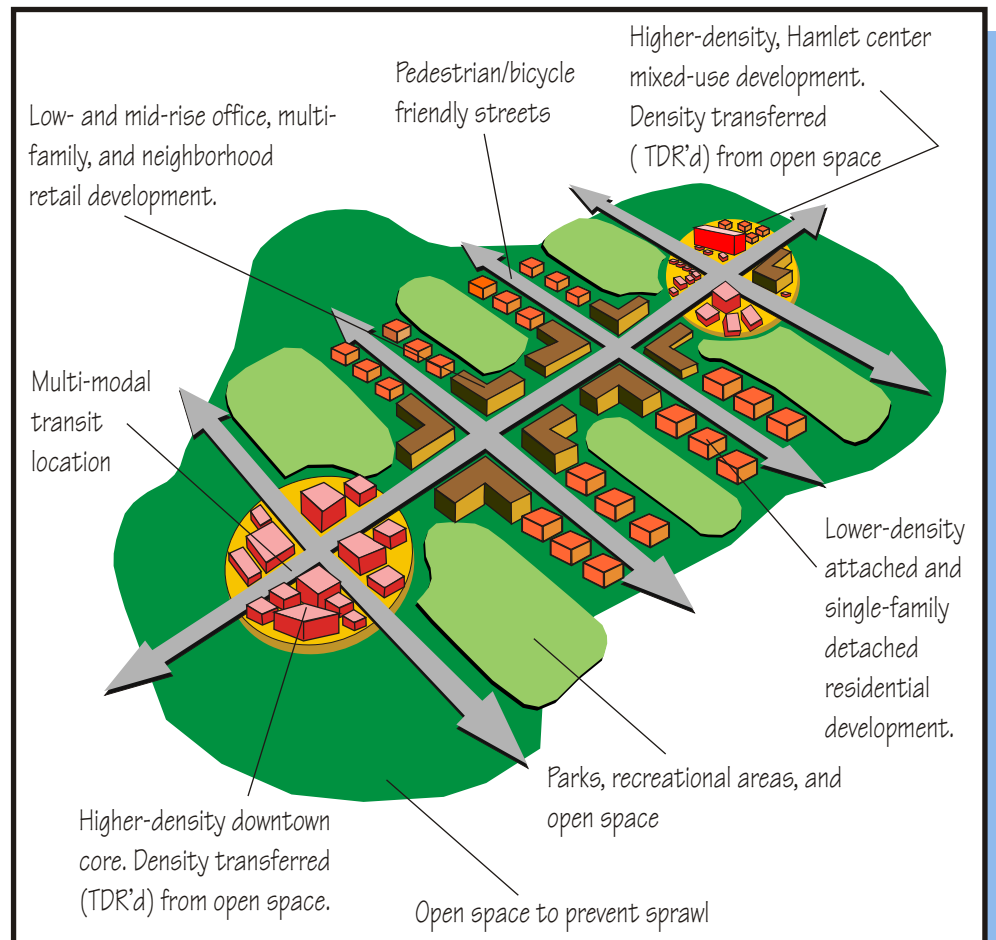


Suffolk County Smart Growth Committee Report: ANALYSIS AND PRIORITIZATION OF THE RECOMMENDATIONS OF THE *SMART GROWTH POLICY PLAN FOR SUFFOLK COUNTY*



November 2003



Suffolk County Department of Planning
Suffolk County ■ New York

**Suffolk County Smart Growth Committee Report:
Analysis and Prioritization of the Recommendations of the
*Smart Growth Policy Plan for Suffolk County***

November 2003

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EXECUTIVE SUMMARY

The Suffolk County Legislature convened the Smart Growth Committee to review and prioritize the recommendations of the *Smart Growth Policy Plan of Suffolk County* (Policy Plan). The Policy Plan contains forty-three recommendations for County implementation of Smart Growth principles. The recommendations cover a broad spectrum of topics ranging from the provision of training opportunities for zoning and planning board members to the transfer of development rights from County acquired open space. Many of the recommendations involve complex technical and policy issues that required extensive deliberation and analysis by the Committee.

The Committee includes representatives appointed by the County Executive and the Suffolk County Legislature as well as representatives of municipal governments, community and professional organizations and several County departments. The committee held 12 meetings over the course of a year.

The Committee noted that many of the recommendations of the Policy Plan are already ongoing and are being implemented to some degree within County government. This includes funding for the acquisition of open space and funding for the Suffolk County Planning Federation. Policy Plan recommendations also call for new programs with associated funding for these programs. Recommendations are also made for collaboration with towns and villages, expedited approval of County permits, tax incentives, certain reduced fees for sewer connections, the transfer of development rights from County owned land, and others.

The purpose of prioritization is to decide what is most important in a range of options. Although all of the recommendations of the Policy Plan are important, it would be difficult, if not impractical, to try to do everything at once. By the establishment of this Committee, the County Executive and the Legislature recognized that the implementation of public policy requires that priorities be

established so that a focused and directed effort can be put into effect. The identification of priority recommendations does not preclude use of the remaining recommendations.

The Committee endorses the following as overall **priority recommendations** derived from the Policy Plan:

1. Encourage the development of *area-wide* or *sub-regional* Smart Growth plans that address the protection of drinking water resources as well as provide a plan for a reallocation of density to permit compact centers of development and open space. This action would incorporate a number of the recommendations of the Smart Growth Policy Plan.
2. Allow the transfer of development rights from surplus County-owned parcels and possible future open space acquisition programs. This could also include areas that were subject to priority recommendation one, area-wide and sub-regional plans.
3. Where appropriate, encourage the establishment of new sewer districts and extensions of public water in Smart Growth areas.
4. Enable the purchase of non-farm development rights and the creation of a land acquisition installment purchase program.
5. Encourage the provision of a variety of housing choices.

The priorities are suggested to form a focus to the County's efforts. While the remaining recommendations were not considered top priorities they were considered important and should be provided as resources and time permit.

INTRODUCTION

Smart Growth Committee

In October 2000, the Suffolk County Department of Planning completed the *Smart Growth Policy Plan for Suffolk County* (Policy Plan). The report contains forty-three recommendations for the implementation and advancement of Smart Growth principles. The final recommendation of the report calls for the formation of a Committee to review and prioritize the recommendations included in the Policy Plan. Suffolk County Legislative Resolution 903-2001, *Creating a Suffolk County Smart Growth Committee* was signed into law on September 25, 2001.

The Committee consists of twelve members including representatives of the following: town and village governments; the Suffolk County Legislature; the County Departments of Planning, Public Works and Health Services; environmental groups; a Smart Growth organization; and, the building and development industry (see Table 1). All positions were filled with the exception of a representative from the Suffolk County Supervisors Association. (Towns were advised of Committee meeting dates via the Supervisor's Association although they chose not to participate on the Committee.)

The Committee's first meeting was in May 2002 and met about once a month through June 2003. Twelve meetings were held. Professional and clerical services to the Committee were provided by the Suffolk County Department of Planning. The meetings included presentations by invited speakers, the review of research by Committee members and planning department staff as well as extensive deliberation by the Committee members of the individual Policy Plan recommendations.

This report reflects the findings and recommendations of the Committee. Each of the remaining 42 recommendations is listed with a brief policy discussion and specific recommended actions. The report also prioritizes the Policy Plan recommendations.

Definition of Smart Growth

The *Smart Growth Policy Plan for Suffolk County* describes Smart Growth as:

"Anticipating and providing for sensible growth, balancing jobs and economic development with the preservation of the natural environment and the historical community fabric."

The process of Smart Growth is identified to include the following elements:

1. Encourage consultation and collaboration among communities.
2. Direct development to strengthen existing communities.

3. Preserve open spaces, natural areas, groundwater and surface water resources, historic resources and working farms.
4. Encourage compact and orderly development.
5. Provide for transportation choices.
6. Provide for a variety of housing choices.
7. Encourage permitting processes which are predictable, certain, efficient and final.
8. Ensure consistency of governmental policies and programs.

From these eight basic policies the specific recommendations of the *Smart Growth Policy Plan for Suffolk County* were developed.

Context for Smart Growth in Suffolk County

The population of Suffolk County has increased from 276,129 residents in 1950 to 1,419,369 in 2000, a quadrupling of the population in only fifty years. Despite a slow down in the growth rate, Suffolk is still growing. In 2002, the County's population increased by 15,000, the largest numerical increase among the 62 counties in New York State.

In the last 50 years Suffolk has changed. In the western portions of the County, rural communities have evolved into suburban places. Farms have been replaced with subdivisions and country roads have yielded to highways. This change has brought both good and bad consequences. On the plus side, the changes have brought economic opportunity and the amenities of suburban life such as good schools and recreational opportunities. Many communities have thrived and a growing middle class has been able to achieve the American dream of home ownership. On the down side, suburbanization has sometimes resulted in such problems as a loss or absence of a coherent community identity, a degradation of the environment and a spiraling of taxpayer financed service costs.

The Suffolk County Department of Planning has estimated the saturation population of the County based upon the amount of vacant land available for development and the current municipal zoning for those parcels. The county can add an additional 242,000 residents (17% of the 2002 population) resulting in a saturation population of approximately 1,700,000 based on this analysis. The build-out figure can increase or decrease based on many factors, including: changing demographics such as household size; changes to permitted zoning; acquisition of open space; and, variations of market demand. Further, this amount is an overall figure for the County and variations in growth will occur from place to place. The more undeveloped portions of the County will generally experience a greater population growth than the more developed portions.

This information demonstrates that Suffolk County is clearly a maturing suburban County that is reaching the limits of growth as it relates to available vacant land. While this growth has provided economic benefits including a strong real estate market, low unemployment and a high quality of life, it has also brought with it certain problems such as the loss of open space, increasing traffic congestion and a shortage of affordable housing. As Suffolk County approaches the build out of its remaining vacant land, the challenge will be to successfully manage this growth to both protect that which should be preserved while enabling appropriate development and redevelopment to occur. This challenge is the essence of Smart Growth.

Role of Suffolk County in the Implementation of Smart Growth

It could be stated that Smart Growth in Suffolk County is a movement, not a revolution. That is, with the existing pattern of land development so firmly established in much of the County, it is not likely that significant change will occur to the basic fabric of land use. Most neighborhoods will likely remain as they are while most communities will experience only modest changes to their physical development pattern. Smart Growth will not be a wholesale tearing of this fabric but perhaps more of a tailoring around the edges or a series of adjustments that result in a better fit of the built environment to the community's changing needs.

The *Smart Growth Policy Plan for Suffolk County* clearly recognizes the authority of the towns and villages to control the planning and development of their communities through the exercise of the powers of zoning, subdivision and other land use controls. This authority is commonly known as Home Rule. The Policy Plan notes that even with

these locally vested powers, there is still an important role for the County in many of the decisions that can affect the quality of life in Suffolk's communities. Some examples of these types of actions include:

- Development or leasing of County offices and facilities.
- The development and reconstruction of County roads.
- The purchase of open space and farmland.
- The review of municipal land use actions by the Suffolk County Planning Commission.
- The regulation of wastewater disposal systems by the Departments of Health Services and Public Works including the limitation of density in unsewered areas.
- The review of curb cut permits by the Department of Public Works.
- The disposition of tax defaulted surplus parcels.
- The purchase of land for affordable housing.
- The training of municipal planning and zoning officials through the Suffolk County Planning Federation.

Whether direct or indirect, Suffolk County can play a major role in the advancement of the principles of Smart Growth. How that occurs will be determined at both the policy and the administrative levels. The policy level will occur through the actions and decisions of the elected County representatives, the Legislature and the County Executive. The administrative level will occur as Smart Growth is institutionalized into the day-to-day decision making process of County government.

The County Executive and the Legislature began the steps to create a Smart Growth program in Suffolk County with the completion of the Policy Plan and the formation of the Smart Growth Committee. With the completion of this report, further implementation steps can be considered as prioritized and described herein.

Table 1. Suffolk County Smart Growth Committee Membership

Member designated by Resolution 903-2001 and 348-2002	Designee
Director, Suffolk County Department of Planning	Thomas A. Isles , AICP, Chairman of the Committee
Chairman, Economic Development & Energy Committee of the SC Legislature	Ronald Stein , Vision Long Island
Chairman, Environment, Land Acquisition & Planning Comm. of the SC Legislature	Burt Koza
Presiding Officer, Suffolk County Legislature	Hon. Ginny Fields , Suffolk County Legislator
Commissioner, Department of Health Services	Vito Minei , PE, Director, Div. of Environmental Quality
Commissioner, Department of Public Works	Edwin Cohen , P.E., Suffolk County Dept. of Public Works
Representative, Environmental Group*	Kevin McDonald , Group for the South Fork
Representative, Building & Development Industry*	Robert A. Wieboldt , LI Builders Institute
Representative, Smart Growth Principles Organization*	Eric Alexander , Vision Long Island
Representative, Suffolk County Supervisors Association	None appointed
Representative, Suffolk County Village Officials Association	Hon. Herbert F. Morrow , Village of Huntington Bay
Representative, Smart Growth Principles Organization**	Eve Kaplan , AICP, North Fork Environmental Council

*As designated by the County Executive with the approval of the Suffolk County Legislature. **Appointed by the SC Legislature.

