffolk Planning Commission
- 2 guidelines would be. If it was in the Barrens
- 3 for a commercial site, it would be thirty-five
- 4 percent to be left natural. Staff didn't put
- 5 it in because it's not in the Pine Barrens.
- 6 You don't have guidelines for clearing outside
- 7 of Pine Barrens. The only benchmark is what is
- 8 being circulated out there on the discussion.
- 9 They should have twenty-five percent
- 10 on the property. The applicants are coming
- 11 back with twenty-three point two, and I guess
- 12 it's a discretionary call as to whether it's
- 13 close enough.
- 14 THE CHAIRMAN: Commissioner Berry
- 15 suggested we include twenty-five percent on
- 16 site. We don't really have a standard.
- 17 MR. FRELENG: Staff could make a
- 18 suggestion that perhaps this could be land
- 19 banked and you can provide open space in terms
- 20 of the land banked scenario and tie that in
- 21 with the Greenbelt.
- THE CHAIRMAN: What is there now?
- MR. FRELENG: This is a strip of
- 24 parking. It's not land banked. You can do a
- 25 little bit of semantics put into land bank and



- 1 11/2/11 Suffolk Planning Commission
- 2 call it open space and say it can be added to.
- 3 THE CHAIRMAN: You don't have to make
- 4 up the parking elsewhere.
- 5 MR. FRELENG: Hopefully, at site plan
- 6 they will provide a parking analysis.
- 7 COMMISSIONER ESPOSITO: Should not we
- 8 really talk about that at the site plan stage,
- 9 parking?
- 10 MR. FRELENG: Unless you are
- 11 concerned that the change of zone phase at the
- 12 conception, is a little bit over --
- 13 COMMISSIONER ESPOSITO: You're
- 14 talking about one point eight percent.
- 15 THE CHAIRMAN: I think it's fine to
- 16 mention the parking because it's a little bit
- 17 of a shortfall. It isn't like a de minimus
- 18 shortfall, so we will keep an eye on it when it
- 19 comes to site plan. What I'm hearing is that
- 20 the differentiation of twenty-three point two
- 21 versus twenty-five when there isn't a formal
- 22 standard of twenty-five, may not be something
- 23 that we can get into.
- 24 COMMISSIONER ESPOSITO: From what I
- 25 understand, it's almost twenty-four percent on



- 1 11/2/11 Suffolk Planning Commission
- 2 the bottom. Somewhere in the matrix of the
- 3 plan there must be some green space that might
- 4 or might not make up the green space.
- 5 MR. FRELENG: That would be natural
- 6 green space.
- 7 COMMISSIONER ESPOSITO: They could if
- 8 they do bioswales.
- 9 COMMISSIONER HOLMES: I was going to
- 10 say, following up on Commissioner Berry's
- 11 suggestion, could we say that the developer
- 12 should consider putting twenty-five percent of
- 13 parking on their own property? Should
- 14 consider, could consider?
- 15 THE CHAIRMAN: Anyone feel strongly
- 16 about that, including it? I don't see anyone
- 17 feeling strongly about that. If someone wants
- 18 to make a motion.
- 19 COMMISSIONER HOLMES: I'll make a
- 20 motion that it be included, and Commissioner
- 21 Berry will second it.
- 22 THE CHAIRMAN: Commissioner Holmes is
- 23 the senior member and Commissioner Berry is the
- 24 junior member. The proposal is that you add
- 25 language in as a comment that we suggest that



- 1 11/2/11 Suffolk Planning Commission
- 2 the developer consider increasing the naturally
- 3 occurring open space to be twenty-five percent
- 4 as a comment. That is the motion?
- 5 COMMISSIONER HOLMES: Yes.
- 6 COMMISSIONER BERRY: Yes.
- 7 THE CHAIRMAN: Not increase because
- 8 it's just conceptual. That they meet the
- 9 twenty-five percent standard for on site open
- 10 space.
- 11 COMMISSIONER HOLMES: She said on
- 12 site parking.
- 13 COMMISSIONER BERRY: They're two
- 14 different things. One is twenty-five percent
- 15 undisturbed being on site, which came from a
- 16 recommendation from the community. That is why
- 17 I picked that up. The other is that the twenty
- 18 percent unbuilt parking be land banked in
- 19 addition to the twenty-five percent open space.
- THE CHAIRMAN: There was no objection
- 21 to including the parking, or at least
- 22 acknowledging the parking issue. The question
- is whether anyone wants to add language on open
- 24 space. I didn't see a lot of nodding heads on
- 25 that.



