

**TUCKAHOE, SHINNECOCK HILLS, SOUTHAMPTON CAC February 7,**  
**2012**  
**DRAFT MINUTES**

Meeting site: Tuckahoe School, commencing at 7:00 pm

**CAC members in attendance:** Frances Genovese; Bonnie Goebert (chair); Valerie Harte; Milt Johnson; Joanna Komoska; Diane Sadowski; Bob Schepps; Susan Van Olst.

**Guests:** David D'Agostino (Tuckahoe resident); Freda Eisenberg (Acting Southampton Town Planning & Development Administration); Eve Houlihan (Hampton Bays Civic Association); Southampton Town Councilpeople Jim Malone and Christine Scalera.

**Absent CAC members:** Evelyn Boxer; Bill Dalsimer; Lorraine Duryea; Marilyn Fitzgerald; Linda Goldsmith; Ken Moffa; Rick Sobrevinas.

**Approval of January 2012 minutes:** Approved.

**Agenda:** Hearing from Freda Eisenberg as representative of Southampton Town County Road 39 Study Draft Chair Bonnie Goebert reminded the meeting that she had asked Freda to forego her usual presentation of the CR-39 Draft Study to hear from the CAC members 1) where we felt positive about the Draft zoning recommendations and 2) what were our questions and concerns regarding the document.

Freda:

Let me set the context for the study regarding the corridor: our vision is of the corridor being the major transportation route through Southampton. Although not a pedestrian area, not a downtown, we need to find ways to accommodate pedestrians in this area nonetheless. The road is a county road....improvements will happen over the long term, application by application. We make recommendations for some capital improvements, gateway improvements...After presenting the draft at public forums, such as this CAC, and the Business Alliance among others, it will be presented to the Town Board and then to the public at large for further comment. I will present the Draft in sections and look for your feedback.

Zoning: Highway Business is the primary zoning, with some residential zoning as well. Nobody wants businesses to stretch out into strips along the highway. We would like to make the corridor more attractive, establishing more setbacks and cross access. We suggest changes to Town codes to create flexibility depending on the specific property. Town code changes would allow for shoulders and expanded setbacks. For safety and aesthetics, we'd like to see more landscaping and design guidelines to green up the corridor. We'd like to see when possible parking behind buildings and removal of merchandise material.

**Questions from CAC participants:**

**Q: Why should we provide special exceptions for highway businesses regarding setbacks?**

A: Buildings already in place are grandfathered in; new development would not get special exceptions. Most of the opportunities for development will be businesses which will occur through site plan review. This will be good for the corridor, but we have to work around existing realities.

**Q: Do we have an inventory of vacant land in the area?**

A: That's been put off for now.

**Q: Are we primarily a "largely auto dependent" part of the community (from Draft) or are we "responsive to the needs of all users"? (recommendation 4)**

A: There is a tension about this. We can create safety for pedestrians without creating new zoning.

**Q: Regarding cross access, are we going to recommend a proactive approach, not waiting for the next site plan and seeing this as a capital expense?**

A: It would be a capital expense. We can be proactive by providing a partnership between the Town and business owner paying for cross access.

**Q: Regarding recommendation 7, I am uncomfortable with penalties for non-compliance. Can't we have incentives to help merchants be encouraged to beautify?**

A: We are going to need enforcement. We have been looking at incentivizing economic development. The Chamber of Commerce is conducting a survey to business owners part of which addresses a business improvement district in which there would be a fund for aesthetic enhancements. It is being explored.

**Q: Can't we do even more to incentivize local businesses to beautify such as providing them press for doing so and some money from the town?**

A: This is not a zoning matter. It goes under the program section where we could address assisting businesses and helping them with what they can do.

**Q: Are you trying to expand highway business? The Draft refers to loosening restrictions.**

A: No. We are not encouraging development, but recommending zoning changes in an attempt to help beautify the corridor. Uses is one aspect of zoning, it's true. This particular document is primarily about form, not use.

The Town might make the move to be proactive in creating cross access which could take the form of gifting land to the owners with a sunset clause where the land would revert back to the Town. Or land for beautifying could be licensed from the Town and maintained by the business...worth exploring although these ideas need to be run by Town legal counsel.

