

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

NOTICE OF MEETING

February 1, 2012

12:00 P.M.

Maxine S. Postal Auditorium, Riverhead

Tentative Agenda Includes:

1. Public Portion
2. Adoption of minutes
3. Chairman's report
4. Director's report
5. Guest Speakers:
6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
 - The Residences@Oheka Castle 0400 13200 0400 007000 et al. (Town of Huntington)
 - Irwin Garsten Retail Center 0600 07500 0100 001002 (Town of Riverhead)
7. Section A14-24 of the Suffolk County Administrative Code

NONE
8. Discussion:
9. Other Business:
 - Election of Officers
 - Adoption of Rules of Proceedings
 - Adoption of 2012 Calendar
 - Referral Tracking/Posting

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held in the Maxine S. Postal Auditorium in Riverhead.



STEVEN BELLONE
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: Residences @ Oheka Castle
Municipality: Huntington
Location: w/s/o East Gate Drive, north of Colonial Drive - West Hills

Received: 1/19/2012
File Number: HU-11-02
T.P.I.N.: 0400 13200 0400 007000 et al.
Jurisdiction: Adjacent to municipal boundary and within 500' of NYS Rt. 25 (Jericho Turnpike)

PROPOSAL DETAILS

OVERVIEW - Petitioners seek change of zone approval from the Huntington Town Board for 194 acres of land from R-10, R-20, R-40, R-80 Residence Districts and C6 General Business District to R-OSC (Residence-Open Space Cluster District) to provide for the development of up to a 192 unit condominium complex to be located on 18.38 acres of the subject property. Approximately 7.10 acres of the subject property lie within the Town of Oyster Bay, Nassau County and would not be subject to a requested change of zone.

The purpose of the Huntington Town R-OSC zone is to permit "owners of properties containing recreational uses to fully yield their lots while preserving the recreational use and/or the aesthetic and scenic qualities of their properties." The petitioners are proposing clustering the as of right development potential from the golf course and undeveloped land on site to 18 acres in between the golf course clubhouse and the Oheka mansion. On the 18 acres, would be built a single building complex containing the residential condominium units. The cluster would result in the permanent preservation of approximately 150 acres from future residential development. As proposed the private Golf Course use (Cold Spring Country Club) would remain and the historic Oheka facility would continue to operate as a catering hall and hotel. In addition the petitioners put forth that there would be economic benefits as well as providing a diversity of housing types in the area.

The residential units are proposed to be sold as condominiums. The units will range in size from a 1,000 SF one-bedroom to a 2,400 SF four-bedroom. The proposed breakdown of unit sizes is as follows:

37 one-bedroom with den;
48 two-bedroom;
57 two-bedroom with den;
29 three-bedroom with den; and
10 four-bedroom..

There is no provision of affordable housing in accordance with Suffolk County Planning Commission guidelines.

New construction on site proposes to connect to the Nassau County Sewer District. In addition, the petitioners have offered to connect the existing Oheka facility and the golf course clubhouse to the sewer district.

The proposal includes 262 parking spaces below the proposed residential building. In addition, 130 surface spaces are proposed and 74 parking spaces in a lot that would be built into the hillside under a raised deck with tennis courts. The proposed parking configuration is currently being reviewed by the Town of Huntington planning staff however, the subject property is sufficient in size to accommodate additional parking spaces if the proposal is determined by the town to be deficient.

Referred materials to the offices of the County Planning Commission indicate that the Town is proposing to require a conservation easement filed on the Cold Spring Country Club property that will be used to cluster the development potential onto the Residences at Oheka parcel and permanently protect the recreational open space. Land in the jurisdiction of the Town of Oyster Bay will also be maintained as open space and protected by the easement.

In addition, the Town is requiring the petitioner to file a soil management plan with the Town. It is recommended that effort to preserve the existing mature trees on the subject property be made as well.

Access to the development is proposed to be via an existing local road known as East Gate Drive. Traffic analysis submitted in the referral materials indicates that a traffic signal is proposed to be installed at the intersection of Jericho Turnpike (NYS 25) and East Gate Drive to better handle the increased traffic flow projected from the development. Alternate or emergency access is proposed via the interconnectivity of the internal street system. Access to West Gate Drive (southwest property boundary) is also possible as an additional emergency access point. The petitioners have prepared a traffic engineers report and have submitted it to the Town. The petitioners contend that the subject property is located within walking distance of bus routes on Jericho Turnpike and the Cold Spring Harbor train station. More accurately stated the proposed condominium units are within ½ mile from the above.

The subject property is covered with turfed golf course greens, rough and scrub vegetation and some stands of mature trees. The topography is rolling with some steep slopes and there is part of a freshwater wetland system on site in the south western corner of the property. The wetland is a regulated wetland system (H-28) by the NYS Department of Environmental Conservation. The Subject property is situated above the West Hills-Melville Special Groundwater Protection Area (SGPA). It is not indicated in the referred material if indigenous plantings, integrated pest management, organic/fertilizer management or pumping irrigation plans associated with the Golf Course are utilized.

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 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.

