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) 853-4767
Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development and Planning
Sarah Lansdale, Director of Planning

Notice of Meeting

January 6, 2016 at 2:00 p.m.

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

Tentative Agenda Includes:

1. Meeting Summary for December 2015

2. Public Portion

3. Chairman's Report

4. Director's Report

5. Guest Speaker

6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code

   - Heatherwood at East Setauket, Town of Brookhaven
     0200 27900 0300 001000 and
     0200 27900 0400 001000

   - Storybook Meadows, Town of Smithtown
     0800-16800-0100-028003

   - The Heritage at Cutchogue, Town of Southold
     1000-10200-0100-033003

7. Section A-14-24 of the Suffolk County Administrative Code

8. Other Business:
   - Rules of Proceedings
   - Nominating Committee
   - 2016 Calendar

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on February 3, 2016 2 p.m. H. Lee Dennison Building 4th Floor, 100 Veterans Memorial Highway, Hauppauge, NY 11788

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 A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Heatherwood at East Setauket
Municipality: Brookhaven
Location: s/e corner of NYS Rte. 347 and Arrowhead Lane

Received: 7/1/2014 & 12/11/15
File Number: BR-14-09
T.P.I.N.: 0200 27900 0300 001000
Jurisdiction: Adjacent to NYS Rte. 347 (Nesconset - Port Jefferson Road)

ZONING DATA

- Zoning Classification: PRC (planned retirement community)
- Minimum Lot Area: 200,000. 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: Yes
- 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: golf course
- Existing Structures: yes, club house, field house
- General Character of Site: rolling
- Range of Elevation within Site: 70' to 110' amsl
- Cover: turf & trees
- Soil Types: Carver and Riverhead series
- Range of Slopes (Soils Map): terraformed 0-15%

- Waterbodies or Wetlands: unnamed man-made ponds

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: SITE PLAN
- Layout: Standard
- Area of Tract: 70.6Acres
- Yield Map:
  - No. of Lots: 200
  - Lot Area Range: Sq. Ft.
- Open Space: N/A

ACCESS

- Roads: Public - Arrowhead Lane
- Driveways: Private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: cb/lp & ponds
  - Recharge Basins yes - existing
- Groundwater Management Zone: III
- Water Supply: public SCWA
- Sanitary Sewers: public SCSD #11

PROPOSAL DETAILS

OVERVIEW – Applicants seek site plan approval from the Brookhaven Planning Board for a 25.8 acre portion of an existing 70.6 acre golf course for the construction of 200 senior citizen rental housing units. The balance of the property constituting approximately 44.8 acres is to remain as a golf course.

The subject property is located at the southeast corner of Nesconset Highway (NYS Rte. 347) and Arrowhead Lane in the hamlet of East Setauket. The development site is situated in both the Comsewogue UFSD and the Three Village CSD.

The proposed 200 age restricted units are to be distributed in twelve (12) buildings (no details as to the internal layout of the proposed buildings are provided). The proposed buildings average approximately 16 units per buildings but vary from as few as 12 units per building to one building which includes 32 units. The submitted material to the SCPC does not indicate building height information but it would appear from the submitted conceptual site plan that the buildings are no more than two stories.

A condition of 10% affordable units is included in the Town Board change of zone approval resolution that was supplied in the referral materials to the Suffolk County Planning Commission. A minimum of ten percent (10 %) would be required in accordance with the NYS Long Island Workforce Housing Act.

All wastewater from the proposed PRC rental complex, approximately 60,000 gpd, is to be treated via connection to Suffolk County Sewer District No. 11 (Old Town Road – Selden) to the south. A newly constructed on-site sanitary pump station and a 2,000 foot force main are proposed south of the proposed tennis courts. The main is to connect to the existing gravity sewer in Doe Lane. The Suffolk County Sewer agency has granted “Conceptual Certification” to the proposed connection.

The proposal also includes a community center building and pool, tennis courts, a golf cart building and green space (particularly in the interior areas between the proposed housing buildings). It should be noted that the complex is also to be surrounded by the reconfigured golf course.

Storm water runoff from the contemplated development is to be collected via on-site storm water drainage ponds.

The proposed development would include 403 off street parking stalls, and is in compliance with Town of Brookhaven Zoning Law.

Access for the proposed retirement community is to be from one ingress/egress points to Arrowhead Lane. Emergency access is not proposed.

Potable water is to be supplied to the proposed development by the Suffolk County Water Authority.

The subject site is presently an active 18 hole golf course. The site is to be converted to a nine hole course and a five hole pitch and putt. Some treed and rough vegetation areas (16.4 acres) currently exist on the subject site. Approximately nine (9.1) acres will be removed leaving approximately seven (7.3) acres of natural vegetation on site.

The subject property is situated in a mixed use area. Detached single-family residences occur to the east south and west.

Attached condominium units can be found adjacent to the subject property and to the east. The Jefferson Ferry Retirement Community is located to the west of Arrowhead lane. Large scale commercial centers are located to the north across Nesconset Highway. Zoning in the area includes A-1 to the east and south PRC to the west and east and J2 to the north.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located a State Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone III. The subject property is not in a State designated Critical Environmental Area. No local or State designated wetlands occur on the subject 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 are such issues as compatibility of land uses, community character, public convenience and maintaining a satisfactory community environment.

