SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Economic Development & Planning
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099
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Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development and Planning
Sarah Lansdale, Director of Planning

Notice of Meeting

August 6, 2014 at 2:00 p.m.

Rose Caracappa Auditorium
W.H. Rogers Legislature Building
725 Veterans Memorial Highway, Smithtown, NY

Tentative Agenda Includes:

1. Meeting Summary for July 2014
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guest Speaker
   - Commissioner Tullio Bertoli, Department of Planning, Town of Brookhaven
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
   - Draft Greater Bellport Land Use Plan and DGEIS (Brookhaven)
   - SPower at Shoreham (Brookhaven)
     SCTM No: 0200 10400 0200 021003
   - F1 Long Island LLC (Riverhead)
     SCTM No: 0600 11700 0100 004002
7. Other Business:

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on September 3, 2014 at 2:00 p.m.at the Maxine S. Postal Auditorium Evans K. Griffing Building, Riverhead County Center 300 Center Drive Riverhead, New York 11901

COUNTY OF SUFFOLK

Z-1

Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

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

Applicant: Draft Greater Bellport Land Use Plan and DGEIS
Municipality: Brookhaven
Location: East Patchogue, Hagerman and North Bellport.

Received: 6/30/2014
File Number: BR-14-08
Jurisdiction: Land Use Plan/Comprehensive Plan

ZONING DATA

- Zoning Classification: residential, commercial, industrial, etc.
- Minimum Lot Area: N/A
- Section 278: N/A
- Obtained Variance: N/A

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: N/A
- Property Considered for Affordable Housing Criteria: Yes
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: N/A
- Property Previously Reviewed by Planning Commission: N/A
- SEQRA Information: DGEIS
- SEQRA Type Type I
- Minority or Economic Distressed Yes

SITE DESCRIPTION

- Present Land Use: various land uses in hamlets and between including residential, commercial, and industrial
- Existing Structures: multiple
- General Character of Site: NA
- Range of Elevation within Site: NA
- Cover: NA

- Soil Types: N/A
- Range of Slopes (Soils Map): N/A
- Waterbodies or Wetlands: N/A

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: land use plan
- Layout: Nodal
- Open Space: N/A

ACCESS

- Roads: road proposed
- Driveways: existing

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: in accordance with SWPPP
  - Recharge Basins
- Groundwater Management Zone: IV
- Water Supply: public - SCWA
- Sanitary Sewers: proposed connection to SCSD

PROPOSAL DETAILS

OVERVIEW – Greater Bellport Land Use Plan

The Town of Brookhaven seeks to adopt a Land Use Plan for the Greater Bellport Area in the area including East Patchogue, Hagerman and North Bellport. The Land Use Plan encompasses area along the Montauk Highway corridor and surrounding vicinity from Sills Road (CR 101) east to Cemetery Road (approximately 3.5 miles) and north to the apex of CR 101 and Station Road within the Town of Brookhaven.

The Land Use Plan contains several recommendations including design standards, creating transition areas and hamlet centers, up-zoning environmentally sensitive areas in the Mud Creek and Abet's Creek watersheds, and re-zoning commercial areas along Montauk Highway and near the train station. The plan also contemplates the connection to a sewage treatment plant in the area.

According to the referral materials, the overall land use strategy is to create cohesive hamlet centers along Montauk Highway and identify areas of opportunity which can be utilized to their fullest in the near future in conjunction with the surrounding area. The plan states that "commercial sprawl in this area is of great concern as it is particularly ubiquitous. This can be seen in the many sprawling automobile businesses along Montauk Highway, the chaotic and disorderly assemblage of land uses, and the lack of investment in improvements. Front yard parking is the dominant feature and consistent with characteristics of commercial sprawl with the focus on the automobile and not the pedestrian."

The referral puts forth that the proposed land use plan is the next step in a community planning process that began over seven years ago with the study, Working Together for a Brighter Future in Greater North Bellport. According to referral material, at that time, community leaders from the Central Bellport Civic Association and local businesses evaluated the need for a community revitalization project. A planning consultant was chosen to assist with a community visioning process and embarked on intensive community outreach and mobilization efforts culminating in

three community education workshops.

Referral materials indicate that the proposed action has been reviewed for consistency with the following plans:

1. Long Island Comprehensive Waste Treatment Management Plan (208 Study)
2. Suffolk County Comprehensive Plan 2035
3. Town of Brookhaven 1996 Comprehensive Land Use Plan
4. Draft Town of Brookhaven 2030 Comprehensive Land Use Plan
5. North Bellport Taxpayers Association Report (1964)
6. Comprehensive Plan for the Revitalization of North Bellport (1990)
7. Bellport Station-First Phase of "Learning by Doing" (2002)
8. South Country School District Hamlet Study (2003)
9. North Bellport Retail Study (2008)
10. Greater Bellport Sustainable Community Plan (2009)
11. Greater Bellport Community Niche Market and Branding Plan (2011)

STAFF ANALYSIS

The DGEIS for the Greater Bellport Land Use Plan states that "generally, land use plans are designed to control growth inducing impacts such as large scale residential sprawl or unchecked commercial development, alterations to existing transportation corridors or via changes in existing zoning to prevent incompatible land uses. The Greater Bellport Land Use Plan is designed to focus new and compatible mixed-use development along Montauk Highway and site uses and housing which are compatible with transit-oriented development near the train station while at the same time not having a significant adverse environmental impact. The Plan also looks at specific areas of opportunity which include vacant sites or pre-existing, non-conforming uses and tries to envision uses that would blend well with the existing community and surrounding land uses and resources available." The DGEIS continues, "The study area is one of three (3) densely residentially and commercially developed areas south of Sunrise Highway within the Town of Brookhaven (Patchogue Village and Mastic/Shirley being the others). The area is not characterized by agriculture or rural areas with large residential properties like Manorville or Wading River and as such the impacts from growth within the existing community have less of an impact on existing conditions. With the exception of the area immediately surrounding the train station there are no specific recommendations for new development on vacant lands beyond existing or similar zoning regulations."