**Q: Isn't it a challenge to businesses to restrict their outside surfaces to 60% rather than 90% impervious material and also meet their parking space requirements?**

A: There are ways of creating parking spaces on pervious surfaces which is helpful to the environment.

**Q: There is mention of underground parking. Is this feasible in this high water table area?**

A: It's being explored because it was proposed.

Building Size: It has been proposed that maximum building size should be 10,000 square feet down from the current 15,000 square feet size. This would be in both the highway business and business districts.

**Q: Are you recommending that we expand special exception criteria?**

A: What is meant by highway business zoning is not well spelled out, although it is spelled out for business district zoning. We want to spell out the specifics to eliminate multiple interpretations.

The Planning Board does not go into Business Plans, just Site Plans.

**Q: Did the Mercedes Benz property get a variance?**

A: Variances are a separate topic beyond the scope of this discussion. Special exceptions and variances are two different things. Special exception uses are permitted with the need for additional standards and criteria. We want to beef up these criteria.

**Q: We are supposed to be eliminating non-conforming uses and your recommendations seem to expand them.**

A: It is the intent of this study to limit and tighten up special exception use.

**Q: At the bottom of page 9 there is a footnote that suggests that blunders should be helped by more blunders. Let's modify down in terms of size of building and not cluster inappropriately sized structures together. We also want to hear way in advance about variances that affect the community.**

A: We will go back and tweak and modify the document regarding your feedback. We are recommending detailed criteria for auto dealerships rather than being part of the general special exception use. There will be an opportunity to address the criteria before it becomes law.

**Q: Why do we want to convert motels to residential housing?**

A: We don't necessarily want to promote this.

**Q: Are you planning to recommend prohibiting conversion to residential uses?**

A: We are going to address in March whether or not such conversions should be permitted in the County 39 corridor.

**Q: We are concerned about commercial industrial zoning in the corridor. Can you speak to this?**

A: This plan struggles with what is an appropriate mixed use for the area. There are under-utilized sections of the corridor that we have considered possibly helped by adding industrial zoning.

(General comments that led to the CAC sentiment that we are unanimously opposed to introducing industrial zoning to the County 39 corridor.)

**Q: We have concerns regarding page 12 where we think the community concerns were represented inaccurately about the kinds of uses we would like to see along the highway. They seem to reflect more of the commercial interests.**

A: We have surveyed many parts of the community.

**Q: There is an indication of an interest in the Draft in use based zoning. Can you speak to this?**

A: Yes, we are interested in not just form, but function as well, as measured by the number of trips made to businesses, the noise level, etc. The document has a way to go to add restrictions to highway businesses regarding form, but also recognizing viable uses and expand the range of zoning.

**Q: How do you determine trip generation?**

A: through well respected standard trip generation statistical guidelines.

**Q: What is the rationale for industrial zoning in the highway corridor? It is very bad for tourism.**

A: So noted.

**Q: Is there an interest expressed by the Town Board in filling vacancies in business highway properties?**

A: The Town Board did ask the County 39 Study Committee to look at economic development. I will get back to you by email about this point.

**Q: Later in the Draft there is an indication that the study has looked at the Driving Range and the Elk's Club. We hope that there will be pronounced programmatic recommendations for open space preservation and recreation regarding these two properties.**

Malone: If anyone in the community has open space recommendations they can speak with the Town's Conservation Department Director, Mary Wilson.

Chair Bonnie: We have run out of time for further examination of the Draft.

Freda: I would be willing to come back next month.

CAC: Agreed.

Freda: Also, there is access to the entire document through the Town's website and I have 10 paper copies in my office which I can make available.

The meeting was adjourned at 9PM, with thanks to Freda and other guests.

The next CAC meeting will be Tuesday, March 6<sup>th</sup> at the Tuckahoe School 7-9 PM.

Respectfully submitted by Joanna Komoska

CAC Secretary

cc: Supervisor Throne-Holst  
Town Board members  
Town Attorney  
Freda Eisenberg  
Tom Neeley  
Town Clerk  
Tax Receiver  
Hon Mark Epley, Mayor, Village of Southampton  
Water Mill CAC, Sag Harbor CAC, North Sea CAC, Hampton Bays CAC