Several PRC and MF complexes exist in the area. The proposed PRC would be in character with the surrounding uses. It is the belief of the staff that the proposed Heatherwood at East Setauket project can be designed to be in harmony with the existing character of the area.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Brookhaven Comprehensive Land Use Plan (1996) specifically recommends “Parks and Open Space” for the subject property. The Port Jefferson Station/Terryville New York Comsewogue Hamlet Comprehensive Plan (released 2008; not adopted by Town Board) specifically recommends for the Heatherwood Golf Course “…the overwhelming support for the maintenance of the existing golf course usage.” The Plan continues “If outright preservation is not implemented as the primary choice by the residents, then a limited cluster development for PRC or MF based on A5 density should be followed, thus maintaining the course for protected open space. This course, of approximately 65 acres, could yield a total of 13 individual homes based on the existing five acre

residential zoning. A clustered development could be built on five to ten acres, thus leaving the existing golf course in perpetuity."

The proposed Heatherwood development is in conformance with Town of Brookhaven PRC code. The site is indicated (by project sponsors) as being in a "Primary Zone," being located on a major arterial highway within 1,320 feet (actual = less than 500') from commercial shopping centers. In addition, the proposed density for the subject application is in conformance with the requested zoning district change at no more than eight units per acre (section 85-117.6 of the Brookhaven Zoning Law).

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities that 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 previously, all wastewater from the proposed senior citizen PRC is intended to be pumped to SCSD No 11. Continued review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted.

Twenty percent (20%) affordable units may be required in order to make an out of district connection to the proposed location of waste water treatment per Suffolk County Local Law 20-2007; section 740-45 C of the Suffolk County Administrative Code. (see above waste water discussion and attached Suffolk County Administrative Code section 740-45 c).

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. Submission materials to the Commission do not indicate that NYS DEC SWPPP requirements will be met. However, that would be a local condition of approval. The petitioners should be encouraged to review the Suffolk County Planning Commission publications Creation 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.

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 for the residential and clubhouse components of the proposal.

Suffolk County Bus Transit routes SCT-62 and SCT-69 run along this portion of NYS Rte. 347. These routes provide access to Port Jefferson Train Station to the east and the Smith Haven Mall in Lake Grove to the west. SCT-69 also continues to Port Jefferson Central Business District and Stony Brook University/Hospital while SCT-62 provides connections to Hauppauge and Riverhead.

Pedestrian connections should be made from the interior of the site to Arrowhead lane in order to provide a pedestrian route linkage to the State ROW.

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 and incorporate into the proposal, where practical, design elements contained therein.

The Suffolk County Planning Commission deliberated and approved (see attached) a change of zone application on the subject property at their regularly scheduled meeting on September 3, 2014. The Town of Brookhaven approved the change of zone request on 12/16/14 (see attached). Among the conditions of approval were the dedication of land in lieu of the retirement of Pine Barrens credits, a minimum of ten percent (10%) affordable housing in perpetuity and the implementation of traffic mitigations. It is not clear in the referral material to the Suffolk County Planning Commission or in the attached change of zone approval from the Brookhaven Town Board whether the comments contained in the County Planning Commission approval resolution were considered during deliberations for the change of zone approval. Therefore, it is the recommendation of staff that the same comments be forwarded to the Town Planning Board for their consideration and use.

STAFF RECOMMENDATION

Approval of the Site Plan proposal for Heatherwood at East Setauket for the construction of a 200 unit Senior Citizen rental housing community with the following comments:

1. Continued 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 continue dialogue with the Suffolk County Department of Health Services and the SCDPW.

2. The applicant should be encouraged to review the Suffolk County Planning Commission publication on the Creation of Man-Made Ponds in Suffolk County and incorporate into the proposal, where practical, design elements contained therein.

