

# SUFFOLK COUNTY PLANNING COMMISSION

Theresa Ward, Commissioner, Department of Economic Development and Planning  
Sarah Lansdale, Director of Planning

## AGENDA

December 6, 2017 at 2 p.m.

Rose Caracappa Auditorium,  
W.H. Rogers Legislature Bldg.,  
725 Veterans Memorial Highway, Smithtown, NY

1. Meeting Summary for November 2017
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guests
  - Amina Hassen, WXY Studio,  
The Other Green Infrastructure: Promoting Electric Vehicle Charging Station Installations
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
  - Calico Cottage, Inc., Town of Babylon  
0100 12601 0100 018004 et al  
Construction of 60,884 sf addition to existing 49,218sf office production and warehouse building
7. Section A-14-24 of the Suffolk County Administrative Code
  - None
8. Other Business:

**NOTE:** The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on **January 3, 2018 2 p.m.** Rose Caracappa Auditorium, W.H. Rogers Legislature Bldg., 725 Veterans Memorial Highway, Smithtown, NY

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

## SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

Jennifer Casey  
Chairwoman

Sarah Lansdale, AICP  
Director of Planning

Date: December 6, 2017  
Time: 2:00 p.m.  
Location: Rose Caracappa Legislative Auditorium  
William H. Rogers Legislature Building  
North County Complex  
Hauppauge, New York 11788

### **Members Present (9)**

Samuel Chu – Town of Babylon  
Michael Kelly – Town of Brookhaven  
Samuel Kramer – Town of East Hampton  
Jennifer Casey – Town of Huntington  
John Condzella – Town of Riverhead  
Nicholas Morehead – Town of Shelter Island  
Adrienne Esposito – Villages Over 5,000 (left early)  
Michael Kaufman – Villages Under 5,000  
Errol Kitt – At Large

### **Staff Present (6)**

Sarah Lansdale – Director of Planning  
Andrew Freleng – Chief Planner  
Ted Klein – Principal Planner  
John Corral – Senior Planner  
Christine DeSalvo – Senior Clerk Typist  
Valerie Smith – Assistant County Attorney (Counsel to the Commission)

### **Call to Order**

- The Suffolk County Planning Commission meeting of December 6, 2017 was called to order by Chairwoman Jennifer Casey at 2:10 p.m.

### **The Pledge of Allegiance**

**Adoption of Minutes**

- The adoption of the November 2017 Meeting Minutes. Motion to adopt the minutes, as written, was made by Commission member Chu, seconded by Commission member Kitt. Vote Approved: 9 ayes, 0 nays, 0 abstentions.

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

**Chairman's Report** – Chairwoman Casey announced that the planned guest speaker for meeting had to cancel, and hopes to have a representative of the Regional Planning Association come speak to the Commission regarding their "4<sup>th</sup> plan" for Long Island at the next Planning Commission Meeting.

**Director's Report** – Director Lansdale reported to the Commission that the Division of Planning and Environment is working on a "Blue Ways Trail" Plan with funding from the New York State Department of State. The Plan is being worked on with Legislator Hahn and others to develop the first County-wide Blue Ways non-motorized water trail. The Blue Ways plan is intended to tie-in with the Town of Huntington and County of Nassau's similar plans

**Guest Speaker** – None.

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

- **Calico Cottage, Inc.** - The application is referred by the Town of Babylon, received on November 17, 2017 - the Commission's jurisdiction for review is that the application is adjacent to County Road 28 (New Highway) and within one mile of an airport. Applicants seek site plan approval from the Babylon Town Planning Board to construct a 60,885 SF addition to an existing 49,218 SF office, production and warehouse building. Associated site improvements included approximately 2.17 acres of landscaping, a drainage swale, an enlarged driveway apron to New Highway, relocated access to Albany Avenue, on-site parking reconstruction, connectivity from private to public sidewalks, and new traffic control signage.

The staff report recommended approval of the site plan application of the addition and offered ten (10) comments for their consideration and use by the Town of Babylon Planning Board. After deliberation the Commission resolved to generally agree with the staff report and approve the site plan application with the ten (10) comments.