*The Chairman would like to acknowledge the assistance provided by **James F. Gesualdi**, Esq., AICP*

PRIORITIZATION OF RECOMMENDATIONS

Several methodologies were used by the Smart Growth Committee to prioritize the remaining 42 recommendations of the *Smart Growth Policy Plan for Suffolk County*. Prioritization methods used by the Committee included:

- The discussion and deliberation of topics included in the Policy Plan
- The review of opinions drafted by committee members.
- The utilization of matrixes developed by the staff and committee members which helped to quantify the value of each recommendation as it relates to Smart Growth.

In reviewing the Policy Plan the Committee found that numerous recommendations of the plan were already ongoing and/or being implemented by departments of the County government.

With respect to those recommendations that advocated continued funding, the Committee found no program that should be terminated. The Committee advocates reconstituting these programs and continuing the funding. However, long term eligibility for funding should be measured against practical Smart Growth benchmarks toward collaborations and follow through.

Collaboration with affected localities, as early as possible is imperative to foster Smart Growth process, principles and criteria. The Committee found that some federally funded projects with respect to transportation, already require community outreach as an implementation requirement. The Suffolk County Legislature, through the Council of Environment Quality and the SEQRA process, advise localities of proposed actions of the County through the SEQRA “coordinated review”. The Committee noted this and felt mechanisms such as these were warranted and should be emulated in all County programs.

The Committee observed that the Suffolk County Sanitary Code was perhaps the single most important consideration to Smart Growth style development with the exception of remediation costs of contaminated property. While other environmental considerations were certainly noted, the ability to consolidate land use density away from critical natural resources and at existing infrastructure can result in mixed use buildings, housing near transportation hubs, and in-fill development in downtowns. These concentrated developments can run afoul of the sewage related groundwater nitrogen loading limitations of the County’s sanitary code and may make Smart Growth style development problematic.

The use of transferred density credits was viewed as a means to address the sanitary code limitations. While this is not a new concept, its applications is not “as of right” other

than in the Central Pine Barrens, and is reviewed on a case by case basis before the Suffolk County Department of Health Services Board of Review. Many of the transfers are not in accordance with any local “Smart Growth” plan and thus cannot receive expedited review at the local or County level. The resulting approval process can be cumbersome, take a significant amount of time and costs considerably more than “as of right” development.

The Committee found that many Smart Growth principles can be blended via the creation of sub-regional or area-wide Smart Growth plans. These plans, prepared locally and perhaps funded by the County through the Department of Health or the Suffolk County Planning Federation, would determine the effects of alternatives on the proximate environment in terms of land use, transportation and ground water quality. If sub-regional studies could demonstrate that Smart Growth recommendations have no substantial adverse environmental impacts and existing and future drinking water supplies are not adversely affected, then relaxation of Article 6 standards could be in order.

The Committee agreed that the County consider the following recommendations as **overall priority recommendations** of the *Smart Growth Policy Plan for Suffolk County*:

- Encourage the development of "area-wide" or "sub-regional" Smart Growth plans that would address the protection of drinking water resources as well as provide a plan for a reallocation of density to permit both compact centers of development and open space. This action would incorporate a number of the recommendations of the Smart Growth Policy Plan.
- Allow the transfer of development rights from surplus County-owned parcels and possible future open space acquisition programs. This could also include areas that were subject to the prior recommendation, “area-wide and sub-regional plans”.
- Where appropriate, encourage the establishment of new sewer districts and extensions of public water in Smart Growth areas.
- Enable the purchase of non-farm development rights and the creation of a land acquisition installment purchase program.
- Encourage the provision of a variety of housing choices.

The priorities are suggested to form a focus to the County’s efforts. While the remaining recommendations were not considered top priorities they are considered important and should not be discounted.

Many elements can affect the efficiency of the development process. The delay of most large projects can be any one or combination of the following impediments: Limited staffing of planning departments at the local level; intervention of civic or special interest advocates; environmental quality review; the availability or cost to expand public services such as sewer and water; as well as, many others that may be specific to a project or the project sponsors. However, the preparation of Smart Growth plans would necessitate the early collaboration of agencies and interested parties, allow generic environmental review and ultimately allow the expedited review of projects within the area of study. The use of transferred development rights, targeted expansion of infrastructure and the proactive approach in which Suffolk County is now vested, will aid in

the smart development of our towns and villages and will build and rebuild quality communities.

Table 2 is an expansion of the overall priority recommendations outlined above. Recommendations from the *Smart Growth Policy Plan for Suffolk County*, as prioritized by the Committee, follow each of the Committee’s five priority recommendations (highlighted in gray). The column to the right lists the recommendations and action items of the Committee. A full account of the deliberations and intent of the Committee is found in the following section, “Review of the Recommendations of the Smart Growth Policy Plan”.

Table 2 - Priority Recommendations - Committee Recommendations / Action Items

Policy Plan Recommendation*	Committee Recommendation/Action Items**
Overall Priority Recommendation:	
<p>1. Encourage the development of “area-wide” or “sub-regional” Smart Growth plans that would address the protection of drinking water resources as well as provide a plan for a reallocation of density to permit both compact centers of development and open space. This action would incorporate a number of the recommendations of the Smart Growth Policy Plan.</p>	
<p>(2) Fund Community Charrettes via the Downtown Rehabilitation Grant Program.</p> <p>(4) Provide financial support for community collaboration.</p>	<ul style="list-style-type: none"> • The Downtown Revitalization Grant Program should be amended to permit funding for community planning charrettes. Such funding should be preceded with a demonstration by the local community of a bona fide intent to engage in an open planning process that will include follow-up and implementation. • It is recommended that one half of the funding be provided as a reimbursement to the municipality once a certain level of implementation has been accomplished by the locality in furtherance of the community's vision.
<p>(9) Restrict new sewer districts to Smart Growth areas.</p>	<ul style="list-style-type: none"> • To the extent permitted by law, new sewer districts should be limited to ‘Smart Growth friendly’ locations such as downtown centers. This can be implemented through the actions of the Suffolk County Sewer Agency and of the Legislature. The Committee recommends the enactment of legislation to further this effort.
<p>(16) Continue participation in coastline studies.</p>	<ul style="list-style-type: none"> • Continue active participation in both the planning and protection of the County's coastline areas. • Utilize the county's land acquisition water quality protection and restoration programs to fund these efforts.
<p>(20) Encourage redevelopments of regional significance.</p>	<ul style="list-style-type: none"> • The Suffolk County Planning Commission should encourage that the principles of Smart Growth be applied to the redevelopment of property, especially for those sites of regional significance. This could be accomplished through the guidelines of the Commission, through advisory bulletins published by the Commission and through the strong support of Smart Growth projects where appropriate. • The Commission should make available the services of the Suffolk County Department of Planning for planning assistance associated with such projects. Such services can be provided when requested by a municipality and within staff and budgetary limitations.
<p>(24) Investigate accommodations for redevelopment in compact areas in downtown.</p>	<ul style="list-style-type: none"> • Suffolk County should encourage and support the preparation of sub-regional hydrological studies for unsewered communities that are seeking to create more compact development patterns.
<p>(26) Measure the growth impact of planned public works and insure the orderly and compact development of same.</p>	<ul style="list-style-type: none"> • The County should support continued efforts that correlate compatible land uses and zoning to roadway improvements. • In accordance with General Municipal Law, Section 239-C.3 (h), State and County highway projects should be referred to the Suffolk County Planning Commission for review.
<p>(27) Analyze the county road network for opportunities to apply Smart Growth transportation methods.</p>	<ul style="list-style-type: none"> • The County should complete the Official Map within the time frame specified.
<p>(39) Allow compliance with accepted local Smart Growth Plans to expedite required County permits.</p>	<ul style="list-style-type: none"> • The County Planning Commission should develop criteria similar to the matrix in the appendix of this report and promote the development of Smart Growth Plans by local municipalities. • An incentive should be developed by the County of Suffolk to stimulate the preparation of Smart Growth Plans. The incentive may be in the form of a competitive planning grant awarded to the Smart Growth Plan proposal that best embodies the principles of Smart Growth. • The County should expedite review of projects that are in compliance with County sanctioned and locally adopted Smart Growth Plans by waiving Department of Health Services Board of Review variance hearings and by making projects referred to the Planning Commission matters for “local determination.”

Table 2 - Priority Recommendations - Committee Recommendations / Action Items

Policy Plan Recommendation*	Committee Recommendation/Action Items**
2. Allow the transfer of development rights from surplus County-owned parcels and possible future open space acquisition programs.	
(21a) Review County preservation programs for appropriateness to generate density credits.	<ul style="list-style-type: none"> • Existing County open space acquisition programs should not be utilized to generate density credits except if subject to reauthorization by the Legislature. • A new County open space acquisition program should be created for the explicit purpose of generating density credits for county use. The program should be subject to a public referendum or public hearing prior to adoption by the County.
(21b) Stockpile density credits.	<ul style="list-style-type: none"> • A Smart Growth Development Right Repository should be created to administer stockpiled density credits.
(22) Facilitate density transfer from tax default lots to locally approved development projects.	<ul style="list-style-type: none"> • Allow the removal of development rights from tax default properties only. The development rights should be awarded to worthy Smart Growth initiatives. • The County Attorney's office should render a determination on the legality and ability of the County to award, rather than sell, development rights.
(38) Streamline legislative authorization for land exchanges.	<ul style="list-style-type: none"> • Present to the legislature the obstacles to the Section 102 program and make recommendations to correct same.
3. Where appropriate, encourage the establishment of new sewer districts and the extensions of public water in Smart Growth areas.	
(2) Fund Community Charrettes via the Downtown Rehabilitation Grant Program.	See (2) page 13.
(8) Reduce sewer connection fees in targeted (Smart Growth) developments to encourage development and redevelopment.	<ul style="list-style-type: none"> • In the short term, the Legislature and Sewer Agency should give priority to Smart Growth projects when considering extensions to existing sewer districts. The Smart Growth matrix may serve as a tool in determining what is an appropriate Smart Growth project. • In the longer term, further evaluation should be made of a possible change to the law to permit a graduated connection fee method.
(9) Restrict new sewer districts to Smart Growth areas.	See (9) page 13.
4. Enable the Purchase of Non-farm development rights and the creation of a land acquisition installment purchase program.	
(12) Continue the Farmland Development Rights program.	<ul style="list-style-type: none"> • Continue current land acquisition programs. • Seek greater funding from federal and state sources, especially for farmland protection. • Consider additional County-wide initiatives to increase the funding of open space and farmland protection.
(13) Enable the purchase of non-farm development rights.	<ul style="list-style-type: none"> • A separate Committee should be established to more fully explore the acquisition of non-farm development rights. The Committee should include representation from the County Attorney, the Department of Planning and the farming and environmental community.
(14) Create an installment purchase program.	<ul style="list-style-type: none"> • The County should utilize an installment purchase program. The County Executive should request a review of this recommendation by the County Attorney. Based on this review, efforts to change federal tax law may be necessary.
5. Provide a variety of housing choices.	
(32) Continue county housing initiatives to promote affordably priced homes.	<ul style="list-style-type: none"> • Continue the County's efforts to stimulate affordable housing with a priority given to Smart Growth locations. • Expand initiatives and create other indirect tools that aid in the location and promotion of the affordable housing inventory. • Investigate the ability to redirect sewage ground water discharge through a Transfer of Development Rights (TDR) program to affordable housing initiatives. • The Suffolk County Sewer Agency should prioritize capacity for Smart Growth related projects that include an affordable housing component.
(34) Include national housing models in local training programs and community charrettes.	<ul style="list-style-type: none"> • The Committee recommends that the Suffolk County Planning Federation host training seminars and charrettes that focus on successful Smart Growth housing models.

* The policy plan number (in parentheses) on this table corresponds to the report recommendation number in the "Review" section and to the Smart Growth Principles and Recommendations from the *Smart Growth Policy Plan for Suffolk County*, Suffolk County Department of Planning, October 2000.

** Committee Recommendation and Action Items are taken from *Review of the Recommendation of the Smart Growth Policy Plan* section of this report.

**REVIEW OF THE RECOMMENDATIONS OF THE
*SMART GROWTH POLICY PLAN FOR SUFFOLK COUNTY***

This section reflects the deliberations, findings and recommendations of the Smart Growth Committee on the 42 recommendations of the *Smart Growth Policy Plan for Suffolk County*¹. This section contains each of the recommendations of the Policy Plan exactly as it appears in the Plan as well as a summary of the Committee's policy discussion and specific recommended actions. The section is arranged by the eight (8) major Smart Growth principles outlined in resolution 212-2000 of the Suffolk County Legislature and in the Policy Plan. These recommendations have been prioritized by the Smart Growth Committee, are presented in the previous section of this document, and are listed in Table 2.

Encourage Consultation and Collaboration Among Communities

1. **Fund the Suffolk County Planning Federation.** The County should fund the Suffolk County Planning Federation (SCPF), begun by County Executive Gaffney in 1994 as a voluntary training entity for local planning and zoning board members in towns and villages. The SCPF has had limited success, due to its lack of funding and inability to pay for outside experts to come and share national experiences with new planning and zoning techniques.

Policy Discussion:

The Committee strongly agreed with this recommendation. It was felt that there were insufficient training opportunities offered on Long Island and that many local board members desired such information. It was noted that board members come from diverse backgrounds and careers and that they may not be knowledgeable of the principles and practices of planning and zoning. In addition, it was observed that many existing and long time board members felt a need for training in order to stay current with legal and professional trends.

The Committee also noted that the programs of the Federation could advance the ideas of Smart Growth by providing a forum for the communication of ideas and the collaboration of interests. Support for the Federation could be provided at relatively modest funding levels through the utilization of the Department of Planning as the administering agency.