3. The applicant 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.

4. The applicant 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.

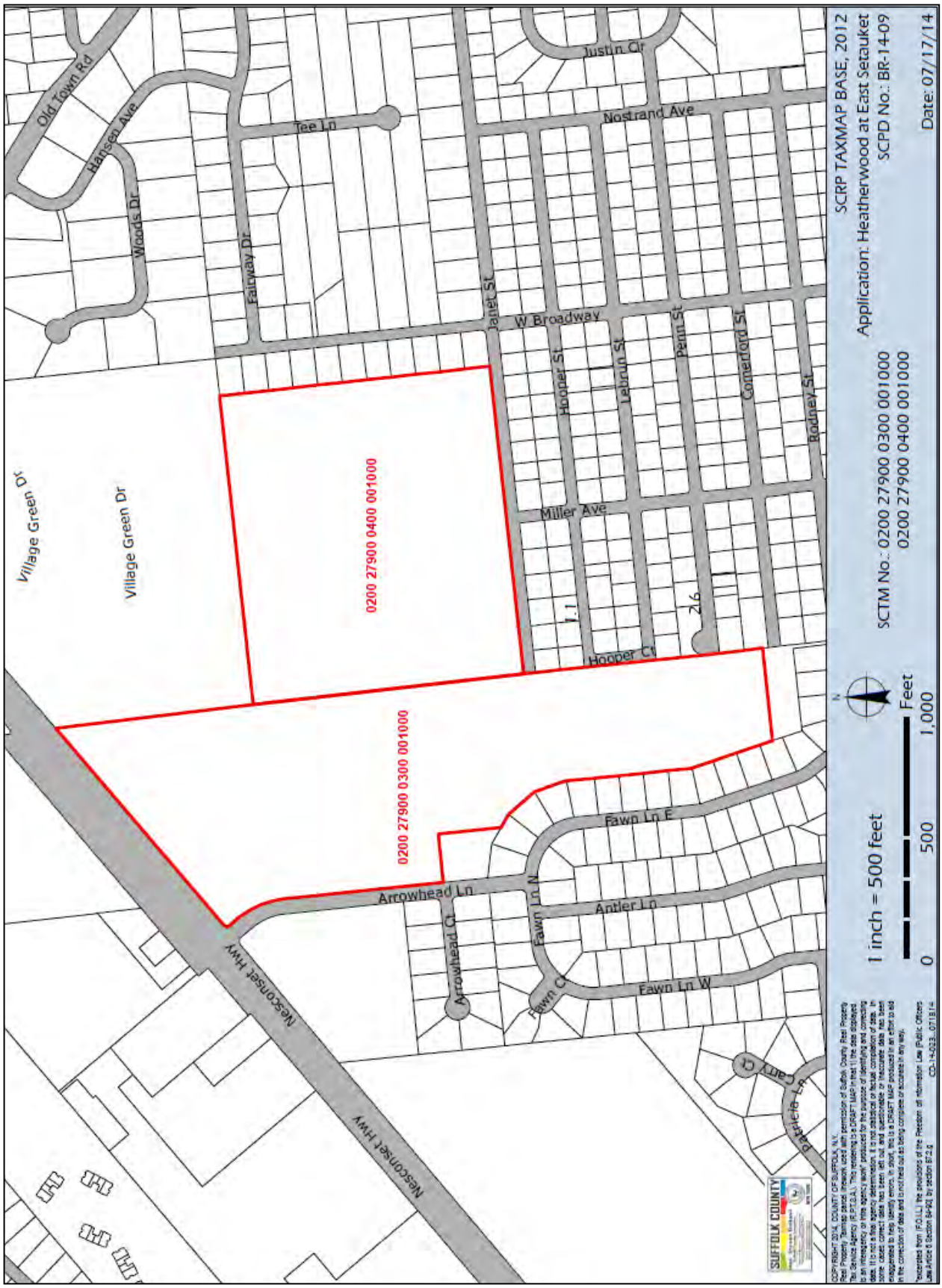
5. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.

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

7. A pedestrian connection should be made between the walking path circumnavigating the proposed development and Arrowhead Lane.

8. The applicant should work with the Town to insure that the proposal is in conformance with

the New York State Long Island Workforce Housing Act. Also, the applicant should review section 740-45c of the SC Administrative Code with respect to the provision of affordable housing.


SCRP TAXMAP BASE, 2012
Application: Heatherwood at East Setauket
SCPD No.: BR-14-09
SCTM No.: 0200 27900 0300 001000
0200 27900 0400 001000
Date: 07/17/14
1 inch = 500 feet
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Village Green Dr
Village Green Dr
Old Town Rd
Hansen Ave
Woods Dr
Fairway Dr
Tee Ln
Janet St
W Broadway
Justin Cir
Nostrand Ave
Hooper St
Lebrun St
Penn St
Comerford St
Rodney St
Miller Ave
Hooper Ct
Arrowhead Ln
Arrowhead Ct
Fawn Ln N
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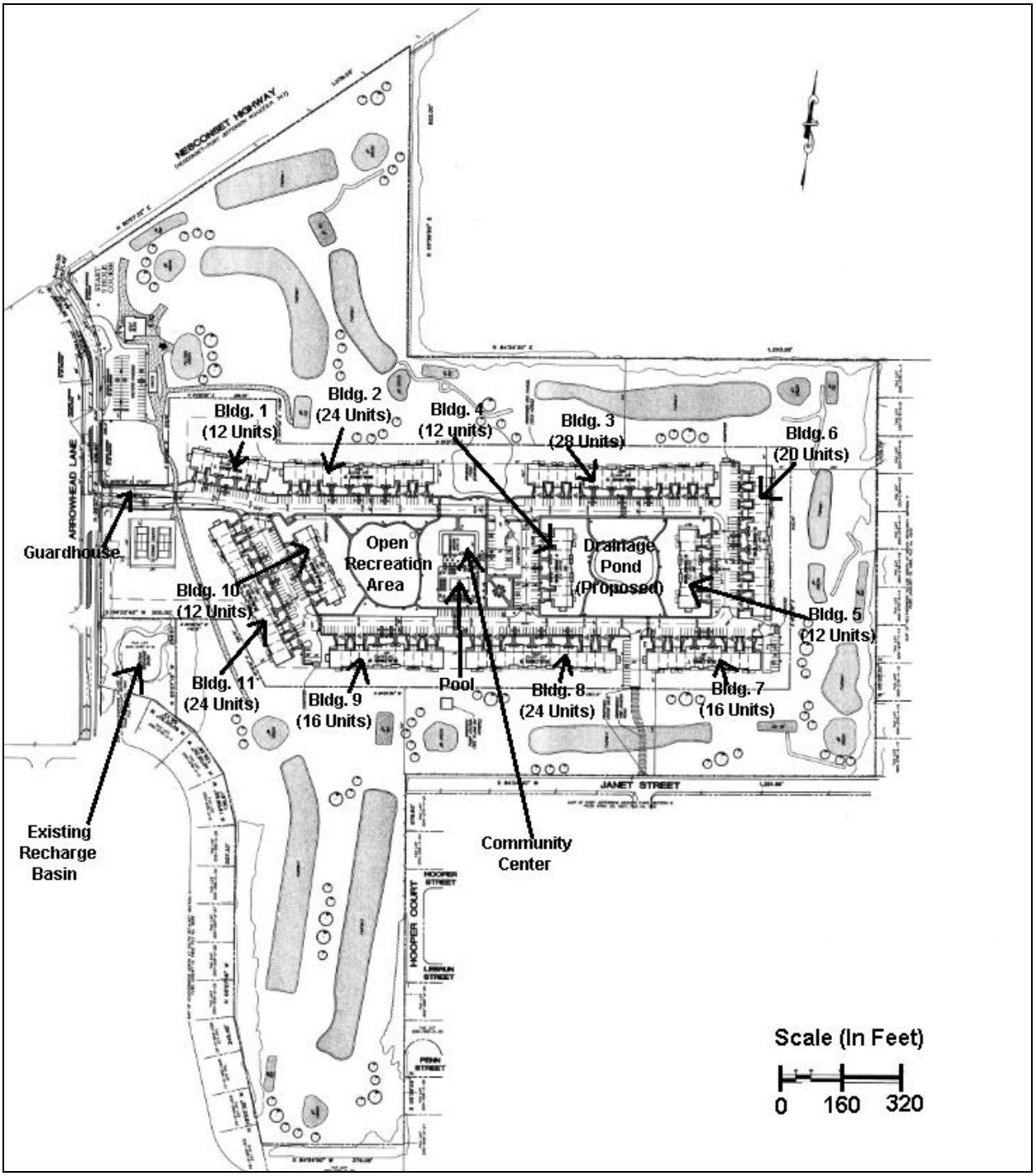
SUFFOLK COUNTY



