

## Chapter 5: Standards and Guidelines for Land Use

### Recommended Action on CLUP Amendments

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#### Notes

- When referring to the chapter, the font effects mean the following:
  - Black text without underlining: original 1995-2005 text
  - Black text with underlining: New proposed amendment text that Commission authorized to be advanced or original 1995-2005 text which was proposed to be stricken but which Commission desired to retain
  - **Yellow-highlighted text**: Newly rewritten text prepared by staff as a result of Commission requests generated during the 2013 and January 2014 CLUP Worksessions and text the Commission suggested should be stricken.
- CLUP Sections that are not listed have no proposed amendments.

Review Date	Section	Title	Synopsis of proposed amendment	Conclusion and Action
4/17/13	5.1	Central Pine Barrens overall area	<ul style="list-style-type: none"> <li>- Strikes references to Guidelines.</li> <li>- Rephrases language regarding pre-existing structures or uses.</li> </ul>	<ul style="list-style-type: none"> <li>- Restore references to Guidelines.</li> <li>- Phrase “<i>that comply with existing laws</i>” is vague with respect to nonconforming uses that are grandfathered. Inserted “<i>including legal nonconforming uses</i>” to last paragraph.</li> <li>- Reference to Section 4.3.7 in “<i>Source</i>” annotation (blue text) is incorrect; should be Section 4.3.10.</li> <li>- Add language regarding Commission jurisdiction over public corporations, such as statement in ECL 57-0123(3)(a): “<i>...no application for development within the Central Pine Barrens area shall be approved by any municipality or county or agency thereof or the commission, and no state approval, certificate, license, consent, permit, or financial assistance for the construction of any structure or the disturbance of any land within such area shall be granted, unless such approval or grant conforms to the provisions of such land use plan...</i>”</li> <li>- Add language regarding Commission jurisdiction over public corporations, as per Worksession comment</li> </ul>

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1/15/14	5.3.1	<u>Applicability and other policies</u>	<ul style="list-style-type: none"> <li>- Strikes references to Guidelines.</li> <li>- Added “<i>development</i>” adjective.</li> <li>- Inserted and reworded section on agriculture and horticulture best management practices relocated from former Section 5.3.3.10.</li> </ul>	<ul style="list-style-type: none"> <li>- Retain references to Guidelines but advance other amendments.</li> <li>- Replace reference to 1991 NYSDEC document with 2007 document.</li> <li>- Add language: “<i>Projects proposed in the Compatible Growth Area must conform to all other involved agency jurisdictions and permit requirements in effect on the project site. The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of way that may be required to carry out the activities that are authorized by this permit.</i>”</li> </ul>
	5.3.2	State Environmental Quality Review Act (SEQRA)	<ul style="list-style-type: none"> <li>- Added “<i>development</i>” adjective.</li> <li>- Strikes references to Guidelines.</li> </ul>	<ul style="list-style-type: none"> <li>- Advance “<i>development</i>” adjective.</li> <li>- Restore Guidelines.</li> </ul>
1/15/14	5.3.3	Intent and Compatible Growth Area standards	Amendment proposed in a worksession: replace “ <i>law</i> ” with “ <i>requirements.</i> ”	Replace “ <i>local law</i> ” with “ <i>local requirements</i> ” in this sentence: “ <i>Where standards contained in the Plan differ from state, county, or local law, the stricter standard(s) shall apply.</i> ”
4/17/13, 8/21/13	5.3.3.1	<u>Sanitary waste, nitrate-nitrogen and other chemicals of concern</u>	<ul style="list-style-type: none"> <li>- Combined Sections 5.3.3.1 (originally entitled “<i>Nitrate-nitrogen</i>”), 5.3.3.2 (originally entitled “<i>Other chemical contaminants of concern</i>”), and 5.3.3.12 (originally entitled “<i>Commercial and industrial development</i>”) for clarity due to their topical overlap.</li> <li>- Standards and former Guidelines were therefore relocated and renumbered.</li> <li>- Added new text due to merger of sections.</li> </ul>	Advance amendments.

