



Town of Islip

TOWN CLERK

PUBLIC HEARING
Town Hall /Board Room
655 Main Street
Islip, NY 11751

September 24, 2019
5:30 p.m.

1. To consider amending the Uniform Traffic Code of the Town of Islip as follows:

Schedule G Stop and Yield Add

Belinda Lane at Stephen Road (BPT)

Chestnut Street at Prospect Avenue (WIS)

Illinois Avenue at Montana Avenue (NBS)

Stephen Court at Stephen Road (BPT)

Schedule H Speed Limits on Certain Streets Amend to Read

Montauk Highway (BPT)

Schedule H Speed Limits on Certain Streets Add

Montauk Highway (SVL, BPT)

Schedule I School Speed Limits Add

Community Drive (BSR)

Schedule M Truck Exclusions Add

Chestnut Street (ISL)

Columbia Street (ISL)

Locust Avenue (ISL)

McKinley Street (ISL)

Nassau Avenue (ISLP)

Watson Place (ISLP)

2. **To enter into an Airport Signatory Agreement with Frontier Airlines, Inc. at Long Island Macarthur Airport.**
3. **To consider amending Chapter 68 of the Islip Town Code entitled, "68-24. Permits" and "68-28. Fees".**
4. **T.C. #5332 – AMF BOWLING CENTERS, INC.**
Applicant seeks a Modification of Deed Covenants & Restrictions associated with T.C. #2766. Applicant also requests a Planning Board Special Permit for a Game Room in the Business 3 District pursuant to 68-302.1F Site Plan Modifications may be required in connection with this application. This property is located in the Sachem School District and located on the Southwest corner of Sunrise Highway (S.R. 27) and Raft Avenue, Sayville (#5660 Sunrise Highway).

Anyone wishing to address the Board at the conclusion of these hearings may do so. Please clearly print your full name and address by registering with the Aide in the lobby. Any disabled person who needs a sign language interpreter or special accommodations to attend this meeting, is asked to please contact Constituent Services at 631-224-5380 as early as possible in order for the Town to accommodate.

**Dated at Islip, NY
TOWN OF ISLIP
September 12, 2019
Published
OHM/tb**

TOWN BOARD,

**By: OLGA H. MURRAY
TOWN CLERK**

PUBLIC NOTICE

The Town Board of Islip held a public hearing on Tuesday, September 24, 2019 at 5:30pm, at Islip Town Hall, 655 Main Street, New York, 11751 to amend the Uniform Traffic Code of the Town of Islip.

Now Therefore, on a motion made by Councilperson
Seconded by Councilperson

The Uniform Traffic Code of the Town of Islip has been amended.

**SCHEDULE G
STOP AND YIELD INTERSECTIONS
ADD**

INTERSECTION TRAFFIC	SIGN	CONTROLLING
Belinda Lane at Stephen Road (BPT)	Stop	East on Belinda Lane
Chestnut Street at Prospect Avenue (WIS)	Stop	North on Chestnut Street
Illinois Avenue at Montana Avenue (NBS)	Stop	West on Montana Avenue
Stephen Court at Stephen Road (BPT)	Stop	East on Stephen Court

**SCHEDULE H
SPEED LIMITS ON CERTAIN STREETS
AMEND TO READ**

NAME OF STREET	SPEED LIMIT (MPH)	LOCATION
Montauk Highway (BPT)	40	From McDonnell <u>McConnell</u> Avenue to Brookhaven Town Line

**SCHEDULE H
SPEED LIMITS ON CERTAIN STREETS
ADD**

Montauk Highway (SVL, BPT) McConnell	40	From Sejon Drive to Avenue
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**SCHEDULE I
SCHOOL SPEED LIMITS
ADD**

NAME OF STREET	SPEED LIMIT (mph)	LOCATION
Community Drive (BSR) Lane	20	From Montauk Highway to Cooper

