

APPENDIX D

PUBLIC ORGANIZATION AND CITIZEN COMMENTS

Appendix D-1

Audrey Struber
April 21, 2010

Chris Gallagher

From: Audrey Struber [STRUBER@adelphi.edu]
Sent: Wednesday, April 21, 2010 11:18 AM
To: Chris Gallagher
Subject: housing

Attention: Supervisor Frank Petrone; Town Council members Mark Cuthbertson, Susan Berland, Glenda Jackson and Mark Mayoka

April 21, 2010

Dear Supervisor Petrone and Town Council Members,

I cannot support the new luxury condominiums for 55 and over that is being proposed by a TRIANGLE EQUITIES in the West Hills area of Huntington. There is plenty luxury housing and not enough middle income housing for those of us in the \$50,000 to \$100,000 income bracket.

I understand that the corporation is planning on making 10% of the development available for affordable housing. That would mean that only 8 units would be offered to qualifying adults. This is not enough units for our baby boomers who will be on fixed incomes and may have lost savings in the past year due to the stock market problems. Huntington needs more affordable housing in secure communities for the 55 and over. Residents that cannot afford to purchase luxury housing, but have contributed to Long Island growth and prosperity over the years, deserve the opportunity to have security and comfort in their senior years, as well as, the wealthy.

I respectfully request that you do not approve this luxury development without including additional affordable housing in the proposal.

Sincerely yours,

Audrey Struber

108 W 21st Street
Huntington Station, New York 11746
struber@adelphi.edu

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, NY
2010 APR 21 11:51

2006-ZM-363

4/21/2010

AS-1
Sec. 2.2.5

DIRECTOR	
DEPUTY DIR	
ASST. DIRECTOR	
Lt.	
AGENDA	
ADDED STARTER	
TECH	CORR.

Appendix D-2

Karen Friel
May 17, 2010

PRESENTED AT TOWN BOARD MEETING

DATE 5/17/10

RD PTH # 5 by Karen Friel (2 pp)

My name is Karen Friel. I reside at 19 Colonial Drive, the first street running parallel to Jericho Tpke in Cold Spring Hills. And in full disclosure, while I am a Civic Association Board member, I am speaking as a resident and not on behalf of the Board.

I rise in opposition to the proposal presented by Triangle Equities. As you are well aware from the numerous letters from our community and in meetings held with you, the Civic Association opposes this application strictly and solely on a density issue. However, the tactics of Triangle leave me with some serious concerns about their method of doing business, and their forthrightness. Triangle should be fighting for this application on its merits in an open and honest way.

I oppose the downzoning of this property, the gateway to Huntington, for no reason other than greed by both Triangle and the Dougals.

I take offense that Triangle has misrepresented their level of support. The majority of "fans" on their Facebook page reside outside of this immediate area, and are, in fact, located in Melville, Smithtown, Commack, etc.

I object to the fact that Triangle has knocked on doors in our neighborhood stating that there a "few" board members of Cold Spring Hills that support their application. This is simply not true.

I object to the fact that they state they have the support of neighboring civic associations, when we are, in fact, the only organized and recognized civic association in the Town of Huntington in the affected area.

I object that Triangle is represented by the Huntington Chamber of Commerce as having a business in Huntington. This seems somewhat premature.

I object that Triangle has been allowed to contribute money to the fundraising campaigns of our Town Board Members. And, in fact, the Supreme Court has recently ruled that "a serious, objective risk of actual bias" exists in court cases involving plaintiffs and defendants who were major donors to a judge's campaign. Is that really how we want our Town govt to be viewed?

I object that Triangle's so called "consultants" were on both the payrolls of Triangle and the Town simultaneously. Where is the objectivity?

I object that the Town may be willing to turn a blind eye to this application which will then set a precedent for future downzoning of the last remaining tracts of open space in the Town.

If these are the actions of this so-called "reputable" company, then it all leaves me feeling somewhat suspect about their integrity. The residents of Huntington should not be made to suffer because of a company that has failed to act, respond and react in a positive and honest

KF-1
Sec. 2.1.2

manner with the residents. With the enactment, and enforcement, of the new Master Plan, there is hope in the Town that we can "do the right thing" and be a leader in thwarting the overdevelopment seen in so many other, once beautiful and serene towns on LI. This proposal is clearly inconsistent with the intent and goals of the Master Plan and will violate the density requirements of the West Hills Special Ground Protection Area. Both recommend low to medium density for this site. Anything more violates the law.

KF-2

Sec. 2.1.1

Taking the high road is never easy, but it is often necessary.

Appendix D-3

**Gayle Snyder, Chairperson
Cold Spring Hills Civic Association**
May 17, 2010 & June 21, 2010



PRESENTED AT TOWN BOARD MEETING

EXHIBIT A

DATE 5/17/10 *re PH # 5 by Gayle Snyder (2pg)*

Gayle Snyder. 27 Oakridge Drive, Cold Spring Hills, Huntington. I am the Chairperson of the Cold Spring Hills Civic Association and am speaking in that capacity tonight.

Our Association is opposed to the zone change application which would allow for 80 clustered townhouses for 55 & over plus 3 single family homes on 18.6 acres. We are opposed to the application because the density is too high. We are not opposed to the cluster concept...just to the density. Clustering is traditionally a means for preserving open space...In this case it is a means for cramming in as many units as possible. Currently the 1 acre zoned property would yield approximately 15 homes. The proposed 83 homes equate to over 5 per acre.

CSCA 1
Sec. 2.1.1

At the most recent meeting of our Association, our residents expressed

- Anger at the Town for allowing the current owners, the Dougals, to operate a host of businesses illegally for over 10 years, creating a terrible eyesore, even after the courts 2 years ago ordered the owners to legalize the property..
- Anger at the Town for allowing the Dougals to operate with no c/os for any of the structures on the property...~~and currently there are at least 10 such structures... and now considering~~
- ~~Anger that the Town would even consider~~ rewarding the Dougals with a windfall profit after all these years of violating Town code and zoning laws.
- ~~Anger that there are some residents in West Hills who will accept anything just to get rid of what is there now, (residents who have negotiated with Triangle to increase the buffer behind their homes and move the townhouses away from their property so they don't see the development)...~~

Why would you, the Town Board approve a plan that

1. is not consistent with the surrounding zoning...
2. is not consistent with the Suffolk Country Groundwater Protection Act...
3. is not consistent with the updated Master Plan...
4. is completely contrary to the Town Board's goal of preserving open space as exemplified in the new zoning district created for golf courses that upzones golf courses to 1 acre residential?
5. Why would you approve a plan that allows 5 homes per acre?

CSCA 2
Sec.2.1.1

The Town has an opportunity to create a development that is consistent with the Master Plan and the West Hills Groundwater Protection Act which call for ~~low density development; a plan that is good & makes~~ reasonable use of the property and is compatible with the surrounding communities and where the developer still makes a profit...

How can you, our elected officials substantiate approving this downzoning application?

1. There is no financial hardship
2. There is no economic obsolescence (ie the property is not located next to a gas station)
3. This is not an affordable housing development where one might argue a need exists, *contrary to the headline of the Long Island article.*
4. There is no need for high end over 55 townhouses in the Town. I am an real estate broker and have been licensed for over 25 years. Currently there are 23 over 55 units available in Melville, 9 of which have been on the market for at least 4 months and 5 have been for sale since 2009. *Prices w/d bet \$750 to \$1 million*

~~We met with Triangle Equities in 2006 and 1.5 years ago they reduced the density to 83.~~ As recently as December of 2009 representatives of our Association met with Supervisor Petrone and Lester Petracca, principal of Triangle Equities. We left the meeting with the promise from Mr. Petracca and the Supervisor that they would re-visit the density and get back to us. They never did.

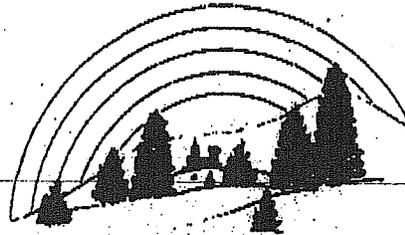
The residents of Cold Spring Hills urge the Town Board to send this application back to the developer. Creativity can produce a plan that is environmentally sound, one that shows good planning and does not set a bad precedent for future developers. Thank you...

EXECUTIVE BOARD

Gayle Snyder, *Chairperson*
John Deignan, *Vice-Chairperson*
Cynthia Hemley, Esq., *Vice-Chairperson*
Kerry Strobl, *Treasurer*
Dayna Cloffi, *Secretary*
MaryAnne Brennan
Karen Friel, PT, DHS
Maureen Tomassulo-Mathews
Kevin O'Brien, Esq.

ADVISORY BOARD

Irene Brown
Ellese Murray



TOWN BOARD AGENDA # 9

7-6-2010

(date)

**COLD SPRING HILLS
CIVIC ASSOCIATION INC.**

38 Green Meadow Lane • Cold Spring Hills • Huntington, New York 11743
www.coldspringhills.org

June 21, 2010

Councilman Mark Mayoka
Huntington Town Hall
100 Main Street
Huntington, NY 11743

Re: Triangle Application to Develop Kensington Estates

Dear Councilman Mayoka:

Thank you for meeting with us last week. We felt it was a productive meeting and a good opportunity to become acquainted with one another. At your request, we are following up with this letter, which summarizes some points of our discussion and beckons you to be one of the two councilpeople whose "no" vote is required to make a wise choice for Huntington, from both developmental and environmental perspectives.

