

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Economic Development & Planning
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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

January 7, 2015 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 November and December 2014
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guest Speaker
 - Rosemary Mascali, Manager, Transit Solutions
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
 - Suffolk Regional Off Track Betting VLT Facility, Town of Brookhaven
SCTM No: 0200-736.00-01.00-002.001
7. Section A-14-24 of the Suffolk County Administrative Code
8. Other Business:
 - Nominating Committee
 - Southampton IMA
 - Consideration of revised "Green Methodologies for Storm Water Runoff"

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on February 4, 2014 at 2:00 p.m. at the Rose Caracappa Auditorium, W.H. Rogers Legislature Bldg., 725 Veterans Memorial Highway, Smithtown, NY.



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: Suffolk Regional Off Track Betting VLT Facility
Municipality: Brookhaven
Location: n/s/o Long Island Avenue ~ 290' w/o Oregon Avenue

Received: 11/28/2014
File Number: BR-14-15
T.P.I.N.: 0200 73600 0100 002001
Jurisdiction: adjacent to NYS Rte 495.; adjacent to Suffolk County land

ZONING DATA

- Zoning Classification: CR/A1
- Minimum Lot Area: 120,000. 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: No
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No
 - File:
 - Date:
 - Map of:
- SEQRA Information: Yes
- SEQRA Type: EAF
- Minority or Economic Distressed: No

SITE DESCRIPTION

- Present Land Use: vacant
- Existing Structures: none. Concrete foundation
- General Character of Site: level
- Range of Elevation within Site: 65-95' amsl
- Cover: wooded, asphalt, concrete foundation & weedy growth
- Soil Types: Carver, Plymouth and Riverhead associations.
- Range of Slopes (Soils Map): 0-15%
- Waterbodies or Wetlands: none

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: site plan
- Layout: standard
- Area of Tract: 31.6 Acres
- Yield Map:
 - No. of Lots: 1
 - Lot Area Range: N/A
- Open Space: 7.108 ac

ACCESS

- Roads: Existing LIE service Road & Long Island Avenue
- Driveways: private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: catch basin - leaching pools
 - Recharge Basins: yes
- Groundwater Management Zone: III
- Water Supply: public
- Sanitary Sewers: conventional on site system

PROPOSAL DETAILS

OVERVIEW – Applicants request Site Plan approval from the Brookhaven Town Planning Board for the construction of an Indoor Amusement Establishment consisting of a Video Lottery Terminal (VLT) facility, a pari-mutual off-track betting facility, restaurant, food court, and offices. The subject property is a 31.6 acre tract in the hamlet of Medford. The overall facility will contain approximately 98,735 SF of building (two buildings: OTB and maintenance building) and off street parking for 1,400 vehicles. No breakdown of the square foot distribution of the use elements (VLT, OTB, restaurant, food court, etc.) within the 98,735 SF facility was provided in the site plan referral from the Town of Brookhaven Planning Board to the Suffolk County Planning Commission.

The subject parcel is split zoned (east to west) wherein the bulk of the parcel is in the CR (Commercial Recreation) District to the eastern two thirds of the property and the remainder is located in the A1 residential district. All proposed improvements to the subject site are to be in the CR zoned portion.

Storm water runoff generated from the site is to be accommodated on site in subsurface leaching pools and drywell structures. It is proposed that a former recharge basin at the southern end of the property be refurbished and utilized.

Off street parking is to be provided on a 14 acre asphalt paved lot and includes a sufficient number of stalls to be in conformance with Town of Brookhaven Code requirements.

Sewage treatment is proposed via a conventional on-site sanitary system.

The subject site has frontage on the Long Island Expressway South Service Road (NYS Rte. 497) to the north and Long Island Avenue (town road) to the south. Access is proposed via two right turn only curb cuts to the South Service Road. The western most access is a new two lane un-signalized ingress only while the eastern access point is an existing curb cut to be refurbished to a one lane un-signalized right turns only ingress/egress. An existing curb cut to the south on Long Island Avenue is proposed to be refurbished to an un-signalized, unrestricted ingress/egress.

