SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Economic Development & Planning
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
T: (631) 853-5192 F: (631) 853-4044
Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development and Planning
Sarah Lansdale, Director of Planning

NOTICE OF MEETING

October 3, 2012 at 2:00 p.m.
Village of Westhampton Beach Board Room, located at Village Hall, 165 Mill Road, Westhampton Beach

Tentative Agenda Includes:

1. Adoption of Meeting Summary for June, July and August 2012

2. Public Portion

3. Chairman's Report

4. Director's Report

5. Guest Speakers

6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
   - Astro Realty 0500 21100 0100 005 007 (Islip)
   - Concordia Senior Community 0600 10100 0200 004001 (Riverhead)

7. Section A 14-24 of the Suffolk County Administrative Code
   None

8. Discussion:

9. Other Business:

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on November 7, 2012 at 2:00 p.m., in the Maxine S. Postal Auditorium Riverhead County Center.

COUNTY OF SUFFOLK

SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P.
DIRECTOR OF PLANNING

ADDENDUM TO PRIOR STAFF REPORTS
SECTIONS A14-14 THRU A14-24 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Astro Realty, LLC
Municipality: Islip
Location: E/S/O Connetquot Avenue ~ 350' W/O Montauk Highway (NYS Rte. 27)

Received: 8/24/12
File Number: IS-12-02
T.P.I.N.: 0500 21100 0100 005007
Jurisdiction: w/in 500 feet of NYS Rte 27, NYS Rte. 27A and NYS Land

ADDENDUM TO PRIOR STAFF REPORTS

PROPOSAL DETAILS

OVERVIEW – The subject referral is a continuation of prior actions reviewed and approved by the Suffolk County Planning Commission (see attached). It is a request for Site Plan approval to allow the construction of 320 residential units (100 Sr. owned units; 110 Non-age rental restricted units; 110 non-age restricted owned units; and 64 (20%) Non-Age restricted affordable units) in 53 buildings across the subject parcel. Also proposed are two club houses, multiple recreation areas, a storm water recharge basin and a proposed sanitary pump station. The proposed development site is located in the hamlet of Oakdale on approximately 38 acres of the south lawn area of a former defense industry office/commercial complex and now part of the Town of Islip Great River Planned Development District.

Sanitary Waste Water from the proposed site plan is to be directed to an onsite pump station/force main and connect to the Southwest Sewer District. According to material in the referral, the Suffolk County Sewer Agency has granted conceptual certification to the proposed connection.

Off street parking spaces, landscaping and buffering proposed for the development are to be in conformance with Town of Islip Zoning Law requirements as per submitted information.

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-l provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment.

Material submitted in the referral from the Town indicates that "historically the development of diversified housing, such has occurred along Sunrise Highway has not resulted in complaints with adjoining single-family residential neighborhoods once construction is complete." Residential development adjoining the site to the west provides for a compatibility of uses between existing and the proposed. Substantial improvements for the area are also being proposed including donation of land and construction of two new ball fields and additional parking, construction of a new fire substation, traffic improvements including a new signal at Montauk Highway and Union Boulevard, and a mitigation fee for construction of sidewalks along the west side of Connetquot Avenue. On an adjacent northern Parcel, the petitioners have agreed to allow the soccer and baseball little league to use the new developments parking lots on the weekends and has agreed to reconstruct the site entrance to create a safer merge lane onto eastbound Sunrise Highway.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The proposed site plan is in conformance with the implementation of the Town of Islip Great River Planned Development District (GRPDD). The GRPDD has two sub districts: Office/Industrial and Multiple Family Residential. The subject application addresses the latter category. The GRPDD is designed to allow for the creation of an efficiently designed mix use community that offers residential, employment and recreational opportunities. The GRPDD ordinance includes controls on height, bulk, buffers and setbacks to ensure that development of the site is consistent with the adopted plan.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS: The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). It is the belief of the staff that the site plan petition would benefit from a review of the Guidebook particularly related to energy efficiency and public safety and incorporate into the project appropriate improvements to the design of the buildings and grounds.

Prior approval of the Suffolk County Planning Commission required the preparation of a pre and post-construction Stormwater Pollution Prevention Plan (SWPPP) to be developed and implemented for managing stormwater runoff pursuant to New York State's Pollutant Discharge Elimination System (SPEDES) program permit requirements. While referred plans have been stamped by the Town Engineer as "Approved, subject to conditions" there is no indication that a SWPPP has been completed. The subject property's proximity to the Connetquot River drainage basin make this an important aspect of review.

There is no indication in the referred materials that as a component of a mixed income residential community, mass transit (bus) convenience has been considered. The applicant should contact the Suffolk County DPW Transit Division, and investigate possible accommodations for bus riders.

STAFF RECOMMENDATION

Approval with the following comments:

1. Dialogue should continue as is necessary for permits and approvals with the Suffolk County Department of Health Services/Department of Public Works regarding waste water connection to the Southwest Sewer District.

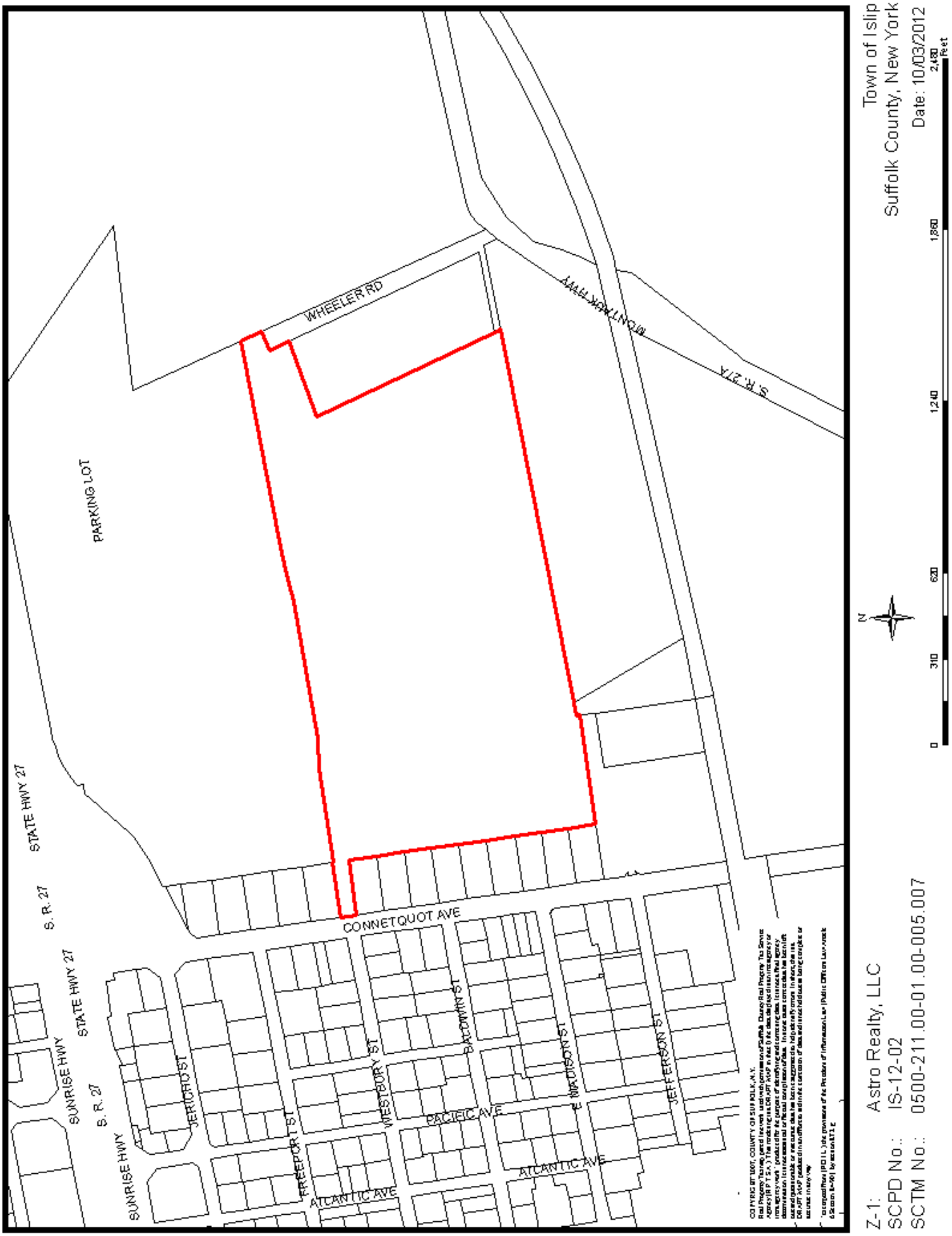
2. A pre and post-construction Stormwater Pollution Prevention Plan (SWPPP) should be developed and implemented for managing stormwater runoff pursuant to New York State's Pollutant Discharge Elimination System (SPDES) program permit requirements.

3. The applicant should review the Suffolk County Planning Commission publication entitled Managing Stormwater-Natural Vegetation and Green Methodologies.

4. The applicant should review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency.

5. The applicant should review the Suffolk County Planning Commission Guidebook particularly with respect to public safety.

