

c/o Suffolk County Department of Planning
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
T: (631) 853-5192 F: (631) 853-4044
Sarah Lansdale, Director of Planning

October 5, 2011
In the Town of Smithtown Board Room
12:00 P.M.

1. Adoption of minutes for July 2011
2. Public Portion
3. Chairman's report
4. Director's report
5. Guest Speakers:
6. Guest Speakers:
 - Hon. Patrick Vecchio, Supervisor
 - Frank DeRubeis, Director-Planning & Community Development Department
 - Kyle Rabin, Director-Water and Energy Programs, GRACE
7. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
 - Colony Preserve@Shirley 0200 97670 0100 001003 (Town of Brookhaven)
8. Section A14-24 of the Suffolk County Administrative Code
 - Suffolk County Land Division@Yaphank 0200 74200 0100 003001 et al. (Town of Brookhaven)
9. Discussion:
10. Other Business:

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Planning
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
T: (631) 853-5192 F: (631) 853-4044
Sarah Lansdale, Director of Planning

AGENDA

October 5, 2011
Town of Smithtown Board Room
99 West Main Street
12:00 P.M.

1. Adoption of minutes for July 2011
2. Public Portion
3. Chairman's report
4. Director's report
5. Guest Speakers:
 - Hon. Patrick Vecchio, Supervisor
 - Frank DeRubeis, Director-Planning & Community Development Department
 - Kyle Rabin, Director-Water and Energy Programs, GRACE
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
 - Colony Preserve@Shirley 0200 97670 0100 001003 (Town of Brookhaven)
7. Section A14-24 of the Suffolk County Administrative Code
 - Suffolk County Land Division@Yaphank 0200 74200 0100 003001 et al. (Town of Brookhaven)
8. Discussion:
9. Other Business:

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on
WEDNESDAY, November 2, 2011 in the Village of Port Jefferson in the Village Hall.



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

SARAH LANSDALE, AICP
DIRECTOR OF PLANNING

STAFF REPORT
SECTIONS A14-14 THRU A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Colony Preserve @ Shirley
Municipality: Brookhaven
Location: East Side of CR 46 (William Floyd Parkway)~594' N/of Chanel Drive

Received: 9/15/2011
File Number: BR-11-06
T.P.I.N.: 0200 97670 0100 001003
Jurisdiction: Adjacent to County Road (CR46) William Floyd Parkway

PROPOSAL DETAILS

OVERVIEW: Applicants request a change of zone from A-1 Residence to Planned Development District (PDD) for the construction of 225 residential units on 205.64 acres. Of the residential units, 150 are intended to be two-bedroom, age-restricted Planned Retirement Community (PRC) residences (between 1,200 and 1,600 SF in size) confined to 42.8 acres of the subject property at the northwest corner. The remaining 75 units are proposed to be detached single family homes (three bedroom) on lots clustered over 56.18 acres at the southwest corner of the subject property. Of the remaining acreage, 97.83 acres are proposed to be dedicated to the Town of Brookhaven for public recreational open space. A clubhouse (5,000 SF), pool, bocci courts and putting green are also provided for the PRC development. In addition, the approximate 10.4 acres of created wetlands by the prior use would remain as Town regulated wetlands.

Town of Brookhaven Zoning Law requirements for off-street parking relevant to this action can be met by the proposal and would be further detailed and reviewed in later Site Plan submissions.

Storm water drainage systems are to be in conformance with Town requirements and include two recharge basins (as required by Town standards) for the clustered-lot component and subsurface leaching pools for the PRC component. Both residential components intend to utilize two of the existing wetlands on site as part of the storm water drainage system.

The application material indicates that the development is to utilize on-site sanitary systems for the two residential components and is not proposing to construct/connect to a sewage treatment facility.

The subject property has been improved but is currently vacant. The Links at Shirley golf course received a Special Permit from the Town in 1998 and was constructed on site in 1999. The facility closed in late 2010. The property consists of an 18 hole championship golf course, an 18 hole par-3 course, a driving range and a 116 seat restaurant that was also utilized for catering events.

The Suffolk County Planning Commission has reviewed several referrals related to this property going back to 2007 (see attached):

S-BR-07-02	Hamlet Preserve	182 lot subdivision	Conditionally Approved
S-BR-07-02.1	Hamlet Preserve	148 lot subdivision	Conditionally Approved
S-BR-07-02.2	Hamlet Preserve	155 lot subdivision	Conditionally Approved

The Department of Planning also reviewed a SEQRA coordination referral in August of 2008. The proposed project at the time was for a change of zoning district to PDD for the construction of 450 age restricted (seniors 55 + yrs.) for sale condominium units, 10% of which were proposed to be set aside as affordable units. The proposed PDD also included approximately 53,500 SF of commercial space including restaurants. A new sewage treatment plant to treat effluent was proposed and approximately 70 acres of open space was intended to be dedicated to the town. Correspondence was sent from the Department of Planning indicating that there was no objection to the Town of Brookhaven assuming Lead Agency for the purposes of environmental review. The Department reserved the right to comment on any proposal in the future and requested to be kept informed of all actions taken pursuant to SEQRA. It was also noted that prior to final approval the action needed referral to the Suffolk County Planning Commission pursuant to state and county law. Preliminary concerns of the Department were the proposals impact on nearby hamlet business districts/commercial areas and the shortfall in affordable units as per Suffolk County Planning Commission Guidelines. No subsequent referral pursuant to NYS GML section 239 or Article XIV of the Suffolk County Administrative Code was received at the office of the Department of Planning (on behalf of the Suffolk County Planning Commission) regarding this proposal.

STAFF ANALYSIS

The current referral to the Planning Commission appears to reflect the evolution of planning efforts and considerations regarding lot yield (density) and impacts of additional commercial and certain residential housing types to the community.

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-I provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment.

The proposal intends to redevelop an improved but vacant golf course and provide a use that is presumptively compatible with the existing land use character of the area.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Mastics Tri-Hamlet Comprehensive Plan; a 1995 hamlet study for the Mastic Shirley area, as a preamble to an update to the Town's 1987 plan, recommended that the subject site be developed pursuant to a planned development district concept.

The Town of Brookhaven 1996 Comprehensive Land Use Plan identifies the subject parcel as appropriate for "Planned Development."

The proposal is for a change of zone to a mixed-use Planned Development District and is presumptively compatible with the 1996 Comprehensive Plan.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Economic Development, Equity and Sustainability
2. Housing Diversity
3. Energy efficiency
4. Public Safety
5. Environmental Protection and
6. Transportation

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted January 2009).

Economic Development, Equity and Sustainability:

The current referral appears to be a significantly revised and down-sized project from the original PDD and change of zone application to the Town for 450 age restricted units (10% affordable) and 53,500 SF of commercial space including restaurants and a new sewage treatment plant. In addition, the current proposal is a significant departure from the various residential density plans approved. It is indicated in the referral material that town and community concerns have led to this renewed PDD proposal. The current proposed project significantly reduces the overall intensity of land use on the site compared to the residential/commercial PDD component and addresses local school district concerns by including an age restricted element. Redevelopment of the subject parcel positively addresses economic development issues and the new design is reported to be environmentally compatible and sustainable.

