

SUFFOLK COUNTY PLANNING COMMISSION  
c/o Suffolk County Department of Economic Development & Planning  
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099  
T: (631) 853-5192 F: (631) 853-4044  
Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development  
and Planning  
Sarah Lansdale, Director of Planning

**NOTICE OF MEETING**

May 1, 2013 at 2:00 p.m.

4<sup>th</sup> Floor Conference Room, Department of Economic Development and Planning,  
H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge

**Tentative Agenda Includes:**

1. Adoption of Meeting Summary for March and April 2013
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guest Speaker
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
  - Echo Ponds at Center Moriches, 0200 716.00 01.00 003.000 et al.  
(Town of Brookhaven)
7. Section A-14-24 of the Suffolk County Administrative Code  
None
8. Discussion:
9. Other Business:

**NOTE:** The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on  
June 5, 2013 at 2:00 p.m., in the H. Lee Dennison Building, 100 Veterans Memorial Highway,  
Hauppauge, NY 11788

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Development and Planning  
Sarah Lansdale, Director of Planning

## **REVISED AGENDA**

May 1, 2013 at 2:00 p.m.

4<sup>th</sup> Floor Conference Room, Department of Economic Development and Planning,  
H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge

1. Meeting Summary for March and April 2013
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guest Speaker
  - Dorian Dale, Sustainability Director, Suffolk County Economic Development and Planning – Superstorm Sandy recovery activities
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
  - Echo Ponds at Center Moriches, 0200 716.00 01.00 003.000 et al.  
(Town of Brookhaven)
7. Section A-14-24 of the Suffolk County Administrative Code  
None
8. Discussion:
9. Other Business:

**NOTE:** The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on June 5, 2013 at 2:00 p.m. in the H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, NY 11788



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE  
Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Planning  
and Environment

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

**Applicant:** Echo Pond at Center Moriches  
**Municipality:** Brookhaven  
**Location:** s/w corner of NYS Rte 27 South Service Road and Wading River Road

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**Received:** 4/18/2013  
**File Number:** BR-13-08  
**T.P.I.N.:** 0200 71600 0100 003000  
**Jurisdiction:** within 500 feet of Sunrise Highway

**ZONING DATA**

- Zoning Classification: MF
- Minimum Lot Area: 120. Sq. Ft.
- Section 278: N/A
- 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: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No
- SEQRA Information: Yes
- SEQRA Type: Pending
- Minority or Economic Distressed: No

**SITE DESCRIPTION**

- Present Land Use: vacant
- Existing Structures: none
- General Character of Site: rolling
- Range of Elevation within Site: ~47-65' amsl

- Cover: wooded
- Soil Types: Riverhead and Carver associations
- Range of Slopes (Soils Map): 0-15%
- Waterbodies or Wetlands: proposed drainage pond...pond in adjacent project.

**NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST**

- Type: site plan
- Layout: curvi-linear
- Area of Tract: 12.55 Acres
- Yield Map: No
  - No. of Units: 50
- Open Space: 4.1 Acres

**ACCESS**

- Roads: no direct access to public road
- Driveways: private

**ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: CB/LP
  - Recharge Basins: no/pond
- Groundwater Management Zone: VI
- Water Supply: public
- Sanitary Sewers: private ST/LP

**PROPOSAL DETAILS**

**OVERVIEW** – Applicants seek Town of Brookhaven Planning Board site plan approval for the construction of nine (9) two-story Condominium buildings containing fifty (50) units on approximately 12.6 acres (~4 units/ac). Also proposed is the creation of a storm water retention pond as a water feature amenity, walking trails and gazebo. Additional site improvements are proposed on adjacent developed property (Chrystal Pond at Pine Hills South) for an entranceway to the subject property, reconstructed parking and a gate house at Jerusalem Hollow Road. Turf, landscaping and Natural areas on the proposed site plan equal approximately 4.1 acres (~33%).

A total of 176 off street parking stalls are required by Town of Brookhaven Zoning Law and as many are provided.

