

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

October 2, 2013 at 2:00 p.m.

Town of Brookhaven
100 Independence Hill
Farmingville, New York

Tentative Agenda Includes:

1. Meeting Summary for September 2013
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guest Speakers
 - Hon. Edward Romaine, Brookhaven Town Supervisor
 - Tullio Bertoli, Commissioner, Planning and Environment, Town of Brookhaven (Carman's River Plan)
 - Stephen Holley, AKRF Inc., Vice President (Suffolk County Comprehensive Plan)
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
 - Adoption of Carmans River Conservation and Management Plan, (Brookhaven)
 - Holmesview Commons at Farmingville
SCTM No: 0200 65500 0600 014000 (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 November 6, 2013 at 2:00 p.m., in the H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, NY 11788

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Agenda

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COUNTY OF SUFFOLK

Z-1



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: Carmans River Conservation and Management Plan
Municipality: Town of Brookhaven
Location: Carmans River corridor

Received: 09/19/2013
File Number: BR-13-16

Jurisdiction: Comprehensive Management Plan/Comprehensive Plan amendment

SUPPLEMENTARY INFORMATION

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

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- | | |
|------------------|----------------------------|
| ▪ Type: | Management plan |
| ▪ Layout: | Management Plan study area |
| ▪ Area of Tract: | 23,000 Acres |

PROPOSAL DETAILS

OVERVIEW – The Brookhaven Town Board proposes to amend and update the Town Comprehensive Plan to adopt the Carmans River Conservation and Management plan so as to “preserve, protect, and restore the water quality in the surface waters of the Carmans River and the various ecosystems and species that are associated with and dependent upon the Carmans River.” The Plan delineates a Management Plan Area comprised of the groundwater and the surface water contributing areas. Recommendations set forth in the plan include the purchase of selected parcels,

rezoning of parcels and areas, and an expansion of the Central Pine Barrens Core Preservation Area.” The overall study area for the Management Plan approximately 23,000 acres and is defined as the 0-25 year long term average precipitation groundwater contributing area as identified and mapped by CDM and shown in its report to the Town of Brookhaven dated January 4, 2011 (Memorandum to Jeffrey Kassner from Camp Dresser & McKee “Baseflow Contributing Area to Carmans River” summarizing the results of groundwater model simulations).

The entire Management Plan study area is roughly an inverted tear-drop shape the most southern end coming to a point at the mouth of the Carmans River around Beaver Dam Road and widening to the west to approximately Mill Road and to the east to Aberdeen Drive. The contribution zone stretches north to approximately NYS Rte. 25. Land uses in the proposed Overlay District include low to high density residential commercial, industrial, institutional, agricultural, utilities, vacant land and open space.

The document provides a characterization of the watershed and notes that “available data suggests that the water quality and aquatic habitats in the Carmans River have undergone some degradation over the past several decades. Additionally, there is concern that the development of the remaining vacant land and the redevelopment of developed land in the Carmans River watershed will cause further deterioration of the River’s water quality and aquatic habitats.”

The Plan has a total of 19 recommendations (focused primarily on properties within the 0-2 and 2-5 year groundwater time of travel contributing area to the Carmans River) proposed to be implemented to accomplish the goals of the Plan (see attached). Significant in these recommendations is the proposal to expand the Central Pine Barrens Core Preservation Area; a state managed (via the Central Pine Barrens Joint Planning and Policy Commission) conservation zone as part of the Central Pine Barrens Comprehensive Land Use Plan.

The overall goal of the CRMP is to improve the water quality, natural resources, uses and educational programs within the watershed.

The Carmans River is one of four major river corridors in Suffolk County along with the Connetquot, Nissequogue, and Peconic. The river corridor is contained in three State Critical Environmental Areas; the Middle Island-Yaphank CEA and the Coastal zone Area South-Town of Brookhaven CEA. In addition the northern two thirds portion of the river (to Sunrise Highway) is situated within the Central Pine Barrens CEA and also within the Central Pine Barrens Joint Planning and Policy Commission jurisdiction as promulgated via the Central Pine Barrens Comprehensive Land Use Plan. The northern third is within the Central Suffolk Special Ground water Protection Area (SGPA). The river traverses through Hydro-geologic Zones III and VI. The entire river corridor is either in the “Scenic” or “Recreational” zones of the NYS Wild Scenic and Recreational Rivers Act. In addition to the above fresh and tidal wetland and adjacent areas are regulated by both the State and the Town of Brookhaven.

STAFF ANALYSIS

The recent concept for the Carmans River Conservation and Management Plan was derived from the prior Carmans River Watershed Protection and Management Plan (Carmans River Study Group February 2011). The Plan, as an extension of the long recognized sensitivity of the watershed, essentially proposed to extend the Core Preservation and Compatible Growth areas of the Central Pine Barrens Comprehensive Land Use Plan (Central Pine Barrens Joint Planning and Policy Commission 1996), utilize Transfer of Development Rights (TDR), public purchase/acquisition for significant land parcels in the Core and apply best management practices for development parcels not otherwise preserved. The Watershed Protection and Management Plan was not adopted by the Brookhaven Town Board. But the sentiment to improve and preserve the integrity of the Carmans

River continues as intent of the Town. This “conservation and management plan” is a policy document with recommendations for future town action including up-zoning, acquisition, and expansion of the Central Pine Barrens Core Preservation Area.