Z-1: Heatherwood at East Setauket
SCPD: BR-14-09
SCTM No: 0200-279-3-1 and 0200-279-4-1

Suffolk County, NY
Wednesday, December 30, 2015

Chapter 740. Sewers

Article VIII. General Provisions

§ 740-45. Connection by premises outside district.

[Amended 6-27-2000 by L.L. No. 14-2000; 4-24-2001 by L.L. No. 6-2001]

A. The Administrator is hereby authorized and empowered to consider applications for connections to a County sewer district facility by businesses, industries and other users from outside the geographical boundaries of a district and to negotiate contracts and agreements with those businesses, industries and users as he deems appropriate upon such terms and conditions as to him may seem reasonable and proper to protect the best interests and to accrue to the financial benefit of the district, including but not limited to provisions intended to relieve a district of the full burden of maintenance and capital costs, present or future, if any, attributable to and that might result from such contractual connections, and including the filing of a surety bond or the deposit of cash or securities with the County Treasurer or the giving of every guaranty to the district to ensure the performance of said agreements and contracts, and the costs, if any, to a district relating thereto will be offset by payments from the owner and will not constitute an undue burden upon the property within said district, subject to the provisions of § **740-38** of this chapter and the charges imposed thereunder.

B. The Administrator, when considering applications for connection to a County sewer district facility by businesses, industries and other users from outside the geographical boundaries of a district, shall first make a determination that the connection is in the best interests of the residents of the district and the citizens of the County of Suffolk, and shall consider each of the following factors in making the determination:
[Added 6-12-2007 by L.L. No. 18-2007]

   (1) The environmental impact of the proposed connection;

   (2) The tax impact of the proposed connection on the affected sewer district;

   (3) Whether the applicant can demonstrate that an economic benefit will accrue, either through an increase in jobs or an increase in tax revenue to the County, as a result of the sewer connection;

   (4) Whether there is adequate capacity within the affected sewer district to absorb the outside connection;

   (5) Whether the proposed application shall provide an economic benefit to the area; and

   (6) If the proposed connection is for a residential development, whether the applicant has incorporated affordable housing units within the development.

C. Affordable housing considerations.

[Added 6-12-2007 by L.L. No. 20-2007]

(1) No contract between the Administrator and an applicant from outside the geographical boundaries of a district may be entered into unless, in the case of a residential housing development or a development that includes a residential component, which consists of 10 or more units only, the housing development or component is comprised of no less than 20% of units that are set aside for homebuyers or renters whose income does not exceed 120% of the HUD-established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size.

(2) Prior to the approval of a contract with the Administrator, the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing shall be provided with such documentation and certification as he or she deems necessary in order to certify that the requirements outlined in Subsection **C(1)** of this section are being complied with.

(3) Upon approval of a contract with the Administrator, a covenant shall be filed on the deed of those units that are required to be set aside pursuant to Subsection **C(1)** of this section, which covenant or covenants shall contain the following restrictions:

(a) Said unit or units shall be restricted for use as affordable housing units, defined for purposes of this section as units which are set aside for homebuyers or renters whose income does not exceed 120% of the HUD-established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size, for a period of 15 years from the date of filing of the covenant or covenants.

(b) Said unit or units shall remain the principal residence of the individual or individuals who occupy the unit or units during the fifteen-year restriction described above.

(c) All covenants filed pursuant to this subsection shall be in a form approved by the Suffolk County Attorney.

D. Any contracts or agreements negotiated by the administrative head of any Suffolk County sewer district shall be subject to the final review, approval and ratification of the Suffolk County Legislature.