The subject property is adjacent to roadways north and south. To the west the subject property abuts a narrow strip (~81' wide) of Suffolk County land and detached single family homes are found further to the west. To the east the subject property abuts vacant wooded industrially zoned land. South of the subject property adjacent to Long Island Avenue is the ROW for the Long Island Railroad. Industrial uses are to the south and north of the general area of the subject application.

The project site is in a mixed zoning area. As mentioned the majority of the site is zoned CR Business, and a minority of the site is zoned A-1 Residential. Residential zoning is located to the west of the site including Muti-Family (MF). To the south east and north is found Industrial (L1 & L2) and Commercial (J2) zoning districts.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located in a NYS Critical Environmental Area or Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone III. No State or Town regulated freshwater wetlands occur on or near the subject property.

The subject property is predominantly cleared area with remnants of asphalt paving and the concrete foundation of a prior use by a multiplex movie theater and parking. A forested eight acres with oak and pine trees comprises the western part of the site.

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 proposed site plan includes structures that are compatible with adjacent land uses. The subject proposal is surrounded by industrial zoning on three sides and is buffered from residential zoning and uses on the west by eight acres of wooded land. The land use character of the area is commercial and industrial intersected by a major highway, local roadways and a rail corridor. Some single family detached and attached residential communities are located to the west of the subject site. These are proposed to be physically buffered from the proposed use by the existing woodland.

All motor vehicle traffic is to be on the LIE South Service Road and to the collector road Long Island Avenue. No local traffic is anticipated on residential streets in the area. The residential public is to be physically buffered from the use by woodland that is intended to mitigate issues related to parking lot traffic, noise, excessive lighting, encroachment and the like.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Brookhaven Comprehensive Plan (1996) recommends commercial land use for the subject parcel. The proposed land use on the subject property is confined to that area on site zoned Commercial-Recreation (CR).

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.

Storm water runoff from impervious surfaces of the proposed Indoor Amusement Establishment and 14 acre parking area is intended to be captured and discharged to dry wells and a refurbished existing recharge basin. To refurbish the recharge basin, the applicants propose to excavate 5,000 cubic yards of material to a depth of 67' amsl. In addition to the recharge basin approximately 4 acres of landscaped area is proposed. The applicants are required to comply with NYS SWPP and Town of Brookhaven storm water regulations. An opportunity exists for this project to incorporate best management practices into landscaping and the approximately 16.6 acres of proposed impervious surface (ex. bio-swales, rain gardens, rooftop landscaping, etc.). The applicants should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

Approximately 6,000 tons of demolition debris consisting of existing concrete and asphalt from the prior movie theater foundation and parking area, as well as the former parking lot storm water catch basins and movie theater septic systems are to be removed from site prior to construction. No hazardous material analysis was provided in the referral material to the Suffolk County Planning Commission. Catch basins, storm drains, remaining utility connections (gas), buried storage tanks, as well as, soils in the existing recharge basin would be typical locations of interest in a standard environmental site assessment. It is the belief of the staff that any environmental reports (indicating that all hazardous materials have been removed from the site and that any environmental hazards that could be aggravated by the demolition procedure have been removed and do not exist on site) should be made publicly available prior to final approval of the site plan by the Brookhaven Town Planning Board.

The application referral materials to the Suffolk County Planning Commission indicate that waste water from the proposed VLT, OTB facility, restaurant, food court, and offices will be collected and treated with a conventional waste water treatment system. Referral materials indicate an anticipated waste water flow of 9,480 gpd (EAF pg. 5). Ground Water Management Zone III waste water discharge allowance for the 31.6 acres would be 9,840 gpd (31.6 ac x 300 gpd). As indicated by the application materials the proposed Indoor Amusement project would be in compliance but at the limit of waste water discharge requirements. It does not appear that the project sponsor has had meaningful dialogue with the Suffolk County Department of Health Services with respect to anticipated waste water flow calculations. The "Project Density and Loading Rates and Design Sewage Flow Rates" contained in the "Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other than Single-family Residences" of the Suffolk County Department of Health Services indicates that an OTB Recreation use would generate a Density and Hydraulic Load of 5gpd/person plus food service flow (depending on the type of food service(s) in