The Greater Bellport Land Use Plan calls for the re-zoning of three (3) specific areas:

1. Bellport Hamlet Center
2. Hagerman Hamlet Center
3. Bellport Station Mixed-use Transit Centered Opportunity Area

It is the belief of the staff that:

- The Plan's recommendation of moderate density mixed use housing/retail concentrated at the Station Road/Montauk Highway intersection should be supported, along with the corresponding re-zonings to J-6 commercial at this location. The small to moderate scale of the proposed downtown seems appropriate. The proposed second downtown Hagerman seems less desirable, because it is located rather close to the proposed downtown at Station Road and the railroad station. However, since both downtown centers appear very small, they should be able to coexist.

- The existing destination retail centers west of Station Road on either side of Sunrise Highway should be maintained and not expanded. As the plan recommends, existing industrial zoning should be retained in the nearby areas north and south of Sunrise Highway.

- The phasing out of the overabundance of automobile related uses should be supported, and the Plan wisely keeps most of them contained in a "heavy commercial" area immediately east of the proposed Hagerman downtown.

- No new commercial development should take place beyond the concentrations noted in the Plan. This is an important element in the Plan so as not to impact existing nearby commercial areas and not to compete with the newly created "downtowns."

- The three "opportunity areas" leave open a wide range of possibilities for these relatively large areas. The Plan should address these possibilities in more detail. For example; what zoning categories might they contain or be limited to and what type of land use (industrial, commercial recreational, housing, etc.) is envisioned or totally rejected. The Town has indicated that development impacts for these areas will be analyzed, when developments are proposed, with a Supplemental EIS as necessary. Also, as indicated in conversations with Town of Brookhaven staff, the Town received a 2012 NYSDOS Brownfield Opportunity Area grant that will manifest as an addendum to the greater Bellport LUP and SEIS. In these documents, the Town plans to further address transportation conflicts, housing and marketing opportunities and the disposition of underutilized properties including the Opportunity Areas and the 24 brownfields identified in the Greater Bellport study area.

  Commission staff understands that it is problematic to anticipate the type of development that would be proposed on brownfield sites when released for development in the future, but the Draft Plan proposed base land use for these parcels and as such establishes an as-of-right baseline yield for comparative analysis via environmental quality review. Base line land use should be established for the Opportunity Areas as well. In addition, in order to understand the full impact of the Greater Bellport Land Use Plan, the full development potential of the Plan under current zoning should be developed.

  It is recognized by staff that the Town is addressing decades of illegal auto uses in this area, defining two new hamlet centers where none existed, and starting the process of moving heavy industrial truck traffic off a local road. However, it is important that a build out analysis be done as part of the Plan; otherwise there is a problematic component, segmented from the Plan that can have a variety of unintended consequences to the future nodes within the study area, to residential areas or to commercial areas outside of the Plan area that have not been explored or discussed in the Plan or DEIS.

- The Greater Bellport Land Use Plan makes little mention of the Town's intent to maintain the agricultural uses in the study area. This should be addressed in more detail and could be explored in relation to the Plan's recommendation to address the Food Desert (Recommendation 7.5.3).

- A map showing proposed zoning changes would assist the reader to envision the future pattern of the land uses in the area and allow the reader to understand the evolution of the plan.

- The Greater Bellport Land Use Plan makes little mention of affordable/workforce housing opportunities provided by the Town and this Land Use Plan. Affordable housing is a regionally significant issue to the County and this should be addressed in greater detail.

- While seniors are mentioned in the Greater Bellport Land Use Plan, little mention is made regarding accommodating the demographics of various age groups beyond providing housing choices in the form of attached housing. Varying demographics can have different impacts on land use and require particular amenities. Additional detail in the Plan is warranted.

- The Greater Bellport Land Use Plan recommends creating a new north-south route for trucks to the South Sunrise Highway Service Road so industrial trucks do not have to use Station Road, which travels primarily through residential areas. This new 60 foot right-of-way industrial road can be created by extending Cemetery Road, by annexing parkland on the eastern boundary of the LI Auto property, or by obtaining an easement for dedication of property on the western boundary of the LI Auto property. In addition, completing the South Sunrise Highway Service Road from Station Road to Horse Block Road would provide a connection for the future truck route. Further discussions with NYSDOT, Suffolk County and the Town would be necessary to execute this proposal.

- Section 7.0, Recommendations, is missing section 7.1 and skips to section 7.2

STAFF RECOMMENDATION

Approval subject to the following comments:

1. The Greater Bellport Land Use Plan prepared by the Town of Brookhaven seems thoughtful, detailed, and comprehensive.

2. No new commercial development should take place beyond the concentrations noted in the Plan. This is an important element in the Plan so as not to impact existing nearby commercial areas and not to compete with the newly created "downtowns."

3. The three "opportunity areas" leave open a wide range of possibilities for these relatively large areas. The Plan should address these possibilities in more detail, and discuss the possible impacts from a variety of land uses on them.

4. The Greater Bellport Land Use Plan makes little mention of affordable/workforce housing opportunities provided by the Town and this Land Use Plan. It is the belief of the Suffolk County Planning Commission that this should be addressed in more detail.

5. Additional detail is warranted regarding accommodating varying demographics current and future populations and their impacts on land use.

6. The Greater Bellport Land Use Plan makes little mention of the Town's intent to maintain the agricultural uses in the study area. This should be addressed in more detail.

7. A map showing proposed zoning changes would assist the reader to envision the pattern of the land uses in the area and allow the reader to understand the rationale and evolution of the plan.

8. Potential developers of land located in the Land Use Plan study area should be made aware of Suffolk County Planning Commission and Town of Brookhaven guidelines and requirements for public safety, universal design, energy efficiency and natural/green methodologies for the treatment of storm water runoff.

9. Continued dialogue and coordination with the Suffolk County Department of Public Works is in order with respect to regional waste water collection and treatment.

10. Further discussions with NYSDOT, Suffolk County, and the Town would be necessary to execute the proposed new north-south route for trucks as described in the Greater Bellport Land Use Plan.