**SCHEDULE M
TRUCK EXCLUSIONS
ADD**

NAME OF STREET	LIMITS
Chestnut Street (ISL)	From Locust Avenue to Nassau Avenue
Columbia Street (ISL)	From Watson Place to Nassau Avenue
Locust Avenue (ISL)	From Columbia Street to 300 feet north of Montauk Highway (NY27A)
McKinley Street (ISL)	From Grant Avenue to Locust Avenue
Nassau Avenue (ISLP Highway)	From Union Boulevard to Montauk (RT27A)
Watson Place (ISLP)	From Union Boulevard to McKinley Street

Upon a vote being taken the result was carried:

WHEREAS, the Town of Islip Department of Aviation and Transportation recommends entering into an agreement with Frontier Airlines, Inc. for a term of one (1) year and shall have a renewal option for an additional four (4) one (1) year options with fees that are consistent and set by the Airport's Signatory Rates with annual rent increases for rates and charges;

WHEREAS, the Town of Islip held a public hearing on September 24, 2019 at 5:30 p.m.;

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

RESOLVED, the Town Board of the Town of Islip hereby authorizes the Supervisor to enter into an Airport Signatory Agreement with Frontier Airlines, Inc. for a term of one (1) year with four (4) one (1) year renewal options, said agreement to be subject to the review and approval of the Town Attorney.

Upon a vote being taken the result was:

TOWN BOARD RESOLUTION

Date: _____

WHEREAS, the Department of Planning and Development has reviewed Chapter 68 of the Islip Town Code to ensure compliance with the guidelines set forth in the New York State Unified Solar Permit (NYSERDA); and

WHEREAS, on the basis of said review, certain modifications are deemed appropriate in order to ensure compliance with the guidelines set forth in NYSERDA; and

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

WHEREAS, a review of the environmental impacts of these proposed regulations indicates that no significant environmental impact will occur; and

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

WHEREAS, on _____, a public hearing was held;

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby amends the Islip Town Code Chapter 68, §68-24 permits and §68-28 fees, as specified herein; and