6. The applicant should contact the Suffolk County DPW Transit Division, and investigate possible accommodations for bus riders.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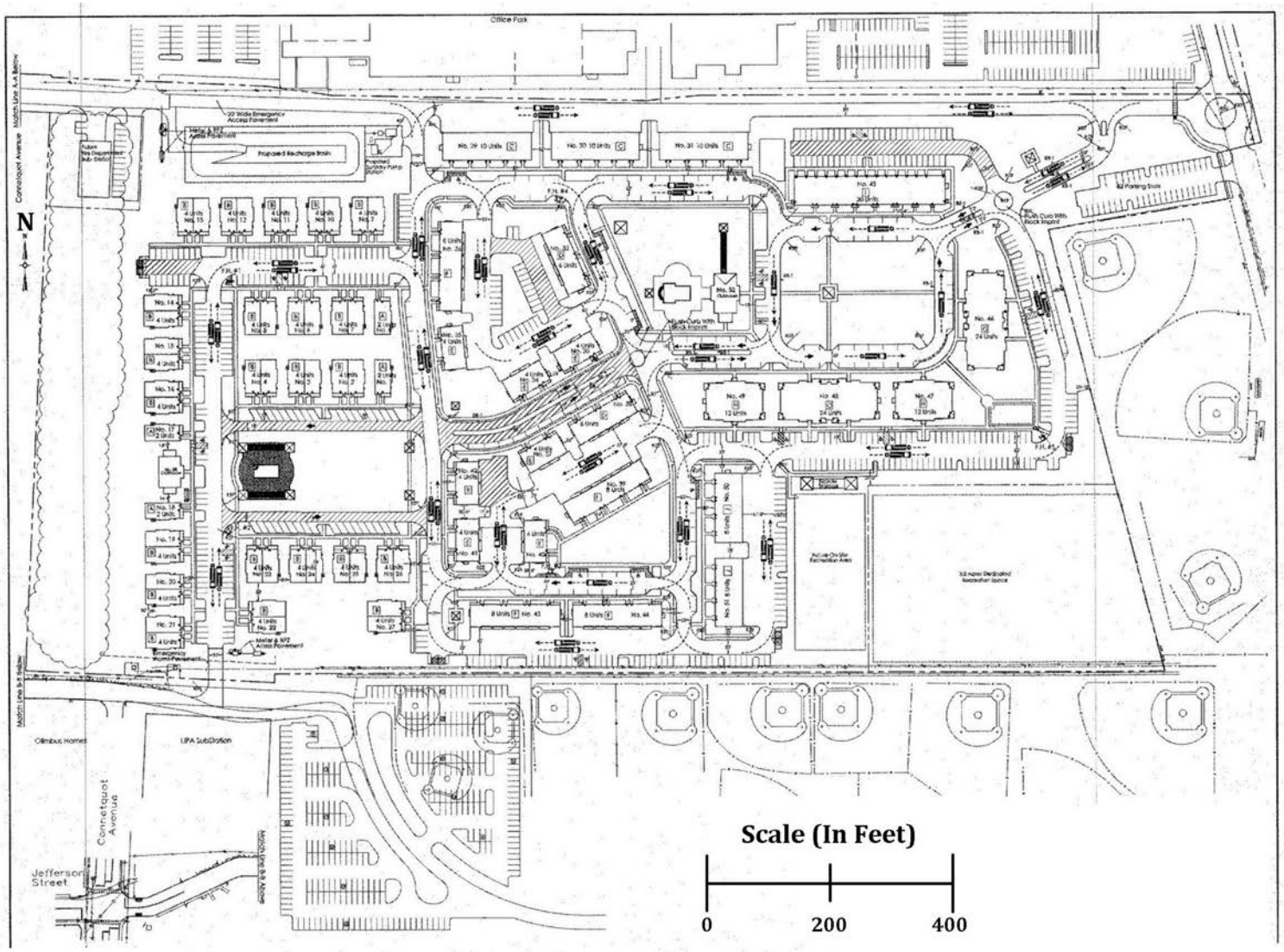
Town of Islip
Suffolk County, New York
Date: 10/03/2012
Z-1:
SCPD No.: IS-12-02
SCTM No.: 0500-211.00-01.00-005.007
Astro Realty, LLC



Z-1: Astro Realty, LLC
SCPD: IS-12-02
SCTM No: 0500-211.00-01.00-005.007

Resolution No. ZSR-11-14 of the Suffolk County Planning Commission
Pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code

WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received February 24, 2011 at the offices of the Suffolk County Planning Commission with respect to the application of **"Westbrook Village" located in The Town of Islip**

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on April 6, 2011, now therefore, Be it

RESOLVED, that the Suffolk County Planning Commission hereby approves and adopts the report of its staff, as may be amended, as the report of the Commission, Be it further

RESOLVED, pursuant to Section A14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law, the referring municipality within thirty (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action, Be it further

RESOLVED, that the Suffolk County Planning Commission **Approved** said referral subject to the following conditions and comments:

Conditions:

1. A common access easement agreement shall be created for all internal roads within the overall proposed development on the 78.8 acre subject property including the proposed residential development associated with this subdivision request on the 37.8 acre southern subject parcel. All internal roads shall be designed to ensure adequate access (e.g., appropriate road width, turning radii and hydrant location) throughout the site for emergency and service vehicles pursuant to code.

   In accordance with Commission policy guidelines, no landlocked parcels should be created. Based on the applicant's current subdivision plan titled "Map of Westbrook Village Situate Great River" dated November 2010 and prepared by BBV, there appear to be several landlocked parcels. A landlocked parcel is a parcel that does not have frontage on an existing or proposed public road and is dependent upon a right-of-way over adjacent parcel(s) for access. The creation of such lots is contrary to good subdivision layout principles and can create access problems for emergency and service vehicles. This lack of access could result in health, safety and welfare problems for the future residents of landlocked lots, not to mention potential disputes over the use and maintenance of any right-of-way over an adjacent parcel that may be created for the purpose of access.

2. A pre and post-construction stormwater pollution prevention plan (SWPPP) shall be developed and implemented for managing stormwater runoff pursuant to New York State's Pollutant Discharge Elimination System (SPDES) program permit requirements.

   The Commission's policy guidelines highlight the SPDES program's permit requirement to develop and implement a SWPPP for managing stormwater runoff on construction sites of one acre or larger, including smaller sites that are part of a larger common plan of development. Since the proposed overall development plan exceeds one acre to include a total of 2.9 acres of newly constructed office building space and up to 7.5 acres of residential building space on the subject property (not including parking and accessory structures), the applicant shall be directed to comply with all SPDES program permit requirements.

3. In light of the history of the site, the subject property shall be deemed to be free and clear of surface and subsurface hazardous material, in accordance with all applicable federal, state and local regulations.

4. The applicant shall be directed to consult the Suffolk County Planning Commission Guidebook for details on universal design features of buildings to improve access for all members of the community including seniors and those with disabilities.

   Based on the applicant's proposed development plan to construct 320 residential units which shall include a total of 100 age-restricted senior owner occupied units, it is recommended that universal design features be incorporated into building design to ensure accessibility/mobility needs for an aging population.

5. The applicant shall be directed to consult the Suffolk County Planning Commission Guidebook for details on energy efficiency to design and construct all applicable buildings in the project to reduce energy consumption.

   An energy efficiency plan was not included in the referral material to the Suffolk County Planning Commission. Since the applicant is required by deed covenant to submit an energy efficiency plan for both new construction and existing buildings on the 41 acre northern portion of the property, a similar deed covenant should be filed against the southern portion of the property to require the same. It is further recommended that the applicant consult the Suffolk County Planning Commission Guidebook for details on energy efficiency design.

6. The applicant shall facilitate convenient and safe pedestrian connections between the residential and office/industrial portions of the property, including but not limited to, sidewalks and crosswalks.

   The Town has indicated that where possible, the applicant would construct sidewalks between the two segments of the property. A preliminary site plan does not indicate convenient and safe pedestrian connections which should be incorporated into the final site plan.

Comments:

1. The subject property has been an industrial site associated with the aerospace industry. While a cursory review of historical aerial photography of the subject property indicates no evidence of discharge of hazardous materials or the storing, stockpiling of land filling of industrial waste, it is recommended that an environmental assessment for hazardous materials on site, particularly the residential portion of the parcel be undertaken.

2. There is a discrepancy between the deed covenant and subdivision plan in regard to the acreage being dedicated to the Town of Islip for recreational use. The applicant should clarify the acreage discrepancy.

   The applicant submitted a subdivision plan which indicates a 4 acre lot on the southwestern portion of the property where a proposed land dedication to the Town should occur, however a field deed covenant indicates a dedication of only approximately 3 acres. The acreage discrepancy should be clarified.

- The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:
  http://www.suffolkcountyny.gov/Home/departments/planning/Publications%20and20Information.aspx#SCPC
  A copy of the Suffolk County Planning Commission Guidebook is also included with this letter.