E. Contracts for connection of out-of-district areas meeting the definition of a municipal satellite collection system shall be in compliance with New York State Department of Conservation regulations, as amended, if applicable.
[Added 8-21-2012 by L.L. No. 53-2012]

RESOLUTION NO.
MEETING: DECEMBER 16, 2014

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION OF ADOPTION – GRANTING THE APPLICATION OF HEATHERWOOD GOLF FOR A CHANGE OF ZONE FROM A RESIDENCE 5 TO PRC RESIDENCE ON PROPERTY LOCATED IN EAST SETAUKET, NEW YORK

WHEREAS, on December 16, 2014, a duly advertised public hearing was held to consider the application of Heatherwood Golf for a change of zone from A Residence 5 to PRC Residence for 200 age restricted residences, on a parcel of property located on the e/s of Arrowhead Lane, s/o New York State Route 347, East Setauket, New York, further identified as S.C.T.M. Nos. 0200-279.00-03.00-001.000 and 0200-279.00-04.00-001.000; and

WHEREAS, after due consideration and deliberation;

BE IT RESOLVED that the above application for a change of zone is hereby approved subject to the following, and pursuant to the Findings and Conclusions herein:

CONDITIONS

1. The applicant must submit proof, to the satisfaction of the Town Attorney's Office, that the covenants and restrictions, approved as to form and substance, referenced below, have been filed with the Suffolk County Clerk's Office.

COVENANTS

1. In lieu of Pine Barrens Credits, the applicant shall dedicate to the Town of Brookhaven, a parcel known as SCTM No. 0200-508.00-01.00-013.000, approximately 40.5 acres, owned by the applicant, and located in the Manorville Farm Protection Area. Said property shall be dedicated for public purposes for farmland or open space. The applicant shall provide such deed to the Town Attorney's office for filing with the Suffolk County Clerk prior to the within change of zone becoming effective, and shall pay all costs associated with the conveyance of such property, including title insurance, surveys, and all closing costs. The applicant shall pay all real estate taxes until such time as the property is exempt from taxation.

   The Parties shall enter into an agreement that states, if the within change of zone is overturned by final Court Order, or the PRC Code effective as of the date of the

applicant's change of zone approval shall become null and void pursuant to a subsequent and final Court Order, the Town Board shall hold a public hearing seeking to revoke the PRC zoning, and upon revocation, all right, title and interest to the property dedicated shall be transferred to the grantor, and

2. The billboard located on the parcel to be dedicated, known as SCTM #0200-508.00-01.00-013.000, shall be removed prior to conveyance to the Town.

3. The applicant shall provide cross access between the PRC development and golf course for both pedestrian and vehicular movements, including golf carts, to facilitate the operation of the golf course.

4. The use of the 44.75 acres that will remain A Residence 5 zoning shall be restricted to a public golf course only, and shall remain open and operating as a golf course as it is an amenity for the PRC use.

5. A minimum of ten (10) percent of the total number of dwelling units shall be maintained in perpetuity as affordable and/or workforce units. Each of the "affordable" units shall rent or sell for an amount at or below 80% of the median income for the Nassau-Suffolk primary metropolitan statistical area as defined by the Federal Department of Housing and Urban Development. Each of the "workforce" units shall rent or sell for an amount at or below 120% of the median income for the Nassau-Suffolk primary metropolitan statistical area as defined by the Federal Department of Housing and Urban Development. A minimum of half of all such units shall be designated "affordable" in perpetuity. Applicants/Owners shall enter into a contract with a local not-for-profit housing advocacy group to administer the affordability of the housing units. However, the foregoing provision shall be subject and subordinate to any and all mortgages on such workforce/affordable unit held by a commercial bank, savings and loan association, credit union, savings bank, national bank, licensed funding company, or its successors and assigns, and shall be extinguished by a sale of foreclosure by any of said lenders, or a deed given to such lender in lieu of foreclosure.

6. The applicant shall implement traffic mitigation including the following:

   (a) Submit modified Traffic Report to reflect comments, and provide a revised accident analysis following a review of the Suffolk County Police accident records.

   (b) To mitigate the occurrence of rear-end accidents, as well as the potential for future accidents of this type, install traffic signal back plates with yellow reflective tape on the signal heads at the NY 347/Arrowhead Lane intersection. Implement additional safety improvements to mitigate any safety problems which are identified in the revised accident analysis.

(c) Construct sidewalk along the east side of Arrowhead Lane to facilitate pedestrian flow from the proposed residential development to bus stops and existing retail uses along NYS Route 347.

(d) Property dedication for Highway widening purposes as determined to be required by New York State Department of Transportation and Town of Brookhaven Highway Department based on the Traffic Study at time of site plan approval.

7. Covenant language shall be reviewed and approved by the Town of Brookhaven Law Department.

and be it further

RESOLVED, that the Town Board, as Lead Agency, has determined that pursuant to 6NYCRR Part 617.3 and 617.6, the proposed action is deemed to be an Unlisted Action for which a Negative Declaration has been issued.

FINDINGS AND CONCLUSIONS

Upon all the evidence submitted and the testimony adduced at the public hearing conducted in connection with this application, and upon due deliberation thereon, this Board hereby finds as follows:

FIRST: The subject site is located on the east side of Arrowhead Lane, 549 feet south of NYS Route 347, being situated in both East Setauket and Port Jefferson Station. It is zoned A Residence 5 and is currently developed with a golf course.