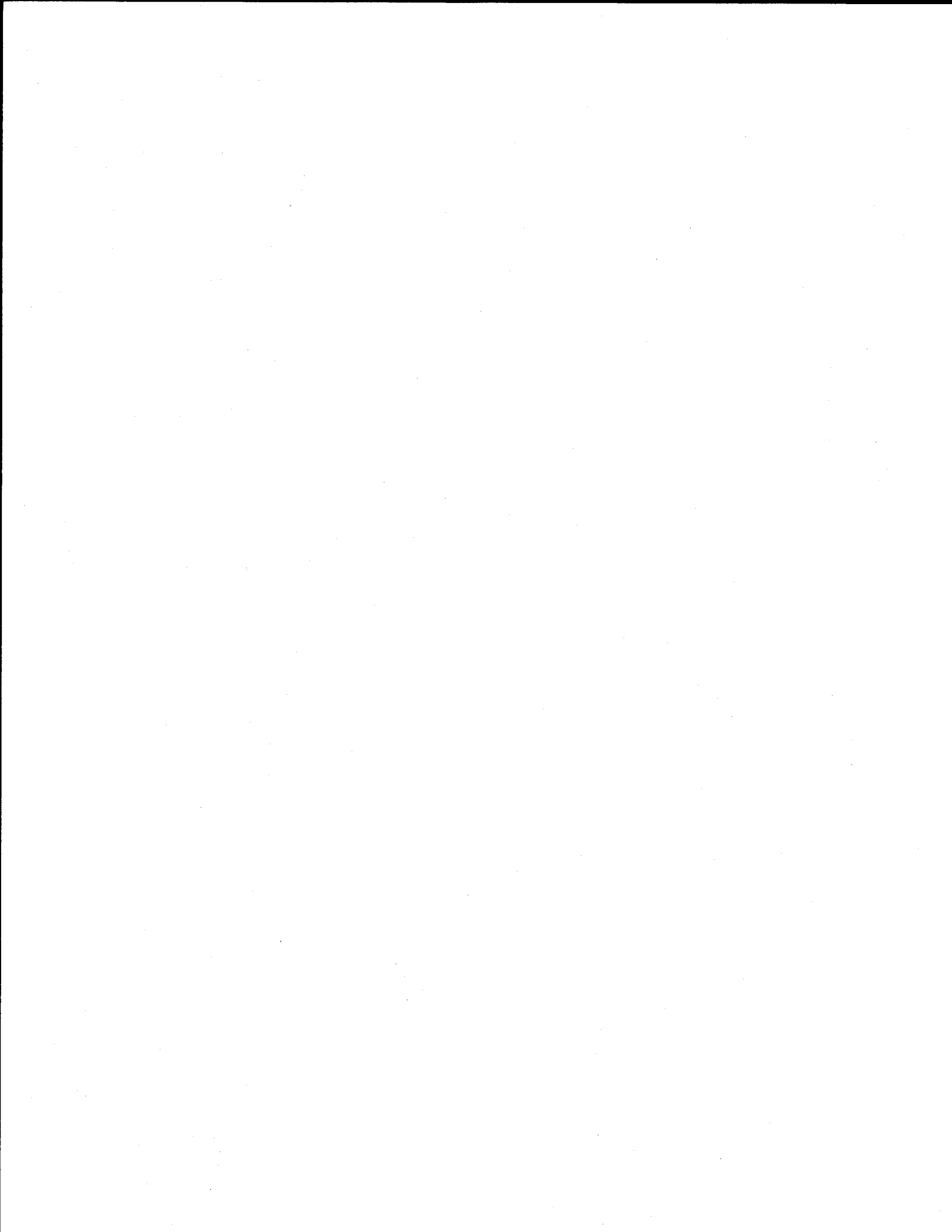
SEE ATTACHED

Additions are indicated by UNDERLINING
Deletions are indicated by ~~STRIKEOUTS~~

Upon a vote being taken the result was:

§ 68-24. Permits.

- A. **Action on application.** Permit applications may be approved if, after examination, it appears that the proposed work will be in compliance with the provisions of this ordinance and other laws applicable thereto and that the proposed construction or work will be safe; the application will be approved and a permit issued. If the examination reveals otherwise, the application will be returned as rejected and the findings noted in a report attached to the application.
- B. **Approval in part.** Nothing in this section shall be construed to prevent the Building Inspector from issuing a permit for the construction of part of a building or structure before the entire plans and detailed statements of said building or structure have been submitted or approved, if adequate plans and detailed statements have been presented for the same and have been found to comply with this ordinance.
- C. **Signature and conditions of permit.** All work performed under a permit issued by the Building Director, signed by him or his authorized designee, shall conform to the approved application and plans and approved amendments thereof.
- D. **Expiration and renewal of permits.** A permit shall expire one year after the date issued. Upon payment of renewal fee as established by the Commissioner, a permit may be renewed, but not more than three renewals may be granted. Exception: There shall be no renewals granted for pool permits or second-story decks. **[Amended 8-12-2003; 5-28-2008]**
- E. **Revocation.**
 - (1) The Building Director may revoke a permit or approval issued under the provisions of this ordinance for:
 - (a) Any false statement or misrepresentation as to material fact in the application or plans on which the permit or approval was based;
 - (b) Return of a check or draft for a permit fee for any reason; or
 - (c) Failure to commence construction within eight months from the date the permit was issued.
 - (d) Failure to comply with the terms and conditions of the permit.
 - (e) Such revocation shall take place after notice to the applicant and an opportunity for the applicant to be heard by the Building Director.
- F. **Posting of permit.**
 - (1) A copy of the permit shall be kept on the premises, open to public inspection during the prosecution of the work and until the completion of the same.



- (2) The Building Director may require a certified copy of the approved plans to be kept on the premises at all times until completion of the work.

G. ~~Long Island Unified Solar Permit Initiative (LIUSPI).~~ NY State Unified Solar Permit (NYSERDA).

[Added 12-13-2011]

- (1) Intent. The Town Board of the Town of Islip hereby declares its participation in the NY State Unified Solar Permit program. ~~Long Island Unified Solar Permit Initiative.~~ Due to the benefits offered by renewable energy systems, including residential solar energy systems, and the associated increase in consumer demand and requests for building permits for same, the permitting process for such solar energy systems shall be standardized and streamlined as indicated herein.