Sanitary waste generated by the proposed action is intended to be collected and treated via an on-site community sanitary system.

The subject parcel is located at the south west corner of the Sunrise Highway Service Road South (NYS Rte. 27) and Wading River Road (Town Road) in the hamlet of Center Moriches.

Access to the site as depicted on the site plan, is provided via the existing development know as Chrystal Pond at Pine Hills South. No direct access to Echo Pond at Center Moriches is proposed from a public right-of-way. No alternate or emergency access is proposed for the new 50 unit complex.

A review of the character of the land use and zoning pattern in the vicinity reveals that the subject property is zoned MF in an area otherwise zoned Industrial, Residential and Commercial. Residential zoning and uses can be found to the west, while industrial uses can be found to the

south and east. Some commercial zoning and uses are located at the north east and west intersections with Wading River Road and the Sunrise Highway North Service Road.

The subject property is situated in Hydro-geologic Ground Water Management Zone VI pursuant to Article 6 of the Suffolk County Sanitary Code. The site is not located in a NYS Critical Environmental Area. The site is not located in a NYS Special Groundwater Protection Area (SGPA). The subject site is not located in a Pine Barrens zone of Suffolk County. No federal or state mapped and regulated wetlands occur on the subject property.

## **STAFF ANALYSIS**

**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.

It is the belief of the staff that the proposed site plan is compatible with the land uses adjacent and in the immediate vicinity of the subject development.

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** The 1996 Town of Brookhaven Comprehensive Land Use Plan designates the subject site as Industrial. The area in the Master Plan is designated as an Industrial/Residential mix. Many of the parcels in the area are zoned industrial and reflect the master plan. There are also parcels in the area zoned for detached single family residential dwellings and attached units in the form of MF and PRC uses.

It is the belief of the staff that the proposal is not consistent with the local Comprehensive Plan (though consistent with the land use pattern). It would appear that the area is evolving and land uses in the attached residential category to be a reoccurring development request. The Town of Brookhaven should re-evaluate the local and update the Comprehensive Master Plan for this area in order to avoid the potential for conflicting adjacent land uses and associated adverse effects therewith.

### **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 July 11, 2012). Below are items for consideration regarding the Commission policies:

The subject application proposes to remove 33% of the native woodland on site. The project acreage to remain undeveloped is approximately 4 acres and is to be in the form of a buffer along the northern, eastern and southern perimeter. It is not evident in the referral to the Suffolk County Planning Commission if the applicants have reviewed the Commission's publication on Managing Stormwater-Natural Vegetation and Green Methodologies. A lined storm water pond is proposed as part of the drainage plan. It is not evident in the referral if the applicants have reviewed the

Commission's publication entitled Study of Man-Made Ponds in Suffolk County. It is noted that stormwater street runoff from Wading River Road is directed to a headwall and discharges to a natural swale on the subject site. Stormwater from this arrangement should be kept on site. It is the belief of the staff that the applicants will be required to complete a SWPPP with the Town of Brookhaven. The Commission's publications should be reviewed and additional natural stormwater mitigations incorporated where practical.

The applicants are proposing a "community sanitary system." No details as to the nature of the system were provided in referral material to the Planning Commission. A review of the County Submission and Status Terminal revealed no application to the SCDHS or DPW. The applicants should review the proposed community sanitary system with the Suffolk County Department of Health Service and investigate advanced or best management technology, connection to the adjacent sanitary facilities or a more regional approach to waste water treatment.

It is not evident in the referral to the Suffolk County Planning Commission if the applicants have reviewed the Commission's guidelines on energy efficiency. It is anticipated all units would be constructed to Energy Star Standards in accordance with Town of Brookhaven Code requirements (section 16-4.2). It is the belief of the staff that the publication should be reviewed and additional efficiency measures incorporated where practical.

It is the belief of the staff that by the very nature of the application there is a positive economic development component to the proposed project.

With respect to issues regarding equity there is no information in the subject referral if the application will be in compliance with Town of Brookhaven affordable housing requirements. The proposed attached unit multi-family condominium project unit should set aside a certain number of units for affordable housing purposes in accordance with state and local law.