The Plan does have a total of 19 recommendations (focused primarily on properties within the 0-2 and 2-5 year [groundwater time of travel] contributing area to the Carmans River) proposed to be implemented to accomplish the goals of the Plan (see attached). Significant in the recommendations is the proposal to expand the Central Pine Barrens Core Preservation Area; a state managed (via the Central Pine Barrens Joint Planning and Policy Commission) conservation zone as part of the Central Pine Barrens Comprehensive Land Use Plan. Integral in the expansion of the CPA (as with any Transfer of Development Right program) is the ability to absorb transferable Pine Barren Credits (a type of transferable development rights) outside of the CPA into “as of right” receiving (development) areas.

The Town should be mindful that an expansion of the Core Preservation Area (CPA) will require the Town to demonstrate adequate AS-OF-RIGHT receiving areas for PBC's in a 1:1 and 2.5:1 ratio of receiving area to PBC creation per the Central Pine Barrens Joint Planning and Policy Commission's Comprehensive Land Use Plan (see Central Pine Barrens Comprehensive Land Use Plan, Volume 1: Policies, Programs and Standards. Central Pine Barrens Joint Planning and Policy Commission, 1996).

The Suffolk County Planning Commission Guidelines on the Environment (Section 4.7, pg. 20) indicate that the general policy goal of the Commission is to “Protect, preserve, and restore critical natural resources to maintain a healthy and diverse ecosystem for present and future generations.” Among the specific policy goals related to the natural environment are “Preserve the region's natural resources including, but not limited to, groundwater, surface waters, tidal and fresh water wetlands,... protect steep slopes... to reduce erosion and sediment run-off... preserve open space, farmland and environmentally sensitive land through...clustering...(Suffolk County Planning Commission Guidebook, July 2012).

There remains some concern that not all of the major landholders have been sufficiently engaged in the Central Pine Barrens Management Zone expansion process and the development of the Carmans River Conservation and Management Plan. Some of the proposed recommendations may have unintended consequences to governmental entities within the expansion area. The Town of Brookhaven should engage governmental entities to resolve any competing regional considerations with the proposed Plan.

STAFF RECOMMENDATION

Approval with the following comments:

- Subsequent to adoption of the Plan, the Town of Brookhaven should consider engaging governmental entities to resolve any possible competing regional considerations with the proposed Plan.
- The Town should be mindful that an expansion of the Core Preservation Area (CPA) will require the Town to demonstrate adequate AS-OF-RIGHT receiving areas for PBC's in a 1:1 and 2.5:1 ratio of receiving area to PBC creation per the Central Pine Barrens Joint Planning and Policy Commission's Comprehensive Land Use Plan (see Central Pine Barrens Comprehensive Land Use Plan, Volume 1: Policies, Programs and Standards, section 6.5.2 and 6.5.2.1: Central Pine Barrens Joint Planning and Policy Commission; 1996).

EXECUTIVE SUMMARY

The Carmans River, together with the Connetquot, Nissequoque, and Peconic Rivers, is one of Long Island's four major river systems and together with the Peconic River is one of the two major river systems that flow through the Central Pine Barrens Region of Long Island. The average annual flow of the Carmans River is 15.9 million gallons per day based on data from the United States Geological Survey (USGS) gaging station located one mile south of the Long Island Expressway. It is estimated that 94 percent of the flow of the Carmans River originates from groundwater (CDM 2011a), which means the groundwater contributing area for the River is integral to the health and quality of the River.

Available data suggests that the water quality and aquatic habitats in the Carmans River have undergone some degradation over the past several decades. Additionally, there is concern that the development of the remaining vacant land and the redevelopment of developed land in the Carmans River watershed will cause further deterioration of the River's water quality and aquatic habitats. For these reasons, the Town created the Carmans River Study Group to prepare a Management Plan that would provide a suite of recommendations to restore and preserve the water quality and habitats of the Carmans River. The goals of the Carmans River Conservation and Management Plan ("The Plan") are:

1. Environmentally sensitive lands that are critical to the ecological health and water quality of the Carmans River, or are significant habitats within the Carmans River watershed, should be protected and preserved.
2. There should be no further degradation of water quality in the Carmans River, and a concerted effort should be made to reduce the concentrations of water quality contaminants from their present levels.
3. Any new development or redevelopment in the Carmans River watershed should not adversely impact water quality in the Carmans River or the key ecological communities in the Carmans River watershed.

4. Degraded habitats should be restored, stormwater discharges mitigated, and the abundance of invasive species significantly reduced and, if possible, eliminated.
5. Environmental stewardship, outreach and education should be promoted by the Town of Brookhaven.