COUNTY OF SUFFOLK

Z-2

Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

STAFF REPORT
SECTIONS A14-14 THRU A14-26 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: S Power at Shoreham a.k.a. Richwood Greenworks LLC
Municipality: Brookhaven
Location: S/s/o State Route 25A, n/s/o Cooper Street and w/s/o Miller Street (paper street)

Received: Variance 7/9/2014; Site Plan 7/15/14
File Number: BR-14-10
T.P.I.N.: 0200 10400 0100 021003
Jurisdiction: Adjacent to State Route 25A and is located within Central Suffolk Pine Barrens – Compatible Growth Area.

ZONING DATA

- Zoning Classification: A-1 Residence – Planned Conservation Overlay District
- Minimum Lot Area: 40,000. Sq. Ft. – 20 acres for a solar farm per PCO District
- Section 278: N/A
- Obtained Variance: No. In order to advance the proposal the applicant will also require Planning Board site plan and subdivision approval, as well as a special use permit (being reviewed as part of this report) for a solar farm.

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: No
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No
- SEQRA Information: EAF
- SEQRA Type Type I determination pending
- Minority or Economic Distressed No

SITE DESCRIPTION

- Present Land Use: Vacant – Agricultural Use (Sod Farm)
- Existing Structures: None
- General Character of Site: Generally level
- Range of Elevation within Site: 114’ to 138’ above msl (via subject survey provided)

- Cover: Mostly cleared with sod cover
- Soil Types: Riverhead Sandy & Haven Loams (Prime Ag Soils).
- Range of Slopes (Soils Map): 0-3%
- Waterbodies or Wetlands: No

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Area Variances (minimum front yard setback and setbacks from residential dwellings and/or zoning relief), Special Use Permit for solar farm, 2 Lot Subdivision and Site Plan approval requests.
- Layout: Sprawling cover of property excluding proposed Lot #2
- Area of Tract: 72.9 total acres of which 59.84 acres to be solar farm
- Yield Map: None provided
- Open Space: None indicated

ACCESS

- Roads: State Route 25A with single point of access proposed
- Driveways: Internal private (gravel) roadway up the middle of the proposed solar farm lot (proposed Lot#1 of two lot subdivision)

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: Four (4) proposed drainage reserve areas
  - Recharge Basins No
- Groundwater Management Zone: III
- Water Supply: Indicated as not applicable on application
- Sanitary Sewers: Indicated as not applicable on application

PROPOSAL DETAILS

OVERVIEW – Applicants seeks area variance approvals from Town of Brookhaven Zoning Board of Appeals, and subdivision, special permit and site plan approval from the Town of Brookhaven Planning Board, for construction of a proposed solar panel array - generating facility of up to 9.5 megawatts that would be interconnected to an existing PSEG Long Island substation located approximately 1.4 miles to the east of the subject property. The dimensional relief sought is for the front yard and distance form a residential zone, setback requirements in accordance with the A-1 Residence zoning classification, and special permit criteria for a solar energy production facility. The requested variances are in connection with the proposed construction of a solar panel array on a proposed 59.84 acre parcel (Lot #1 of two) as a result of a proposed 2 lot subdivision of the subject property. The whole subject parcel has a total area of 72.9 acres. The applicant is also seeking fence high relief to go higher, and another for diminished front yard landscaping.

The proposal indicates a front yard depth of 44 feet instead of the required 50 feet, and the solar-panel array being setback 44.81 feet from residentially zoned properties instead of the required 100. The proposal also requests variance approval for an 8' chainlike fence instead of the permitted 6' fence around the perimeter of the property, and relief from the requirement of having half of all landscaped or natural area in the front yard, all as required by Town of Brookhaven Zoning Law.

The Town's A-1 Residence Zoning Ordinance has no specific provision for solar arrays but the Planned Conservation Overlay District, which runs the length of SR 25A from Mount Sinai to Wading River does permit and support solar farming via a special use permit.

The proposed solar array will have a maximum height of 10 feet, in accordance with Town ordinance.

No connection to public water or generation of sanitary waste has been proposed with this application.

The subject parcel is located on the southerly side of State Route 25A approximately 3,100 feet west of William Floyd Parkway, and runs along the east side of Miller Avenue (paper street)also along the north side of Cooper Street, in the hamlet of Shoreham.

Access to the solar generating facility as depicted on the preliminary site plan, is provided via a paved entrance apron along State Route 25A. It should be noted that the interior road (running through the center of the property) is proposed to be constructed of pervious gravel, as depicted on the preliminary site plan.

The site plan application referral included a "Preliminary Site Plan/Land Division plan" depicting a two (2) lot subdivision. Proposed Lot #1 with road frontage along State Route 25A would be 59.84 acres supporting the proposed solar array farm, and Lot #2 with road frontage along Cooper Street is proposed to be 13.02 acres with no description of its intended use other than to remain for agriculture use purposes. Both proposed lots will have frontage along the east side of Miller Avenue (a paper street).

A review of the character of the land use and zoning pattern in the vicinity reveals that the subject property is zoned in the same contiguous block of 'A-1 Residence' zoning as all the surrounding parcels. Local land uses include agriculture (sod farm), commercial (school bus depot and retail center) recreation (Tall Grass Golf Course) and moderate density single family residential housing.

The subject property is situated in Hydro-geologic Ground Water Management Zone III pursuant to Article 6 of the Suffolk County Sanitary Code, and within the Central Suffolk NYS Special Groundwater Protection Area (SGPA). The subject site is located in the Central Suffolk Pine Barrens Compatible Growth Area.

It can noted that even though the soils on the subject property are categorized as prime agricultural soils and the parcel itself has been utilized for agriculture purposes for many years, it is not within or adjacent to any NYS Agricultural District.

According to the Town of Brookhaven zoning, the proposed solar farm is an allowed use via a special permit; and the Town of Brookhaven Planning Board will consider it along with the site plan/subdivision application following the Zoning Board of Appeal determination. The Commission staff received both the ZBA and Planning Board referrals within days of one another, and is reviewing both the variance and site plan applications simultaneously.

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.