One concern of staff however, is that there does not appear to be an inclusion of affordable units (see below) and may touch on equity issues.

Section 5.1 Affordable Housing Guidelines, of the Suffolk County Planning Commission Guidebook:

Section 5.1 (standards: Affordable Housing Guidelines pg. 37 of the Suffolk County Planning Commission Guidebook) indicates that a minimum of twenty percent (20%) of all units be set aside as affordable units for change of zone applications.

The current referral makes no mention of the provision of affordable housing units. Notwithstanding that the proposal meets comprehensive planning goals of providing housing options for the growing senior population and that the project will generate fewer school-age children than other development scenarios considered for this parcel, it is the belief of the staff that the workforce housing element of the proposal should be modified to reflect SCPC policy.

Section 4.4 B. Specific Energy Efficiency Policies:

The petitioners have indicated through the submitted materials, that the proposal will utilize energy efficient design standards to minimize energy consumption at the site have. It should be noted that Chapter 123, Article 5 of the Town Code sets forth certain requirements relating to energy conservation that must be adhered to in the construction of new residential homes. As indicated in subsection 123-37(A), any new dwelling must be built to comply with the LIPA New York Energy Star labeled home program. The petitioner indicates that all residences under the proposed action would conform to the relevant energy efficiency requirements set forth in the Town, but have not indicated a specific LEED standard goal.

These standards can be further investigated by the Suffolk County Planning Commission in later referrals of the site plan or any other subsequent zoning action relative to this referral pursuant to Section 239 of NYS General Municipal Law and Article 14 of the Suffolk County Administrative Code.

Section 4.5 Public Safety:

The application materials do not make an in-depth analysis of Public Safety issues.

These standards can be further investigated by the Suffolk County Planning Commission in later referrals of the site plan or any other subsequent zoning action relative to this referral pursuant to Section 239 of NYS General Municipal Law and Article 14 of the Suffolk County Administrative Code.

Section 4.8 Environment:

The project site is located within groundwater management zone VI, a recharge zone with considerations for point source sanitary discharge and storm water runoff. The subject development is not intending to utilize a sewage treatment plant or connect to any existing district or regional treatment facility. The prior approved yield for the property (155 one acre lots) appears to be in conformance with Suffolk County Department of Health Services regulations pursuant to Article 6 of the Suffolk County Sanitary Code. The approved yield would generate approximately 46,500 gpd of waste water flow as per Article 6. The anticipated sanitary flow of the proposed change of zone to PDD development of 150 age-restricted Planned Retirement Community (PRC) residences (between 1,200 and 1,600 SF in size) a 5,000 SF clubhouse and the remaining 75 detached single family homes (three bedroom) is no more than 46,500 gpd (DEIS pg. 1-25). As proposed, the PDD development would conform to Article 6 requirements by the use of individual sanitary systems and thus, no STP is anticipated to be necessary or required. The petitioners will be required to submit development concepts to the Suffolk County Department of Health Services for review and approval of waste water treatment methodologies.

The proposed PDD development intends to utilize recharge basins, created wetlands, catch basins, leaching pools and dry wells to handle storm water runoff and drainage. The proposal indicates that all drainage is to remain on site and be in conformance with Town of Brookhaven engineering requirements. It is the belief of the staff that the proposed action would benefit from the review of the Suffolk County Planning Commission Publication Managing Stormwater-Natural Vegetation and Green Methodologies. These standards can be further investigated by the Suffolk County Planning Commission in later referrals of the site plan or any other subsequent zoning action relative to this referral pursuant to Section 239 of NYS General Municipal Law and Article 14 of the Suffolk County Administrative Code.

In terms of a density offset via TDR or other means (Section 4.2.B of the SCPC Guidebook), the project as-of-right density and waste water equivalent has been set at 155 units and 45,500 gpd. (see above). While the proposed PDD development does have more density in terms of number of units, the intensity of development in terms of wastewater discharge is equivalent to the as-of-right use. Moreover, the evolution of the development proposal away from an intense commercial use element and the large percentage of open space (~ 108 acres or ~ 52%), may not justify the necessity of a density shift as a result of this proposal.

Section 4.7 Transportation:

The Traffic Impact Study prepared by the project sponsors indicate that the construction of the proposed PDD will not result in an adverse traffic impact on the adjacent street system. The Traffic Impact Study will be reviewed by the Suffolk County Department of Public Works and the NYS Department of Transportation for accuracy and adequacy of the transportation analysis.

It should be noted however, that the two residential components of the proposed PDD are physically separated and not connected. Moreover the PRC component is gated. In accordance with Suffolk County Planning Commission Policy, the promotion of connectivity between internal components of

the development and external developments in order to improve both pedestrian and vehicular access and circulation consistent with smart growth principles would be in order. These standards can be further investigated by the Suffolk County Planning Commission in later referrals of the site plan or any other subsequent zoning action relative to this referral pursuant to Section 239 of NYS General Municipal Law and Article 14 of the Suffolk County Administrative Code.

STAFF RECOMMENDATION

Approval with the following modification and comments:

Modifications:

1. In accordance with Suffolk County Planning Commission Policy, Twenty percent (20%) of the 225 residential units (44 units) shall be set aside for affordable/workforce housing purposes.

Reason:

There is no indication in the submitted referral materials to the Suffolk County Planning Commission that any of the proposed units will be set aside as workforce housing units pursuant to State Law or Suffolk County Planning Commission Guidelines. Section 5.1 (standards: Affordable Housing Guidelines pg. 37 of the Suffolk County Planning Commission Guidebook) elaborates on section 4.3 of the Suffolk County Planning Commission Guidebook and indicates that for change of zone applications “a minimum of twenty percent (20%) of all units be set aside as affordable units.”

Comments:

1. It is the belief of the Suffolk County Planning Commission that the proposed action would benefit from the review of the Suffolk County Planning Commission Publication Managing Stormwater-Natural Vegetation and Green Methodologies.
2. The application materials do not make an in-depth analysis of Public Safety issues. It is the belief of the Suffolk County Planning Commission that later stages of design for the PDD project would benefit from a review of the Suffolk County Planning Commission Guidelines on Public Safety found in the Suffolk County Planning Commission Guidebook.
3. The petitioners have indicated through the submitted materials, that the proposal will utilize energy efficient design standards to minimize energy consumption at the site. It is the belief of the Suffolk County Planning Commission that later stages of design for the PDD project would benefit from a review of the Suffolk County Planning Commission Guidelines on Public Safety found in the Suffolk County Planning Commission Guidebook.
4. Applicant should note the Suffolk County Planning Commission Guidebook and Guidelines for future referrals related to the Site Planning and internal configuration of the development.

