



TOWN CLERK

PUBLIC HEARING
655 Main Street
Islip, NY 11751

October 18, 2022
2:00pm

-
1. To consider enacting Local Law No. 3 of 2022 amending Local Law 3-1998, Chapter 48G of the Town of Islip Code entitled "Taxation: Exemption for Person with Disabilities".
 2. To consider enacting Local Law No. 4 of 2022 amending Local Law 10-25-1966, Chapter 48 of the Town of Islip Code entitled "Taxation: Partial Exemption for Senior Citizens."
 3. To consider enacting Local Law No. 5 of 2022 amending Local Law 10-25-1966, Chapter 48 of the Town of Islip entitled "Taxation: Partial Exemption for Senior Citizens who have an ownership in a cooperative corporations.
 4. To consider enacting Local Law No. 6 of 2022 of the Town of Islip Town Code within Chapter 68, "Article XIII A Use District Regulations: Downtown Development District".
 5. To consider the reapportionment of the Town of Islip Council Districts.

GIVEN that any person who needs a sign language interpreter or has concerns regarding accessibility to the Town Board Meeting, please call Constituent Services at 631-224-5380.

Dated at Islip, NY
TOWN OF ISLIP
Published
OHM/tb

TOWN BOARD,

By: OLGA H. MURRAY
TOWN CLERK

October 18, 2022
Public Hearing
#1

WHEREAS, the New York State Laws of 2022 increases the maximum income exempt eligibility level for Persons with Disabilities and Limited Income permitted by § 459-c of the New York State Real Property Tax Law; and

WHEREAS, this legislation grants the Town of Islip the option to increase the maximum income exempt eligibility level for the Town of Islip qualified Persons with Disabilities and Limited Income; and

WHEREAS, such local option will expand real property assessment relief, commencing with the upcoming 2023/24 tax year, to encourage Town of Islip's most vulnerable, Persons with Disabilities and Limited Income, to remain in their owner-occupied primary residences; and

WHEREAS, the Town Board of the Town of Islip held a public hearing on Tuesday, October 18, 2022 at 2:00 pm to consider enacting Local Law No. 3 of 2022, amending Local Law No. 3-1998, Chapter 48G of the Town of Islip Town Code entitled "TAXATION: EXEMPTION FOR PERSONS WITH DISABILITIES" to update the maximum income exempt eligibility level for Town of Islip qualified Persons with Disabilities and Limited Income.

NOW THEREFORE, on a motion of Councilperson _____,
Seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby amends Chapter 48G of the Town of Islip Town

Code entitled "TAXATION: EXEMPTION FOR PERSONS WITH DISABILITIES" to update the maximum income exempt eligibility level for Town of Islip qualified Persons with Disabilities and Limited Income, as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING

Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

§ 48G-5. Limitations.

No exemption shall be granted:

- A. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of ~~\$29,000~~ \$50,000. "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except that, where the husband or wife, or ex-husband or ex-wife, is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances or monies earned through employment in the federal foster grandparent program; and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, if the governing board of a municipality, after a public hearing, adopts a local law, ordinance or resolution providing therefor. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion or wear and tear of real or personal property held for the production of income.

§ 48G-10. When effective.

This chapter shall become effective 20 days after filing with the Secretary of State.

§ 48G-5. Limitations.

No exemption shall be granted:

- A. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of \$50,000. "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except that, where the husband or wife, or ex-husband or ex-wife, is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances or monies earned through employment in the federal foster grandparent program; and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, if the governing board of a municipality, after a public hearing, adopts a local law, ordinance or resolution providing therefor. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion or wear and tear of real or personal property held for the production of income.

§ 48G-10. When effective.

This chapter shall become effective 20 days after filing with the Secretary of State.

October 18, 2022
Public Hearing
#2

WHEREAS, the New York State Laws of 2022 increases the maximum income exempt eligibility level for Senior Citizens with Limited Income permitted by§ 467 of the New York State Real Property Tax Law; and

WHEREAS, this legislation grants the Town of Islip the option to increase the maximum income exempt eligibility level for Town of Islip qualified Senior Citizens with Limited Income; and

WHEREAS, such local option will expand real property assessment relief, commencing with the upcoming 2023/24 tax year, to encourage the Town of Islip's most vulnerable, Senior Citizens with Limited Income, to remain in their owner-occupied primary residences; and

WHEREAS, the Town Board of the Town of Islip held a public hearing on Tuesday, October 18, 2022 at 2:00 pm to consider enacting Local Law No. 4 of 2022, amending the Local Law adopted by the Town Board of the Town of Islip on 10-25-1966, Chapter 48 of the Town of Islip Town Code entitled "TAXATION: PARTIAL EXEMPTION FOR SENIOR CITIZENS" to update the maximum income exempt eligibility level for Town of Islip qualified Senior Citizens with Limited Income.