It is not evident on the referred site plan that there is a direct walkable connection to the local roadway, Wading River Road. There is no mass transit (bus) shelter proposed anywhere for the project. An alternate or emergency access would be desirable for this development as well as pedestrian connection to public right of way sidewalks and bus stops. An alternate or at a minimum, emergency access should be established to Wading River Road (possibly along the proposed water main extension route [see site plan]). In addition the applicant should communicate with the Suffolk County DPW Transit Division and discuss possible accommodations for bus riders from the subject development.

There is no information in the referral material regarding this application that the project sponsors have investigated issues related to public safety and universal design. It is the belief of staff that the applicant should be directed to consult the Suffolk County Planning Commission guidelines on public safety and the model code on Universal Design and incorporate any practical measures into the design plan.

## **STAFF RECOMMENDATION**

Approval subject to the following comments:

1. The Suffolk County Planning Commission's publications Managing Stormwater - Natural Vegetation and Green Methodologies and Study of Man-Made Ponds in Suffolk County should be reviewed and additional stormwater mitigations incorporated where practical.

Reason: A lined storm water pond is proposed as part of the drainage plan. It is noted that stormwater street runoff from Wading River Road is directed to a headwall and discharges to a

natural swale on the subject site. It is the belief of the Suffolk County Planning Commission that the applicants will be required to complete a SWPPP with the Town of Brookhaven. The Commission's publications should be reviewed and additional natural stormwater mitigations incorporated where practical.

2. The applicants should review the proposed community sanitary system with the Suffolk County Department of Health Service and investigate advanced technology, connection to the adjacent sanitary facilities or a more regional approach to waste water treatment.

Reason: The applicants are proposing a "community sanitary system." No details as to the nature of the system were provided in referral material to the Planning Commission.

3. The applicant should review the Commission standards on energy efficiency for further informational purposes.

Reason: It is not evident in the referral to the Suffolk County Planning Commission if the applicants have reviewed the Commission's guidelines on energy efficiency. It is anticipated all units would be constructed to Energy Star Standards in accordance with Town of Brookhaven Code requirements (section 16-4.2).

4. The proposed attached unit multi-family condominium project unit should set aside a certain number of units for affordable housing purposes in accordance with state and local law.

Reason: There is no information in the subject referral if the application will be in compliance with Town of Brookhaven affordable housing requirements.