Access to the proposed development is intended via East Gate Drive and Jericho Turnpike (NYS Rte. 25). The referred material included a Traffic Engineering Report submitted under separate cover. The proposal has a regional/inter-community concern regarding development of the subject property in terms of motor-vehicle trip generation and its impact to the safety and carrying capacity of NYS Route 25. Traffic signalization permits will be required from the New York State Department of Transportation for any congestion management/signalization improvements to the road. The referred materials indicate preliminary communication with the County Department of Public Works/State DOT and it is therefore recommended that the project sponsors continue to coordinate with them. In addition, the applicants should investigate with the Nassau and Suffolk County DPW Transit Division(s) possible on site accommodations for bus riders.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Huntington's Horizons 2020 Comprehensive Plan Update recommends future land use of the property as Parks, Recreation and Conservation Land, Low Density Residential and Commercial, matching the existing zoning or land use. While the proposal does not appear to conform exactly to the Town Comprehensive Plan, the referral material argues that more generic recommendations of the Plan including focusing development in appropriate locations, making good use of existing infrastructure/development patterns and preserving environmentally sensitive land and open space resources utilizing cluster can be applied to the petition. Moreover, the petitioners argue that considering the context of the existing zoning and the existing housing stock in the area, the proposal will increase the diversity of housing types available in the area. The subject property is currently zoned for single family residential use and development under existing zoning could result in approximately 313 five bedroom homes on the property. The project is proposed to contain approximately 190 luxury condominium units and could be construed as lowering the residential density on site in conformance with the Plan (notwithstanding the Country Club and the Oheka facility). The application of the Residence-Open Space Cluster District to the site allows for the preservation of the historic Oheka Castle and the recreational open space associated with the Cold Spring Country Club golf course.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

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

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

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

The environment of the subject property is protected through the requirements for conservation easements/vegetation clearing plans and soil management plans. It is indicated in the referral

material that all storm water drainage is to be contained on site and be in conformance with State DEC SWPPP and Town drainage requirements. It is not apparent that the applicants have envisioned incorporating non-point source pollution mitigation into the overall drainage plan by incorporating one or more of the following storm water mitigation techniques:

- Natural retention areas such as vegetated swales and bio retention cells/rain gardens
- Permeable/porous pavement surfaces
- Manufactured treatment devices, i.e. catch basin inserts designed to filter hydrocarbons and other pollutants from storm water runoff

The applicant should be encouraged to review the Suffolk County Planning Commission publication entitled *Managing Stormwater-Natural Vegetation and Green Methodologies*.

It is not noted on the submitted development concept plans if the most landward limit of wetland vegetation has been recently flagged in the field by a qualified expert and verified by the appropriate regulatory agency. It is the opinion of staff that this should be conducted and the line (properly notated) should be represented on all sketches, plans, maps, etc. Any and all setbacks for disturbance and building construction should be taken from the most land ward limit of wetland vegetation as represented on the plans and in the field.

It is indicated in the referred materials that the petitioners have had preliminary, but not detailed conversations with the Suffolk County Department of Health Services /Nassau County Department of Public Works (Sewer District) regarding waste water treatment or connection to the Nassau County Sewer District for new development on the subject property. The petitioners have proposed the construction of a private sewage pumping station/force main system to the sewer manhole located within the vicinity of the Woodbury Country Club located on the north side of Jericho Turnpike (SR 25). It is the belief of the staff that this dialogue should continue as soon as possible.

No affordable/Workforce housing units are proposed as part of the 190 unit condominium proposal. Suffolk County Planning Commission guidelines however, for discretionary approvals such as changes in zone for additional density, require a minimum of twenty percent (20%) of all units be set aside as affordable units. In order to ameliorate the perception that affordable units in the Town of Huntington is concentrated in certain areas it is the belief of the staff (as has been noted in the past for Huntington Town) that an overall examination of the distribution of higher density and affordable housing throughout the town is warranted and should be included in a detailed town-wide housing plan beyond the policy and strategies outlined as a component of the Horizons 2020 Comprehensive Plan Update. For the purposes of the immediate petition, it is recommended that the Town of Huntington and the petitioner address the applicability of the Long Island Workforce Housing Act and the affordable housing guidelines of the Suffolk County Planning Commission.

It is the belief of the staff, that the petitioners have found some benefit in reviewing the Commission's Guidebook particularly with respect to public safety. Referral materials indicate that the project design will have traffic calming characteristics (e.g. continuous curves, on street head-in parking, narrow road width and signage), and site design will have security features (e.g. staffed and gated entry point, security lighting, safety alarm, etc.). It is noted that additional such features (e.g. speed bumps, fire and lighting, safety alarms, etc.) may be incorporated into the project during the Town's site plan review stage. The proposed project is intended to be designed such that outdoor spaces do not include "hidden" areas, and lighting will be provided to ensure that on-site environment is visible and safe. In general, it is put forth by the petitioners that the project will be designed to enhance traffic calming and safety.

It is not clear from the referred materials if the petitioners have given detailed consideration to energy efficiency. The petition material states that "new construction will utilize appropriate and necessary energy-conserving materials and mechanical systems, minimizing the increased

consumptions of these energy forms...it is expected that the project will utilize energy and resource conserving features, materials and systems and may incorporate systems and features associated with the LEED system.” It is proposed that these will include modern, energy efficient building materials and mechanical systems (expanded EAF pg. 3-36). It is the belief of the staff, that the proposal may find some benefit in reviewing the Commissions Guidebook particularly with respect to energy efficiency.