During the course of the Committee's deliberations the Suffolk County Planning Federation held a training seminar entitled, "Planning Basic Training". The seminar was a huge success with 200 participants from throughout the County and served as an indicator of the interest in such training.

Committee Recommendation:

- *The County should support funding for the Suffolk County Planning Federation to the extent permitted within budget constraints.*

2. **Fund Community Charrettes via the Downtown Rehabilitation [sic.] Grant Program.** The County could expand the downtown rehabilitation grant program to fund community 'charrettes' or extended open design discussions, regarding particular development proposals, especially in downtown areas. Charrettes bring together design professionals, discussion facilitators, citizens, business interests, government officials and developers to settle on a shared vision for a development project at the earliest possible time in the process.

Policy Discussion:

The Downtown Revitalization Grant Program was created in 1998 to provide financial assistance for the revitalization of downtown business districts throughout the County. This was to be achieved by providing funds *"to beautify downtown business areas and attract and induce either the creation of new business with Suffolk County or the relocation of new business from outside Suffolk County to downtown business areas within Suffolk County"* (Legislative resolution 808-1998). To date, the funds that have been appropriated under the program have been used primarily for physical improvements such as landscaping, signs and banners. The Smart Growth Policy Plan recommended that the program also permit funding for community planning efforts such as charrettes.

The Committee generally supported this idea as a means of encouraging Smart Growth within downtown areas. However, the Committee felt that there would need to be a commitment on the part of the local municipality to seriously consider the recommendations that may result from a charrette. Such a commitment would give the charrette process more meaning and would help to ensure that the charrette document is not just another plan to gather dust on the shelf.

¹ The *Smart Growth Policy Plan for Suffolk County* is available in its entirety on the Internet at <http://www.co.suffolk.ny.us/webtemp3.cfm?dept=11&id=1133>

The Committee noted that the amount of funding available under the Downtown Revitalization program is very limited. While grants from the County may help to defray the cost of a charrette, the County's funding should not be viewed as a substitute for local funding of a comprehensive planning program.

Committee Recommendation:

- *The Downtown Revitalization Grant Program should be amended to permit funding for community planning charrettes. Such funding should be preceded by a demonstration by the local community, including the relevant municipality, of a bona fide intent to engage in an open planning process that will include follow up and implementation.*
- *It is recommended that one half of the funding be provided as a reimbursement to the municipality once a certain measurable level of implementation has been accomplished by the locality in furtherance of the community's vision.*

3. **Amend the Community Greenways Act.** The Community Greenways Act should be amended to clearly delineate how the County, towns, villages and private recreational providers would work with community groups to create not only new recreational opportunities, but other public meeting spaces as envisioned by the act. Currently a number of projects have stalled for a lack of coordination amongst interested agencies willing to sponsor projects for various purposes.

Policy Discussion:

The Greenways Act was approved by referendum of the electorate in 1998 and included four components, one of which was for the funding of active recreational uses. A total of \$20 million was provided for this portion of the program. Several projects have been approved and many more are pending to the point that the program is over-subscribed. As a result, it is likely that the full amount of funding currently committed or authorized for the program will be expended with the approval of the pending proposals. Additional funding is also available under the "Multifaceted" program, which includes a component known as "Stage II Active Recreation". This is a capital program fund that contains standards for the expenditure of funds that require certain performance by the local entity.

Committee Recommendation:

No action is recommended at this time. The Department of Parks, Recreation and Conservation has worked extensively to create an operating system to implement the Greenways Act that enables sufficient coordination among all involved entities. Further, the program is over-subscribed and additional projects will be funded through the Multifaceted Program, not the Greenways Program.

4. **Provide financial support for community collaboration.** The County should consider financial participation through targeted grants for groups such as Sustainable Long Island, Vision 2020, Study Circles or other umbrella groups or foundations whose mission is community collaboration.

Policy Discussion:

The Committee generally supported this idea. However, similar to the funding of community planning charrettes, the Committee felt that a commitment is needed from the local municipality to fully engage in the collaboration process and seriously consider recommendations that may result from the collaboration process. Such a commitment would increase the likelihood that the County's investment would spur local action.

It is also noted that any financial support by the County would be contingent on budget resources. In the foreseeable future, such funds may not be available.

Committee Recommendation:

- *The Downtown Revitalization Grant Program should be amended to permit funding for collaborative community planning efforts. Such funding should be preceded by a demonstration by the local community, including the relevant municipality, of a bona fide intent to engage in an open planning process that includes follow up and implementation. If the Downtown Revitalization Program is not funded in the future then alternative funding sources should be considered.*
- *It is recommended that one half of any funding that is provided to a municipality be held by the County until at least some measurable implementation steps have been completed.*

5. **Get community input before the design process for public building and road improvements.** The design process for public buildings and road improvements on both the County and state levels need to be changed. Currently designs are first formulated and then the community is permitted to see and comment on the design. Various techniques such as real time computer driven imaging, renderings and community workshops run by third parties may be employed to gain community input before the design process, rather than afterward. This altered process can save tremendous time and tax dollars by consensus building, instead of reactionary protesting.

Policy Discussion:

The County plays a significant role in the construction and modification of County facilities including buildings and roads. The decisions made by the County can significantly affect the communities in which they are located and should not be made in a vacuum. While the County often obtains public input into these decisions, the principles of Smart Growth suggest that more collaborative participation earlier and throughout the process would likely contribute to better planned projects. Such coordination and collaboration could also help to reduce project delays that result from opposition to projects.

It is noted that the County also engages in many small projects that may not have community-wide significance. It is not intended that these projects would be subject to a similar collaborative process. This could include such activities as a small addition to a building or a minor drainage modification to a road.

Committee Recommendation:

- ***It is recommended that the County Executive consider directing all County departments to provide for meaningful community input for significant projects as early as possible in the design process.***

Direct Development to Strengthen Existing Communities

6. **Continue the Downtown Revitalization Fund.** The County can continue the downtown revitalization fund and especially fund community based visioning as to how their downtowns can be brought back or strengthened through private real estate development.

Policy Discussion:

The Suffolk County Downtown Revitalization Grant Program was created in 1998 to provide financial assistance towards the revitalization of downtown business districts throughout the County. This was to be achieved by providing funds "to beautify downtown business areas and attract and induce either the creation of new business within Suffolk County or the relocation of new business from outside Suffolk County to downtown business areas within Suffolk County" (Legislative resolution 808-1998). To date, the funds that have been appropriated under the program have been used primarily for physical improvements such as landscaping, signs and banners. It was the view of the Committee that the program fosters the principles of Smart Growth by encouraging the improvement of downtown centers.

Committee Recommendation:

- ***The County should continue funding the Downtown Revitalization Program to the extent permitted within budgetary constraints.***

7. **Design County road improvements to strengthen downtown ambiance.** County road improvement projects passing through downtowns can be designed to enhance community facilities, historic fabric and public access and parking to improve these areas and make them more attractive to private development.

Policy Discussion:

Many County roads extend through downtown business districts. Modifications to these roads can significantly affect the downtowns in which they are located. Road improvements in these locations should be designed to respect and enhance the character of the downtown district and especially the needs of pedestrians. The movement of vehicular traffic should not be to the detriment of the protection of the pedestrian environment. Designing County road improvements with an emphasis on human scale and a pedestrian orientation will help to promote downtown areas

that are special places within established communities and will help to encourage business stability and reinvestment.

Committee Recommendation:

- *All County road improvement projects that extend through downtown business districts should be designed with a strong emphasis on the pedestrian environment.*
- *The County Executive should direct the Department of Public Works to implement design practices for downtown road projects that respect the character and scale of the downtown business district environment.*
- *In accordance with General Municipal Law Section 239-c.3.(h), all County road projects should be submitted to the Suffolk County Planning Commission for review. While the Planning Commission's review is not binding, it can provide an opportunity for important input from the perspective of this important regional planning entity. It also noted that GML 239-c.3.(h) also requires that all state highway projects also be referred to the Suffolk County Planning Commission.*

8. **Reduce sewer connection fees in targeted (Smart Growth) developments to encourage development and redevelopment.** The current fee structure for sewer connections does not make a distinction as to whether sewers are proposed for extension in low density new developments or whether sewer connections are proposed in an already developed area. Sewer connection fees might be modified to strengthen existing communities by dramatically reducing fees in areas of preferred development and consequently raising fees in areas in less preferred areas away from existing communities.

Policy Discussion:

There are currently 22 sewerage treatment plants that are operated by the County. Most of these plants are operating at capacity and cannot accept any further wastewater flows. Only one or two plants contain any excess capacity at this time, most significantly being the Southwest Sewer District. Connections to this plant from outside of the district can be made upon application and approval of the Suffolk County Sewer Agency and the County Legislature. Any such connection is also contingent on the payment of a connection fee (\$15.00 / gallon) as well as payment of all costs associated with the actual hook up to the plant along with a 5% administrative fee.

The concept of reducing sewer connection fees to induce development is contrary to Suffolk County Code - Chapter 424, Sewers (Local Law 24-1986, as amended), as it is written with respect to "contractee" (out of district) connections. Connection fees are based on equalizing a contractee's use of a sewer asset to that which sewer district residents have made contributions for a number of years. Any reduction in fee for this type of development would translate to a subsidy by the district residents.

Although Chapter 424 indicates that the Administrator (DPW Commissioner) is authorized to negotiate contracts as deemed appropriate, the fee is set and not negotiable. Any recommended Smart Growth revision to the Local Law would require a public hearing and Legislative resolutions.

The ability to connect to a County sewer district can be a significant advantage to a development project. Given the constraints of on-site wastewater disposal, a connection to a sewer district can make a project viable that may otherwise not be possible. However, given the finite capacity that can be made available with these two districts, it would be appropriate to allocate this capacity in a prudent manner. Projects that are consistent with the Smart Growth objectives of the County should be given priority for connection to the district. Projects that are not consistent with the County's Smart Growth objectives should either be prohibited from a connection or approved only as an exception and assessed at a higher charge if it is likely that no Smart Growth projects will be seeking access to the district.

Committee Recommendation:

- *In the short term, the Legislature and Sewer Agency should give priority to Smart Growth projects when considering extensions to existing sewer districts. The Smart Growth matrix may serve as a tool in determining what is an appropriate Smart Growth project.*
- *In the longer term, further evaluation should be made of a possible change to the law to permit a graduated connection fee method.*

9. **Restrict new sewer districts to Smart Growth areas.** New Sewer districts could be established in such a way as to strengthen existing communities by providing this important infrastructure only in those areas and not just on demand anywhere.

Policy Discussion:

Sewer districts are taxing jurisdictions established for the specific purpose of collecting, treating and disposing of wastewater. The districts are created through provisions of State law that regulate the procedures and requirements for both the formation and operation of districts.

The establishment of new sewer districts within existing communities can be a good method of addressing Health Department requirements for wastewater disposal. They can be especially useful for accommodating compact development patterns such as those found within downtown areas. Current engineering technology enables the construction of vacuum and pressurized collection systems instead of gravity dependent systems. Vacuum and pressurized sewer systems can be installed at shallow depths significantly reducing excavation, shoring and restoration requirements, and minimizing the disruption to the community. Both systems provide an alternative sewage collection system that is robust, easily maintained and environmentally sound.

Committee Recommendation:

- *To the extent permitted by law, new sewer districts should be limited to 'Smart Growth friendly' locations such as downtown centers. This can be implemented through the actions of the Suffolk County Sewer Agency and of the Legislature. The Committee recommends the enactment of legislation to further this effort.*

10. **Locate all new municipal office facilities in existing downtowns.** As is currently the case on an ad hoc basis, the County could begin locating all new County office facilities in existing communities, rather than industrial parks, commercial strip shopping centers or remote locations in order to strengthen economic activity in downtowns.

Policy Discussion:

The County operates many facilities including police stations, health centers, offices for various County departments as well as public works facilities and highway yards. In some cases the location of these facilities should

be encouraged within downtown areas and hamlet centers. In this manner, the activity associated with a County function can add to the economy and mix of uses in the downtown. In addition, such locations are often better served with public transportation making these locations more convenient. Further, infrastructure in the form of public water and sewerage service is often more readily available in some downtown areas.

This policy should not apply across the board for all County facilities. There are clearly some uses that could be in conflict with a downtown area and should be appropriately located.

Critical to the location of a County facility in a downtown area is the matter of design. Such facilities must be designed to fit into the context of the community both from an architectural as well as a site design standpoint. It must not simply be a matter of taking a design that would have applied in one location and dropping it into another. An example of one such inappropriate design was that of the former Bay Shore mini center. Although the facility was placed within the downtown, the building and site design was completely suburban and, in a sense, anti downtown. The building was in the center of a ten-acre site, completely surrounded by parking.

Committee Recommendation:

- *New or relocated County offices should generally be located within downtown or hamlet center areas. Exceptions should occur where such uses are clearly incompatible with surrounding uses or where it is financially not prudent to locate the facility in a particular location.*
- *Any County facility located within a downtown or hamlet center should be appropriately designed to fit into the character of the community and should conform to pedestrian oriented urban design standards.*
- *In accordance with the Smart Growth principle of community collaboration and consultation, public outreach and involvement in the design process should commence at the start of the project.*
- *A Smart Growth oversight committee or the Department of Planning should serve an integral role in the location and design of County facilities in furtherance of Smart Growth opportunities. This role would be served in conjunction with the County's Space Management Committee.*

Preserve Open Spaces, Natural and Historic Resources and Working Farms

11. **Continue current land acquisition programs.** The current land acquisition programs should be continued, with particular emphasis placed on the protection of natural resources, wildlife habitat and recreational opportunities. The locations of these areas important for preservation should be thoroughly inventoried and agreed upon, and the means of preservation should include more aggressive private conservation efforts. The practice of blocking development projects already in the approval process by acquisition (which might preserve the backyards of an elite few) should be minimized wherever possible. Using intelligent forethought and appropriate acquisition criteria and standards is the most acceptable means to determine which lands should be preserved.