- (2) Streamlined application process applies to for residential rooftop solar energy system installations of 25kW in size or smaller. For qualified installations:
[Amended 4-7-2015]

- (a) ~~For applications that meet the requirements listed below, the~~ The permit application fee will be determined by the Commissioner of Planning and Development.

- (b) The Building Division shall provide permit determinations within 14 days of submittal of a completed application.

- (c) ~~For standard installations, applicants~~ Applicants may utilize the Town of Islip's NY State Unified Solar Permit Application solar energy system permit application, available from the Building Division or the Town's website.

- (d) The NY State Unified Solar Permit submittal requirements, available from the Building Division or the Town's website, lists the documentation required for all Unified Solar Permit Applications. ~~For the purposes of this Subsection G, a standard installation shall meet the criteria listed in the requirements checklist document, also available in the Building Division. Said criteria shall require that the installation must:~~

- ~~[1] Not be subject to review by any architectural or historical review board or by any other applicable board or agency in connection with the Planned Landmark Preservation Overlay District listed in Article XII herein.~~

- ~~[2] Be on a residential building or legal accessory structure.~~

- ~~[3] Be on a roof with a single layer of roof covering. This requirement may be waived by the Chief Building Inspector.~~

- ~~[4] Be flush mounted parallel to the roof surface and no more than six inches above the surface.~~
- ~~[5] Have an eighteen inch clearing at the roof ridge and an eighteen inch clearing path to the ridge.~~
- ~~[6] Create a gravity roof load of no more than five pounds per square foot for photovoltaic (PV) and six pounds per square foot for residential solar hot water (RSHW).~~
- ~~[7] Be installed by prescreened contractors.~~
- ~~[8] Use PV panels that have been certified by a nationally recognized testing laboratory as meeting the requirements of the Underwriters Laboratory (UL) Standard 1703 and inverters must be on a list of New York State Public Service Commission type tested inverters which are tested by UL or other nationally recognized laboratories to conform with UL Standard 1741.~~
- ~~[9] Use RSHW equipment that has been certified by the Solar Rating and Certification Corporation under its OG 100 standard for solar collectors.~~
- ~~[10] Use other equipment such as modules, combiner boxes and a mounting system that have been approved for public use as described in the solar energy system permit application requirements checklist.~~
- ~~[11] Be in full compliance with all current National Electrical Code (NEC) requirements applicable in New York State.~~

~~(3) The following shall be the requirements for application submittal:~~

- ~~(a) Solar energy system permit application requirements checklist, copies of which are available from the Building Division. [Amended 4-7-2015]~~
- ~~(b) Three sets of plans which include:
 - ~~[1] Cover sheet containing contact information and location of project.~~
 - ~~[2] Sheet index indicating sheet title and page number.~~
 - ~~[3] Legend for symbols, abbreviations and notations used in the drawings.~~
 - ~~[4] Configurations diagrams prepared by a professional engineer or registered architect which are sketched (hand drawn or better) as follows:~~~~

[a] ~~Roof diagram depicting modules or collectors and racking configuration on designated surfaces and dimensioned. The diagram should include any 18" clearance/access required as noted in the permit requirements checklist criteria. [Amended 4-7-2015]~~

[b] ~~Equipment location diagram indicating the location(s) of the modules or collectors, main electrical service, inverter(s), the location of all equipment disconnects on the outside of the structure, and any interior equipment locations.~~

[c] ~~One line standard electrical diagram.~~

~~[5] Property survey. [Amended 4-7-2015]~~

~~(c) Solar energy system permit application information sheet. [Amended 4-7-2015]~~

(4) (3) Assistance to first responders. The Town shall maintain a list by address of all solar energy installations that shall be shared with relevant first responder organizations. The Town shall also require applicants to install a sign on or near the utility meter and at any alternating current (AC) Disconnect switch indicating that there is an operating solar electric cogeneration system on site.

