

The Board Meeting of the Board of Trustees met in the Municipal Building, 14 Baker Street, Patchogue, New York on April 21, 2008.

The meeting was called to order at 6:00 p.m. by Mayor Pontieri with Trustees Crean, Dean, Devlin, Hilton, Krieger, McGiff, Village Treasurer Krawczyk, Village Attorney Egan and Village Clerk Seal present.

The flag salute was made.

Mayor Pontieri read the safety message.

Village Clerk Seal read: Notice is hereby given that a public hearing will be held on Monday, April 21, 2008 at 6:00 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York, by the Board of Trustees of the Village of Patchogue to amend Section 87-56 of the Village Code to create a Local Law to designate three "15-minute parking" signs in the Terry Street parking lot seasonally from April 1<sup>st</sup> to November 1<sup>st</sup>. At said public hearing any person interested will be given the opportunity to be heard.

Trustee Krieger stated I am an avid patron of Luigi's and understand the situation because I have been there and the spaces have been taken and there is nobody on line. I think for the benefit of the business to keep those spaces open, keep the traffic moving back and forth especially when the Little League games get out, it is always good and I agree. I think it would be very helpful to Luigi's to do that and it won't put any burden on the parking situation back there at all.

Upon a motion made by Trustee Krieger, seconded by Deputy Mayor McGiff, and unanimously carried, the above request was approved.

Village Clerk Seal read: Notice is hereby given that a public hearing will be held on Monday, April 21, 2008 at 6:00 p.m. in the Municipal Building, 14 Baker Street, Patchogue, New York, by the Board of Trustees of the Village of Patchogue to amend Section 16-2 and Section 16-3 of Village Code. At said public hearing any person interested will be given the opportunity to be heard.

Mayor Pontieri stated this is about the raising of elected official salaries. To the Trustees \$1,000.00 a month or \$12,000.00 a year which is increased from \$8,000.00, and the Mayor's salary from \$28,000 increased to \$36,000 a year or \$3,000 a month. The premise behind this is because of the amount of time put in, based upon the hours, as to whether this is basically appropriate and whether needed or not.

Treasurer Krawczyk stated it is in our budget and we reduced our budget from an increase of over 9% down to about 7.2%. I think that it is very important to realize that most villages have a village administrator. They make salaries anywhere from \$50,000 to \$140,000. We do not have a village administrator. The trustees and the mayor perform the job of Trustee, Mayor and administrator. So, I think the increase is warranted. I think \$1,000 a month for each trustee is not exorbitant. I think the people sitting up there earn it and I know the Mayor works very hard, spends a lot of time and puts a lot of hours in. And the fact that there is no village administrator to take the burden off these people, I think they need to be compensated. We planned for it in the budget; the numbers are in there and we still kept the budget down to just over a 7% increase. And we have 80% of our expenses that we have no control over and they are up 17%. So, I think we did a great job keeping the expenses down, keeping the budget increase down, and I think the salary increase is warranted.

Upon a motion made by Trustee Krieger, seconded by Trustee Devlin, and unanimously carried the board approved the request as stated above.

Mayor Pontieri stated: We are here for the approval of what is called a “Downtown Redevelopment District” or “Floating Zone” on the northwest side of Main Street, south of Lake Street, west of North Ocean Avenue and east of West Avenue in the Village of Patchogue. This is a continued public hearing from March 20<sup>th</sup>. The only testimony that will be taken this evening is testimony by the board.

Upon a motion made by Trustee Dean, seconded by Deputy Mayor McGiff, and unanimously carried, the board declared the Village of Patchogue as lead agency and an unlisted action under SEQRA with a negative declaration.

Mayor Pontieri stated: This downtown redevelopment district, DRD, was brought about by the possible redevelopment of the four corners with a mixed use of hotel, retail, office and residential. It is a defined area, based upon the needs of that development itself with a possibility of other areas in the Village at some point and time may be appropriate for the same kinds of use. I am going to ask Trustee Crean to read into the record those requirements for the zone.

Trustee Crean stated: I would like to preface my comments by saying that this location that is under consideration has been the downtown anchor and economic generator for our Village for about 125 years and with the vacancy of Swezey’s Department store, it has created a void in our downtown which this DRD zone will give some flexibility and enhancements to a potential developer to once again re-establish this section of our downtown as the main anchor and, again, the economic generator for our entire Village. What happens on this site will not only drive values up along Main Street, but will also drive values up on our Village borders and the residential properties as well. These benefits will enhance everybody’s property values.

