

# 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) 853-4767

Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development  
and Planning

Sarah Lansdale, Director of Planning

## **Notice of Meeting**

**March 2, 2016 at 2:00 p.m.**

**H. Lee Dennison Building  
Media Room # 184  
100 Veterans Memorial Highway  
Hauppauge, NY**

### **Tentative Agenda Includes:**

1. Meeting Summary for February 2016
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guest Speaker
  - None
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
  - Middle Island Meadows at Selden, Town of Brookhaven  
0200-48900-0200-033001, 033002, 034000
  - Park Avenue Bay Shore, LLC, Town of Islip  
0500-393.00-02.00-097.000, 098.00, 099.002, 108.001
7. Section A-14-24 of the Suffolk County Administrative Code
8. Other Business:
  - Revised 2016 Meeting Schedule

**NOTE:** The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on April 6, 2016  
2 p.m. Maxine S. Postal Auditorium, Evans K. Griffing Building, Riverhead County Center, 300 Center  
Drive Riverhead, New York 11901

# 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 25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

**Applicant:** Middle Country Meadows at Selden  
**Municipality:** Brookhaven  
**Location:** North side of Middle Country Road, 190.62' east of Marshall Drive

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**Received:** 2/18/2016  
**File Number:** BR-16-01  
**T.P.I.N.:** 0200 48900 0200 033001, 033002, 034000  
**Jurisdiction:** Adjacent to S.R. 25 (Middle Country Road Road)

### ZONING DATA

- Zoning Classification: PRC Residence District
- Minimum Lot Area: N/A – No minimum lot area within a primary zone
- 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: Yes
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No
- SEQRA Information: Yes
- SEQRA Type: Type I
- Minority or Economic Distressed: No

### SITE DESCRIPTION

- Present Land Use: Open Space
- Existing Structures: No
- General Character of Site: Primarily gently rolling
- Range of Elevation within Site: 92' to 98' amsl
- Cover: Trees
- Soil Types: Cut and Fill Land (CuB) and Carver and Plymouth Sands (CpA)

- Range of Slopes (Soils Map): 0-3%
- Waterbodies or Wetlands: Yes; unregulated

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

- Type: Site Plan Application
- Layout: Standard
- Area of Tract: 13.77Acres
- Yield Map:
  - No. of Lots: 3
  - Lot Area Range: 0.3 Acres (14463 SF), 6.5 Acres (283747 SF), 6.7 Acres (292321 SF)
- Open Space: N/A

#### **ACCESS**

- Roads: Public – Middle Country Road
- Driveways: Private

#### **ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: Drywells and pond
  - Recharge Basins: yes
- Groundwater Management Zone: III
- Water Supply: public SCWA
- Sanitary Sewers: public SCSD #11

### **PROPOSAL DETAILS ADDENDUM**

**OVERVIEW** – Applicants seek site plan approval from the Brookhaven Town Planning Board for construction of a 124 unit PRC with associated site improvements in accordance with a Change of Zone approval from the Town of Brookhaven.

The Suffolk County Planning Commission reviewed the Change of Zone petition at its regular meeting on April 3, 2013 and resolved to approve it with five (5) comments (see attached resolution and staff report).

**ANALYSIS** -The proposed site plan further details the conceptual site plan provided with the former change of zone application. Amenities such as the walking path, tennis court, putting green and bocci court, clubhouse and pool, proposed bench and a concrete monument for the Scott DeWitt Memorial are provided. It cannot be located in the site plan referral material to the Suffolk County Planning Commission if any of the comments of the April 3, 2013 change of zone approval of the Commission were considered. Therefore staff would make the same recommendations to the Commission as in the prior staff report.

#### **STAFF RECOMMENDATION**

**Approval** of the Site Plan application of Middle Country Meadows, LLC with the following comments:

1. Dialogue and discussion should continue with the Suffolk County Department of Health Services and the Department of Public works until all appropriate approvals and permits

are obtained.

*Reason: The proposal will collect sanitary wastewater and direct the flow to an on-site pump station and convey the waste by a force-main to the Suffolk County Sewer District No. 11 sewage treatment plant located at Old Town Road and Hawkins Path.*

2. Two publications of the Commission would be relevant for review by the petitioners. The first being the Commission's publication on Managing Stormwater - Natural Vegetation and Green Methodologies; the second is The Study of Man-Made Ponds in Suffolk County.

*Reason: The project sponsors are proposing the creation of a 27,160 square foot storm water retention pond. The pond is proposed to be planted with wetland species to absorb storm water runoff nutrients.*

3. The Suffolk County Planning Commission feels strongly that the proposed project should be built to Town of Brookhaven energy efficiency standards.