(5) (4) Certification/Inspection. The operation of any solar energy system shall not commence until a final inspection is made by the Building Division or received from a third-party inspector and a certification is issued by the Building Division. The NY State Unified Solar Permit Field Inspection Checklist located in the Building Division or the Town's website provides an overview of common points of inspection. ~~certification is either issued by the Building Division or received from an approved third party inspector as defined herein.~~

(a) The Building Division may elect to make such inspections and certifications by any Town employee trained and authorized to issue such inspections and certifications. Said employees shall have obtained suitable credentials from any or a combination of the following agencies or organizations:

[1] Interstate Renewable Energy Council.

[2] Institute for Sustainable Power Quality.

[3] National Renewable Energy Laboratory.

[4] Any additional training agency which provides a comparable educational scope at the direction of the Commissioner of Planning.

(b) The Building Division may also certify a solar energy system, in part, by virtue of an Underwriters Laboratory certificate or by authority

conferred upon Town employees by the New York State Department of State Educational Program (Division of Code Enforcement and Administration) or by professional engineer (PE) or registered architect (RA) licensed to practice in New York State.

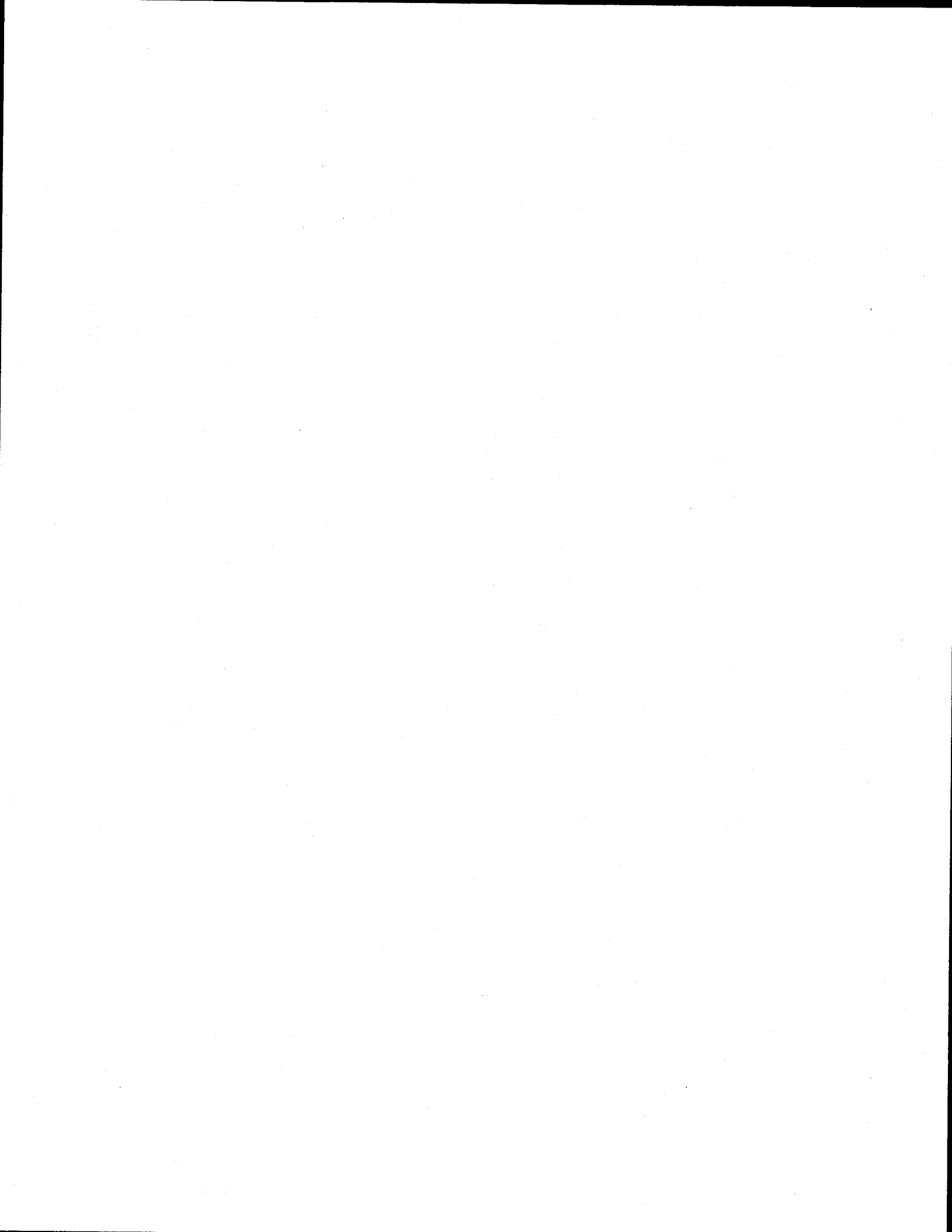
- (c) The Building Division may accept independent certifications from third-party vendors, including but not limited to The Interstate Renewable Energy Council, Institute for Sustainable Power Quality, National Renewable Energy Laboratory, or any additional agency or organization which provides a comparable certifying scope at the direction of the Commissioner of Planning.