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	<i>Standards</i>			
8/21/13	5.3.3.1.1	Suffolk County Sanitary Code Article 6 compliance	<ul style="list-style-type: none"> <li>- Added title of Article 6.</li> <li>- Added “<i>development</i>” adjective.</li> <li>- Added text requiring submission of permits to the Commission.</li> </ul>	Advance amendments with revision to sentence beginning, “ <i>Compliance...</i> ” and replace with suggested language: “ <i>Commission approval shall be conditioned upon receipt of a final official copy of the SCDHS permit.</i> ”
8/21/13	5.3.3.1.2	Sewage treatment plant discharge	Strikes term “ <i>denitrification</i> ” in reference to treatment systems.	Advance amendments.
4/17/13, 8/21/13	<u>5.3.3.1.3</u>	<u>Suffolk County Sanitary Code Articles 7 and 12 compliance</u>	<ul style="list-style-type: none"> <li>- Relocated former Standard 5.3.3.2.1 entitled “<i>Suffolk County Sanitary Code Articles 7 and 12.</i>”</li> <li>- Added titles of Articles 7 and 12.</li> <li>- Added text requiring submission of permits to the Commission.</li> </ul>	Advance amendments with revision to sentence beginning, “ <i>Compliance...</i> ” and replace with suggested language: “ <i>Commission approval shall be conditioned upon receipt of a final official copy of the SCDHS permit.</i> ”
8/21/13	<u>5.3.3.1.4</u>	<u>Commercial and industrial compliance with the Suffolk County Sanitary Code</u>	<ul style="list-style-type: none"> <li>- New number.</li> <li>- Relocated former Standard 5.3.3.12.1 entitled “<i>Commercial and industrial compliance with Suffolk County Sanitary Code.</i>”</li> <li>- Added “<i>development</i>” adjective.</li> <li>- Added text requiring submission of permits to the Commission.</li> </ul>	Advance amendments with revision to sentence beginning, “ <i>Compliance...</i> ” and replace with suggested language: “ <i>Commission approval shall be conditioned upon receipt of a final official copy of the SCDHS permit.</i> ”
	<i>Guideline</i>			
4/17/13, 8/21/13	<del>5.3.3.1.3</del> 5.3.3.1.5	Nitrate-nitrogen- <del>goal</del>	<ul style="list-style-type: none"> <li>- New number and elevated to standard.</li> <li>- Relocated former Guideline 5.3.3.1.3.</li> <li>- Deleted “<i>goal</i>” in title.</li> <li>- Added “<i>development</i>” adjective and “<i>other surface waters.</i>”</li> <li>- Renumbered.</li> </ul>	<ul style="list-style-type: none"> <li>- Strike “<i>in vicinity of ponds, other surface waters and wetlands.</i>”</li> <li>- Change “<i>may</i>” to “<i>shall</i>”</li> <li>- Strike “<i>for development projects.</i>”</li> <li>- Restore as a Guideline until SCDHS approves alternative treatment.</li> <li>- Prepare draft rewrite.</li> </ul>
4/17/13	5.3.3.2	<del>Other chemical contaminants of concern</del> <u>Reserved</u>	<ul style="list-style-type: none"> <li>- Subsumed into Section 5.3.3.1.</li> <li>- Reserved number.</li> </ul>	Advance amendments, delete. Reserve Section number.

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	<i>Standard</i>			
	5.3.3.2.1	<del>Suffolk County Sanitary Code Articles 7 and 12 compliance</del>	<ul style="list-style-type: none"> <li>- Relocated content to Standard 5.3.3.1.3.</li> <li>- Deleted number.</li> </ul>	Advance amendments, delete.
8/21/13	5.3.3.3	Wellhead <u>and groundwater</u> protection	<ul style="list-style-type: none"> <li>- Inserted phrase “<i>and groundwater</i>” to title.</li> <li>- Strikes original text.</li> <li>- Added text referring to use of SWAP information to evaluate impacts.</li> </ul>	<ul style="list-style-type: none"> <li>- Do not advance amendments. Restore original text.</li> <li>- Follow-up with Bill Spitz, NYSDEC Regional Water Manager and hydrogeologist, on the 200 ft provision and suggest revision if appropriate.</li> <li>- Revise.</li> </ul>
	<i>Standard</i>			
8/21/13	5.3.3.3.1	Significant discharges and public supply well locations	<ul style="list-style-type: none"> <li>- Strikes term “<i>nearby</i>” in reference to public supply well locations.</li> <li>- Inserted “<i>and their surface contributing areas.</i>”</li> <li>- Added text to consider latest knowledge of SWAP information in review process.</li> </ul>	- Do not advance amendments. Restore text.
	<i>Guideline</i>			
4/17/13	5.3.3.3.2	Private well protection	<ul style="list-style-type: none"> <li>- Strikes original text.</li> <li>- Added text to identify private supply wells within 500 feet downgradient of a project site and projected impacts to those wells.</li> </ul>	Do not advance amendments. Restore original text.
4/17/13; 8/21/13	5.3.3.4	<del>Wetlands and surface waters</del> <u>Wetlands, surface waters and stormwater runoff</u>	<ul style="list-style-type: none"> <li>- Inserted “<i>stormwater runoff</i>” to title.</li> <li>- Combined Sections 5.3.3.4 (originally entitled “<i>Wetlands and surface waters</i>”) and 5.3.3.5 (originally entitled “<i>Stormwater runoff</i>”) due to topical overlap.</li> </ul>	<ul style="list-style-type: none"> <li>- Advance amendments, but modify and revise to discuss threatened and endangered species and jurisdictions.</li> <li>-Commission to re-review.</li> </ul>