Because the quality of groundwater determines the quality of the water in the Carmans River, the groundwater contributing area for the Carmans River was mapped and made part of the Management Plan Area. In order to provide a greater comprehensive examination of the area, the area of the 100 year groundwater contributing area was used as the base Study Area. In addition, an area north of the groundwater contributing area was added to the Management Plan Area as it is part of the Carmans River system. The Study Area encompasses approximately 23,000 acres.

The Plan has a total of 19 recommendations, which, when implemented, will accomplish the goals set forth by the Carmans River Study Group. The recommendations fall into the following categories:

1. Expansion of the Central Pine Barrens Area
2. Proposed open space and farmland development rights acquisitions
3. Proposed zoning actions in the Study Area
4. New York State Wild and Scenic Recreational River (WSR) Act
5. Establishment of a Watershed Protection Improvement District
6. Protection of natural resources
7. Stormwater and flooding
8. Sanitary systems and sewage treatment plants and Nitrate-nitrogen Standards for projects
9. Water quality goal for the Carmans River
10. Water quality monitoring program
11. Biological inventories and monitoring
12. Invasive species
13. Restoration of degraded properties
14. Surface and groundwater remediation

15. Mitigate barriers to fish migration
16. Public education and outreach
17. Agricultural and golf course management
18. Management Plan Implementation and Establishment of the Carmans River Management Plan Performance Committee
19. Carmans River Management Plan Area

A key component of the Management Plan is adding select properties within the Management Plan Area to the Central Pine Barrens Core Preservation Area ("Core Expansion Area") and Central Pine Barrens Compatible Growth Area. This would prevent these properties from being developed by providing property owners with the opportunity to obtain Pine Barrens Credits that can be redeemed for increased density and/or intensity of development at sites that have been deemed eligible to receive such development pursuant to the Pine Barrens Plan. A vigorous Town, New York State, and Suffolk County acquisition program for key properties is also recommended.

The New York State Legislature is presently in the process of amending the 1993 Central Pine Barrens Protection Act. . The legislation will add certain properties to the Core Preservation Area and the Compatible Growth Area of the Central Pine Barrens through the expansion of these two areas. If enacted and signed by the Governor, the Central Pine Barrens Joint Planning and Policy Commission should also amend the 1995 Central Pine Barrens Comprehensive Land Use Plan.

COUNTY OF SUFFOLK

Z-2



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: Holmesview Commons
Municipality: Brookhaven
Location: N/S/O Horseblock Road (CR16) ~ 180 feet E/O North Ocean Avenue (CR 83)

Received: 8/30/2013
File Number: BR-13-14
T.P.I.N.: 0200 65500 0600 014000
Jurisdiction: Adjacent to CR 16 (Horse Block Rd.) and Adjacent to CR 83 (North Ocean Ave.)

ZONING DATA

- Zoning Classification: J Business 2 and A Residence 1
- Minimum Lot Area: 200,000. 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: 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: No

SITE DESCRIPTION

- Present Land Use: vacant
- Existing Structures: two residential structures, garage and various commercial nursery structures

- General Character of Site: rolling
- Range of Elevation within Site: ~ 110' to ~ 120' amsl
- Cover: woods disturbed area w/successional vegetation
- Soil Types: Haven and Riverhead associations
- Range of Slopes (Soils Map): 0-3%
- Waterbodies or Wetlands: none

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: change of zone
- Layout: standard
- Area of Tract: 20.61 Acres
- Yield Map: Yes
 - No. of Lots: 22
 - Lot Area Range: Sq. Ft. 40,000 SF +/-
- Open Space: 5.5 Acres

ACCESS

- Roads: existing CR 16 and CR 83
- Driveways: private internal

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: CB/LP
 - Recharge Basins: yes
- Groundwater Management Zone: III
- Water Supply: public
- Sanitary Sewers: ST/LP

PROPOSAL DETAILS

OVERVIEW: Applicants petition the Brookhaven Town Board for a change of zone (for a portion of the subject property) from A Residence 1 Zoning district to J Business 2 zoning district to permit the development of a Retail Shopping Center consisting of 118,500 square feet of buildings including a 3,500 SF drive-through bank, a 15,00 SF, 292 seat restaurant, a retail building with two 15,00 SF tenant spaces and a large retail building of 70,000 SF with two 18,000 SF and one 34,000 SF tenant spaces. The subject property is approximately 20.61 acres in size and located in the hamlet of Farmingville.

The subject property is split-zoned such that approximately 12.40 acres are situated within the A Residence 1 zoning district and approximately 8.2 acres are situated within the J Business 2 zoning district. The request is for a change of zone for portions of the subject property comprising 9.52 acres, from A Residence 1 to Business 2. The remaining acreage in A Residence 1 is to be set aside as part of the open space component.

Approximately 5.51 acres of the subject property are proposed to be set aside as natural area/open space. This open space is intended to provide a natural buffer to the adjacent residential properties along the northern property lines. The open space would include walking paths for passive recreational uses and is intended to facilitate a pedestrian linkage from adjacent residential areas to the site and between Horseblock Road (CR 16) and North Ocean Avenue (CR 83). This area would include a 0.65 acre "Village Green" with a patio and gazebo (as recreational space) and a decorative water feature.