STAFF RECOMMENDATION

Approval subject to the following modifications:

1. Applicants shall contact the New York State DOT and seek all appropriate approvals.

Reason: Access to the proposed development is intended via Jericho Turnpike (NYS Rte. 25). The referred material included a Traffic Engineering Report submitted under separate cover. The proposal has a regional/inter-community concern regarding development of the subject property in terms of motor-vehicle trip generation and its impact to the safety and carrying capacity of the Road. Traffic signalization and curb cut permits will be required from the New York State Department of Transportation for any improvements to the road. The referred materials indicate only preliminary communication with the State DOT and it is therefore recommended that the project sponsors continue to coordinate with them as soon as possible.

In addition, the applicants should investigate with the Nassau and Suffolk County DPW Transit Divisions possible on site accommodations for bus riders.

2. Petitioners shall contact the Suffolk County Department of Health Services.

Reason: It is not clear in the referred materials if the petitioners have had detailed conversations with the Suffolk County Department of Health Services /Nassau County Department of Public Works regarding waste water treatment for new development on the subject property. It is the belief of the Suffolk County Planning Commission that this should be conducted as soon as possible.

Comments:

1. The proposal should contain some number of rental units.
2. Twenty percent (20%) of the new residential units shall be set aside for affordable housing purposes.

Reason: No affordable/Workforce housing units are proposed as part of the 190 unit condominium proposal. Suffolk County Planning Commission guidelines however, for discretionary approvals such as changes in zone for additional density, require a minimum of twenty percent (20%) of all units be set aside as affordable units (the set aside can be in units on site, off site or money dedicated to a housing fund). It is recommended that the Town of Huntington and the petitioner address the applicability of the Long Island Workforce Housing Act to the subject application.

3. The applicants should review the Suffolk County Planning Commission Guidebook particularly related to conservation of energy and public safety and incorporate where practical design elements recommended therein.

Reason: It is the belief of the Suffolk County Planning Commission that the proposal may find some benefit in reviewing the Commissions Guidebook particularly with respect to public safety.

It is not clear from the referred materials if the petitioners have given detailed consideration to energy efficiency. It is the belief of the Suffolk County Planning Commission, that the proposal may find some benefit in reviewing the Commissions Guidebook particularly with respect to energy efficiency.

4. The most landward limit of wetland vegetation should be flagged in the field by a qualified expert, verified by the appropriate regulatory agency and the line (properly notated) should be represented on all sketches, plans, maps, etc.

Reason: It is not noted on the submitted development concept plans if the most landward limit of wetland vegetation has been recently flagged in the field by a qualified expert and verified by the appropriate regulatory agency. It is the opinion of the Suffolk County Planning Commission that this should be conducted.

5. The Golf Course is located above an SGPA. The Town and petitioner should reveal any indigenous planting plans, integrated pest management plans, organic/fertilizer management plans or pumping/irrigation plans utilized toward enhancing environmental quality.
6. The applicant should be encouraged to review the Suffolk County Planning Commission publication entitled *Managing Stormwater-Natural Vegetation and Green Methodologies*.

SUPPLEMENTAL DATA

ZONING DATA

- Zoning Classification: R-80, R-40, R-20, R-10 & C6
- Minimum Lot Area: 0" to 80,000. Sq. Ft.
- Section 278: Yes
- Obtained Variance: N/A

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: Yes
- Property Previously Subdivided: Yes
- SEQRA Information: Yes
- SEQRA Type EAF
- Minority or Economic Distressed No

SITE DESCRIPTION

- Present Land Use: Coldspring Country Club/Golf Course, Oheka Castle/Catering

- Existing Structures: Yes- Catering facility & Country Club facilities
- General Character of Site: Rolling
- Range of Elevation within Site: ~ 107' to 290' above mean sea level
- Cover: golf course turf, rough acreage woods, landscaping, lawn
- Soil Types: Riverhead, Haven, Carver & Plymouth Associations
- Range of Slopes (Soils Map): 0-30%
- Waterbodies or Wetlands: Yes