Motion by: Commissioner Holmes Seconded by: Commissioner Chartrand

Commission Vote: Present – 12 Ayes -12
Nays - 0
Absent - 1

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	ABSENT
CALONE, **DAVID** Town of Babylon	X			
CHARTRAND, MATTHEW Town of Islip	X			
ESPOSITO, ADRIENNE Villages over 5,000	X			
FINN, JOHN Town of Smithtown	X			
HOLMES, **LINDA** Town of Shelter Island	X			
HORTON, JOSHUA At-Large				X
KELLY, MICHAEL Town of Brookhaven	X			
KONTOKOSTA,**CONSTANTINE** Vill.Under 5,000	X			
LANSDALE, SARAH Town of Huntington	X			
MC ADAM, TOM Town of Southold	X			
ROBERTS, **BARBARA** Town of Southampton	X			
TALDONE, VINCENT Town of Riverhead	X			
WEIR, DIANA, Town of East Hampton	X			

Dated: April 6, 2011
Location: Town of Huntington Board Room

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF
PLANNING

STAFF REPORT
SECTIONS A14-14 THRU A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Westbrook Village
Municipality: Town of Islip
Location: Approximately 350 feet west of Montauk Highway (SR 27A) on the east side of Connetquot Avenue

Received: 2/24/2011
File Number: S-IS-11-01
T.P.I.N.: 0500 21100 0100 005007
Jurisdiction: Within 500' of NYS Rte. 27, NYS Rte 27A and NYS land

ZONING DATA

- Zoning Classification: Great River Planned Development District
- Minimum Lot Area: 43,560 Sq. Ft.
- Section 278: N/A
- Obtained Variance: N/A

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: Yes
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: Yes
  - File: IS-08-03
  - Date: 5/07/2008
  - Map of: Astro Realty, LLC
- SEQRA Information: Yes
- SEQRA Type FEIS
- Minority or Economic Distressed No

SITE DESCRIPTION

- Present Land Use: Industrial/Office (Long Island Technology Center)
- Existing Structures: Industrial buildings
- General Character of Site: Level
- Range of Elevation within Site: Approximately 20' to 30' amsl
- Cover: Buildings & lawn
- Soil Types: Riverhead and Plymouth Associations
- Range of Slopes (Soils Map): 0-8%
- Waterbodies or Wetlands: Recharge basin

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Major
- Layout: PDD
- Area of Tract: 37.8 Acres, 1,646,568 sq. ft.
- Open Space: Approximately 3.0 acres (ball field dedication)

ACCESS

- Roads: Existing
- Driveways: Private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: CB & LP
  - Recharge Basins Yes
- Groundwater Management Zone: VII
- Water Supply: Public
- Sanitary Sewers: Public

PROPOSAL DETAILS

OVERVIEW

The Suffolk County Planning Commission ("the Commission") previously reviewed the applicant, Astro Realty, LLC's ("the applicant"), request for a Town Board Change of Zone from Industrial 2 District and Residential AAA to the Great River Planned Development District ("GRPDD") in Great River, Town of Islip in order to maintain and redevelop the subject property consisting of two parcels on 78.8 acres for office/industrial use (542,842 total acres) and senior/non-senior multiple family residential use (357 units). The Commission conditionally approved said request on May 7, 2008 (See File # IS-08-03). In response to comments received on the DEIS, the applicant made a number of changes to the project, most fundamentally, there was a significant reduction in the amount of new development proposed. The new development proposal reduced new office expansion by 32% to 129,090 square feet for a total of 480,113 square feet and reduced the number of residential units by 10% for a total of 320 units. On June 9, 2009, the Town Board granted approval for the establishment of a GRPDD and the rezoning of the subject property to GRPDD subject to certain filed covenants and restrictions (T.C. #5031).

The applicant currently seeks Town Board Planning Board approval for the subdivision of the approximate 37.8 acre southern parcel to create a six (6) lot subdivision for recreational and senior/non-senior multiple family residential uses within the GRPDD. Based on a submitted preliminary site plan, lots 1 through 5 would be sited for residential development, while lot 6 would be sited for recreational use. In accordance with filed deed covenants and restrictions for the southern parcel: the subject parcel (roughly lots 1 through 5) shall be limited to a maximum of 320 residential units consisting of 100 senior owner occupied units, a minimum of 110 non-age restricted rental units, and a maximum of 110 non-age restricted owner occupied units; approximately 3 acres (roughly on lot 1) will be dedicated to the Town of Islip to be used for athletic fields and attendant facilities, including but not limited to parking, access, concessions, and restrooms; a fire substation in the northwest corner (roughly on the northwestern corner of lot 1) shall be included in the final site plan.

According to the Town, the applicant has requested this subdivision (which will not include the approximate 41 acre northern parcel) due to current economic conditions wherein the financing entities require a significant percentage of units within each lot to be sold before releasing monies.

Lot size
The proposed lots range in size with an average lot size of 274,695 SF (6.3 acres) and would conform with the GRPDDD minimum 43,560 SF (1 acre) lot size requirement for the GRPDD zoning district.

Density
Under the previous development plan, density on the 37.8 acre residential portion of the property would equate to approximately 9.4 units/acre (a review of approved density for the Town of Islip diversified housing indicates a range of 4 to 14 units per acre – accounting for a great variation in site characteristics, housing size and type). Under the current development plan, a density would equate to approximately 8.5 units/acre which would decrease density 10% over the original proposal.

Affordable housing
In accordance with the adopted GRPDD code, all residential development within the PDD shall provide that minimum of 20% of the total dwellings in the approved plan be deemed affordable housing. According to filed deed covenants and restrictions against the residential portion of the property: 64 units shall be set aside as affordable units subject to the following provisions. All affordable units shall be non-age restricted. Affordable rental and owner occupied units shall be provided in the same proportion as the occurrence of non-age restricted rental versus non-age restricted owner occupied. And finally, a minimum of 32 affordable units shall be rentals.

Energy efficiency
In accordance with filed deed covenants and restrictions, the applicant shall submit an energy efficiency plan for both new construction and existing buildings. Site plan may include elements relating to building materials, building design, and site operations.

Pedestrian connections
In accordance with the GRPDD code, a mitigation fee of $136,675 is being contributed by the applicant for construction of sidewalks and curbing on the west side of Connetquot Avenue, to increase pedestrian access to the Great River train station and adjacent commercial uses.

Parking
In accordance with the adopted GRPDD code, a minimum of 2.2 parking stalls per residential unit shall be provided. Driveway spaces and on-street parking may count toward this requirement (not counting garage space). Parking for offices uses shall be provided at a ratio of 3.5 stalls per 1,000 square feet of gross floor area.

Traffic mitigation
In accordance with deed covenants and restrictions filed against the southern subject parcel, the applicant/owner agrees to certain traffic mitigation measures, including but not limited to, installing new traffic signals at the intersection of Union Boulevard and Montauk Highway/Rte 27A and at the intersection of Montauk Highway/Rte 27A and Wheeler Road, if required by the New York State Department of Transportation, and reconfiguration and restriping of lane on Connetquot Avenue at Roslyn Street to provide an exclusive eastbound right-turn lane on to Sunrise Highway/Rte 27 Westbound Ramp.

Density fiscal impact
Based on the reduced density and updated demographic multipliers published by the Rutgers University Center for Urban Policy Research, released June 2006, it is expected that only 29 additional public school enrollments will be generated by the proposed residential development. Adverse impacts to the East Islip UFSD are not anticipated since the proposed residential development is expected to generate $1,031,210 in annual school taxes, which would more than offset the total pupil expenditure of $540,356 or $18,633 per student cost (given the 2007-08 school district's budget of $93,931,071 and estimated enrollment of 5,041).

LOCATION
The subject property is located approximately 350 feet west of Montauk Highway (SR 27A) on the east side of Connetquot Avenue (town road) in the Hamlet of Great River.

A review of the character of the land use and zoning pattern in the vicinity indicates that the subject property is located within a mixed zoning area of predominant single-family detached homes in residential "AAA", "AA", "B" and "C" zones. A node of "Business" 1 and 3 exists to the northwest and a node of "CAA" and "CA" (two-family and multi-family dwellings) exists to the southwest.

Land uses in the immediate vicinity include the East Islip Soccer Complex on land owned by Bayard Cutting Arboretum to the east, the Islip Little League Complex on land owned by the Town of Islip to the south, and single family residences to the west fronting on the west side of Connetquot Avenue.

ACCESS
Access to the residential portion of the property would be provided to the east via a north-south road (Wheeler Road) connecting Sunrise Highway to the north (SR 27) with Montauk Highway (SR 27A) to the south. Although an emergency access would be provided at the southwestern corner of the site connecting to Jefferson Street east of Connequot Avenue, the Town has decided not to permit direct residential access to Connetquot Avenue. Based on a preliminary site plan it appears that there will be limited access from Connetquot Avenue to the fire substation at the northwestern corner of the site.

ENVIRONMENTAL CONDITIONS
The subject property site is situated in Hydrogeologic Ground Water Management Zone VII pursuant to Article 6 of the Suffolk County Sanitary Code. The site is not located in a Special Groundwater Protection Area (SGPA). The site is not located in a State Critical Environmental Area. The site is not located in a Pine Barrens Region of Suffolk County. While the site is proximate to the Connetquot River corridor, it is not within the State Wild, Scenic and Recreational River Corridor management area. There are no local, state or federally regulated wetlands on site. The nearest mapped wetland (West Brook Pond) is over 1000 feet from the property's eastern boundary.

It should be noted that the subject application is not located in a minority and/or economically distressed community as defined by commission guidelines and required to be reported pursuant to Resolution 102-2006 of Suffolk County.