As you recall, our discussion focused on three legal grounds why Triangle's application for development of the 18.6 acre wetland property located at the corner of Jericho Turnpike and Plainview Road should be denied. In brief, these arguments are as follows:

1) The subject site is presently zoned one acre residential in both the Town of Huntington and the Town of Oyster Bay. This was the zoning of the site when the Applicant entered into its contract to purchase same. The plan which the Applicant provided for the subject site indicates that it could yield a maximum of 15 conforming single family lots. The *Horizons 2020: Town of Huntington Comprehensive Plan Update*, which was the result of years of studies, hearings and analysis, specifically indicates that the generalized future land use of the subject site should be for use as "parks, recreation and conservation of land." Rather than follow the guidelines established in the recently completed Comprehensive Plan, the Applicant is seeking approval to develop the site in a manner directly opposite to that which the Comprehensive Plan concluded was most appropriate for the subject site. Instead of "parks, recreation and conservation of land", the Applicant is seeking permission to construct 83 dwelling units where the current law only permits 15 units. By seeking a

CSCA 3
Sec. 2.1.1

cc: Supervisor
Town Board (4)
Town Attorney

*Engineering Services
Planning & Environment*

TOWN BOARD AGENDA # 9
7-6-2010
(date)

450% increase in the historically allowed density of development, the Applicant is asking that the Town disregard not only its current laws, but to disregard the recommended conclusions contained in its own newly adopted Comprehensive Plan. Such an extreme and substantial increase in the permitted density will have massive impacts upon the surrounding community and will result in the very detriment that the Comprehensive Plan sought to avoid.



2) Under New York State law, the government cannot make a gift of the public wealth; i.e., it cannot cede part of a public wealth without receiving a just benefit to the public in return. Here, the one acre zoning of the subject site was lawfully enacted and justifiably relied upon by the surrounding property owners and neighborhoods. They have benefited from this zoning. If the Town of Huntington were to grant the Applicant's request and allow for a 450% increase in the permitted density for development of the subject site, it would be taking from the surrounding community a public benefit to which they were and continue to be entitled. Such a taking requires a replacement of the benefit or some type of compensation. The Applicant has stated that its development provides a benefit to the community in that it will provide "affordable housing" for those over age 55. To our mind, Triangle's proposed pricing structure of \$750,000 to \$1 million does not constitute "affordable housing"; therefore there is no extraordinary benefit to the town that would justify such a tremendous increase in density.

CSCA 4
Sec. 2.1.1

Triangle will argue that providing six units of affordable housing is such a public benefit when in fact this is the absolute minimum Triangle is allowed to offer after it buys off the other 10% of required housing through its contributions to a Town trust (Town Code requires a minimum of 20% of units to be priced as "affordable" in this application). Thus, although the Applicant seeks a 450% increase in the existing permitted density, it seeks to provide only half of the required amount of affordable units.

CSCA 5
Sec. 2.2.5

The Applicant is seeking to take away the public benefit of one acre zoning and replace it with nothing. In the absence of a compelling public benefit, the Town of Huntington is prohibited from making such a gift of the public treasure to a private entity. Six units of affordable housing clearly does not rise to the level of a "compelling public benefit." Any increase in density should be met with an increase in public benefit.

CSCA 6
Sec. 2.1.1

3) This wetland site is situated within two separate special ground water protection areas. The DEIS confirms that the West Hills-Melville SGPA Plan identifies the project site as being within an area of low density residential use. It also confirms that both Nassau and Suffolk Counties, as well as the Town of Oyster Bay have addressed land use density to ensure best groundwater management practices by requiring a minimum lot size of 40,000 square feet for yield purposes in unsewered areas. Rather than provide the recommended density of just one unit per 40,000 square foot of area, the Applicant is seeking a change of zone to allow for over 4 units per 40,000 square feet of area. This is directly contrary to the state plan and goals of both the Nassau County and Suffolk County groundwater protection act plans.

CSCA 7
Sec. 2.1.1

We believe a worthwhile application should stand alone on its merits. We also believe we are a reasonable organization that has attempted to work with Triangle in coming to a compromise that would yield an acceptable development of this property. We have consistently stated that we are not opposed to either senior housing or cluster housing; what we are opposed to is the density of this project. In a joint meeting with Supervisor Frank Petrone held in January 2010, we specifically asked Triangle to reduce the density of its proposed development to better protect the environment, the wetlands, and the quality of life in Huntington. Triangle has failed to honor the promise it made at that meeting to review the project and report back to us the possibility of reducing the density of its application.

We are concerned with some of the strategies Triangle has employed in pursuing this application, specifically;

a) contributing to the political campaigns of people who would be rendering a decision on this application. The United States Supreme Court recently held that judges should not accept campaign contributions related to cases which they are adjudicating. We believe it is a small analogical step to extend this reasoning to campaign contributions for local government representatives. We find these contributions even more specious given that Triangle is not a local organization and has previously not expressed an interest in Huntington civic matters.

b) soliciting support for its application immediately outside the doors of Town Hall on Town property on the evening of the May 17th public hearing regarding Kensington Estates. Included on the tables, which Town Hall incidentally provided to the applicant, were bag give-aways that included water, and other small articles, emblazoned with the name "Kensington Estates". Additionally, Triangle representatives solicited signatures for its proponent petition by asking the misleading question, "Are you here for Kensington Estates", when in fact several signers thought they were merely signing in to hear debate on the issue, or to take a stance against the application. This is a hallmark example of prohibited electioneering adapted by a corporate entity in pursuit of a profit.

c) attempting to solicit support by knocking on neighborhood doors within Cold Spring Hills and misrepresenting that many neighbors were in favor of the project, when Triangle's major base of support is from non-neighboring areas such as Melville and Dix Hills.

We urge you to consider the above in rendering your decision about whether to agree to a density give-away for this property. It is also important that the Board recognize that the proposed zoning amendment is the subject of a written protest and that the Cold Spring Hills Civic Association has submitted petitions from six (6) surrounding neighbors who contest the proposed down-zoning and who have asked the Town Board to deny the application. This number of protestors exceeds twenty percent of the owners of property surrounding the land included in the proposed change of zone. Pursuant to

CSCA 8
Sec. 2.1.5
↓

1-6-2010.

(date)

Town Law Section 265, having been presented with the protest petitions mentioned, any Town Board adoption of the requested amendment "shall require the approval of at least three-fourths of the members of the town board". In the instant case, this means that at least four of the five members of the Town Board must vote in favor of the zoning amendment in order for it to be adopted. There is an opportunity here for two of the Board's members to make a responsible decision to protect the quality of life in Huntington by denying or electing to abstain from the passage of this zoning amendment which is contrary to sound planning and to the Town's own Comprehensive Plan.

Very truly yours,

Executive Board
Cold Spring Hills Civic Association

Appendix D-4

**Alissa Sue Taff, President
Civic Association of Sweet Hollow, Inc.
May 17, 2010**

PRESENTED AT TOWN BOARD MEETING

DATE 5/17/10 by Jessica Sue Toff (2pp)

CIVIC ASSOCIATION OF SWEET HOLLOW, INC.
11 Equestrian Court Huntington, New York 11743

May 17, 2010

Supervisor Frank Petrone
Members of the Town Board
Huntington Town Hall
100 Main Street
Huntington, New York 11743

Re: Change of Zone Application
Kensington Estates

Dear Supervisor Petrone, Councilman Cuthbertson, Councilwoman Berland,
Councilwoman Jackson and Councilman Mayoka,

The Civic Association of Sweet Hollow, Inc. appreciates the opportunity to offer comments on the application for a Change of Zone and the DEIS for the proposed development of Kensington Estates.

The current use of the property is not favored by our community, as it is an eyesore and appears to be out of compliance with the codes of Huntington. After a presentation by Triangle Equities, to our Civic Association, we asked several questions and were mostly pleased with the answers, as well as the proposed development, known as Kensington Estates. We do have some concerns, however.

Although the originally proposed development of 136 units has been reduced to 80, we are still concerned with the density of approximately 4.5 units to the acre of this currently zoned R-40, 1 unit to the acre property. We understand that it is appropriate for senior housing, but we view the issue of density as a recurring problem with new construction applications for development throughout the Town. There have been several developments of high density approved over the last several years, some of which we did endorse, but not all. We feel these past approvals have provided all types of homes, at all price points, for both seniors and families. There are discussions of several other developments in the area of higher density, as well, although not all in the Town of Huntington. Although Kensington Estates, by itself, may not have a huge impact, we ask that should this approval be granted, its density be considered when other applications are before you for approval. Traffic congestion and related pollution, use of resources, drain on emergency services, school districts either through family housing or turnover and quality of life issues are our concerns. We want Huntington to remain a Town and not become a City through repeated approvals of dense housing.

CASH 1
Sec. 2.1.1

CASH 2
Sec. 2.1.3

One of our concerns related to Kensington Estates is traffic going to Round Swamp Road. This road has become increasingly congested, as it is a through street to the Northern Parkway, the Long Island Expressway, especially for those heading East from the proposed development, and shopping in nearby Plainview. In addition, several of the catering facilities on Jericho Turnpike, in the area, give directions from the Round Swamp Road highway exits, rather than from Route 135 to Jericho

Turnpike. Traffic studies done for this project did not include the Round Swamp Road area. We have been told, by the developers, that efforts will be made to direct construction vehicles away from Round Swamp Road, but residential traffic, after construction, may be an issue, especially if the other developments proposed in the area come to fruition.