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

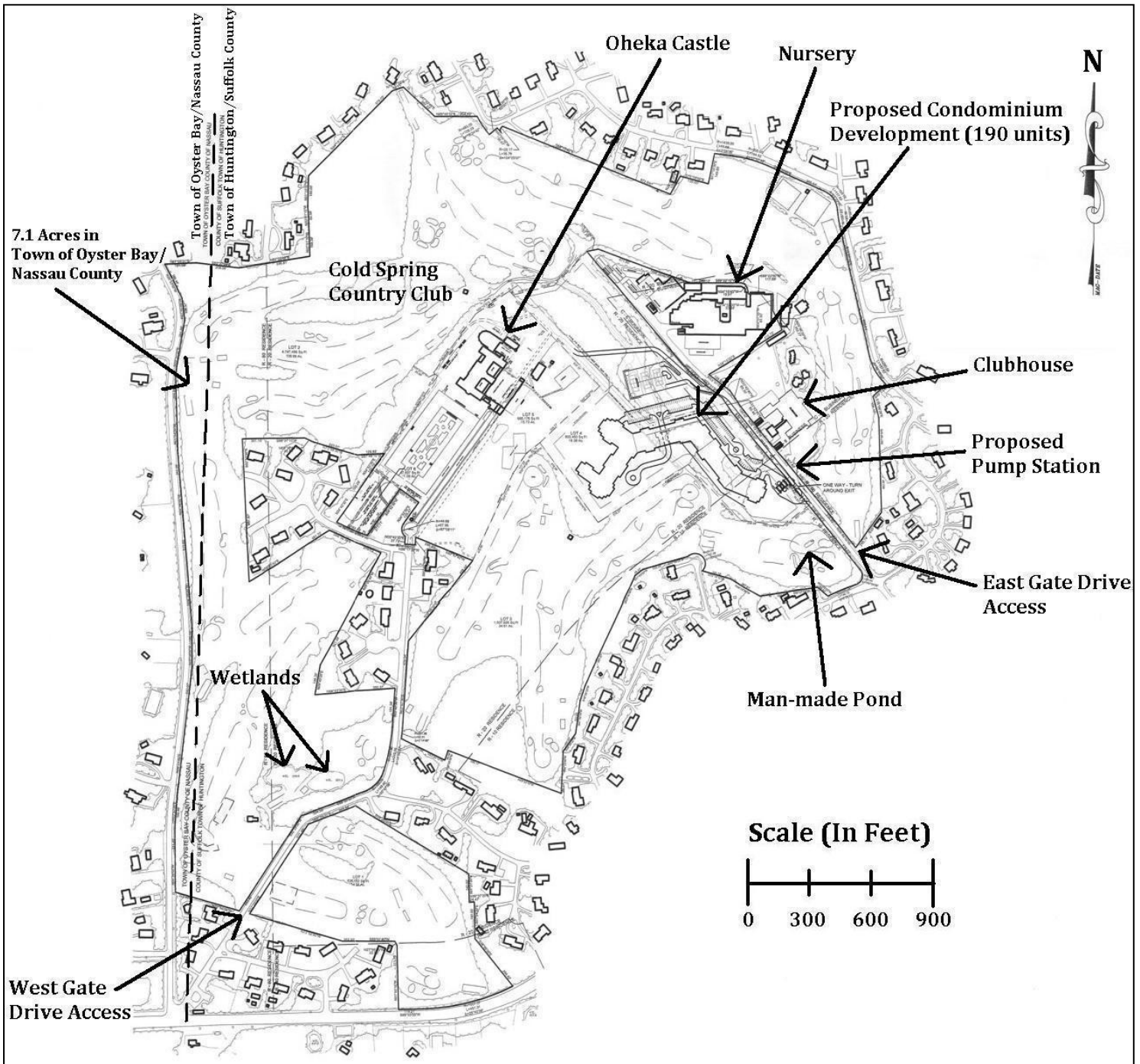
- Type: Change of Zone
- Layout: Cluster
- Area of Tract: 193.72 Acres
- Yield Map:
 - No. of Lots: 190 units
- Open Space Acreage: Golf Course removing (150 Ac)

ACCESS

- Roads: existing - East Gate Drive (to NYS Rt. 25)
- Driveways: existing internal - proposed parking

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: CB-LP
 - Recharge Basins: NO
- Groundwater Management Zone: I
- Water Supply: public - South Huntington Water District
- Sanitary Sewers: public - Nassau County Sewer District



Z-1: Residences @ Oheka Castle
 SCPD: HU-11-02
 SCTM No: 0400-132.00-04.00-007.000 et al.



STEVEN BELLONE
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: Irwin Garsten Retail Center
Municipality: Riverhead
Location: N/S/O Old Country Road (CR 58) ~ 1100' w/o Osborn Avenue

Received: 12/23/2011
File Number: RH-12-01
T.P.I.N.: 0600 10100 0200 006002
Jurisdiction: within 500' of Old Country Road/CR58 within 500' of NY State Land

PROPOSAL DETAILS

OVERVIEW - Applicants request Site Plan Approval from the Riverhead Town Planning Board for the construction of a 64,000 SF retail shopping center on 13.54 acres of land. The Subject property is zoned Destination Retail Center (DRC) District. The proposed shopping center would include two buildings (48,000 SF and 16,000 SF) located at the southern half of the subject site. The larger of the two buildings is to be set back to the center of the site while the smaller building is offset to the east at the southern end of the subject property.

The proposed action also involves the creation of 348 at-grade parking stalls and is in conformance with Town of Riverhead Zoning Law for off street parking.

Referred materials to the offices of the County Planning Commission indicate that approximately three (3) acres of land at the northern end of the subject property is to be dedicated to the Town for Road and drainage purposes.

Waste water from the subject development, according to the submitted material, would be handled by on site sanitary treatment and potable water would be drawn from the Riverhead Water District.

Access to the development is proposed to be via Old Country Road (CR 58) through an un-signalized "right turn only" ingress/egress. An alternate or construction access is proposed across Town owned land and may form a secondary service/entrance and emergency access.

The subject property is covered with stands of mature trees. There is part of a locally recognized freshwater wetland system on site in the northern and southern corners of the property. The wetlands are adjacent and possibly part of a NYS designated and regulated wetland system (R-32) but are not mapped onsite by DEC. The eastern edge of the subject property has been encroached and disturbed by activities of the adjacent Town highway yard.

The applicant proposes the dedication of approximately three acres of land to the Town for drainage purposes as well as the incorporation of “rain gardens” to treat on site storm water.

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 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.