5. An alternate or at a minimum, emergency access should be established to Wading River Road.

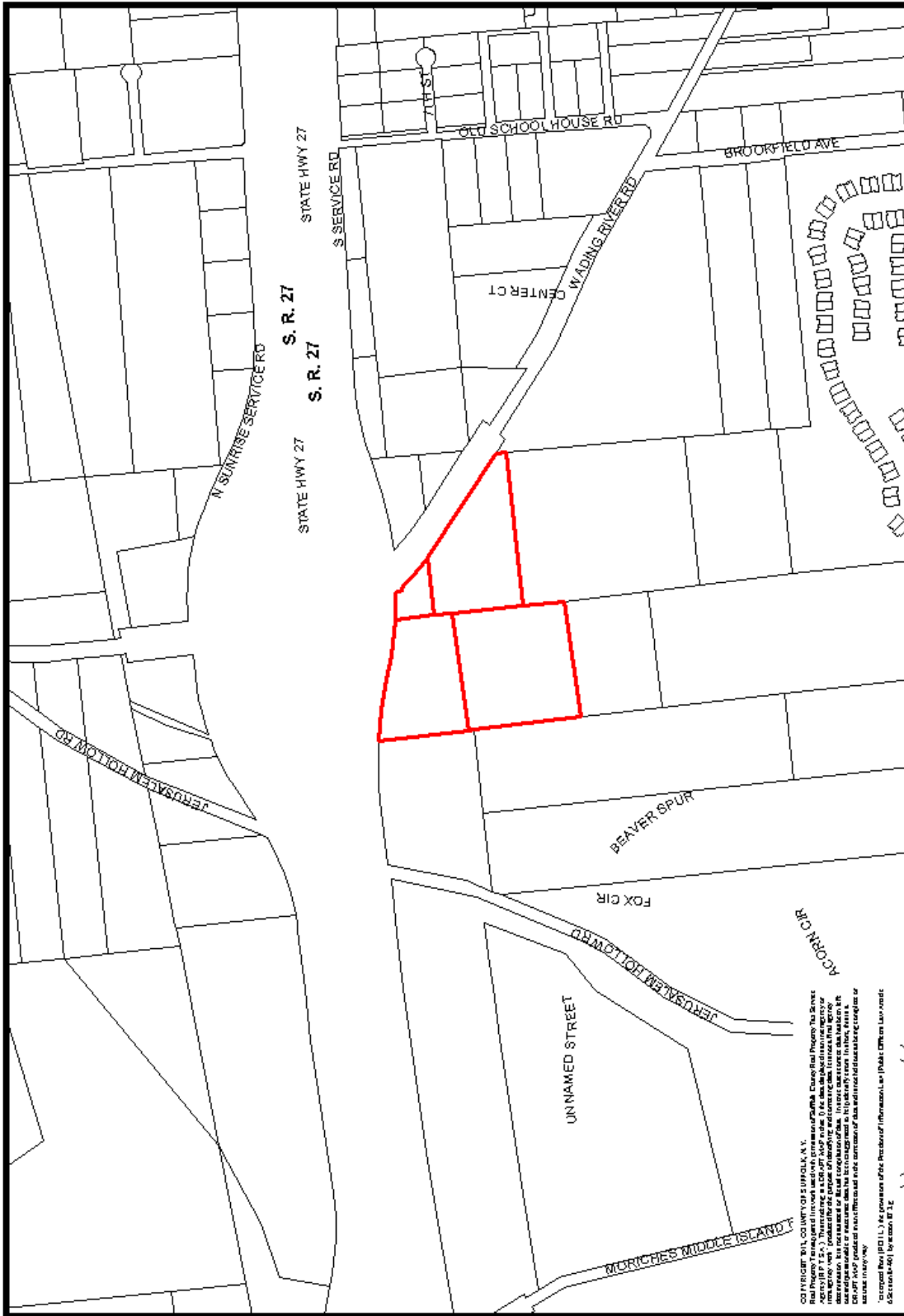
Reason: An alternate or emergency access would be desirable for this development as well as pedestrian connection to public right of way sidewalks and bus stops.

6. The applicant should communicate with the Suffolk County DPW Transit Division and discuss possible accommodations for bus riders from the subject development.

Reason: No mass transit (bus) shelter is proposed.

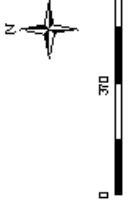
7. The applicant should be directed to consult the Suffolk County Planning Commission guidelines on public safety and the model code on Universal Design and incorporate any practical measures into the design plan.

Reason: There is no information in the referral material regarding this application that the project sponsors have investigated issues related to public safety and universal design.