NOW THEREFORE, on a motion of Councilperson _____,
Seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby amends Chapter 48 of the Town of Islip Town Code entitled "TAXATION: PARTIAL EXEMPTION FOR SENIOR CITIZENS" to update the maximum income exempt eligibility level for Town of Islip qualified Senior Citizens with Limited Income, as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING

Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

§ 48-3. Application for exemption; conditions.

A. The income of the owner or the combined income of the owners as defined by § 467 of the Real Property Tax Law, for the calendar year prior to the date that the application is filed, shall determine the percentage of assessed valuation which is exempt from taxation, in accordance with the following schedule. For the purposes of this section, ~~\$29,000~~\$50,000 shall constitute the maximum income exempt eligibility level (M). [Amended 8-25-1970; 10-3-1972; 12-17-1974; 6-12-1977; 7-9-1979; 8-19-1980; 8-17-1982; 9-20-1983; 8-28-1986; 2-27-1990; 7-24-1990; 10-1-1991; 10-6-1992; 2-7-1995; 2-27-1996; 1-28-1997; 2-16-1999; 10-25-2011]

Annual Income	Percentage of Assessed Valuation Exempt From Taxation
More than (M) but less than (M + \$1,000)	45%
(M + \$1,000 or more) but less than (M + \$2,000)	40%
(M + \$2,000 or more) but less than (M + \$3,000)	35%

Annual Income	Percentage of Assessed Valuation Exempt From Taxation
(M + \$3,000 or more) but less than (M + \$3,900)	30%
(M + \$3,900 or more) but less than (M + \$4,800)	25%
(M + \$4,800 or more) but less than (M + \$5,700)	20%
(M + \$5,700 or more) but less than (M + \$6,600)	15%
(M + \$6,600 or more) but less than (M + \$7,500)	10%
(M + \$7,500 or more) but less than (M + \$8,400)	5%

~~§48-4. When effective.~~

~~This ordinance shall take effect immediately pursuant to law.~~

§48-5. When effective.

This chapter shall become effective 20 days after filing the Secretary of State.

§ 48-3. Application for exemption; conditions.

A. The income of the owner or the combined income of the owners as defined by § 467 of the Real Property Tax Law, for the calendar year prior to the date that the application is filed, shall determine the percentage of assessed valuation which is exempt from taxation, in accordance with the following schedule. For the purposes of this section, \$50,000 shall constitute the maximum income exempt eligibility level (M). [Amended 8-25-1970; 10-3-1972; 12-17-1974; 6-12-1977; 7-9-1979; 8-19-1980; 8-17-1982; 9-20-1983; 8-28-1986; 2-27-1990; 7-24-1990; 10-1-1991; 10-6-1992; 2-7-1995; 2-27-1996; 1-28-1997; 2-16-1999; 10-25-2011]

Annual Income	Percentage of Assessed Valuation Exempt From Taxation
More than (M) but less than (M + \$1,000)	45%
(M + \$1,000 or more) but less than (M + \$2,000)	40%
(M + \$2,000 or more) but less than (M + \$3,000)	35%

Annual Income	Percentage of Assessed Valuation Exempt From Taxation
(M + \$3,000 or more) but less than (M + \$3,900)	30%
(M + \$3,900 or more) but less than (M + \$4,800)	25%
(M + \$4,800 or more) but less than (M + \$5,700)	20%
(M + \$5,700 or more) but less than (M + \$6,600)	15%
(M + \$6,600 or more) but less than (M + \$7,500)	10%
(M + \$7,500 or more) but less than (M + \$8,400)	5%

§48-5. When effective.

This chapter shall become effective 20 days after filing the Secretary of State.

October 18, 2022
Public Hearing
#3

WHEREAS, the New York State Laws of 2022 increases the maximum income exempt eligibility level for Senior Citizens with Limited Income permitted by § 467 of the New York State Real Property Tax Law; and

WHEREAS, New York State Real Property Tax Law also permits the exemption to be granted upon local option to the portion of a cooperative apartment corporation vested in a tenant stockholder who is a qualified Senior Citizen with Limited Income pursuant to § 467.3-a of the Real Property Tax Law; and

WHEREAS, a review of Town of Islip Code reveals that Chapter 48 does not include the Partial Exemption For Senior Citizens to benefit qualified tenant stockholders of cooperative apartments corporations pursuant to § 467.3-a of the Real Property Tax Law; and

WHEREAS, a review of the Town of Islip Code Chapter 48-G reveals a local law under § 48G-6 adopted the exemption benefits to tenant stockholders who are qualified Persons with Disabilities and Limited Income pursuant to § 459-c.6 of the Real Property Tax Law; and

WHEREAS, the Town Board of the Town of Islip held a public hearing on Tuesday, October 18, 2022 at 2:00 pm to consider enacting Local Law No. 5 of 2022, amending the Local Law adopted by the Town Board of the Town of Islip on 10-25-1966, Chapter 48 of the Town of Islip Town Code entitled "TAXATION: PARTIAL EXEMPTION FOR SENIOR CITIZENS" to extend the real property tax exemption to benefit qualified Senior Citizens with Limited Incomes who are tenant stockholders of cooperative corporations.

