

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 and
Environment

Date: December 4, 2013
Time: 2:00 p.m.
Location: Maxine S. Postal Auditorium
Evans K. Griffing Building, Riverhead County Center
300 Center Drive, Riverhead, New York 11901

Members Present (14)

Ramon Accettella – Town of Babylon
Michael Kelly – Town of Brookhaven (left meeting after Walmart @ E. Patchogue vote)
John P. Whelan – Town of East Hampton
Jennifer Casey – Town of Huntington
Matthew Chartrand – Town of Islip
J. Edward Shillingburg – Town of Shelter Island
John Finn – Town of Smithtown (left meeting after Walmart @ E. Patchogue vote)
Barbara Roberts – Town of Southampton
Nicholas Planamento – Town of Southold
Adrienne Esposito – Villages Over 5,000
Michael Kaufman – Villages Under 5,000
Kevin G. Gershowitz – At Large
Glynis Margaret Berry – At Large
David Calone – At Large

Staff Present (6)

Sarah Lansdale – Director of Planning and Environment
Thomas Young – Assistant County Attorney (Counsel to the Commission)
Andrew Freleng – Chief Planner
Theodore Klein – Senior Planner
John Corral – Planner
Christine DeSalvo – Senior Clerk Typist

Call to Order

- The meeting of December 4, 2013 was called to order by David Calone, Chairman, at 2:15 p.m.

The Pledge of Allegiance**Adoption of Minutes**

- The adoption of the November 2013 Meeting Minutes. Motion to adopt as amended made by Commission member Esposito, seconded by Commission member Accettella. Vote Approved: 14 ayes, 0 nays, 0 abstentions.

Guest Speaker (taken out of order) – Hon. Sean Walters, Town of Riverhead Supervisor, updated the Commission on the “EpCal” subdivision, noting it as the largest commercial subdivision in New York State, and that its Environmental Impact Statement is nearly completed. Applications for the subdivision will then be submitted to all the necessary agencies. The final version of the subdivision, after many amendments, is the result of a consensus of involved and interested agencies, as well environmental and civic groups.

Public Portion – Nearly two dozen persons of the public spoke to the Commission, with the majority regarding the “Diamond T. Limited Partnership” application, and the “Senior Citizen Housing Overlay District/Putman Amagansett Farm Holding” application. There were persons speaking both for and against each of those applications before the Commission.

Chairman’s Report – The Chair began by taking a moment to acknowledge Lloyd Harbor Lee Hairr who passed away from cancer just before Thanksgiving. The Chair stated that Mayor Hairr was a good friend of and worked with the Suffolk County Planning Commission.

Chairman Calone updated the Commission as follows:

- On Agriculture initiatives; The Chair acknowledged the work of Commission members Carl Gabrielsen and Barbara Roberts.
 - The Chair and Mr. Gabrielsen had recently met with Augie Ruckdeschel, the County Executive’s point person on Agricultural issues, to discuss ways how they can work together in the anticipation of the release of the County’s Farmland Plan in mid-2014; which will become part of the County’s Comprehensive Plan.
 - Augie is also working with Director Sarah Lansdale on finalizing the results of the Suffolk Farm Survey, and he will present those results of the survey to the Commission at its January meeting.
 - Carl Gabrielsen and Chairman Calone were invited by Senator LaValle to attend a summit on growing the farm economy, which a number of good ideas came out of that include a focus on the next generation of farmers, which is something this Commission has been stressing as being crucial to support Suffolk’s agricultural economy and sustain it into the future.
- With regard to ‘Professional Certification’ our next step is to get State legislative sponsors. The Chair met with Des Ryan of the Association for a Better Long Island and he said that creating a ‘professional certification’ pilot program for interior commercial alterations will be his organization’s top goal in the upcoming legislative session. He is going to work with us to educate Long Island lawmakers about this issue based on the work that Commission members Jennifer Casey and John Finn have done. As you may recall the Town of Brookhaven willing to be one of the pilot locations for the ‘Professional Certification’ program in Suffolk County.

Chairman's Report (Continued)

- On the 'economic development conference', the Commission is working with the Suffolk County IDA, and has put together a rough agenda. Commission member Barbara Roberts and the Chair will continue working on it, and anticipate a late February or early March date for the conference.
- Regarding the 'Geothermal Model Code'; Commission members John Whelan and Mike Kaufman have been working on this; meeting with the geothermal industry and the Town of Brookhaven to review Brookhaven's new geothermal code. Later the Commission will discuss and consider adopting as a recommended model code a version of the code that is in the member's packet. Once the model code has been finalized we could use some help getting the word out on this model code, especially to some of the western Suffolk towns.
- With respect to other Commission business;
 - At the last meeting the officers nominating committee was appointed, with Carl Gabrielsen as its chair and Matt Chartrand and Kevin Gershowitz as members of the nominating committee. They are sending out an e-mail seeking out anyone interested in serving as an officer for the Commission in 2014, as well as any suggested rules changes. They will report their suggestions at the January meeting and we will elect officers and adopt our rules at the February meeting.
 - With regard to the Comprehensive Plan; one of the primary responsibilities of the County Planning Commission under the County Charter is to propose a comprehensive plan for Suffolk County. The consultant group AKRF is heading up the effort to develop the plan, and Director Lansdale will provide us with a brief update on its progress as part of her Directors Report. The oversight committee is to meet with AKRF in the near future.
 - On upcoming Commission meetings; because the next scheduled Commission meeting falls on January 1st which is a holiday, instead the January meeting will be held on the following Wednesday, January 8th, at 2:00 p.m. at a location to be determined but most likely in the Hauppauge area.