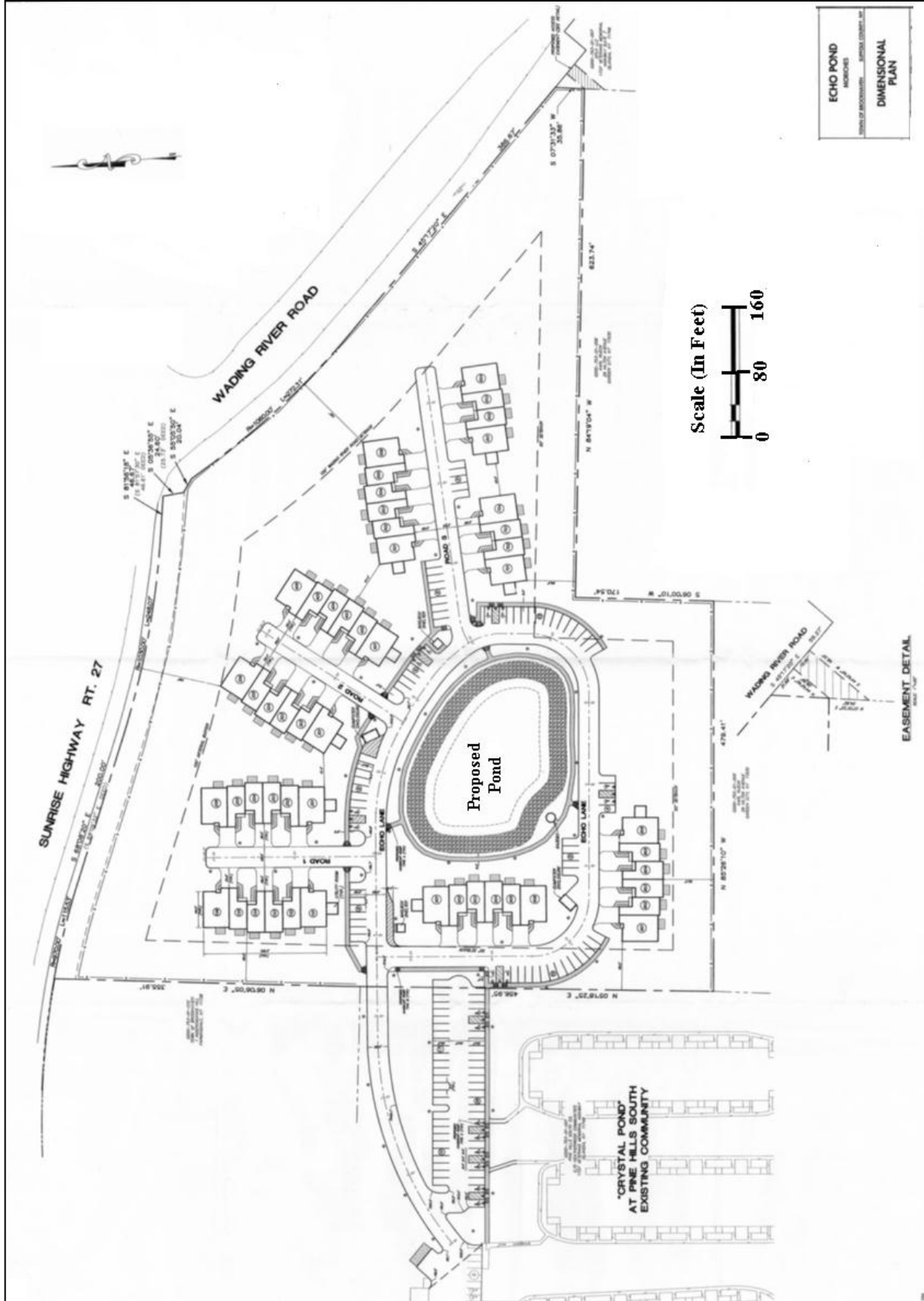
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 PREPARED FOR: TOWN OF BROOKHAVEN  
 PROJECT: ECHO PONDS AT CENTER MORICHES  
 DATE: 05/01/2013