SECOND: The subject site is approximately 70.57 acres. The applicant is seeking a Town Board Change of Zone on approximately 25.82 acres to Planned Retirement Community (PRC Residence) for 200 units, while the remaining acreage continues to operate as a golf course.

THIRD: The subject site is bounded on the north by property developed and zoned MF Residence District, on the south and east by property developed and zoned A Residence 1, and to the west by property zone and developed PRC Residence and developed with an existing Planning Retirement Community.

FOURTH: The approval of this application shall be subject to the donation of farmland from the Manorville Farm Protection Area. The property to be conveyed to the Town is approximately 40.5 acres, is zone J Business 4, and is know as SCTM # 200-508-1-13.

FIFTH: The Board finds that proposed Change of Zone is consistent with development in the area, which includes an existing PRC community and multi-family development, and is consistent with Town's Comprehensive Land Use Plan, which states: The Town should strongly support and promote senior citizen housing. Diversity, affordability and flexibility in the senior citizen supply need to be promoted.

SIXTH: The Board finds that the proposed Change of Zone from A Residence 5 to Planned Retirement Community (PRC) is an Unlisted Action pursuant to NYS SEQR regulations. Specifically, the action did not meet or exceed any of the thresholds which are listed in *§617.4 Type I Actions.*

SEVENTH: The Division of Environmental Protection (DEP) has conducted a thorough and detailed review of the proposed COZ, the conceptual plan submitted and all of the relevant environmental documents submitted by the applicant and has determined that there will be no significant adverse environmental impacts as a result and that it is appropriate for the Town Board to issue a Negative Declaration. This determination is based in part upon the analysis and review of the following:

1. The applicants Full Environmental Assessment Form Part I;
2. The Town's Full Environmental Assessment Form Part II & III;
3. Soil analysis by American Analytical Laboratories, LLC., dated November 26, 2014, stating
   that no issues were found;
4. Suffolk County Sewer Agency Resolution 28-2014 stating that there is preliminary

approve for the apartment complex to tap into Sewer District #11;

5. Heatherwood Golf Management's letter received 9/22/2014 stating that a 40% reduction of
chemicals will be used.

EIGHTH: The Board finds that the proposed use of the subject property as a PRC development is an appropriate use for the site. Environmental analysis shows that the PRC use, and reduction in area of the golf course, will reduce the amount of chemicals, such as pesticides, herbicides and fertilizers, being applied on-site, and cause less of an impact to groundwater. However, the soil analysis performed showed no soil contamination that required mitigation.

NINTH: The Board also notes that further SEQRA review is required in connection with a site plan application, and therefore, a Negative Declaration herein does not substantiate final site plan approval should staff identify any contamination concerns not previously detected.

TENTH: The Board finds that the proposed development of the site for PRC will not have an adverse impact on traffic. The Traffic Impact Study states that during peak driving times minimum delays will occur at the intersection of Arrowhead Lane and State Route 347. This intersection is aligned with a New York State throughway, and therefore, the New York State Department of Transportation has jurisdiction over any work that may be performed at this intersection. However, the Town Traffic Safety Division has set forth recommended mitigation, which shall be incorporated into covenants and restrictions.

ELEVENTH: The Board shall require a covenant that the proposed golf course shall remain in operation for use by both the residents of the PRC and the public.

TWELFTH: The Board shall require, in lieu of Pine Barrens Credits, the dedication of approximately 40.5 acres owned by the applicant located in the Manorville Farm Protection Area, known as SCTM # 200-508-1-13, prior to the zoning being made effective.

CONCLUSION

Approval of a change of zoning classification is a legislative act and the legislative judgment of the Board must be allowed to control. Upon review of the application, the Board concludes that the Change of Zone to PRC Residence is appropriate for the subject site.

The subject site is currently used as a golf course. The application seeks to rezone a portion of the subject site to PRC for a 200 unit development, approximately 25.82 acres. Approximately 44.75 acres will remain a public golf course. The reduction of the area being used as a golf course will result in a 40% reduction of pesticides, herbicides and fertilizers, and would cause less of an impact of groundwater. The Board finds this beneficial to the environment.

Furthermore, the subject site is located adjacent to both an existing PRC community and multi-family development. The use of the subject site as PRC is consistent with development of adjacent property and is consistent with the character of the area.

The Board has taken the requisite "hard look" at the application for SEQRA purposes and concludes that the approval of the Change of Zone will not have a significant environmental impact. In fact, the reduction of golf course area will also reduce possible soil contaminants.

The Board concludes further that the proposed use would not create a traffic impact. Considering the site design and the golf course buffering adjacent properties, the use will cause no negative visual impacts.

The proposed use did not meet any Type I thresholds that would require further environmental analysis, and the Board concludes that there will be no significant environmental impact.

Based upon the foregoing, the applicant's Change of Zone application is approved.

File No. BR-14-09

Resolution No. ZSR-14-21 of the Suffolk County Planning Commission
Pursuant to Sections A14-14 to 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 on July 1, 2014 at the offices of the Suffolk County Planning Commission with respect to the application of "**Heatherwood at East Setauket**" located in the Town of Brookhaven

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **September 4, 2014**, now therefore, Be it

RESOLVED, that the Suffolk County Planning Commission hereby approves and adopts the report of its staff, as 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 **Approves** said referral subject to the following comments:

1. Continued 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 continue dialogue with the Suffolk County Department of Health Services and the SCDPW.

2. The petitioner should be encouraged to review the Suffolk County Planning Commission publication on the Creation of Man-Made Ponds in Suffolk County and incorporate into the proposal, where practical, design elements contained therein.

3. The petitioner 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.

4. 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.

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

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

7. A pedestrian connection should be made between the walking path circumnavigating the proposed development and Arrowhead Lane.

- 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

ZSR-14-21
File No.: BR-14-09

Proposed Heatherwood at East Setauket
Town of Brookhaven

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	ABSENT
ACCETTELLA Jr., RAMON – Town of Babylon				X
BERRY, GLYNIS – At Large		X		
CALONE, DAVID – Chairman, At Large	X			
CASEY, JENNIFER - Town of Huntington	X			
CHARTRAND, MATTHEW - Town of Islip				X
ESPOSITO, ADRIENNE - Villages over 5,000	X			
FINN, JOHN - Town of Smithtown	X			
GABRIELSEN, CARL - Town of Riverhead	X			
GERSHOWITZ, KEVIN G.- At Large	X			
KAUFMAN, MICHAEL - Villages under 5,000	X			
KELLY, MICHAEL – Town of Brookhaven	X			
PLANAMENTO, NICHOLAS - Town of Southold	X			
ROBERTS, BARBARA Town of Southampton	X			

Motion: Commissioner Kelly Present: 11

Seconded: Commissioner Casey Absent: 2

Voted: 10-1

Abstentions: None

DECISION: Adopted

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 A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

- January 6, 2016 ADDENDUM TO (9/17/91) STAFF REPORT STORY BOOK MEADOWS -

Applicant: Story Book Meadows
Municipality: Smithtown
Location: N/s/o Smithtown Blvd. (CR 16) and Aprox, 470 feet e/o Mary's Lane

Received: 11/12/2015
File Number: SM-15-INC
T.P.I.N.: 0800 16800 0100 028003
Jurisdiction: adjacent to CR 16

ZONING DATA

- Zoning Classification: RC
- Minimum Lot Area: 400,000. Sq. Ft.
- Section 278: N/A
- Obtained Variance: N/A

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: CB LP
  - Recharge Basins yes
- Groundwater Management Zone: VIII
- Water Supply: public
- Sanitary Sewers: no - private STP

PROPOSAL DETAILS

- January 6, 2016 ADDENDUM TO (9/17/91) STAFF REPORT STORY BOOK MEADOWS -

The current subject referral is for an amendment to a proposed 190 attached unit Age Restricted (Sr.) project located on the north side of Smithtown Blvd. (CR 16), approximately 470 feet east of

Mary's lane in the hamlet of Nesconset.

The 23.17 acre project site is bounded on the north by unimproved land of the applicant in the R-15 Zoning District; to the east by detached single family residences in the R-10 and R-15 Districts, school/ business property in the R-15 and NB Districts, and by an office building in the NB District; to the south across CR 16 by office/residence in the NB District; and to the west by single family residences in the R-15 District and commercial/business and single family residences in the NB District.

The Suffolk County Planning Commission has recently received a referral from the Town of Smithtown to consider a request of the applicant to amend a prior approval for a change of zone on the site by the Town to add an additional 38 "bonus units" for a total of 228 dwelling units. The unit breakdown would consist of 50 two bedroom units and 178 one bedroom units. Approximately 20 percent of the units are anticipated to be "affordable". A new private operated individual sewage treatment plant is proposed.

The regulatory history on the subject property related to the SCPC is as follows:

- SCPC Disapproved a referral from the Town of Smithtown on 9/5/91 for a COZ to Retirement Community (RC) from R-15 and NB for 240 garden apartment units (see attached).
- SCPC unable to carry a motion for either Approval/Disapproval on 1/8/92 for a referral from the Town of Smithtown for similar proposal on same site: No action (see attached).
- Town of Smithtown override of SCPC disapproval 12/10 /96 covenants filled 4/1/97
- Referral to SCPC 1/8/15 for mod of COZ and covenants to add 78 bonus units deemed incomplete
- 11/12/15 SCPC received a referral from the Town of Smithtown for a new site plan and application to amend to 38 bonus units for a total of 228 units.

See attached staff report (September 17, 1991) for additional information.

STAFF ANALYSIS

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, storm-water flooding in the area of Lake Ronkonkoma is a re-occurring problem. While the petitioners are proposing catch basins, leaching pools and two recharge basins, the applicant should review the Suffolk County Planning Commission publication entitled "Managing Stormwater-Natural Vegetation and Green Methodologies" to naturally accommodate on site storm water runoff generated from impervious surfaces proposed.

In addition, the applicant is proposing an individual private sewage treatment plant for the handling of sanitary waste from the proposed development. Several developments in the area may have the capacity to handle the flow of waste from the proposed development including: Nob Hill (489 condos) to the southwest, The Woods at Smithtown (56 condos) to the southeast and a proposed 66 unit apt complex to the north west called "Lancelot Gardens" by Story Book Homes (needs a change of zone from lower density residential and professional office districts). An analysis of the STP's in the area and the available capacity of them to accommodate flow from the proposed development is warranted. Moreover, discharge of treated wastewater to the ground on site and hence the ground water table has the potential to exacerbate problems with respect to absorption and retention of storm water on site and may impact storm water flooding in the vicinity. Geology in the vicinity of the site includes a clay deposit or lens below the ground surface that may impact the ability of the site for ground absorption and retention of injected treated water. 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 Department of Health Services and the SCDPW as early as possible.