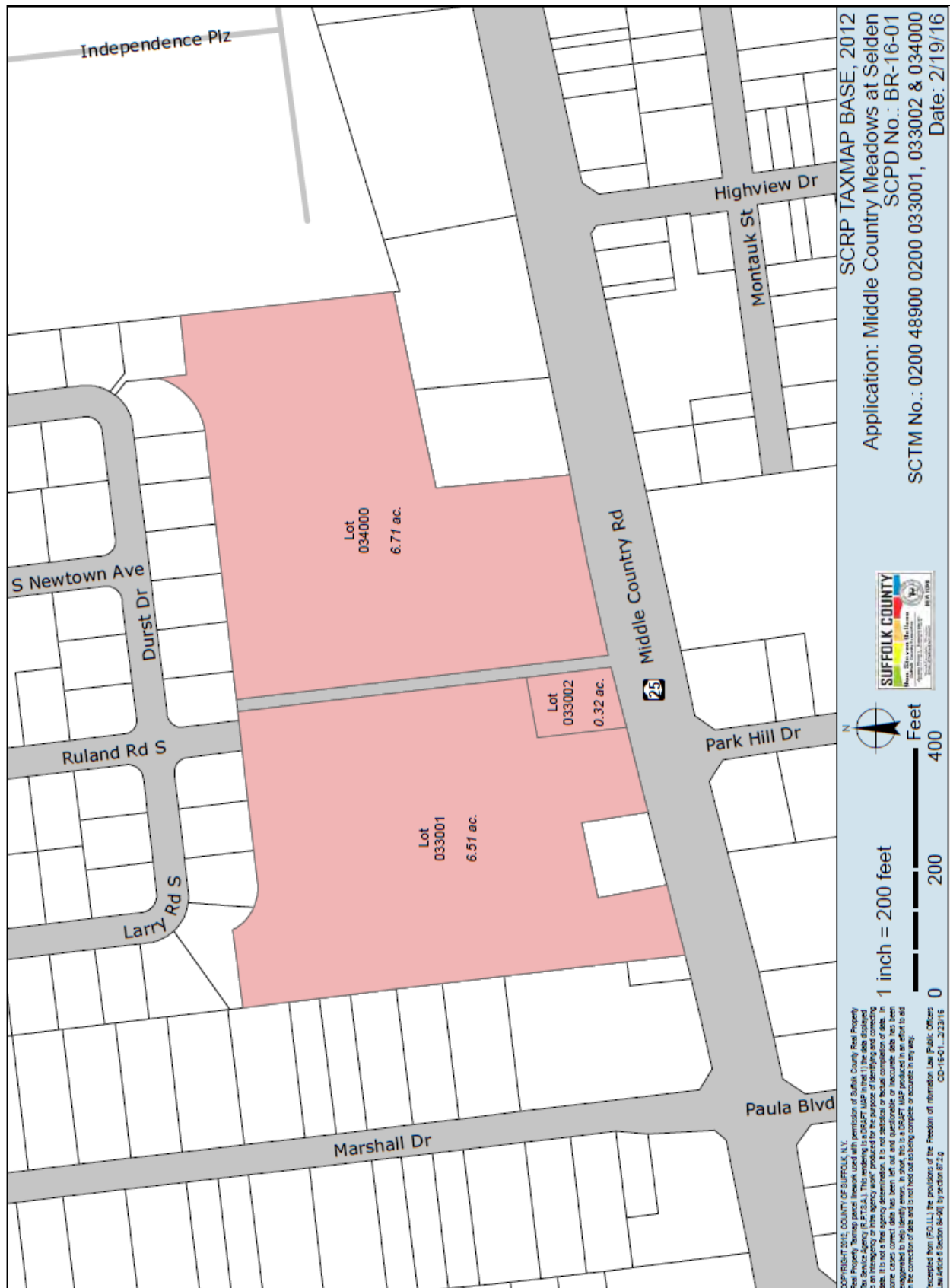
*Reason: The applicant has indicated that energy efficiency is an objective of the proposed action; it is anticipated all units would be constructed to Energy Star Standards in accordance with Town of Brookhaven Code requirements (section 16-4.2).*

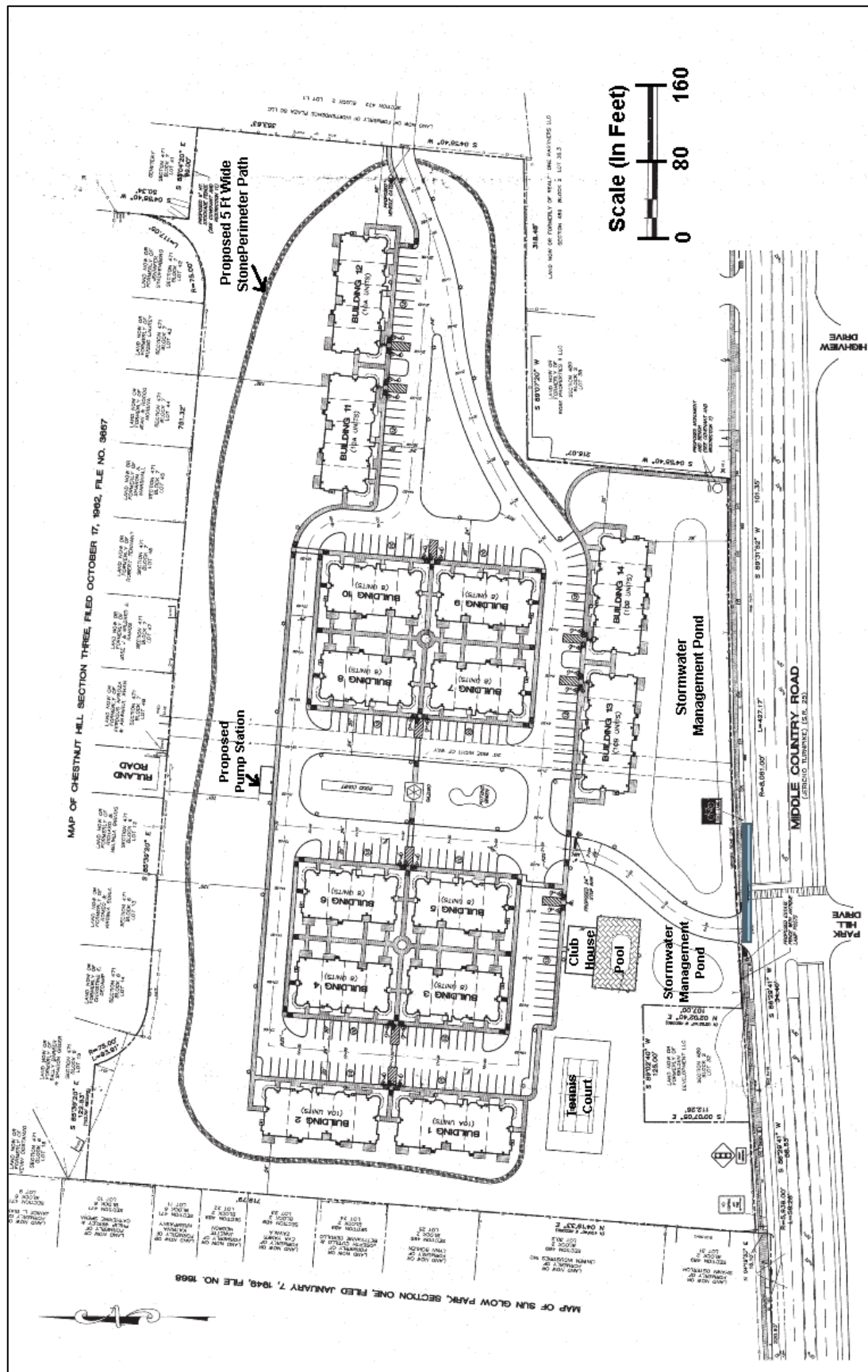
4. The applicant should communicate with the Suffolk County DPW Transit Division and discuss possible accommodations for bus riders from the subject development.