- 1 11/2/11 Suffolk Planning Commission
- 2 We have had this situation in
- 3 Brookhaven where they had planning documents
- 4 that they haven't adopted. There is no formal
- 5 standard. It hadn't happened.
- 6 COMMISSIONER ESPOSITO: I make a
- 7 suggestion. I think we can include these as
- 8 comments. It's better to give the applicant
- 9 more information rather than less information.
- 10 There is no site plan. It's a conceptual site
- 11 plan. We just made a comment what we would
- 12 like to see, to keep the twenty-five percent,
- 13 fine.
- 14 Then we will look at the site plan
- 15 when it comes back and evaluate. I don't think
- 16 adding it as a generalized conceptualized
- 17 comment to a conceptualized site plan is going
- 18 to be harmful.
- 19 THE CHAIRMAN: Is there any objection
- 20 to adding it the way Adrienne articulated it?
- 21 We will see it at site plan. Seeing none,
- 22 we will add that as a comment. The other
- 23 comment was on parking. We did that.
- 24 Without objection, any other
- 25 comments? Anything else? Storm water.



- 1 11/2/11 Suffolk Planning Commission
- 2 COMMISSIONER ESPOSITO: Andy didn't
- 3 forget about that, I'm sure.
- THE CHAIRMAN: We have five comments,
- 5 two written by staff. The concern about storm
- 6 water runoff, concern about shortfall of
- 7 parking and twenty-five percent open space.
- 8 Anything else? Motion by the vice chairman and
- 9 second by Commissioner Berry. Motion by me,
- 10 seconded by Commissioner Berry. All in favor.
- 11 (Show of hands) Eleven, zero.
- 12 Last item is the Walt Whitman
- 13 expansion.
- 14 MR. FRELENG: Next applicatoin comes
- 15 to us from the Town of Huntington referral, the
- 16 Walt Whitman Mall, LLC. The applicants are
- 17 requesting site plan approval from the
- 18 Huntington Planning Board for various
- 19 improvements, including the addition of
- 20 seventy-two thousand square feet of retail
- 21 space along the western portion of the mall,
- 22 reconfiguration of parking areas and
- 23 construction of new parking areas. A total of
- 24 four thousand seven hundred parking spaces
- 25 would be provided and is consistent with relief



- 1 11/2/11 Suffolk Planning Commission
- 2 granted by the Town Zoning Board of Appeals.
- 3 Two recharge basins exist on the
- 4 subject site, one on the northeast portion of
- 5 the property and one on the southeastern
- 6 portion, totaling approximately two point five
- 7 six acres. The recharge basins are proposed to
- 8 be developed as parking areas. In addition,
- 9 minor improvements to internal parking lot,
- 10 pedestrian circulation and additional
- 11 landscaping is proposed to be provided to
- 12 provide a more pedestrian friendly and
- 13 aesthetically pleasing environment. The
- 14 application material indicates that the
- 15 development is to connect to an existing sewage
- 16 treatment facility off site.
- 17 In terms of General Municipal Law
- 18 Consideration, the proposal does not appear to
- 19 have any significant regional or community
- 20 concerns. The proposed improvement is
- 21 approximately five percent increase of the
- 22 total floor square area of the shopping mall.
- 23 The Town of Huntington Horizons 2020
- 24 Comprehensive Plan Update identifies the
- 25 property as a major commercial corridor, mixed



- 1 11/2/11 Suffolk Planning Commission
- 2 use center. The proposed expansion of the
- 3 shopping mall and improvements to the parking
- 4 lot appear to be consistent with the town's
- 5 comprehensive plan update.
- 6 With regard to the considerations, it
- 7 does not appear from the nature of the referred
- 8 material that the material has given
- 9 consideration to the contents of the Suffolk
- 10 County Planning Commission guidebook. It's
- 11 noted that the expansion and parking lot
- improvements are relatively minor compared to
- 13 the overall existing gross floor area of the
- 14 mall, and total acreage of the project area of
- 15 sixty-five acres.
- 16 It's the belief of the staff that the
- 17 proposal may find some benefit in viewing the
- 18 Commission's guidebook, especially with respect
- 19 to energy efficiency and public safety.
- 20 Staff recommends approval subject to
- 21 the following comments:
- 22 All improvements to the Walt Whitman
- 23 Mall should be in conformance with any SEQRA
- 24 findings and prior relief granted by the
- 25 Huntington Town Planning Board and Zoning Board