the facility). The referral materials to the Commission do not indicate the number of persons in the facility. If one makes the assumption that the 1,400 car parking lot will bring to the facility on average 1.5 persons per car per day per parking space (the facility hours of operation are to be 8:00 AM to 4:00 AM) 2,100 individuals would generate approximately 10,500 gpd of waste water not counting additional food service flow. This exceeds the 9,480 gpd reported in the referred material to the Commission. It is the belief of staff that while interior layout details of the facility are still in flux with the applicant, waste water treatment and disposal issues should be reviewed with the Suffolk County Department of Health Services as early as possible. Alternative technologies and best management techniques should not be excluded from the discussion.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The applicant 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 to non-residential uses.

Suffolk County Planning Commission staff notes that it can be found in the literature (as in CNN.com, September 24, 2013) that modern Indoor Recreation Facilities of this kind including VTL's attract a majority of low-income workers and retirees that generally come from nearby (approximately 10 miles). No traffic study or traffic information was provided in the referral materials to the Commission. A review of Suffolk County Transit Bus Routes indicates that there is no bus route servicing the project site. The closest routes are on Horse Block Road to the east. Pedestrians would need to walk approximately six tenths of a mile to the east along the LIE South Service Road or Long Island Avenue. The applicant should contact Suffolk County Transit and explore bus service to the Indoor recreation facility.

The subject property is located approximately one mile to the east (traveling along Long Island Avenue) from the Medford LIRR train station. The applicant should contact the MTA LIRR to coordinate train service to the indoor recreation facility.

As indicated above access to and from the subject property will require curb cuts to the Long Island Expressway (NYS Rte. 495) South Service Road. It is not apparent that the applicant has had any discussions with the NYS DOT regarding this application. The applicant should contact the NYS DOT with respect to traffic studies and access to the subject site from the State ROW.

Internal roadway design for the proposed Indoor Amusement Establishment is problematic. The proposed straight-away access road on the eastern property boundary is conducive to excessive speed and the driveway may become a cut through from the LIE South Service Road to Long Island Avenue. Speeding vehicles can endanger foot travelers and result in a loss of amenities through increased noise and pedestrian apprehension. Parking lot access ingress/egress and driveways should be laid out so as to discourage through traffic and excessive speed. Moreover, parking lot amenities for pedestrians, particularly from the extreme distances of the west and south lots, are minimal. Sidewalks only circle the proposed gaming building and are absent in the parking lots for safe pedestrian movement. Crosswalks from the parking stall area over the straight-away collector lanes are nearly non-existent. The applicant should provide a pedestrian circulation plan accounting for motor vehicle conflicts and pedestrian safety. Ideally, the plan should be integrated onto a landscape/storm-water management plan.

Little discussion is made in the petition to the Town and referred to the Commission on public safety. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein to address typical concerns related to gambling establishments such as the increases in assault, motor vehicle theft, prostitution and sex offenses, drug violations, DUI, public drunkenness and disorderly conduct, etc. Lighting, while ideally being "Dark Sky" compliant should provide a sense of security to patrons

and neighboring properties.

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

STAFF RECOMMENDATION

Approval of the Site Plan for Suffolk Regional Off Track Betting VLT Facility with the following comments:

1. The applicants should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.
2. Environmental reports (indicating that all hazardous materials have been removed from the site and that any environmental hazards that could be aggravated by the demolition procedure have been removed and do not exist on site) should be made publicly available prior to final approval of the site plan by the Brookhaven Town Planning Board.
3. Waste water treatment and disposal issues should be reviewed with the Suffolk County Department of Health Services as early as possible.
4. The applicant 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 to non-residential uses.
5. The applicant should contact Suffolk County Transit and explore bus service to the indoor recreation facility.
6. The applicant should contact the MTA LIRR to coordinate train service to the indoor recreation facility.
7. The applicant should contact the NYS DOT with respect to traffic studies and access to the subject site from the State ROW.
8. The applicant should provide a pedestrian circulation plan accounting for motor vehicle conflicts and pedestrian safety.
9. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
10. The petitioners should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.