SUPPLEMENTAL INFORMATION

ZONING DATA

- Zoning: A-1 Res.
- Minimum Lot Area: 40,000. Sq. Ft.

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: Yes
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: Yes
- S-BR-07.02 Hamlet Preserve-Conditional Approval
- LS-G-2162 – SEQRA Coordination
- SEQRA Information: Yes
- SEQRA Type: FEIS

SITE DESCRIPTION

- Present Land Use: Golf Course (Links @Shirley)
- Existing Structures: Yes - Club House Maintenance Buildings
- General Character of Site: Rolling
- Cover: Turf & Rough areas (golf course)
- Soil Types: Plymouth Series
- Range of Slopes (Soils Map): 0-8%
- Waterbodies or Wetlands: Yes - created water hazards =freshwater wetlands

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

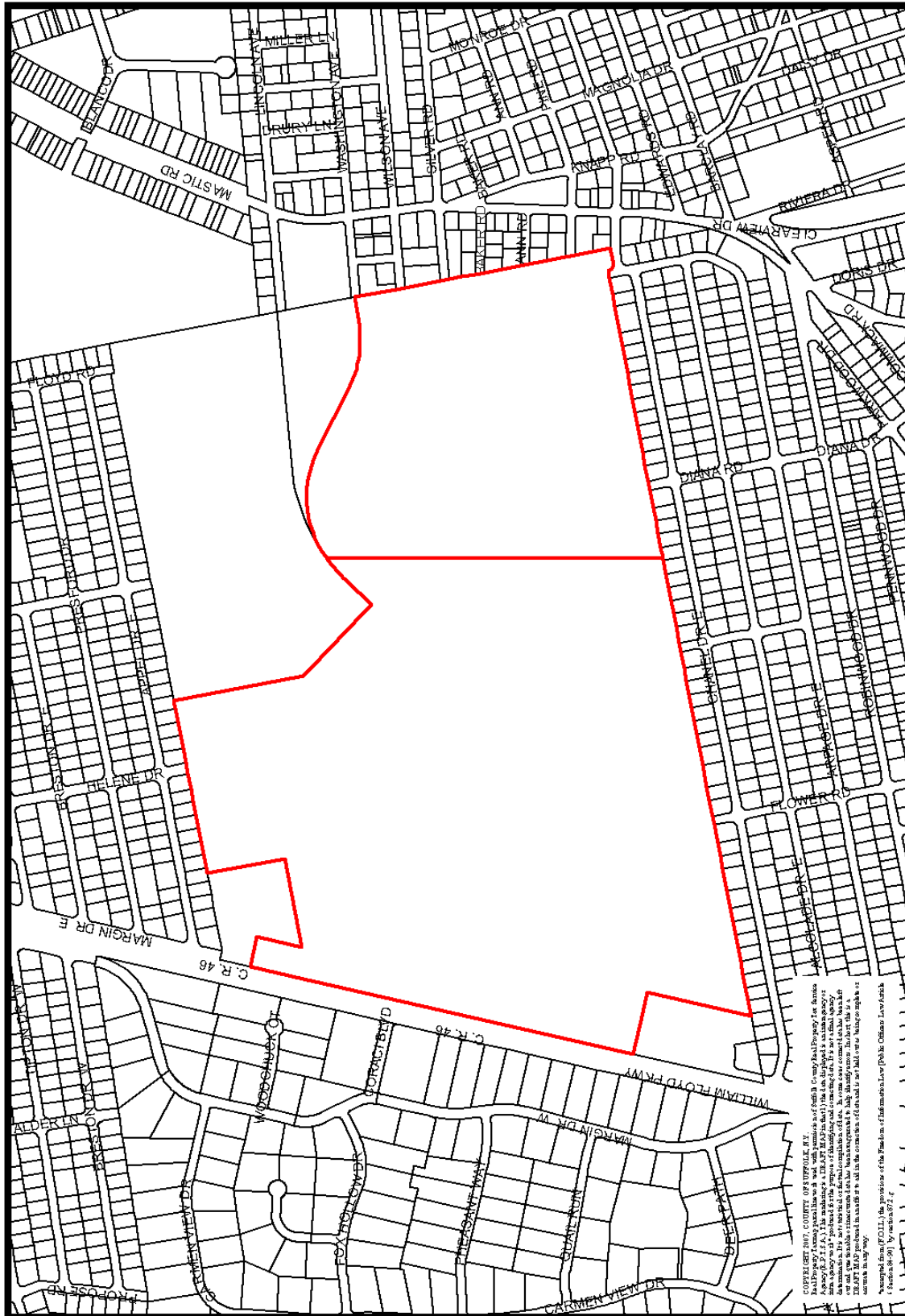
- Type: Change of Zone
- Layout: Cluster
- Area of Tract: 205.64 Acres
- Yield Map:
 - No. of Lots: 75 + 150 Units
 - Lot Area Range: Sq. Ft.
- Open Space: 97.83 Acres

ACCESS

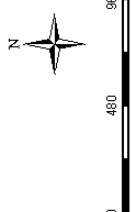
- Roads: Existing (CR 46)
- Driveways: Internal Private