It is the belief of the staff that the proposed installation of solar panel arrays and the requested area variances would not impact surrounding land uses while providing a location for the proposed solar energy facility and take advantage of a sustainable/renewable energy resource.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Brookhaven Comprehensive Land Use Plan designates the subject site for low density residential use; and the Route 25A – Mount Sinai to Wading River Road Land Use Plan created the Planned Conservation Overly District which the subject property lies within. A solar farm is a 'special permit' use in the Conservation Overlay District and there are specific provisions in the Town zoning ordinance that establishes special permit criteria for solar energy production facilities (solar farms).

The Staff reviewed the special permit criteria associated with the request to construct solar energy production facilities and from the referral material the total lot coverage was calculated by the actual panel dimensions. And the only variance relief from the special permit criteria was from the required 100' setbacks from residentially zone land. One criteria requirement missing from the application referred to the Commission was the 'decommissioning plan' that ensures that the site will be restored to a useful, nonhazardous condition without unnecessary delay.

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:

In terms of environmental protection, the subject property is situated within he Central Suffolk NYS Special Groundwater Protection Area (SGPA) designated as a 'deep ground water recharge area'. Prominent among the concerns in this location is the discharge of sanitary waste; the clearing of natural vegetation and use of pesticides; and impacts of storm-water runoff.

The "Planned Conservation Overly District" was created with the intent of supplementing the regulations of the underlying zoning district(s), in the subject case, A-1 Residence, with the intent of preserving the rural nature and character of the corridor, in large part by maintaining scenic vistas.

It can be noted that no sight-line analysis information was provide in the referral material that indicated that consideration was taken to ensure that the scenic vistas, particularly along State Route 25A, would be maintained.

In terms of energy efficiency, it is the belief of the staff that by the very nature of the proposal is promoting one of the Suffolk County Planning Commission's County-wide priorities by installing a sustainable and renewable energy production system.

The subject parcel is already nearly 100% cleared of naturally growing vegetation and doesn't contain any identified environmentally sensitive lands.

The proposal does not require a connection to a water supply nor does it propose any sanitary discharge into the groundwater.

All storm-water will be stored and recharged on site via the drainage reserve areas, utilizing the naturally lowest lying areas of the subject parcel as indicated on the proposed site plan.

STAFF RECOMMENDATION

Approval, subject to the following comments:

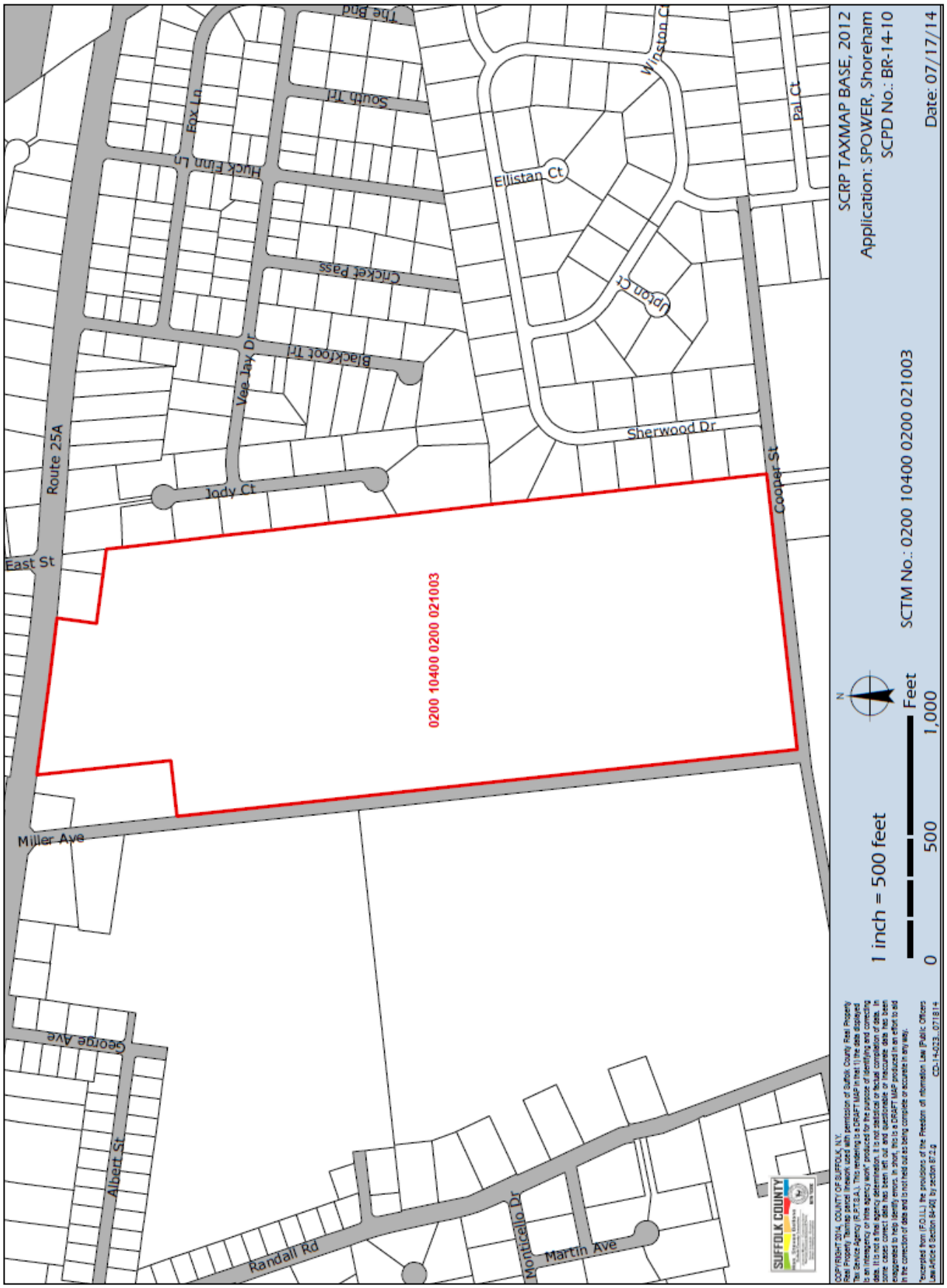
1. The Suffolk County Planning Commission's publication on Managing Stormwater - Natural Vegetation and Green Methodologies should be reviewed and additional stormwater mitigations incorporated where practical.