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	<i>Standards</i>			
4/17/13; 8/21/13; 1/15/14	5.3.3.4.1	Nondisturbance buffers	<ul style="list-style-type: none"> <li>- Changed “<i>must</i>” to “<i>shall</i>” regarding buffer on development project sites abutting wetlands.</li> <li>- Inserted “<i>at least</i>” with respect to buffer area required by NYSDEC or local ordinance.</li> <li>- Included text from former Guideline 5.3.3.4.4. (regarding “<i>Additional Non-Disturbance Buffers</i>”)</li> <li>- Added text requiring submission of permits to the Commission.</li> </ul>	<ul style="list-style-type: none"> <li>- Advance amendments with revision to sentence beginning, “<i>Compliance...</i>”</li> <li>- Distinguish between jurisdictional wetland areas, setbacks and wetland buffer areas required on vacant and developed parcels, as per Town Codes and NYSDEC regulations.</li> <li>- Add references to rare wetland communities or wetland habitats that support rare species.</li> <li>- Add Commission authority over wetlands not under jurisdiction of either DEC or municipality in regard to projects Commission must review</li> <li>- Commission to re-review</li> </ul>
	<del>5.3.3.4.2</del>	<del>Buffer delineations, covenants and conservation easements</del>	<ul style="list-style-type: none"> <li>- Strikes Standard.</li> <li>- Relocated content to new Standard 5.3.3.6.7.</li> <li>- Added text to broaden applicability.</li> </ul>	Advance amendments.
8/21/13	<del>5.3.3.4.3</del> <u>5.3.3.4.2</u>	Wild, Scenic and Recreational Rivers Act compliance	<ul style="list-style-type: none"> <li>- Added “<i>development</i>” adjective.</li> <li>- Added text requiring submission of permits to the Commission.</li> <li>- Renumbered.</li> </ul>	Advance amendments with revision to sentence beginning, “ <i>Compliance...</i> ”
8/21/13	<u>5.3.3.4.3</u>	<u>Stormwater recharge</u>	<ul style="list-style-type: none"> <li>- Relocated former Standard 5.3.3.5.1.</li> <li>- Added clarification on when alternative off site discharges are allowed.</li> </ul>	<ul style="list-style-type: none"> <li>- Advance amendments.</li> <li>- Change “<i>property</i>” to “<i>project site.</i>”</li> <li>- Added “<i>the project site</i>” after “<i>recharged on.</i>”</li> </ul>

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4/17/13; 8/21/13	<u>5.3.3.4.4</u>	<u>Reduction of Impervious Surfaces</u>	<ul style="list-style-type: none"> <li>- New Standard, reused number.</li> <li>- Former Guideline 5.3.3.4.4 “<i>Additional nondisturbance buffers</i>” incorporated into Standard 5.3.3.4.1 “<i>Nondisturbance buffers</i>”.</li> <li>- Clarifies requirements for sites with existing extensive clearing and impervious surfaces to comply with the Open Space Standard.</li> </ul>	<ul style="list-style-type: none"> <li>-Advance amendments but delete “<i>tree pits.</i>”</li> <li>-Revised language regarding parking waivers.</li> </ul>
4/17/13; 8/21/13	<u>5.3.3.4.5</u>	<u>Natural recharge, drainage, and ponds</u>	<ul style="list-style-type: none"> <li>- New number.</li> <li>- Combines former Guidelines 5.3.3.5.2 “<i>Natural recharge and drainage</i>”, 5.3.3.5.3 “<i>Ponds</i>”, and 5.3.3.5.4 “<i>Natural topography in lieu of recharge basins</i>”, and restates them as a single unified standard. It also incorporates the stipulation agreed to at the 9/5/07 Advisory Committee meeting that natural areas designated for this purpose shall count towards the new open space standard, while requiring that native habitat not be destroyed.</li> </ul>	<ul style="list-style-type: none"> <li>- Advance amendment but revise to reference additional approval required from municipal Highway Superintendents.</li> <li>- Commission to re-review</li> </ul>
	<i>Guideline</i>			
	<u>5.3.3.4.4</u>	<del>Additional nondisturbance buffers</del>	<ul style="list-style-type: none"> <li>- Strikes former Guideline.</li> <li>- Subsumed content into Standard 5.3.3.4.1 as a reserved right of the Commission in specific instances.</li> </ul>	Advance amendments. Delete.
4/17/13	<u>5.3.3.4.6</u>	<u>Soil erosion and stormwater runoff control during construction</u>	<ul style="list-style-type: none"> <li>- New number.</li> <li>- Requires stormwater plans required by another agency to be filed with the Commission.</li> <li>- Replaces former Guideline 5.3.3.5.5.</li> </ul>	Do not advance amendments. Delete.