Town of Brookhaven  
 Suffolk County, New York  
 Date: 05/01/2013

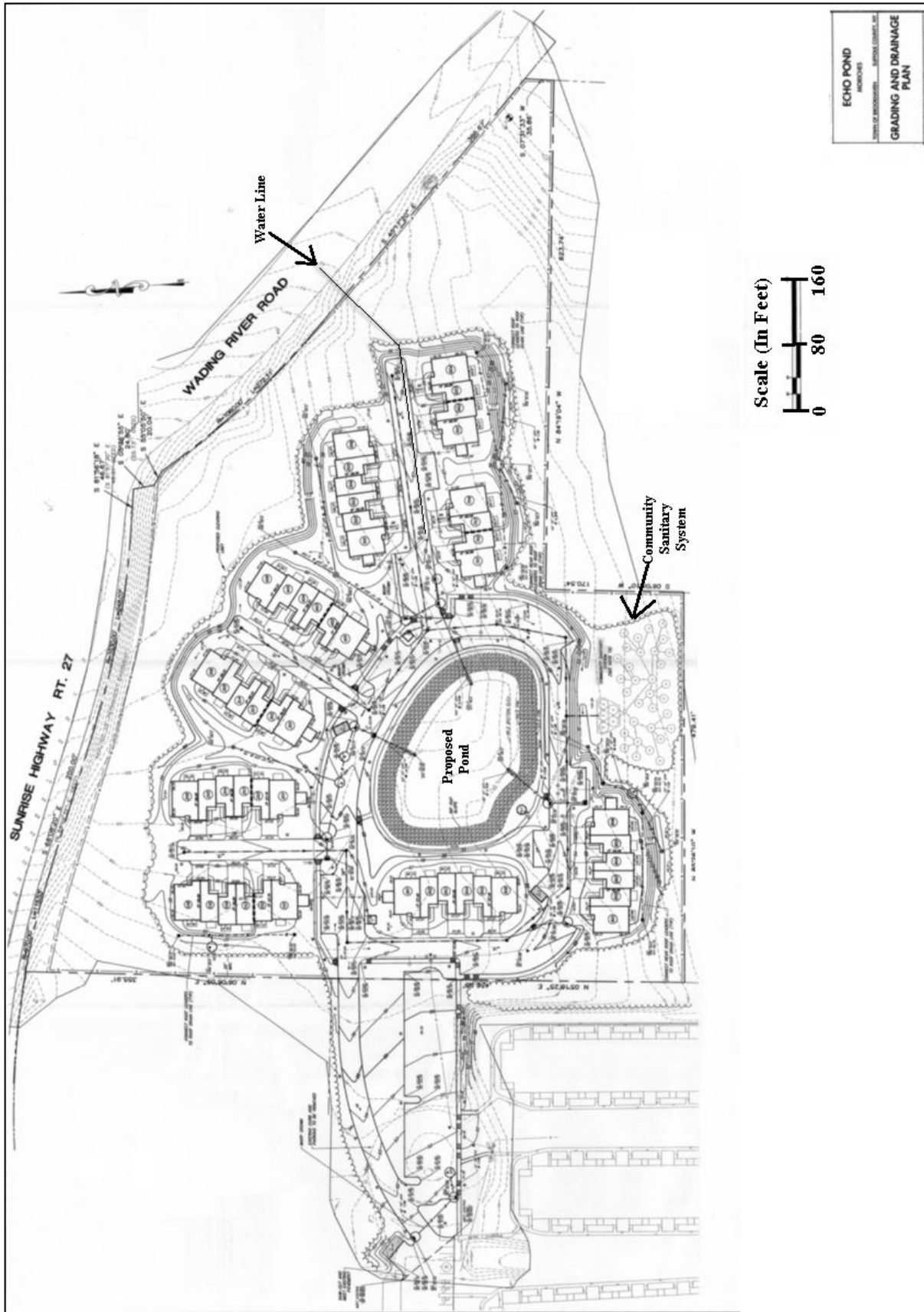


Z-1: Echo Ponds at Center Moriches  
 SCPD No.: BR-13-08  
 SCTM No.: 0200-716.00-01.00-003.000, et al.





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# 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: May 1, 2013  
Time: 2:00 p.m.  
Location: 4<sup>th</sup> Floor Conference Room, H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, New York 11788

### **Members Present (10)**

Michael Kelly - Brookhaven  
John Whelan - East Hampton  
Jennifer Casey - Huntington  
Matthew Chartrand - Islip  
Linda Holmes - Shelter Island  
Thomas McAdam - Southold  
Michael Kaufman - Villages Under 5,000  
Glynis Margaret Berry - At Large  
Kevin Gershowitz - At Large (arrived after adoption of minutes)  
David Calone - 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  
John Corral - Planner  
Christine DeSalvo - Senior Clerk Typist

### **Call to Order**

- The meeting of May 1, 2013 was called to order by David Calone, Chairman, at 2:10 p.m.