12. **Continue the Farmland Development Rights program.** The acquisition of farmland development rights must be continued.

Policy Discussion:

Suffolk County has been a leader in the preservation of open space and protection of natural resources. Notable examples include the County's Drinking Water Protection Program and the Farmland Preservation Program. These programs are fundamental to the Smart Growth principle which calls for the preservation of important resources such as open space, active farmland and the redevelopment of existing centers. The continuation of these programs is important to the implementation of a comprehensive Smart Growth program.

Committee Recommendation:

- *Continue current land acquisition programs.*
- *Seek greater funding from federal and state sources, especially for farmland protection.*
- *Consider additional County-wide initiatives to increase the funding of open space and farmland protection.*

13. **Enable the purchase of non-farm development rights.** Chapter 8 of the County Code (Development Rights to Agricultural lands) should be amended to allow the County to purchase more than just the non-farm development rights. This would permit the County to financially assist farmers who voluntarily participate in New York State's new Agricultural Environmental Management (AEM) programs. In this way, not only farms would be preserved, but strategically located farms over groundwater recharge areas and adjacent to streams, ponds and embayments would be upgraded in their farm practices and help to clean up our surface and groundwater. This program could be akin to crop insurance and help farmers with the transition to unfamiliar farm practices.

A more flexible purchase of development rights might also be used to purchase scenic easements on farms where the placement of greenhouses or barns might impair shared community views across farm tracts from public highways or trails.

Policy Discussion:

Since the 1970s the County has been purchasing development rights to farmland. This recommendation suggests that the County consider also purchasing other rights to farm property including the right to the use of conventional fertilizer and pesticides. The recommendation also suggests that the County consider the purchase of scenic easements along with the purchase of development rights.

This recommendation would provide an incentive to farmers to undertake agricultural environmental management programs and also limit structures on the property that would limit scenic vistas. The County Charter would have to be modified to permit such purchases. There would also be potential issues with the enforceability of requiring certain farm practices. In view of the voluntary nature of the program, landowners and farmers should be included in any discussions of policy changes.

Committee Recommendation:

- *A separate Committee should be established to more fully explore the acquisition of non-farm development rights. The Committee should include representation from the County Attorney, the Department of Planning, the Department of Health Services and the farming and environmental community.*

14. **Create an installment purchase program.** The County, after approval by the IRS, should participate in an installment purchase program, now permitted in New York State, to acquire development rights. This program, using income tax advantages, creates a multi-year payout for the rights as a coupon bond payment which is triple tax-free. The buyer (the County) pays less overall for the rights, the seller (the landowner or bond holder) nets more income and the County can, for the first time, use the new ¼% sales tax program as a dedicated funding stream to make the yearly payments. Appendix V is an excerpt from the Suffolk County Agricultural Protection Plan describing installment purchase in this context.

Policy Discussion:

An installment purchase program uses a multi-year payment plan to acquire open space and farmland development rights. It can offer an attractive option to both the buyer (Suffolk County) and seller that can increase opportunities for purchase. **Changes to the Federal Tax Code may be necessary to implement an installment purchase program.**

Committee Recommendation:

- *The County should utilize an installment purchase program. The County Executive should request a review of this recommendation by the County Attorney. Based on this review, efforts to change federal tax law may be necessary.*

15. **Continue funding for farming industry support services.** The County should continue adequate funding for the Soil Conservation Service/Natural Resources Conservation Service/Cornell Cooperative Extension to provide the necessary support for the farming industry during this crucial period of preservation and transition.

Policy Discussion:

Support services to the agricultural industry are critical to the protection of farming and should be continued to the maximum extent permitted within budget constraints. Such services can support the principles of Smart Growth through the protection of a valuable resource (agricultural land) and through the preservation of associated open space.

Committee Recommendation:

- *Continue funding of farming industry support services to the maximum extent permitted with budget constraints.*

16. **Continue participation in coastline studies.** The County should continue to participate in coastline studies such as the Peconic Estuary Program and Local Waterfront Revitalization Plans which can determine, through a process of scientific inquiry and community participation, exactly where important preservation priorities should be placed to improve and enhance our coast and surface water embayments, streams, rivers and wetlands.

Policy Discussion:

Suffolk County has been actively involved in a leadership role in the regional coastline studies that have taken place involving the Peconic Estuary, Long Island Sound and the South Shore Estuary Reserve.

Committee Recommendation:

- *Continue active participation in both the planning and protection of the County's coastline areas.*
- *Utilize the County's land acquisition water quality protection and restoration programs to fund these efforts.*

17. **Establish guidelines to encourage creation of conservation and historic preservation subdivisions.** The Suffolk County Department of Health Services should establish such guidelines as may be desirable to encourage the creation of conservation subdivisions and historic preservation subdivisions. These subdivisions result in limited development and provide full recompense to landowners by linking preservation and development without regulatory taking.

Policy Discussion:

In most cases, conservation subdivisions are reductions in yield by the property owner. Such reductions may be done to preserve family farms and gain certain tax advantages. Although subdivisions are under the jurisdiction of the towns and villages, the County Health Department also has a regulatory role. Under this proposal, the Health Department would provide for an expedited review process in exchange for a significant reduction in yield. This idea could also be applied to subdivisions that seek to protect historic structures.

Committee Recommendations:

- *The Department of Health Services should be directed to consider implementation of a program to allow conservation subdivisions to be reviewed on an expedited basis.*

- *To qualify for an expedited review it is suggested that there be at least a 50% reduction in yield of the subdivision.*
- *It is suggested that both the Department of Planning and the Department of Health Services jointly evaluate how an expedited process could apply to historic property subdivisions.*

18. Amend Town Law 278 and Village Law 7-738.

The County Legislature should request the State Legislature to consider amending the ‘clustering’ provisions of Town Law 278 and Village Law 7-738 to include historic structures and sites in addition to “natural and scenic qualities” as a reason to alter standard layouts. This might result in more flexibility to preserve these important elements of our community fabric and heritage. See Appendix VI for copies of laws.

Policy Discussion:

All zoning and subdivision authority held by the towns and villages is only granted by specific authorization of the State. Currently, such authority provides to the municipalities the authority to cluster subdivisions for certain specific purposes, but not for the purpose of the protection of historic structures or sites. A change in the law by the State Legislature would enable municipalities to approve clustering for the purpose of protection of historic structures and sites.

It is noted that towns and villages can supercede Town and Village Law through Municipal Home Rule and could get the same result through this method (i.e., the power to cluster for the protection of historic structures)

Committee Recommendation:

- *The County should request that the New York State Legislature amend town and village law to permit clustering for the protection of historic structures. This may be accomplished through contact with the state organizations such as the Association of Counties or through a memorializing resolution.*

19. **Provide funding for acquisition of interactive public spaces in downtowns.** The new ¼% sales tax program for Special Environmental Protection (Drinking Water and Open Space) should be amended to allow for targeted land acquisitions which would improve interactive public spaces in downtowns and the creation, with local stewardship, of open spaces in the downtowns.

Policy Discussion:

The Committee generally supported the concept of this recommendation subject to a number of conditions. First, the amount of funding allocated to this program should be balanced with the primary needs of the Drinking Water Protection program, the protection of open space for groundwater recharge. The primary purpose of the program should not be diluted.

Second, proposed downtown parks should fit into an overall Smart Growth program for the community. The program should not be done on an ad hoc basis or as a de facto urban renewal program. The local community or municipal government should demonstrate that planning and public participation has occurred prior to the authorization for the interactive parks.

Third, the Suffolk County Department of Planning and Department of Parks, Recreation and Conservation should develop suggested criteria for consideration by the Legislature in evaluating such requests. This would include criteria to define downtown areas that should include the ability to develop such facilities in non-traditional hamlet centers as well.

Fourth, local municipal stewardship should be required. The County cannot be responsible for maintenance of small parks of this nature nor should the County partner with non-municipal entities that may not exist in perpetuity.

Committee Recommendation:

- *The County Legislature should consider an amendment to the Drinking Water Protection Program to permit funding for land acquisitions for interactive public spaces.*
- *Such funding should be in accordance with criteria established by the Legislature with input from the Department of Planning and Department of Parks, Recreation and Conservation.*
- *Such funding should be appropriately weighted against other open space, parkland and farmland funding so that it does not significantly affect these other programs. It is suggested that no more than 10% of the program funds be utilized for such projects.*
- *Local municipal stewardship should be required.*

Encourage Compact and Orderly Development

20. **Encourage redevelopments of regional significance.** The County should encourage, through its direct or indirect involvement, redevelopments of regional significance at the former state hospitals. Calverton Enterprise Park, Brookhaven National Lab, Gyrodyne, and other areas of significant size (larger than 100 acres) to ensure that these areas are redeveloped with a mix of uses which take advantage of existing a road patterns and infrastructure, strengthen the tax base, provide jobs and improve the quality of life. These properties, totaling thousands of acres present an opportunity to reshape the developed landscape for generations to come and at the same time create opportunities for transportation centers, affordable housing and development which might otherwise be accommodated on undeveloped land. Appendix VII contains a fact sheet and aerial photos of the above redevelopment opportunities.

Through judicious use of County funds for a variety of public works, the County can share some of the credit for the success of the Central Islip Hospital redevelopment effort. This formula for success was achieved through a continual and early collaboration with the Town of Islip and the Central Islip community, and not, at the end of the day, by threatening to withhold County permits or County funds.

Policy Discussion:

Redevelopment will become more common as the supply of vacant, undeveloped land diminishes. This can represent a great opportunity to plan for the reuse of such parcels in a manner that can promote better land uses, site design and architecture. Obviously, the larger the site the greater the opportunity.

While the municipalities have jurisdiction over zoning, subdivision and site plan approvals, the County will often have a significant role as well. This may include review by the Suffolk County Planning Commission, approval by the Department of Health Services and, often, approval for highway access by the Department of Public Works. Other involvement can include the Suffolk County Industrial Development Agency.

Committee Recommendation:

- *The Suffolk County Planning Commission should encourage that the principles of Smart Growth be applied to the redevelopment of property, especially for those sites of regional significance. This could be accomplished through the guidelines of the Commission, through advisory bulletins published by*

the Commission and through the strong support of Smart Growth projects where appropriate.

- *The Commission should make available the services of the Suffolk County Department of Planning for planning assistance associated with such projects. Such services can be provided when requested by a municipality and within staff and budgetary limitations.*

21a. **Review County preservation programs for appropriateness to generate density credits.** All County land preservation programs resulting in land purchased for open space or farmland use should be analyzed as possible generators of development density credits. These credits can be used to permit increased density where County health rules are more stringent than local zoning. Density credits can be a useful tool to encourage compact development when the preservation lands are within the same town and hydrogeologic zone as the receiving development.

For example, a restaurant in a downtown may want to expand but SCDHS regulations would block the expansion because such an expansion would increase the effluent flow beyond acceptable SCDHS parameters. The purchase and application of density credits to the expansion would alleviate the flow shortfall, would transfer density to an area already developed and retain open space in a less developed area outside the downtown.

The analysis will provide criteria which will act as a guide to determine which, if any, acquired land would generate density credits. A methodology to determine density credit yields will be developed for land that would have been developed. The density credit component of the parcel would be determined prior to the parcel's purchase and would be part of the covenants and deed restrictions placed on the parcel at time of purchase. A parcel would not generate any credits if a parcel would not have generated any development.

Policy Discussion:

Much discussion took place at the Committee on this topic. The legality, or if legally possible, the appropriateness, of removing development rights (density credits) from properties already acquired by the County was discussed at length. The Department of Planning administers two-dozen open space acquisition programs. Some, such as the Drinking Water Protection Program, explicitly prohibit the use of the acquired land for any other purpose. Other programs are silent on the issue.

The Committee continued its deliberation on the subject and reached a consensus on utilizing County open space programs for the source of development rights. The

Committee concluded that in order not to alienate the public's trust, it is not appropriate to use the existing, funded programs for development right potential without further explicit authorization with respect to future acquisitions. New programs or new funding of existing programs should be considered for Density Transfers but only with Legislative approval. Notwithstanding the above, the Committee was not adverse to the concept. The Committee did not rule out the use of a future program for development right yield but felt the matter should be written in such a way that is explicit in its ability to remove and then transfer development potential to other projects. The language for the Community Preservation Fund, utilized in the five eastern towns of Suffolk, was referenced as a source for model language. The Committee also felt that a public referendum would be in order to establish the new open space program.

Committee Recommendation:

- *Existing County open space acquisition programs as currently authorized should not be utilized to generate density credits except if subject to reauthorization by the Legislature.*
- *A new County open space acquisition program should be created for the explicit purpose of generating density credits for County use. The program should be subject to a public referendum and/or public hearing prior to adoption by the County.*

21b. **Stockpile density credits.** These credits can be held by the County and either resold for specific purposes or applied to affordable housing projects or other targeted Smart Growth developments. The Legislature would have the authority to sell and distribute density credits in compliance with the covenants and restrictions attached to such credits.