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4/17/13	5.3.3.5	Stormwater runoff	<ul style="list-style-type: none"> <li>- Strikes entire Section.</li> <li>- Former Section 5.3.3.5 is now combined with Section 5.3.3.4 due to topical overlap.</li> <li>- Reused number for new Section entitled “<i>Development in the Compatible Growth Area that requires Pine Barrens Credit redemptions.</i>”</li> </ul>	<ul style="list-style-type: none"> <li>- Do not advance amendments. Restore original text.</li> <li>-If Commission decides to advance amendments, need to address section numbering conflict.</li> </ul>
	<i>Standard</i>			
4/17/13	5.3.3.5.1	Stormwater recharge	<ul style="list-style-type: none"> <li>- Strikes former Standard requiring stormwater runoff to be recharged on site.</li> <li>- Combined content with Section 5.3.3.4 due to topical overlap.</li> </ul>	Do not advance amendments. Restore original text.
	<i>Guidelines</i>			
4/17/13	5.3.3.5.2	Natural recharge and drainage	<ul style="list-style-type: none"> <li>- Strikes former Guideline.</li> <li>- Incorporated into Section 5.3.3.4.</li> <li>- Deleted number.</li> </ul>	Do not advance amendments. Restore Guideline.
4/17/13	5.3.3.5.3	Ponds	<ul style="list-style-type: none"> <li>- Strikes former Guideline.</li> <li>- Incorporated into Section 5.3.3.4.</li> <li>- Deleted number.</li> </ul>	Do not advance amendments. Restore Guideline.
4/17/13	5.3.3.5.4	Natural topography in lieu of recharge basins	<ul style="list-style-type: none"> <li>- Strikes former Guideline.</li> <li>- Incorporated into Section 5.3.3.4.</li> <li>- Deleted number.</li> </ul>	Do not advance amendments. Restore Guideline.
4/17/13	5.3.3.5.5	Soil erosion and stormwater runoff control during construction	<ul style="list-style-type: none"> <li>- Strikes former Guideline.</li> <li>- Incorporated into Section 5.3.3.4.</li> <li>- Deleted number.</li> </ul>	Do not advance amendments. Restore Guideline.

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9/18/13	<u>5.3.3.5</u>	<u>Development in the Compatible Growth Area that requires Pine Barrens Credit redemptions.</u>	<ul style="list-style-type: none"> <li>- New Section topic.</li> <li>- Reused number.</li> <li>- Mandatory Pine Barrens Credit redemption requirement for projects in the CGA that propose an increase density load. Number of PBCs is based on sanitary flow rate.</li> <li>- Content of former Section 5.3.3.5 entitled “<i>Stormwater Runoff</i>” is now combined with Section 5.3.3.4 “<i>Wetlands, Surface Waters and Stormwater Runoff</i>” due to topical overlap.</li> </ul>	<ul style="list-style-type: none"> <li>- No final disposition determined, need direction from Commission.</li> <li>- If Commission decides to advance amendments, need to address section numbering conflict.</li> <li>- Advance this stormwater runoff and wetland-related amendment</li> </ul>
	<i>Standard</i>			
9/18/13	<u>5.3.3.5.1</u>	<u>Pine Barrens Credit Redemption Requirement</u>	<ul style="list-style-type: none"> <li>- New Standard.</li> <li>- Requires Pine Barrens Credits to be redeemed in projects in the CGA where increases in land use density or intensity are proposed.</li> </ul>	No final disposition determined, need direction from Commission.
4/17/13, 5/15/13	5.3.3.6	<del>Natural vegetation and plant habitat</del> <u>Coordinated design for open space, habitat and soil protection</u>	<ul style="list-style-type: none"> <li>- New Section heading, reused number.</li> <li>- Contains text relocated from former Section 5.3.3.9 entitled “<i>Coordinated design for open space management.</i>”</li> <li>- Includes conservation design principles that allow for preservation of natural and historic resources while allowing development in appropriate locations.</li> </ul>	<ul style="list-style-type: none"> <li>- Commission requested re-write to provide greater clarity and to relocate portions of proposed standard which are more appropriate for preamble</li> <li>- Draft definition of open space for Commission review.</li> <li>- Add additional information on clustering and invasives</li> <li>- Provide information on a manual or guidance document.</li> <li>- Commission to re-review</li> </ul>
	<i>Standards</i>			
5/15/13	5.3.3.6.1	Vegetation clearance limits	Added “ <i>development</i> ” adjective.	Advance amendments.



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5/15/13	<u>5.3.3.6.1.1</u>	Non-contiguous parcels	- New Standard. - Treats noncontiguous parcels as if they are contiguous for compliance, as per past decisions.	Advance amendments.
5/15/13	<u>5.3.3.6.1.2</u>	Split zoned parcels	- New Standard. - Applies clearing limit as sum of individual clearances on separately zoned lots that comprise a project site, per past decisions.	Advance amendments.
5/15/13	<u>5.3.3.6.1.3</u>	Residential Overlay Districts	- New Standard. - When a site is a ROD and PBCs are redeemed, the clearing limit is applied based on proposed lot size.	Advance amendments.
5/15/13	<u>5.3.3.6.1.4</u>	Previously cleared sites and environmental restoration	New Standard - Land cleared for environmental restoration as per ECL 57-0107(13)(c) shall not be considered cleared or previously cleared.	Advance amendments.
5/15/13; 6/19/13	<u>5.3.3.6.1.5</u>	Clearing relief and hardships	New Standard - Clearing relief requires filing of a CGA Hardship application.	Advance amendments.
5/15/13; 6/19/13	<u>5.3.3.6.1.6</u>	Split Core and CGA parcels	-New Standard - On split Core/CGA sites where PBCs have been issued, acreage on CGA portion shall only be used to determine clearing limit.	- Advance amendments. - Add statement requiring redemption of PBCs to occur prior to site disturbance.
5/15/13	<u>5.3.3.6.1.7</u>	Previously cleared sites	-New Standard - Sites with pre-existing clearing are not subject to clearing percentages.	- Advance amendments and add “or hardship exemption” after “clearing standard.” - Conflicts with open space standard – Commission needs to reconcile