### **The Pledge of Allegiance**

**Adoption of Minutes**

- The adoption of the March 2013 Meeting Minutes. Motion made by Commissioner Kaufman, seconded by Commissioner Holmes. Vote Approved: 9 ayes, 0 nays, 0 abstention.
- The adoption of the April 2013 Meeting Minutes. Motion made by Commissioner Holmes, seconded by Commissioner Kaufman. Vote Approved: 9 ayes, 0 nays, 0 abstention.

**Public Portion** – No one from the public asked to speak to the Commission.

**Chairman's Report** – Chairman Calone updates the Commission on the following Commission priorities:

- Encouraging Economic Development;
  - The recent meeting of the Sewer Infrastructure Finance Taskforce included initial discussions on financing options such as sales tax, water assessment, etc.. Work on this will continue for the next few months.
  - With regard to the agricultural economy we are hoping to get an updated farm census. Congressman Bishop, who attended last month's greenhouse tour, is interested in helping with the younger farmer initiative; as well as looking into the possibility of a water conservation initiative.
  - On the 'Professional Certification' pilot program, Commissioner Casey has drafted a letter to enlist sponsorship on the NYS State Legislature to get the program going. Speaking with Supervisor Romaine, the Town of Brookhaven has expressed interest in piloting the new program, and wants to pass a "sense resolution" supporting adoption of the legislation at its Board meeting in May. The 'program' is intended to make it easier to do minor interior alteration in commercial buildings in order to more quickly fill vacancies and help the local economy.
  - On the Commission's 'Public Safety' initiative, which has the support of the District Attorney; the Chairman recognized Commissioner McAdam's good work on the chapter of the guidebook. The Town of Brookhaven has indicated that they would like to instruct their respective Boards to incorporate the Commission's public safety principles into their site plan design and review processes. The Chairman also indicated that the Deputy County Executive for Public Safety will also be given an opportunity to consider these principles.
- Energy and Natural Resources;
  - The Town of Brookhaven has already adopted our East End Wind Code, and readopted it last week along with its own Geothermal and Solar Energy Codes. It is expected the Towns of East Hampton and Riverhead will move towards adopting some form of the wind code.
  - The Commission's 'working group' is working on a model Geothermal Code. The Town of Brookhaven having already adopted their own code would be interested in hearing what the Commission's findings are, while the Commission's 'working group' is interested in sorting out any inconsistencies and adopting the best geothermal code.

**Chairman's Report** – Energy and Natural Resources (Continued)

- The planned Wastewater Symposium is coming up June 21<sup>st</sup> in Riverhead headed up by Commissioner Berry; who indicated that the agenda is almost complete except for one slot. Chairman Calone reminded everyone that the symposium will take place at the Culinary Institute, beginning at 9:00 a.m., and be an all-day event. Commissioner Berry mentioned several of the financial sponsors of the event, and Chairman Calone pointed out that more are always welcome.
- Resiliency;
  - The "Suffolk 'After Sandy' Roundtable" last month was focused on the 'built environment'. Another roundtable discussion is being considered that will focus on what should come next for the 'natural environment'. Today's guest speaker, Dorian Dale, will be able to provide the Commission with more information regarding the County's response to Super-storm Sandy.
  - One of the outcomes of the 'Roundtable' was better communication amongst the County and municipalities. The talks of amending municipal building codes brought to light the difficulties of that particularly given the nationalization of FEMA requirements and the State's standardized building codes. There is an entity called the 'State Code Council' that can be approached with recommendations for changes resulting from local discussions of amending municipal building codes in flood zones as one of the way sto avoid widespread destruction in flood prone areas. This would best be done on a comprehensive level, meaning several municipalities should be united in their intention to amend their building codes to be more in-line with FEMA's guidelines for rebuilding. Someone from the Commission is needed to help lead that effort, and Commissioners Kaufman and Whelan indicated they would help. They along with Dorian Dale, Suffolk County's Director of Sustainability, will be getting together soon to start work on that effort.
- Other topics;
  - The Annual Planning Federation is coming up in the Fall (October 17<sup>th</sup>) at the Brookhaven National Lab.
  - Commissioner Holmes' replacement, Ed Shillingburg has already been approved by the Legislative Committee, and will soon be considered for appointment to the Commission by the full Legislature.
  - Commissioner McAdam stated to the Commission that the east-end farms impacted by saltwater intrusion as a result of Super-storm Sandy have received financial aid, and are on-track to be operational for the coming growing season.