We respectfully request you consider our comments on continuously approving higher density developments, as it relates to keeping Huntington a Town and provides a drain on services and traffic. We also would like a review of the commutative impact of all the proposed developments on traffic going to Round Swamp Road.

The developers of the proposed Kensington Estates have done an excellent job of community outreach and response. They have reduced the number of units and increased the proposed buffer zone on Jericho Turnpike in response to the community. The development will be a vast improvement over the current use of the property and, from the plans, appears to be a well planned and attractive development.

Thank you very much for your consideration.

Sincerely,



Alissa Sue Taff
President

Appendix D-5

Kathryn Abdis
June 12, 2010

Chris Gallagher

From: Paul and Kathy [pa.ka@verizon.net]
Sent: Saturday, June 12, 2010 11:48 AM
To: Chris Gallagher
Subject: A response

I am sometimes slow to learn of things, due to working and other commitments, but I was upset and saddened to read of the proposed 'senior housing' to be built on Jericho Tpk just east of Plainview Rd. Generally I drive this street at least twice a day during my job and I am delighted to view the woodcarvings and horses. Locally it is difficult to find a view without buildings- be they houses or stores. I know there are several 'senior housing' areas already in town. I feel that Huntington is built enough. There should be places left 'wilder' to ease stressed out minds. There are enough cookie-cutter landscaped houses.
Sincerely, Kathryn Abdis

KA-1
Sec. 2.1.4

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, NY
2010 JUN 14 4 8 13

DIRECTOR	
DEPUTY DIR	
ASST. DIRECTOR	
AGENDA	
ADDED STARTER	
TIME	CODE

Appendix D-6

William DiConza, (on behalf of the Cold Spring Hills Civic Association)

June 18, 2010

WILLIAM A. DiCONZA

COUNSELOR AT LAW

5 AUDREY AVENUE

P.O. BOX 457

OYSTER BAY, NEW YORK 11771

TELEPHONE (516) 624-0866

FACSIMILE: (516) 624-7735

DICONZALAW@AOL.COM

June 18, 2010

HAND DELIVERED

Supervisor Petrone and Members of the Town Board
Town of Huntington
100 Main Street
Huntington, New York 11743

Re: Project No. 2006-ZM-363
Action: Kensington Estates

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, NY
2010 JUN 21 A 8:20

Dear Supervisor Petrone and Members of the Town Board:

This firm has been retained to represent the interests of the Cold Spring Hills Civic Association, Inc. regarding the above application by Triangle Equities Development Co., LLC for the construction of 80 multi-family town homes and flats and 3 single family dwellings at the property situated on the southeast corner of Jericho Turnpike (NYS 25) and Plainview Road, straddling the border of Woodbury and Huntington, New York. The proposed action requires changes of zone in both the Town of Huntington and the Town of Oyster Bay, as well as area variances from the Town of Oyster Bay Board of Appeals. Approval is also required from the Nassau County and Suffolk County Planning Commissions, various water districts and county health departments and public works departments.

On May 19, 2010, the Town of Huntington Town Board, acting as Lead Agency in this application, caused to be circulated a Notice of Completion of Draft EIS. Parties were provided until June 21, 2010 within which to submit comments on the Draft EIS. Below are the comments of the Cold Spring Hills Civic Association, Inc., as a supplement to the statements made at the public hearing held before the Town of Huntington Town Board on May 17, 2010.

1. The subject site is presently zoned one acre residential in both the Town of Huntington and the Town of Oyster Bay. This was the zoning of the site when the Applicant entered into its contract to purchase same. The plans which the Applicant provided for the subject site indicates that it could yield a maximum of 15 conforming single family lots. The *Horizons 2020: Town of Huntington Comprehensive Plan Update*, which was the result of years of studies and hearings and analysis, specifically

WD 1
Sec. 2.1.1



indicates that the generalized future land use of the subject site should be for use as “parks, recreation, and conservation of land”. Rather than follow the guidelines established in the recently completed Comprehensive Plan, the Applicant is seeking approval to develop the site in a manner directly opposite to that which the Comprehensive Plan concluded was most appropriate for the subject site. Instead of “parks, recreation and conservation of land”, the Applicant is seeking permission to construct 83 dwelling units where the current law only permits 15 units. By seeking a **450% increase** in the historically allowed density of development, the Applicant is asking that the Town disregard not only its current laws, but to disregard the recommended conclusions contained in its own Comprehensive Plan. Such an extreme and substantial increase in the permitted density will have massive impacts upon the surrounding community and will result in the very detriment that the Comprehensive Plan sought to avoid.



2. The one acre zoning of the subject site was lawfully enacted and justifiably relied upon by the surrounding property owners and those in the Cold Spring Hills community. They benefited from this zoning. If the Town of Huntington were to grant the Applicant’s request and allow for a 450% increase in the permitted density of development for the subject site, it would be taking from the surrounding community a public benefit to which they were and continue to be entitled. Such a taking requires a replacement of the benefit or some type of compensation. The Applicant has stated that its development provides a benefit to the community in that it will provide “affordable housing” for those in need of same.

WD 2
Sec. 2.1.1

The Town of Huntington requires that developments such as the one which the Applicant is proposing herein provide that at least 20% of its units be deemed “affordable”. The Applicant is not providing such. Instead, the Applicant is seeking permission to have only 10% of the proposed units deemed “affordable”. Thus, although the Applicant seeks a 450% increase in the existing permitted density, it seeks to provide only half of the required amount of affordable units.

WD 3
Sec. 2.2.5

The Applicant is seeking to take away the public benefit of one acre zoning and replace it with nothing. In the absence of a compelling public benefit, the Town of Huntington is prohibited from making such a gift of the public treasure to a private entity. The proposed provision of just six units of “affordable housing” clearly does not rise to the level of a “compelling public benefit”. Any increase in density must be met with an increase in public benefit. In this case, this requirement is clearly not met.

WD 4
Sec. 2.1.1

3. The site is situated within two separate special ground water protection areas. The DEIS confirms that the West Hills-Melville SGPA Plan identifies the project site as being within an area of low density residential use. It also confirms that both Nassau County and Suffolk County, as well as the Town of Oyster Bay have addressed land use density to ensure best groundwater management practices by requiring a minimum lot size of 40,000 square feet for yield purposes in unsewered areas. Rather than provide the recommended density of just one unit per 40,000 square foot of area, the Applicant is seeking a change of zone to allow for over 4 units per 40,000 square feet of area. This is directly contrary to the state plan and goals of both the Nassau County and Suffolk County groundwater protection act plans.

WD 5
Sec. 2.1.1

4. The DEIS contains the following statement:

Under the Steep Slope Ordinance, this site could yield a total of 172 units. As the project proposes only 66 units within the Town of Huntington, it conforms to this regulation. Page S-11

WD 6
Sec. 2.2.2

The Applicant should explain how it comes to the conclusion that the site could yield 172 units when it states that the maximum yield is 15 single family homes.

It should also be noted that the necessary grading will be significant as the property is approximately 284 feet above sea level along its southern border and drops to 248 feet above sea level along its northern property line. The disturbance of this natural 36 foot grade differential could have a significant impact upon the site waterflow and the surrounding properties. It will also have an impact upon the site's own natural wetlands. What are the potential impacts on and off site of such disturbance and what measures are being taken to mitigate same?

WD 7
Sec. 2.2.1

5. Regarding the amount of soil that will be moved, the DEIS claims that "15.31 acres of the subject property will require grading". (S-10) In that over 80% of the site will be graded, what is the magnitude of the re-grading, how will the re-grading be accomplished, and what provisions are being made to ensure that all site generated water is contained on the subject site?

WD 8
Sec. 2.2.1

6. The application is contrary to the original intent of the R-RM zoning district which was enacted to address the true needs of the Town's senior population. When previously employed, the Town Board granted R-RM zoning and the downsizing and density bonuses it provides for developments that were truly "affordable" in nature for senior independent and assisted living facilities. The instant application does not provide affordable senior housing and should not be entitled to the benefits of such zone.

WD 9
Sec. 2.2.5

7. The DEIS indicates that 26,008 gallons per day of sanitary wastewater must be treated before it leaves the site and enters the Nassau County system. How and where will this treatment take place and what back-up measures are in place should the main facility fail? What will happen with the wastewater if the Nassau County system is unable to handle it for some reason and what will be the anticipated impacts?

WD 10
Sec. 2.2.3

8. Where will the required pump station be located and what will be its dimensions and hours of operation? What are the potential negative impacts during the operation of the pump station and what are the impacts should the pump station operations fail for any reason?

WD 11
Sec. 2.2.3

9. The DEIS states that "it is not *anticipated* that creating access from Plainview Road would be necessary for construction purposes". Under what scenario would access from Plainview Road be required and what could be the potential impacts upon the road network and residents of Plainview Road if the construction vehicles were to utilize Plainview Road as an access point for the project?

WD 12
Sec. 2.5.1

10. What will be the impact of the proposed development on the current ecological setting at the subject site? What species of flora and fauna have been identified and, if

WD 13
Sec. 2.2.4

the proposed project were to be approved and developed, what will happen to the plants and animals currently at/on the site?