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6/19/13	Figure 5-1:	<u>Clearance and Open Space Standards</u>	<ul style="list-style-type: none"> <li>- Adjustments made to clearing limit percentages.</li> <li>- Added open space percentages that encompass the inverse of each clearing limit percentage.</li> </ul>	<ul style="list-style-type: none"> <li>- Restore original percentages except for commercial, industrial and government uses.</li> <li>- Prepare language to clarify flag lots in the 4-5 acre zoning district category.</li> <li>- Language to be provided for an exception to address previously approved projects that could return for review.</li> <li>- Reference clearing in Carmans River CGA Expansion Area tied to 1/1/14 zoning</li> </ul>
6/19/13	Figure 5-2	Planting Recommendations	<ul style="list-style-type: none"> <li>- Strikes former Figure 5-2.</li> <li>- Replaced with reference to a new list of acceptable and unacceptable plants to be updated periodically.</li> </ul>	<ul style="list-style-type: none"> <li>- Advance deletion of former Figure 5-2 and replace with stand-alone document to be adopted by resolution</li> <li>- Check scientific names. Allow natural recovery, salvaging plants, review self heal approach.</li> <li>- Include examples.</li> </ul>
5/15/13, 6/19/13	<u>5.3.3.6.2</u>	<u>Open space standard</u>	<ul style="list-style-type: none"> <li>- New Standard, reused number.</li> <li>- Inserted “<i>and habitat</i>” to title.</li> <li>- Refers to new open space set aside percentages in Figure 5-1.</li> <li>- Promotes Conservation Design and prioritizes conservation areas.</li> </ul>	<ul style="list-style-type: none"> <li>- Combine with Standard 5.3.3.6.3.</li> <li>- Renamed section to “<i>Open space requirement, unfragmented open space and habitat.</i>”</li> <li>- Distinguish standard from rationale.</li> <li>- Consensus on mandatory clustering, allow large lots with easements.</li> <li>- Preserve agricultural easements on large lots on agricultural lands to be developed.</li> <li>- Prioritize sensitive habitats and species first, then large unbroken blocks.</li> <li>- Revegetation of some prior cleared areas.</li> <li>- Commission to re-review</li> </ul>
5/15/13	<u>5.3.3.6.2.3</u>	Unfragmented open space <u>and habitat</u>	<ul style="list-style-type: none"> <li>- Added new text to support unfragmented open space and broaden applicability.</li> <li>- Strikes references to former Figure 5-2.</li> </ul>	Combine with Standard 5.3.3.6.2.

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1/15/14				-New <b>Standard 5.3.3.6.3 Self-Heal Implementation</b> , as a result of the self-heal proposal for habitat restoration and recovery.  -Commission to review.
5/15/13	<u>5.3.3.6.3.4</u>	Fertilizer-dependent vegetation limit	<ul style="list-style-type: none"> <li>- New text added referencing list of acceptable and unacceptable plants.</li> <li>- Renumbered from former Standard.</li> <li>- Strikes references to former Figure 5-2.</li> </ul>	Advance amendments.
5/15/13, 6/19/13	<u>5.3.3.6.4.5</u>	Native plantings	<ul style="list-style-type: none"> <li>- Strikes "<i>consider</i>" and inserts new text that requires planting of only those species in the list of acceptable and unacceptable plants.</li> <li>- Renumbered former Standard.</li> </ul>	<ul style="list-style-type: none"> <li>- Review "self heal" approach. Prepare draft for review.</li> <li>- Commission to re-review</li> </ul>
5/15/13; 6/19/13	<u>5.3.3.6.6</u>	<u>Receiving entity and protection for open space areas</u>	<ul style="list-style-type: none"> <li>- New number.</li> <li>- Relocated former Standard 5.3.3.9.1 and strengthened text to assure permanency of open space protection.</li> </ul>	<ul style="list-style-type: none"> <li>- Allow for agricultural reserves.</li> <li>- Need to not require open space or agricultural reserve as a standalone lot.</li> <li>- Revise with new language to protect private open space and agricultural reserves.</li> <li>- Commission to re-review.</li> </ul>
5/15/13	<u>5.3.3.6.7</u>	<u>Buffer delineations, covenants and conservation easements</u>	<ul style="list-style-type: none"> <li>- New number.</li> <li>- Relocated and reworded former Standard 5.3.3.4.2 regarding buffers and placement of covenants and or conservation easements for protection.</li> </ul>	Advance amendments.