Site access is proposed to be provided from a main access along Horseblock Road (CR 16) and is intended to be newly signalized and aligned with the existing UPS depot driveway opposite the site. A second egress only driveway along Horseblock Road to the south is proposed as is a single northbound ingress/egress along North Ocean Avenue (CR 83). The proposal includes 690 off street parking spaces of which 142 are land banked.

Referral material to the Suffolk County Planning Commission points out that the area is served by the Long Island Railroad and Suffolk County Bus service. The Medford train station is located approximately 2-miles from the subject site to the southeast. Suffolk County Transit runs bus S71 and has stops on either side of Horseblock Road in proximity to the subject site. The S71 bus runs from Shirley to Stony Brook. A recessed bus stop is proposed along the site frontage.

The proposed action includes the request to permit the demolition of all existing buildings on site and the removal of all debris. In addition, the applicant is seeking special permit approval for a Major Restaurant and outdoor seating as accessory thereto. Moreover, a special permit for the drive-through as accessory to the bank and various dimensional (area) variances are being sought.

It is indicated in referral materials to the SCPC that the storm water runoff generated on the site will be fully accommodated internally in subsurface leaching structures. Application materials to the Town referred to the Planning Commission indicate that NYSDEC SWPPP standards will be met. It is noted that a recharge basin exists adjacent and north of the subject site. This basin is for CR 83 stormwater runoff and not available to the subject development.

The application material indicates that the development has been designed to conform to the requirements of the Suffolk County Sanitary Code, Article 6, promulgated by the Suffolk County Department of Health Services. An on-site septic system is proposed to treat approximately 11,970 gpd of waste water. No onsite sewage treatment plant is proposed nor is connection to an existing treatment plant contemplated. The closest existing treatment plants are located to the south at the intersection of North Ocean Ave (CR 83) and the Long Island Expressway.

Predominant land uses surrounding the subject property include single-family residential, commercial, industrial, retail and religious uses, within the A Residence 1, J Business 2, J Business 4 and L industrial 1 zoning districts of the Town of Brookhaven. Adjacent to the site in the southwest corner is an existing gasoline filling station currently under re-development.

The Subject development site consists of wooded land as well as meadow or old field vegetation, some unvegetated earth, landscaped area and roads, buildings and other paved surfaces. The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located in a Special Groundwater Protection Area (SGPA), nor a NYS Critical Environmental Area. No State or Town regulated freshwater wetlands occur on or near 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 Holmesview Commons commercial center has been designed to be consistent with the existing character of the community. Adjacent residential areas have been buffered from the commercial aspect of the project with the buildings on site oriented with consideration of the pattern of land uses in the vicinity. The project's main vehicle access has been located on Horseblock Road (CR 16) not North Ocean Avenue (CR 83) so that the flow of traffic will

not be adversely impacted by vehicle traffic associated with the proposed project and thus attempts to preserve the level of service of the roadways and not infringe upon the public convenience and the maintenance of a satisfactory community environment.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: It is the belief of the staff that the proposed action conforms to the recommendations of the Town of Brookhaven 1996 Comprehensive Land Use Plan which indicates commercial use along the Horseblock Road (CR 16) corridor and the intersection with North Ocean Avenue (CR 83). Residential use is indicated for the remaining area of the site and is addressed by the project sponsor by placing said area in open space buffer to existing residential development to the north. A visioning plan for the Farmingdale hamlet has been “accepted” by the Brookhaven Town Board for the purposes of further planning initiatives and the proposed development action is consistent with the visioning process for the site. The Farmingville: Our Vision for Tomorrow Community Redevelopment Plan October 18, 2010 indicates a desire for open space, park areas and amenities such as the gazebos for the hamlet.

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 above policies:

It is estimated by the project sponsor (as indicated in EAF referral material to the Planning Commission, page 6) that the proposed development will generate approximately 11,970 GPD of waste water. The applicants also put forth that the development will utilize an on-site septic-system.

It is not clear to SCPC staff that this will be case. The subject property is situated in Hydro-Geologic Management Zone III. Suffolk County Sanitary Code, Article 6 provisions indicate that the permitted waste water input to the groundwater table on site would be no more than 300 GPD/acre for a total of 6,183 GPD (20.61 ac x 300 GPD/ac = 6,183 GPD). The proposed flow is 5,787 GPD in excess of what could be treated on site with conventional means. The closest existing treatment plants are located to the south at the intersection of North Ocean Ave (CR 83) and the Long Island Expressway. Connection to these facilities may be possible if there is existing capacity; otherwise, advanced on site treatment may be necessary. The applicants should contact the Suffolk County Department of Health Services and the Department of Public Works as soon as possible to investigate waste water treatment options for the proposed project.