Access to the proposed development is intended via County Road 58 (Old Country Road). The referred material does not indicate that a Traffic Impact Study is to be submitted to the Town. The site plan referred to the commission indicates a proposed un-signalized “right turn only” ingress/egress. The proposal has a regional/inter-community concern regarding development of the subject property in terms of motor-vehicle trip generation and its impact to the safety and carrying capacity of the County Road. Curb cut permits will be required from the Suffolk County Department of Public Works for any improvements to the County road. The referred materials do not indicate any communication with the County DPW and it is therefore recommended that the project sponsors coordinate with them as soon as possible. In addition, the applicants should investigate with the Suffolk County DPW Transit Division, possible accommodations for bus riders.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Riverhead Comprehensive Plan (November 2003) designates the subject parcel as Destination Retail Center (DRC). Retail stores are a permitted use in the DRC District. According to Town of Riverhead zoning law development within the DRC is intended to “have a campus-style layout, with no strip or freestanding businesses permitted.”

The proposed site plan for the retail center is in conformance with the Local Comprehensive Plan recommendations and the Town zoning law. The retail center use is permitted and the gross floor area is broken into two buildings in a “campus setting.” The as-of-right permitted uses in the district allow large buildings such as warehouse clubs or wholesale clubs and there is no maximum building size prohibition. There is minimal use of a “continuous sidewalk” represented on the site plan however, and there is an opportunity to improve pedestrian amenities. There appears to be limited pedestrian amenities for movement between parking areas and the retail uses including sidewalks, lighting and other public safety elements.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

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

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

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

It does not appear, from the nature of the referral material, that the applicants have given

consideration to the contents of the Suffolk County Planning Commission Guidebook.

It is the belief of the staff however, that the proposal may find some benefit in reviewing the Commissions Guidebook particularly with respect to energy efficiency and public safety. The parking layout appears to be problematic as the entrance aisle is a long straight-away and may induce excessive speeds and unsafe conditions for motorists and pedestrians.

Moreover, the applicant should be encouraged to review the Suffolk County Planning Commission publication entitled *Managing Stormwater-Natural Vegetation and Green Methodologies* though the applicants have already proposed the use of rain gardens for storm water management and a “bio-filtration system” proposed over the wetland area on the north eastern portion of the site and abutting property.

STAFF RECOMMENDATION

Approval subject to the following modifications:

1. Applicants shall contact the Suffolk County Department of Public Works and seek all appropriate approvals.

Reason: Access to the proposed development is intended via County Road 58 (Old Country Road). The referred material does not indicate that a Traffic Impact Study is to be submitted to the Town. The site plan referred to the commission indicates a proposed un-signalized “right turn only” ingress/egress. The proposal has a regional/inter-community concern regarding development of the subject property in terms of motor-vehicle trip generation and its impact to the safety and carrying capacity of the County Road. Curb cut permits will be required from the Suffolk County Department of Public Works for any improvements to the County road. The referred materials do not indicate any communication with the County DPW and it is therefore recommended that the project sponsors coordinate with them as soon as possible. In addition, the applicants should investigate with the Suffolk County DPW Transit Division, possible accommodations for bus riders.

2. All storm water runoff shall be kept on site and treated in accordance with best management practices.

Comments:

1. The applicants should review the Suffolk County Planning Commission Guidebook particularly related to conservation of energy, public safety, and storm water management and incorporate where practical design elements recommended therein.
2. The parking layout appears to be problematic as the entrance aisle is a long straight-away and may induce excessive speeds and unsafe conditions for motorists and pedestrians.
3. There appears to be limited pedestrian amenities for movement between parking areas and the retail uses including sidewalks, lighting and other public safety elements.
4. The most landward limit of wetland vegetation should be flagged in the field by a qualified expert, verified by the appropriate regulatory agency and the line (properly notated) should be represented on all sketches, plans, maps, etc.

Reason: It is not noted on the submitted development concept plans if the most landward limit of wetland vegetation has been recently flagged in the field by a qualified expert and verified by the appropriate regulatory agency. It is the opinion of the Suffolk County Planning Commission that this should be conducted

SUPPLEMENTAL DATA

ZONING DATA

- Zoning Classification: Destination Retail Center (DRC)
- Minimum Lot Area: 40,000. Sq. Ft.
- Section 278: No
- Obtained Variance: N/A

SUPPLEMENTARY INFORMATION

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

SITE DESCRIPTION

- Present Land Use: Vacant
- Existing Structures: None
- General Character of Site: Rolling
- Range of Elevation within Site: ~20'-30' above mean sea level
- Cover: wooded
- Soil Types: Carver & Plymouth Associations
- Range of Slopes (Soils Map): 3-15%
- Waterbodies or Wetlands: Yes-Adjacent Wetlands