While the source of the density credit is discussed in Policy Plan Recommendation 22, the mechanism for stockpiling and administering the use of density credits is discussed here. A good model for this is found in the Central Pine Barrens Comprehensive Land Use Plan and the function of the Pine Barrens Clearinghouse. The concept was adapted and modified by staff of the County Department of Planning for use by the Suffolk County Smart Growth Committee in their deliberations.

The following is the draft concept on the process and elements by which Smart Growth Development Rights (SGDR) can be conveyed to eligible projects by the County of Suffolk. An accompanying flow chart can be found in the Appendix.

It has been generally agreed upon by the Smart Growth Committee that the initial step in a County Smart Growth

Development Right program would be to remove development rights only from tax default properties not suitable for any other park or municipal purpose (see policy recommendation 22 discussion). The Smart Growth Development Rights (SGDRs) would be legal instruments transferable to certain projects by the County to facilitate eligible projects that would be beneficial to the residents of Suffolk. The SGDRs would be banked, warehoused or collected in a repository for later use.

Requests for the use of SGDRs are likely to come from various entities and made through various means to the County. While ultimate approval of the distribution and use of the Development Rights will rest with the County Legislature, it is proposed that an oversight Committee be established that would make recommendations to the Legislature on the appropriateness of the intended use and the ranking of competing requests for SGDRs.

The Suffolk County Smart Growth Development Right Oversight Committee should be a Committee of mostly County officials including but may not be limited to, Economic Development, Health Services, Public Works, Planning/Real Estate, the County Director of Affordable Housing and a representative from the Legislature. In addition, representatives from Smart Growth, Environmental, and Builder's organizations would balance out the Committee.

The Oversight Committee should establish criteria and a rating system for analyzing potential recipients of SGDR's. No project should be considered unless it meets the basic criteria of being a project that includes a "Substantial Public Benefit." This benefit may be an affordable housing component, brownfield redevelopment, adaptive reuse (such as an abandoned strip shopping area or commercial site), infill development or a legitimate Smart Growth project (including mixed-use buildings, pedestrian treatments and the like). The Suffolk County Smart Growth Committee has established a recommended "Smart Growth Matrix" (see Appendix) whereby project requests that fit the basic requirements for the granting of SGDR's can be rated and "ranked" for recommendation to the Legislature.

Committee Recommendation:

- *A Smart Growth Development Right Repository should be created to administer stockpiled density credits.*

22. **Facilitate density transfer from tax default lots to locally approved development projects.** The County Legislature should facilitate the process of density transfer from scattered County-owned tax default lots to development projects which already have local approvals through zoning, but which fall short of Health Department approval. In this way, the scattered parcels can be sold to adjoining owners with covenants prohibiting development or dedicated for open space purposes; the locally desirable projects can move ahead; and the County can recoup some of its tax liabilities with the auctioning of these density credits. By computing the credits on a per square foot and not a “single and separate” basis, the transfers would actually result in less overall, but more compact, development.

Policy Discussion:

The Smart Growth Committee reached a consensus that existing funded open space programs should not be utilized for the creation of density credits or SGDRs. Agreeing that a new open space program needed to be drafted and put to the public in a referendum, an interim “test” program was thought appropriate and possible. The source of the SGDRs would be from severing the rights from tax default properties.

The neglect of landowners to pay the real estate tax on a particular parcel can result in Suffolk County acquiring the land through tax default. Several hundred parcels can come into County ownership by default in any one-year. An initial SGDR program that only considers the severing of rights from tax default properties was considered acceptable and prudent by the Smart Growth Committee.

Some discussion on the ability of the County to “give” SGDRs to worthy projects was conducted. The Committee did not think that the County needed to get into the business of valuing development rights for sale. This would involve an intricate process of valuing the partial right as opposed to a full developable lot. In addition, as the market fluctuates, the relative value of the development right may increase or decrease exposing the County to either losing or gaining money on each right. The issues of attempting to value a development right, determine whether the County can make or lose money on development right transactions and the business of brokering development rights seemed too problematic for a recommended fledgling program. A consensus was reached that the SGDRs should be awarded to worthy projects pursuant to the process outlined above in 21b. Some discussion as to whether awarding the SGDR would be considered a “gift” and thus also be problematic for the County. This issue needs to be further investigated by the County Attorney.

Committee Recommendation:

- *Allow the removal of development rights from tax default properties only. The development rights should be made available to worthy Smart Growth initiatives.*
- *The County Attorney’s office should render a determination on the legality and ability of the County to Award, rather than sell, development rights.*

23. **Facilitate Brownfields redevelopment by waiving tax liability.** To the extent that it is lawful, the Legislature should waive tax liability, as a matter of policy, on Brownfields sites taken through tax default, to encourage their redevelopment in an orderly fashion.

Policy Discussion:

Suffolk County can acquire land through the neglect of landowners to pay the real estate tax on a particular parcel. Several hundred parcels can come into County ownership by default in any one-year. Many of the parcels are placed into the County Open Space system, others are sold to adjacent landowners, while others are sold at auction. Some of the parcels however, can be encumbered by hazardous pollutant contamination to one degree or another. The County may be reluctant to take a tax deed on a parcel due to the enormous cost involved in a cleanup. Moreover, State policy does not release the County from liability. Currently, regulatory liability levels and cleanup standards are considered by many to be onerous. For the County to remediate contaminants on a parcel to a condition suitable for development can be costly beyond the value of the real estate and expose the County to liability. With this in mind the County or any developer for that matter, is not likely to have an incentive to clean up the site and reuse it for adaptive redevelopment.

The Committee discussed the possibility that the Brownfields policy program be re-designed to provide for an incentive for a private party to acquire the parcel and remediate the contaminants. It was thought that brownfield parcels could be sold at auction whereby the County would waive the back taxes owed and the purchaser at auction would pledge to pay for the cleanup. From that point on, the new owner would pay the usual taxes. The County would also auction the property for a value that considers the cost of a cleanup.

A final issue regarding the New York State Real Property Law arose in discussion, and that it may preclude municipalities from forgiving back taxes without the consent of the State Legislature.

Committee Recommendation:

- *Restructure the County Brownfields Policy Program to provide for a private sector economic incentive.*
- *The County should sponsor legislation asking the State for permission to forgive back taxes as it applies to a brownfield sites.*

24. **Investigate accommodation for redevelopment in compact areas in downtowns.** The County Health Department should examine ways to accommodate redevelopment in compact areas such as the older downtowns to encourage restaurants or other uses where lot area might be insufficient for sanitary disposal.

Policy Discussion:

The Committee felt that this recommendation was related to recommendations 21, 22 and 23. “Compact areas in downtown’s” implies that land use densities and intensities may exceed the regulatory limits established by the Suffolk County Sanitary Code. The Suffolk County Department of Health Services has been interested in this topic for some time. In order to implement the recommendation for a particular downtown, the effects of alternative development scenarios (that include compact areas) on the proximate environment, particularly on downgradient groundwater resources, would have to be investigated. An investigation or “study” to determine the feasibility of implementing this recommendation would have to be conducted on a downtown case by case basis.

Article 6 (Suffolk County Sanitary Code) and Transfer of Development Standards and Guidelines generally prohibit development on lots less than 20,000 sq. ft. However, if sub-regional studies could demonstrate that Smart Growth recommendations have no substantial adverse environmental impacts and existing and future drinking water supplies are not adversely affected, then relaxing of the 20,000 sq. ft. standard could be considered. As an example, an amendment to Article 6 of the Suffolk County Sanitary Code particular to the Central Pine Barrens allows for TDR as of right (without SCDHS Board of Review hearings). Similar sub-regional plans can be prepared for a specified “downtown” and would allow for the shifting of density into compact downtowns without the need for Health Department Board of Review, and would make a project viable as well as more predictable.

Modeling tools, such as the Source Water Assessment Program (SWAP) groundwater model, are invaluable with respect to evaluating impacts to existing and potential drinking water supplies. It is estimated that an individual

downtown (village/hamlet) would require \$100,000-250,000 for such a study, depending on the size of the study area and availability of baseline data (land use, groundwater quality, etc.). Suffolk County Department of Health Services and the Department of Planning could possibly provide technical assistance and support.

The Committee discussed making funding available in several possible ways. Funding could be made available through a competitive grant program for towns and villages in Suffolk County administered by the Department of Health Services, Department of Planning, the Suffolk County Planning Federation, or the Legislative Downtown Revitalization Committee, Smart Growth Committee or some other department, committee or agency. The grant could be a full grant, matching grant or loan. However at the present time, no funding sources at the County level have been identified. Funding could also be provided from local sources.

Obviously, this recommendation would apply to those portions of the County that are not serviced by municipal sewerage systems.

Of all the recommendations in the Smart Growth Policy Plan for Suffolk County this recommendation (#24) can be considered the “keystone” by which Smart Growth development can be accomplished in an environmentally safe, regulatory efficient and predictable manner. Without a sub-regional groundwater/Smart Growth plan, TDR, zone changes and ultra-density projects will be on a case by case basis before municipal boards including the County Board of Review.

Committee Recommendations:

- *Suffolk County should encourage the preparation and support of sub-regional hydrological studies for unsewered communities that are seeking to create more compact development patterns.*

25. **Assist towns and villages to create as-of-right mixed use areas.** The County Planning Department should assist the towns in the creation of special downtown development districts and other planned development districts containing standards and criteria, which, if met, would permit as of right flexible development of vibrant, mixed use areas.

Policy Discussion:

Many municipalities, particularly on the east-end of the County, have developed mixed-use ordinances. The more sophisticated can be found in those towns and villages affected by the *Central Pine Barrens Comprehensive Land Use Plan*. Planned Development Districts encourage mini-plans that provide for mixed use development focused on a theme (airport development, recreation/tourism, industry, etc.). These plans generally include increased density on sites transferred in from the Core of the Central Pine

Provide for Transportation Choices

Barrens. Villages (such as Port Jefferson) and Towns (such as Islip) encourage mixed-use buildings in the downtown areas of the Central Business districts. Ordinances applicable to these jurisdictions generally focus on providing housing above retail or office uses.

The Department of Planning has the ability to provide services as they are requested by the municipalities. The Department has provided input and expertise for numerous planning endeavors at the Town and Village level. Conceptually, the County Department of Planning is willing to participate in any endeavor whereby a “mixed use” ordinance is to be the product.

Committee Recommendations:

- *Pursuant to the County Charter and Administrative Code, the Department of Planning should remain available for consultation and assistance to municipalities seeking to create special Downtown Development Districts.*

26. Measure the growth impact of planned public works and insure the orderly and compact development of same. The County should carefully examine its planned public works to measure the growth inducing aspects of these improvements and insure that compact and orderly development is being fostered and guided into areas capable of handling additional development.

Policy Discussion:

The Committee recognized this as a broad but important and key planning issue, the title of which speaks for itself. The Committee acknowledged that County and State transportation agencies have recently been acting under policy that requires coordination with locally enacted planning documents when roadway improvements are contemplated. The east-end initiative referred to as SEEDS (Sustainable East End Development Strategies), the Long Island Transportation Plan 2000 (LITP-2000) and studies by Suffolk County DPW on CR 43 and 58 indicate a growing coordination between County and State highway agencies and the recognition of the relationship of land use and transportation.

Committee Recommendations:

- *The County should support continued efforts that correlate compatible land uses and zoning to roadway improvements.*
- *In accordance with General Municipal Law, Section 239-C.3 (h), State and County highway projects should be referred to the Suffolk County Planning Commission for review.*

27. Analyze the County road network for opportunities to apply Smart Growth transportation methods. The County Departments of Planning and Public Works should collaborate on the creation of a County Official Map, authorized by the Legislature in Local Law No. 38-1999, A Charter Law to update and implement the Official Map of Suffolk County, adopted 9/14/99. This official map would be a means to examine the County road network to determine not only where roads might be widened, but where they might be modified to lessen neighborhood divisions, and complement downtown revitalization; where access should be limited or denied, if other access is available, to limit the proliferation of traffic generating commercial developments clogging corridors designed for through traffic; where sidewalks exist or are lacking.

Policy Discussion:

The Department of Planning, in conjunction with other County departments is working on the County Official Map, expected to be complete by 2005. This effort will give planners a better sense of the transportation infrastructure. As transportation planners gain a greater focus on interfacing pedestrian movements and traffic calming, as well as other Smart Growth techniques, this information will be a useful tool when examining the County road network of development or redevelopment projects.

Committee Recommendations:

- *The County should complete the Official Map by 2005.*

28. Apply for funds under the “Local Safe Street and Traffic Calming” program. The County should apply immediately for funds under the “Local Safe Streets and Traffic Calming” program of the NYSDOT to construct a number of demonstration pedestrian crossings in selected downtowns where the County road is the main thoroughfare. These demonstrations can lead the way in formalizing more pedestrian-friendly crossings, which technically exist now, but are not highly visible to motorists and do not slow traffic sufficiently for pedestrians to feel safe. Sayville, Patchogue, Bellport, Greenlawn, Lake Ronkonkoma, Center Moriches, Central Islip, Brentwood are possible locations.