ENVIRONMENTAL INFORMATION

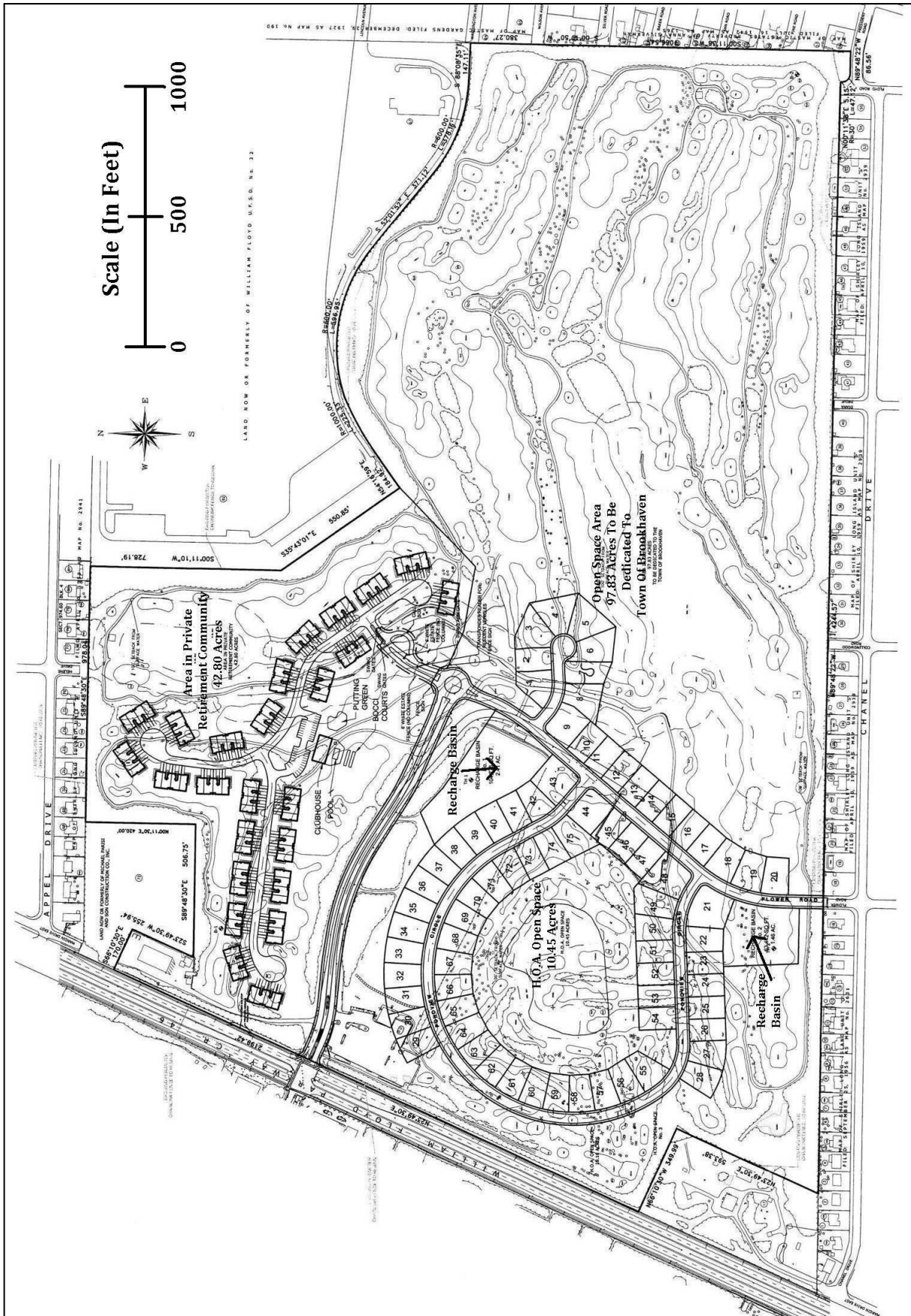
- Stormwater Drainage
 - Design of System: CB/LP
 - Recharge Basins: Yes
- Groundwater Management Zone: VI
- Water Supply: Public
- Sanitary Sewers: On Site - ST & LP



Town of Brookhaven
Suffolk County, New York
Date: 10/05/2011



Z-1: Colony Preserve @ Shirley
SCPD No.: BR-11-06
SCTM No.: 0200-976.70-01.00-001.003



Z-1: Colony Preserve @ Yaphank
 SCPD: BR-11-06
 SCTM No: 0200-976.70-01.00-001.003

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS ISLES, AICP
DIRECTOR OF PLANNING

May 2, 2007

Town of Brookhaven Planning Dept.
1 Independence Hill
Farmingville, NY 11938

Re: Hamlet Preserve
SCPC File No.: S-BR-07-02
SCTM No.: 0200 97670 0100 001003

Dear Sir:

Pursuant to the requirements of Section A14-24 of the Suffolk County Administrative Code, the Suffolk County Planning Commission on May 2, 2007 reviewed the above captioned application and after due study and deliberation resolved to conditionally approve it subject to the following conditions:

1. At least one additional emergency access point shall be created, preferably on the east side or north side of the property. Emergency access roads allow access for emergency vehicles in the event that alternative roadways are blocked by storm damage or floods, for example.
2. A conservation easement of at least 50 feet in width along William Floyd Parkway shall be created to help preserve the natural vegetation along the road to enhance the aesthetics of the road, and to buffer the proposed residences from traffic activities and noise.
3. Sidewalks should be created on at least one side of the proposed streets in this neighborhood. Additionally, sidewalks or walkways should connect this residential development with sidewalks along William Floyd Parkway, and with a walkway and gate to the school properties to the northeast.
4. The final map shall state that the open areas of this subdivision are to be dedicated to the Town of Brookhaven for open space purposes or to a homeowners association. A restrictive covenant shall state that no further subdivision of any land in this subdivision may occur.
5. Twenty percent (20%) of the lots in this subdivision shall be set aside for workforce housing.

Comment:

This proposed subdivision represents a missed opportunity for a smarter development. A mix of housing types, and clustering the units so that a larger block of publicly accessible open space could be created and perhaps donated to the Town of Brookhaven, would have been desirable.

Very truly yours,

Peter K. Lambert
Principal Planner

PKL:cc

Collected
copy
- PKL

File No. S-BR-07-02

Resolution No. ZSR-07-25 of Suffolk County Planning Commission
Pursuant to Sections A14-24, Article XIV of Suffolk County Administrative Code

- WHEREAS, pursuant to Sections A14-24, Article XIV of the Suffolk County Administrative Code, the Suffolk County Planning Commission received a referral on April 11, 2006 with respect to a proposed plat entitled, "Hamlet Preserve" located on the east side of William Floyd Parkway, south of Appel Drive, in the Town of Shirley, and
- WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on May 2, 2007, now therefore, Be it
- RESOLVED, that the Suffolk County Planning Commission hereby approves and adopts the report of its staff, as may be amended, as the report of the Commission, Be It Further
- RESOLVED, that said proposed plat is conditionally approved subject to the following conditions:
1. At least one additional emergency access point shall be created, preferably on the east side or north side of the property. Emergency access roads allow access for emergency vehicles in the event that alternative roadways are blocked by storm damage or floods, for example.
 2. A conservation easement of at least 50 feet in width along William Floyd Parkway shall be created to help preserve the natural vegetation along the road to enhance the aesthetics of the road, and to buffer the proposed residences from traffic activities and noise.
 3. Sidewalks should be created on at least one side of the proposed streets in this neighborhood. Additionally, sidewalks or walkways should connect this residential development with sidewalks along William Floyd Parkway, and with a walkway and gate to the school properties to the northeast.
 4. The final map shall state that the open areas of this subdivision are to be dedicated to the Town of Brookhaven for open space purposes or to a homeowners association. A restrictive covenant shall state that no further subdivision of any land in this subdivision may occur.
 5. Twenty percent (20%) of the lots in this subdivision shall be set aside for workforce housing.

Comment:

This proposed subdivision represents a missed opportunity for a smarter development. A mix of housing types, and clustering the units so that a larger block of publicly accessible open space could be created and perhaps donated to the Town of Brookhaven, would have been desirable.