STAFF ANALYSIS

Staff believes that said proposal can be generally supported with conditions applied to address certain problematic items.

Based on the applicant's current subdivision plan titled "Map of Westbrook Village Situate Great River" dated November 2010 and prepared by BBV, there appear to be several landlocked parcels. A landlocked parcel is a parcel that does not have frontage on an existing or proposed public road and is dependent upon a right-of-way over adjacent parcel(s) for access. In accordance with Commission policy guidelines, no landlocked parcels should be created. The creation of such lots is contrary to good subdivision layout principles and can create access problems for emergency and service vehicles. This lack of access could result in health, safety and welfare problems for the future residents of landlocked lots, not to mention potential disputes over the use and maintenance of any right-of-way over an adjacent parcel that may be created for the purpose of access. A common access easement agreement should be created for all internal roads within the overall proposed development on the 78.8 acre subject property including the proposed residential development associated with this subdivision request on the 37.8 acre southern subject parcel. All internal roads shall be designed to ensure adequate access (e.g., appropriate road width, turning

radii and hydrant location) throughout the site for emergency and service vehicles pursuant to code.

The proposed overall development plan includes a total of 2.9 acres of newly constructed office building space and up to 7.5 acres of residential building space on the subject property (not including parking and accessory structures). The Commission's policy guidelines highlight the New York State's Pollutant Discharge Elimination System (SPDES) program's permit requirement to develop and implement a stormwater pollution prevention plan (SWPPP) for managing stormwater runoff on construction sites of one acre or larger, including smaller sites that are part of a larger common plan of development, therefore, the applicant should be directed to develop and implement a stormwater management plan pursuant to SPDES program permit requirements.

The subject property has been an industrial site associated with the aerospace industry. While a cursory review of historical aerial photography of the subject property indicates no evidence of discharge of hazardous materials or the storing, stockpiling of land filling of industrial waste, it is recommended that an environmental assessment for hazardous materials on site, particularly the residential portion of the parcel be undertaken. The subject property should be deemed to be free and clear of surface and subsurface hazardous material.

Based on the applicant's proposed development plan to construct 320 residential units which shall include a total of 100 age-restricted senior owner occupied units, it is recommended that universal design features be incorporated into building design to ensure accessibility/mobility needs for an aging population and those with disabilities.

An energy efficiency plan was not included in the referral material to the Suffolk County Planning Commission. Since the applicant is required by deed covenant to submit an energy efficiency plan for both new construction and existing buildings on the 41 acre northern portion of the property, a similar deed covenant should be filed against the southern portion of the property to require the same. It is further recommended that the applicant consult the Suffolk County Planning Commission Guidebook for details on energy efficiency design.

In regard to convenient pedestrian connections between the residential and office/industrial portions of the property, the Town has indicated that where possible, the applicant would construct sidewalks between the two segments of the property. A preliminary site plan does not indicate convenient and safe pedestrian connections, including but not limited to, sidewalks and crosswalks which should be incorporated into the final site plan.

STAFF RECOMMENDATION

Notwithstanding prior Commission review with conditions and comments, staff recommends **Approval** with the following Conditions:

1. A common access easement agreement shall be created for all internal roads within the overall proposed development on the 78.8 acre subject property including the proposed residential development associated with this subdivision request on the 37.8 acre southern subject parcel. All internal roads shall be designed to ensure adequate access (e.g., appropriate road width, turning radii and hydrant location) throughout the site for emergency and service vehicles pursuant to code.

   In accordance with Commission policy guidelines, no landlocked parcels should be created. Based on the applicant's current subdivision plan titled "Map of Westbrook Village Situate Great River" dated November 2010 and prepared by BBV, there appear to be several landlocked parcels. A landlocked parcel is a parcel that does not have frontage on an existing or proposed public road and is dependent upon a right-of-way over adjacent parcel(s) for access. The creation of such lots is contrary to good subdivision layout

principles and can create access problems for emergency and service vehicles. This lack of access could result in health, safety and welfare problems for the future residents of landlocked lots, not to mention potential disputes over the use and maintenance of any right-of-way over an adjacent parcel that may be created for the purpose of access.

2. A pre and post-construction stormwater pollution prevention plan (SWPPP) shall be developed and implemented for managing stormwater runoff pursuant to New York State's Pollutant Discharge Elimination System (SPDES) program permit requirements.

   The Commission's policy guidelines highlight the SPDES program's permit requirement to develop and implement a SWPPP for managing stormwater runoff on construction sites of one acre or larger, including smaller sites that are part of a larger common plan of development. Since the proposed overall development plan exceeds one acre to include a total of 2.9 acres of newly constructed office building space and up to 7.5 acres of residential building space on the subject property (not including parking and accessory structures), the applicant shall be directed to comply with all SPDES program permit requirements.

3. The subject property shall be deemed to be free and clear of surface and subsurface hazardous material in accordance with all applicable federal, state and local regulations.

4. The applicant shall be directed to consult the Suffolk County Planning Commission Guidebook for details on universal design features of buildings to improve access for all members of the community including seniors and those with disabilities.

   Based on the applicant's proposed development plan to construct 320 residential units which shall include a total of 100 age-restricted senior owner occupied units, it is recommended that universal design features be incorporated into building design to ensure accessibility/mobility needs for an aging population.

5. The applicant shall be directed to consult the Suffolk County Planning Commission Guidebook for details on energy efficiency to design and construct all applicable buildings in the project to reduce energy consumption.

   An energy efficiency plan was not included in the referral material to the Suffolk County Planning Commission. Since the applicant is required by deed covenant to submit an energy efficiency plan for both new construction and existing buildings on the 41 acre northern portion of the property, a similar deed covenant should be filed against the southern portion of the property to require the same. It is further recommended that the applicant consult the Suffolk County Planning Commission Guidebook for details on energy efficiency design.

6. The applicant shall facilitate convenient and safe pedestrian connections between the residential and office/industrial portions of the property, including but not limited to, sidewalks and crosswalks.

   The Town has indicated that where possible, the applicant would construct sidewalks between the two segments of the property. A preliminary site plan does not indicate convenient and safe pedestrian connections which should be incorporated into the final site plan.

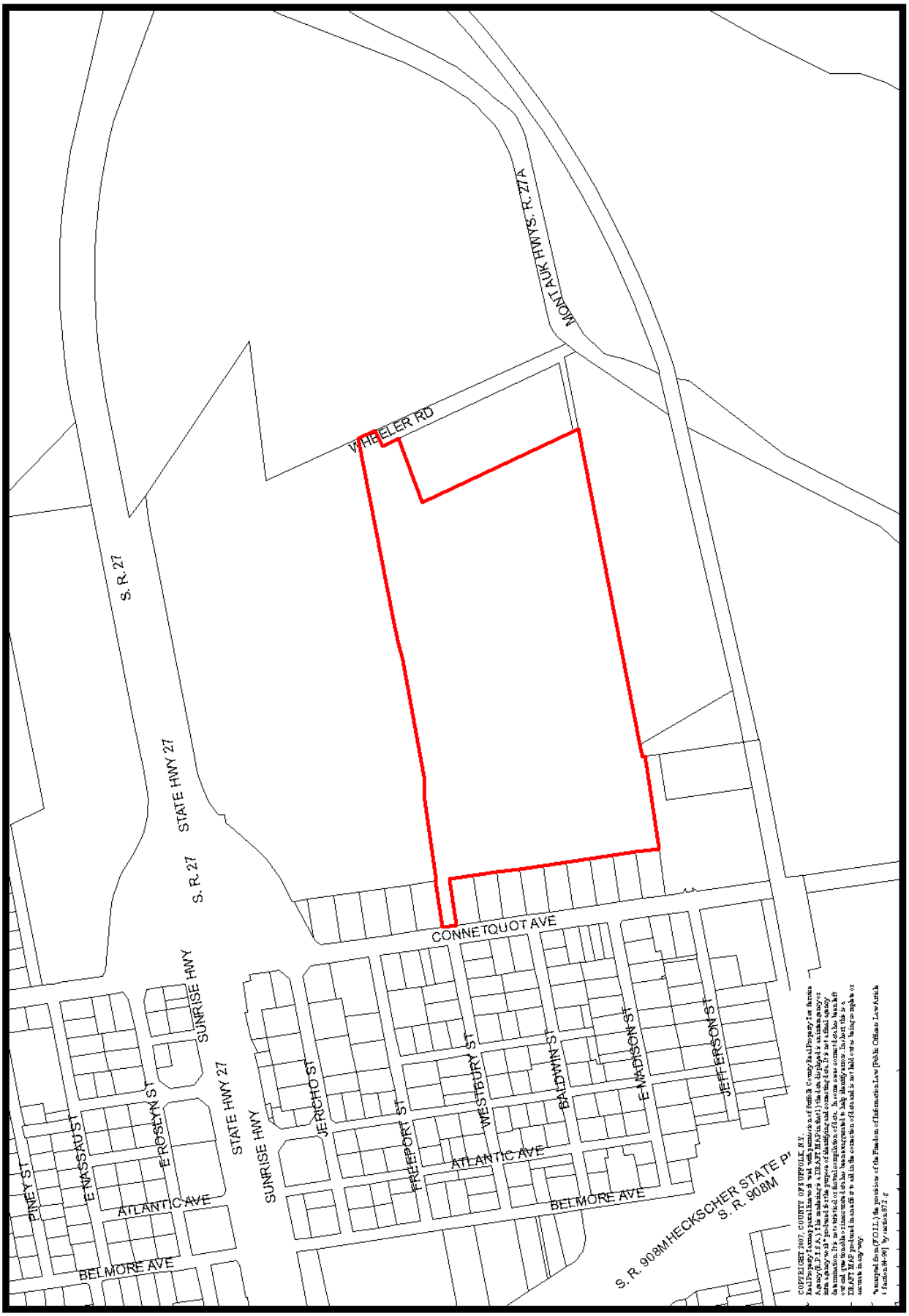
Comments:

1. The subject property has been an industrial site associated with the aerospace industry. While a cursory review of historical aerial photography of the subject property indicates no evidence of discharge of hazardous materials or the storing, stockpiling of land filling of

industrial waste, it is recommended that an environmental assessment for hazardous materials on site, particularly the residential portion of the parcel be undertaken.