*Reason: No mass transit (bus) shelter is proposed though the site is pedestrian friendly via a network of walkways and sidewalks.*

5. 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 other than to indicate that the project will be privately owned and maintained with security services, and will be built in conformance with modern building construction standards.*





Z-1: Middle Island Meadows at Selden  
 SCPD: BR-16-01  
 SCTM No: 0200-489.00-02.00-033.001 et al

Resolution No. ZSR-13-08 of the Suffolk County Planning Commission  
Pursuant to Sections A14-14 to thru A14-25 of the Suffolk County Administrative Code

WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received on February 26, 2013 at the offices of the Suffolk County Planning Commission with respect to the application of “**Middle Country Meadows at Selden**” located in the Town of Brookhaven

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on April 3, 2013, now therefore, Be it

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

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

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

1. Dialogue and discussion should continue with the Suffolk County Department of Health Services and the Department of Public works until all appropriate approvals and permits are obtained.

Reason: The proposal will collect sanitary wastewater and direct the flow to an on-site pump station and convey the waste by a force-main to the Suffolk County Sewer District No. 11 sewage treatment plant located at Old Town Road and Hawkins Path.

2. Two publications of the Commission would be relevant for review by the petitioners. The first being the Commission’s publication on Managing Stormwater - Natural Vegetation and Green Methodologies; the second is The Study of Man-Made Ponds in Suffolk County.

Reason: The project sponsors are proposing the creation of a 27,160 square foot storm water retention pond. The pond is proposed to be planted with wetland species to absorb storm water runoff nutrients.

3. The Suffolk County Planning Commission feels strongly that the proposed project should be built to Town of Brookhaven energy efficiency standards.

Reason: The applicant has indicated that energy efficiency is an objective of the proposed action; 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 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 though the site is pedestrian friendly via a network of walkways and sidewalks.

5. 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 other than to indicate that the project will be privately owned and maintained with security services, and will be built in conformance with modern building construction standards.

- The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:  
<http://www.suffolkcountyny.gov/Home/departments/planning/Publications%20and%20Information.aspx#SCPC>  
A copy of the Suffolk County Planning Commission Guidebook is also included with this letter.



Proposed Middle Country Meadows at Selden  
Town of Brookhaven  
TM# 0200 48900 0200 033001

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

	AYE	NAY	ABSTAIN	ABSENT
BERRY, GLYNIS – At Large	X			
CALONE, DAVID – Chairman, At Large	X			
CASEY, JENNIFER - Town of Huntington	X			
CHARTRAND, MATTHEW - Town of Islip	X			
ESPOSITO, ADRIENNE - Villages over 5,000	X			
FINN, JOHN - Town of Smithtown	X			
GABRIELSEN, CARL - Town of Riverhead	X			
GERSHOWITZ, KEVIN G.- At Large	X			
HOLMES, LINDA - Town of Shelter Island	X			
KAUFMAN, MICHAEL - Villages under 5,000	X			
KELLY, MICHAEL – Town of Brookhaven				X
MCADAM, TOM - Town of Southold	X			
ROBERTS, BARBARA Town of Southampton	X			
VACANT – Town of Babylon				
WHELAN, JOHN P. – Town of East Hampton	X			

Motion: Commissioner Kaufman

Present: 13

Seconded: Commissioner Holmes

Absent: 1

Voted: 13-0

Abstentions: 0

DECISION: Adopted

# COUNTY OF SUFFOLK

Z-1



**Steven Bellone**  
SUFFOLK COUNTY EXECUTIVE  
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**Joanne Minieri**  
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**Division of Planning  
and Environment**

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

**Applicant:** Middle Country Meadows at Selden  
**Municipality:** Brookhaven  
**Location:** North side of Middle Country Rd (NYS Rte. 25) ~ 191' east of Marshall Drive.

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**Received:** 2/26/2013  
**File Number:** BR-13-03  
**T.P.I.N.:** 0200 48900 0200 033001  
**Jurisdiction:** Adjacent to NYS Rte. 25

### **ZONING DATA**

- Zoning Classification: A-1 Res & J-2 Bus
- Minimum Lot Area: 40,000. 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: Yes
- 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: none
- General Character of Site: level

- Range of Elevation within Site: -
- Cover: wooded
- Soil Types: Carver & Plymouth associations, cut and fill land
- 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, barracks
- Area of Tract: 13.78 Acres
- Yield Map: No
- Open Space: 8.8 Acres

#### **ACCESS**

- Roads: Existing: NYS Rte. 25 (Middle Country Road)
- Driveways: private

#### **ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: CB-LP
  - Recharge Basins: Storm Water Management Pond
- Groundwater Management Zone: III
- Water Supply: public
- Sanitary Sewers: Public

### **PROPOSAL DETAILS**

**OVERVIEW** – Applicants seek Town Board change of zone approval from A-1 Residence and J-2 Business to PRC Residence (planned retirement community) to permit the construction of 124 two bedroom PRC units within 14 buildings on 13.78 acres.

The proposed design would focus buffering and a community building, outdoor pool, tennis courts and a stormwater management pond along NYS Route 25 and situates the residential units in the northern portion of the subject site. A BBQ/picnic area, bocce courts, putting green, gazebos, and a walking path with benches are amenities included in the proposal.

The proposed action includes 25 workforce housing units (approximately 20% of the total units). A total of 158 off street parking stalls are required by Town of Brookhaven Zoning Law and as least as many are provided.

Sanitary waste generated by the proposed action is intended to be collected to an on-site pump station and conveyed by a force-main to the Suffolk County Sewer District No. 11 sewage treatment plant, located at Old Town Road and Hawkins path.

The subject parcel is located on the north side of Middle Country Road (NYS Rte. 25 approximately 191feet east of Marshall Drive (Town Road) in the hamlet of Selden.

A review of the character of the land use and zoning pattern in the vicinity indicates that the subject property is split-zoned A-1 and J-2 in a corridor of predominantly J2 Business. Adjacent and behind the subject property is A1 Residence zoning. A J-4 zoned parcel is adjacent and to the west of the subject property. A shopping center is adjacent and to the east of the property.

The subject property is situated in Hydro-geologic Ground Water Management Zone III pursuant to Article 6 of the Suffolk County Sanitary Code. The site is located in the Central Suffolk 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-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.