NOW THEREFORE, on a motion of Councilperson _____,
Seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby amends Chapter 48 of the Town of Islip Town Code entitled "TAXATION: PARTIAL EXEMPTION FOR SENIOR CITIZENS" to extend the real property tax exemption to benefit qualified Senior Citizens with Limited Incomes who are tenant stockholders of cooperative corporations, as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING

Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

§ 48-4. Property owned by cooperative apartment corporations.

A. Title to that portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides, and which is represented by his or her share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, shall be deemed to be vested in such tenant-stockholder.

B. That proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such entire parcel and the buildings thereon owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this chapter, and any exemption so granted shall be credited by the appropriate taxing authority against the assessed valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.

§ 48-4. When effective.

~~This ordinance shall take effect immediately pursuant to law.~~

§ 48-5. When effective.

This chapter shall become effective 20 days after filing with the Secretary of State.

§ 48-4. Property owned by cooperative apartment corporations.

A. Title to that portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides, and which is represented by his or her share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, shall be deemed to be vested in such tenant-stockholder.

B. That proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such entire parcel and the buildings thereon owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this chapter, and any exemption so granted shall be credited by the appropriate taxing authority against the assessed valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.

§ 48-5. When effective.

This chapter shall become effective 20 days after filing with the Secretary of State.

October 18, 2022
Public Hearing #4

WHEREAS, a review of the Islip Town Code has been conducted by the Department of Planning and Development (the "Planning Department") and the Office of the Town Attorney; and

WHEREAS, on the basis of said review, amendments are proposed to Article XIII A (Downtown Development District) of Chapter 68 of the Islip Town Code (entitled, "Zoning"); and

WHEREAS, pursuant to New York State General Municipal Law, the proposed code amendments have been referred to the Suffolk County Planning Commission; and

WHEREAS, the Town Clerk has placed a Public Notice in the newspaper circulated locally which indicates the nature of the proposed Code Amendments; and

WHEREAS, on Tuesday, October 18, 2022, a public hearing was held;
NOW THEREFORE, on a motion made by Councilperson
Seconded by Councilperson
Be it,

RESOLVED, that the Town Board here by enacts Local Law 6 of 2022 amending the Islip Town Code Chapter 68, Article XIII A Use District Regulations: Downtown Development District.

Upon a vote being taken the result was

Article XIII A Use District Regulations: Downtown Development District

§ 68-180.3 Applicability.

A. The Town Board may amend the zoning of a parcel or parcels of land to a Downtown Development District (DDD) only within those areas described as follows:

(1) Downtown Bay Shore. The Official Map shall contain a boundary line representing the extent of the Downtown Bay Shore District. Said line shall be contiguous with surveyed property lines or shall otherwise exist as described in § 68-12. Said boundary line shall completely encompass any such Suffolk County tax parcel listed below, except as otherwise specified, and the outer extent of these listed parcels, as joined across rights-of-way, shall comprise the extent of the Downtown Bay Shore District:

0500-36700-0100-133001

0500-36800-0200-033000

0500-36700-0300-080000

0500-36800-0200-038000

0500-36800-0200-036002

0500-36800-0200-037001

0500-36700-0300-082000

0500-36700-0300-079000

0500-36800-0200-042002

0500-36700-0300-078003

0500-36800-0200-037002

0500-36800-0200-034000

0500-36800-0200-036001

0500-36700-0300-081000

§ 68-180.4 Permitted uses.

A. No use shall be permitted in this district unless a minimum of three public amenities or mitigations described in § 68-180.6 are provided. In a Downtown Development District, no building, structure or premises shall be so erected or altered, except for one or more of the following uses:

(1) Apartment house, ~~garden apartment~~, attached single-family dwelling, or multistory condominium or cooperative.

§ 68-180.6 Development bonus provisions.