11. How much money will the Applicant be required to pay to the Town of Huntington Affordable Housing Trust?

WD 14
Sec. 2.2.5

12. It is respectfully submitted that the proposed project is an overintensification of use for a site that is one of the best, last large remaining open spaces in the Town and that is unique in its position as a wetland property. The Town has failed to require that a hard look be given into the possibility of acquiring this property as open space. This could and should be studied as part of the "no action" analysis.

WD 15
Sec. 2.7.3
Sec. 2.1.1

The Applicant and the Town have failed to examine the actual need for this project and its potential impacts upon the surrounding property owners and the community in general. While an increase in the permitted density of development to meet a specifically identified need may be appropriate in the proper location and setting, this project meets no identified needs, nor does it provide any public benefit. What the Applicant proposes to construct is exactly the opposite of what the Town's current Comprehensive Plan has identified as appropriate for the subject site. The impacts will be severe and continuing.

WD 16
Sec. 2.1.1

It is also necessary that the Board recognize that the proposed zoning amendment is the subject of a written protest and that the Cold Spring Hills Civic Association has submitted petitions from six (6) surrounding neighbors who contest the proposed down-zoning and who have asked the Town Board to deny the application. This number of protestors exceeds twenty percent of the owners of property surrounding the land included in the proposed change of zone. Pursuant to Town Law Section 265, having been presented with the protest petitions mentioned, any Town Board adoption of the requested amendment "shall require the approval of at least three-fourths of the members of the town board". In the instant case, this means that at least four of the five members of the Town Board must vote in favor of the zoning amendment in order for it to be adopted. There is an opportunity for two of the Board's members to make a responsible decision to protect the quality of life in Huntington by denying or electing to abstain from the passage of this zoning amendment which is contrary to sound planning and to the Town's own Comprehensive Plan.

WD 17
Sec. 2.1.5

Very truly yours,

William A. DiConza

WAD/slm

cc:

Jo-Ann Raia, Town Clerk
John Leo, Town Attorney
Anthony Aloisio, Director of Planning & Environment
Scott Robin, Senior Environmental Analyst
Craig Turner, Planner
Town of Huntington
100 Main Street
Huntington, New York 11743

Appendix D-7

William DiConza, (on behalf of the owners of 40 & 42 Plainview Road)
June 21, 2010

WILLIAM A. DICONZA
COUNSELOR AT LAW
5 AUDREY AVENUE
P.O. BOX 457
OYSTER BAY, NEW YORK 11771

TELEPHONE (516) 624-0866
FACSIMILE: (516) 624-7735
DICONZALAW@AOL.COM

June 21, 2010

HAND DELIVERED

Supervisor Petrone and Members of the Town Board
Town of Huntington
100 Main Street
Huntington, New York 11743

Re: Project No. 2006-ZM-363
Action: Kensington Estates

Dear Supervisor Petrone and Members of the Town Board:

This firm represents the owners of 40 and 42 Plainview Road, Woodbury, New York. Their respective single-family properties are surrounded by the property that is now the subject of a change of zone application before the Town of Huntington Town Board. ("subject premises") The applicant before your Board, Triangle Equities Development Co., LLC, is seeking to downzone the subject premises to permit for the construction of 80 multi-family town homes and flats and 3 single family dwellings at the property situated on the southeast corner of Jericho Turnpike (NYS 25) and Plainview Road, straddling the border of Woodbury and Huntington, New York. The proposed action requires changes of zone in both the Town of Huntington and the Town of Oyster Bay, as well as area variances from the Town of Oyster Bay Board of Appeals and subdivision approval from the Nassau County Planning Commission. Approval is also required from the Suffolk County Planning Commissions, various water districts and county health departments and public works departments.

On May 19, 2010, the Town of Huntington Town Board, acting as Lead Agency in this application, caused to be circulated a Notice of Completion of Draft EIS. Parties were provided until June 21, 2010 within which to submit comments on the Draft EIS. Below are the comments of the Scott Hart and Paul Jones, as a supplement to the statements they made at the public hearing held before the Town of Huntington Town Board on May 17, 2010. Both of these property owners object to the downzoning proposal and urge the Board to reject same. In that the development virtually surrounds their properties, their privacy and expected way of life will be severely impacted by the clear cutting and paving of the forest that now exists in this special watershed area of the Island.

Comments on the DEIS:

1. The subject site is presently zoned one acre residential in both the Town of Huntington and the Town of Oyster Bay. This was the zoning of the site when the Applicant entered into its contract to purchase same. The plans which the Applicant provided for the subject site indicates that it could yield a maximum of 15 conforming single family lots. The *Horizons 2020: Town of Huntington Comprehensive Plan Update*, which was the result of years of studies and hearings and analysis, specifically indicates that the generalized future land use of the subject site should be for use as “parks, recreation, and conservation of land”. Rather than follow the guidelines established in the recently completed Comprehensive Plan, the Applicant is seeking approval to develop the site in a manner directly opposite to that which the Comprehensive Plan concluded was most appropriate for the subject site. Instead of “parks, recreation and conservation of land”, the Applicant is seeking permission to construct 83 dwelling units where the current law only permits 15 units. By seeking a **450% increase** in the historically allowed density of development, the Applicant is asking that the Town disregard not only its current laws, but to disregard the recommended conclusions contained in its own Comprehensive Plan. Such an extreme and substantial increase in the permitted density will have massive impacts upon the surrounding community and will result in the very detriment that the Comprehensive Plan sought to avoid.

WD 18
Sec. 2.1.1

2. The one acre zoning of the subject site was lawfully enacted and justifiably relied upon by the surrounding property owners, including the objectors herein. They benefited from this zoning. The Heart and Jones families have benefited and come to rely upon this zoning. If the Town of Huntington were to grant the Applicant’s request and allow for a 450% increase in the permitted density of development for the subject site, it would be taking from the surrounding community a public benefit to which they were and continue to be entitled. Such a taking requires a replacement of the benefit or some type of compensation. The Applicant has stated that its development provides a benefit to the community in that it will provide “affordable housing” for those in need of same.

WD 19
Sec. 2.1.1

The Town of Huntington requires that developments such as the one which the Applicant is proposing herein provide that at least 20% of its units be deemed “affordable”. The Applicant is not providing such. Instead, the Applicant is seeking permission to have only 10% of the proposed units deemed “affordable”. Thus, although the Applicant seeks a 450% increase in the existing permitted density, it seeks to provide only half of the required amount of affordable units.

WD 20
Sec. 2.2.5

The Applicant is seeking to take away the public benefit of one acre zoning and replace it with nothing. In the absence of a compelling public benefit, the Town of Huntington is prohibited from making such a gift of the public treasure to a private entity. The proposed provision of just six units of “affordable housing” clearly does not rise to the level of a “compelling public benefit”. Any increase in density must be met with an increase in public benefit. In this case, this requirement is clearly not met. Additionally, the proposed increase in density will have a direct and immediate impact upon the objectors use and enjoyment of their properties in that they will be surrounded by multi-family buildings, a recreation center and tennis court where the current zoning would only permit for the erection of a few single family homes on one acre each.

WD 21
Sec. 2.1.1

WD 22
Sec. 2.2.6

3. The site is situated within two separate special ground water protection areas. The DEIS confirms that the West Hills-Melville SGPA Plan identifies the project site as being within an area of low density residential use. It also confirms that both Nassau County and Suffolk County, as well as the Town of Oyster Bay have addressed land use density to ensure best groundwater management practices by requiring a minimum lot size of 40,000 square feet for yield purposes in unsewered areas. Rather than provide the recommended density of just one unit per 40,000 square foot of area, the Applicant is seeking a change of zone to allow for over 4 units per 40,000 square feet of area. This is directly contrary to the state plan and goals of both the Nassau County and Suffolk County groundwater protection act plans.

WD 23
Sec. 2.1.1

4. The DEIS contains the following statement:

Under the Steep Slope Ordinance, this site could yield a total of 172 units. As the project proposes only 66 units within the Town of Huntington, it conforms to this regulation. Page S-11

WD 24
Sec. 2.2.2

The Applicant should explain how it comes to the conclusion that the site could yield 172 units when it states that the maximum yield is 15 single family homes.

5. Significant regarding has been proposed since the property is approximately 284 feet above sea level along its southern border and drops to 248 feet above sea level along its northern property line. The disturbance of this natural 36 foot grade differential could have a significant impact upon the site waterflow and the surrounding properties. It will also have an impact upon the site's own natural wetlands. What are the potential impacts on and off site of such disturbance and what measures are being taken to mitigate same? Specifically, how will the properties at 40 and 42 Plainview Road be protected?

WD 25
Sec. 2.2.1

6. Regarding the amount of soil that will be moved, the DEIS claims that "15.31 acres of the subject property will require grading". (S-10) In that over 80% of the site will be graded, what is the magnitude of the re-grading, how will the re-grading be accomplished, and what provisions are being made to ensure that all site generated water is contained on the subject site?

WD 26
Sec. 2.2.1

7. The application is contrary to the original intent of the R-RM zoning district which was enacted to address the true needs of the Town's senior population. When previously employed, the Town Board granted R-RM zoning and the density bonuses it provides for developments that were truly "affordable" in nature for senior independent and assisted living facilities. The instant application does not provide affordable senior housing and should not be entitled to the benefits of such zone. How does the proposed development qualify for the R-RM zoning?