It is the belief of the staff that the proposed change of zone and construction of attached age restricted units is a compatible use with the residentially zoned land to the north and the commercially zoned lands to the south and east. The proposal is not anticipated to affect community character or inconvenience the public. The synergy between the development and the existing land uses around it is anticipated to be positive and result in a continued satisfactory community environment.

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** The 1996 Town of Brookhaven Comprehensive Land Use Plan designates the subject site as commercial along the frontage of NYS Rte. 25 and one-acre or less residential density along the rear portion of the parcel. The existing zoning is reflective of the Plan recommendations.

The project sponsors put forth that the proposal is consistent with the spirit and intent, as well as, key elements of the 1996 Town Comprehensive Plan which recognizes the importance of providing a mix of senior housing types. The applicants state in their Expanded EAF that the towns growing senior population is currently under-served by available appropriate housing, particularly with regard to the diversity of housing types.

The 2008 Middle Country Sustainable Community Plan (MCSCP) acknowledges that, due to its location adjacent to "...two of the largest shopping centers in this part of Brookhaven, is large enough to accommodate significant development..." The MCSCP among other recommendations for the property envisioned the subject site for use as a public park or a senior center/ Sr. residential project. The MCSCP acknowledges (according to the petitioner) that there is a need for senior housing in proximity to shopping areas, which the proposed project is designed to accomplish. Cross access to the shopping center to the east is provided and addresses another recommendation of the MCSCP.

### **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:

In terms of environmental protection, the proposal will collect sanitary wastewater and direct the flow to an on-site pump station and convey the waste by a force-main to the Suffolk County Sewer District No. 11 sewage treatment plant located at Old Town Road and Hawkins Path. It is the belief of the staff that dialogue and discussion should continue with the Suffolk County Department of Health Services and the Department of Public works until all appropriate approvals and permits are obtained.

The project sponsors are proposing the creation of a 27,160 square foot storm water retention pond. The pond is proposed to be planted with wetland species to absorb storm water runoff nutrients. It is the belief of staff that two publications of the Commission would be relevant for review by the applicants. The first being the Commission's publication on Managing Stormwater - Natural Vegetation and Green Methodologies; the second is The Study of Man-Made Ponds in Suffolk County.

The applicant has indicated that energy efficiency is an objective of the proposed action; 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 anticipated that sustainable energy-conserving measures, including energy-saving wall insulations, triple-glazed windows and energy efficient mechanical systems will be utilized. The applicant should review the Commission standards on energy efficiency for further informational purposes.

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 and that there are no significant issues regarding equity (25 workforce housing units) and sustainability.

No mass transit (bus) shelter is proposed though the site is pedestrian friendly via a network of walkways and sidewalks. In terms of transportation, it is the belief of the staff that there are no significant issues. Access to and from the site will be coordinated with the NYS DOT and any road improvements will be reviewed and required by that agency. 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 other than to indicate that the project will be privately owned and maintained with security services, and will be built in conformance with modern building construction standards thereby minimizing impact on public community service providers. 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. Dialogue and discussion should continue with the Suffolk County Department of Health Services and the Department of Public works until all appropriate approvals and permits are obtained.

Reason: The proposal will collect sanitary wastewater and direct the flow to an on-site pump station and convey the waste by a force-main to the Suffolk County Sewer District No. 11 sewage treatment plant located at Old Town Road and Hawkins Path.

2. Two publications of the Commission would be relevant for review by the petitioners. The first being the Commission's publication on Managing Stormwater - Natural Vegetation and Green Methodologies; the second is The Study of Man-Made Ponds in Suffolk County.

Reason: The project sponsors are proposing the creation of a 27,160 square foot storm water retention pond. The pond is proposed to be planted with wetland species to absorb storm water runoff nutrients.

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

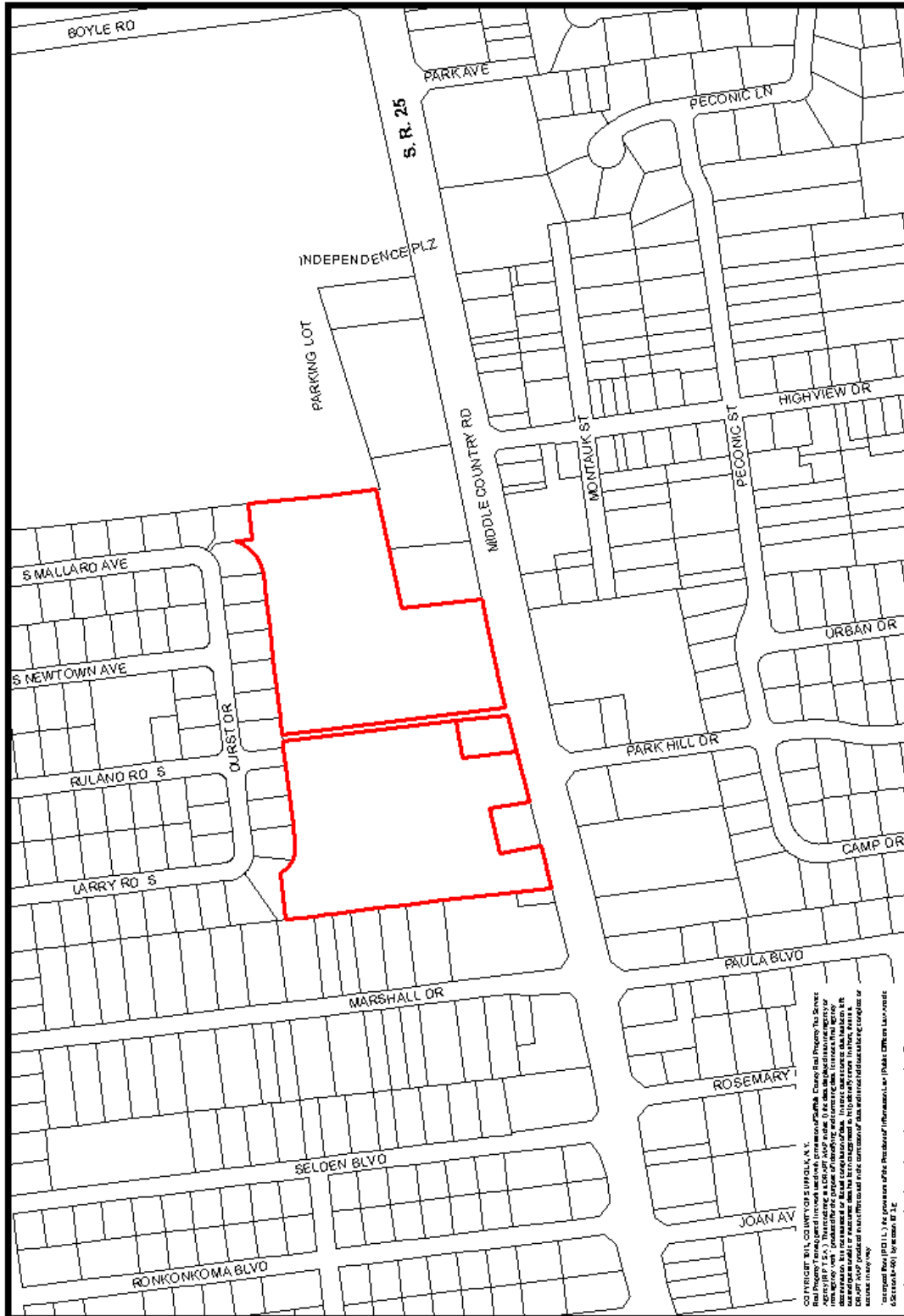
Reason: The applicant has indicated that energy efficiency is an objective of the proposed action; it is anticipated all units would be constructed to Energy Star Standards in accordance with Town of Brookhaven Code requirements (section 16-4.2).