Applicants indicate that a NYS DEC SWPP will be prepared and that storm water treatment will be on site. There is no mention of storm water treatment techniques other than conventional means. Rain gardens for bio-filtration in initial surface collection areas of the roadways and parking lots and surface detention may be used prior to overflow to subsurface leaching structures. The petitioners should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk

County Planning Commission. The petitioners should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable for residential and clubhouse components of the proposal.

In terms of economic development, staff does not anticipate that the anticipated uses for the commercial center will compete with local “downtowns” in the vicinity. In 2010, Farmingville’s small downtown had zero vacant stores, and Medford’s small downtown had one vacant store.

In 2010, the number of vacant stores in shopping centers in Farmingville was 20 vacant stores, in Medford’s shopping centers there were 17 vacant stores, and in Holtsville there were 16 vacant stores.

Place	Shopping Center Vacancy Rate, 2010
Farmingville	19 %
Medford	13 %
Holtsville	21 %
Town of Brookhaven	15 %
Suffolk County	12 %

Source: Suffolk County Planning

Little discussion is made in the petition to the Town and referred to the Commission on public safety and universal design. The applicant should review the Planning Commission guidelines particularly related to public safety and universal design incorporate into the proposal, where practical, design elements contained therein.

STAFF RECOMMENDATION

Approval of the Change of Zone (for a portion of the subject property) from A Residence 1 Zoning district to J Business 2 zoning district with the following comments:

Comments:

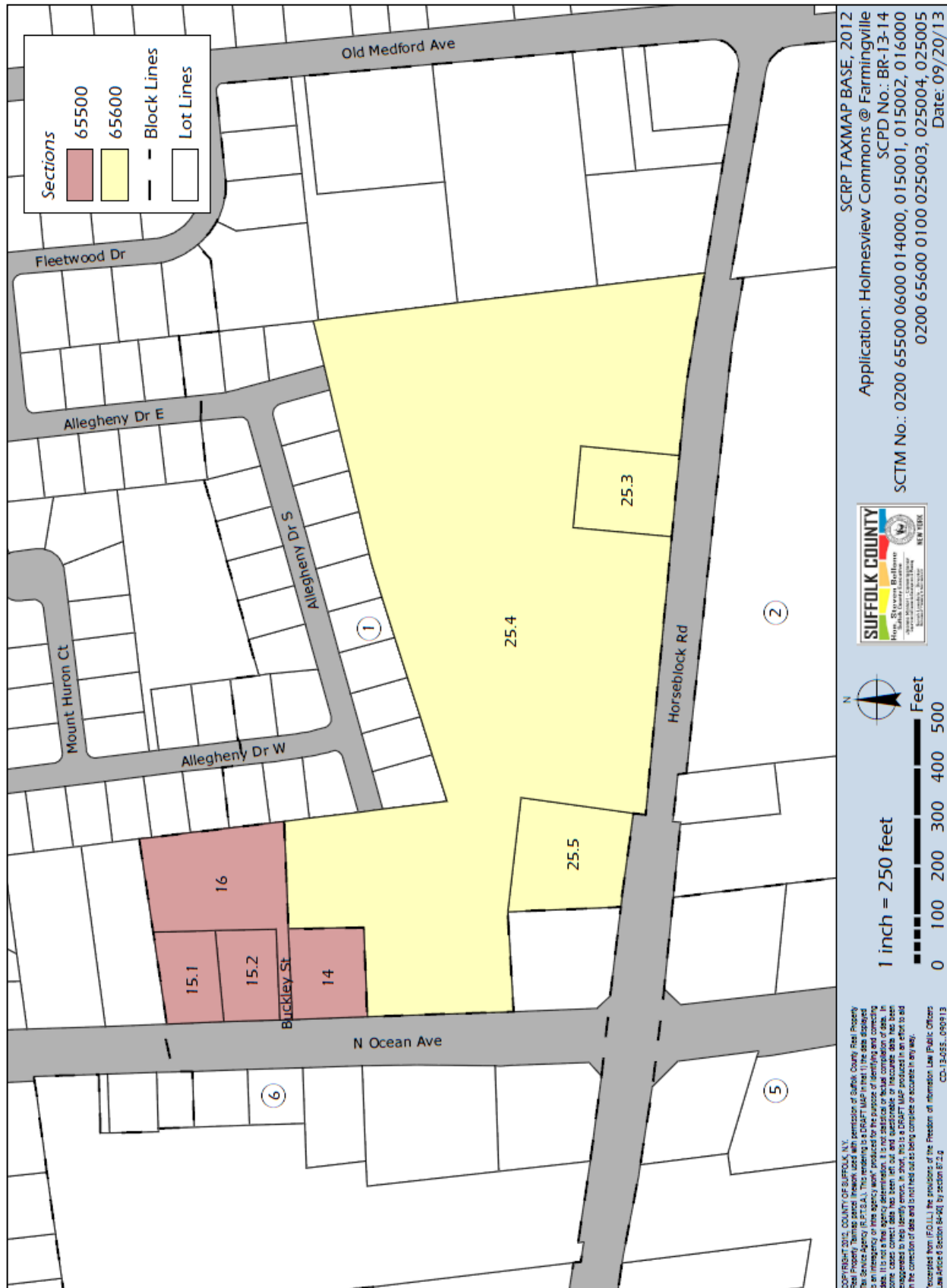
1. The applicants should contact the Suffolk County Department of Health Services and the Department of Public Works as soon as possible and begin dialogue to investigate waste water treatment options for the proposed project.