2. The Town should require that the applicant be prohibited from exporting any soil material, classified as prime agricultural soils, off the subject parcel. And that the proposed solar panel arrays not negatively impact the viability of the prime agricultural soils on-site.

3. The proposed action should only be approved after an acceptable "Decommissioning Plan" has been submitted in accordance with the Town's zoning ordinances governing solar energy generating facilities (solar farms).

4. In supporting with the intent and objectives of the 'Planned Conservation Overlay District", it should be required that a 'Sight-line Analysis' be prepare along all adjacent roadways to ensure that the proposed solar farm will not adversely impact the scenic vistas and community character of the subject area.

5. It is suggested that the Town and applicant review the U.S. Department of Agriculture's Natural Resources Conservation Services information on 'cover crops and soil health' for best practices regarding what to grow under and between the proposed solar array panels. Cover crops have the potential to prevent erosion, improve soil's physical and biological properties, supply nutrients and suppress weeds, and break pest cycles along with various other benefits.


SCRP TAXMAP BASE, 2012
Application: SPOWER, Shoreham
SCPD No.: BR-14-10
Date: 07/17/14
SCTM No.: 0200 10400 0200 021003
1 inch = 500 feet
0
500
1,000
Feet
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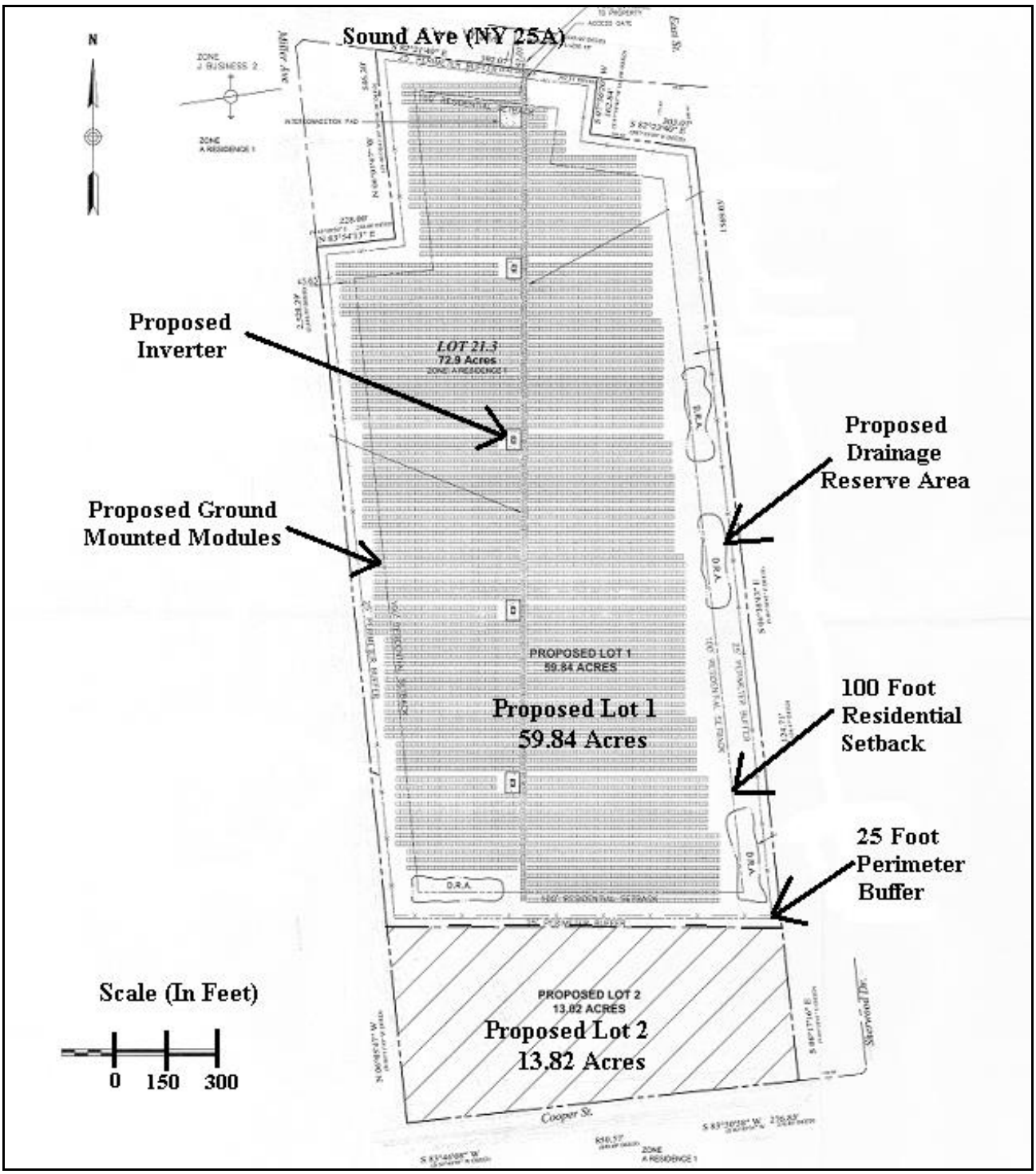
0200 10400 0200 021003
Route 25A
East St
Miller Ave
Cooper St
Sherwood Dr
Jody Ct
Vee Jay Dr
Blackfoot Trl
Cricket Pass
Huck Finn Ln
Fox Ln
South Trl
The Bnd
Ellistan Ct
Upton Ct
Winston Ct
Pal Ct
George Ave
Albert St
Randall Rd
Monticello Dr
Martin Ave
SUFFOLK COUNTY



Z-2: SPower at Shoreham
SCPD: BR-14-10
SCTM No: 0200-104.00-02.00-021.003

COUNTY OF SUFFOLK

Z-3

Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

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

Applicant: F1 Long Island
Municipality: Riverhead
Location: w/s/o Edwards Avenue ~ 50' s/o Miller Road & 925' s/o NYS Rte. 25

Received: 7/11/2014
File Number: RH-14-04
T.P.I.N.: 0600 11700 0100 004002
Jurisdiction: within 500 feet of Ag. Dist. & within one mile of an Airport.