4. The 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 though the site is pedestrian friendly via a network of walkways and sidewalks.

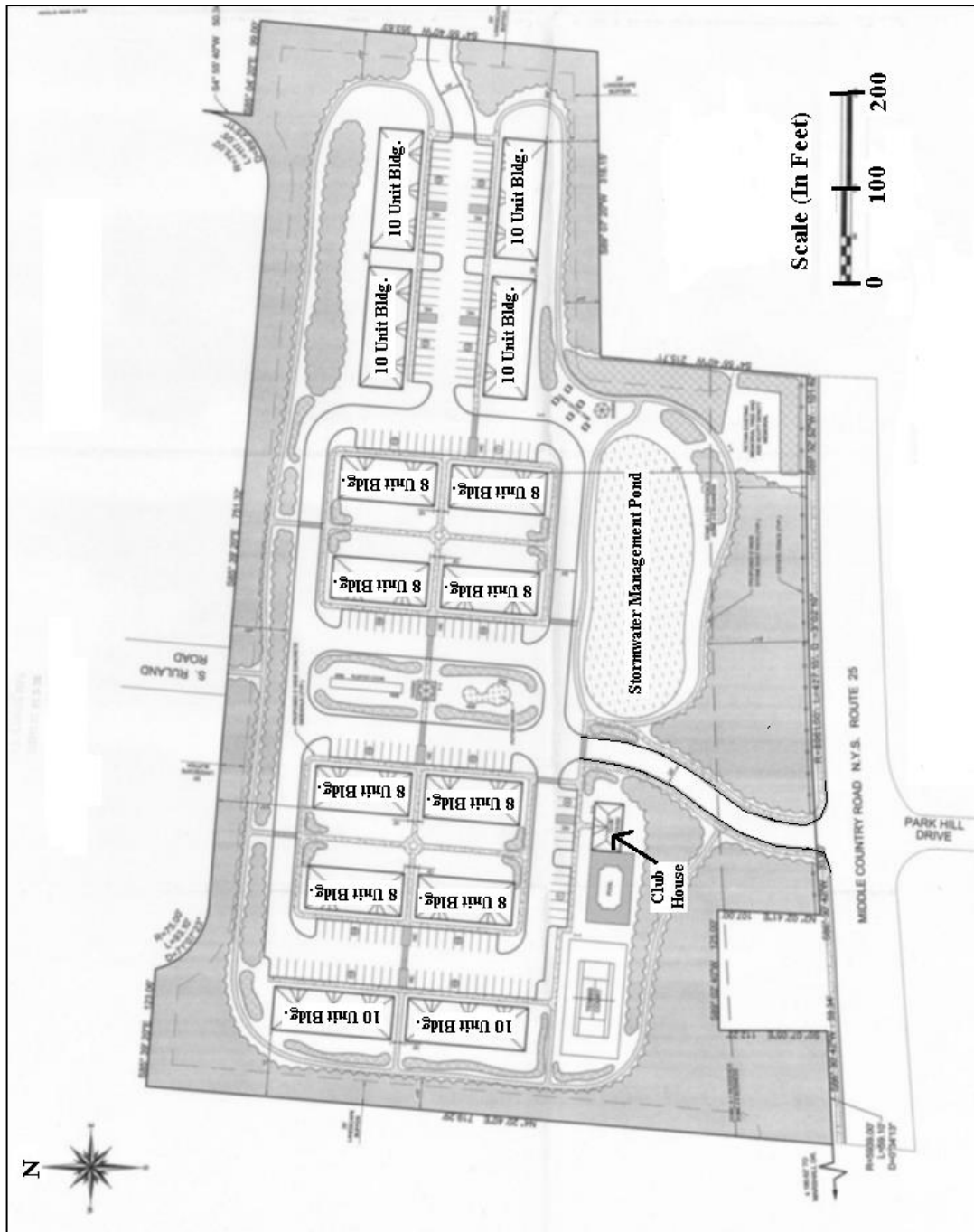
5. The applicant should be directed to consult the Suffolk County Planning Commission guidelines on public safety and the model code on Universal Design and incorporate any practical measures into the design plan.

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 other than to indicate that the project will be privately owned and maintained with security services, and will be built in conformance with modern building construction standards.



Town of Brookhaven  
Suffolk County, New York  
Date: 04/03/2013

Z-1: Middle Country Meadows @ Selden  
SCPD No.: BR-13-03  
SCTM No.: 0200-489.00-02.00-033.001, et al.



Z-1: Middle Country Meadows @ Selden  
 SCPD: BR-13-03  
 SCTM No: 0200-489.00-02.00-033.001, et al.



# 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:** Park Avenue Bay Shore, LLC  
**Municipality:** Islip  
**Location:** East side of Park Avenue ~ 145' s/o Union Blvd.

