

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on March 20, 2008.

The meeting was called to order at 7:30 p.m. by Deputy Mayor McGiff with Trustees Crean, Dean, Devlin, Krieger, Village Attorney Snead and Village Clerk Seal present. Mayor Pontieri and Trustee Hilton were not present.

The flag salute was made by Trustee Krieger.

Deputy Mayor McGiff read the safety message.

Village Clerk Seal read: Notice is hereby given that a Public Hearing will be held on Thursday, March 20, 2008 at 7:30 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York, by the Board of Trustees of the Village of Patchogue to consider the amendment of the Village Code to provide for “Mixed-Uses” as a “floating zone,” and to consider the parameters required and potential locations available for establishing such floating zone or zones: the height, use and area restrictions to be applied to such floating zone and the procedure by which applications shall be determined. At said Public Hearing any person interested will be given the opportunity to be heard.

Deputy Mayor McGiff stated. In 2002 the Suffolk County Department of Planning released the Village of Patchogue Downtown Business Study. Among other things, the district study recognized that there were portions of the Village’s downtown that could benefit from redevelopment improvements, including the area along North Ocean Avenue and West Main Street. This past year in 2007 we commissioned a study of the area of North Ocean Avenue and West Main Street. Getting back to the District Study, some of the recommendations put forth in that were that the Village should pursue a strategy for the growth and revitalization of the district that will continue the revitalization of the downtown district and encourage retail and destination uses, encourage residential units within walking distance of the downtown, improve the economic base of the Village by creating jobs and expanding the tax base. Other recommendations in the District Study regarding revitalization include encouraging mixed use development with an emphasis on retail uses on the first floor, permit lots to be assembled, in certain cases, to allow for better planned commercial or mixed uses, redevelop the core business district to include ground floor retail, with office or residential uses above. And that the buildings on the north side of Main Street and the west side of North Ocean Avenue be refurbished or razed and rebuilt, and the first floor of any new buildings on such sites contain retail and services businesses. One of the other things recommended that this building site possibly be redeveloped with a hotel. The Village recognizes that there is a demonstrated need and/or desire for workforce housing units, apartments, condominiums, offices, and other business uses in the downtown area of the Village. To implement the recommendations of the Suffolk Count Department of Planning Study and also to address the need for workforce housing units, offices and other business uses in the Village, this downtown redevelopment district (DRD) would be established as a floating zone. The application procedure would include approval of a preliminary development concept plan by the Board of Trustees and approval of a final detailed site development plan by the Board of Trustees. The procedure for the zone change approval would be that the Board of Trustees may determine that an application for zone change approval pursuant to this section will not be entertained. If the Board of Trustees determine to entertain an application for zone change approval pursuant to this section, the Board of Trustees shall

schedule and hold a public hearing on the application. Some of the criteria for zone change approval and development will be location. This location would be bounded on the north by Lake Street, on the east by North Ocean Avenue, on the south by Main Street, and on the west by West Avenue. Some of the permitted uses would be residential/retail uses, retail uses on the ground floor buildings. Other uses allowable would be offices, hotels, restaurants, catering facilities, and all other principal and accessory uses permitted in the zoning districts in which the lands included in a DRD were classified prior to their designation as a DRD. The height could be 130 feet maximum for any building or structure located within 130 feet west of West Main Street and within 100 feet of North Ocean Avenue, provided such building includes a hotel with a catering facility or restaurant. It will be 100 feet for any other building or structure located within that zone or 60 feet for any building or structure that is located more than 120 feet from West Main Street and more than 100 feet from North Ocean. Another criteria would be required workforce housing with a minimum of 25% of the residential units proposed in the DRD shall constitute “workforce housing units.” Eligibility for these units would be in the following order. 1) persons residing in the Village of Patchogue; 2) persons employed at the time of application within the Village of Patchogue, and 3) all others. Parking facilities, whether public or private, shall be provided in the proposed DRD and it goes through that for retail and office uses, the greater of one public space per 250 square feet of floor area, or the number of public parking spaces in existence as of the date of the zone change on the property proposed. Multi-family residential uses would be one space per unit. Hotel uses would be one space per two guest rooms. All other uses would be determined by the Board of Trustees at the time of the specific site development approval. The approval of the establishment of the DRD shall expire three years after the effective date of the passing of the Local Law. In any case, where a phased development plan is approved, the DRD shall expire five years after the effective date of such Local Law. The Board of Trustees would be authorized to impose such requirements for bonding the approved development, construction, and improvements as they deem necessary and appropriate.

Village Attorney Snead stated: It has been on file since earlier this month and will be on file through the final public hearing and its adoption.

Trustee Crean stated: To some degree, I guess this will streamline the process for the proper redevelopment of this parcel that we have defined. It will give this Board the ability to hold onto the reins as we are trying to steer this thing through. I would like to commend the Village Attorney for his efforts in detailing this in such a thorough manner and he has been a tremendous help in crafting this and explaining. This will create an opportunity to really springboard the economic base of our community, increase the tax base not only on the Village level, but every level—the fire district, the school district and the business improvement district. It is going to be a tremendous enhancement and provide that anchor to our community that has been non-existent over nearly eight years. It is an exciting project and I am looking forward to working on it.

Attorney Snead stated: What we are proposing here is in essence a way to create a new zoning district in the future by identifying an area between North Ocean and West Avenue, south of Lake and north of West Main, in which a floating zone, meaning a zone could come in and be dropped in pursuant to the criteria we are establishing here. So we are not actually changing the zoning right now, we are simply giving an opportunity to change it in the future pursuant to what is allowed by our plan. None of the zoning on the existing structures as they exist right now changes by doing this. It is only changed once that plan is approved. This is one of the concepts in planning that has been a lot more

prevalent lately, especially with large developments and rehabilitation of downtowns. So it is a fairly tried and true plan. There is a SEQRA determination you are going to be asked to make in regard to this and the matter will have to be sent to the Suffolk County Planning Commission for their review under General Municipal Law 239-M. Once they give their advice, consent, approval or whatever, it will come back here and the Village can have a final hearing on it. I would suggest that tonight you adjourn this hearing until sometime near the end of April which will give time for the Planning Commission to take a look at it and then you can come back and make another determination and move forward.

Public to be heard:

John Belzak, 9 Maple Avenue, Patchogue stated: I was on the Zoning Board in the Village of Patchogue for fifteen years and my concern was that I wasn't aware that this was zoning for that particular area which I commend the board on presenting that. My concern was spot zoning. I was afraid that it was going to get into spot zoning....

Attorney Snead stated: With regard to the spot zoning issue, because the Village is looking at a very specific large area for redevelopment, it would not be considered spot zoning. We are actually taking the time to modify the zoning code potentially if it is approved. And at that standpoint it becomes part of zoning code... Part of what is being reviewed here is a copy of this very large document, a copy which is on file with the Village and the Patchogue-Medford Library. It is the standard environment form of the proposed adoptions of the downtown redevelopment district, DRD floating zone, off of West Main, south of Lake, west of North Ocean, east of West Avenue dated March, 2008. This is the document upon which all the environmental reviews are going to be based.

Upon a motion made by Trustee Crean, seconded by Trustee Dean, and unanimously carried, the board determined the project was a SEQUA determination as unlisted action.

Upon a motion made by Trustee Crean, seconded by Trustee Devlin, and unanimously carried the hearing was adjourned to April 21, 2008 at 7 p.m. at the Municipal Building, 14 Baker Street, Patchogue, New York.