Director's Report – Planning Director Sarah Lansdale informed the Commission about recent activities within the Division including the following:

- The Director updated the Commission on the status of the County's Comprehensive Plan. Stating that the consultants, AKRF, are well on their way in collecting data points for the Economic Development Chapter, as well as the Transportation Chapter; of which drafts will be available to members of the Commissioners to review in the coming new year.

Intermission: The proceedings of the Suffolk County Planning Commission meeting paused for a 5 minute break before continuing with the Regulatory Review Section.

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

- **Creation of a Senior Citizen Housing Overlay District & Putman Amagansett Farm Holding Request for a Change of Zone (taken out of order);** referred by the Town of East Hampton, received on November 14, 2013 – the Commission's jurisdiction for review is the adoption of a change to the zoning ordinance and that the application is adjacent to NYS Rt. 27 (Montauk Highway). The applicant is petitioning the East Hampton Town Board for the creation of a new 'Senior Citizen Overlay (SCO) District'; and seeking a change of zone from the existing A Residence/Limited Business Overlay (LBO) and A-3 Residence to the proposed SCO. The petitioners put forth that the rezoning of the 23.56 acres of land on the north side of Montauk Highway in the hamlet of Amagansett will enable the development of an active senior planned community on the property. The proposed community would be restricted to residents aged 55 years or older and would consist of 63 detached dwelling units of predominately single story, 26 flats (apartment units) and community facilities including a community field house, a recreation and fitness building, tennis courts a swimming pool and a groundskeeper's building.

The staff report recommended approval of the proposed Senior Citizen Housing Overlay District with reason, and offered two (2) comments for their consideration and use by the Town of East Hampton. The staff report also recommended approval of the proposed Change of Zone for Putman Amagansett Farm Holding and offered eleven (11) comments for the consideration and use of the Town of East Hampton. After deliberation the Commission resolved to disapprove the proposed Senior Citizen Housing Overlay District for three (3) reasons, and further resolved to disapprove the proposed Change of Zone for four (4) reasons and offered nine (9) comments for their consideration and use by the Town of East Hampton.

The motion to disapprove the creation of the overlay district and also the request for the change of zone, with the stated reasons and comments, was made by Commission member Whelan and seconded by Commission member Roberts, vote to Disapprove; 11 ayes, 2 nays, 1 abstention.

- **Walmart at East Patchogue;** referred by the Town of Brookhaven, received on November 14, 2013 – the Commission's jurisdiction for review is that the application is adjacent to Sunrise Highway (SR 27). The application is a request for Site Plan approval from the Town Planning Board for the development of a 98,000 S.F. Walmart store and a 900 S.F. office building on an approximate 16.64 acre parcel.

The staff report recommended disapproval of the Site Plan application with reason, and offered four (4) comments for their consideration and use by the Town of Brookhaven. After deliberation the Commission resolved to generally agree and disapprove the Site Plan application with reasons and the four (4) comments.

The motion to disapprove the Site Plan application, with the stated reasons and comments, was made by Commission member Esposito and seconded by Commission member Accettella, vote to Disapprove; 12 ayes, 0 nays, 2 abstentions.

Section A14-14 thru A14-25 of the Suffolk County Administrative Code (Continued)

- **Diamond T Limited Partnership Request for a Change of Zone;** referred by the Town of East Hampton, received on November 13, 2013 – the Commission's jurisdiction for review is that the application is within 500 feet of an Agricultural District. The applicant is petitioning the East Hampton Town Board for a change of zone from the existing A-5 Residence (5 acre minimum lot size)/Agricultural Overlay District (AOD) to A Residence (1 acre minimum lot size). The subject property is 19.3 acres and the requested zone change would allow for the development of approximately 16 lots and a 25% reserved area on the property, whereas the current zoning allows for approximately 4 lots and a 70% agricultural reserve.

The staff report recommended disapproval of the Change of Zone with reason, and offered five (5) comments for their consideration and use by the Town of East Hampton. After deliberation the Commission resolved to agree and disapprove the proposed Change of Zone with reasons and offered five (5) comments for their consideration and use by the Town of East Hampton.

The motion to disapprove the Change of Zone, with the stated reasons and comments, was made by Commission member Whelan and seconded by Commission member Roberts, vote to Disapprove; 10 ayes, 2 nays, 0 abstention.

Discussion

- Commissioners briefly announced and/or discussed the following items/events:
 - Chairman Calone and Commission member Whelan gave an updated on the status of the Commission's Geothermal Model Code;
 - Chairman Calone reminded the Commission that the next meeting will be held on January 8th.

Meeting Adjourned (5:35 p.m.)

- The motion to adjourn the meeting was made and unanimously approved.