ZONING DATA

- Zoning Classification: Industrial C
- Minimum Lot Area: . Sq. Ft.
- Section 278: N/A
- Obtained Variance: No

SUPPLEMENTARY INFORMATION

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

SITE DESCRIPTION

- Present Land Use: vacant
- Existing Structures: none
- General Character of Site: rolling
- Range of Elevation within Site: 30'-70' above mean sea level
- Cover: disturbed areas overgrown, oak pine woods
- Soil Types: Carver, Haven, plymouth and Riverhead associations.

- Range of Slopes (Soils Map): 0-35%
- Waterbodies or Wetlands: Town regulated wetland on site

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: site plan
- Layout: standard
- Area of Tract: 12.1Acres
- Open Space: N/A

ACCESS

- Roads: Edwards Avenue (public)
- Driveways: private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: catch basins-leaching pools-natural drainage pond
  - Recharge Basins no-drainage pond
- Groundwater Management Zone: III
- Water Supply: public
- Sanitary Sewers: CT-LP

PROPOSAL DETAILS

OVERVIEW – Applicants seek site plan approval from the Riverhead Town Planning Board for the construction of a commercial sports facility consisting of a series of kart racing tracks, a 14,800 SF. clubhouse/corporate conference facility of 23,000 SF (including meeting rooms, event/banquet hall, dining and other food and beverage features and motor sport related retail) and a 5,000 SF maintenance building. The subject parcel is a 12.1 acre parcel zoned Industrial C.

All wastewater from the proposed recreational complex is to be collected and treated via on-site septic tanks and leaching pools.

Storm water runoff from the contemplated development is to be collected via on-site storm water retention areas and drywells/leaching pools.

The proposed development would include 146 parking stalls. Parking is believed to be in compliance with Town of Riverhead Zoning Law.

Access for the proposed recreational facility is to be from one ingress/egress point to Edwards Avenue. An alternate ingress/egress is not proposed. Emergency access is not proposed. The petitioner is currently preparing a traffic impact analysis in coordination with the Town of Riverhead and the NYS Department of Transportation.

Potable water is to be supplied to the proposed development by the Riverhead Water District.

The subject site is presently vacant land. Approximately 10.4 acres of wooded native vegetation can be found on site. Dirt bike trails can be found crisscrossing throughout the subject site. Located approximately west of center is a small fresh water wetland and pond area (0.1 acres).

The subject property is situated in a mixed use area. Land uses in a one mile radius from the subject property include detached residential (north-east of the subject property), light industrial uses (Edwards Avenue and NYS Rte. 25), recreation (water park & golf course) an airport

(Calverton) and agriculture.

Zoning in the area is straight forward and includes Industrial C west of Edwards road; Industrial A east of Edwards Road and the Agricultural Protection Zone (APZ) north of NYS Rte. 25 (Middle Country Road). A small corridor of RLC (Rural Corridor) commercial zoning is along the north side of NYS Rte. 25 east of Edwards Ave. to Manor road.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is located in the Central Suffolk State Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone III. The subject property is within a State designated Critical Environmental Area. No State designated wetlands occur on the subject site however, a Town regulated pond and wetland system (No. 2226) is located center and west on the subject property.

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 subject application is for an as-of-right permitted use pursuant to the zoning District designation of the Town of Riverhead. The subject property is not within 500 feet of an adjacent municipality. Certain land uses in the area approved by the Town of Riverhead are of the same general nature (recreation) and are consistent with the land use pattern of development in the area. With respect to noise issues and the public convenience, while “sound” may travel from the proposed project to adjacent and area properties. There is evidence that with proper mitigations that have been offered by the applicant (see below) the sound from the proposed action will not contravene the Towns decibel limits for “noise” in accordance with the Town Code. It is the belief of the staff that the proposed F1 Long Island, LLC project can be designed to be in harmony with the existing character of the area).

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Riverhead Comprehensive Plan (2003) recommendation for the subject property is inclusion in the blanket Industrial/Recreational zoning district running from Middle Country Road south down Edwards Avenue to the Long Island Rail Road right of way and west to the boarder of the Calverton Airport property. The recommendations for the district from the plan include “allowing a mix of light industrial and commercial recreation uses in the area between Enterprise Park and the terminus of the Long Island Expressway.” It is the belief of the staff that the subject application appears to be in conformance with the Riverhead Comprehensive Plan Recommendations.

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 above policies:

As indicated above, all wastewater from the proposed kart racing and clubhouse/corporate conference facility is to be treated via conventional sanitary systems (tanks and leaching pools). The possibility of connecting to the sewage treatment plant located at the airport to the west of the subject property should be explored. Early review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted and the petitioner should be directed to contact and begin dialogue with the Suffolk County DHS and the SCDPW as early as possible.

There is some concern that fueling and servicing of the karts may require the storage of fuel, oil, solvents or other fluids that may be subject to the Suffolk County Sanitary Code Articles 7 and 12 on the handling and storage of hazardous materials. The applicants should be directed to contact the Suffolk County Department of Health Services and investigate issues surrounding fuel and liquid storage.

Storm water runoff from the proposed project will be retained on-site and recharged via a drainage system designed to conform to all applicable Town requirements. This system will include on-site storm water retention areas and drywells/leaching pools. It is required of the applicant that NYS DEC SWPPP requirements will be met. It does not appear that the pond on the subject property will be part of the storm water recharge system. It is not apparent that the vegetation that is to remain on site is part of any natural drainage system and it does not appear that the natural topography has been incorporated into any storm water drainage design. The petitioners should be encouraged to review the Suffolk County Planning Commission publications on the Study of Man-Made Ponds in Suffolk County and Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

The most landward limit of Town regulated wetland on the subject property should be flagged in the field by a qualified expert, verified by the appropriate agency and shown on all sketches, drawings, surveys and plans for the proposed sports facility. All appropriate construction and buffering setbacks should be established from the flagged line.