**Director's Report** – Planning Director Sarah Lansdale informed the Commission about recent activities within the Division.

## Director's Report (Continued)

- Informed the Commission that June 4<sup>th</sup> is the deadline for the first round all Sewer Infrastructure Funding Applications. The application is open to both public and private entities, and is available on-line.
- The County has recently issued 2 RFPs (Request For Proposals). The first RFPs is part of the County Executive's initiative 'Connect Long Island' for the BRT (Bus Rapid Transit) Feasibility Study; the County has received several proposals back and will likely choose one next week. The other RFP is for the final chapters of Suffolk's Comprehensive Plan. Director Lansdale indicated that there is a provision in the RFP for the Comprehensive Plan that it be completed by the end of this year, and that a consultant would also be chosen next week. The Director noted that both proposals are being fully Federal funded.
- The Division is finishing work on the Commack Road Study, and expanded the study area from where the four Towns meet to be congruent with the NYS Sagtikos Study.
- New Legislation has been passed by the County effecting changes to the protocol for acquiring open space to allow more information to pass on through the process. This would give Legislators new information they didn't have before when they were deciding whether to purchase land; such as appraised values, and available fund account balances. Legislators were not given this information before. The Director indicated that the current available funding for open space acquisitions has on account balance of approximately 2 million dollars.
- The Directed stated that to date on a cumulative level the County has spent over 1 billion dollars preserving open space since 1959, which represents about 57,000 acres.
- Lastly, the County's 'Land Bank' application has been accepted by New York State; the first and only in the State and we are moving forward on it. Currently the county has 133 sites identified as tax delinquent and suspected to be environmentally contaminated. A list of these parcels will soon be available to all the public. The Director noted that many of the details are still being worked out but that the Land Bank will be its own separate nonprofit entity, but staffed by County employees.

## Guest Speaker

- **Dorian Dale**, the Sustainability Director for the Suffolk County Department of Economic Development and Planning, and Chief Recovery Officer for Suffolk County's Response to Super-storm Sandy presented an outline of Sandy recovery efforts being taken, as well as all relevant policies and programs.

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

- **Echo Pond at Center Moriches**; referred by the Town of Brookhaven, received on April 18, 2013 – the Commission's jurisdiction for review is that the application is within 500 feet of State Route 27 (Sunrise Highway). The applicant seeks site plan approval for the construction of nine (9) two story condominium buildings containing fifty (50) units on 12.6 acres (for a density of approximately 4 units per acre). Site improvements proposed include a storm-water retention pond as a water feature amenities, walking trails and gazebo. Access to the subject site is provided over an existing development known as Chrystal Pond at Pine Hills South.

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

- **Echo Pond at Center Moriches** (continued)

The staff report recommended approval of the site plan application with seven (7) comments for the consideration and use of the Town of Brookhaven. The Commission generally agreed with the staff recommendations and resolved to approve the site plan application with seven (7) comments.

The motion to approve the application with seven (7) comments was made by Commissioner Holmes and seconded by Commissioner Kelly, vote Approved; 10 ayes, 0 nays, 0 abstentions.

**Discussion**

- As it being Commissioner Holmes' last Commission meeting, she acknowledged that it has been a great pleasure serving on the Planning Commission, and the Chairman and Commissioners all wished her the best.

**Meeting Adjourned** (3:35 p.m.)

- The motion to adjourn the meeting was made by Commissioner Holmes and seconded by Commissioner Casey, vote Approved; 10 ayes, 0 nays, 0 abstention.