- 1 11/2/11 Suffolk Planning Commission
- 2 of Appeals. Second comment, all storm water
- 3 runoff be kept on site and treated with best
- 4 management practices. The applicants should
- 5 review the Suffolk County Planning Commission
- 6 guidebook and incorporate where practical,
- 7 design elements recommended therein.
- 8 The staff is recommending a fourth
- 9 comment, that this is related to recent site
- 10 inspections that we have done, that a fence
- 11 blocking motor vehicle cross access along the
- 12 southern property line be reestablished so
- 13 pedestrian and motor vehicle cross access
- 14 between the two sites is consistent.
- This is the north end of the site as
- 16 it exists today. The proposed improvements
- 17 would go along the front end of the building.
- 18 There is a recharge basin over here in the
- 19 southeast corner, and here in the northeast
- 20 corner. That's it. There would be the zoning
- 21 of the property. It's consistent with the
- 22 zoning.
- This would be the site plan. You can
- 24 see this being Broad Hollow Road, this is the
- 25 front of the building. The gray area shows the



- 1 11/2/11 Suffolk Planning Commission
- 2 improvements of the eight thousand square feet
- 3 that would bump up to a second story and a
- 4 deck. This is about forty feet and you can see
- 5 all the minor parking fixes on site and then
- 6 the recharge basins that are filled in and
- 7 converted to parking. That is the staff
- 8 report.
- 9 THE CHAIRMAN: This is a Huntington
- 10 project. Commissioner Casey, thoughts.
- 11 COMMISSIONER CASEY: Looking at it,
- 12 seems like it's pretty good. The mall is a
- 13 vital component on Route 110 and it appears
- 14 anything that the parking is generally
- 15 underutilized. I agree with the staff
- 16 recommendations.
- 17 MR. FRELENG: I didn't point out one
- 18 thing. This has been fenced off while they
- 19 prepare for construction, but there is cross
- 20 access between the properties. We are
- 21 recommending that they reestablish the cross
- 22 access.
- COMMISSIONER CASEY: There is another
- 24 shopping center to the south of it which is the
- 25 Barnes & Noble park shopping center.



- 1 11/2/11 Suffolk Planning Commission
- 2 MR. FRELENG: There is a comment that
- 3 we are recommending, it's not in the staff
- 4 report, and we are recommending that this cross
- 5 access be reestablished. They put up
- 6 construction fencing. We want to make sure it
- 7 doesn't become permanent.
- 8 Anecdotally, in the Town of
- 9 Southampton, we have a couple of projects where
- 10 they put up fencing and the fencing never came
- 11 down, and we had some neighbors start to have
- 12 arguments over cross access agreements and
- 13 insurance and stuff.
- 14 THE CHAIRMAN: Any other comments,
- 15 questions? COMMISSIONER CASEY: I make
- 16 a motion that we adopt it.
- 17 COMMISSIONER WEIR: Second.
- 18 THE CHAIRMAN: All in favor? (Show
- 19 of hands) Ten-zero. Where did Matt go?
- 20 COMMISSIONER FINN: He had to recuse
- 21 himself. THE CHAIRMAN: That is why
- 22 the vote is ten-zero. Unless anyone has
- 23 anything else, let the Vice Chairman say a few
- 24 words.
- 25 COMMISSIONER KONTOKOSKA: I came on



- 1 11/2/11 Suffolk Planning Commission
- 2 this Commission about six years ago. I was
- 3 hoping to use the position to make a positive
- 4 impact, positive change on the county. I never
- 5 had any intention of being here just to keep
- 6 the seat warm.
- 7 I've been fortunate over the last few
- 8 months to take on a lot of responsibility,
- 9 including some projects with Mayor Bloomberg's
- 10 office and two projects on the East End. So
- 11 I'm going to be stepping off the Commission at
- 12 the end of my term as Vice Chair in February.
- 13 That will close out the vice chair position and
- 14 allow me to finish up the work on the housing
- that I've been doing and commercial energy
- 16 efficiency. I'll be around for a few months.
- I want to thank a few thank you's. I
- 18 want to thank the staff, Dan and Andy, who have
- 19 given us the information to make many times
- 20 sensible and logical decisions that implement
- 21 all of musings up here, which is pretty
- 22 impressive. Obviously, working with Tom is
- 23 fantastic. Tom was a great leader and I have
- 24 high hopes for Sarah. I know she will do a
- 25 great job. I told her not to be disenchanted