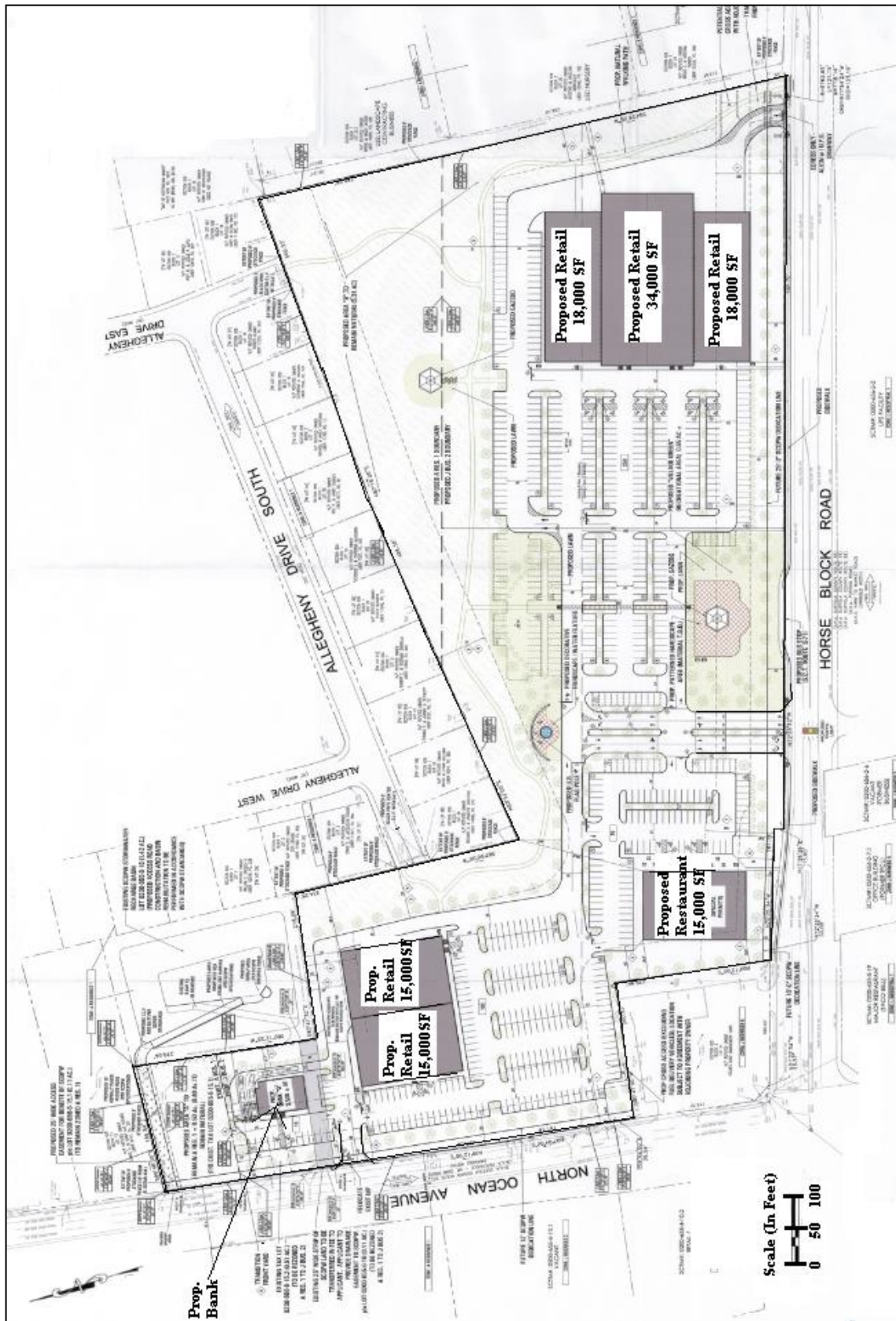
It is estimated by the project sponsor (as indicated in EAF referral material to the Planning Commission) that the proposed development will generate approximately 11,970 GPD of waste water. The applicants also put forth that the development will utilize an on-site septic-system. It is not clear to SCPC staff that this will be case. The subject property is situated in Hydro-Geologic Management Zone III. Suffolk County Sanitary Code, Article 6 provisions indicate that the permitted waste water input to the groundwater table on site would be no more than 300 GPD/acre for a total of 6,183 GPD (20.61 ac x 300 GPD/ac = 6,183 GPD). The proposed flow is 5,787 GPD in excess of what could be treated on site with conventional means. The closest existing treatment plants are located to the south at the intersection of North Ocean Ave (CR 83) and the Long Island Expressway. Connection to these facilities may be possible if there is existing capacity otherwise, advanced on site treatment may be necessary.