C. Development standards.

Building Type	Maximum Height	Minimum Lot Size (sq. ft.)	Max. FAR ⁷	Maximum Density	Yard Requirements
Attached single -family townhome	35 feet or 3 stories	21,500 (per unit lot)	0.60	17 units per acre	*
Garden apartment	35 feet or 3 stories	40,000	0.60	17 units per acre	*
Apartment house ^{2,7}	65 feet or 5 <u>4</u> stories	20,000	2.0	—	*
Office-commercial	65 feet or 5 <u>4</u> stories	10,000	2.0	—	*
Mixed-use building ^{6,7}	65 feet or 5 <u>4</u> stories	10,000	2.5	Minimum average gross floor area per apartment 500 square feet	*

Notes:

⁷ The minimum average gross floor area per apartment shall be 500 square feet

§ 68-180.5.1 Affordable housing requirement.

All residential development within the Downtown Development District shall provide that a minimum of 20% of the total dwellings in the approved plan be deemed affordable pursuant to § 68-3 Affordable Housing definitions. ~~The schedule of affordable housing provision shall be approved by the Town of Islip Department of Planning and Development in consultation with the Community Development Agency prior to the issuance of any building permit. Cash contributions to any approved affordable housing fund, in lieu of actual construction of affordable housing, may satisfy this requirement at the direction of the Town Attorney.~~

Article XIII A Use District Regulations: Downtown Development District

§ 68-180.3 Applicability.

A. The Town Board may amend the zoning of a parcel or parcels of land to a Downtown Development District (DDD) only within those areas described as follows:

(1) Downtown Bay Shore. The Official Map shall contain a boundary line representing the extent of the Downtown Bay Shore District. Said line shall be contiguous with surveyed property lines or shall otherwise exist as described in § 68-12. Said boundary line shall completely encompass any such Suffolk County tax parcel listed below, except as otherwise specified, and the outer extent of these listed parcels, as joined across rights-of-way, shall comprise the extent of the Downtown Bay Shore District:

0500-36700-0100-133001
0500-36800-0200-033000
0500-36700-0300-080000
0500-36800-0200-038000
0500-36800-0200-036002
0500-36800-0200-037001
0500-36700-0300-082000
0500-36700-0300-079000
0500-36800-0200-042002
0500-36700-0300-078003
0500-36800-0200-037002
0500-36800-0200-034000
0500-36800-0200-036001
0500-36700-0300-081000

§ 68-180.4 Permitted uses.

A. No use shall be permitted in this district unless a minimum of three public amenities or mitigations described in § 68-180.6 are provided. In a Downtown Development District, no building, structure or premises shall be so erected or altered, except for one or more of the following uses:

(1) Apartment house, attached single-family dwelling, or multistory condominium or cooperative.

§ 68-180.6 Development bonus provisions.

C. Development standards.

Building Type	Maximum Height	Minimum Lot Size (sq. ft.)	Max. FAR ⁷	Maximum Density	Yard Requirements
Attached single -family townhome	35 feet or 3 stories	21,500 (per unit lot)	0.60	17 units per acre	*
Apartment house ^{2, 7}	65 feet or 4 stories	20,000	2.0	—	*
Office-commercial	65 feet or 4 stories	10,000	2.0	—	*
Mixed-use building ^{8, 7}	65 feet or 4 stories	10,000	2.5		*

Notes:

⁷ The minimum average gross floor area per apartment shall be 500 square feet

§ 68-180.5.1 Affordable housing requirement.

All residential development within the Downtown Development District shall provide that a minimum of 20% of the total dwellings in the approved plan be deemed affordable pursuant to § 68-3 Affordable Housing definitions.

October 18, 2022
Public Hearing #5

WHEREAS, at the July 12, 2022 Town Board Meeting, the Town Board authorized the creation of temporary redistricting commission ("Commission") to act in an advisory capacity to the Town Board in redrawing the council district map in a manner consistent with the 2020 census data and the standards set forth in the Joint Settlement Agreement and Consent Judgement;

WHEREAS, the Commission held eight (8) redistricting public hearings, two (2) in each of the four (4) existing Town of Islip Districts. All public hearings and meetings were called by the Chairperson and held in public buildings on notice to the public through appropriate media outlets; and

WHEREAS, the Commission has submitted a recommendation on the reconfiguration of council district lines; and

WHEREAS, a public hearing was duly held on October 18, 2022, to consider the reapportionment of the Town of Islip council districts.

NOW, THEREFORE, on a motion made by Councilperson,
Seconded by Councilperson, be it,

RESOLVED, that the Town Board hereby adopts the reapportionment of the Town of Islip council districts in conformance with the attached map.

Upon a vote being taken, the result was

Islip Proposed Town Districts
September 12, 2022

RECEIVED
TOWN OF ISLIP

SEP 13 2022

TOWN CLERK'S OFFICE