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<b>Review Date</b>	<b>Section</b>	<b>Title</b>	<b>Synopsis of proposed amendment</b>	<b>Conclusion and Action</b>
5/15/13; 6/19/13	<u>5.3.3.6.8</u>	<u>Invasive plant species mitigation</u>	<ul style="list-style-type: none"> <li>- New number and Standard.</li> <li>- Requires assessment of extent of invasive species on sites 10 acres or more and mitigation for removal and management.</li> </ul>	<ul style="list-style-type: none"> <li>- Burdens property owner.</li> <li>- Revise to provide flexibility, soften language, or make a guideline.</li> <li>- Commission to re-review.</li> <li>- New <i>Guideline 5.3.3.6.8.1 Invasive Species Mitigation.</i></li> <li>- Commission to re-review.</li> </ul>
12/18/13	5.3.3.7	<del>Species and communities of special concern</del> <u>Protection and conservation of species and communities</u>	<ul style="list-style-type: none"> <li>- Renamed Section.</li> <li>- Added text referring to songbirds, waterbirds, and other types of birds.</li> <li>- New text considers bird habitat and bird friendly development guidelines.</li> </ul>	<ul style="list-style-type: none"> <li>- Advance amendments and add reference to forest interior birds, in addition to the other groups of birds listed.</li> <li>- Commission to re-review.</li> </ul>
	<i>Standards</i>			
12/18/13	5.3.3.7.1	Special species and ecological communities	<ul style="list-style-type: none"> <li>- Added “<i>may occur</i>” in reference to impacts on habitat of listed threatened and endangered species.</li> <li>- Added “<i>or entity</i>” after reference to government agency protection.</li> </ul>	Advance amendments.
12/18/13	<u>5.3.3.7.2</u>	<u>Bird conservation and protection</u>	<ul style="list-style-type: none"> <li>- New Standard and number.</li> <li>- Requires development projects to incorporate structural design and site planning elements to reduce impacts to birds.</li> </ul>	<ul style="list-style-type: none"> <li>- May be more appropriate as a Guideline.</li> <li>- Tall structure definition important. Keep definition and reference to it.</li> <li>- Provide copy of FCC regulations to Commission to ensure no conflict with wind turbines, wireless facilities, and other tall structures.</li> <li>- List design elements in bullet form.</li> <li>- Commission to re-review.</li> </ul>
4/17/13	5.3.3.8	Soils <u>and Topography</u>	Inserted phrase “ <i>and Topography</i> ” to Section title.	Do not advance amendments. Restore original text.
	<i>Standard</i>			

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### Recommended Action on CLUP Amendments

<b>Review Date</b>	<b>Section</b>	<b>Title</b>	<b>Synopsis of proposed amendment</b>	<b>Conclusion and Action</b>
4/17/13	<u>5.3.3.8.1</u>	<u>Slopes, clearing and stabilization</u>	<ul style="list-style-type: none"> <li>- New Standard.</li> <li>- Combined former Guidelines 5.3.3.8.1, 5.3.3.8.2, 5.3.3.8.3, 5.3.3.8.4, 5.3.3.8.5, 5.3.3.8.6 and addressed conflicts.</li> <li>- Consistent with Suffolk County Planning Commission thresholds.</li> </ul>	Do not advance amendments. Delete.
	<u>Figure 5-2</u>	<u>Slopes, clearing and stabilization standard summary</u>	New Figure, reused number. Summarizes slopes referenced in Standard 5.3.3.8.1.	Do not advance amendments. Delete.
	<i>Guidelines</i>			
4/17/13	<u>5.3.3.8.1</u>	<del>Clearing envelopes</del>	<ul style="list-style-type: none"> <li>- Strikes Guidelines</li> <li>- Relocated content of former Guidelines 5.3.3.8.2, 5.3.3.8.3, 5.3.3.8.4, 5.3.3.8.5, and 5.3.3.8.6 and combined into new Standard 5.3.3.8.1.</li> <li>- Deleted Guidelines.</li> </ul>	Do not advance amendments. Restore text.
4/17/13	<u>5.3.3.8.2</u>	<del>Stabilization and erosion control</del>		Do not advance amendments. Restore text.
4/17/13	<u>5.3.3.8.3</u>	<del>Slope analyses</del>		Do not advance amendments. Restore text.
4/17/13	<u>5.3.3.8.4</u>	<del>Erosion and sediment control plans</del>		Do not advance amendments. Restore text.
4/17/13	<u>5.3.3.8.5</u>	<del>Placement of roadways</del>		Do not advance amendments. Restore text.
4/17/13	<u>5.3.3.8.6</u>	<del>Retaining walls and control structures</del>		Do not advance amendments. Restore text.
	<u>5.3.3.9</u>	<del>Coordinated design for open space management</del>	<ul style="list-style-type: none"> <li>- Strikes entire Section.</li> <li>- Relocated content to Section 5.3.3.6 entitled “<i>Coordinated design for open space habitat, and soil protection.</i>”</li> <li>- Reused number for Section entitled “<i>Dark Sky Compliance.</i>”</li> </ul>	Do not advance amendments. Delete.
	<i>Standard</i>			

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### Recommended Action on CLUP Amendments