2. The petitioners should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

3. The petitioners should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable for commercial projects.

4. The applicant should review the Planning Commission guidelines particularly related to public safety and universal design and incorporate into the proposal, where practical, design elements contained therein.





Z-1: Holmesview Commons
 SCPD: BR-13-14
 SCTM No: 0200-655.00-06.00-014.000 et al.

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: October 2, 2013
Time: 2:00 p.m.
Location: Brookhaven Town Hall
2nd Floor Meeting Room
100 Independence Hill
Farmingville, New York 11738

Members Present (15)

Ramon Accettella – Town of Babylon
Michael Kelly – Town of Brookhaven
John P. Whelan – Town of East Hampton
Jennifer Casey – Town of Huntington
Matthew Chartrand – Town of Islip
Carl Gabrielsen – Town of Riverhead
J. Edward Shillingburg – Town of Shelter Island
John Finn – Town of Smithtown
Barbara Roberts – Town of Southampton
Thomas McAdam – 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 October 2, 2013 was called to order by David Calone, Chairman, at 2:10 p.m.

The Pledge of Allegiance

Swearing in of New Member – Ramon Accettella, Town of Babylon

Adoption of Minutes

- A motion to table the adoption of the September 2013 Meeting Minutes until the next meeting was made by Chairman Calone and unanimously approved.

Public Portion – Four persons from the public filled cards to address the Commission.

Chic Voorhis of Nelson, Pope & Voorhis spoke for clarification of the Commission's action taken at the September meeting on the application known as the "Hills at Southampton".

Anthony Guardino, Robert Lauro and Art Garritano spoke in support of the Holmesview Commons application being considered by the Commission.

Chairman's Report – First thanked the Town of Brookhaven and Supervisor Romaine for their hospitality for hosting today's commission meeting. The Chair also welcomed the newest Commission member Ray Accettella, and acknowledged Tom McAdam who will be leaving the Commission after today's meeting;

Chairman Calone updated the Commission as follows:

- The Commission has a number of projects being worked on right now including Professional Certification, the Public Safety model code, the Economic Development conference, the Comprehensive Plan, the Geothermal model code, Post Sandy resiliency work, and Sewer Financing.
- One of the things the Commission can be proud of is that the State of New York last week took the Unified Solar Permit Initiative that this Commission started 2 or 3 years ago and has expanded it across all of New York State.
- Very important to Suffolk County is Sewer Infrastructure Financing; there is the need to create new sources of sewer infrastructure funding and making sure that that funding is prioritized to areas where development is most needed and can be best accommodated like in downtowns and near transit hubs. The County's Sewer Infrastructure Finance Task Force hasn't met since the beginning of the summer, but the Chair indicated that he has been talking to County legislators and other County leaders about getting those conversations going again right after the upcoming elections.
- On the 'Professional Certification' which Jennifer Casey has helped to lead, along with John Finn, a memo has been drafted in order to get necessary State Legislature sponsorship for the program; which is the next step. The Town of Brookhaven and their Supervisor has agreed to be one of the pilot locations for the 'Professional Certification' program in Suffolk County. The Chair indicated that he and John Finn had spoken to State Senator Lee Zeldin who was very interested in supporting adoption of the legislation. We will follow-up with him with the letter Jennifer Casey drafted regarding supporting legislative sponsorship for the program in order for it to get going. Chair also stated there will be meetings with some of other State Legislators in the next few weeks to get their support for adoption of the legislation.

Chairman's Report (Continued)

- On the Commission's 'Public Safety' initiative, the Chairman acknowledged Commission member Tom McAdam who led the effort to put together the public safety design code principles that are now in the Commission Guidebook. Both of Brookhaven and Babylon are interested in taking our public safety design code and providing guidelines for their own planning board to keep public safety principles in mind when evaluating site plans. The Chairman indicated that he had very positive meetings over the summer with D.A. Spota and the County Executive's office. The Chairman also stated he met last week with Governor Cuomo's new head of public safety for the state, and he is very interested in working with us on refining the principles and possibly getting behind an effort to get them out, not just in Suffolk, but across New York State.
- On the 'economic development conference', we are aiming for a possible December or January date to make it happen. We are working on this in conjunction with the Suffolk County IDA CEO Anthony Manetta and the County Executive's office. Barbara Roberts will be the Commission member working on that.
- On the 'East End Wind Code', which was adopted by the Town of Brookhaven, the Chairman indicated that he is still waiting to hear what the Towns of East Hampton and Riverhead are doing to adopt some form of the wind code.
- On the 'Geothermal Code'; The Town of Brookhaven has adopted a geothermal code, and Commission members John Whelan and Mike Kaufman have been working on getting in touch with local geothermal contractors, who've indicated that they like Brookhaven's geothermal code. The Town of Islip has indicated that they were interested in potentially adopting a geothermal code of their own. The goal is to adopt the best geothermal practices and there is no reason why Brookhaven's geothermal code, perhaps after some fine tuning, shouldn't be a model code for the other towns throughout Suffolk County.
- The Annual Planning Federation Conference update – has sponsorship including the LI Index/Rauch Foundation, and keynote Speaker Kevin Law. Chairman asked that individual Commission members who have signed up to participate please verify after the conclusion of this meeting the panels they will be involved in moderating.
- On the County's Comprehensive Plan, the consultant firm AKRF, has been chosen to complete the Comp Plan. There is Stephen Holley from AKRF here today to update the Commission.