It is noted that approximately 2-3 acres of the subject property are class II prime agricultural soils: Haven and Riverhead associations. The He soils are in the wetland area and not proposed to support formal development however the RdC soils are proposed for development. The area is not actively farmed and it is not clear if preservation of the prime agricultural soil are should be considered.

Noise from the proposed use may conflict with other land uses in the area including agriculture such as an equestrian facility, institutional (elementary school and post office), a charter school, golf course and residential. The chief generator of the noise is the racing of the karts. Mitigations proposed by the applicant include mandatory use of mufflers, maintain to the greatest extent practical existing contour or elevations as well as exiting vegetation/fauna on the premises and noise absorptive barriers. It is the belief of the staff that additional analysis is warranted and an acoustic specialist should be consulted.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The petitioners should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable for residential and clubhouse components of the proposal.

Little discussion is made in the petition to the Town and referred to the Commission on public safety and universal design. The applicant should review the Planning Commission guidelines particularly related to public safety and universal design incorporate into the proposal, where practical, design elements contained therein.

With regard to public transportation two Suffolk County bus routes run along Middle Country Road (NYS Rte. 25); those being the S58 and the S62. Middle Country Road is approximately a quarter of a mile to the north of the project site. The proposed stone path leading to the covered concession should be made part of a lager pedestrian path network leading to Edwards Avenue and north to the transit routes. Accommodations for bicycles (racks and lockers) should also be incorporated into the proposed plan.

STAFF RECOMMENDATION

Approval of the site plan application of F1 Long Island, LLC with the following comments:

1. Early review by the Department of Health Services and the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted and the petitioner should be directed to contact and begin dialogue with the Suffolk County Department of Health Services and the SCDPW as early as possible with regard to waste water treatment.

2. There is some concern that fueling and servicing of the karts may require the storage of fuel, oil, solvents or other fluids that may be subject to the Suffolk County Sanitary Code Articles 7 and 12 on the handling and storage of hazardous materials. The applicants should be directed to contact the Suffolk County Department of Health Services and investigate issues surrounding fuel and liquid storage.

3. Noise from the proposed use may conflict with other land uses in the area including agriculture such as an equestrian facility, institutional (elementary school and post office), a charter school, golf course and residential. The chief generator of the noise is the racing of the karts. Mitigations proposed by the applicant include mandatory use of mufflers, maintain to the greatest extent practical existing contour or elevations as well as exiting vegetation/fauna on the premises and noise absorptive barriers. It is the belief of the Suffolk County Planning Commission that additional analysis is warranted and an acoustic specialist should be consulted.

4. The petitioner should be encouraged to review the Suffolk County Planning Commission publications on Man Made Ponds in Suffolk County and Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

5. The petitioners should be directed to contact the NYS DOT to resolve access and traffic considerations for the intersection at Edwards Avenue and NYS Rte. 25.

6. The most landward limit of Town regulated wetland on the subject property should be flagged in the field by a qualified expert, verified by the appropriate agency and shown on all sketches, drawings, surveys and plans for the proposed sports facility. All appropriate construction and buffering setbacks should be established from the flagged line.

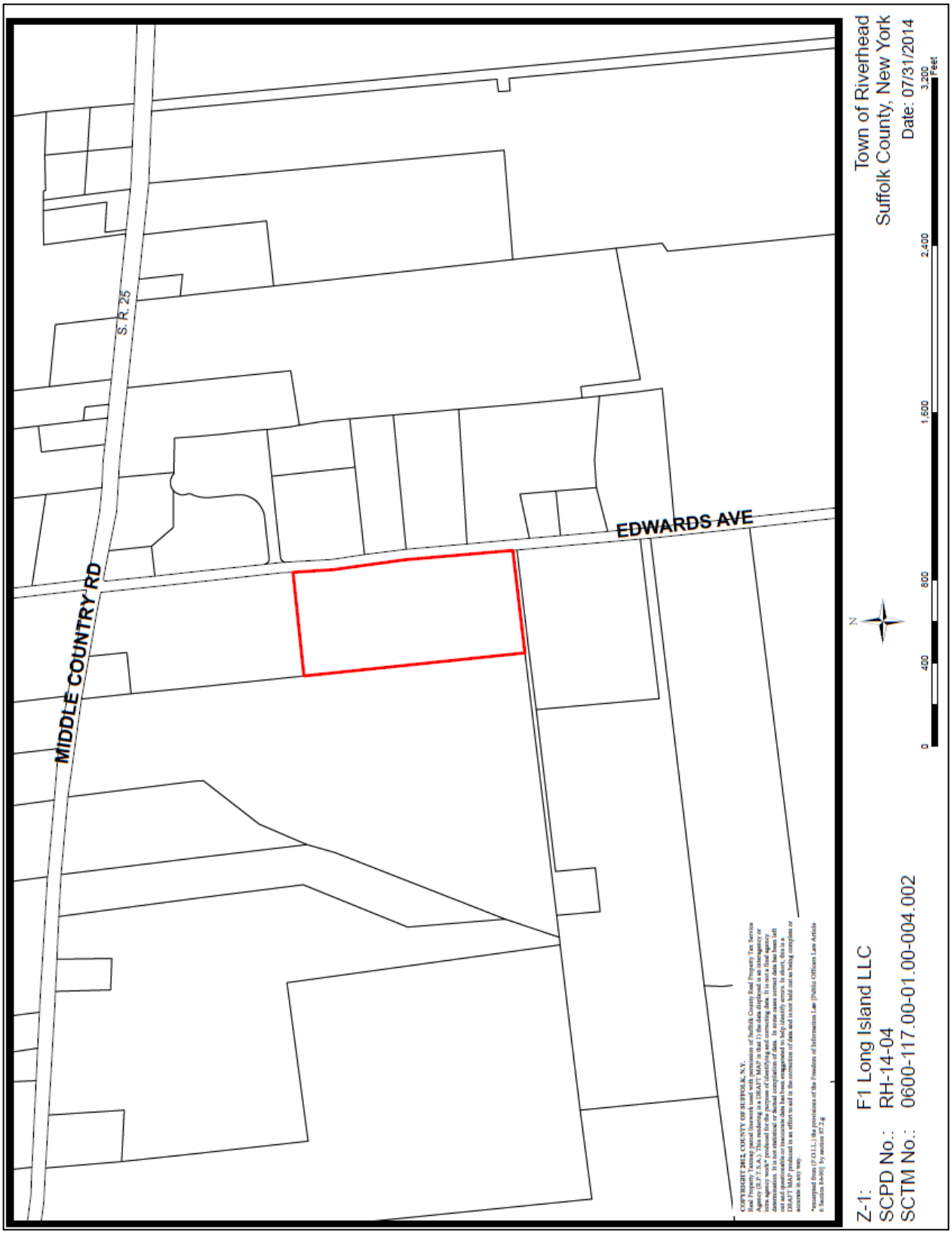
7. The proposed stone path leading to the covered concession should be made part of a lager pedestrian path network leading to Edwards Avenue and north to the transit routes.