The motion to approve the site plan application with ten (10) comments for their consideration and use by the Town of Babylon Planning Board was made by Commission member Chu and seconded by Commission member Kelly, vote to Approve; 9 ayes, 0 nays, 0 abstentions.

**Meeting Adjournment (2:45 p.m.)**

- The motion to adjourn the meeting was made by Commission member Chu, seconded by Commission member Kramer; Approved unanimously.



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Theresa Ward  
Deputy County Executive and Commissioner

Department of Economic Development and Planning  
Division of Planning and Environment

**STAFF REPORT**

**SECTIONS A14-14 THRU A14-24 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE**

**Applicant:** Calico Cottage, Inc.  
**Municipality:** Babylon  
**Location:** s/e/corner New Highway (CR 28) and Albany Ave

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**Received:** 11/13/17  
**File Number:** BA-17-05  
**T.P.I.N.:** 0100 12600 0100 18004 et. al.  
**Jurisdiction:** Adjacent to CR 28 (New Highway) and within one mile of an airport.

**ZONING DATA**

- Zoning Classification: PIP (Planned Industrial Park)
- Minimum Lot Area: 1.5 acres
- Section 278: N/A
- Obtained Variance: No

**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: EAF
- SEQRA Type: Unlisted
- Minority or Economic Distressed: No

**SITE DESCRIPTION**

- Present Land Use: Industrial
- Existing Structures: Office, production & warehouse bldg
- General Character of Site: Level
- Range of Elevation within Site: 50'-55' amsl
- Cover: Bldg., asphalt, turf, disturbed woods.
- Soil Types: Haven and Riverhead series
- Range of Slopes (Soils Map): 0-8%

- Waterbodies or Wetlands: None

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

- Type: Site plan
- Layout: Single building
- Area of Tract: 6.32 ac
- Yield Map: No
  - No. of Lots: N/A
  - Lot Area Range: N/A
- Open Space: N/A

**ACCESS**

- Roads: Public
- 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 site plan approval from the Babylon Town Planning Board on an approximate 6.32 acre property to construct a 60,885 SF addition to an existing 49,218 SF office, production, and warehouse building. Associated site improvements include approximately 2.17 acres of landscaping, a drainage swale, an enlarged driveway apron to New Highway (CR 28), relocated access to Albany Ave., onsite parking reconstruction, connectivity from private to public sidewalk, and new traffic control signage.

The subject property is located in the hamlet of North Amityville. The site is bound by New Highway (CR 28) and Albany Avenue to the west. Properties west across Albany Avenue and New Highway are improved (with detached single family homes) B Residential District zoned (min lot size 10,000 SF) property. Adjacent parcels to the north, east and south are improved Planned Industrial Park (PIP) zoned parcels.

Access for the proposed development is to be from an improved existing un-signalized access to New Highway (CR 28) and a relocated and improved access to Albany Avenue.

Suffolk County Bus Route S1A with connections to Brunswick Hospital, Amityville LIRR Station, and Maxine Postal Tri-Community Health Center passes by the frontage of the proposed site development but no bus stop or shelter is proposed as part of the application.

Republic Airport and the Airport Plaza retail complex is located within one mile (to the northwest) of the subject property.

The subject proposal for site plan approval will also require a Parking Variance from the Town of Babylon Zoning Law. The off-street parking stall requirement for the proposed project is 234 stalls where 222 total stalls are provided resulting in a shortfall (variance) of 12 stalls. Of the provided parking, 174 stalls will be paved and 48 stalls will be land banked.

All of the proposed structure is one-story and lies within one mile of the Republic Airport.

All estimated 4,737 gallons per day of wastewater from the proposed development is to be treated via connection to SCWSD #3 (Southwest). The subject property is proposed to connect to an existing sewer line in the area.

Storm water runoff from the contemplated development is to be collected via on-site catch basins and leaching pools. Storm water drainage will be in conformance with Town of Babylon Code and will be required to prepare a SWPPP.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located in 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 and the site contains no regulated fresh or tidal wetlands.

## 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 are such issues as compatibility of land uses, community character, public convenience and maintaining a satisfactory community environment.

The subject application for site development includes a parcel located in the New Horizons Planned Industrial Park and is compatible with land uses to the north east and south. Properties to the west across Albany Avenue and New Highway are improved with detached single family homes. With proper noise and lighting mitigation, it is not anticipated that the public convenience will be infringed and that the proposed project can be approved in a way that will continue to provide a satisfactory community environment.