Policy Discussion:

The Committee discussed this program and the type of projects that would be appropriate. Several categories for funding exist which include: provisions of facilities for bicyclists and pedestrians, including safety and educational activities for bicyclists and pedestrians; acquisition of scenic easements and scenic or historic sites; scenic or historic highway programs and provision of tourist and welcome

center facilities, landscaping and other scenic beautification; Historic preservation, rehabilitation and operation of historic transportation buildings, structures or facilities (including Historic railroad facilities and canals), establishment of transportation-related museums, preservation of abandoned railway corridors, including conversion and use for pedestrian and bicycle trails, control and removal of outdoor advertising; archeological planning and research; mitigation of water pollution due to highway runoff and environmental mitigation to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity. The Department of Public Works made the Committee aware that the DPW was familiar with this program and in fact had recently been awarded \$2 million to construct a pedestrian and bicycle trail along an abandoned rail corridor now owned by the Long Island Power Authority. Additional projects could be initiated by the Suffolk County Legislature including pedestrian crossings in selected downtowns.

Committee Recommendations:

- *The Department of Public Works as well as all County departments should remain mindful of funding programs relative to Smart Growth initiatives and apply for as many programs as is practical.*

29. Planning and zoning training should highlight implications of traffic design and pedestrians.

Any local training programs in planning and zoning should include a heightened awareness as to how zoning codes and subdivision regulation tend to favor automobiles over people, impair dispersion of traffic and easy pedestrian movement and make little provision for mass transportation alternatives.

Policy Discussion:

The Suffolk County Planning Federation has held three planning workshops on planning and zoning training. One seminar, held in October 2001, provided training on Smart Growth and two, in October 2002 and October 2003, on basic fundamental tools for planning. Covered in these conferences were aspects of logically linking land use (in terms of zoning actions and subdivision patterns), transportation and pedestrians. The Committee felt that these training seminars were important and that the Suffolk County Planning Federation should continue to provide for a forum where transportation, land use development and pedestrian movements can be logically discussed and model policy formulated whereby it may be adopted at the local level.

Committee Recommendations:

- *Continue to fund the Suffolk County Planning Federation so that professional training is made readily available to local municipalities for such topics as the link between transportation and land use.*

30. Heed the recommendations of the Executive/Legislative Transportation Task Force.

The recommendations of the Executive/Legislative Transportation Task force, currently deliberating, should be heeded. This task force will be making recommendations as to where the County should target its operations and financial resources, especially in light of the LITP2000 planning initiative of the NYSDOT.

Policy Discussion:

In April of 2001 the Joint Executive/Legislative Task Force on Transportation Issues in Suffolk County released a report. The report contains nineteen (19) recommendations for the County of Suffolk to implement to make the transit network more accessible to the riding public and increase shared or mass transit ridership of those who continue to travel in single occupancy vehicles. The Committee composition drew on the expertise of a diverse group of professionals from government and private sectors, transportation providers and community advocates with the goal of reaching a consensus on action recommendations.

The report contains recommendations for relieving Suffolk County's current and future traffic congestion that could be implemented over the next several years. Recommendations were divided into five categories including: Mass Transportation; Highway; Finance; Social; and, the East End. The Transportation Committee noted that the East End of Long Island, due to its low population density, required a different approach than did the West End. The Transportation Committee noted the work of the East End Transportation Council on its Sustainable East End Development Strategies report and noted that the initiative should receive attention.

Some of the recommendations of the final transportation report are being implemented. As of May 29, 2002, Suffolk County Transit has expanded their hours of evening operation on new and existing routes throughout the County. The expanded schedules extend to handicapped services. In addition, a new route, S71 will run from Shirley to SUNY Stony Brook and the University Medical Center Monday through Saturday.

Committee Recommendations:

- *The County should revisit the Joint Executive/Legislative Task Force on Transportation Issues in Suffolk County report and prioritize and implement the recommendations.*
- *Secure local legislation that enables Suffolk County to facilitate the installation of bus shelters on local roads in cooperation with local municipalities.*
- *Suffolk County should revisit its ability to play a leadership role in implementing Employee Commute Option Strategies. Specifically, efforts should be made to secure State legislative approval for corporate tax credits for qualified employer-based projects that promote employee participation in commute alternative programs for reduced traffic congestion.*

Provide for a Variety of Housing Choices

31. **Support railroad related planning initiatives.** The County should support railroad-related planning initiatives such as the NYSDOT Intermodal center at Pilgrim State Hospital, the East Side Access project, rail/plane connections at Ronkonkoma Train Station, the east end GPS (Global Position System) Project, parking and station improvements, all of which encourage train use and lessen auto congestion, or truck use.

Policy Discussion:

The Committee recognizes the value that rail hubs can play in implementing Smart Growth. The Committee argues that where public/private investment is channeled to rail stations, multi-modal hubs can be created. The Committee believes that the County should also work with local municipalities to package incentives to foster support of rail use.

Some municipalities have land use ordinances that promote rail dependent, related or enhanced uses. The area around the Ronkonkoma station is a good example. The Smart Growth concept promotes a diversity of housing types and recommends that housing be located accessible to employment and community facilities to lessen automobile dependence. Yet, the dispersed nature of most of our residential development makes mass transportation opportunities difficult.

Careful placement of future housing can allow for transportation choice, make jobs more accessible and make shopping and community facilities more easily accessible to a greater number of residents. The County should discuss with the LIRR ways in which partnerships between them can be fostered. Utilizing areas where the County owns land and/or parking should be explored. The site of the Pilgrim Psychiatric Center is an area of regional significance wherein large-scale multi-use development is being contemplated along with the future site of a rail-to-truck freight transfer station. The County, Town and LIRR can also work together to provide for passenger rail linkages.

Committee Recommendations:

- *The Committee encourages the County to foster and strengthen partnerships with the Long Island Rail Road.*
- *Train stations that provide the elements for potential public/private re-investment should be identified.*

32. **Continue County housing initiatives to promote affordably priced homes.** – The County should continue in its recently created housing initiatives to promote affordably priced homes for first time home buyers, by working with towns on new sites to provide for deferred land costs, and disposing of tax defaulted land and “handyman specials” in the County land inventory.

Policy Discussion:

Affordable housing in Suffolk County has become an increasingly scarce resource. Home prices have increased by 71% in the Nassau/Suffolk area in the last three years (compared to a 19% increase nationally) pushing existing starter homes in many communities out of reach of families earning the area median income. Also, producing new construction of affordable homes is a great a challenge. Creating an affordable home now requires the cooperation of many layers of government and subsidy sources because land prices have risen steeply.

The County’s role in affordable housing is severely limited by the State Constitution. Moreover, the home rule nature of Suffolk’s local municipalities limits County involvement in zoning and land use decisions. Notwithstanding the above, Suffolk County has moved to assist the ten towns and thirty-one villages with affordable housing ventures. In 2001, County Executive Gaffney appointed the first Affordable Housing Director.

County initiatives consist of a three-pronged comprehensive program, designed to stimulate the delivery of affordable housing. The capital bond program provides funds to buy land or existing structures for affordable rental or ownership housing. The land transfer program provides uninhabitable homes and vacant land the County has taken in tax foreclosure to towns and villages at no cost. The first time homebuyers’ auction offers habitable homes at below market prices to income eligible buyers.

Another initiative currently being investigated by the County Departments of Planning and Health Services is the ability to strip development potential, in the form of development rights, from acquired land and transfer those development rights to projects whereby the extra density might make the project economically viable for affordable units (see recommendations 21 and 22).

The Smart Growth Committee felt that the County’s initiatives are laudable. It was felt however, that planning and/or ranking criteria should be folded into the site selection process for affordable housing sites, reflecting the importance of incorporating Smart Growth principals into any affordable housing initiative.

Committee Recommendations:

- *Continue the County’s efforts to stimulate affordable housing with a priority given to Smart Growth locations.*
- *Expand initiatives and create other indirect tools that aid in the location and promotion of the affordable housing inventory.*
- *Investigate the ability to redirect sewage ground water discharge through a Transfer of Development Rights program to affordable housing initiatives.*
- *The Suffolk County Sewer Agency should prioritize capacity for Smart Growth related projects that include an affordable housing component.*

33. Support acquisition of previously developed sites in downtown’s for redevelopment. Whenever possible, the County should favor acquiring previously developed sites with town partners which are located near downtowns, community facilities, parks and transportation. These community “eyesores” can once more become attractive developments, complementing surrounding neighborhoods, stabilizing property values, and providing amenities for new residents in accordance with Smart Growth principles.

Policy Discussion:

Adaptive reuse of derelict buildings and eyesore sites provides an opportunity for applying Smart Growth principles in conjunction with community revitalization. County acquisition of these sites may be problematic however, due to the “residue” left behind by past land use activities on site (see brownfields discussion recommendation no. 23). If obstacles can be overcome, this recommendation speaks for itself. Redevelopment of downtown sites (“infill”) should be a priority for any Smart Growth initiative. The County’s involvement should be keyed into the provision of a substantial public benefit. This would apply to benefits such as affordable housing, open space preservation/facilities, and the like. Smart Growth criteria should be established for potential projects so that limited resources can be targeted for the best benefit.

Committee Recommendations:

- *The County should work with local governments to locate and prioritize the acquisition of previously developed “downtown” sites based on public benefits proposed by the project and the project’s ability to meet Smart Growth criteria.*

Encourage Permitting Processes which are Predictable, Certain, Efficient and Final

34. Include national housing models in local training programs and community charrettes. County-sponsored local training programs and community charrettes should make provision for an examination of housing developments off Long Island which can be successful models and examples of mixed use developments with housing of varying types, sizes and price ranges.

Policy Discussion:

The Committee was not aware of any well-known local training sessions presently underway that address housing development. It was discussed that the Suffolk County Planning Federation should focus on this issue in the not too distant future. Several of the Committee members had recently been to “new-towns” and Smart Growth developments around the country and reported their findings to the Committee. It was observed that high density developments (of greater than 20 units to the acre) had public water and sewer elements.

Committee Recommendations:

- *The Committee recommends that the Suffolk County Planning Federation host training seminars and charrettes that focus on successful Smart Growth housing models.*

35. Modify the state Environmental Quality Review process. – The County should work with the State to modify the State Environmental Quality Review (SEQR) process to be less self-serving in the hands of developers and less of a weapon in the hands of alarmed protesters. The process can be a good way to meld regional interests, local regulations, community concerns and development plans into something cohesive. More listed Type II actions which conform to Smart Growth principles and less ambiguity of unlisted actions would be a good start. Mitigating measures help to contribute to site amenities and coordination of land use, transportation and community facilities.

Policy Discussion:

Many people do not connect Smart Growth with the State Environmental Quality Review Act (SEQRA) process.

In fact, SEQRA could be a substantial asset to Smart Growth. SEQRA forces separate and distinct local agencies (Involved Agencies) to look at the same project at the same time (coordinated review). If the SEQRA process, in the form of a Generic Environmental Impact Statement, is linked to a sub-regional plan (see recommendation no. 24) subsequent projects that conform to the plan can be issued a Negative Declaration and significantly shorten the environmental review process for individual projects. This would, in effect, expedite the project. Properly administered, SEQRA can give a municipality the ability to provide reliability and predictability.

The Committee discussed that perhaps the SEQRA process should be modified at the State level. The suggestion was that the Type II listing, the listing of projects that would be exempt from SEQRA, be expanded to include Smart Growth projects. After discussion however, it was felt that the best way to approach Smart Growth and SEQRA was via the sub-regional plan model. Issues such as waste water disposal, traffic and community character can be scoped out at the master plan level and spare conforming individual projects the necessity of the Environmental Impact Statement process.

Committee Recommendations:

- *Suffolk County should continue its efforts through the Suffolk County Planning Federation to support or provide intensive training toward a better understanding of the existing SEQRA regulations and how those regulations can be included in the Smart Growth process.*

36. Amend the Suffolk County Planning Commission Guidelines to reflect Smart Growth Principles.

The Suffolk County Planning Commission should amend its guidelines for subdivision development and municipal zoning advice to reflect Smart Growth principles. A draft of suggested modifications is being prepared as part of this plan. These development guidelines can continue to be a predictable source of guidance for local towns and villages in their review of zoning actions and subdivision proposals.

Policy Discussion:

The Suffolk County Planning Commission has published guidelines for the submission and review of subdivisions within its jurisdiction. Currently no guidelines are published for the review of municipal zoning actions or site development. The Commission staff has been working to revise its guidebook to include the consideration of Smart

Growth principles. The revision is anticipated to be completed this summer.

Committee Recommendations:

- *Complete the revisions to the Suffolk County Planning Commission Guidebook for Subdivisions and Municipal Zoning Actions.*

37. Expand computer based permitting networks.

Computer-based permitting networks should be expanded to include the various levels of government for tracking, log entry, retrieval and approval to reduce paper-work, misfiling and loss of papers and allow for instantaneous entry of permit actions.

Policy Discussion:

The Committee noted that ideally, the fruition of this recommendation would be to have a single location to go to for multi-jurisdictional permitting and tracking. Such a system does not yet exist in the state or in the County. A number of towns in the County utilize internal departmental permit tracking systems. Inter-departmental systems exist for many of the towns between building, planning and environmental departments. Many of the earlier glitches have been worked out and these systems appear to work well for the towns.

Inter-governmental tracking systems are non-existent and for the most part, permit tracking systems are not accessible to the general public. The County of Suffolk is moving toward making applications and application tracking available to the public. The Department of Health Services is moving to put their permit applications for land development on the web. The Suffolk County Planning Commission posts the applications that come before it on the County Intranet prior to their meeting. The County Legislature, Council on Environmental Quality, Planning Commission as well as, others have verbatim transcripts posted on the web. The Committee noted that these initiatives are time and staff resource intensive.