WD 27
Sec. 2.2.5

8. The DEIS indicates that 26,008 gallons per day of sanitary wastewater must be treated before it leaves the site and enters the Nassau County system. How and where will this treatment take place and what back-up measures are in place should the main facility fail? What will happen with the wastewater if the Nassau County system is unable to handle it for some reason and what will be the anticipated impacts?

WD 28
Sec. 2.2.3

9. Where will the required pump station be located and what will be its dimensions and hours of operation? What are the potential negative impacts during the operation of the pump station and what are the impacts should the pump station operations fail for any reason?

WD 29
Sec. 2.2.3

10. The DEIS states that “it is not *anticipated* that creating access from Plainview Road would be necessary for construction purposes”. Under what scenario would access from Plainview Road be required and what could be the potential impacts upon the road network and residents of Plainview Road if the construction vehicles were to utilize Plainview Road as an access point for the project? What impacts can the residents of 40 and 42 Plainview Road be expected to experience?

WD 30
Sec. 2.2.5

11. What will be the impact of the proposed development on the current ecological setting at the subject site? What species of flora and fauna have been identified and, if the proposed project were to be approved and developed, what will happen to the plants and animals currently at/on the site?

WD 31
Sec. 2.2.4

12. How much money will the Applicant be required to pay to the Town of Huntington Affordable Housing Trust?

WD 32
Sec. 2.2.5

13. It is respectfully submitted that the proposed project is an overintensification of use for a site that is one of the best, last large remaining open spaces in the Town and that is unique in its position as a wetland property. The Town has failed to require that a hard look be given into the possibility of acquiring this property as open space. This could and should be studied as part of the “no action” analysis.

WD 33
Sec. 2.2.5
Sec. 2.1.1

The Applicant and the Town have failed to examine the actual need for this project and its potential impacts upon the surrounding property owners and the community in general. While an increase in the permitted density of development to meet a specifically identified need may be appropriate in the proper location and setting, this project meets no identified needs, nor does it provide any public benefit. What the Applicant proposes to construct is exactly the opposite of what the Town’s current Comprehensive Plan has identified as appropriate for the subject site. The impacts will be severe and continuing.

WD 34
Sec. 2.1.1

14. What will be the anticipated impacts experienced by residents of 40 and 42 Plainview Road as a result of the proposed community’s use of the recreation building and tennis court? Will there be any lights around the tennis court and, if so, where will they be located and when will they be required to be turned off?? What will be the exact use and hours of operation of the recreation building? Will outside guests be allowed to utilize the recreation building? Will catered events be permitted in the recreation building? Will alcohol be served in the recreation building? Will there be any access to the tennis court or recreation building from Plainview Road?

WD 35
Sec. 2.2.7

15. The proposed zoning amendment is the subject of a written protest from six (6) surrounding neighbors who contest the proposed down-zoning and who have asked the Town Board to deny the application. This number of protestors exceeds twenty percent of the owners of property surrounding the land included in the proposed change of zone.

WD 36
Sec. 2.1.5

Pursuant to Town Law Section 265, having been presented with the protest petitions mentioned, any Town Board adoption of the requested amendment “shall require the approval of at least three-fourths of the members of the town board”. In the instant case, this means that at least four of the five members of the Town Board must vote in favor of the zoning amendment in order for it to be adopted. There is an opportunity for two of the Board’s members to stop this project in its current form and, thereby, protect the quality of life of those most immediately impacted by this proposed development. The developers can downsize this project and still earn a profit while, at the same time, allowing the surrounding property owners to enjoy the community the way it was meant to be as confirmed by the Town’s comprehensive plan



Very truly yours,

A handwritten signature in black ink, appearing to read "William A. DiConza", is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

William A. DiConza

WAD/slm

cc:

Jo-Ann Raia, Town Clerk
John Leo, Town Attorney
Anthony Aloisio, Director of Planning & Environment
Scott Robin, Senior Environmental Analyst
Craig Turner, Planner
Town of Huntington
100 Main Street
Huntington, New York 11743

Appendix D-8

Robert Bontempi, The Huntington Township Chamber of Commerce
July 31, 2009



THE HUNTINGTON TOWNSHIP
CHAMBER OF COMMERCE
SERVING THE GREATER HUNTINGTON AREA

EXECUTIVE COMMITTEE

- Robert Bontempi, Chairman
Bristol Myers Squibb
- David Walsdorf, Vice Chair
Walsdorf Insurance Agency
- Lawrence Kushnick, Esq., Vice Chair
Kushnick & Associates, P.C.
- Virginia Russell, Vice Chair
VIP Basket Store
- Thomas Glascock, Treasurer
Forchalk, Curio, Crono, Deegen, Schwartz, Mineo & Cohn, LLP
- Christopher G. Erckert, Secretary
Evo Networks, Inc

July 31, 2009

Hon. Frank Petrone
Hon. Susan A. Berland
Hon. Stuart P. Besen
Hon. Mark Cuthbertson
Hon. Glenda A. Jackson
Town of Huntington
100 Main Street
Huntington, New York 11743

Triangle Equities

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, NY
2009 AUG 14 P 2:17

BOARD OF DIRECTORS

- Michael Agnes
Citibank
- Sara Bluestone
Leadership Huntington Foundation
- John Caracciolo
JVC Broadcasting Corp.
- Steve Conte
Financial Consultant
- Barbara DeMatteo
Partnoy, Messinger, Pearl & Assoc
- Ron DiGiacomo
Green Peak Group
- Nell Gaschwind
Holtz Rubenstein Remnick, LLP
- John Glonis
Cordilman Bein Adler & Hymen, LLP
- Susan Hayes
Vortex Communications
- Mary Ann Hurd
Sunrise Outdoor Advertising
- Jim Kelly
JVKelly Group, Inc.
- Peter Klein
UBS Financial
- Kevin LaValle
Pinnacle Title Agency, LLC
- Maureen Leslie
Adelphi University
- James McGowan
Adelphi University
- Dr. George Santiago
Bitar Chifa College
- Vita Scaturro
Community National Bank
- Peter Sloggatt
Long Islander Newspapers
- Jon Ten Haagen, CFP
Ten Haagen Financial Group
- Dolores Thompson
Huntington Station Enrichment Center
- David Tunney
Honu Kitchen & Cocktails
- Jim Werner
Holladay Financial Group

Re: Kensington Estates

Dear Huntington Town Council:

The Huntington Township Chamber of Commerce (the "Chamber") writes this letter to express its general support in concept for Triangle Equities' proposed development of the Dougal property, located along the south side of Jericho Turnpike, as Kensington Estates. The property is currently an eyesore and, under current zoning, is underperforming in terms of property tax revenues it could generate for the towns of Huntington and Oyster Bay.

Our Chamber's mission is to promote business, economic development, and job creation through the coordinated efforts of our membership. As such, the Chamber seeks to represent the interests of business, industry, financial services, not-for-profit, and other professionals within the greater Huntington area, and our Government Relations Committee is charged to assess the impact of various initiatives on local business, employment, and the economy.

In a meeting with the committee, the developer expressed that it is the company's intent to use local vendors and employ local workers where possible. As such the project will have a positive impact on the local business community.

A major challenge facing the Town of Huntington, and Long Island in general, is the need to provide alternative housing opportunities for an aging population with a growing number of empty nesters. The proposed project would help meet this need by providing an age restricted community offering housing consistent with the Town's Horizons 2020 comprehensive plan, which articulates a need for smaller households and affordable housing for a changing demographic. The proposed development would also offer a positive tax impact for the South Huntington and Syosset School Districts without the burden of additional students.

As such, the Chamber is supportive of the proposed project concept, subject to further details about the project as Triangle Equities moves forward.

Sincerely,

HUNTINGTON TOWNSHIP CHAMBER OF COMMERCE

By: *[Signature]*

cc: Huntington Planning Board

HT 1
Sec 2.1.7

HT 2
Sec. 2.1.4

HT 3
Sec. 2.4.1

SCANNED

PLANNING DEPARTMENT
TOWN OF HUNTINGTON, NY
2009 AUG 14 P 2:17
HT 1
HT 2
HT 3
Sec 2.1.7
Sec. 2.1.4
Sec. 2.4.1
ACKNOWLEDGE
ADDED STAFF
TECH
CONF.

Appendix D-9

Howard & Warren Kleet, Kleet Lumber Co., Inc.
June 21, 2010

Std 17r



Established 1946

Serving the Professional Builder and Remodeler with a full line of building products

August 26, 2009

Hon. Frank Petrone, Supervisor
Huntington Town Board Members
100 Main Street
Huntington, NY 11743

RECEIVED
SUPERVISOR'S OFFICE
TOWN OF HUNTINGTON, NY
09 AUG 31 PM 12:01

Dear Supervisor Petrone and Town Board Members:

We are writing to express our support of Triangle Equities proposed development on Jericho Turnpike known as Kensington Estates. We have had the opportunity to review their plans and believe that a 55 and over residential community fills a housing need in Huntington.

HK 1
Sec. 2.1.4

As active business owners in Huntington, we can attest to the need for this type of development especially from a company with the reputation of Triangle Equities. This development will help to address the need for a community where parents and friends can live when they want to move out of their single family homes. It will also stimulate businesses in Huntington—something which is needed in these economic times.

HK 2
Sec. 2.1.7

We know that Triangle is in the active part of the environmental process and we have been assured by them that they will conform to all requirements. We sincerely hope that as our elected representatives you realize the need for Kensington Estates proposed development as a housing alternative and an economic engine for the business community.

Thank you.

Sincerely,

Howard Kleet
Howard Kleet

Warren Kleet
Warren Kleet



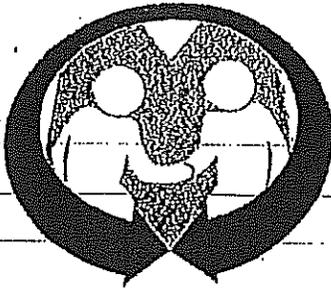
777 Park Avenue • Huntington, New York 11743
1-800-696-KLEET • Fax 631-427-5446 • Fax 631-470-1336

www.kleet.com



Appendix D-10

Mark J. Catapano, Melville Chamber of Commerce
August 27, 2009



MELVILLE

CHAMBER OF COMMERCE

RECEIVED
SUPERVISOR'S OFFICE
TOWN OF HUNTINGTON, N.Y.
09 AUG 31 PM 12:01

Std. Hb

August 27, 2009

Hon. Frank Petrone, Supervisor
Huntington Town Board Members
100 Main Street
Huntington, NY 11743

Re: Kensington Estates c/o Triangle Equities
Jericho Turnpike, Huntington/Oyster Bay
80 Residential Units, 55 & Older Adult Community

Dear Supervisor Petrone and Town Board Members:

The Melville Chamber of Commerce is in support of Triangle Equities proposed development on Jericho Turnpike known as Kensington Estates. Our community has continuously expressed the need for solutions to our housing crisis and this proposal does address residential 55 and older housing with affordable type options within the development of this community.

MC 1
Sec. 2.1.4

We feel that the proposed location of this community will positively affect our local area, increase tax dollar revenues for our schools and boost the local economy. We have been assured that Triangle Equities will be using local building suppliers and local contractors. In addition to using local development resources, the Kensington's residents will be shopping locally and improving our local merchant revenues.

MC 2
Sec. 2.1.7

Triangle Equities has presented their application to us for our view and concerns regarding our neighborhoods, economic and environmental impacts such a development would impose. The Melville Chamber of Commerce feels that the integrity of Triangle Equities development proposal will impact our community in a positive manner.

Please consider that the Melville Chamber of Commerce is committed to improving our community and will continue to be an advocate for such development opportunities. We sincerely hope that our elected representatives will provide support of development proposals like the Kensington Estates for housing alternatives and economic stimulus.

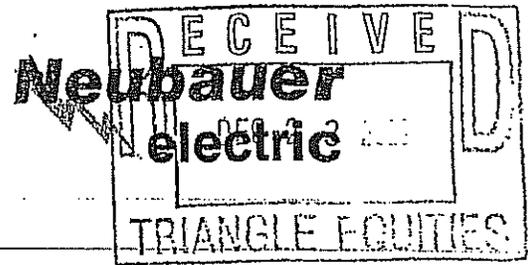
Sincerely,

Mark J. Catapano
Chairman of the Board

Appendix D-11

Kai Bauer, Neubauer Electric, LLC
December 21, 2009

Neubauer Electric, LLC
420A Lexington Ave
West Babylon, NY 11704
T 631.587.3751
F 631.321.0873



December 21, 2009

Hon. Frank Petrone, Supervisor
Huntington Town Board Members
100 Main Street
Huntington NY 11743

Dear Supervisor Petrone and Town Board Members:

We are writing to express our support of Triangle Equities' proposed development on Jericho Turnpike known as Kensington Estates. We have had the opportunity to review their plans and believe that a 55 and over residential community fills a housing need in Huntington.

KB 1
Sec. 2.1.4

As an active electrical contractor working in Huntington and throughout Nassau and Suffolk Counties, we can attest to the need and demand for this type of housing. We are currently working on similar projects for 55 and over housing in the Townships of Islip and Babylon, involving over 100 new construction units. This development will address the need and desire to keep families together and closer to home on Long Island.

It will also stimulate business in Huntington.

We hope that you as elected representatives agree with us. We are confident that Triangle Equities will perform and comply with the environmental process, and bring this housing alternative project to fruition. Kensington Estates is a living community that the Town of Huntington needs.

Thank you for your attention.

Sincerely,

A handwritten signature in cursive script that reads "Kai Bauer".

Kai Bauer
Owner
Neubauer Electric LLC

Appendix D-12

**William F. Bonesso, Forchelli, Curto, Deegan Schwartz, Mineo, Cohn &
Terrana, LLP**
April 13, 2010

FORCHELLI, CURTO, DEEGAN, SCHWARTZ, MINEO, COHN & TERRANA, LLP
COUNSELORS AT LAW

RECEIVED
TOWN CLERK
TOWN OF HUNTINGTON NY
APR 13 3 35

THE OMNI
333 EARLE OVINGTON BOULEVARD
SUITE 1010
UNIONDALE, NEW YORK 11553
TELEPHONE: (516) 248-1700
FACSIMILE: (516) 248-1729

TOWN BOARD AGENDA # 6
5-4-2010
(date)

WEBSITE: WWW.FORCHELLILAW.COM

WILLIAM F. BONESSO, P.C.
PARTNER
DIRECT DIAL: (516) 812-6208
WBONESSO@FORCHELLILAW.COM

MELVILLE, NEW YORK
BY APPOINTMENT ONLY

April 13, 2010

VIA FACSIMILE

Town Board of the Town of Huntington
Huntington Town Hall
100 Main Street
Huntington, New York 11743

Re: Proposed Town Board Resolution No. 2010-186 pertaining to
Premises at 1130 West Jericho Turnpike, Huntington,
County of Suffolk, New York

Dear Supervisor Petrone and Members of the Board:

On behalf of my partner, John Terrana, as well as many other property owners on and around Artisan Avenue in the development situated directly to the east of the above-referenced premises, I am writing to support and applaud the adoption of proposed Resolution No. 2010-186 at tonight's Huntington Town Board meeting. As you know, the premises is the site of the "Dougal Farm" which has been the location of ongoing illegal, unauthorized, noxious and unsightly activities for far too long. Most recently, the premises is not only the site of an unauthorized horse riding and boarding facility, but also a mulching and chipping business.

The R-40 residentially-zoned property in question has been allowed to operate commercially due to rulings by the District Court finding that the property is the site of a nonconforming nursery use. However, the wide-ranging array of activities presently occurring on the site far exceed even the uses that the District Court would have deemed permitted. As referenced, the property owner presently boards up to 60 horses on the premises, in facilities and under conditions that one horse expert advised us was "atrocious". In addition to that, the property owner maintains a petting zoo, and a wood carving business which entails the use of chain saws to carve tree trunks into novelty figures. Also occurring at the premises is the storage of multiple vehicles and storage containers which, upon our last inquiry to the Town, are all without authorization.

Now, in violation of direct orders from the Town's Department of Public Safety, the property owner is bringing in more wood for mulching and chipping. One need only drive past the site (much less live next to it) to smell the incredibly strong and pungent odor of decomposing wood. Add to that the noise from chain saws and other heavy equipment, and the swarming horse flies in

WB 1
Sec. 2.1.6



FORCHELLI, CURTO, DEEGAN, SCHWARTZ, MINEO, COHN & TERRANA, LLP
COUNSELORS AT LAW

Page 2
April 13, 2010

TOWN BOARD AGENDA # 6
5-4-2010
(date)

the Spring, Summer and Fall, and you have unboarable conditions being forced upon the nearby residents.

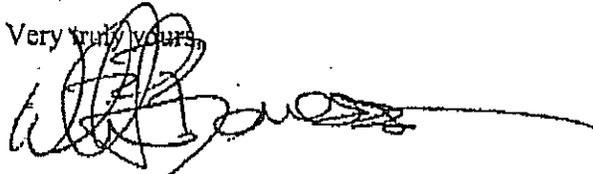
While the property owner has filed an application to the Huntington Zoning Board of Appeals to legalize the existing horse farm, said application has been adjourned on numerous occasions by the property owner and presently does not have a hearing date. Meanwhile, all of the unauthorized and illegal activities described above are ongoing and the property owner does not seem to have any concern about the negative impacts it imposes upon neighboring property owners.

For this reason, it is respectfully requested that the Town, in bringing legal proceedings against the owners of this property, seek not only to force the termination of the mulching and chipping activity, but also all other unauthorized and noxious activities occurring on the property, unless and until the Zoning Board of Appeals grants necessary variances to the property owner to maintain the same.

Be assured that, should you need affidavits or even personal appearances by my partner or other neighbors in the area in order to support the legal proceedings to be brought against the subject property owner, they will be only too happy to oblige you in your efforts. In return, I hope you will keep me informed as to the progress of the commencement of the proceedings going forward.

Thank you for your attention to this matter.

Very truly yours,



WILLIAM F. BONESSO

WFB/ka

cc: John J. Leo, Esq., Town Attorney (via fax)
Bruce Richard, Director of Public Safety (via mail)

RECEIVED
TOWN CLERK
TOWN OF HUNTINGTON NY
2010 APR 13 P 3:55

Appendix D-13

Raffaella P. Petrasek

May 12, 2010

Raffaella P. Petrusek
10 Coldport Drive
Huntington, NY 11743

May 12, 2010

The Honorable Frank Petrone
Supervisor
Town of Huntington
100 Main Street
Huntington, New York 11743

Members of the Town Board
Town of Huntington
100 Main Street
Huntington, New York 11743

Dear Supervisor Petrone and Town Board Members:

I would like to voice my support for a proposed redevelopment of the Dougal property on Jericho Turnpike named Kensington Estates. Most Long Island communities have not been developed in such a manner as to facilitate "aging-in-place." In these communities, residents face the difficult choice of leaving their neighborhoods or struggling to remain in their home. Kensington Estates offers alternative housing options along an existing commercial corridor without sacrificing the character of the surrounding residential communities. It is a unique opportunity for the Town to support well-planned and well-designed housing alternatives in a variety of locations in Huntington.

RP 1
Sec. 2.1.4

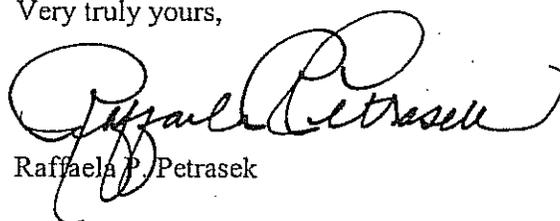
RP 2
Sec. 2.1.8

As Long Island's population ages, we need to recognize the changing needs and, in particular, the varying needs among our own neighbors. We must take an active role in planning how we accommodate these needs in a sensitive manner, find suitable sites and support opportunities that incorporate housing alternatives throughout the Town.

RP 3
Sec. 2.1.4

I encourage your support of this proposed project.

Very truly yours,



Raffaella P. Petrusek

Appendix D-14

Mary G. Fudens
May 17, 2010

TOWN BOARD AGENDA # 20
6-15-2010
(date)

MAY 17, 2010

RECEIVED
TOWN OF HUNTINGTON
PLANNING & ENVIRONMENTAL DEPARTMENT

2010 MAY 28 P 2:26

RE INDIAN HEAD RANCH (DOUGAL PROPERTY)
KENSINGTON ESTATES
83 TOWN HOMES
TO BE BUILT

LOCATED ON JERICHO TPKE. AND PLAINVIEW RD.
HUNTINGTON 11743

THIS DEVELOPMENT WILL NOT ONLY BE AN ENHANCING
ADDITION TO OUR TOWN, BUT WILL FILL AN ENORMOUS VOID.

THE AGING POPULATION OF THIS COUNTRY IS GROWING
RAPIDLY, AND THEIR LIFESTYLE CHANGING.
THEY WOULD PREFER TO REMAIN IN THEIR OWN TOWNS, BUT
NOT NOT IN THOSE ENORMOUSLY TAXED, HIGH MAINTENANCE,
UTILITY CONSUMING HOMES.

THE YOUNGER GENERATION IS GROWING, BUT DIFFERENTLY
THAN ANYONE HAD EXPECTED...EARNING LESS AND HAVING
FEWER CHILDREN.....INCOMES FALLING AND JOB SECURITY
VERY TENUOUS; THUS, MORE OFTEN THAN NOT, UNABLE TO
AFFORD THE HUGE, NEW HOMES ON ONE ACRE PROPERTIES.
WHATEVER HAPPENED TO CHILDREN BUYING THEIR PARENTS'
HOMES?

IN THE TOWN OF HUNTINGTON, THERE ARE PRESENTLY OVER
900 HOMES PRICED HIGHER THAN \$500000 AVAILBLE FOR SALE,
AND ONLY 18 "OVER FIFTY FIVE" UNITS ON THE MARKET. THIS
"KENSINGTON" IS THE EXACT PROJECT THAT SHOULD BE IN
OUR MASTER, LONG TERM PLAN, BASED ON NATIONAL
STATISTICS, AND OUR OWN COMMUNITY'S NEEDS

MF 1
Sec. 2.1.4

ADDITIONALLY, WE NEED TO KEEP THE SENIORS HERE, AS
THEY ARE THE BACKBONE OF OUR TOWN, AND ALSO THE
GRANDPARENTS OF MANY OF OUR YOUNG RESIDENTS. THE
FOLKS WANT TO GET OUT, HAVE A GOOD TIME, AND BE AN
INTEGRAL PART OF THEIR COMMUNITIES. THERE WILL BE
GREATER TAX BENEFITS TO THE TOWN, MORE MONEY, MORE

DIRECTOR	
DEPUTY DIR	
ASST. DIRECTOR	
AGENDA	
ADDED STARTER	
TECH	CORR.

cc: Supervisor
Town Board (4)
Town Attorney
Engineering Services
Planning & Environment

S-08-004-X

AS

MF 2

BUSINESS FOR THE MERCHANTS AND RESTAURANTS, AND MANY MORE FOLKS WHO HAVE TIME TO TAKE PART IN VOLUNTEER WORK ON EVERY LEVEL.

THE OWNERS OF KENSINGTON ESTATES HAVE COME TO US WITH A STELLAR REPUTATION, YEARS OF EXPERIENCE, AND A PERSONAL INTEREST IN HUNTINGTON, THEY WILL BUILD A FABULOUS COMMUNITY WITHIN OUR COMMUNITY, ONE WHICH WE WILL BEFIT THE AREA, AND PROVIDE A WONDERFUL SOLUTION TO A PORTION OF OUR SENIORS' NEEDS.

I URGE THE TOWN BOARD TO VOTE IN FAVOR OF THIS DEVELOPMENT, AND IF IT IS NOT TOO LATE , TO RECONSIDER ALLOWING 130 HOME TO BE BUILT, WHICH WILL HELP TO KEEP THE PRICE OF THE UNITS MORE CONDUCTIVE TO MANY SENIORS

MARY G. FUDENS



516-446-7180

maryfudens@maryfudens.com

RECEIVED
TOWN BOARD
JUN 17 2010

PART 2.....

THIS IS THE CONTINUATION OF WHAT I HAD PLANNED TO SAY AT THE TOWN BOARD MEETING, BUT WAS PREVENTED BY THE CLOCK, FROM DOING SO.

AS A RECENT PROPONENT OF THE KENSINGTON ESTATE PLAN, I HAVE LOOKED INTO THE AVAILABLE BACKGROUND INFORMATION TO INFORM AND ASSURE MYSELF THAT I AM MAKING A GOOD AND FAIR DECISION, BY BEING IN FAVOR OF THIS PROJECT.

SOME OF THE THE INFORMATION THAT I DISCOVERED WAS A BIT TROUBLING, AND DID NOT APPEAR TO BE AT ALL OBJECTIVE.

1. MOST RESIDENTS HAVE EITHER VERY LITTLE INFORMATION OR VERY FEW OPINIONS; THEREFORE, THEY ALSO DO NOT REALIZE THAT THERE WILL BE NO IMPACT, WHATSOEVER, ON THE SCHOOLS, AND THE SEWAGE PLANT WILL BELONG TO THE TOWN OF OYSTER BAY.
2. MANY RESIDENTS HATE TO SEE THE INDIAN HEAD RANCH BE DEMOLISHED. I, TOO FEEL THAT ANOTHER PART OF OUR UNIQUENESS AND DIVERSITY IS CRUMBLING WITH THE EXTINCTION OF "THE DOUGAL PROPERTY". HOWEVER, TIME MARCHES ON, AND NOW WE MUST FIND THE NEXT BEST OPTION.
3. SOME PEOPLE COULDN'T CARE LESS WHAT HAPPENS AT THAT LOCATION, BUT SEVERAL CIVIC ASSOCIATIONS AND CHAMBERS OF COMMERCE ARE IN FULL SUPPORT OF THE PROJECT.
4. AND, THEN THERE ARE THE VERY FEW PEOPLE WHO HAVE OBJECTED VOCIFEROUSLY FOR SEVERAL YEARS, FIRST COMPLAINING ABOUT THE RANCH, AND NOW THINKING THAT THEY AND THEY ALONE SHOULD

MF 3
Sec. 2.1.6

DETERMINE WHAT AND WHO WILL WILL REPLACE THE DOUGAL FAMILY.

THE LAST TIME I CHECKED, AN OWNER COULD SELL HIS PROPERTY TO WHOM-SO-EVER HE CHOSSES, WITHIN THE BOUNDARIES OF THE LAW, AND IS ENTITLED TO REAP THE "FINANCIAL WINDFALL", AND I USE THAT TERM LIGHTLY, WHICH HE ACCRUES, FOR HAVING OWNED THE PROPERTY FOR PROBABLY MORE THAN FIFTY YEARS.

I PERSONALLY FIND THIS EGREGIOUS, IF NOT DOWNRIGHT DISCRIMINATORY, AND RELY ON ALL OF YOU TO MAKE THE CORRECT, FAIR, AND OBJECTIVE DECISION REGARDING THIS PROPERTY. I AM CONFIDENT THAT YOU WILL CONSIDER THE NEEDS OF THE ENTIRE COMMUNITY, AND ALTHOUGH IT IS PROBABLY FAR TOO LATE FOR CHANGES, PERHAPS RECONSIDER THE 136 TOTAL UNITS THAT WOULD MAKE THE COST OF EACH UNIT MORE AFFORDABLE, AND WOULD INCREASE, YET AGAIN, YOUR TAX BASE.