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**Received:** 1/21/2016  
**File Number:** IS-16-01  
**T.P.I.N.:** 0500 39300 0200 097000  
**Jurisdiction:** within 500 feet of Union Blvd. CR 50

### ZONING DATA

- Zoning Classification: BD
- Minimum Lot Area: 2,500. 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
  - File:
  - Date:
  - Map of:
- SEQRA Information:
- SEQRA Type
- Minority or Economic Distressed Yes

### SITE DESCRIPTION

- Present Land Use: commercial
- Existing Structures: several in disrepair

- General Character of Site: level
- Range of Elevation within Site: 14-15' amsl
- Cover: buildings and asphalt
- Soil Types: Urban land
- Range of Slopes (Soils Map): 0%
- Waterbodies or Wetlands: none

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

- Type: COZ
- Layout: standard
- Area of Tract: 1.6Acres
- Yield Map:
  - No. of Lots: 90
  - Lot Area Range: apartment units Sq. Ft.
- Open Space: N/A

#### **ACCESS**

- Roads: public- Union Blvd. and 4th Ave.
- Driveways: private

#### **ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: CB LP
  - Recharge Basins: no
- Groundwater Management Zone: VII
- Water Supply: public
- Sanitary Sewers: public

### **PROPOSAL DETAILS**

**OVERVIEW** – Applicants seek change of zone approval from the Islip Town Board for the construction of a mixed use, 117,736 SF 5 story building (with a height of 53') with 90 apartments (18 units or 20% will be workforce housing units) and 1,000 SF of office. Ground floor and surface parking are proposed providing 126 off street parking stalls where 162 are required by Town of Islip Zoning Law (a 22% shortfall). The subject development site is a consolidation of four lots totaling a 1.6 acre parcel zoned Business District (BD; 2,500 SF minimum lot size/FAR of 0.60) located in the hamlet of Bay Shore. The petitioners are requesting a change of the zone on the subject site to Downtown Development District (DDD; minimum lot size 10,000 SF; FAR 2.5 and maximum building height of 5 stories). The applicant proposes to demolish all structures on site and develop the parcel as a mixed use building as described above.

The site is located on the east side of Park Avenue about 144' south of Union Boulevard.

The conceptual site plans submitted with the change of zone referral materials to the Suffolk County Planning Commission indicates a single building aligned parallel to Park Avenue, in a reverse "L" with surface parking to the rear and at grade 1st floor parking under the building.

The main access to the subject property is intended via Park Avenue, with an alternate access to the east to 4th Avenue.

Information included in the referral to the Suffolk County Planning Commission indicates that the subject property is currently improved with two structures and parking area. All said structures are to

be demolished and removed. Copies of any prepared Phase I and II Environmental Site Assessments have not been submitted to the Suffolk County Planning Commission and it is not known if any have been prepared and submitted to the appropriate agencies.

The proposed Park Avenue Bay Shore LLC project is to be connected to the Suffolk county Southwest Sewer District (SCSD #3).

Storm water runoff from the contemplated development is likely to use catch basins and leaching pools in the surface parking area. In addition, a landscaped drainage area along the south side of the building will be added to help with drainage. Within the building a rooftop common area is proposed for tenants that will be wrapped with a landscaped planter.

A Traffic Impact Study Report was not included in the referral to the Suffolk County Planning Commission.

Potable water is to be supplied to the proposed development by the Suffolk County Water Authority.

The subject property is bounded on the north by BD commercial uses to the south by BD commercial uses to the east by 4th Ave. and to the west by Park Avenue.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located a State Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone VII. The subject property is not in a State designated Critical Environmental Area. No local or State designated wetland occur on the subject site.

It should be noted that the subject application is located in a minority community as defined by commission guidelines and required to be reported pursuant to Resolution 102-2006 of Suffolk County.

## **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.

According to the Town of Islip Staff Analysis included in the referral to the Suffolk county Planning Commission, the buildings currently on the subject property are one and two story and are in partial disrepair. The proposed building and design in contrast are more modern in nature. Some of the onsite amenities include first floor covered parking, bike storage room, ground level outdoor plaza and garden with landscaping typically not seen in the BD”

It is the belief of the staff that the proposed action does not contradict the intent of the State law and would be compatible with adjacent land uses. It is the belief of the staff that the proposed Park Avenue Bay Shore, LLC project can be designed to be in harmony with the existing character of the area.

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** The Town of Islip Comprehensive Plan Community Identity for Bay Shore ('74) designates the subject site for retail. The Downtown Development District – “DDD” (last amended '08) is a special “incentive” zoning district which can be applied only within downtown Bay Shore, and which allows for a higher maximum density than the standard Business District “BD” zoning.

According to the Town of Islip, within the DDD zoning, greater density is permitted, but needs to be unlocked by providing certain amenities listed in the code, such as providing a pedestrian plaza or additional off street parking. Offsite improvements can also satisfy the requirements of the DDD. The Islip Town Planning Department and the applicant have discussed improvements to the Union Blvd. frontage of the Bay Shore train station. Landscaping on the corner of Park and Union and 4th and Union has failed to survive due to lack of irrigation. As part of this application, the applicant is proposing to install in-ground irrigation within this area and the Bay Shore Memorial Park. Additionally, corner fence treatments with brick pillars and wrought iron fencing would be installed at the corner of Park and Union and 4th and Union. Brick paver treatments would also be installed at the corners and within the area between the sidewalk and street.

## **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:

There is no indication in the referred material to the Suffolk County Planning Commission regarding storm water runoff from the contemplated development and how it is to be collected and treated. Storm water runoff from the proposed project should be retained on-site and recharged via a drainage system designed to conform to all applicable Town requirements. Submission materials to the Commission do not indicate that NYS DEC SWPPP requirements will be met, though it is presumed. There is an opportunity to develop the site utilizing best management practices and state of the art storm water treatment methodologies. It is noted that the petitioners have included a landscaped drainage area along the south side of the building that will be added to help with drainage. Within the building a rooftop common area is proposed for tenants that will be wrapped with a landscaped planter. The petitioners should be encouraged to review the Suffolk County Planning Commission publication 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, for later site planning stages, elements contained therein applicable for residential and office components of the proposal.