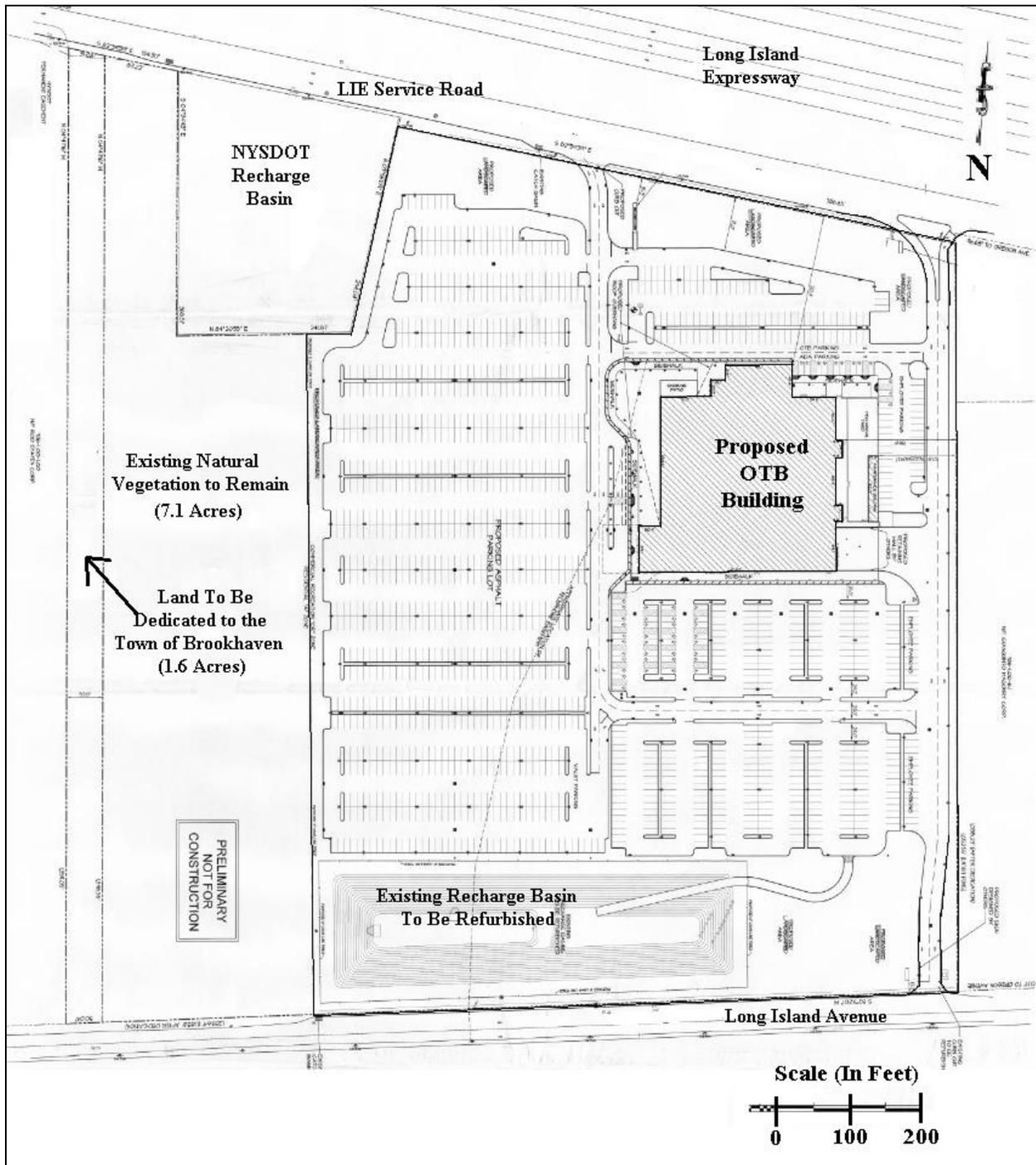
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1 inch = 300 feet

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SCRP TAXMAP BASE, 2012
 Application: Suffolk Regional OTB
 SCPD No.: BR-14-15
 SCTM No.: 0200 73600 0100 002001
 Date: 12/19/14



Z-1: Suffolk Regional Off Track Betting VLT Facility
 SCPD: BR-14-15
 SCTM No: 0200-736.00-01.00-002.001