MF 4
Sec. 2.1.1

THANK YOU FOR YOUR ATTENTION AND EFFORTS REGARDING THIS MATTER. YOU WILL RECEIVE ONE ADDITIONAL LETTER FROM ME, AS TO FURTHER CONCERNS I HAVE, AS THEY PERTAIN TO THE COLD SPRING CIVIC ASSOCIATION, AND THE TIME THAT HAS BEEN WASTED, AND THE MONEY SPENT, AND THE INCREASING PRICES OF THIS PROJECT DUE TO THEIR ALMOST LUDICROUS OBJECTIONS OVER SUCH A LONG PERIOD OF TIME.

RESPECTFULLY SUBMITTED,

Mary G. Fudens
MARY G. FUDENS

LOG OF TOWN BOARD
2010

Appendix D-15

**Doris Ortiz, City of New York, Brooklyn Community Board 14
Flatbush-Midwood Community District**

August 6, 2009



BROOKLYN COMMUNITY BOARD #14
FLATBUSH-MIDWOOD COMMUNITY DISTRICT
810 East 16th Street
Brooklyn, New York 11230

Triangle
Equities

MARTY MARKOWITZ
Borough President

ALVIN M. BERK
Chairman

DORIS ORTIZ
District Manager

August 6, 2009

Supervisor Frank Petrone
Members of the Huntington Town Board
100 Main Street
Huntington, New York 11743

Re: Proposed Kensington Estates Jericho Turnpike and Plainview Road, Huntington, NY

Dear Supervisor Petrone and Members of the Town Board:

I am writing to you as District Manager of Community Board #14 (CB14), located in the Midwood section of Brooklyn where Triangle Equities has just completed a retail center called Triangle Junction. It is my understanding that Triangle currently has a zone change application before you and the Town Board for review. I would like to take this opportunity to express our sincere thoughts about Triangle as a developer.

Triangle reached out to CB14 from the very beginning of the Triangle Junction project, working hand in hand with us throughout the process as partners. The land use approval process was long and complex, taking several years for its completion. Throughout the entire process Triangle listened to our concerns and considered our needs, both from the local residents and businesses alike. Triangle considered the uses that were identified as needed by the community and incorporated them within the Center. Triangle was an impetus in starting the Business Improvement District and sat on the Board of the Brooklyn Center for Performing Arts to create a partnership with the community. Additionally, throughout the construction period, the site was kept clean, safe and orderly. I am proud of the work we accomplished together and the recognition that they have received by the Brooklyn Chamber of Commerce, with the 2009 Award for Economic Development.

BCC 1
Sec. 2.8

From our community's perspective, there are certain qualities that are important for a developer to possess, and that is sincerity, fairness, responsiveness and to provide quality work. Triangle has proven that they have all of these. I believe that you will find working with Triangle a positive experience for the Town and the community.

Feel free to contact me at 718-859-6357 if you wish to discuss this further.

Sincerely,
Doris Ortiz
Doris Ortiz
District Manager

SCANNED

cc: Elysa Goldman, Triangle Equities

09 SEP 23 PM 12:07
RECEIVED
SUPERVISOR'S OFFICE
TOWN OF HUNTINGTON, N.Y.

Appendix D-16

Form Letters

FORM LETTER A

TOWN BOARD AGENDA # 5C
7-6-2010
(date)

RECEIVED
TOWN CLERK
TOWN OF HUNTINGTON NY
2010 JUN 21 A 10:51

May 13, 2010

Ms. Jo-Ann Raia, Town Clerk
Town of Huntington
100 Main Street
Huntington, New York 11743

Dear Supervisor Petrone & Members of the Town Board:

I have had the opportunity to learn about the proposed development for the Dougal property on Jericho Turnpike named *Kensington Estates*. I am in favor of this proposed development for several reasons. First, I believe it will be a huge improvement over what is currently taking place on that property. Second, as an age restricted community it will have a positive impact on the local school district.

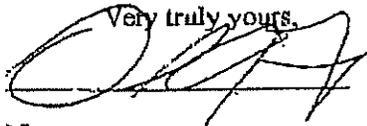
F 1, Sec. 2.1.6
F 2
Sec.2.4.1

Long Island's population is aging and this type of attractive development would give empty nesters an opportunity to live in a beautiful community and not have the worries of maintaining a single family home.

F 3
Sec. 2.1.4

Please support this community.

Very truly yours,



Name

Daniel J. Furrer

Address:

44 Colonial St

ENPT, NY 11731

cc: Supervisor
Town Board (4)
Town Attorney

*Engineering Services
Planning & Environment*

FORM LETTER B

RECEIVED
TOWN OF HUNTINGTON NY

2010 JUN 21 A 10:51

May 25, 2010

TOWN BOARD AGENDA # 5B
7-6-2010
(date)

Ms. Jo-Ann Raia, Town Clerk
Town of Huntington
100 Main Street
Huntington, New York 11743

Dear Supervisor Petrone & Members of the Town Board:

I have had the opportunity to learn about the proposed development for the Dougal property on Jericho Turnpike named *Kensington Estates*. I am in favor of this proposed development for several reasons. First, I believe it will be a huge improvement over what is currently taking place on that property. Second, as an age restricted community it will have a positive impact on the local school district. F 4. Sec. 2.1.6
F 5
Sec. 2.4.1

Long Island's population is aging and this type of attractive development would give empty nesters an opportunity to live in a beautiful community and not have the worries of maintaining a single family home. F 6
Sec. 2.1.4

Please support this community.

Very truly yours,

David Raia

Name

8 Pine Tree Ln.

Address:

Dix Hills N.Y. 11746

Phone Number:

(631) 902-9777

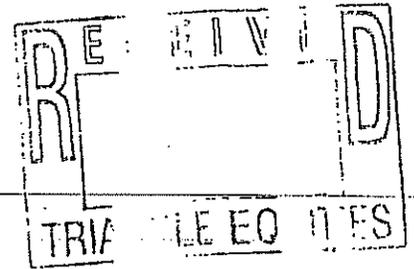
Email:

dave826@optonline.net

cc: Supervisor
Town Board (4)
Town Attorney

Planning & Environment

AS 6/21/2010



April , 2009

Mr. Frank Petrone, Supervisor
 Town of Huntington
 100 Main Street
 Huntington, New York 11743

Mr. John Venditto, Supervisor
 Town of Oyster Bay
 54 Audrey Avenue
 Oyster Bay, NY 11771

Re: Triangle Equities 496 West Jericho Turnpike, LLC
Kensington Estates, Jericho Turnpike, Huntington/Oyster Bay

Dear Messrs. Petrone and Venditto:

I live at 14 GAYLORE Drive, Huntington, NY. I support the change of zone applications currently pending in both Huntington and Oyster Bay to permit the development of the property located at the intersection of Jericho Tpke. and Plainview Road, known as Kensington Estates, a community of upscale townhouse units for residents 55-years old and older.

There is a tremendous need for alternate housing options for Long Island's aging population and growing number of empty nesters. F7
2.1.4

Therefore, Kensington Estates would be a wonderful amenity for this Long Island community.

Very truly yours,

Joanne Maneri

TRIANGLE EQUITIES			
FILE	✓	JS	
CHRONO		RS	✓
LP	✓	HB	
BG		GA	
EG	✓	ACCTG	
MK		A/P	
JW	✓	KP	✓
AK		TH	

June , 2009

Hon. Frank Petrone, Supervisor
Members of the Town Board
Town of Huntington
100 Main Street
Huntington, New York 11743

Dear Supervisor Petrone:

I have had the opportunity to learn about the proposed development for the Dougal property on Jericho Turnpike named *Kensington Estates*. I am in favor of this proposed development for several reasons. First, I believe it will be a huge improvement over what is currently taking place on that property. Second, as an age restricted community it will not bring children into the school district, but it will bring in property taxes.

F 8
Sec. 2.1.6
F 9
Sec. 2.4.1

Long Island's population is aging and this type of attractive development would give empty nesters an opportunity to live in a beautiful community and not have the worries of maintaining a single family home.

F 10
Sec. 2.1.4

Please support this community.

Very truly yours,

Name

Arlene & Thomas Marguile

Address:

*81 WEST GATE DRIVE
COLD SPRING HILLS
HUNTINGTON, N.Y. 11743*

Y

December 21, 2009

Hon. Frank Petrone, Supervisor
Huntington Town Board Members
100 Main Street
Huntington NY 11743

Dear Supervisor Petrone and Town Board Members:

I have had the opportunity to learn about the proposed development for the Dougal property on Jericho Turnpike named **Kensington Estates**. I am in favor of this proposed development for several reasons. First, I believe it will be a huge improvement over what is currently taking place on that property. Secondly, as an age restricted community, it will have a positive tax impact on the local school district. And thirdly, it will provide an attractive living community for our aging population and empty nesters who want to continue to living near their family, friends, and businesses, but do not want to have the burden of home maintenance.

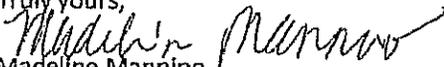
F 11, Sec. 2.1.6

F 12, Sec. 2.4.1

F 13, Sec. 2.1.4

I urge you to support this project.

Truly yours,


Madeline Mannino

15 Gary Place
Huntington, NY