2. The applicant should clarify the discrepancy in acreage of land dedicated to the Town of Islip for recreational purposes.

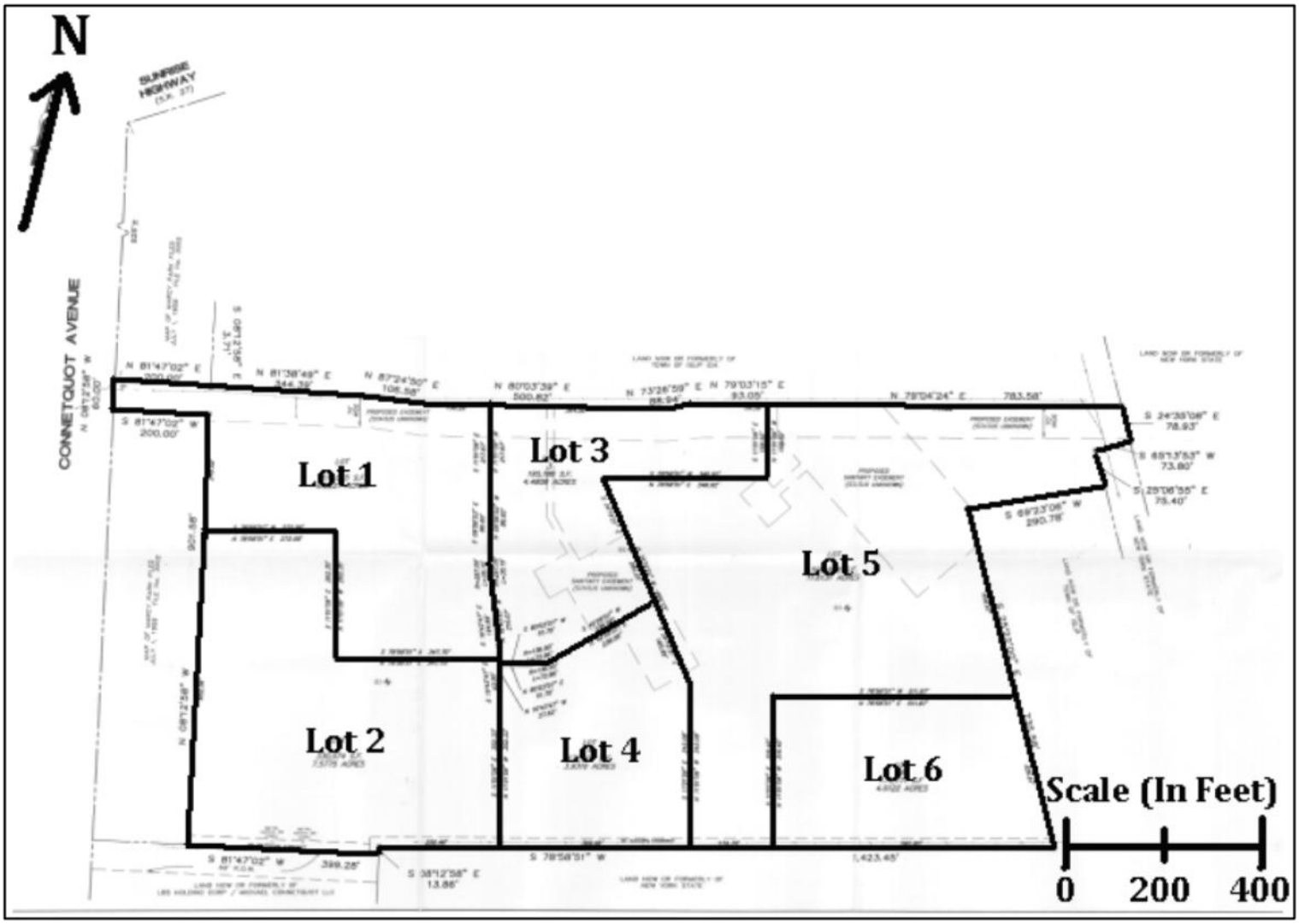
   The applicant submitted a subdivision plan which indicates a 4-acre lot on the southwestern portion of the subject property where a proposed land dedication to the Town would occur, however a filed deed covenant indicates a dedication of only approximately 3-acres. The acreage discrepancy should be clarified and corrected if needed.



Town of Islip
Suffolk County, New York

Date: 4/06/2011

S-1: Westbrook Village
SCPD No.: S-IS-11-01
SCTM No.: 0500-211.00-01.00-005.007



S-1: Westbrook Village
SCPD No: S-IS-11-01
SCTM No: 0500-211.00-01.00-005.007

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Islip on June 09, 2009 granted the application of **ASTRO REALTY, LLC, T.C. #5031** for the establishment of a Great River Planned Development District and the rezoning of the subject parcel from Industrial 2 District to the Great River Planned Development District in order to maintain and redevelop the parcel for office, industrial, recreation and senior/non-senior multiple family residential uses. Property located in the East Islip School District and located on south side of Sunrise Highway 574.78' east of Connetquot Ave, Great River, Town of Islip, Suffolk County, New York - SCTM #0500-211-00-01.00-005-007

A public hearing of which was held on June 9, 2009 and after determining that there would be no significant adverse environmental impact, be and the same is hereby granted and described as follows:

METES AND BOUNDS PARCEL B

ALL that certain plot, piece or parcel of land situate, lying and being at Great River, Town of Islip, County of Suffolk and State of New York, being bounded and described as follows:

BEGINNING at a point on the easterly side of Connetquot Avenue distant 525 feet, more or less southerly from the corner formed by the easterly side of Connetquot Avenue and the southerly side of Sunrise Highway (S.R. 27);

RUNNING THENCE North 81 degrees 47 minutes 02 seconds East, 200.00 feet;

THENCE South 08 degrees 12 minutes 58 seconds East, 3.71 feet;

THENCE North 81 degrees 38 minutes 49 seconds East, 344.39 feet;

THENCE North 87 degrees 24 minutes 50 seconds East, 106.58 feet;

THENCE North 80 degrees 03 minutes 39 seconds East, 500.82 feet;

THENCE North 73 degrees 26 minutes 59 seconds East, 88.94 feet;

THENCE North 79 degrees 03 minutes 15 seconds East, 93.05 feet;

THENCE North 79 degrees 04 minutes 24 seconds East, 783.58 feet to the land now or formerly of State of New York;

THENCE along the land now or formerly of State of New York and land now or formerly of Town of Islip the following seven (7) courses and distances:

1. South 24 degrees 35 minutes 08 seconds East, 78.93 feet;
2. South 65 degrees 13 minutes 53 seconds West, 73.80 feet;
3. South 25 degrees 06 minutes 55 seconds East, 75.40 feet;
4. South 69 degrees 23 minutes 06 seconds West, 290.78 feet;
5. South 25 degrees 22 minutes 00 seconds East, 735.58 feet;
6. South 78 degrees 58 minutes 51 seconds West, 1423.45 feet;
7. South 08 degrees 12 minutes 58 seconds East, 13.86 feet to land now or formerly of LBS Holding Corp/Michael Connetquot LLC;

THENCE along land now or formerly LBS Holding Corp/Michael Connetquot LLC, South 81 degrees 47 minutes 02 seconds West, 399.28 feet to the Map of Marcy Park filed July 1, 1959 as file no. 3002;

THENCE along the Map of Marcy Park the following two (2) courses and distances:

1. North 08 degrees 12 minutes 58 seconds West, 901.58 feet;
2. South 81 degrees 47 minutes 02 seconds West, 200.00 feet to the easterly side of Connetquot Avenue;

THENCE along the easterly side of Connetquot Avenue, North 08 degrees 12 minutes 58 seconds West, 60.00 feet to the POINT OR PLACE OF BEGINNING.

Containing: 1,648,168 square feet or 37.8367 acres of land, more or less.

In connection with the above application, the following restrictions have been recorded in LIBER D00012657 at Page 276 on April 15, 2011 in the Suffolk County Clerk's Office.

DEED COVENANTS AND RESTRICTIONS PARCEL B

1. A change of zone from Industrial 2 District to PDDGR: Residential (PDDGR:RES) District is granted as part of this application. The use of the subject parcel shall be limited to a maximum of 320 residential units, to be further delineated as follows:

    a. 100 senior owner occupied units

    b. a minimum of 110 non-age restricted rental units

    c. a maximum of 110 non-age restricted owner occupied units

    The unit maximum stated here is a maximum build out scenario. The final number of units built on the site may be reduced during site plan review only as a result of engineering, design and safety requirements including but not limited to adequate access for fire and emergency personnel.