Motion by: Commissioner Calone

Seconded by: Commissioner Holmes

Commission Vote: Present - 10

Yeas 10

Nays 0

Abstentions 0

Dated: May 2, 2007

Legislative Auditorium, 725 Veterans Memorial Highway, Hauppauge, NY
Suffolk County Planning Commission

Hamlet Reserve

S-1

20

File No.: S-BR-07-02

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	ABSENT
BOLTON, CHARLA, At-Large	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BRAUN, ROBERT, Smithtown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CALONE, DAVID, Town of Babylon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CARACCIOLO, JOHN, Town of Huntington	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ESPOSITO, ADRIENNE, Villages over 5,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FIORE, DONALD, Town of Islip	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GOODALE, JESSE R. III, Town of Riverhead	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HOLMES, LINDA, Town of Shelter Island	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KONTOKOSTA, CONSTANTINE, Vill. Over 5,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LANDSDALE, SARAH, At-Large	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MC ADAM, THOMAS, Town of Southold	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PRUITT, EDWARD, Town of Brookhaven	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ROBERTS, BARBARA, Town of Southampton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion: Commissioner Calone

Present: 10

Seconded: Commissioner Thermo

Absent: 3

Voted: 10

Abstentions: 0

DECISION: Conditional Approval

Add comment:

FILE

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P.
DIRECTOR OF PLANNING

August 4, 2010

Town of Brookhaven
Department of Planning, Environment and Land Management
Division of Planning
One Independence Hill
Farmingville, NY 11738
Att: Mr. Glenn Pisano, Planner

Re: Application of "Hamlet Preserve"
SCTM No.: 0200-976.70-01.00-001.003
SCPC File No.: S-BR-07-02.1

Dear Mr. Pisano:

Pursuant to the requirements of Sections A14-24 of the Suffolk County Administrative Code, the Suffolk County Planning Commission on August 4, 2010 reviewed the above captioned application and after due study and deliberation have resolved to **Approve** the Subdivision with the following Conditions and Comments.

Conditions:

- 1) A conservation easement of at least 50 feet in width shall be created along William Floyd Parkway (C.R.46) with the exception of the access road (Colony Drive) and potential bus turnout and with the exception that any encroachment by Proposed Lots 106 and 107 and the cul-de-sac Greentree Court (as shown on the "Preliminary Map – Overall Colony Preserve" Date May, 2010) be buffered by appropriate landscaping.

William Floyd Parkway (C.R. 46) is a highly utilized and important regional roadway. A conservation easement would help preserve natural vegetation, enhance the aesthetics of the roadway and buffer the proposed residences from related traffic and noise impacts.

- 2) A sidewalk or a "Pedestrian Right-of-Way" within the street shall be included on at least one side of the proposed roadways. The sidewalk or dedicated street pedestrian right-of-way shall also connect to the existing sidewalk on William Floyd Parkway.

Sidewalks within the proposed subdivision that also connect to William Floyd Parkway will help to foster community walkability and reduce traffic congestion.

- 3) A minimum of ten percent or fifteen (15) lots shall be set aside as affordable in accordance with the Suffolk County Planning Commission Guidelines on Affordable Housing.

In response to the County wide need for affordable housing the Suffolk County Planning Commission has recently adopted Guidelines on Affordable Housing.

- 4) The applicant shall offer as dedication a built Bus Turnout and the land necessary for the Bus Turnout if deemed appropriate by the Suffolk County Department of Public Works Transportation Division.

There are two Suffolk County Transit Bus Routes that run along William Floyd Parkway and the Suffolk County Department of Public Works Transportation Division may want to add a Bus Turnout to facilitate service to the new subdivision.

- 5) The applicant shall be directed to consult the Suffolk County Planning Commission's adopted Energy Efficiency and Public Safety Guidelines.

The Suffolk County Planning Commission has recognized the importance of energy efficiency and public safety and has recently adopted related guidelines.

Comments:

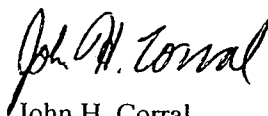
- 1) The applicant should work with the Town in determining whether all of the open space areas should be dedicated to the Town or possibly limiting the dedication to the large tract of open space in the eastern portion of the lot and placing the remaining open space portions under a restrictive covenant. In either case any dedication and/or restrictive covenant should be shown on the Subdivision Map prior to final subdivision approval.
- 2) The subdivision application materials make reference to wetland vegetation growing in close proximity to the man-made water features. Prior to final approval wetlands, if present, should be flagged in the field by a qualified expert and indicated on the final subdivision map.
- 3) If applicable, the Town of Brookhaven should insure that the proposed subdivision is in compliance with the New York State Long Island Workforce Housing Act that has taken effect as of January 1, 2009. The act states that "this act shall not apply to any development or project for which a valid application has been filed with the appropriate municipal entity before such effective date".
- 4) This large 205.6 acre parcel presented an opportunity for a smarter type of development with a greater mix of housing types in a tighter cluster layout. This smarter type of development would have helped diversify the region's housing stock while also providing a larger block of open space suitable for Town dedication.
- 5) The Suffolk County Planning Commission acknowledges that this subdivision may be an opportunity to provide pedestrian access to the adjacent School property. This should be discussed with the Town, Developer and School District.
- 6) The Town should consider green methodologies for stormwater runoff such as rain gardens, permeable pavements, and bio-swales as alternatives to conventional drainage design like recharge basins.

Please Note:

- The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:
<http://www.suffolkcountyny.gov/Home/departments/planning/Publications%20and%20Information.aspx#SCPC>
A copy of the Suffolk County Planning Commission Guidebook is also included with this letter.
- Pursuant to 239-m6. of the General Municipal Law, the referring municipality within (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action.

Sincerely,

Thomas Isles, AICP
Director of Planning



John H. Corral
Planner

JHC:jc

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P.
DIRECTOR OF PLANNING

January 10, 2011

Town of Brookhaven
Department of Planning, Environment and Land Management
1 Independence Hill
Farmingville, NY 11738
Att: Lawrence Costantino, Principal Planner

Re: Hamlet Preserve
S.C.T.M. No.: 0200-976.70-01.00-001.003
S.C.P.C. File No.: S-BR-07-2.2

Dear Mr. Costantino:

The Suffolk County Planning Commission at its regular meeting on January 5, 2011 reviewed the referral from the Town of Brookhaven entitled "**Hamlet Preserve**", referred to it pursuant to Section A14-14 thru A14-25, Article XIV of the Suffolk County Administrative Code.

The attached Resolution signifies action taken by the Commission relative to this application.

Very Truly Yours,

Thomas A. Isles
Director of Planning

John H. Corral
Planner

JHC:jc

FILE

Resolution No. ZSR-11-01 of the Suffolk County Planning Commission
Pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code

WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received on December 14, 2010 at the offices of the Suffolk County Planning Commission with respect to the application of "**Hamlet Preserve**" located in the Town of Brookhaven

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on January 5, 2011, now therefore, Be it

RESOLVED, that the Suffolk County Planning Commission hereby approves and adopts the report of its staff, as may be amended, as the report of the Commission, Be it further

RESOLVED, pursuant to Section A14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law, the referring municipality within thirty (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action,
Be it further

RESOLVED, that the Suffolk County Planning Commission **Approved** said referral subject to the following Conditions and Comments:

Conditions:

1. Prior to final subdivision approval, wetlands, if present, shall be flagged in the field by a qualified expert and indicated on the final subdivision map.