Review Date	Section	Title	Synopsis of proposed amendment	Conclusion and Action
	5.3.3.9.1	<del>Receiving entity for open space dedications</del>	<ul style="list-style-type: none"> <li>- Strikes Standard.</li> <li>- Incorporated into Section 5.3.3.6 entitled “<i>Coordinated design for open space, habitat and soil protection.</i>”</li> <li>- Reused number for new Standard entitled “<i>Light Pollution Prevention.</i>”</li> </ul>	Do not advance amendments. Delete.
	<i>Guidelines</i>			
	5.3.3.9.2	<del>Clustering</del>	<ul style="list-style-type: none"> <li>- Strikes Guideline.</li> <li>- Incorporated into Section 5.3.3.6.</li> <li>- Deleted number.</li> </ul>	Do not advance amendments. Delete.
	5.3.3.9.3	<del>Protection of dedicated open space</del>	<ul style="list-style-type: none"> <li>- Strikes Guideline.</li> <li>- Incorporated into Section 5.3.3.6.</li> <li>- Deleted number.</li> </ul>	Do not advance amendments. Delete.
12/18/13	5.3.3.9	<u>Dark sky compliance</u>	<ul style="list-style-type: none"> <li>- New Section, reused number.</li> <li>- Encourages minimizing light pollution.</li> </ul>	Clarify the specific categories of projects to which this applies.
	<i>Standard</i>			
12/18/13	5.3.3.9.1	<u>Light pollution prevention</u>	<ul style="list-style-type: none"> <li>- New Standard.</li> <li>- Requires full cutoff lighting fixtures that direct light downward.</li> </ul>	<ul style="list-style-type: none"> <li>- Revise with language that this only applies to projects not requiring approval at municipal level.</li> <li>- Suggested language: “<i>This standard applies only to projects which are not subject to local municipal review and approval.</i>”</li> <li>- <i>Commission to re-review</i></li> </ul>

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### Recommended Action on CLUP Amendments

<b>Review Date</b>	<b>Section</b>	<b>Title</b>	<b>Synopsis of proposed amendment</b>	<b>Conclusion and Action</b>
4/17/13; 1/15/14	5.3.3.10	<del>Agriculture and horticulture.</del> Reserved.	<ul style="list-style-type: none"> <li>- Strikes Section.</li> <li>- Relocated content to Section 5.3.1 entitled “<i>Applicability and other policies.</i>”</li> <li>- Reserved number.</li> </ul>	<ul style="list-style-type: none"> <li>- Relocate to Section 5.3.1.</li> <li>- Replace reference to 1991 NYSDEC BMP document with reference to 2007 document.</li> </ul>
	<i>Guideline</i>			
4/17/13	<del>5.3.3.10.1</del>	<del>Best management practices</del>	<ul style="list-style-type: none"> <li>- Strikes Guideline.</li> <li>- Relocated content to Section 5.3.1.</li> <li>- Reworded as a policy statement.</li> <li>- Deleted number.</li> </ul>	Advance amendments.
4/17/13; 9/18/13; 12/18/13	5.3.3.11	Scenic, historic and cultural resources	New text added to Section preamble to address visual impacts of tall structures (new definition of tall structures in Chapter 4).	<ul style="list-style-type: none"> <li>- Commission requested re-write.</li> <li>- No final disposition determined, need direction from Commission.</li> <li>- Commission to re-review</li> </ul>
	<i>Standards</i>			
9/18/13; 12/18/13	<u>5.3.3.11.1</u>	<u>Tall structures and scenic resources</u>	<ul style="list-style-type: none"> <li>- New Standard.</li> <li>- Incorporated intent of former Guideline 5.3.3.11.1 entitled “<i>Cultural resource consideration</i>” into new Standard 5.3.3.11.2, “<i>Scenic, cultural and historic resource protection.</i>”</li> </ul>	<ul style="list-style-type: none"> <li>- Provide examples of tall structures in applications (cell towers, signs, hotels, apartment buildings, etc.).</li> <li>- List scenic roads in Volume 2 of the CLUP.</li> <li>- Revise with language that this only applies to projects not requiring approval at municipal level.</li> <li>- Commission to re-review</li> </ul>

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### Recommended Action on CLUP Amendments

<b>Review Date</b>	<b>Section</b>	<b>Title</b>	<b>Synopsis of proposed amendment</b>	<b>Conclusion and Action</b>
6/19/13, 9/18/13; 12/18/13	<del>5.3.3.11.2</del> <del>5.3.3.11.1</del>	<del>Scenic, cultural and historic resource consideration protection</del>	<ul style="list-style-type: none"> <li>- Changed title, reused number.</li> <li>- Consolidated three former Guidelines: 5.3.3.11.2, 5.3.3.11.3, and 5.3.3.11.4.</li> </ul>	<ul style="list-style-type: none"> <li>- Delete #6 regarding cemeteries.</li> <li>- Provide information to support amendment, past application to projects, other regulations, NY State Scenic designation for CPB.</li> <li>- Revise.</li> <li>- Commission to re-review</li> </ul>
	<i>Guidelines</i>			
9/18/13	<del>5.3.3.11.2</del>	<del>Inclusion of cultural resources in applications</del>	<ul style="list-style-type: none"> <li>- Strikes former Guideline.</li> <li>- Incorporated content into new Standard 5.3.3.11.2.</li> </ul>	<ul style="list-style-type: none"> <li>- Revise (some parts vague or more applicable to preamble)</li> <li>- Commission to re-review</li> </ul>
9/18/13	<del>5.3.3.11.3</del>	<del>Protection of scenic and recreational resources</del>	<ul style="list-style-type: none"> <li>- Strikes former Guideline.</li> <li>- Incorporated content into new Standard 5.3.3.11.2.</li> <li>- Deleted number.</li> </ul>	<ul style="list-style-type: none"> <li>- Revise (some parts vague or more applicable to preamble)</li> <li>- Commission to re-review</li> </ul>
9/18/13, 12/18/13	<del>5.3.3.11.3</del> <del>5.3.3.11.4</del>	<del>Roadside design and management</del> <u>Preservation and enhancement of roadside character</u>	<ul style="list-style-type: none"> <li>- Strikes former Guideline.</li> <li>- Changed title to “<i>Preservation and enhancement of roadside character.</i>”</li> <li>- Incorporated content into new Standard 5.3.3.11.2.</li> </ul>	<ul style="list-style-type: none"> <li>- Commission generally supportive, especially in regard to key roadways.</li> <li>- Renamed to “<i>Inclusion of cultural resources in applications</i>”</li> <li>- Rewrite and seek comments from Town reps/planners, then share with Commission.</li> <li>- Review design standards on scenic roads to adapt to the Central Pine Barrens.</li> <li>- Research other parks.</li> <li>- Commission to re-review</li> </ul>