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

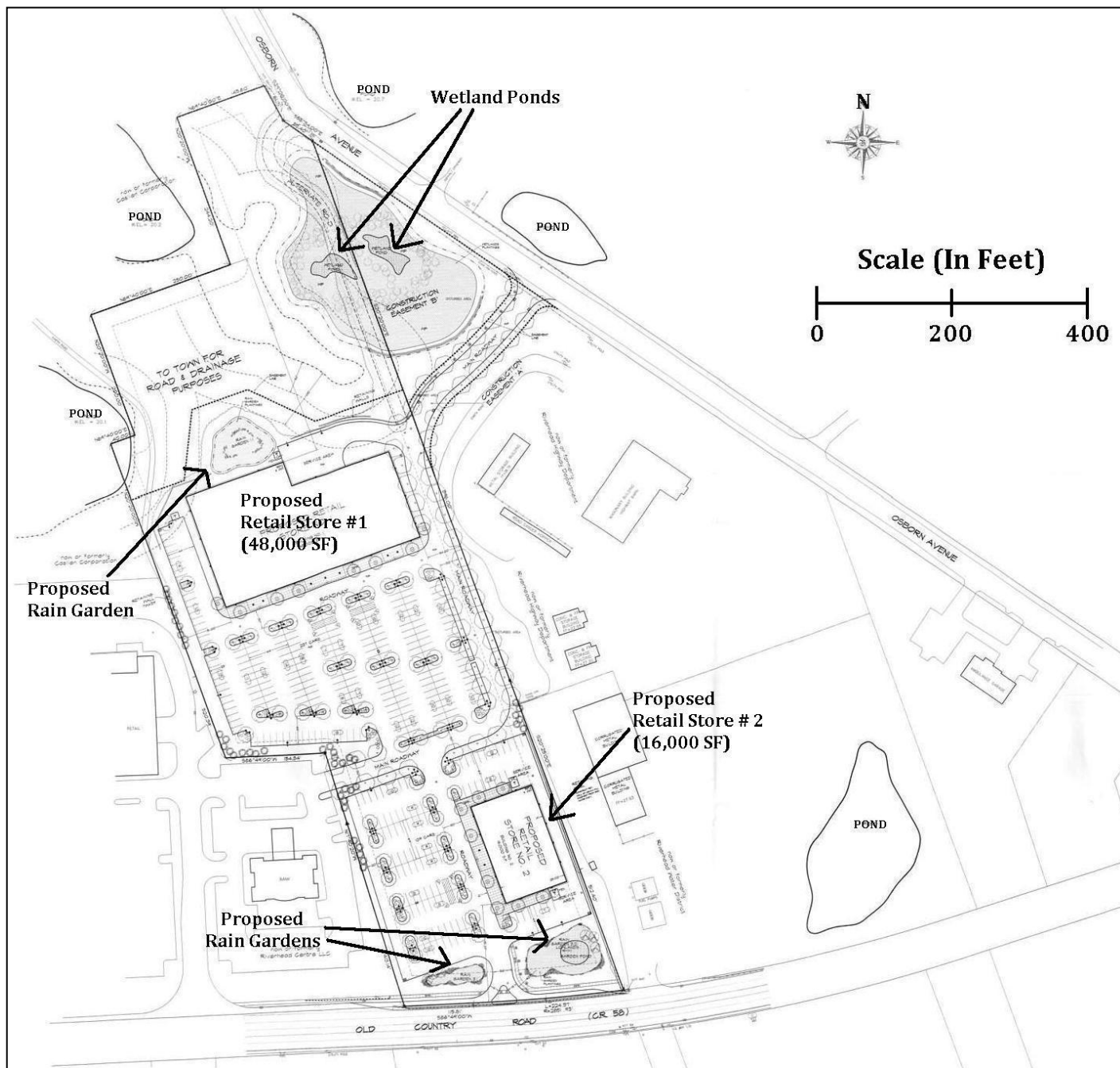
- Type: Site Plan
- Layout: Standard
- Area of Tract: 13.5413 Acres
- Yield Map: N/A
 - No. of Lots: N/A

ACCESS

- Roads: Existing
- Driveways: Private (internal)

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: CB-LP
 - Recharge Basins: No
- Groundwater Management Zone: III
- Water Supply: Public
- Sanitary Sewers: ST-LP



Z-2: Irwin Garsten Retail Center
 SCPD: RH-12-01
 SCTM No: 0600-101.00-02.00-006.002

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

February 1, 2012

12:00 P.M.

Maxine S. Postal Auditorium,
Riverhead County Center in Southampton

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1. Public Portion
 2. Adoption of minutes for May 2011
 3. Chairman's report
 4. Director's report
 5. Guest Speakers:
 6. Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code
 - The Residences@Oheka Castle 0400 13200 0400 007000 et al. (Town of Huntington)
 - Irwin Garsten Retail Center 0600 10100 0200 006002 (Town of Riverhead)
 7. Section A14-24 of the Suffolk County Administrative Code

NONE
 8. Discussion:
 9. Other Business:
 - Election of Officers
 - Adoption of Rules of Proceedings
 - Adoption of 2012 Calendar
 - Referral Tracking/Posting

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held in the Maxine S. Postal Auditorium in the Riverhead County Center in the Town of Southampton.

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

David L. Calone
Chairman

Sarah Lansdale, AICP
Director of Planning

Date: February 1, 2012
Time: 12:00 Noon
Location: Legislative Auditorium
Evans K. Griffing Building, County Center
Riverhead, New York 11901

Members Present (10)

David L. Calone – Babylon
Michael Kelly – Brookhaven (left meeting at 12:35)
Jennifer Casey – Huntington
Carl Gabrielsen – Riverhead
Linda Holmes – Shelter Island
John J. Finn – Smithtown
Tom McAdam – Southold
Adrienne Esposito – Village Over 5,000 Population
William E. Schoolman – At Large
Glynis Margaret Berry – At Large

Staff Present (6)

Sarah Lansdale – Director of Planning
Thomas Young – Assistant County Attorney (Counsel to the Commission)
Andrew Freleng – Chief Planner
Theodore Klein – Senior Planner
Andrew Amakawa – Research Technician
Dotty Sonnichsen – Account Clerk Typist

The Pledge of Allegiance

Public Portion

- None

Call to Order

- The meeting of February 1, 2012 was called to order by David Calone, Chairman, at 12:10 p.m.