Reason:

The location of mapped wetlands is an important consideration in determining the yield for the subject property as well as the setbacks for the residential lots.

2. Covenants and restrictions shall be placed on the homeowners association open space areas to insure that the designated areas remain properly maintained open space.

Reason:

The open space areas resulting from the clustered subdivision layout are an important component of the subdivision and should be protected to prevent potential future unwarranted uses.

3. A sidewalk or a "Pedestrian Right-of-Way" within the street shall be included on at least one side of the proposed roadways. The sidewalk or dedicated street pedestrian right-of-way shall also connect to the existing sidewalk on William Floyd Parkway.

Reason:

Sidewalks within the proposed subdivision that also connect to William Floyd Parkway will help to foster community walkability and reduce traffic congestion.

4. A minimum of ten percent or sixteen lots (16) lots shall be set aside as affordable in accordance with the Suffolk County Planning Commission Guidelines on Affordable Housing.

Reason:

In response to the County wide need for affordable housing the Suffolk County Planning Commission has recently adopted Guidelines on Affordable Housing. Please see the Suffolk County Planning Commission Guidebook for specific details.

5. The applicant shall offer as dedication a built Bus Turnout or dedication of land for the Bus Turnout if deemed appropriate by the Suffolk County Department of Public Works Transportation Division.

Reason:

There are two Suffolk County Transit Bus Routes that run along William Floyd Parkway and the Suffolk County Department of Public Works Transportation Division may want to add a Bus Turnout to facilitate service to the new subdivision.

6. The applicant shall be directed to consult the Suffolk County Planning Commission's adopted Energy Efficiency and Public Safety Guidelines.

Reason:

The Suffolk County Planning Commission has recognized the importance of energy efficiency and public safety and has recently adopted related guidelines.

Comments:

1. If applicable, the Town of Brookhaven should insure that the proposed subdivision is in compliance with the New York State Long Island Workforce Housing Act that has taken effect as of January 1, 2009. The act states that "this act shall not apply to any development or project for which a valid application has been filed with the appropriate municipal entity before such effective date".
 2. This large 205.6 acre parcel presented an opportunity for a smarter type of development with a greater mix of housing types in a tighter cluster layout. This smarter type of development would have helped diversify the region's housing stock while also providing a larger block of open space suitable for Town dedication.
 3. The Suffolk County Planning Commission acknowledges that this subdivision may be an opportunity to provide pedestrian access to the adjacent School property. This should be discussed with the Town, Developer and School District.
 4. The Town should consider green methodologies for stormwater runoff such as rain gardens, permeable pavements, and bio-swales as alternatives to conventional drainage design like recharge basins.
- The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:
<http://www.suffolkcountyny.gov/Home/departments/planning/Publications%20and%20Information.aspx#SCPC>
A copy of the Suffolk County Planning Commission Guidebook is also included with this letter.

Motion by: Commissioner Weir

Seconded by: Commissioner Holmes

Commission Vote: Present – 10

Ayes - 9

Nays - 1

Absent - 3

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	ABSENT
CALONE, DAVID Town of Babylon	X			
CHARTRAND, MATTHEW Town of Islip	X			
ESPOSITO, ADRIENNE Villages over 5,000				X
FINN, JOHN Town of Smithtown	X			
HOLMES, LINDA Town of Shelter Island	X			
HORTON, JOSHUA At-Large	X			
KELLY, MICHAEL Town of Brookhaven		X		
KONTOKOSTA, CONSTANTINE Vill. Under 5,000				X
LANSDALE, SARAH Town of Huntington				X
MC ADAM, TOM Town of Southold	X			
ROBERTS, BARBARA Town of Southampton	X			
TALDONE, VINCENT Town of Riverhead	X			
WEIR, DIANA, Town of East Hampton	X			

Dated: January 5, 2011

Location: Rose Caracappa Auditorium at 725 Veterans Memorial Highway in Hauppauge



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

SARAH LANSDALE, AICP
DIRECTOR OF PLANNING

STAFF REPORT
SECTIONS A14-14 THRU A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Suffolk County Land Division @ Yaphank
Municipality: Town of Brookhaven
Received: 9/8/2011
File Number: S-BR-11-02
T.P.I.N.: 0200 74200 0100 003001, 003002, 003003, 003004 and
0200 81500 0100 004004, 006002, 006003
Jurisdiction: Adjacent to Horseblock Road (C.R. 21) & Yaphank Avenue (C.R. 16) and
Suffolk County Lands

PROPOSAL DETAILS

OVERVIEW

The applicant seeks Town of Brookhaven Planning Board approval for the division of the approximate 584.93 acre subject property to create a 2 lot land division (minor subdivision) within the A-1 Residence and L-1 Industrial zoning districts. Approximately 468.93 acres of the subject property is forested land and approximately 116 acres is developed land which includes buildings, roads, parking lots, landscaping and lawn. The subject property is the site of the Suffolk County Police Headquarters, Yaphank Jail Facility and John J. Foley Skilled Nursing Facility on Proposed Lot 2 (491.39 acres), as delineated in the submitted "Survey of Property: Subdivision; County of Suffolk, Department of Public Works, Yaphank, New York" with a revised date of 9/29/2011. Proposed Lot 1 (94.75 acres) is currently forested vacant land. No specific development proposals or plans were submitted with this application.

The subject application known as the "Suffolk County Land Division @ Yaphank" consists of seven Suffolk County Tax Map parcels located north of Horseblock Road (C.R. 16) and west of Yaphank Avenue (C.R. 21) in the Hamlet of Yaphank.

The subject property is situated in Hydrogeologic Ground Water Management Zone VI pursuant to Article 6 of the Suffolk County Sanitary Code. The site is not located within the Central Suffolk Special Groundwater Protection Area (SGPA). The site is not located in a State Critical Environmental Area. There are no local, state or federally regulated wetlands on site. The site is not located in a Wild, Scenic & Recreational Rivers Area.

STAFF ANALYSIS

NYS GENERAL MUNICIPAL LAW CONSIDERATIONS

NYS GML § 239-l provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment. Notwithstanding the below comments, the subject application appears to be generally consistent with the intent of the law.

Based on current zoning, proposed Lot 2 appears to be split-zoned between A-1 Residence on the eastern portion of the lot and L-1 Industrial on the western portion. In accordance with standard zoning and subdivision practices, lot line configurations should conform to existing zoning boundaries to prevent potential future conflicts of unauthorized uses across zoning boundaries. It is therefore recommended that for any future subdivision the creation of separate lots along the zoning line be created to achieve uniform zoning to prevent potential conflicts of use. Furthermore, any future subdivision should also consider implementing a buffer such as a natural wooded area or a landscaped earth berm along the zoning boundaries (lot lines) to preserve residential amenities from light industrial uses in accordance with the 2009 adopted Suffolk County Planning Commission Guidebook ("SCPC Guidebook") § 5.4.J.d. policy guideline.