Committee Recommendations:

- *County Departments should continue to utilize the internet to be more accessible to the public and where possible advance the technology to coordinate land development regulatory activities.*

38. Streamline legislative authorization for land exchanges. The County should amend Section 102 of the County Code (Land Exchanges) to allow for a more streamlined legislative authorization and allow for exchanges, not only for preservation of sensitive lands but for efficiency of development as well.

Policy Discussion:

Section 102 of the Suffolk County Code allows for the County to swap land with those parcels in private ownership that are environmentally sensitive. The application for the exchange must be approved by the County Legislature. In some instances the issue may go before the Legislature three or four times before it is approved. Another hindrance is that the program is not adequately funded. Moreover, the supply of properties to be swapped is limited. The amounts of properties applicable for the program tend to flow with the economy. When the economy is bad, more properties are available to the County due to tax default.

The Committee had no specific recommendations on streamlining the process. The Committee endorsed simplifying the legislative and administrative procedures. The Legislator on the Smart Growth Committee suggested that a presentation on these obstacles be given to the Legislature with the hope that the Legislature will give the Committee the ability to address the issue.

Committee Recommendations:

- *Present to the Suffolk County Legislature the obstacles to the Section 102 program and make recommendations to correct same.*

39. Allow compliance with accepted local Smart Growth plans to expedite required County permits. The County should establish a procedure to accept Smart Growth plans generated by local towns and villages and direct all involved County agencies to expedite permitting of development projects which conform to these plans.

Policy Discussion:

“As of right” development, that is, development that is consistent with local zoning and land use regulations generally can have a predictable outcome in terms of approval and time frame for said approval. This is so because the anticipated buildout of the land within the zoning and the regulatory mechanism to implement the requirements of the zone have presumedly undergone the scrutiny of environmental review and public comment prior to the zoning and the attending regulations being enacted.

Projects that are consistent with the zone requirements and regulations generally move through the regulatory process in a predictable manner. Many large projects, that may incorporate “Smart Growth” principles might require zone changes, transfers of additional density or aspects of the project that may be in conflict with the subject property’s zoning or other land use regulations. The typical result for large project approval is the need for multiple public hearings on the project and the request for waivers, variances or zone changes from the legislative as well as regulatory boards.

This recommendation suggests that the towns and villages come forward with Smart Growth Plans for areas within their jurisdictions. A Smart Growth plan (sub-regional watershed plan) would be similar to a mini-master plan. The Smart Growth plan would balance the development and preservation areas with the region of study. The plan would undergo review by the County, particularly the Departments of Planning, Health Services and Public Works.

Upon review and approval by the County, the plan would undergo SEQRA analysis and public hearings. Once the plan is adopted by the municipality, development within and in accordance with the plan would be “as of right.” A process such as this would eliminate change of zone hearings, County Health Board of Review hearings and lengthy review by planning and other regulatory boards. An adopted plan would permit County agencies and/or other departments to expedite the processing/permit procedures.

The Committee noted that the County should have distinct criteria for local municipalities to follow as to what constitutes a Smart Growth plan.

Committee Recommendations:

- *The County Planning Commission should develop criteria similar to the matrix in the appendix of this report and promote the development of Smart Growth Plans by local municipalities.*
- *An incentive should be developed by the County of Suffolk to stimulate the preparation of Smart Growth Plans. The incentive may be in the form of a competitive planning grant awarded to the Smart Growth plan proposal that best embodies the principles of Smart Growth as defined earlier in this document.*
- *The County should expedite review of projects that are in compliance with County sanctioned and locally adopted Smart Growth plans by waiving Department of Health Services Board of Review variance hearings and by making projects referred to the Planning Commission matters for “local determination”.*

Ensure Consistency of Government Policies and Programs

40. **Recommendations regarding notice of proposed County activities.** The County Council on Environmental Quality should make recommendations to the County Executive and Legislature regarding notice of proposed County activities to state and local governments. The notification procedure as well as inter municipal coordination of these proposed activities should be improved as soon as possible.

Policy Discussion:

The Committee noted that collaboration with affected localities, as early as possible, is imperative to foster Smart Growth process, principles and criteria. It was noted that some federally funded County projects, with respect to transportation, already require community outreach as an implementation requirement. The Committee noted that the process is far from perfect and a greater effort needs to be made to bring in communities early on in the process. The Suffolk County Legislature, through the Council on Environmental Quality and the SEQRA process, currently advise localities of County actions and requests comments on proposed projects.

Committee Recommendations:

- *Continue the coordination and notification of County actions via the State Environmental Quality Review Process. Where possible, early collaboration with affected localities should be conducted.*

41. **Allow community based collaboration prior to the design process.** The County should urge that the Transportation Improvement Program (TIP) process of the NYSDOT and the Federal DOT should be altered to allow for more community based planning and collaboration, before a funding time line is established and engineering design begins on road, bridge and transportation projects.

Policy Discussion:

The Committee noted that similar to the County process, the State process needs to place a greater emphasis on effective community collaboration.

Committee Recommendations:

- *The County Departments of Planning and Public Works should meet with the State Departments of State and Transportation to review the Smart Growth goal of early collaboration with affected communities and find ways to improve upon the state directives to include community input in highway design and planning.*

42. **Fund the Federal A-95 review process.** The County should adequately fund the Federal A-95 review process, which is required by federal law, for local notification about projects of federal agencies or contract agencies of the federal government. Post Office relocations, airport modifications, large grant programs to state, County and local government all must comply with this procedure. Local notification can become expensive and time consuming, however, without adequate support.

Policy Discussion:

The A-95 review process is a federally based coordination program for Federal projects. The program allows for advisory notification to state and local communities when federally funded projects occur in their jurisdictions. The Long Island Regional Planning Board is the designated local clearinghouse for the A-95 program. However, the program is not consistently implemented due to internal staffing limitations.

Committee Recommendations:

- *The Long Island Regional Planning Board should re-examine its allocation of resources. The A-95 review process should be re-invigorated by an infusion of an appropriate amount of staffing and funds to implement the process.*

APPENDIX

Appendix A: Resolution 903- 2001, Creating a Suffolk County Smart Growth Committee

Intro. Res. No. 1654 -2001

Laid on Table 6/26/2001

Introduced by the Presiding Officer at the request of the County Executive

**RESOLUTION 903- 2001, CREATING A SUFFOLK COUNTY
SMART GROWTH COMMITTEE**

WHEREAS, the Suffolk County Department of Planning, was directed, pursuant to Section 14-8 (A)(9) of the SUFFOLK COUNTY CHARTER, to develop a written master plan for Smart Growth, incorporating Smart Growth principles as stated in Resolution No. 212-2000; and

WHEREAS, said plan was completed in October, 2000 and filed with the Clerk of the County Legislature; and

WHEREAS, the Smart Growth Policy Plan for Suffolk County recommends establishing a Smart Growth Committee that would review and prioritize the recommendations and proposals [as set forth by] contained in the [Suffolk County Legislature and County Executive] Smart Growth Policy Plan, as well as any other initiatives [implementing the principles of Smart Growth on the county level] as set forth by the Suffolk County Legislature and County Executive; now, therefore, be it

RESOLVED, that a Suffolk County Smart Growth Committee is hereby established to consist of the following members:

1. the Director of the Suffolk County Planning Department, or his designee who shall serve as the Chairman of the Committee
2. the Chairman of the Economic Development & Energy Committee of the County Legislature, or his/her designee
3. the Chairman of the Environment, Land Acquisition & Planning Committee of the County Legislature, or his/her designee
4. the Presiding Officer of the Suffolk County Legislature, or his designee
5. the Commissioner of Department of Public Works, or his designee
6. the Commissioner of Department of Health Services, or her designee
7. a representative from an Environmental Group; as designated by the County Executive with the approval of the Suffolk County Legislature
8. a representative from the Building and Development Industry; as designated by the County Executive with the approval of the Suffolk County Legislature
9. a representative from a Smart Growth Principles Organization; as designated by the County Executive with the approval of the Suffolk County Legislature
10. a representative from the Suffolk County Supervisors Association
11. a representative from the Suffolk County Village Officials Association

and be it further

Appendix A: Resolution 903- 2001, Creating a Suffolk County Smart Growth Committee

RESOLVED, that the Committee shall hold regular meetings, and determine the rules of its own proceedings; and be it further

RESOLVED, that the members of said Committee shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

RESOLVED, that clerical services involving the operation of the committee will be provided by the staff of the Suffolk County Planning Department; and be it further

RESOLVED, that the Smart Growth Committee shall provide their recommendations to the County Executive and the County Legislature within [180 days] 8 months of the effective date of this resolution; and be it further

RESOLVED that the Committee shall expire, and the terms of office of its members terminate, as of December 31, 2002; and be it further

RESOLVED, that the Smart Growth Committee shall cooperate with the Legislative Committees of the County Legislature and make available to each CommitteeÆs use, upon request, any records and other data it may accumulate or obtain; and be it further

RESOLVED that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6NYCRR) and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: September 20, 2001

APPROVED BY:

/s/ Robert J. Gaffney
County Executive of Suffolk County

Date of Approval: September 25, 2001

Appendix B: Resolution No. 348 - 2002, Appointing Eve Kaplan as a Member of Expanded Suffolk County Smart Growth Committee

Intro. Res. No. 1403-2002

Laid on the Table 4/16/2002

Introduced by Legislator Caracciolo and Legislator Bishop

RESOLUTION NO. 348 - 2002, APPOINTING EVE KAPLAN AS A MEMBER OF EXPANDED SUFFOLK COUNTY SMART GROWTH COMMITTEE

WHEREAS, Suffolk County Resolution No. 903-2001 created a Suffolk County Smart Growth Committee for the purpose of reviewing and prioritizing the recommendations and proposals contained in the Smart Growth Policy Plan as set forth by the County Legislature and County Executive; now, therefore, be it

1st **RESOLVED**, that the 1st RESOLVED Clause of Resolution No. 903-2001 is hereby amended to read as follows:

RESOLVED, that a Suffolk County Smart Growth Committee is hereby established to consist of the following members:

1. the Director of the Suffolk County Planning Department, or his designee who shall serve as the Chairman of the Committee
2. the Chairman of the Economic Development & Energy Committee of the County Legislature, or his/her designee
3. the Chairman of the Environment, Land Acquisition & Planning Committee of the County Legislature, or his/her designee
4. the Presiding Officer of the Suffolk County Legislature, or his designee
5. the Commissioner of Department of Public Works, or his designee
6. the Commissioner of Department of Health Services, or her designee
7. a representative from an Environmental Group; as designated by the County Executive with the approval of the Suffolk County Legislature
8. a representative from the Building and Development Industry; as designated by the County Executive with the approval of the Suffolk County Legislature
9. a representative from a Smart Growth Principles Organization; as designated by the County Executive with the approval of the Suffolk County Legislature
10. a representative from the Suffolk County Supervisors Association
11. a representative from the Suffolk County Village Officials Association; and
12. a representative from a Smart Growth Principles Organization, appointed by the County Legislature;

and be it further

Appendix B: Resolution No. 348 - 2002, Appointing Eve Kaplan as a Member of Expanded Suffolk County Smart Growth Committee

2nd **RESOLVED**, that Eve Kaplan, currently residing at P.O. Box 218, Aquebogue, New York 11931, is hereby appointed as a member of the Suffolk County Smart Growth committee, representing the North Fork Environmental Council, a Smart Growth Principles Organization, as designated by the County Legislature, for a term of office to expire on December 31, 2002, said appointment having been made pursuant to subparagraph (12) of the first **RESOLVED** clause of Resolution No. 903-2001, which is hereby added via simultaneous amendment thereto noted above; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: April 30, 2002