- 1 11/2/11 Suffolk Planning Commission
- 2 by all the people who don't want change. And I
- 3 expect great things from our fearless leader.
- 4 Other parts of his legacy will be introduction
- 5 of the six hour planning commission meeting.
- 6 He's done an incredible job making this a very
- 7 relevant board, making this a leader in the
- 8 county and highlighting key and being an
- 9 advocate for key regional issues and by being a
- 10 leader in cooperation with the towns and
- 11 villages, which was something that was lacking
- 12 and is evident in your accomplishments.
- I'm privilege to be part of the
- 14 Commission. I don't know how I became one of
- 15 the veterans of the Commission. It's been
- 16 fantastic to see the new members come on and
- 17 the professionalism and expertise that has come
- 18 on has been tremendous. You have me for
- 19 another couple of months. Use it wisely and
- 20 it's been an honor to serve the county.
- 21 (Applause)
- 22 THE CHAIRMAN: It goes without saying
- 23 we will miss Constantine, his leadership, his
- 24 expertise, his calm under fire, and I know
- 25 I will miss him very much.



- 1 11/2/11 Suffolk Planning Commission
- 2 COMMISSIONER HOLMES: He's the only
- 3 professor we ever had.
- 4 COMMISSIONER ROBERTS: I teach at
- 5 Columbia Business School.
- 6 THE CHAIRMAN: Constantine said he
- 7 will stick around for a few months. That is
- 8 important to us. The housing summit, the green
- 9 building effort being launched soon. Glynis is
- 10 interested in that. Hoping you guys can
- 11 connect on that. We will miss you.
- 12 That leads me to the other thing. We
- 13 have three officerships coming up for next
- 14 year. One or two appointed nominating and
- 15 rules committee. We need to look at our
- 16 bylaws. We did some major revisions last year.
- 17 We need to take a look at our rules of how we
- 18 conduct our business. I wanted to ask Diana
- 19 Weir to be chair of the nominating and rules
- 20 committee and Constantine as well as Tom
- 21 McAdam. I look forward to them leading that
- 22 effort.
- Under the county charter the rules
- 24 committee is appointed by the Chair with the
- 25 blessing of the whole Commission in November of



- 1 11/2/11 Suffolk Planning Commission
- 2 each year. They report in January who the
- 3 recommendations for the officers for the coming
- 4 year, and our organizational meeting, which is
- 5 in February, we will elect new officers, adopt
- 6 our rules for the year, adopt our schedule for
- 7 the year. We will be sketching out where we
- 8 want to travel in the county. We have hit all
- 9 ten towns. I think we should probably keep
- 10 doing that.
- 11 Thank you and most importantly,
- 12 thanks to Constantine for your service and I
- 13 appreciate the help of the nominating
- 14 committee. Diana will send out an E-mail to
- 15 let anybody interested in an officership,
- 16 interested nominating anyone for an
- 17 officership, let her know. You can circulate
- 18 the rules if they have any comments or
- 19 suggestions. Anything else? If not, if we can
- 20 grab five minutes, I want to hand out the draft
- 21 housing agenda and entertain a motion to
- 22 adjourn.
- COMMISSIONER HOLMES: So move.
- 24 COMMISSIONER WEIR: Second.
- 25 (Time noted: 2:35 p.m.)



1						
2	CEDUTET CAUT ON					
3	CERTIFICATION					
4	CTATE OF NEW VODV)					
5	STATE OF NEW YORK)					
6) SS:					
7	COUNTY OF SUFFOLK)					
8						
9	I, JUDI GALLOP, a Notary Public in					
10	and for the State of New York, do hereby					
11	certify:					
12						
13	THAT this is a true and accurate					
14	record of the meeting held by the Suffolk					
15	County Planning Commission on November 2,					
16	2011, as reported by me and transcribed by					
17	me.					
18						
19						
20	Judi Griles					
21	JUDI GALLOP					
22						
23						
24						
25						



1	ERRATA			
2	I wish to make the following changes, for the			
3	following reasons:			
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24	WITNESS' SIGNATURE DATE			
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