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<b>Review Date</b>	<b>Section</b>	<b>Title</b>	<b>Synopsis of proposed amendment</b>	<b>Conclusion and Action</b>
12/18/13				New subsections created in re-write of Section 5.3.3.11 Scenic, historic and cultural resources, including: <ul style="list-style-type: none"> <li>• <i>Standard 5.3.3.11.4 Reuse and preservation of historic buildings</i></li> <li>• <i>Standard 5.3.3.11.5 Preservation and enhancement of roadside character</i></li> <li>• <i>Standard 5.3.3.11.6 Roadsides within scenic corridors, roads, vistas and viewpoints</i></li> <li>• <i>Guideline 5.3.3.11.7 Trees</i></li> <li>• <i>Guideline 5.3.3.11.8 Utilities</i></li> <li>• <i>Figure 5-2: Scenic Roads and Areas in the Central Pine Barrens</i></li> </ul>
	<u>5.3.3.12</u>	<del>Commercial and industrial development</del>	- Strikes Section. - Combined content with Standard 5.3.3.1, now titled “ <i>Sanitary Waste, Nitrate-Nitrogen and other chemicals of concern.</i> ”	Advance amendment. .
	<i>Standard</i>			
	<u>5.3.3.12.1</u>	<del>Commercial and industrial compliance with Suffolk County Sanitary Code</del>	- Strikes Section. - Relocated to and combined with Section 5.3.3.1.	Advance amendment.
7/17/13	<u>5.3.3.12</u>	<u>Traffic management and air quality</u>	- New Section. - Reused number. - Encourages compact, efficient, and orderly development, as per the Act and CLUP.	Do not advance amendments.
	<i>Standard</i>			
7/17/13	<u>5.3.3.12.1</u>	<u>Traffic management and mitigation</u>	- New Standard. - Refers to DRS projects. - Requires traffic management and mitigation plans.	Do not advance amendments.

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<b>Review Date</b>	<b>Section</b>	<b>Title</b>	<b>Synopsis of proposed amendment</b>	<b>Conclusion and Action</b>
11/20/13	<u>5.3.3.13</u>	<u>Wildfire hazard</u>	<ul style="list-style-type: none"> <li>- New Section and number.</li> <li>- Responds to efforts to protect safety and property during wildfire events. Based upon International Code Council and NYS Department of State model ordinances and suggested standards.</li> </ul>	<ul style="list-style-type: none"> <li>- No final disposition determined, need direction from Commission.</li> <li>- Meeting with Towns to revise and then present to the Commission.</li> <li>- Renumber to Section 5.3.3.12 since proposed amendment Section 5.3.3.12 entitled "<i>Traffic Management</i>" was not advanced and was deleted.</li> </ul>
	<i>Standard</i>			
11/20/13	<u>5.3.3.13.1</u>	<u>Access</u>	<ul style="list-style-type: none"> <li>- New Standard.</li> <li>- Element of fire protection and mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>- Renumber to Standard 5.3.3.12.1.</li> <li>- Meeting with Towns to revise and then present to the Commission.</li> <li>- No final disposition determined, need direction from Commission.</li> </ul>
11/20/13	<u>5.3.3.13.2</u>	<u>Water supply</u>	<ul style="list-style-type: none"> <li>- New Standard.</li> <li>- Element of fire protection and mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>- Renumber to Standard 5.3.3.12.2.</li> <li>- Meeting with Towns to revise and then present to the Commission.</li> <li>- No final disposition determined, need direction from Commission.</li> </ul>
11/20/13	<u>5.3.3.13.3</u>	<u>Fire protection plan</u>	<ul style="list-style-type: none"> <li>- New Standard.</li> <li>- Element of fire protection and mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>- Renumber to Standard 5.3.3.12.3.</li> <li>- Meeting with Towns to revise and then present to the Commission.</li> <li>- No final disposition determined, need direction from Commission.</li> </ul>
11/20/13	<u>5.3.3.13.4</u>	<u>Defensible space</u>	<ul style="list-style-type: none"> <li>- New Standard.</li> <li>- Element of fire protection and mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>- Renumber to Standard 5.3.3.12.4.</li> <li>- Meeting with Towns to revise and then present to the Commission.</li> <li>- No final disposition determined, need direction from Commission.</li> </ul>