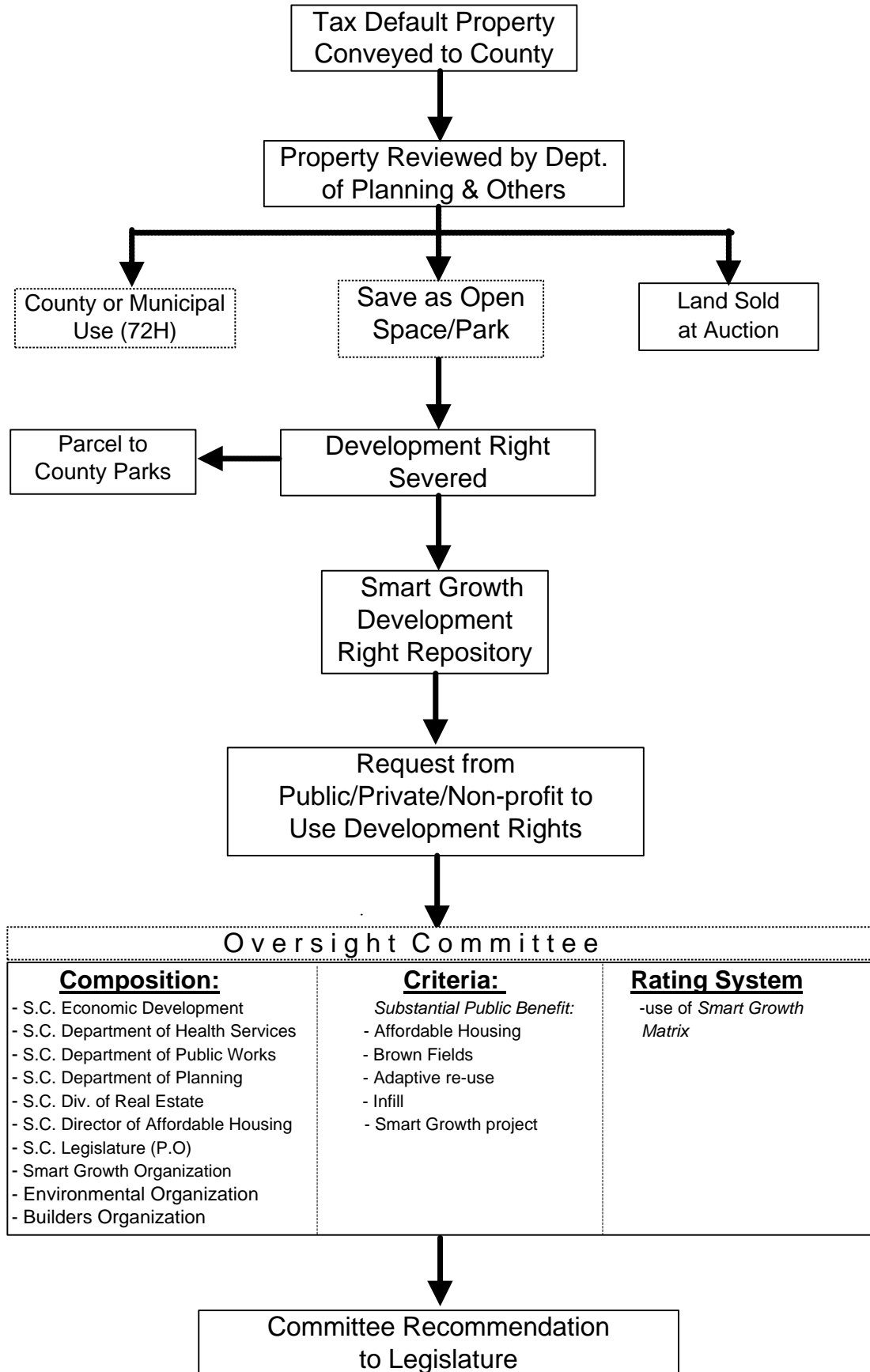
APPROVED BY:

/s/ Robert J. Gaffney
County Executive of Suffolk County

Date of Approval: May 9, 2002

Appendix C: Smart Growth Development Right Flow Chart

**SUFFOLK COUNTY
SMART GROWTH DEVELOPMENT RIGHT PROGRAM**



Appendix C: Smart Growth Development Flow Chart

Appendix D: Smart Growth Criteria Matrix

SMART GROWTH CRITERIA MATRIX

1. General statement of policy

The County of Suffolk is continuing to experience sustained growth in building and site development which is exacerbating traffic congestion; placing greater pressures on water supplies; rapidly using up dwindling open space; imposing more stress on environmental, fiscal, public safety, traffic and health implications associated with individual projects, the cumulative effect of which can overwhelm a community. In accordance with Resolution No. 212 (2000) of the Suffolk County Legislature *Establishing a Smart Growth policy for Suffolk County*, the Suffolk County Smart Growth Committee has proposed incorporating necessary policy and guidelines for land use and development, in order to facilitate the promulgation of policy as detailed in the *“Smart Growth Policy Plan for Suffolk County.”*

The term “Smart Growth” encompasses a whole range of strategies and techniques to address what are perceived as the negative effects of urban/suburban sprawl. The most important goal, in the view of the Committee is quality development. Review of applications, land use decisions and amendments to Town and Village Code or regulations would be facilitated if the submissions to Suffolk County agencies contained consideration of the following goals and criteria.

2. Goals and Criteria

Goals and criteria are derived from General Municipal Law section 239-1; *“The Principles of Smart Growth”* compiled from the Smart Growth Network; * *“The Principles of Smart Growth & Livability Consistency Checklist”* (Town of Huntington); *“Smart Growth Criteria Matrix”* (City of

Austin Transportation, Planning and Design Department); Resolution no. 212 *Establishing “Smart Growth” Policy for Suffolk County Implementation* (Suffolk County Legislature) and various state and County adaptations of Smart Growth objectives nationwide.

3. Use of the Matrix

The Smart Growth Matrix is a tool to assist in analyzing development proposals. It is designed to measure how well a development project meets the intent of Smart Growth initiatives. A maximum point value should be assigned by the user to each of the criteria in the Matrix. The final score for each project is dependent on how many and to what degree an individual project meets the criteria. Each criterion within the Goals should be graded. Otherwise, it should be indicated if the criterion is not applicable (NA) or if there is not sufficient information (NSI) to make a determination. If a development project, as measured by the matrix, significantly advances the objectives of Smart Growth, incentives should be available to help offset the high cost of development in targeted Smart Growth areas. The Matrix is provided as a recommended draft model for adaptation by users and as such, values for the scoring and weighting are not given. Each user is encouraged to adopt a point value and weighting system appropriate for the locality utilizing a Smart Growth Matrix.

* The Smart Growth Network was initiated as a program through the EPA and is made up of a large coalition of organizations and municipalities that have interests in Smart Growth for their own communities.

Appendix D: Smart Growth Criteria Matrix

Smart Growth Criteria Matrix Suffolk County Smart Growth Committee Suffolk County, New York		Reviewer: Mark one: ___ Self Score ___ Preliminary Score ___ Formal Score						
		Development:			Date of Review:		Point System	
Goal	Criteria	Weight	Value	Maximum Points Value	Comments	TOTAL Score		
A. Compatibility of uses Proposed use should be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.	-The proposed use includes appropriate or compatible massing as compared to the immediate area							
	-The proposed use includes the integration of height with abutting facades							
	-The proposed use includes rear building treatment							
	-The proposed use includes mechanical equipment screened where visible							
	-The proposed use includes residential above first floor							
	-The proposed use is not a strategic parcel associated with open space acquisitions in accordance with a locally adopted plan							
B. Traffic generation Proposed use encourages efficient development that is pedestrian-friendly, is attractive, reduces automobile dependency, provides transportation alternatives, is focused around existing or newly designed transportation centers, provides for the traffic generating characteristics of various land uses and addresses the adequacy of existing and proposed thoroughfare facilities.	-The proposed use is within ½ mile of a Suffolk County Transit bus stop or LIRR train station							
	-The proposed use is consistent with a transit node/station area plan or similar							
	-The proposed use provides facilities with bus to rail transfers							
	-The proposed use has buildings oriented to a pedestrian network							
	-The proposed use has no drive-thru facilities							
	-The internal circulation network includes multiple connections to adjacent land uses without necessity to enter onto the major traffic arteries							
	-The proposed use provides for pedestrians and bicyclists at a level comparable to the network for motorists							
	-The proposed use provides networks for pedestrians and bicyclists with shortcuts and alternatives to travel along high-volume streets							
	-The proposed use provides for sufficient motor vehicle parking							
	-The proposed use includes a decrease or stabilizing of traffic congestion							
	-The proposed use would result in a reduction in auto dependency							
	-The proposed use would facilitate staggered work hours							
	-The proposed use would encourage car/van pooling							
-The proposed use would encourage other employee commute options								

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Goal	Criteria	Weight	Value	Maximum Points Value	Comments	TOTAL Score
<p>C. Impact on existing County or State Institutional or other uses</p> <p>Government facilities consist of many buildings and specialized uses that are located throughout the county. These include offices, courts, health centers, legislative chambers, parks and recreation uses, garages, maintenance facilities and numerous other structures and sites that support the operation of county government. While many of these facilities are in the communities they serve, several locations contain a concentration of facilities. These include the official seat of county government in Riverhead as well as facilities in Hauppauge and Yaphank.</p>	-Proposed use supports the ongoing use of existing County or State institutional uses					
	-Proposed use provides for the protection of County &/or State open space and the environment					
	-Proposed use adds open space opportunities to existing County or State holdings					
	-Proposed use encourages the retention of farms, farm services, and associated infrastructure					
<p>D. Protection of community character as regards to predominant land uses, population density and relation between residential and nonresidential areas</p> <p>The proposed use encourages development that enhances existing communities, and which particularly targets downtown and neighborhood centers for expanded or new development. The proposed use is directed to areas of existing infrastructure or where infrastructure when consistent with community goals, include recycling of existing structures can be upgraded or introduced to foster redevelopment, rather than toward areas of open spaces, and when consistent with community goals, include recycling of existing structures.</p>	-Proposed use will cause an improved sense of community					
	-Proposed use includes higher density housing near commercial centers, transit lines or parks					
	-Commercial development is concentrated in compact centers or districts					
	-Proposed use channels development into areas that are already disturbed					
	-Proposed use has housing resources including affordable housing					
	-Proposed use supports jobs in targeted areas					
<p>E. Community appearance</p> <p>The proposed use encourages land uses that link economic development decisions with environment and quality of life, and protect the property values of its residents.</p>	-Proposed use will have the effect of strengthening the local economy					
	-Proposed use will include the preservation or designation of historic structures					
	-Proposed use will cause the enhancement of the community character and aesthetics					
	-Proposed use has buildings built up to a right of way					
	-Proposed use has parking in rear of lot behind building					
	-Proposed use revitalizes an existing urban					

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Goal	Criteria	Weight	Value	Maximum Points Value	Comments	TOTAL Score
F. Drainage The proposed use retains all storm water runoff resulting from the development and improvement of the project on site by adequate drainage structures so that it will not flow out into a road right-of-way or exacerbate flooding or erosion in the area.	-Proposed use minimizes runoff by clustering development on the most porous soils and uses infiltration devices and permeable pavements					
	-Proposed use detains runoff with open, natural drainage systems					
G. Community facilities The proposed use encourages a sufficiency of community facilities to meet the needs of the residents of the neighborhood, which includes a natural diversity of housing types, shops, work places, schools, parks and civic facilities essential to the daily life of its residents, that enable citizens from a wide range of age groups, ethnic backgrounds, and economic levels to live within the neighborhood boundaries and interact.	-Housing, commercial and community facilities are ideally situated within easy walking distances of each other or otherwise within short travel distances.					
	-The proposed use contributes to the area's jobs-housing balance					
	-The proposed use provides for the retention of space for locally owned business					
	-The proposed use utilizes local contractors, architects/engineers/surveyors, etc.					
H. Official development policies The proposed use encourages comprehensive land use planning that is ongoing, community-based and consistent with the needs and objectives of the local community, adjacent communities, and the region as a whole.	-Municipal zoning action is consistent with statutory criteria and is compatible with a local comprehensive plan adopted pursuant to 272-a or 7-722 of Town or Village Law respectively					
	-Proposed use is considerate of regional needs and the official plan of other relevant government units and agencies within the region					
	-Proposed use encourages consultation and collaboration among communities					
	-Proposed use fosters cooperation among governmental and municipal agencies planning and implementing capital projects					

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Goal	Criteria	Weight	Value	Maximum Points Value	Comments	TOTAL Score
<p>I. Other relevant planning and environmental considerations</p> <p>The proposed use encourages planning, decision-making, and development practices that emphasize extensive and broad-based community participation, dialogue, and the use of visual models, consensus building and envisioning. The proposed use is not limited by environmental constraints that would otherwise make development of the site problematic.</p>	-The zoning action does not have an adverse impact on areas/facilities mandating jurisdiction of the Suffolk County Planning Commission					
	-The variance being considered is not being used to undercut the zoning ordinance, but is based on unique hardships imposed by the physical properties of the site that prevent a reasonable return under zoning requirements					
	-Special permit being considered is to be issued only in accordance with stated standards in the zoning ordinance.					
	-No rare or endangered species, pursuant to Federal or State lists are found on the project site					
	-No unique land forms (i.e. kettle hole, dune or glacial erratic) is found on the project site					
	-The proposed use does not include alteration of river, stream, water body or floodplain					
	-The proposed use is not located in a Special Groundwater Protection Area or Critical Environmental Area					
	-The project site does not contain vegetation classified as unique by the New York State Natural Heritage Program					
	-The project does not fragment existing open space					

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Goal	Criteria	Weight	Value	Maximum Points Value	Comments	TOTAL Score
<p>J. Municipal considerations</p> <p>Two aspects of Smart Growth which relate to a healthy real estate economy and predictable, efficient permitting are: Quality and Amenities. Municipal Boards and staff should be mindful of a quote from the Rockefeller Brothers Fund report that “quality is harder to create than to preserve.” Developers take risks to control sites and then develop them. Their business plans allow for a modicum of delay that is inevitable. But when delays pile on delays and years pass by without approvals in sight, projects that are eventually approved suffer. They suffer because quality and amenities are sacrificed to pay for the unanticipated delays.</p> <p>A predictable and efficient process that includes the community, regulators, developers and other interested participants at the outset can be rewarding for all parties because everyone can get some of what they want. Quality and amenities don’t need to be sacrificed. Corners don’t need to be cut to salvage an investment. The words arbitrary and capricious need not apply.</p>	<p>-Municipality can expedite permitting of development proposal consistent with a Smart Growth Plan generated locally</p>					
	<p>-Permit process is predictable and streamlined</p>					
	<p>-Permit process encourages community and stakeholder collaboration in development decisions</p>					
	<p>-Municipality can facilitate density transfer in order to preserve open space and concentrate on Smart Growth development in areas of existing and adequate infrastructure</p>					



SUFFOLK COUNTY
DEPARTMENT OF