§ 68-28. Fees.

- A. All fees, as established by the Commissioner, shall be collected by the Building Director or other authorized agents as designated by the Commissioner and remitted to the Supervisor monthly. Fees may be charged for processing all required permits and include but are not limited to new buildings, additions, interior alterations, plumbing, heating, fireplaces, swimming pools, sprinkler systems, identification signs, storage of combustibles, public assembly, nonresidential solar collectors which do not meet the criteria listed in § 68-24G, temporary trailers, parking lots, elevators, escalators, dumbwaiters, conveyors, lifts or any other structure which requires a permit. **[Amended 12-13-2011]**
- B. In addition to application processing fees, the Building Director or his authorized agent shall collect a public improvement fee, as established by the Town Board, which shall be based on the linear feet of street frontage which shall apply to all building permits for the construction of new buildings on vacant properties, except where the applicant can show:
 - (1) That the property is a full lot on a subdivision map approved by the Planning Board, fully bonded for public improvements and recorded with the Suffolk County Clerk; or
 - (2) That the road on which the property fronts has been improved or is bonded for improvements to meet minimum Town standards in accordance with Town Law.
- C. Recreational contribution. Prior to the issuance of any building permits, a suitable and adequate contribution must be made for the recreational needs of Town residents. Fees shall be established and maintained by the Commissioner of the Department of Planning and Development.
- D. The Commissioner may, in his discretion, waive any building permit application fee set forth in this section in connection with the development of affordable housing

by a not-for-profit corporation on land owned by the CDA and conveyed by it to such corporation as part of the affordable housing program.

- E. Sale of copies of ordinance or amendments. A fee shall be collected for the obtaining of a copy of this ordinance with amendments and/or individual amendments, which fees shall be as determined by the Commissioner.
- F. ~~Standard residential rooftop solar energy systems. The fee for any standard residential rooftop solar energy system, meeting the criteria listed in § 68-24G(2)(c), shall be limited to \$20 for said solar installation only. Any additional related building permits and/or certifications necessary on the same subject parcel(s) shall be subject to standard fees. [Added 12-13-2011]~~



TAX MAP NUMBER: 0500-237.00-02.00-015.002
DATE OF GRANT: SEPTEMBER 24, 2019

T.C. #5332

ON a motion of Councilperson

and seconded by Councilperson

BE IT RESOLVED, that on **Tuesday, September 24, 2019** and after determining that there would be no significant adverse environmental impact, be and the same hereby granted the application of **AMF BOWLING CENTERS, INC. - T.C. #5332** for a Modification of Covenants and Restrictions associated with T.C. #2766. Applicant also requests a Planning Board Special Permit for a Game Room in the Business 3 District pursuant to 68-302.1F. Site plan modifications were also assessed on this property. This property is located in the Sachem School District and located on the Southwest corner of Sunrise Highway (S.R.27) and Raft Avenue (#5660) Sunrise Highway, Sayville, Town of Islip, Suffolk County, New York also known as SCTM #0500-237.00-02.00-015.002.