The proposed Park Avenue Bay Shore, LLC apartment building is within .25 miles of Suffolk County bus routes 2A, 2B, S-40, S-42 and S-45. The Walk score for the property is 65. The LIRR Bay Shore station is .3 miles away. The closest downtowns are Bay Shore, Brightwaters (1 mile), Babylon (4 miles) and the Tanger Outlets (4 miles)

As noted above there is no indication in the referred material to the Suffolk County Planning Commission that the petitioner is currently preparing a traffic impact analysis. Such an analysis may

be necessary in order to determine the impact to Park Avenue, Union and 4th Avenue intersections and roadways as a result of full buildout of the petition as presented.

The proposal is also 22% short of required off street parking. This would tend to necessitate use of the surrounding roadways for parking purposes thereby diminishing the safety and traffic carrying capacity of the roads. It is noted that a bike storage room is included in the petition and may address to some degree, parking stall demand reduction. It is the belief of staff that the petitioner should consider additional parking stall demand reduction techniques such as unbundling the cost of parking from rent, Ride Share Portals or Pre-tax Commuter Benefit Programs that would lessen the demand for needed parking stalls by lessening the dependency on single occupancy motor vehicles or pursue arrangements with nearby property owners to access underutilized parking lots.

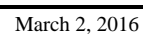
Little discussion is made in the petition to the Town and referred to the Commission on public safety and universal design. The applicant should review the Planning Commission guidelines particularly related to public safety and universal design incorporate into the proposal, where practical, design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

Town of Islip staff indicates that the proposal is “a new vision for Park Avenue” in terms of investment and use, of a block that is currently lacking identity. The current buildings on site are one and two story and are in partial disrepair. The proposed building and design in contrast are more modern in nature.

### **STAFF RECOMMENDATION**

**Approval** of the change of zone from Business District (BD) to Downtown Development District (DDD) for Park Avenue Bay Shore, LLC with the following comments:

1. A Phase I Environmental Site Assessment should be prepared and submitted to the appropriate agencies for review.
2. The petitioner 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. There is no indication in the referred material to the Suffolk County Planning Commission that the petitioner is currently preparing a traffic impact analysis in coordination. Such an analysis is helpful to determine the impact to Lawrence Road and other area intersections and roadways.
4. The petitioner should be encouraged to consider additional parking stall demand reduction techniques, where practical, such as unbundling the cost of parking from rent, Ride Share Portals or Pre-tax Commuter Benefit Programs that would lessen the demand for needed parking stalls by lessening the dependency on single occupancy motor vehicles or pursue arrangements with nearby property owners to access underutilized parking lots.
5. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.
6. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to public safety and universal design and incorporate where practical, applicable elements contained therein.





# 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) 853-4767

Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development  
and Planning

Sarah Lansdale, Director of Planning

## **AGENDA**

**March 2, 2016 at 2:00 p.m.**

**H. Lee Dennison Building  
Media Room # 184  
100 Veterans Memorial Highway  
Hauppauge, NY**

1. Meeting Summary for February 2016
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guest Speaker
  - None
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
  - Middle Country Meadows at Selden, Town of Brookhaven  
0200-48900-0200-033001, 033002, 034000
  - Park Avenue Bay Shore, LLC, Town of Islip  
0500-393.00-02.00-097.000, 098.00, 099.002, 108.001
7. Section A-14-24 of the Suffolk County Administrative Code
8. Other Business:
  - Revised 2016 Meeting Schedule

**NOTE:** The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on April 6, 2016  
2 p.m. Maxine S. Postal Auditorium, Evans K. Griffing Building, Riverhead County Center, 300 Center  
Drive Riverhead, New York 11901



# 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: March 2, 2016  
Time: 2:00 p.m.  
Location: Arthur Kunz Memorial Library  
H. Lee Dennison Building – 2<sup>nd</sup> Floor  
100 Veterans Memorial Highway  
Hauppauge, New York 11788

### Members Present (11)

Samuel Kramer – Town of East Hampton  
Jennifer Casey – Town of Huntington  
Carl Gabrielsen – Town of Riverhead  
Nicholas Morehead – Town of Shelter Island  
Barbara Roberts – Town of Southampton  
Nicholas Planamento – Town of Southold  
Adrienne Esposito – Villages Over 5,000  
Michael Kaufman – Villages Under 5,000  
Kevin Gershowitz – At Large  
Samuel Chu – At Large  
Errol Kitt – At Large

### Staff Present (5)

Sarah Lansdale – Director of Planning  
Andrew Freleng – Chief Planner  
John Corral – Senior Planner  
Christine DeSalvo – Senior Clerk Typist  
Brittany Gelormino – Assistant County Attorney (Counsel to the Commission)

### Call to Order

- The Suffolk County Planning Commission meeting of March 2, 2016 was called to order by Chairwoman Jennifer Casey at 2:05 p.m.

**The Pledge of Allegiance****Adoption of Minutes**

- The adoption of the February 2016 Meeting Minutes. Motion to adopt the minutes as amended was made by Commission member Kaufman, and seconded by Commission member Kramer. Vote Approved: 11 ayes, 0 nays, 0 abstentions.

**Public Portion** – No members of the public requested to address the Commission.

**Chair's Report** – Chairwoman Casey updated the Commission as follows:

The Chair began her report by mentioning that she had met with the former Chair of the Planning Commission, David Calone, and indicated that she would like to continue several initiatives began under his time as Chairman.

- First mentioning the 'Professional Certification' initiative and that she would be following up ABLI regarding getting the necessary State legislation passed, mentioning that was something she had worked on earlier with Commission member John Finn and there are several towns that are interested in pursuing this if the Commission can get the necessary state approvals.
- On the issue of "North Fork Traffic Study", Chairwoman Casey indicated that the Commission has talked about putting together a working group to look at how it can help improve North Fork traffic flow during the busiest tourist times of the year. The Chair noted that she would be talking with several Commission members and Legislator Al Krupski, as well as the Supervisors of the Towns of Riverhead and Southold, indicated that the working group would get going soon.
- Regarding the 'East End Wind Code', which has already been adopted by some eastern towns, the Chairman mentioned that Sammy Chu was one of the Commission members on the committee generating interest from the western Suffolk towns in looking at the code.
- On Agriculture; The Chair asked Commission member Carl Gabrielsen for an update the "farmers of the future" effort.
  - Mr. Gabrielsen informed the Commission about the \$1 million grant from the State to help young and transitioning farmers afford the capital equipment that they need to get started. And mentioned that the use of hydroponics within greenhouses has been getting increased interest in Suffolk County.
  - Brief discussions occurred about the limitations placed on greenhouse farming as it relates to the County's purchase of development rights (PDR) program, and the issues of extending the growing season and improving the distribution network of locally grown produce.
- Regarding other Commission business;
  - Chairwoman Casey mentioned that the next Planning Federation Conference will be in October, and that it may be different this year in that it could be a coordinated event with another planning organization. The Chair mentioned that the Commission has talked about conducting a "Development Retrospective Event" – that would look back at a few projects that have been proposed and completed over the last few years, looking back to see what the claims were made by developers and what were the claims made by those opposed to the project, and see actually what impacts have come to pass, and she indicated that the 'Retrospect' could be a good topic to be covered at the Conference.