Adoption of Minutes

- The Motion to adopt May 2011 meeting minutes made by Commissioner Holmes, seconded by Commissioner Schoolman, vote Approved 10-0.
- The Motion to adopt September 2011 meeting minutes as amended made by Commissioner Holmes, seconded by Commissioner Schoolman, vote Approved 10-0.

Other Business (moved up the Agenda)

- **Commission Rules Change**

The Rules Committee has recommended the following two (2) rule changes:

- 1) To change the officer's title of Secretary to 2nd Vice Chairman, and
- 2) For the Commission the ability to consider, at its discretion, during its deliberations information which has been provided at the Planning Commission meeting by the representative(s) of the referring agency who are providing such information at the Commission's request.

The Motion to adopt rule changes made by Commissioner McAdams, seconded by Commissioner Holmes, vote Approved 10-0.

- **2012 Commission Schedule**

The Motion to adopt the 2012 Suffolk County Planning Commission Meeting Schedule made by Commissioner Casey, seconded by Commissioner Gabrielsen, vote Approved 10-0.

- **Election of Officers**

The Nomination Committee nominated David Calone to the office of Chairman. Unopposed, per Rules, the Secretary cast the lone vote re-electing Chairman Calone.

The Nomination Committee nominated Adrienne Esposito to the office of 1st Vice Chairperson. Unopposed, per Rules, the Secretary cast the lone vote electing Adrienne Esposito to the office.

The Nomination Committee nominated Michael Kelly to the office of 2nd Vice Chairperson. Unopposed, per Rules, the Secretary cast the lone vote electing him to the office.

The election of Officers for the 2012 was unanimously approved upon by the Commission.

Chairman's Report

- The Chairman recapped the Commission activities during 2011. In addition to deliberating on several dozen regulatory items, among the highlights for last year were the following:
 - Welcoming fellow Commissioner Sarah Lansdale as the new Director of Planning.
 - Completing the Commission's tour of the County's Town with Huntington, Smithtown and East Hampton Town Halls, as well as walking tours of Patchogue and Port Jefferson Villages.
 - Commission efforts, with the support of the county Executive and Legislature, resulted in the County's first ever re-occurring locally controlled source of sewer financing.
 - Finished developing the fast-track solar permitting plan, and with LIPA's financial assistance, all 10 Towns and several Villages have adopted it. The State has called it a model code.
 - Hosted a successful symposium on green methodology for storm-water control. Noted seeing new development proposals containing rain gardens, bio-swales and the like.
 - Planning Commission adopted Volume 1-a of the County Comprehensive Plan.
 - Hosted meetings with East End Towns on drafting an "East End Wind Code".
 - Substantial progress was made revising the Commission Guidelines.
 - Starting working on a professional certification program for interior commercial alterations with ABLI (Association for a Better Long Island); in talks for piloting the program with the Towns of Brookhaven and Huntington.
 - Progress was made in getting the towns interested in incorporating public safety principles into their building codes and planning criteria.
- A look forward at Commission priorities for 2012, and critical issues that are considered key to Suffolk's future. In particular:
 - Removing artificial barriers to economic development.
 - Protecting our natural resources, particularly our drinking water.
 - Hasten the implementation of energy efficient buildings and renewable energy resources
 - Provide housing options for all Suffolk residents.
- With these priorities and issues in mind the Commission's agenda for 2012 will be including some of the following items:
 - Economic Development: Reinvigorating "SUPP" (Suffolk's Unified Permit Portal); establish new sewer funding sources (Sewer Summit 3 in the fall), continue to work on finishing Suffolk's first Comprehensive Plan in decades; hosting a parking symposium to help 'downtowns', help municipalities with planning "TOD" (Transit Orient Developments); pilot programs for professional certifications designed to hasten certain permitting processes; support existing businesses and help grow new ones; promote public safety and help support the preservation of Suffolk's historical resources; help support the sustainability of the agricultural industry in Suffolk County.

- Natural Resources: Most important is protecting the quality of our drinking water; focusing on sewers, native vegetation standards, incentivizing tighter clustering, utilizing "TDR" (Transfer of Development Right) programs including the planning tools associated with Pine Barrens/wastewater credits.
- Energy Efficient Buildings & Renewable Energy: Promote the adoption of Solar Energy legislation throughout the county, and complete the adoption of the East End Wind Codes; Assist Suffolk's municipalities in the adoption of new commercial 'green' building codes.
- Housing Options for All Suffolk Residents: Hosting the first "Suffolk County Housing Summit" this month.
- Planning Commission: Get our guidelines revised and increase the Commission's focus on the projects of regional significance; looking forward to the first joint meeting with the Nassau County Planning Commission in April.
- The Chairman thanked the Commissioners and the Planning Department Staff for all their hard work and support.

Director's Report – Department Director Sarah Lansdale updated the Commission members on activities of the Department including:

- Department is continuing work on the County's Comprehensive Plan, and reminded Commissioners of a short discussion of the Comp. Plan after the Commission Meeting.
- Mentioned an upcoming a H.U.D. funded T.D.R. debate.
- Department is beginning the 3rd round of the County's Aquaculture Leasing program. The overall economic benefit of the leasing program has been estimated to be 2.25 million dollar (via an estimated income of \$500,000 x a 4.5 multiplier).
- A \$500,000 NYMTC grant originally assigned to the Sagtikos Corridor Study will eventually be re-assigned to providing funding of the Comprehensive Plan effort.
- Staff is continuing to work on the "SUPP" (Suffolk's Unified Permit Portal).