2. A modification of deed covenants and restrictions associated with TC #866 shall be granted as part of this application. All deed covenants and restrictions associated with TC #866 and all prior Town Board imposed deed covenants shall be deemed null and void and shall be replaced with these.

3. All owner occupied units shall have two bedrooms. Rental units shall be a maximum of 65% two bedrooms and a minimum of 35% one-bedroom.

4. 64 units shall be set aside as affordable units subject to the following provisions.

   a. All affordable units shall be non-age restricted.

   b. Affordable rental and owner occupied units shall be provided in the same proportion as the occurrence of non-age restricted rental versus non-age restricted owner occupied. A minimum of 32 affordable units shall be rentals.

   c. Prior to the issuance of a Certificate of Occupancy for any proposed structure, the applicant/owner shall submit an affordable housing plan, which shall be reviewed and approved by the Town of Islip Department of Planning and Development, Town of Islip Community Development Agency, and Town of Islip Housing Authority.

5. Prior to the sale or rental of any lots/units to be owner occupied or the issuance of a Certificate of Occupancy, there shall exist in accordance with the general laws of the State of New York one or more Associations of Homeowners and Condominium Owners (hereinafter referred to as "Association" or "Associations") that shall consist of all individual property owners. Each dwelling unit owner(s), by virtue of his/her/their ownership of a unit shall be a member of the said Association and shall hold (or share) one membership for each unit so owned, and shall be bound by the by-laws of said Association. All unit owners shall be obligated to pay the common charges assessed by the Association.

   The Associations shall provide for supervision, restoration and maintenance of the common areas and roadway system. All responsible areas shall be indicated on the subdivision plan submitted to the Islip Planning Board.

   The Associations shall be responsible for all maintenance and repair associated with the common area and all landscaping improvements on the portions of the property subject to their control in accordance with the approved subdivision, building, and site plans. These shall include, but not be limited to, the roadways, the sidewalks, provision of garbage collection, landscaping, and buffer installation maintenance and replacement.

Upon issuance of a Certificate of Occupancy, the Associations shall assume all responsibility to comply with covenants provided herein.

The Planning Board reserves the right to modify the Association requirements stated herein with the consent of the owner of the rental unit portion of the subject property after due public hearing.

6. All roadways on the residential parcels shall remain under private ownership. Applicant/owner agrees to install all roadways and the Association of Homeowners agree not to offer any roadway on the subject parcel for dedication to the Town of Islip. All installation costs associated with the roadway network shall be at the direction and to the satisfaction of the Town Engineer. The Planning Board shall be solely responsible for determinations regarding adequate maintenance and repair of the roadway network.

7. Prior to the issuance of a building permit or certificate of occupancy, the applicant/owner agrees to obtain any necessary approvals from the Suffolk Board of Health related to wastewater discharge. If modifications or on-site sanitary treatment are required then the applicant/owner shall resubmit for a new site plan review with the Town of Islip.

8. Applicant/owner agrees to full compliance with the New York State Fire Code including but not limited to, provision of sprinkler systems, fire protection apparatus, and all other life-safety requirements. All restrictions contained herein shall not supercede the jurisdiction of the New York State Fire Code. In the cases of dual jurisdiction, the more restrictive requirement shall apply.

9. 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.

   a. Exterior architectural drawings of all proposed buildings. 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:

      1. Floor Area Ratio and percentage of lot occupancy shall be calculated based upon the area of the subject property prior to any dedications and non-inclusive of the fire substation.

         i. The percentage of lot occupancy for all structures shall not exceed 25% and combined Floor Area Ratio for all structures shall not exceed 0.40.

ii. The percentage of lot occupancy for residential structures shall not exceed 20% and Floor Area Ratio shall not exceed 0.30.

2. The buildings shall be a maximum of three stories in height except that they shall be two stories within 300 feet of the western property line.

3. Rear loaded garages shall be included in the final design.

4. All ground level exterior mechanical equipment shall be screened with landscaping in accordance with the Subdivision and Land Development Regulations.

b. A landscaping plan indicating in detail the proposed landscaping treatment in accordance with the Subdivision and Land Development Regulations. Said plan shall indicate the maintenance or installation of native plant species to the greatest extent possible. For the purposes of landscape plan review, only the standard required buffer shall be excluded from the available landscaping calculation. Additional buffer area described herein, shall not be excluded. Said landscaping plan shall also show the following plantings/design elements:

1. Minimum 40 foot building setback on north side of site.

2. Minimum 125 foot buffer area on west side of site. The existing buffer area on the west side of the GRPDD area along Connetquot Avenue shall be maintained in its natural and undisturbed state up to the 125 foot limit. The Planning Board may require augmentation and/or enhancement of any buffer area at any time.
Applicant/owner and the Association agree to comply with any augmentation and/or enhancement buffer planting requirements. Extension of the fire substation property into the buffer is permissible subject to review and approval of the Town Engineer.

3. Minimum 10 foot buffer on south side of site, adjacent to ballfields with a building setback of 30 feet. In the event a building does not maintain a rear-loaded garage, the buffer shall be increased to 20 feet.

4. Minimum 10 foot buffer on east side of site, adjacent to ballfields with a building setback of 30 feet. In the event a building does not maintain a rear-loaded garage, the buffer shall be increased to 20 feet.

5. A detailed landscaping plan for site entrance at the northeast corner of the property that provides screening for parking area.

c. A site plan showing the improvements specified in the Subdivision and Land Development Regulations including but not limited to: building locations, parking, curbs, sidewalks, curb cuts, landscaping, and drainage. The submitted plan shall be in substantial conformance to the plan prepared by Christopher W. Robinson, P.E. and which is dated March 4, 2009 (revision). Said plan shall show a design that meets any Code relating to fire and/or emergency vehicle access including but not limited to: fire hydrant location, water main location, sufficient cul-de-sac radius, etc. The access point(s) shall be approved by the Fire Marshal so that emergency vehicles can enter and exit the subject property. The Planning Board reserves the right to modify any site plan requirements with the consent of the applicant/owner after due public hearing. Said plan shall also show the following design elements:

1. All traffic mitigation required in Paragraph 11 of these covenants.

2. A fire substation in northwest corner of Parcel B. Compliance with this requirement shall include dedication of land and construction of the substation facility and related site improvements in accordance with the requirements of the Finding Statement.

3. Minimum 2.2 parking stalls per unit. Driveway spaces and on street parking shall count towards this requirement. Garage spaces shall not be counted towards this requirement.

The Planning Board reserves the right to modify any site plan requirements with the consent of the applicant/owner after due public hearing. The Commissioner of Planning is hereby authorized to waive the requirement for such public hearing if any future site plan modification is reasonable, is evident within the documentation submitted as part of this application, and is within the spirit and intent of this grant.

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. Applicant/owner agrees traffic mitigation measures including but not limited to the following are to be completed prior to the issuance of a Certificate of Occupancy for the units: All traffic mitigation shall be indicated on the approval plan and subject to the review, satisfaction and approval of the Planning Commissioner and the Director of the Division of Traffic Safety.

a. A traffic signal to be installed at the intersection of Union Boulevard and Montauk Highway/Rte 27A if required by the New York State Department of Transportation.

b. A second traffic signal to be installed at the intersection of Montauk Highway/Rte 27A and Wheeler Road if required by the New York State Department of Transportation.

c. Pedestrian and emergency vehicle access at the southwestern corner of the property out to Connetquot Avenue.

d. Reconfiguration and restriping of lane on Connetquot Avenue at Roslyn Street to provide an exclusive eastbound right-turn lane on to Sunrise Highway/Rte 27 Westbound Ramp.

e. Roadway improvements to Connetquot Avenue which will include the following elements. These improvements will begin at the north side of the intersection of Connetquot Avenue and Jefferson Street and end at the south side of the intersection of Connetquot Avenue and Freeport Street except where otherwise noted.

i. A double yellow line separating northbound and southbound traffic.
ii. One 12-foot-wide travel lane provided in each direction.
iii. Brick-style stamped pavement treatment for pedestrian crosswalks at the following intersections:

- Jefferson Street and Connetquot Avenue
- East Madison Street and Connetquot Avenue
- Baldwin Street and Connetquot Avenue
- Westbury Street and Connetquot Avenue
- Freeport Street and Connetquot Avenue

iv. Street trees of a minimum 3" caliper to be planted 20' on center along the east and west sides of Connetquot Avenue.

Existing trees may remain in lieu of this requirement at the discretion of the Town Engineer.

f. A mitigation fee of $136,675 for construction of sidewalks and curbing on the west side of Connetquot Avenue.

g. Roadway improvements to Wheeler Road from the site access south to Montauk Highway/NYS Rte 27A, including the following:

   i. A traffic circle at site access.
   ii. Designated pedestrian crosswalks for access to little league athletic fields.
   iii. Additional improvements as set forth on a Wheeler Road roadway improvement plan, subject to review and approval of the Town Engineer.

h. Applicant/owner agrees to be responsible for the alteration or upgrade of existing signals to be connected to new signals at the direction of the Division of Traffic Safety and the New York State Department of Transportation.

i. All signals are to be synchronized in consultation with the Division of Traffic Safety and the New York State Department of Transportation. As a cooperative effort, the Association shall make a good faith effort to notify the Division of Traffic Safety in the event the timing of the signals is not functioning properly. This particular requirement will not be subject to fines or penalties for non-compliance.

j. All traffic mitigation shall be completed prior to any Certificates of Occupancy being issued, except that phasing of improvements may occur after review and approval of the Planning Commissioner.