The requirements under this DRD zone are a few. The location is bounded on the north by Lake Street, on the east by North Ocean Avenue, on the south by West Main Street, and on the west by West Avenue. The minimum site size in order to be eligible to apply for these benefits in this DRD zone would require a minimum lot size of 1.75 acres. The ownership—the land must be presented as a single parcel of land in any application. If someone else within these boundaries is able to make an assembly and present this assemblage as one particular, single parcel, I suppose under that criteria they would be eligible. The permitted uses would be residential, retail, offices, hotels, restaurants and catering facilities. Again, offering the flexibility of a developer to provide a mixed use development with a variety of different income-producing properties. The maximum height would be 130 feet for structures within 120 feet of West Main Street and within 100 feet of North Ocean Avenue provided that such structure include a hotel and with a restaurant or catering facility. If the structures are within 120 feet of West Main Street or within 100 feet of North Ocean Avenue and 60 feet, structures that are more than 120 feet from West Main Street and more than 100 feet from North Ocean Avenue. The farther you get from that corner, the height becomes reduced offering a prominent landmark right at the corner, allowing the development that is closest to the corner the greatest height.

Workforce housing—There is a residential component to this DRD. We are requiring that a minimum of 25% of residential units be developed or built to provide an affordable housing opportunity for either if it be rental or owner occupied. That the priority of sale, occupancy or rental shall be in the following order. First, persons residing in the Village of Patchogue will be given first preference; second, persons employed at the time of application within the Village of Patchogue; and thirdly, all others.

The last requirement would be parking. For the retail and office uses, the greater of one public space per 250 sq. feet of floor area. Or two, the number of public parking spaces in existence as of the date of the zone change on the property proposed to be established as a DRD or to be added to an existing DRD. For multi-residential uses, one space per unit. For hotel uses, one space per two guest rooms. And, for all of the uses as determined by the Board of Trustees. Those would be in bullet format the zoning format the zoning requirements in order to be eligible to apply to this DRD zone.

Mayor Pontieri stated: That the premise behind this is that it would be a mixed-use development. One of the pieces that is very important within this, especially when you come down to the parking and all the uses determined by the Board of Trustees, is that we will have the flexibility of changing, enhancing and enlarging the code so as to take in the different kinds of uses there may be.

Trustee Hilton asked: How do those specific parking requirements conform to our present parking code?

Mayor Pontieri stated: The hotel does and the multi-family does, but all of the uses will be determined by the Board of Trustees. We will begin to talk about catering, the office space and retail space, and work with those to make sure they get redefined. It would be a special permit then. Obviously, this is what is being presented here which is for a much larger area, that is going to be presented to us within the next 90 days, but this takes in the area from West Ave. to Main which is the development area that we are looking into specifically at this time.

Attorney Egan stated: We did receive from the Suffolk County Department of Planning comments on the proposed DRD in a letter dated April 2, 2008 addressed to the Village Clerk. The Suffolk County Department of Planning comments that they conceptually approve our proposed amendment with certain conditions and comments that they made. Their approval was conditioned on eight specific conditions for approval. Pursuant to municipal law, we have the obligation to either adopt the code change with these recommendations from the Planning Commission or override their conditions with a super-majority vote.

Mayor Pontieri stated: I think that if you take a look at those eight conditions, the first talks about shadowing effects—the Fire House and Reese’s park. High density housing immediately west of Swezey—all of their other reports and prior reports that they had given us over the years, the number of downtown reports they talked about creating density in the downtown and making it a walking community, I think that those issues are addressed within this. The architectural design section of the B.I.D. should account for the historic and we have already done that. We have been very clear with developers all the time when they come that they must follow and be cognizant of the community—not to say who we were before they decide who they want us to be. Greater smart growth parameters with respect to circulation and amenities and walkability. I think we were very clear that is what we want—a walkable community. Those have been addressed within the development and within this first proposal. We had two conferences regarding walkable community.

Trustee Dean stated I attended a walkable conference at Cornell Cooperative and we have done that to get grant money to further advance our walkability and pedestrian safety.