METES AND BOUNDS

AMF Bowling Centers, Inc. CZ2019-014
0500-237.00-02.00-015.002

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING AT SAYVILLE, TOWN OF ISLIP, COUNTY OF SUFFOLK AND STATE OF NEW YORK KNOWN AND DESIGNATED AS PARTS OF LOTS 427B, 430A, 430B, 433A, AND ALL OF LOT 433B, ON A CERTAIN MAP ENTITLED "MAP OF SAYVILLE FARMS" AND FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF SUFFOLK ON APRIL 3, 1930 AS MAP NUMBER 43, SAID PARCEL BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE SOUTHERLY SIDE OF SUNRISE HIGHWAY INTERSECTS THE WESTERLY SIDE OF RAFT AVENUE;

RUNNING THENCE SOUTH 6 DEGREES 00 MINUTES 30 SECONDS WEST ALONG THE WESTERLY SIDE OF RAFT AVENUE 635.93 FEET TO A POINT;

RUNNING THENCE NORTH 80 DEGREES 29 MINUTES 20 SECONDS WEST 350.65 FEET TO A POINT;

RUNNING THENCE NORTH 6 DEGREES 00 MINUTES 30 SECONDS EAST 521.01 FEET TO A POINT ON THE SOUTHERLY SIDE OF SUNRISE HIGHWAY;

RUNNING THENCE EASTERLY ALONG THE SOUTHERLY SIDE OF SUNRISE HIGHWAY AND ALONG THE ARC OF A CURVE BEARING TO THE RIGHT, SAID TO CURVE HAVING A RADIUS OF 11,37.16 FEET A DISTANCE OF 362.27 FEET TO THE WESTERLY SIDE OF RAFT AVENUE AN THE POINT OR PLACE OF BEGINNING.

BE IT FURTHER RESOLVED, that this application be granted subject to the compliance with the following:

DEED COVENANTS and RESTRICTIONS

1. A Planning Board Special Permit for a game room is granted as part of this application. The use of the subject parcel(s) shall be limited to a bowling alley with accessory snack bar, cocktail lounge, retail for bowling goods and those uses permitted in the Business 3 district. In addition, the following uses shall be expressly prohibited on the subject parcel:
 - a. Psychiatric clinic
 - b. Adult Use
 - c. Transfer Station
 - d. Vape shop or lounge
2. A modification of deed covenants and restrictions associated with TC # 2766 shall be granted as part of this application. All deed covenants and restrictions associated with TC #2766 and all prior Town Board imposed deed covenants shall be deemed null and void and shall be replaced with these.
3. The hours of operation for the subject property shall be limited from 9am to 2am. Any dumpster access, deliveries and/or garbage pick-up shall not occur before 8 am daily. Outdoor storage, sales and display shall be prohibited.
4. Prior to the issuance of any building permits or Certificates of Occupancy, there shall be submitted to the Town of Islip Planning Department for review and subject to approval the following items. The approved plans shall supersede the conceptual plans for the purposes of regulating the subject property.
 - a. Exterior architectural drawings of any proposed changes to the principal building. The Planning Department shall review said drawings for overall design, color, materials, and design and location of any exterior mechanical equipment. Said plan shall also show the following design elements:
 - i. All exterior mechanical equipment shall be screened from public view and for sound attenuation purposes.
5. A minimum 50' wide vegetative buffer shall be provided adjacent to any residential use or zone. Existing vegetation shall be maintained in landscaped areas to the maximum extent practicable. Applicant/owner shall make every effort to preserve the existing mature trees on the subject property.
6. Applicant shall maintain cross access with 5650 Sunrise Highway.
7. Applicant shall install and maintain street trees 25' on center along all road frontages, including Sunrise Highway, at the direction of the Planning Department. Spacing may be increased in consideration of the species selection after consultation with the Planning Department.