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

- The newly created Suffolk County Land Bank is up and running, with the support of the Town of Brookhaven and all the other Towns. Most recently the Land Bank sent out 133 letters, in conjunction with the Treasurer's Office, to certain property owners, delinquent on real estate taxes, informing them that they have a deadline for paying back taxes owed to the County. To date, 41 of those owners paid up their property taxes. The Land Bank is also working with the U.S. Department of Environmental Protection, and recently received funding to do Phase 1 and Phase 2 environmental site assessments on 4 potential Land Bank properties. These assessments are to be done before the properties are to be transferred into the County's Land Bank.

Guest Speakers

- **Hon. Edward Romaine**, Brookhaven Town Supervisor, welcomed the Commission to the Brookhaven Town Hall, and gave a general overview of the Town's long-term planning concerns, including the protection of the Carmens River Watershed; the development of the Ronkonkoma Hub; the Town's newly adopted multi-family zoning code; their alternative energy initiatives including a very ambitious solar and wind energy program; eliminating some land use eyesores and creating a vacant building registry. Supervisor Romaine also indicated he's focusing on neighborhood preservation by fighting the widespread illegal conversion of single family dwellings into rooming houses, which he stated is having a negative impact on numerous communities within the Town of Brookhaven.
- **Tullio Burtoli**, Commissioner, Planning and Environment, Town of Brookhaven; presented an outline of the attributes of the Town's proposed Carmans River Conservation and Management Plan and addressed some of the questions of the Commission.

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

- **Adoption of the Carmans River Conservation and Management Plan**; referred by the Town of Brookhaven, received on September 19, 2013 – the Commission's jurisdiction for review is that the application is the proposed adoption of a municipal comprehensive management plan and comprehensive plan amendment. The Town proposes adoption of the Plan so as to "preserve, protect, and restore the water quality in the surface waters of the Carmans River and various ecosystems and species that are associated with and dependent upon the Carmans River". The recommendations set forth in the Plan include 'the purchase of selected parcels, rezoning of parcels and areas, and an expansion of the Central Pine Barrens Preservation Area".

The staff report recommended approval for adopting the Management Plan and amending the Town Comprehensive Plan with two (2) comments. The Commission resolved to generally agree and approved the proposed adoption and amendment offering two (2) comments to the Town of Brookhaven for their consideration and use.

The motion to approve the application with two (2) comments was made by Commission member Finn and seconded by Commission member Gershowitz, vote Approved; 14 ayes, 0 nays, 0 abstentions, 1 recusal (Kaufman).

- **Holmesview Commons**; referred by the Town of Brookhaven, received on August 30, 2013 – the Commission's jurisdiction for review is that the application is adjacent to two County Roads, Horseblock Road (CR 16) and North Ocean Avenue (CR 83). The application is a request for a change of zone (on a portion of the subject property) from the A-1 Residence District to the J-2 Business District to permit the development of a Retail Shopping Center on approximately 20.61 acres.

The staff report recommended approval with four (4) comments for the consideration and use of the Town of Brookhaven. The Commission resolved to generally agree and approved the proposed change of zone offering a total of six (6) comments to the Town of Brookhaven for their consideration and use.

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

- **Holmesview Commons** (Continued)

The motion to approve the application with six (6) comments was made by 1st Vice Chair Kelly and seconded by Commission member Accettella, vote Approved; 15 ayes, 0 nays, 0 abstentions.

Guest Speakers (Continued & Taken Out Of Order)

- **Stephen Holley**, AKRF Inc., Vice President; the lead consultant chosen to complete Suffolk County's Comprehensive Plan, gave the Commission an overview on the issues to be addressed in the Plan; including effective transportation systems, land use planning, environmental protection, sustainable economic development; including agricultural resources; looking into allowing increased density in appropriate locations, and help to decide what makes the best sense for the County's future prosperity so the economy can grow based on sustainable smart growth planning principals. Finally develop an action plan to achieve the County's goals.

Discussion

- **Sewer Funding**; \$20 million is scheduled for a Suffolk County Legislative vote next week, and the Commission briefly discussed its importance to four designated projects, and also the likelihood of more sewer funds in the future being available for other projects.
- **Honoring Thomas McAdam**; who will be stepping down after 6 years as a Commission member. The Chair and the Commission expressed their appreciation for his service to the Commission and the County. Thomas McAdam spoke briefly of his gratitude of having the valuable opportunity to serve on the Commission.

Meeting Adjourned (4:30 p.m.)

- The motion to adjourn the meeting was made by Commission member McAdam and seconded by 1st Vice Chair Esposito, and unanimously approved.