Guest Speakers

- None

Section A14-14 thru A14-23 & A14-25 of the Suffolk County Administrative Code

- **The Residences at Oheka Castle** (referred by the Town of Huntington) – Commission resolved to approve the Change of Zone request of 194 acres in West Hills, land of the Cold Spring Country Club, from R-10, R-20, R-40, R-80 Residence Districts and C-6 General Business District to R-OSC (Residence-Open Space Cluster) District subject to certain modifications, and offered comments to the Town for its consideration and use*.

The motion to approve the application subject to certain modifications and comments was made by Commissioner Casey and seconded by Commissioner Finn, vote Approved 9-0.

*While deliberating on this application; the Commission discussed the following modifications: 1) That the applicant shall contact the New York State Department of Transportation regarding traffic impacts to Jericho Turnpike, and also that the

applicant should investigate with local bus services the possibility of accommodating bus riders to the site. And 2) That they would have preferred more specific information regarding the proposed sewer connection with the neighboring Nassau County's Cedar Creek Sewer District, and that there shall be assurances made that Suffolk County Department of Health Services will be contacted regarding any wastewater issues. Continuing, the Commission thought that best pesticide management practices should be adhered to given that the subject site is above an SGPA (Special Groundwater Protection Area). There was also concern by some of the Commission that the application did not address and/or set aside any affordable housing; and that the applicability of the Long Island Workforce Housing Act should be reviewed. The Commission also indicated that they would like the applicant to include the following elements in their proposal: Some number of rental units; incorporate Natural Vegetation and Green Methodologies in managing storm-water runoff; take steps to protect existing freshwater wetland; Review the Suffolk County Planning Commission Guidebook to assist in incorporating Energy Efficiency and Public Safety design elements into the proposal; And to do some work to enhancing pedestrian access to transit.

- **The Irwin Garsten Retail Center** (referred by the Town of Riverhead) - Commission resolved to approve the Site Plan application to construct a 64,000 S.F. retail shopping center on 13.54 acres of land subject to certain modifications, and offered comments to the Town for its consideration and use*.

The motion to approve the application subject to certain modifications and comments was made by Commissioner Gabrielsen and seconded by Commissioner Finn, vote Approved 9-0.

*While deliberating on this application; the Commission discussed the following four (4) modifications: 1) That they were concerned that the proposal could impact the safety and carrying capacity of County Road 58, and so the applicant shall contact the Suffolk County Department of Public Works to seek all appropriate approvals; 2) That given the levels of groundwater as indicated by the existing wetlands and surface water condition, the applicant shall contact the Suffolk County Department of Public Works with respect to the treatment of wastewater; 3) That all storm-water runoff shall remain on site. Commissioner Gabrielsen indicated that the all surface water in the surrounding area flows from the north and collects along the north side of County Road 58. As observed from aerial photographs and the reporting of the Staff, the Commission discussed whether the upland area as depicted on the proposed site plan was accurate. Commissioner Berry wondered if the parcel was virtually landlocked by wetlands constraints and if the front portion was even buildable; she felt new area calculations needed to be done to address the wetlands, and that any development on this parcel should definitely be connected to a sewer. Commissioner McAdams indicated that in the subject's area connectivity is a common practice, and believes that the abutting Riverhead Center parcel is connected to a sewer district. Staff advised the Commission that it is typical that as a proposal moves through the 'review/approval process' additional requirements will be added in order to adhere to current 'best management practices'. The Commission then had discussion on the last modification 4) That the most landward limits of wetlands vegetation be flagged by a qualified expert and

building coverage and/or envelope be modified as such determination and code enforcement dictates. Continuing, the Commission would like the applicant to do the following: Review the Suffolk County Planning Commission Guidebook and when practical to incorporate energy efficiency and public safety design elements, and best storm-water management practices into the proposal; Reconsider the parking layout to eliminate the long straight-away of the traffic aisle; Enhance pedestrian amenities including sidewalks, lighting and other public safety elements; And finally for the Town to investigate and implement best management practices for treating storm-water runoff on the Town owned properties to the east (i.e. review the Commission's publication "Managing Stormwater-Natural Vegetation and Green Methodologies").

Discussion

- Commissioner Gabrielsen stated that he has recently met with The Cornell Co-operative regarding pesticide use. He indicated that they have been surveying practices of pesticide use; pointed out greenhouse growers limit its use; and typically farmers cycle in and out certain pesticides so that the insects do not become immune to what can be used.
- Staff person Andrew Amakawa gave a short presentation on the status of "SUPP" (Suffolk Unified Permit Portal).
 - Commission Counsel Thomas Young spoke about an application's "complete date" and that it would be indicated on the record as the date it is received by the Commission from the referring municipality (assuming a full statement of facts).
 - Commissioner Finn inquired whether the complete application process will be able to be tracked online. It was indicated that it would be in the future.
 - Chairman Calone indicated that he thought it would be advantages if Commissioners could notify other agencies and government bodies of their concerns via "SUPP".

Meeting Adjourned (2:35 p.m.)

- Commissioner Holmes motioned
- Commissioner Finn seconded
- All in favor