12. Applicant agrees to the following recreational mitigation for the Little League:

   a. Approximately 3 acres to be transferred to the Town of Islip as depicted on plan prepared by Christopher W. Robinson, P.E. and which is dated March 4, 2009 (revision) to be used for athletic fields and attendant facilities, including but not limited to parking, access, concessions, and restrooms.

   b. Construction of baseball fields and parking on the aforementioned property as shown on the conceptual plan stamped received by the Planning Department on April 16, 2009. Parking shown on land owned by New York State shall be subject to the review and approval of New York State. No new fields shall be constructed until the new parking areas are

completed. Use of the parking by patrons of organized baseball and soccer activities shall be permitted. Existing fields that are relocated in order to construct parking areas shall not be considered new fields for the purposes of this requirement.

c. Completion of all construction shall be required prior to issuance of any Certificates of Occupancy for the subject parcel.

13. Applicant/owner agrees to provide and/or install, at the sole cost of the applicant/owner, any other mitigation for the proposed project as described in the Findings Statement of the State Environmental Review process.

14. Except as provided herein or otherwise modified, applicant/owners agree to comply in all respects with the Subdivision and Land Development Regulations and the Islip Town Code.

15. All required permits, plan submissions, and physical property improvements described herein shall be completed within 48 months of the date of the Town Board resolution approving this application or shall be extended for an additional 36 months provided the Declarant or its lender is continuing in good faith to take all steps necessary to complete or cause the completion of such improvements, said good faith to be determined by the Planning Board. The Planning Board shall have the authority to extend this time frame. Applicant/owners and/or the Associations further agree to permanently maintain all improvements and landscaping to the satisfaction of the Planning Board. If the applicant/owners fail to comply with this restriction then the Town of Islip 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.

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.

This change and rezoning is to become effective on and after September 3, 2011.

Dated: August 22, 2011
Islip, New York

TOWN BOARD, TOWN OF ISLIP
BY: Regina V. Duffy, Town Clerk

COUNTY OF SUFFOLK

SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P.
DIRECTOR OF PLANNING

STAFF REPORT
SECTIONS A14-14 THRU A14-24 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Concordia Senior Community
Municipality: Riverhead
Location: E/S/O Mill Road ~ 850' S/O Middle Road

Received: 9/17/2012
File Number: RH-12-06
T.P.I.N.: 0600 10100 0200 004001
Jurisdiction: w/in 500 feet of a farm operation located in an agricultural district.

ZONING DATA

- Zoning Classification: APZ
- Minimum Lot Area: 80,000 SF
- Section 278: No
- Obtained Variance: No

SUPPLEMENTARY INFORMATION

- Within Agricultural District: Yes
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: Yes
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No

- SEQRA Information: Yes
- SEQRA Type Findings
- Minority or Economic Distressed No

SITE DESCRIPTION

- Present Land Use: Vacant
- Existing Structures: None
- General Character of Site: Rolling
- Range of Elevation within Site: ~24 – 50' amsl
- Cover: woodland, some vegetated wetlands
- Soil Types: Haven and Riverhead associations
- Range of Slopes (Soils Map): 0-15%

- Water bodies or Wetlands: NYSDEC regulated wetlands (R-34)

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Change of zone
- Layout: Curvilinear
- Area of Tract: 25.2 Acres
- Yield Map: No

- Open Space: 14 acres in common area

ACCESS

- Roads: Existing Town roads
- Driveways: Private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: CB & LP
  - Recharge Basins Yes
- Groundwater Management Zone: III
- Water Supply: Public
- Sanitary Sewers: adjacent to Riverhead Sewer District

PROPOSAL DETAILS

OVERVIEW – Applicants request a change of zone from the Riverhead Town Board on 25.215 acres of land in the hamlet of Riverhead. Petition is for a district designation change from Agricultural Protection Zone (APZ) to Retirement Community (RC) to allow the construction of an "Assisted Living Retirement Community and Generic Continuing Care Retirement Community. Conceptual plans call for 89 Assisted Living Dwelling Units and 100 Independent Dwelling Units (65 units are detached dwellings). Total square footage of all structures is estimated to be 225,000 SF.

Three hundred and forty six (346) parking stalls are proposed (25 in garage space) and is 51 spaces in excess of the Town parking requirements.

A pavilion and walking path highlight freshwater wetlands on site and approximately 14 acres of lawn and landscaped common area throughout the complex.

The site encompasses a fresh water wetland area mapped and regulated by the Town of Riverhead and the New York State Department of Environmental Conservation (NYSDEC). No storm water drainage plan is provided in the referral.

The subject property is not located in a County regulated Pine Barrens zone or in a New York State Critical Environmental Area. The site is located in the Central Suffolk (North) Special Ground Water Protection Area and Suffolk County Ground Water Management Zone III.

The subject property is located in an area mixed with Agricultural uses, attached housing and Commercial properties (to the south).

The application material does not indicate the method of waste water treatment. It is noted by staff that the Riverhead Sewer District is proximate to the subject property to the south.

Access to the proposed development is to be from a one unrestricted ingress/egress to Middle Road and three unrestricted access points to Mill Road. Both roadways are local Town roads.

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-l provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment.

The proposal intends to provide for a diversity of housing types to address public convenience and a rising need for elderly care in the Town of Riverhead and Suffolk County as a whole. Petitioners propose a use on the subject site that will improve conditions for the housing and care of senior citizens and provide a use that is presumptively compatible with the residential, agricultural and commercial character of the area.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Riverhead 2003 Comprehensive Land Use Plan designates the subject property as "Agricultural Protection Zone (TDR Sending)." The Riverhead Zoning Law, Section 108-21, indicates that the purpose and intent of the Agriculture Protection Zoning Use District (APZ) is to "facilitate existing and future agricultural land uses; to preserve existing prime agricultural soils; to maintain highly productive agricultural lands by limiting encroachment of nonagricultural development; to minimize the conflicts between agricultural and nonagricultural uses; to discourage residential sprawl and minimize adverse fiscal impacts through the extension of municipal services; to maintain agricultural vistas to promote agro-tourism, and to preserve the rural character of the Town of Riverhead." The subject property is characterized as having Haven and Riverhead soil associations which are categorized as Class 1 and 2 Prime Farm Soils in Suffolk County.

The petitioners are requesting a change in the zoning district designation on the subject property to Residence RC District (Retirement Community) pursuant to Section 108-166 of the Town of Riverhead Zoning Law. The intent and purpose of this district is to "implement the recommendations of the Comprehensive Plan to permit the construction of high-density living accommodations with suitable facilities and services that are sufficiently adequate to provide seniors and disabled older individuals with comfortable and safe home-like housing in a congregate setting while providing a continuum of care that allows seniors and older individuals to age in place, and to further provide services that encourage personal independence and enhance the quality of life. In addition, it is the intent of the Town Board to provide a diversity of housing types to be located in close proximity to shopping, medical offices, public services and public transportation. Particular development applications made pursuant to this zoning use district will require the transfer of development rights pursuant to Article LXII of this chapter."

Suffolk County Planning Commission Staff notes that the proposed conceptual plan does not attempt to preserve prime agricultural soils in recognition of the natural conditions on site, the parent zoning designation and section 108-21 of the Riverhead Zoning Law. An examination of a cluster alternative for the development proposal would appear to be appropriate. Moreover, there is no information in the referred material regarding compliance with Riverhead Town Zoning Law and the use of the "transfer of development rights" tool that could be utilized to preserve other local agricultural properties in the APZ.

It is further noted however, that the southern end of the subject property is proximate to shopping, services and public transportation along Old Country Road (CR 58) to the south. It is also noted that the subject application does address the Town Comprehensive Plan goals to

provide a diversified housing stock and address the needs of an aging resident population. It should be emphasized that the submitted development plan is preliminary and conceptual in nature and pursuant to New York State General Municipal Law and the Suffolk County Administrative Code, would require the final site plan or any other further zoning actions necessary to approve the development concept be referred again to the Suffolk County Planning Commission for review and comment.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the Commission policies:

With respect to environmental protection, it is the belief of the staff (as outlined above) that more attention should be paid to the preservation of prime agricultural soils on site. In addition NYS DEC regulated freshwater wetlands should be flagged in the field by a qualified expert, confirmed by the appropriate regulatory agency, notated and shown on all surveys, sketches, plans and maps utilized for permit approvals before all regulatory agencies. Moreover, the applicant should review the Suffolk County Planning Commission publication entitled Managing Stormwater-Natural Vegetation and Green Methodologies.

Dialogue should continue as is necessary for permits and approvals with the Suffolk County Department of Health Services and the Town of Riverhead Sewer District regarding waste water treatment and/or connection to the Riverhead Sewer District to the south.