Pontieri stated: We have benches and pedestrian lighting. I think we have taken a look at a lot of those issues--the motor vehicle requirements, the variable parking demands. I think that those are the planning issues that will come into place when we start talking to the County themselves—about traffic circles depending upon whether we open or close Havens and how we get in and out. I think that we are all concerned about that, but it will

be something that will work itself out during the planning process. They have, and it is something that we should look towards, the parking is 1.75 per unit and 1.08 for the hotel and a business-hotel at 1.25. I think these are things that we can amend within it as the process goes through. And, they propose here “amendment is more appropriately termed a zoning ‘overlay’ district since it will apply to a specific geographic area. A ‘floating’ zoning district is applied anywhere within a municipality.” Maybe that piece of it we will consider for the Village. I think the parking issues is what we want to watch most closely.

Attorney Egan stated: We circulated a proposed memorandum recommending override of the conditions of the Suffolk County Planning Commission. I would like to touch on some of the highlights. If you read all of their letter, condition 1 essentially talks about the density and the public benefit of justifying proposed legislation. Certainly one of the parts of the economic development of the Village is what drove this DRD legislation for enactment. Also we have had Dr. Kramer, a consulting economist, discuss the increased development density and how that is a vital economic stimulus for Village of Patchogue. And, also that the Board of Trustees wishes to maintain a certain flexibility with regard to any developments in the proposed DRD.

Attorney Egan stated: Condition 2 on page 2 of the Planning Commission report mostly talks about building massing issues. That is something the Mayor and Trustee Dean talked about, ensuring a walkable downtown area and certainly why we would want to have the clustering of the buildings against the roadways.

Attorney Egan stated: Condition 3 on page 2 of the Planning Commission report questioned whether we had the ability to administer workforce housing. I might say we probably led the way in administering workforce housing and have great experience in doing that and have in place workable definitions for workforce housing units and eligibility.

Attorney Egan stated: Condition 4 certainly talks about Havens Avenue, Jennings Avenue and Railroad. Again, this is more than a jurisdictional objection because the Planning Commission curve view is generally inter-municipal jurisdictions where the dealing with roads that might cross over or impact the Town of Brookhaven or some border. In this case, all of those roads are Village roadways. If in the event any developments in this DRD district has any impact on those roadways, it is completely within our power, the Board, to make those changes as necessary to those Village roadways and they talk about putting signals at those intersections.

Attorney Egan stated: Condition 5 on page 3. We did conduct a very thorough environmental impact which was the memo circulated that Trustee Dean made the motion on and was approved as negative declaration which talks about a very detailed analysis on any environmental impacts.

Attorney Egan stated: Condition 6 which was set forth in the Planning Commission report, we also recommend to be overridden because the sanitary waste is obviously something that is going to be done pursuant to State and County requirements as is required to all developments in the Village of Patchogue.

Attorney Egan stated: Additionally, Condition 7 set forth on page 3 of the Planning Commission report also detailed development setback requirements. Those are all zoning and planning considerations which we have experience with as the Villager...

Attorney Egan stated: Condition 8 as set forth on page 3 we also recommend to be overridden because we can certainly address on a case by case basis what discretion the Board could have in the special permit analysis to address any energy conservation issues that may come up on the property or we may want to have in the future. That is a

summary on the memo which I circulated on the recommendation to override certain conditions proposed by the Suffolk County Planning Commission.

Trustee Devlin stated: I want to comment on the section on workforce housing where there seems to be concern about units being resold at market rate and some suggestion that we deal with that in the body of the legislation. Would I be correct in assuming that really is not necessary considering that workforce housing definition through the county has certain guidelines?

Mayor Pontieri stated: That is absolutely correct. Workforce housing is a concept which may change itself over the next several years anyway. So if it changes itself the way you wouldn't want to have it for the first ten years and you want to have it become market rate at a later date, I don't think you want to narrow yourself down at that point.

Upon a motion made by Trustee Crean, seconded by Deputy Mayor McGiff, and unanimously carried, the board voted by a super-majority to override recommendations of the Suffolk County Planning Commission as outlined in the memo on the application of the Village of Patchogue on the Village of Patchogue on the Village Board's own motion to amend the Zoning Code Chapter 93, Article III to create a Downtown Revitalization District (DRD), Suffolk County Planning Commission File No. Pa-08-01.

Upon a motion made by Trustee Devlin, seconded by Trustee Krieger, and unanimously carried, the board unanimously accepted DRD as presented

Upon a motion made by Trustee Dean, seconded by Trustee Hilton, and unanimously carried, the meeting was adjourned at 6:55 p.m.