- Regarding the Commission reviewed and deliberated the existing Rules of Proceedings; Chairwoman Casey acknowledged that Commission member Roberts has brought up a lot of important issues and the Commission's Counsel has been helpful; the proposed amendments will be circulated around to all the Commissioners for comment. Then the Nominating Committee, which is also the Rules Committee, will review the comments so that the Rules of Proceedings could be adopted by the Commission in April. The Chair also stated that the Planning Commission Guidebook will be updated this year and that the newly adopted 2016 Rules of Proceedings will be included within the Guidebook 2016 edition.
- Chairwoman Casey announced that the next Commission meeting is to be held on April 4<sup>th</sup> in the Riverhead Legislative Auditorium at 2 p.m.

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

- Director Lansdale acknowledged the Division of Planning and Environment's move from the building's 4<sup>th</sup> floor to the 2<sup>nd</sup> and 11<sup>th</sup> floors was complete.
- The Director added that the Suffolk County Land Bank Corporation has issued 'requests for proposals (RFPs) to redevelop a number of environmentally challenged properties; part of an ongoing effort to put these type properties back to a productive use. And the Director stated that since founding the Land Bank Corporation, which is a separate entity from the County but is staffed by County employees, has generated \$4.5 million in back taxes from tax defaulted properties. She identified several properties by name and location, and stated that that funding has been received from the E.P.A and the State's Attorney General's Office to do Phases I and II site assessments of the properties. Adding that access to the properties has been made available by coordination with the County Health Department, and that the due dates for the RFPs is March 18<sup>th</sup>.
- Director Lansdale announced that the County is about to release its second round of its 'innovative and alternative septic systems program' formal expression of interest requests for new technologies. And is currently conducting demonstrations and sampling the results of the first round of the 'program'. The Director indicated that the 19<sup>th</sup> and last remaining system is set to be installed in the Mastic area very soon and that particular one will be of the 'shallow-narrow drain field system' ideal for keeping the nitrogen close to the surface where it can optimally benefit and be absorbed by the ground cover vegetation.
  - Brief discussions began about the potential benefits of various septic technologies, as well as the topic of linking water usage to sewer funding.
- The Director stated that March is the 'open enrollment period' for entering into the County Agriculture Protection Program, which is governed by the New York State Agriculture & Markets Law, and provides additional rights to farmer to conduct agricultural activities.
- Director Lansdale informed the Commission that the County has issued a request for expressions of interest to repurpose the County's slaughterhouse located at its Yaphank farm property. The Director stated that up until December of 2015 the Cornell Cooperative operated the facility, and staffed and trained the County Correction Facility inmates in 'butchery'. Since Cornell Cooperative will no longer be running the facility, the County is now looking for a private entity interested in assuming that roll in the local agriculture community.

**Director's Report** – continued

- Brief discussion occurred about the issue of the Commissioners financial disclosure requirements.

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

- **Middle Country Meadows at Selden;** the application is referred by the Town of Brookhaven, received on February 18, 2016 – the Commission's jurisdiction for review is that the application is adjacent to State Route 25 (Middle County Road). The applicants are seeking site plan approval from the Town of Brookhaven Planning Board for the construction of a 124 unit Planned Retirement Community (PRC) with associated site improvements in accordance with a Change of Zone approval adopted by both the Commission and the Brookhaven Town Board.

The Suffolk County Planning Commission previously reviewed the Change of Zone petition at its regular meeting on April 3, 2013 and resolved to approve it with five (5) comments.

The staff report recommended approval of the Site Plan application and offered five (5) comments for consideration and use by the Town of Brookhaven Planning Board. After deliberation the Commission resolved to agree with the staff report and approve the application with the six (6) comments.

The motion to approve the site plan application for the 124 unit Planned Retirement Community development application with six (6) comments for their consideration and use by the Town of Brookhaven Planning Board was made by 2<sup>nd</sup> Vice Chair Chu and seconded by 1<sup>st</sup> Vice Chair Esposito, vote to Approve; 11 ayes, 0 nays, 0 abstentions.

- **Park Avenue Bay Shore LLC;** the application is referred by the Town of Islip, received on January 21, 2016 – the Commission's jurisdiction for review is that the application is within 500 feet of Union Boulevard (County Road 50). The applicant is seeks Change of Zone approval from the Islip Town Board to allow for the construction of a mixed use, 117,735 SF five (5) story (53' high) building with 90 apartments (18 units or 20% will be workforce housing units) and 1,000 SF of office space. Ground floor and surface parking are proposed providing 126 off street parking stalls, a proposed shortfall whereas 162 are required in accordance with Town zoning requirements. The subject property is the assemblage of 4 lots for a total of 1.6 acres. The applicant requests a change of zone from Business District (BD) to Downtown Development District (DDD) in order to increase the allowable Floor to Area Ratio (FAR) and building height on the subject property.

The staff report recommended approval of the Change of Zone application and offered six (6) comments for consideration and use by the Islip Town Board. After deliberation the Commission resolved to agree with the staff report and approve the application with the six (6) comments.

The motion to approve the change of zone application with six (6) comments for their consideration and use by the Islip Town Board was made by 2<sup>nd</sup> Vice Chair Chu and seconded by 1<sup>st</sup> Vice Chair Esposito, vote to Approve; 11 ayes, 0 abstentions.

**Meeting Adjournment** (3:15 p.m.)

The motion to adjourn the meeting and go into Executive Session was made by 1<sup>st</sup> Vice Chair Esposito and seconded by 2<sup>nd</sup> Vice Chair Chu.