

APPROVED / REVISED  
MINUTES  
SPECIAL MEETING / WORKSESSION  
PLANNING AND ZONING COMMISSION

November 29, 2005

Present: Michael Autuori  
Joseph Fossi  
Nelson Gelfman  
John Katz, Vice Chair  
James McChesney  
Rebecca Mucchetti, Chairman  
Patrick Walsh  
Lillian Willis

Absent: Walter Slavin

Also Present: Betty Brosius, Director of Planning  
Richard Baldelli, Zoning Enforcement Officer

At 7:30 p.m., Chairman Mucchetti called the meeting to order.

**SPECIAL MEETING / WORKSESSION  
UPDATE OF THE ZONING REGULATIONS**

Consultant Planner Glenn Chalder of Planimetrics was present to discuss Section 5 of the proposed new, reorganized zoning regulations, pertaining to the Business Zones, and Section 6, pertaining to Flood Safety Zone regulations and Aquifer Protection. Mr. Chalder explained that the Business Zones section has been revised to reflect comments made at the work session in October.

The Commission spent a considerable amount of time defining the permitted uses in the section, and it was finally resolved that the definitions section needs to be available for reference. The consultant will provide definitions for Commission review and further discussion at a later date.

Mr. Chalder spoke about previous meetings with planning staff, and a proposal to consider re-zone of the east side of Route 35 between South Street and Farmingville Road to B-1 (currently B-3). The area has been essentially re-zoned through variances granted by the Zoning Board of Appeals, and there are few undeveloped and under-developed properties. Several of the parcels support retail use, restaurants, and banks, similar to uses on the west side of the highway. The biggest difference between B-1 and B-3 is the coverage allowed (65% vs. 25%), in addition to permission for retail use. The Commission would like additional information on the potential for build-out if the area is re-zoned to B-1 and more dense coverage. Staff will research the existing coverage and potential build-outs for a future meeting.

The consultant also asked the Commission about the DPD (Design Professional District) zones, and whether or not the transitional zone is still a good use for the small parcels north of the B-1 and B-2 zones on Route 35. DPD allows only 15% coverage. Dr. Gelfman spoke about the origins of the zone and the rationale for the transitional use; he does not favor allowing more intense use on these properties at this time. The general consensus of the Commission was to leave the DPD zone as is.

Mr. Chalder explained that the Floodplain Overlay Zone is a combination of the existing Section 307.0 (Floor Safety Zone) and Section 325.0 (Flood Damage Prevention Regulation). The existing two zones are redundant; one was probably adopted at the outset of the need to control development in the flood zones (early 1970's) and the other was developed later for the FEMA flood insurance program. The combination of the two sections makes sense; development in flood plains is only permitted with a Special Permit and only following review of technical, engineering calculations that describe the affects on flood storage capacity in the flood zone.

The Aquifer Protection regulations are stricter than State regulations and more areas are controlled than is currently required by the State. The Town regulates lands shown on the aquifer map developed in the 1980's. Mr. Chalder referenced a 1996 report by Leggette Brashears and Graham, stating that changes should be made in the aquifer regulations. In the proposed revisions, some of the uses listed as "prohibited" have been moved to "permitted," but only after review as a Special Permit. Ms. Brosius and Mr. Baldelli mentioned several instances where potential users of properties in the aquifer zone were turned away because the use is listed as prohibited; under the special permit review and with implementation of Best Management Practices, some of these uses might be appropriate in the zone.

The consensus of the Commission and the consultant is that there will be no meeting in December because of the holidays. The next work session is scheduled for January 31, 2006.

Hearing no further discussion, the Chairman adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Betty Brosius  
Director of Planning