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** The Town of Babylon 1998 Comprehensive Land Use Plan recommends Planned Industry for the subject property. The proposed use is in conformance with the local Comprehensive Plan.

### SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commission has identified six general Critical County Wide Priorities that 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:

As indicated above all wastewater from the proposed development is to be treated via connection to SCWSD #3 (southwest).

Storm water runoff from the proposed project will be retained on-site and recharged via a drainage system designed to conform to all applicable Town requirements. Submission materials to the Commission indicate that NYS DEC SWPPP requirements will be met. There is no indication in the referral materials that the applicant has reviewed the Suffolk County Planning Commission publication on managing storm water through natural vegetation and green methodologies. The proposed swale on the east side of the subject property and other locations throughout the parking areas and existing/new lawn areas appear to be suitable areas for increased natural remedies for onsite storm water treatment.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. There is no indication if the applicants have reviewed the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency.

As noted above, Suffolk County Bus Route S1A (with connections to Brunswick Hospital, Amityville LIRR Station, and Maxine Postal Tri-Community Health Center) passes by the frontage of the proposed site development but no bus stop or shelter is proposed as part of the application. The applicant should contact Suffolk County Department of Public Works Transit Division to discuss bus transit service to the subject property connecting with the public/private sidewalk network.

Industries most compatible with airport operations such as indoor storage facilities, vertically unobtrusive building structures, and transportation hubs, are acceptable uses near airports. The subject development site is not in a Runway Protection Zone (RPZ) for the airport. However, the use would pose no difficulty with FAA guidelines for development. Therefore, FAA considerations for the safety of airports and residents generally are limited to noise and lighting issues. Occupants of the newly expanded building should be advised that the building is located within one mile of an Airport and therefore, may be subjected to noise from aircraft flying overhead or nearby. In addition, in order to mitigate any potential adverse impact to residential dwellings to the west, operational noise from the proposed development including all noise generating equipment on-site including but not limited to heating ventilation and air conditioning (HVAC), chillers, refrigeration units and compressors should operate in conformance with Town of Babylon Noise Ordinance. Moreover, the premises should be encumbered by appropriate operational restrictions to adequately protect nearby residences (i.e. shielded lighting, hours of operation, truck deliveries, garbage pick-up, truck idling, outdoor speaker systems, building alarms, trash compaction etc.).

In order to mitigate any potential adverse impact to residential dwellings to the west from site lighting impacts, all lighting on site should be contained on site and not bleed off onto adjacent properties or into the corridor of CR 28 (New Highway) and Albany Avenue. Site lighting should conform to “dark-sky” initiatives.

Little discussion is made in the application to the Town and referred to the Commission on public safety and universal design. There is no indication that the applicant has reviewed the Planning Commission guidelines particularly related to green methodologies for treating storm water runoff.

The subject property contains prime agricultural soils. While the opportunity to preserve these soils for agricultural purposes may be moot. The soils do make a good substrate for land scape plantings and in relation to natural treatment for storm water. The applicants should be mindful of the prime soils on site and integrate landscaping and drainage schemes with the characteristics of the soil.

The Town of Babylon and the applicant when reviewing parking shortfalls may wish to consider the installation of an Electric Vehicle charging station as a mitigation to the variance request or other methods to reduce parking stall demand on site or in the industrial park.

## STAFF RECOMMENDATION

**Approval** of the site plan application of Calico Cottage Inc. with the following comments:

1. The applicant should continue dialogue with the Suffolk County Department of Public Works with respect to connection to the Suffolk County Wastewater Sewer District #3 (Southwest).
2. The applicant should begin/continue dialogue with the Suffolk County Department of Public Works with respect to access to CR 28 (New Highway)
3. The applicant should continue dialogue with the Suffolk County Department of Public Works Transit Division toward the development of a transit (bus) stop on New Highway (CR 28) at the frontage of the subject site.
4. The applicant should be encouraged to review the Commissions publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.
5. All structures that may be erected at the subject property should be constructed using materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Federal Aviation Administration or other authority that has promulgated standards for reduction of interior noise levels.
6. No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein.
7. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
8. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
9. In addition, in order to mitigate any potential adverse impact to residential dwellings to the west, operational noise from the proposed development including all noise generating equipment on-site including but not limited to heating ventilation and air conditioning (HVAC), chillers, refrigeration units and compressors should operate in conformance with Town of Babylon Noise Ordinance. Moreover, the premises should be encumbered by appropriate operational restrictions to adequately protect nearby residences (i.e. shielded lighting, hours of operation, truck deliveries, garbage pick-up, truck idling, outdoor speaker systems, building alarms, trash compaction etc.).
10. In order to mitigate any potential adverse impact to residential dwellings to the west from site lighting impacts, all lighting on site should be contained on site and not bleed off onto adjacent properties or into the corridor of CR 28 (New Highway) and Albany Avenue. Site lighting should conform to "dark-sky" initiatives.





**File No. ZSR-17-24**

Resolution No. ZSR-17-24 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 November 13, 2017 at the offices of the Suffolk County Planning Commission with respect to the application of “**Calico Cottage**” located in the Town of Babylon
- WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **December 6, 2017**, now therefore, Be it
- RESOLVED, that the Suffolk County Planning Commission hereby approves the staff report, 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 **Approves** of the site plan application of Calico Cottage Inc. with the following comments:
1. The applicant should continue dialogue with the Suffolk County Department of Public Works with respect to connection to the Suffolk County Wastewater Sewer District #3 (Southwest).
  2. The applicant should begin/continue dialogue with the Suffolk County Department of Public Works with respect to access to CR 28 (New Highway)
  3. The applicant should continue dialogue with the Suffolk County Department of Public Works Transit Division toward the development of a transit (bus) stop on New Highway (CR 28) at the frontage of the subject site.
  4. The applicant should be encouraged to review the Commissions publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein, particularly related to the use of pervious pavement.
  5. All structures that may be erected at the subject property should be constructed using materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Federal Aviation Administration or other authority that has promulgated standards for reduction of interior noise levels.
  6. No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein.
  7. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.

8. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
  9. In order to mitigate any potential adverse impact to residential dwellings to the west, operational noise from the proposed development including all noise generating equipment on-site including but not limited to heating ventilation and air conditioning (HVAC), chillers, refrigeration units and compressors should operate in conformance with Town of Babylon Noise Ordinance. Moreover, the premises should be encumbered by appropriate operational restrictions to adequately protect nearby residences (i.e. hours of operation, truck deliveries, garbage pick-up, truck idling, outdoor speaker systems, building alarms, trash compaction etc.).
  10. In order to mitigate any potential adverse impact to residential dwellings to the west from site lighting impacts, all lighting on site should be contained on site and not bleed off onto adjacent properties or into the corridor of CR 28 (New Highway) and Albany Avenue. Site lighting should conform to “dark-sky” initiatives.
- 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>

Proposed Calico Cottage, Town of Babylon

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

	<b>AYE</b>	<b>NAY</b>	<b>RECUSED</b>	<b>ABSENT</b>
<b>ANDERSON, RODNEY – At Large</b>				X
<b>CASEY, JENNIFER - Town of Huntington</b>	X			
<b>CHARTRAND, MATTHEW - Town of Islip</b>				X
<b>CHU, SAMUEL – Town of Babylon</b>	X			
<b>CONDZELLA, JOHN – Town of Riverhead</b>	X			
<b>ESPOSITO, ADRIENNE - Villages over 5,000</b>	X			
<b>FINN, JOHN - Town of Smithtown</b>				X
<b>GERSHOWITZ, KEVIN G.- At Large</b>				X
<b>KAUFMAN, MICHAEL - Villages under 5,000</b>	X			
<b>KELLY, MICHAEL – Town of Brookhaven</b>	X			
<b>KITT, ERROL – At Large</b>	X			
<b>KRAMER, SAMUEL – Town of East Hampton</b>	X			
<b>MOREHEAD, NICHOLAS – Town of Shelter Island</b>	X			

Motion: Commissioner Chu

Present: 9

Seconded: Commissioner Kelly

Absent: 4

Voted: 9

Abstentions: 0

DECISION: Adopted