The subject application for a 2 Lot Land Division does not include any specific development proposals at this time. It is recommended that ongoing operations and improvements for the County facilities be considered in the future layout of improvements on Lot 1. It should be noted that all future subdivision, site plan or any other zoning action related to the current application are subject to referral to the Suffolk County Planning Commission pursuant to NYS GML § 239 and Article XIV of the SC Administrative Code.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS

The Town of Brookhaven 1996 Comprehensive Land Use Plan identifies the subject site as appropriate for "Public & Semi Public" and "Industrial" uses.

The subject parcels fall within the boundaries of the Carmans River Watershed Management Plan area which is targeted for environmental protection per the Town of Brookhaven's accepted Draft Carmans River Watershed Protection & Management Plan (February 2011). The subject property is not included in the expansion of the Pine Barrens Core Preservation Area and there are no specific recommendations for the subject site (Appendix: Map 15). A general recommendation to rezone all residentially zoned publicly owned lands to 5-acre residential (A-5) may be applicable to the A-1 zoned portion of the subject property (p 66), if the plan is ultimately approved by the Town of Brookhaven and the Central Pine Barrens Joint Planning & Policy Commission.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS

In regard to roadway efficiency and safety, the SCPC Guidebook § 5.4.A.f. policy guideline highlights the importance of cross access between two or more properties to lessen curb cuts along County or State roads. Cross access agreements should be considered which connect proposed Lot 1 to Lot 2 for future use in accordance with this guideline. According to the 1998 adopted Suffolk County Planning Commission Subdivision Guidebook § 9.B.1.n. policy guideline the access roads should have a minimum width of 50 feet to insure adequate access by emergency and service vehicles. The proposed land division layout should take into consideration any potential widening, reconstruction, or other improvements of Horseblock Road (C.R. 16) which may be necessitated by future development or required in the future in accordance with SCPC Guidebook § 5.4.A.d. policy guideline.

STAFF RECOMMENDATION

Approval with the following Comments:

1. In regard to roadway efficiency and safety, the SCPC Guidebook § 5.4.A.f. policy guideline highlights the importance of cross access between two or more properties to lessen curb cuts along County or State roads. Cross access agreements should be considered which connect proposed Lot 1 to Lot 2 for future use in accordance with this guideline.
2. According to the 1998 adopted Suffolk County Planning Subdivision Guidebook § 9.B.1.n. policy guideline the access roads should have a minimum width of 50 feet to insure adequate access by emergency and service vehicles.
3. Based on current zoning, proposed Lot 2 appears to be split-zoned between A-1 Residence on the eastern portion of the lot and L-1 Industrial on the western portion. It is therefore recommended that for any future subdivision the creation of separate lots along the zoning line be created to achieve uniform zoning to prevent potential conflicts of use. Furthermore, any future subdivision should also consider implementing a buffer such as a natural wooded area or a landscaped earth berm along the zoning boundaries (lot lines) to preserve residential amenities from light industrial uses in accordance with 2009 adopted Suffolk County Planning Commission Guidebook ("SCPC Guidebook") § 5.4.J.d. policy guideline.
4. The proposed land division layout should take into consideration any potential widening, reconstruction, or other improvements of Horseblock Road (C.R. 16) which may be necessitated by future development or required in the future in accordance with SCPC Guidebook § 5.4.A.d. policy guideline.
5. It is recommended that ongoing operations and improvements for the County facilities be considered in the future layout of improvements on Lot 1. It should be noted that all future subdivision, site plan or any other zoning action related to the current application are subject to referral to the Suffolk County Planning Commission pursuant to NYS GML § 239 and Article XIV of the SC Administrative Code.

SUPPLEMENTAL DATA

ZONING DATA

- Zoning Classification: A-1 Residence & L-1 Industrial
- Minimum Lot Area: 40,000 sq. ft.

SUPPLEMENTARY INFORMATION

- | | |
|--|-----|
| ▪ Within Agricultural District: | No |
| ▪ Shoreline Resource/Hazard Consideration: | N/A |
| ▪ Received Health Services Approval: | No |
| ▪ Property Considered for Affordable Housing Criteria: | N/A |
| ▪ Property has Historical/Archaeological Significance: | N/A |
| ▪ Property Previously Subdivided: | No |
| ▪ Property Previously Reviewed by Planning Commission: | No |
| ▪ SEQRA Information: | Yes |
| ▪ SEQRA Type | EAF |
| ▪ Minority or Economic Distressed | No |

SITE DESCRIPTION

- Present Land Use: Vacant & Municipal
- Existing Structures: Municipal buildings, parking lots & roadways
- General Character of Site: Level
- Range of Elevation within Site: Approximately 30' to 50' amsl
- Cover: Wooded & developed areas
- Soil Types: Carver, Plymouth, Haven & Riverhead series
- Range of Slopes (Soils Map): 99% of project site = 0-15% slopes
1% of project site = 15% or greater slopes
- Waterbodies or Wetlands: No