8. Any proposed garbage dumpster shall be located at the direction of the Town Engineer and shall be enclosed within a decorative or split faced concrete block enclosure with opaque gates. Dumpsters shall be emptied on a regular basis to prevent overflow. Garbage cans for customers shall be provided inside as well as outside of the proposed building(s) and shall be emptied on a regular basis. Garbage can lids shall be of sufficient design so as to prohibit the dispersion of litter, garbage, or debris by wind, birds, vermin, etc. from said trash receptacles. A hose bib shall be installed adjacent to the dumpster to allow routine rinsing of the dumpster area on a daily basis. The subject site shall be maintained in a neat, clean, and litter free condition.
9. A single bike rack ("Inverted U" or "Post and Loop" in design) shall be installed near the entrance to the building.
10. All plantings shall be maintained to the satisfaction of the Planning Board and all plant material shall be kept in a healthy well maintained condition. The subject property shall also be kept clean of litter and debris at all times. The Planning Board shall be solely responsible for the determination regarding adequate maintenance and litter clean up. The applicant/owner shall be solely responsible for the cost of the maintenance and litter clean up. In the event applicant/owner fails to maintain the landscaping or clean up litter and debris as so directed, the Town of Islip also reserves the right to enter onto the subject parcel and complete the required maintenance and assess all costs associated with same to the applicant/owner's next tax bill.
11. All lighting shall be positioned or shielded so as to illuminate only the subject parcel. The Planning Board reserves the right to further limit or shield lighting fixtures if it is determined that light is not being contained on the subject property. The Planning Board reserves the sole responsibility of determining if lighting is properly contained on the subject property.
12. Loitering shall be prohibited on the subject parcel. Applicant/Owner agrees to install fencing, lighting, and/or cameras at the direction of and with the approval of the Planning Board after due public hearing, in order to ensure compliance with this requirement. Should these methods prove ineffective, the Planning Board reserves the right to require the applicant/owner to contract with a private security company and/or take other appropriate measures, after due public hearing. The Planning Board reserves sole responsibility of determining if the applicant/owner is in compliance with this requirement.
13. Prior to the issuance of any sign permits, all exterior signs shall be subject to review and approval by the Town of Islip Planning Department. Light box signs shall be prohibited on the building. There shall be no more than one freestanding sign on the property. Said sign shall be a monument style sign with landscaping at its base to the satisfaction of the Planning Department. The Planning Department shall review the signs for design compatibility, color, materials, height, quantity and size. Applicant/owner agrees to waive the right to apply for signage variances from the Zoning Board of Appeals without the prior approval of the Planning Department.
14. Except as provided herein and/or modified by the Planning Board and Zoning Board of Appeals, applicant/owner agrees to comply in all respects with the Subdivision and Land Development Regulations and the Islip Town Code.

TAX MAP NUMBER: 0500-237.00-02.00-015.002

DATE OF GRANT: SEPTEMBER 24, 2019

T.C. #5332

15. All required permits, plan submissions, and physical property improvements described herein shall be completed within 3 months of the date of the Town Board resolution approving this application. Applicant/owner further agrees to permanently maintain all improvements and landscaping to the satisfaction of the Planning Board. If the applicant fails to comply with this restriction then the Town Board reserves the right, after due public hearing, to revert the zoning of the subject property, rescind any special permit(s) and approvals on the subject property, or revoke the property's Certificate of Occupancy. The applicant/owner shall waive any right to non-conformity in the event that any of the above Town Board actions are taken.
16. The above-mentioned covenants and restrictions shall be and constitute real covenants running with the land and shall be binding upon the Declarant and any and all subsequent owners of the said real property or any part thereof, and upon their heirs, executors, and administrators (or their successors and assignees) subject, however, to the right of the Town of Islip after a public hearing to amend, alter, annul or repeal any or all of the foregoing covenants and /or restrictions at any time with the consent of the owner or owners for the time being of the premises herein described, and such right shall be effectual and may be exercised without the consent of any adjacent owners or other owners or lienors of any other property.

Following approval of such Declaration of Covenants and Restrictions by the Town Attorney, said instrument shall be recorded in the Suffolk County Clerk's Office by the applicant, at the applicant's expense.

UPON a vote being taken, the result was: