

# 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) 853-5191 F: (631) 853-4767  
Theresa Ward, Commissioner, Department of Economic Development and Planning  
Sarah Lansdale, Director of Planning

## **AGENDA**

**October 4, 2017 at 3 p.m.**

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

### **Tentative Agenda Includes:**

1. Meeting Summary for August 2017
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guests
  - None
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
  - Top Golf, Holtsville, Town of Brookhaven  
0200 72800 0500 009000 et al
7. Section A-14-24 of the Suffolk County Administrative Code
8. Other Business:

**NOTE: The next meeting of the SUFFOLK COUNTY PLANNING COMMISSION will be held on November 1, 2017 Maxine S. Postal Auditorium Evans K. Griffing Building, Riverhead County Center, 300 Center Drive Riverhead, New York 11901 2p.m.**

# COUNTY OF SUFFOLK

Z-1



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 A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

**Applicant:** TopGolf, Holtsville, NY  
**Municipality:** Brookhaven  
**Location:** North side of Expressway Drive North, approximately 696' West of Morris Ave., Holtsville

---

**Received:** September 5, 2017  
**File Number:** BR-17-02  
**T.P.I.N.:** 0200 72800 0500 009000 et al.  
**Jurisdiction:** within 500 feet of NYS Rte. I-495 (Long Island Expressway)

### ZONING DATA

- Zoning Classification: L1 Industrial
- Minimum Lot Area: 20,000 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: Expanded EAF,
- Minority or Economic Distressed: No

### SITE DESCRIPTION

- Present Land Use: Vacant Lot
- Existing Structures: utility poles, overhead electric transmission lines
- General Character of Site: Level
- Range of Elevation within Site: 90-125' amsl
- Cover: Forest
- Soil Types: Carver and Plymouth series (CpA, CpC), and Plymouth loamy sand (PIA).

- Range of Slopes (Soils Map): 0-15%
- Waterbodies or Wetlands: No

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

- Type: Change of Zone, from LI - Light Industrial to CR- Commercial Recreation
- Layout: Golf Driving Range
- Area of Tract: 26.56 Acres
- Yield Map: No
- Open Space: No

#### **ACCESS**

- Roads: One way egress to Morris Ave., Entrance/Exit from Long Island Expressway North Service Road
- Driveways: Private on-site

#### **ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: Leaching Pools and Dry wells
  - Recharge Basins: yes
- Groundwater Management Zone: I
- Water Supply: Public
- Sanitary Sewers: On-Site Septic System

### **PROPOSAL DETAILS**

**OVERVIEW:** Applicants petition the Brookhaven Town Board for a change of zone from Light Industrial 1 (L1) to Commercial Recreation (CR) to allow the construction of a commercial-recreational golf and entertainment facility consisting of a three-story 59,138 SF building to include 102 driving range hitting bays, a driving range outfield, an event facility, bar and restaurant space. Implementation of the proposal would also require two (2) Town Board Special Permits for golf driving range and major restaurant. The outdoor driving range would be surrounded to the north, east and south by a polyester barrier netting system. The netting system would consist of black mesh netting that would be supported by 27 poles. The heights of the poles are intended to range between 90 feet above proposed finished grade and 162.66 feet above grade (or between 89.55 feet and 164 feet above existing grade). An area variance request for lot area, height, side yard setback requirements and lighting would also be components of the proposal.

The subject property is approximately 26.6 acres of land in the hamlet of Holtsville. The site is located on the north side of the Long Island Expressway (LIE) North Service Road (NYS Rte. I-495) and the west side of Morris Avenue (Town Road). The subject petition includes two parcels (0200 72800 0500 009000 & 0200 72900 0100 016000) as shown on the Real Property Tax Map Atlas.

The golf and entertainment facility is proposed to be serviced by two un-signalized curb cuts. Ingress/egress would be provided via a right-turn-only curb cut on the north side of the LIE North Service Road roughly west of center on the site. An unrestricted turn entrance into the site and left-turn/northbound only exit to Morris Avenue on its western curb is also proposed.

It is intended that the driving range outfield be lowered below grade and material excavated be utilized for the facility parking area. A series of retaining walls are proposed to be constructed around the raised parking lot on the west side of the subject property. All soils will remain on site as the cut and fill is proposed to be balanced. No exiting soil is proposed to be exported from the site and no new soil is proposed to be imported. Approximately 17.9 acres of the 26.56 acre site is

proposed to be physically disturbed and equates to roughly 67% of the property leaving approximately 33% undisturbed as buffer area north and south of the driving range outfield.

Referral materials to the Suffolk County Planning Commission indicate that the storm-water runoff generated from impervious surfaces and landscaped areas would be collected by pipes and directed to a vegetated drainage swale or to one of two proposed drainage reserve areas. In addition, two inter-connected rain gardens would be installed in front of the TopGolf facility to capture roof runoff and several vegetated bio-swales would be located in the parking lot. Storm-water runoff for the driving range outfield would be provided via a subsurface infiltration system. Submission materials to the Commission indicate that NYS DEC SWPPP requirements will be met.

Off street parking provided includes 511 stalls, including 11 ADA accessible spaces, and is in conformance with Town of Brookhaven Code requirements.

Sanitary wastewater generation is estimated to be approximately 11,800 gallons per day and is proposed to be accommodated by on-site sanitary systems that would be installed during construction of the project in conformance with requirements of the Suffolk County Sanitary Code, Article 6, promulgated by the Suffolk County Department of Health Services. System locations are not identified on the conceptual site plan.

Across Morris Avenue to the east is a Suffolk County Water Authority well field. It is expected that the proposed TopGolf facility would have a potable water demand of approximately 12,950 gallons per day (the proposed driving range outfield is to be synthetic turf and would not require irrigation) and that the Suffolk County Water Authority distribution system would be the source. A line extension of the SCWA's existing water mains would be required.

The subject property is adjacent to the west to a recharge basin and a light industrial/office use (Zebra Technologies Enterprise Corp.) To the north is an adjacent LIPA ROW and north of the ROW is single family detached dwelling residential development. A public park is also present along Morris Ave. To the east is a commercial nursery, a gas station, and beyond, a public utility (water supply), undeveloped (wooded) land and the Nicolls Road (CR 97) right of way. To the south of the subject property is the NYS Rte. I-495 LIE right of way. The area to the south of the LIE is developed with industrial and commercial uses on the west and east sides of Morris Avenue, respectively. The uses include a natural gas plant, landscaping business, outdoor storage, warehouses, restaurants, a hotel and a movie theater.

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). The site is situated over Hydro-geologic Management Zone I. No State or Town regulated freshwater wetlands occur on or near the subject property. The subject property is predominantly forested with oak and pine trees. A utility right of way with electric transmission lines, a dirt road and formerly disturbed areas characterize the project site.

(See attached excerpts from the expanded EAF for a more detailed description of the proposal)

The Suffolk County Planning Commission received and reviewed a prior referral on the same property in November of 2013 from the Brookhaven Town Board (BR-13-20; 495 Holdings LLC). The referral was for a petition to authorize a change of zone from LI to CR to permit the construction of 274,745 SF of indoor and outdoor sports stadium, restaurant, sports retail and medical office. The Commission resolved to approve the referral with no conditions and seven (7) comments (see attached resolution)

## 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 sports complex has been designed to be consistent with the existing character of the community. Structures are limited to three stories (consistent in height to buildings to the west) and residential areas to the north are buffered by a 100-foot minimum natural/landscaped buffer along the LILCO ROW and the street frontage to the south.

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** It is the belief of the staff that the proposed action conforms to the recommendations of the Town of Brookhaven Comprehensive Plan (1996). The Plan recommends commercial land use for the subject parcel.

It is noted that the subject parcel is approximately three (3) acres short of the minimum lot area for the proposed use within the requested zoning district of Commercial Recreation (CR). Section 85-520 of the Brookhaven Zoning Law indicates that the minimum lot area for the proposed use in the CR District is 30 acres. The parcel is approximately 27 acres. In addition, the proposal would require a side yard setback variance and a variance for height. The CR zone has a height limitation of 45 feet and the proposal is for a 54 foot tall building. In addition, driving range outfield netting poles and lighting poles may also need variance review by the Town of Brookhaven Zoning Board of Appeals prior to construction.

However, it can be argued that the 1996 Comprehensive Plan cites the limited recreational resources in the Town and the fact that future growth of such resources is severely limited by the Central Pine Barrens legislation and regulations; particularly vegetative clearing restrictions. The subject parcel is not subject to these restrictions. Suffolk County Planning Commission staff have investigated the availability of vacant parcels within the town of Brookhaven thirty (30) acres or greater, on a County or State Road and determined that seventeen (17) parcels existed. Of these, only four are not within the Pine Barrens and not subject to review by the Central Pine Barrens Joint Planning and Policy Commission and to their clearing restrictions. The properties are located along Horseblock Road – CR 16 south, of the LIE. This area is characterized as being above Hydro-geologic Management Zones III and VI. The hydro-geologic zones are the more sensitive zones in terms of land use and waste water discharge management than the subject property.

The Brookhaven 2030 Comprehensive Plan is currently in draft form, and does not include recommendations for the subject site. The 1996 Comprehensive Plan however, does note the pressure to redevelop private recreational uses in commercial or industrial zoning districts with more intensive commercial uses. The '96 Plan recommends the creation of a "Commercial/Recreation" or "Commercial Entertainment" zoning district. The petitioners put forth in their Expanded Environmental Assessment Form that the commercial-recreational golf and entertainment facility is consistent with relevant recommendations from the 1996 Comprehensive Plan including (by way of this project) implementing the creation of a Commercial/Recreational use. The CR zoning district was created by the Town of Brookhaven to be applied to appropriate properties to encourage the establishment of recreational facilities within the Town. The 1996 Brookhaven Comprehensive Plan recommended rezoning vacant or underutilized industrially-zoned parcels to expand private commercial-recreational opportunities in the Town.

The "Suffolk County Comprehensive Master Plan 2035 - Framework for the Future" includes a priority action area focusing on strengthening the tourism and adventure recreation sector. The County Plan recognizes the value of the golf industry and puts forth a priority action item to

recommend continuing to collaborate with the tourism sector to better address Suffolk County's tourism needs.

It is the belief of the Suffolk County Planning Commission staff that the proposed action is consistent with local planning recommendations.

## **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:

Submission materials to the Commission indicate that NYS DEC SWPPP requirements will be met. Best management practices including bio-swales and raingardens. 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, additional design elements contained therein.

The location of the Suffolk County Water Authority well fields to the east of the subject property is a factor in the review of the project. Early review by the Department of Health Services is warranted and the petitioner should be directed to contact and begin dialogue with the Suffolk County Department of Health Services as early as possible.

Waste water treatment and disposal issues should be reviewed with the Suffolk County Department of Health Services as early as possible.

As noted above, jurisdiction for referral and review of this proposal for the Suffolk County Planning Commission stems from the proximity of the Long Island Expressway (NYS Rte. I-495). Avoiding light trespass onto residential properties and onto the State roadway corridor of the North Service Road and the Expressway is of particular concern. Exterior lighting should conform in all respects to town of Brookhaven regulations for exterior lighting (chapter 85-863 of the Town of Brookhaven Zoning Law). Any lighting as a result of this project should not result in "Light Pollution", as defined in the Town of Brookhaven's Code under Land Development Standards as 'any adverse effect of man-made lighting, including but not limited to glare, light trespass, skyglow, visual clutter, wasted energy due to excessive or unnecessary lighting, or any man-made light unnecessarily diminishes the ability to view the night sky or disruptive to flora and fauna.' Moreover, the petitioners and the Town of Brookhaven should be mindful of "Dark Sky" best management practices and discourage typical stadium lighting schemes, especially for the driving range outfield.

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 commercial/recreational uses.

The North Service Road of the LIE (NYS Rte. I-495) is not serviced by the Suffolk County Transit Bus System. A Traffic Impact Study (TIS) was caused to be prepared by the petitioner as part of the Expanded Environmental Assessment Form. The TIS summarized the comprehensive evaluation of the potential traffic impacts associated with the proposed action. The TIS concluded that while the TopGolf project would generate motor-vehicle trips that would affect local street intersections, the commercial-recreational golf and entertainment facility would not have a significant impact on the study intersections or roadway network, with implementation of the recommended mitigation measures below:

- To improve the level of service at Expressway Drive North and CR 19 during the Friday P.M. peak hour, the phase splits of the signal timing would be modified, without making any changes in the cycle length. The need for this measure would be determined by the New York State Department of Transportation (DOT) after the proposed facility has been constructed and is operational.
- Site-generated traffic at the egress on Morris Avenue would be restricted to allow left turns only by means of a “no Right Turn” sign at this location. As a result of the restriction, site-generated traffic would not be distributed to the Expressway Drive North & Morris Avenue intersection, and, therefore, the delay on the southbound Morris Avenue approach would not be further exacerbated.
- The Expressway Drive North access to the proposed facility would include ten-foot-wide acceleration and deceleration lanes within the existing paved shoulder area, which is wide enough to accommodate such improvements. The deceleration lane would remove slowing site traffic from the through lane, and through traffic. The implementation of these lanes would help to ensure that traffic flow on Expressway Drive North would not be impeded by project-generated traffic.

Pedestrian and bike access to the subject property from Tina Lane should be explored by the petitioner. Bike trails and bike racks for storage on site should also be considered.

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 referral from the Brookhaven Town Board for TopGolf Holtsville, NY from Light Industrial 1 District (L1) to Commercial Recreation (CR) and approval of Town Board Special Permits for a Golf Driving Range and for a Major Restaurant with the following comments:

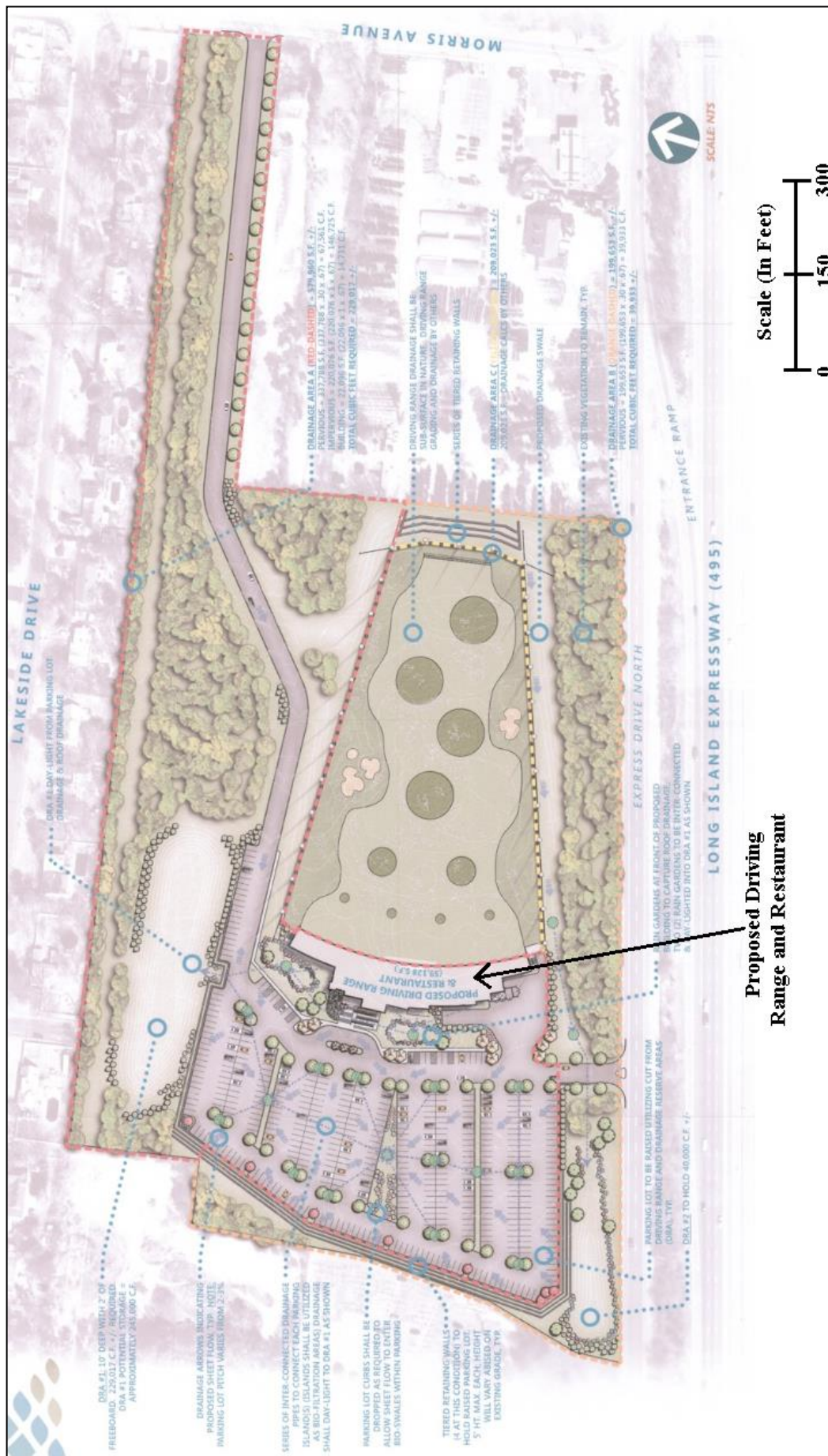
### *Comments:*

1. The petitioner should be directed to contact and begin dialogue with the Suffolk County Department of Health Services as early as possible regarding best management practices for the disposal of sanitary waste water.
2. The petitioner should be directed to contact and begin dialogue with the NYS DOT, and Suffolk County Department Public Works as soon as possible to discuss access and traffic considerations to Expressway Drive North (NYS Rte. I-495) and Nicholls Road (CR 97) respectively.

3. 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, additional design elements contained therein.
4. As noted above, jurisdiction for referral and review of this proposal for the Suffolk County Planning Commission stems from the proximity of the Long Island Expressway (NYS Rte. I-495). Avoiding light trespass onto residential properties and onto the State roadway corridor of the North Service Road and the Expressway is of particular concern. Exterior lighting should conform in all respects to town of Brookhaven regulations for exterior lighting (chapter 85-863 of the Town of Brookhaven Zoning Law). Any lighting as a result of this project should not result in "Light Pollution", as defined in the Town of Brookhaven's Code under Land Development Standards as 'any adverse effect of man-made lighting, including but not limited to glare, light trespass, skyglow, visual clutter, wasted energy due to excessive or unnecessary lighting, or any man-made light unnecessarily diminishes the ability to view the night sky or disruptive to flora and fauna.' Moreover, the petitioners and the Town of Brookhaven should be mindful of "Dark Sky" best management practices and discourage typical stadium lighting schemes, especially for the driving range outfield.
5. Pedestrian and bike access to the subject property from Tina Lane should be explored by the petitioner. Bike trails and bike racks for storage on site should also be considered.
6. 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.
7. The petitioners should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
8. The petitioners should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.







---

## 2.2 Project Description

The proposed action involves a request for a change of zone from the L1 to CR District, area variance requests from the lot area, height, side yard setback requirements, and lighting height, site plan approval, and the construction of a TopGolf facility. TopGolf is proposing to construct a commercial-recreational golf and entertainment facility consisting of a three-story, 59,128± SF building, which would include 102 driving range hitting bays, an event facility, and bar and restaurant space. Site access, landscaping, and a total of 511 off-street parking stalls would be provided to accommodate these uses (see Figure 4 and Appendix C). The proposed facility would be serviced by two unsignalized site access driveways. Site access and parking is discussed in more detail below in Section 2.3, and the proposed methods for sanitary disposal and water supply are described in Section 2.4.

The TopGolf facility would be a golf driving range and entertainment center that would operate from 9:00 a.m. until 2:00 a.m., seven days per week. Patrons would be able to practice golf skills, take golf lessons, and compete with family and friends or as part of a league. Televisions and food and beverage service, which would be provided in the event facilities and restaurant, would also ensure the TopGolf facility provides a complete recreational/entertainment atmosphere. In addition, the event space would accommodate private parties.

The proposed three-story facility would have hitting bays on all levels that would face east, towards the outdoor driving range. Each hitting bay would be climate controlled with heaters and misters, and would have seating, televisions, beverage and food service, and other amenities. All levels would have restrooms, hallways, elevators, and various storage, service and maintenance spaces. The lower level, which would be vaulted below current grade, would also contain a kitchen, offices, a lounge, and a bar. The building entrance would be on the second level (or main level). A 1,365±-SF lobby, the main bar and a total of 2,897±-SF of event space would be housed on the main level, along with a bag room and beverage station. The upper (third) level

would house a variety of uses, including office space, event sales, a lounge, a conference room, a beverage station, a service bar, and a 2,687±-SF roof terrace. In total, the TopGolf facility would maintain 447 restaurant/bar seats, including 155 indoor restaurant seats, 54 bar seats, 46 outdoor dining seats, and 192 seats within the catering hall; an additional 575 seats would be provided in the 102 hitting bays. As discussed in Section 3.6.2 of this Expanded EA, the building's exterior would consist of a mix of materials and facades that would contribute to an attractive visual character at the subject property.

The outdoor driving range would be surrounded to the north, east and south by a polyester barrier netting system. The netting system would consist of black mesh netting that would be supported by 27 poles (see Appendix O). As the subject property is located in the flight path of Runway 6/24 at Long Island MacArthur Airport, which is situated approximately 1.9 miles southwest of the site, the proposed poles were required to undergo an aeronautical study by the Federal Aviation Administration (FAA). Based on input from the FAA (see Appendix I), the maximum elevation at the top of the poles was set at 270.00 feet above mean sea level (amsl). Based on this restriction, as well as the final grades to be provided upon the completion of site preparation in order to maintain a balance between cut and fill (see discussion in Section 3.1.2.1), and given design considerations to prevent golf balls from traveling off-site during facility operation, the height of the poles will range between 90 feet above proposed finished grade and 162.66 feet above grade (or between 89.55 feet and 164.00 feet above existing grade). As presented in Appendix I, copies of FAA Form 7460-1 *Notice of Proposed Construction of Alteration* and a 2C certified survey have been submitted to the FAA for the proposed development, and it is anticipated that all requirements have been met for the proposed poles. However, coordination with the FAA is ongoing and the final FAA determination is pending. The poles would not be installed until FAA an approval has been received for all poles.

Landscaping shall adhere to Town Code requirements, and include a 100-foot-wide minimum natural/landscaped area along the Expressway Drive North frontage and a minimum of a 96.77-foot-wide perimeter residential buffer. Landscaping would utilize drought-tolerant native and adapted species and/or water-conserving plants and methods to reduce irrigation demands. Further, the driving range would be made of synthetic turf and would not require irrigation. In total, approximately 7.42 acres of wooded vegetation would remain undisturbed, primarily along the northern and southern boundaries of the subject property. This represents approximately 29 percent of the subject property. Additional vegetation/landscaping would be planted throughout the site, including within the parking lot, within the driving range, and adjacent to the proposed building.

Resolution No. ZSR-14-02 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 1, 2013 at the offices of the Suffolk County Planning Commission with respect to the application of “**495 Holdings LLC**” located in the Town of Brookhaven

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **January 8, 2014**, now therefore, Be it

RESOLVED, that the Suffolk County Planning Commission hereby approves and adopts the report of its staff, as 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** said Change of Zone and Special Permit referral subject to the following Comments:

1. The petitioner should be directed to contact and begin dialogue with the Suffolk County Department of Health Services as early as possible.
2. The petitioner should be directed to contact and begin dialogue with the NYS DOT as soon as possible to discuss access and traffic considerations to Expressway Drive North.
3. 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.
4. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein.
5. The petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein. There is particular concern regarding pedestrian access from the parking areas, through the circle, to the buildings.
6. The petitioner should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
7. Pedestrian and bike access to property should be explored from Tina Lane. Bike trails and bike racks for storage should also be considered.

- 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: 495 Holdings LLC  
Town of Brookhaven

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

	AYE	NAY	ABSTAIN	ABSENT
ACCETTELLA Jr., RAMON – Town of Babylon	X			
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			
KAUFMAN, MICHAEL - Villages under 5,000	X			
KELLY, MICHAEL – Town of Brookhaven	X			
PLANAMENTO, NICHOLAS - Town of Southold	X			
ROBERTS, BARBARA Town of Southampton				X
SHILLINGBURG, J. EDWARD - Town of Shelter Island				X
WHELAN, JOHN P. – Town of East Hampton	X			

Motion: Commissioner Accettella

Present: 12

Seconded: Commissioner Kelly

Absent: 3

Voted: 12-0

Abstentions: 0

DECISION: Adopted



Resolution No. ZSR-17-20 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 September 5, 2017 at the offices of the Suffolk County Planning Commission with respect to the application of “**TopGolf, Holtsville, NY**” located in the Town of Brookhaven
- WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **October 4, 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** the change of zone petition for TopGolf, Holtsville, NY with the following comments to be offered to the Town of Brookhaven for its consideration and use:

*Comments:*

1. The petitioner should be directed to contact and begin dialogue with the Suffolk County Department of Health Services as early as possible regarding best management practices for the disposal of sanitary waste water.
2. The petitioner should be directed to contact and begin dialogue with the NYS DOT, and Suffolk County Department Public Works as soon as possible to discuss access and traffic considerations to Expressway Drive North (NYS Rte. I-495) and Nicholls Road (CR 97) respectively.
3. 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, additional design elements contained therein.
4. As noted above, jurisdiction for referral and review of this proposal for the Suffolk County Planning Commission stems from the proximity of the Long Island Expressway (NYS Rte. I-495). Avoiding light trespass onto residential properties and onto the State roadway corridor of the North Service Road and the Expressway is of particular concern. Exterior lighting should conform in all respects to town of Brookhaven regulations for exterior lighting (chapter 85-863 of the Town of Brookhaven Zoning Law). Any lighting as a result of this project should not result in “Light Pollution”, as defined in the Town of Brookhaven’s Code under Land Development Standards as ‘any adverse effect of man-made lighting, including but not limited to glare, light trespass, skyglow, visual clutter, wasted energy due to excessive or unnecessary lighting, or any man-made light unnecessarily diminishes the ability to view the night sky or disruptive to flora and fauna.’ Moreover, the petitioners and the Town of Brookhaven should be mindful of “Dark Sky” best management practices and discourage typical stadium lighting schemes, especially for the driving range outfield.



5. Pedestrian and bike access to the subject property from Tina Lane should be explored by the petitioner. Bike trails and bike racks for storage on site should also be considered.
6. 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.
7. The petitioners should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
8. The petitioners should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.

- 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>

TopGolf, Holtsville, NY

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

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

Motion: Commissioner Kelly

Present: 11

Seconded: Commissioner Finn

Absent: 2

Voted: 11

Recusal: 0

DECISION: Approved

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

## SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

Jennifer Casey  
Chairwoman

DORIAN DALE  
Interim Director of Planning

Date: October 4, 2017  
Time: 3:00 p.m.  
Location: Rose Caracappa Legislative Auditorium  
William H. Rogers Legislature Building  
North County Complex  
Hauppauge, New York 11788

### **Members Present (11)**

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

### **Members Not Present (2)**

Samuel Chu – Town of Babylon  
Kevin Gershowitz – At Large

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

Dorian Dale – Acting 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 October 4, 2017 was called to order by Chairwoman Jennifer Casey at 3:00 p.m.

**The Pledge of Allegiance**

**Public Portion (taken out of order)** – Edward Romaine, Supervisor for the Town of Brookhaven, and two members of the public addressed the Commission regarding the Gyrodyne LLC application from a prior meeting; And three members of the public spoke to the Commission about the Top Golf application on the agenda.

**Adoption of Minutes**

The adoption of the August 2017 Meeting Minutes; A motion to adopt the minutes as written was made by Commission member Anderson, seconded by Commission member Chartrand. Vote Approved: 9 ayes, 0 nays, 2 abstentions (Finn and Kramer).

**Chair's Report** – None.

**Director's Report** – None.

**Guest Speaker** – None.

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

**TopGolf at Holtsville** – The application is referred by the Town of Brookhaven, received on September 5, 2017 - the Commission's jurisdiction for review is that the application is adjacent to the Long Island Expressway (SR 495). The application is petitioning the Brookhaven Town Board for a change of zone from the existing L-1 Light Industrial to Commercial Recreation (CR) to permit the construction of a commercial-recreational golf and entertainment facility consisting of a three-story 59,138 SF building to include 102 driving range hitting bays, a driving range outfield, an event facility, bar and restaurant space. Implementation of the proposal would also require two (2) Town Board Special Permits for golf driving range and major restaurant. The outdoor driving range would be surrounded to the north, east and south by a polyester barrier netting system. The netting system would consist of black mesh netting that would be supported by 27 poles. The heights of the poles are intended to range between 90 feet above proposed finished grade and 162.66 feet above grade (or between 89.55 feet and 164 feet above existing grade). An area variance request for lot area, height, side yard setback requirements and lighting would also be components of the proposal. The subject property is approximately 26.6 acres of land in the hamlet of Holtsville.

The staff report recommended approval of the Change of Zone application and offered eight (8) comments for their consideration and use by the Town of Brookhaven. After deliberation the Commission resolved to generally agree and approve the Change of Zone application with eight (8) comments.

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

**TopGolf at Holtsville –** (continued)

The motion to approve the Change of Zone application with eight (8) comments for their consideration and use by the Town of Brookhaven was made by Commission member Kelly and seconded by Commission member Finn, vote to Approve; 11 ayes, 0 nays, 0 abstentions.

**Other Commission Business**

- Chairwoman Casey thanked all the Commission members for supporting that morning's Planning Federation meeting, and announced that the next Commission meeting is to be held on November 1<sup>st</sup>, at the Legislative Auditorium in Riverhead at 2 p.m.

**Meeting Adjournment** (4:20 p.m.)

- The motion to adjourn the meeting was made by Commission member Kelly and seconded by Commission member Finn; Vote Approved: unanimously.