Accommodations for bicycles (racks and lockers) should also be incorporated into the proposed plan.

8. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.

9. The petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.

10. The petitioner should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.


MIDDLE COUNTRY RD
S. R. 25
EDWARDS AVE
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Real Property Tax map parcel linework used with permission of Suffolk County Real Property Tax Service Agency (R.P.T.S.A.). This rendering is a DRAFT MAP in that 1) the data displayed is an interpretive representation of data provided by the owner of record of a parcel of land, 2) the data may be in error or out of date, 3) it is not statistical or factual compilation of data. In some cases correct data has been left out and questionable or inaccurate data has been exaggerated to help identify errors. In short, this is a DRAFT MAP produced in an effort to aid in the correction of data and is not held out as being complete or accurate in any way.
*excerpted from (F.O.I.L.) the provisions of the Freedom of Information Law (Public Officers Law Article 6 Section 84-90) by section 87-2-g
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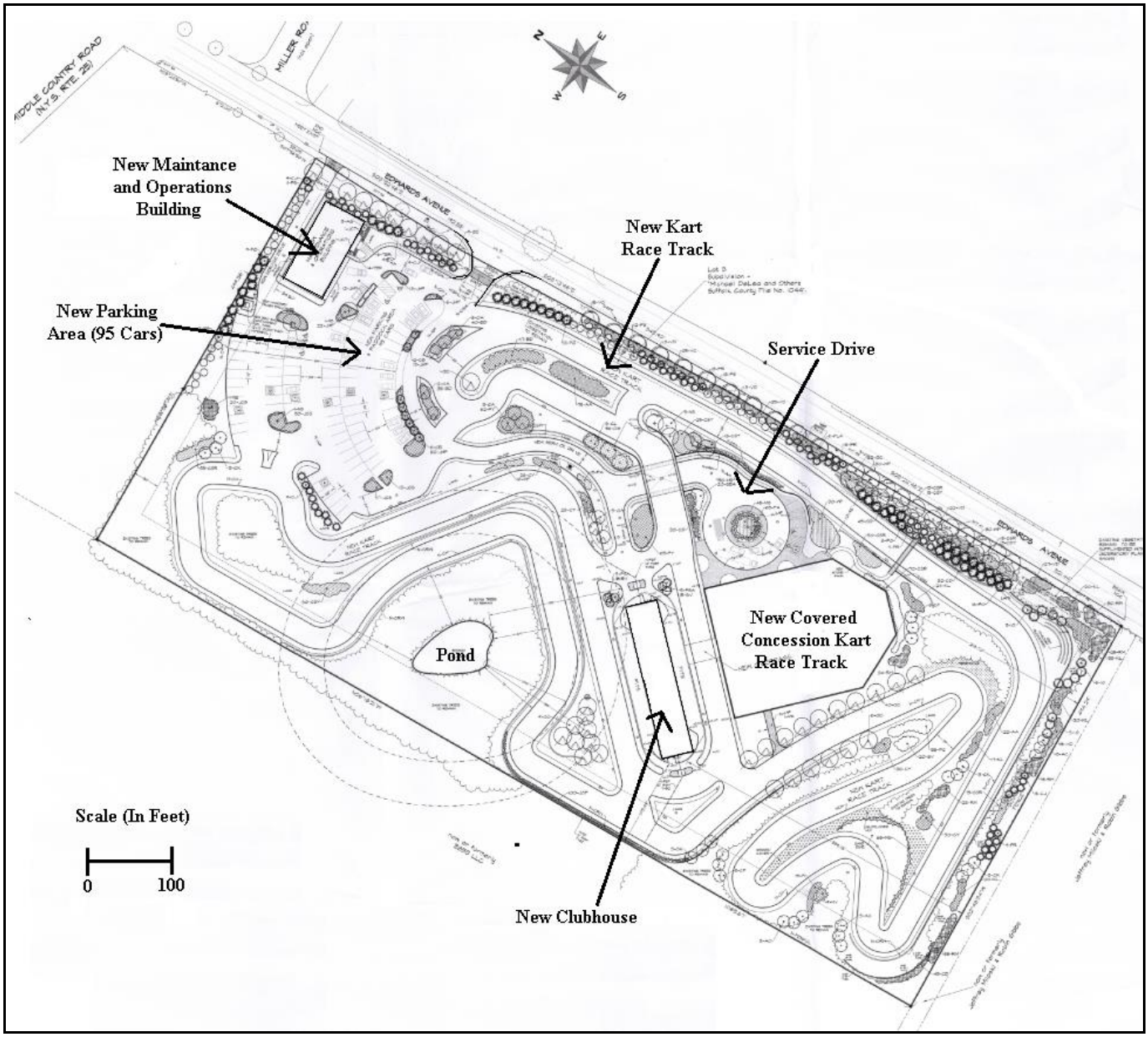
Town of Riverhead
Suffolk County, New York
Date: 07/31/2014
Z-1: F1 Long Island LLC
SCPD No.: RH-14-04
SCTM No.: 0600-117.00-01.00-004.002



Z-3: F1 Long Island LLC
SCPD: RH-14-04
SCTM No: 0600-117.00-01.00-004.002