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

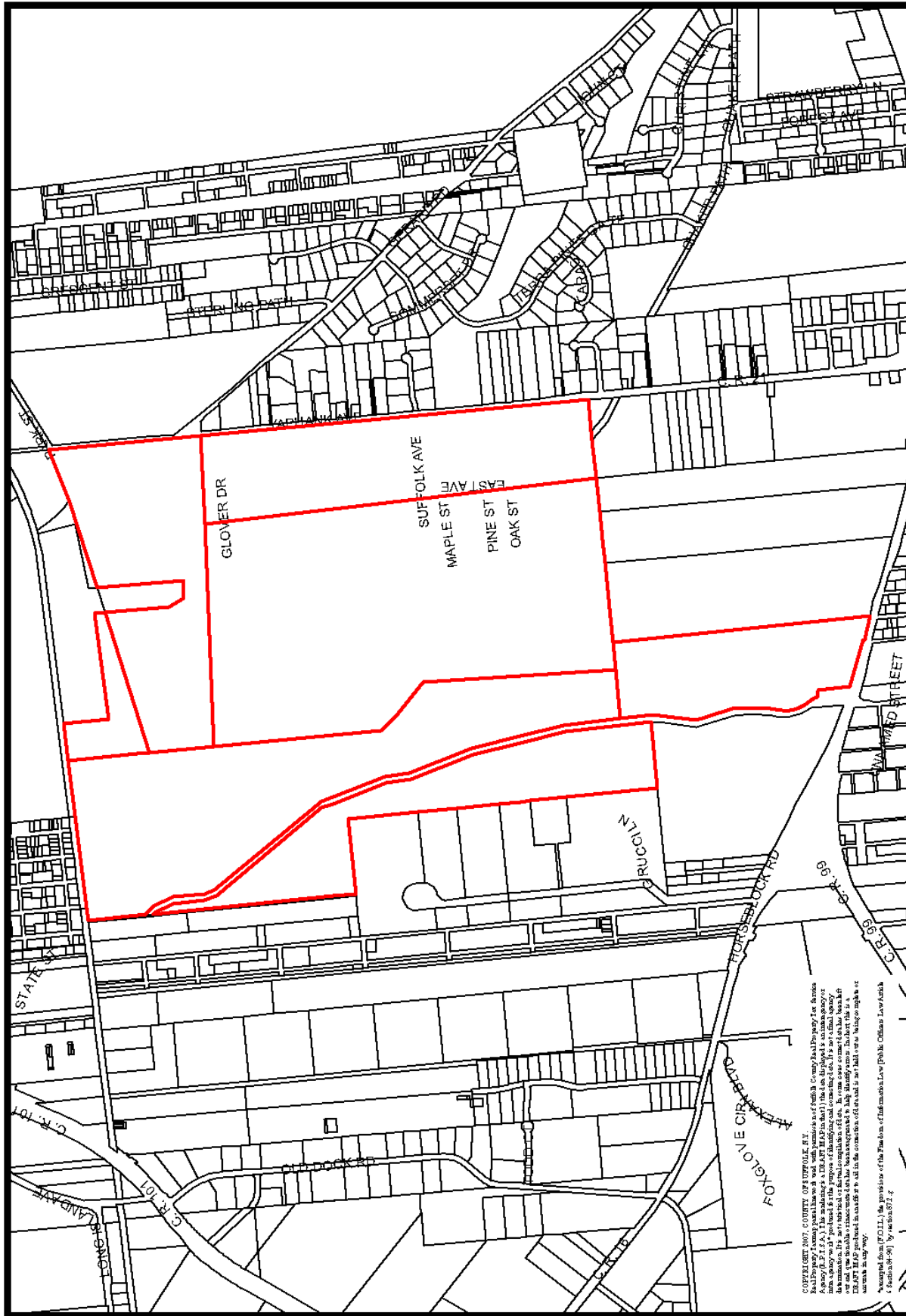
- Type: Land Division
- Layout: 2 Lot Division
- Area of Tract: 584.93 Acres or 25,532,325.74 sq. ft.
- Yield Map: No
 - No. of Lots: 2
 - Lot Area Range: 396.64 Acres or 17,227,510 sq. ft.
- Open Space: N/A

ACCESS

- Roads: Existing & Unimproved

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: N/A
 - Recharge Basins: Yes
- Groundwater Management Zone: VI
- Water Supply: Public
- Sanitary Sewers: Lot 1 = N/A
Lot 2 = STP

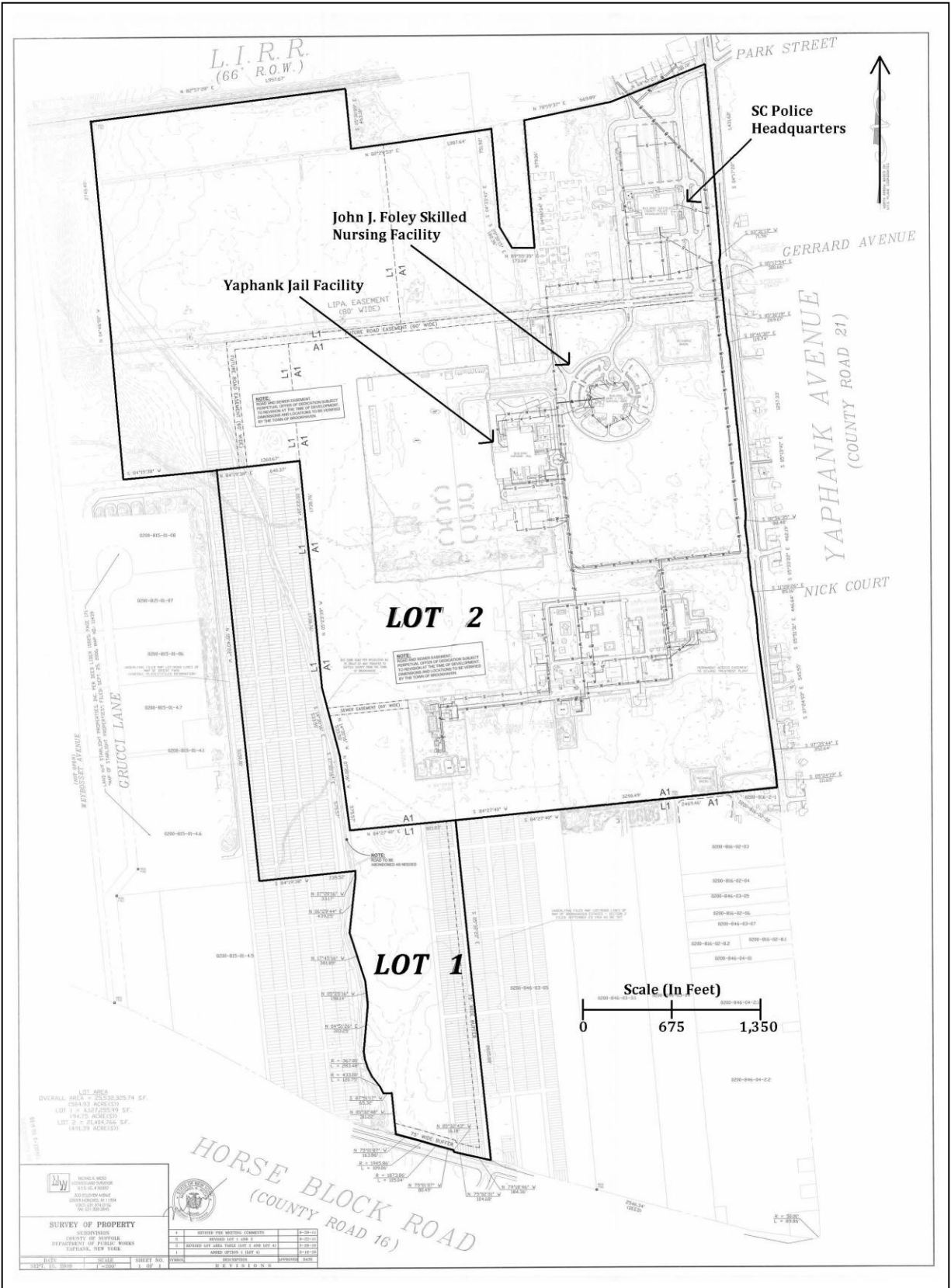


S-1: SC Land Division @ Yaphank
 SCPD No.: S-BR-11-02
 SCTM No.: 0200-742.00-01.00-003.001 et al.

Town of Brookhaven
 Suffolk County, New York
 Date: 10/05/2011

SUFFOLK COUNTY
 Department of Planning
 South Landing - Brookhaven

0 875 1,750 3,500 5,250 7,000 Feet



S-1: Suffolk County Land Division @ Yaphank
 SCPD: S-BR-11-02
 SCTM No: 0200-742.00-01.00-003.001 et al.