There is no indication in the referred material that the project sponsors have given significant consideration, at this time, related to energy efficiency. The petitioners should review the Suffolk County Planning Commission Guidebook with respect to energy efficiency.

The “Independent Dwelling Unit” housing nature of this proposal warrants that the applicants contact the Suffolk County DPW Transit Division, and investigate possible accommodations for bus riders.

There is no discussion in the referral material related to public safety. The petitioners should review the Suffolk County Planning Commission Guidebook particularly with respect to public safety.

STAFF RECOMMENDATION

Approval with the following comments:

1. The subject property is characterized as having Haven and Riverhead soil associations which are categorized as Class 1 and 2 Prime Farm Soils in Suffolk County. More

attention should be paid to the preservation of prime agricultural soils on site.

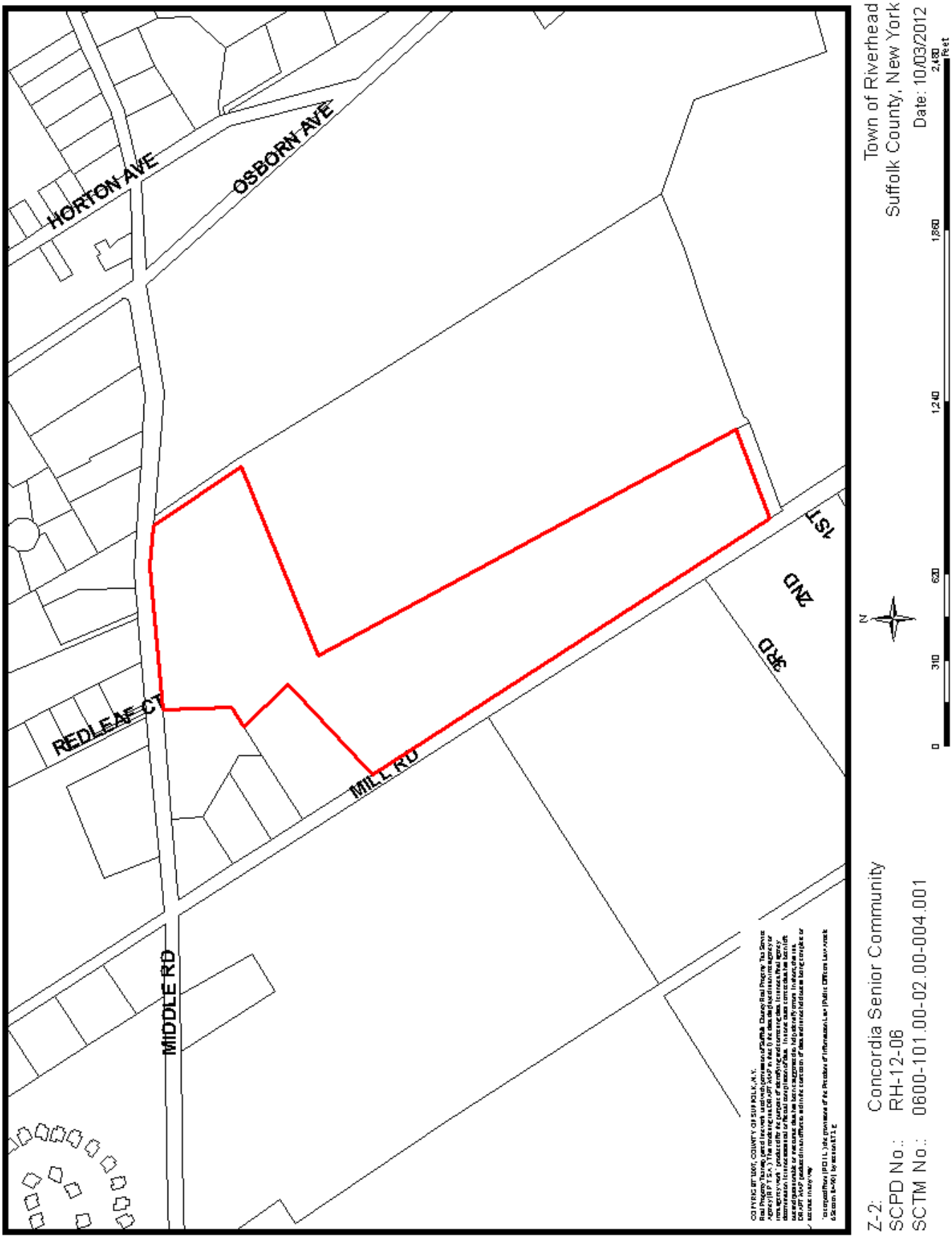
2. The applicant should review the Suffolk County Planning Commission publication entitled Managing Stormwater-Natural Vegetation and Green Methodologies.

3. Dialogue should continue as is necessary for permits and approvals with the Suffolk County Department of Health Services and the Town of Riverhead Sewer District regarding waste water connection to the Bretton Woods Sewage Treatment Plant.

4. The petitioners should review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency.

5. The applicant should contact the Suffolk County DPW Transit Division, and investigate possible accommodations for bus riders.

6. The petitioners should review the Suffolk County Planning Commission Guidebook particularly with respect to public safety.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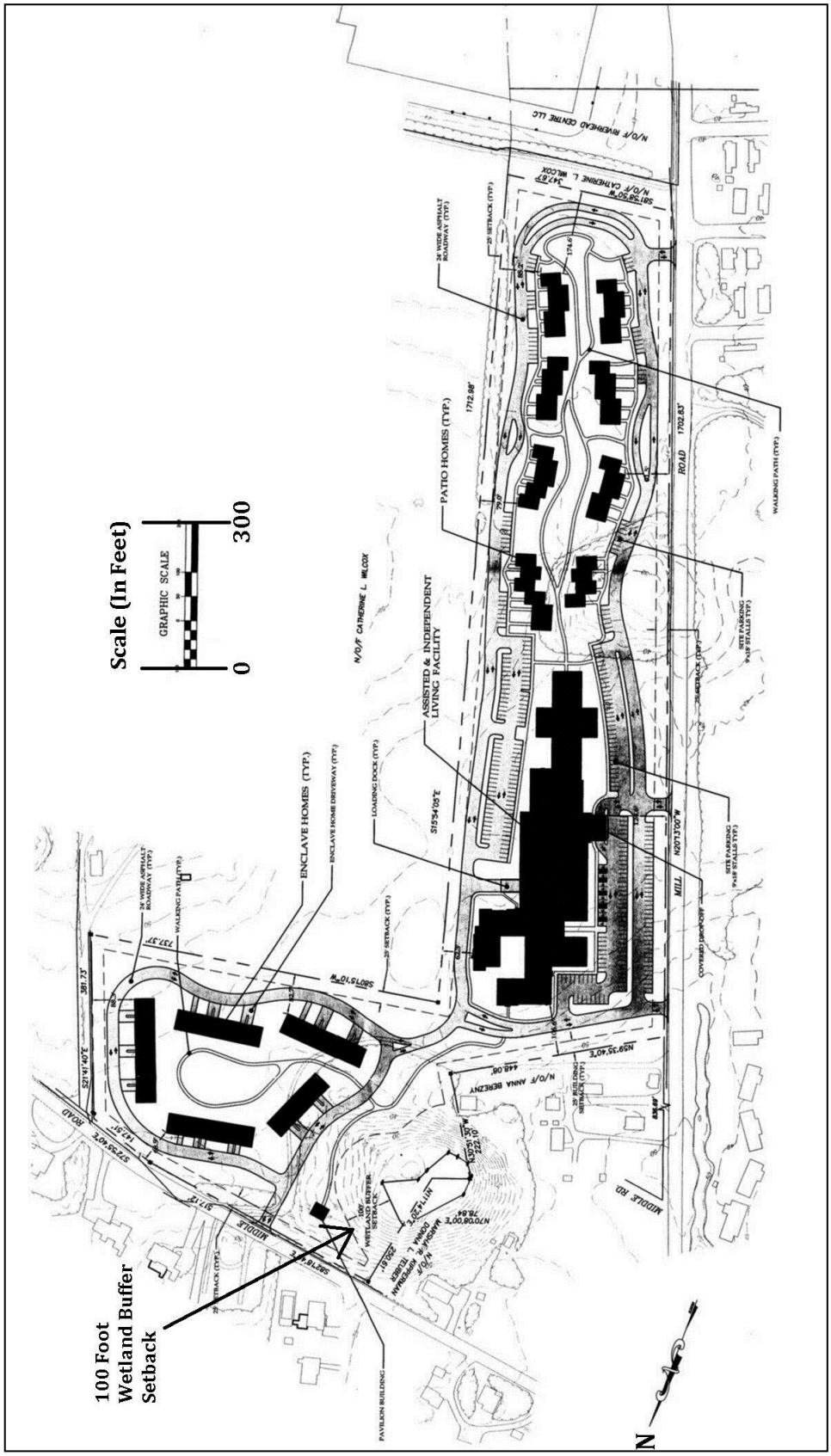
Town of Riverhead
Suffolk County, New York
Date: 10/03/2012
Z-2:
Concordia Senior Community
SCPD No.:
RH-12-06
SCTM No.:
0600-101.00-02.00-004.001



Z-2: Concordia Senior Community
SCPD: RH-12-06
SCTM No: 0600-101.00-02.00-004.001