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 for the residential and clubhouse components of the proposal.

The proposed project does address the need for a diversity of housing stock in Suffolk County and addresses special need housing by providing a form off Senior or age restricted housing for the vicinity. According to the American Association of Retired People (AARP), 1 in 3 Americans are 50 or older and by 2030 one out of every five people in the U.S. will be 65+. To address this growing demographic in 2012, AARP published "Aging In Place: A Toolkit for Local Governments"([1]) containing several recommendations that are pertinent to this proposed project.

While the majority of older adults are living now where they will live as they age, new construction is an important part of aging in place as we look to the future. Communities can implement changes now to insure that they have a housing stock to meet the needs of the rapidly growing older adult population.

Recommendations of the "Aging in Place: A Toolkit for Local Governments" include:

- Create a Variety of Housing Types: Allow the construction of a variety of housing types to fit the needs and desires of the full spectrum of citizens: single-family detached homes, row houses, walk-up apartments, apartments above retail, granny flats above garages. All types of housing should be integrated into the community to preclude the de facto segregation that characterizes most cities today.

- Incorporating Accessibility Standards in New Construction: Encourage homebuilders and contractors to construct new homes according to accessibility standards and avoid the construction of "Peter Pan Housing"-- housing for those who never grow old.

- Walkability: In a healthy, socially vibrant community, residents must be able to walk. As people age, they may lose the ability to drive safely long before they lose the ability to walk. Walking is the favored mode transportation for seniors who are either uncomfortable driving or unable to do so. Walking helps maintain health and important social interactions. Providing safe sidewalks and dependable public transit for older adults can reduce the overall cost of personal services. Guidelines are provided in the report.

- Enhancing Transportation Services: A comprehensive, consumer-friendly transportation program addresses: driver safety efforts, improved public transit services, integrated taxi/ paratransit services, enhanced pedestrian facilities, volunteer services, escort ("hand-to-hand") services and emergency transportation services.

[1] Accessed at: http://www.aarp.org/content/dam/aarp/livable-communities/plan/planning/aging-in-place-a-toolkit-for-local-governments-aarp.pdf

The subject property has a WalkScore of 58 out of 100 possible points, and is rated as "somewhat walkable". Currently, no Suffolk County Transit bus traverses east to west along Smithtown Blvd. (CR 16) in front of the project site. The closest route is the S-57 to the east of the property line of the subject site approx. 1,050 feet at the intersection of Rosevale Ave and Smithtown Blvd. To the west the closest route is the S-3D along north-south Terry Road. The distance to this route is approximately 1600 feet from the frontage of the project site along Smithtown Blvd. The County of Suffolk has investigated (2009) a new bus route that will travel along the CR 16 corridor in this area that could provide access for many transit-dependent individuals to the Ronkonkoma railroad station, downtown Smithtown and Kings Park and St. Catherine's hospital. This service is still pending. The applicant and the Town of Smithtown should coordinate with the County to facilitate the development of this route there is no full service supermarket that is walkable in the area though a "Handy Pantry" is adjacent to the subject property. Many small shops and offices and various strip shopping centers are found along the CR 16 corridor but the ability for Senior Citizens to safely walk to these locations is questionable. In terms of other locational criteria, the subject site is not situated close to a central business district or hamlet area that provides a concentration of community facilities, shopping or public recreational open space.

Traffic impact analysis for the proposed project was not provided to the offices of the Suffolk County Planning Commission in the current referral. However, this office did locate a traffic study that was conducted in November 1991 for the proposed 240 unit senior citizens project. The results of that analysis concluded that "the proposed development will not have an adverse effect on the traffic flow in the immediate vicinity of the site." This conclusion was based on the relatively lower trip generation characteristics of age restricted (Sr.) developments, comparison to the potential trip generation if the project had been developed as-of-right (at the time) as 47 homes and 21,000 SF of stores, limited site access and adequate sight distances in the vicinity of the proposed access road, intersection capacity analysis performed at the adjacent signalized intersections and the use of the existing Suffolk County bus routes by residents and visitors of the proposed development. In so much as bus routes have not developed in front of the subject property and twenty five years has passed since this office has received a traffic impact study for the development proposed, it is the belief of the staff that a current traffic study to determine if congestion mitigation measures as proposed are adequate or if additional mitigations are warranted.

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 and incorporate into the proposal, where practical, design elements contained therein.

It is the belief of the staff that in light of the level of environmental review on prior iterations of the proposed Sr. Citizen project on this site that the 1991 DEIS on the project is in need of a supplemental update to investigate the issues outlined above.

STAFF RECOMMENDATION

Approval to amend the prior approval to Story Book Meadows for a change of zone on the site by the Town of Smithtown to add an additional 38 “bonus units” for a total of 228 dwelling units, subject to the following comments:

1. Continued 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 continue dialogue with the Suffolk County Department of Health Services and the SCDPW.

2. The petitioner should be encouraged to review the Suffolk County Planning Commission publication on the Creation of Man-Made Ponds in Suffolk County and incorporate into the proposal, where practical, design elements contained therein.

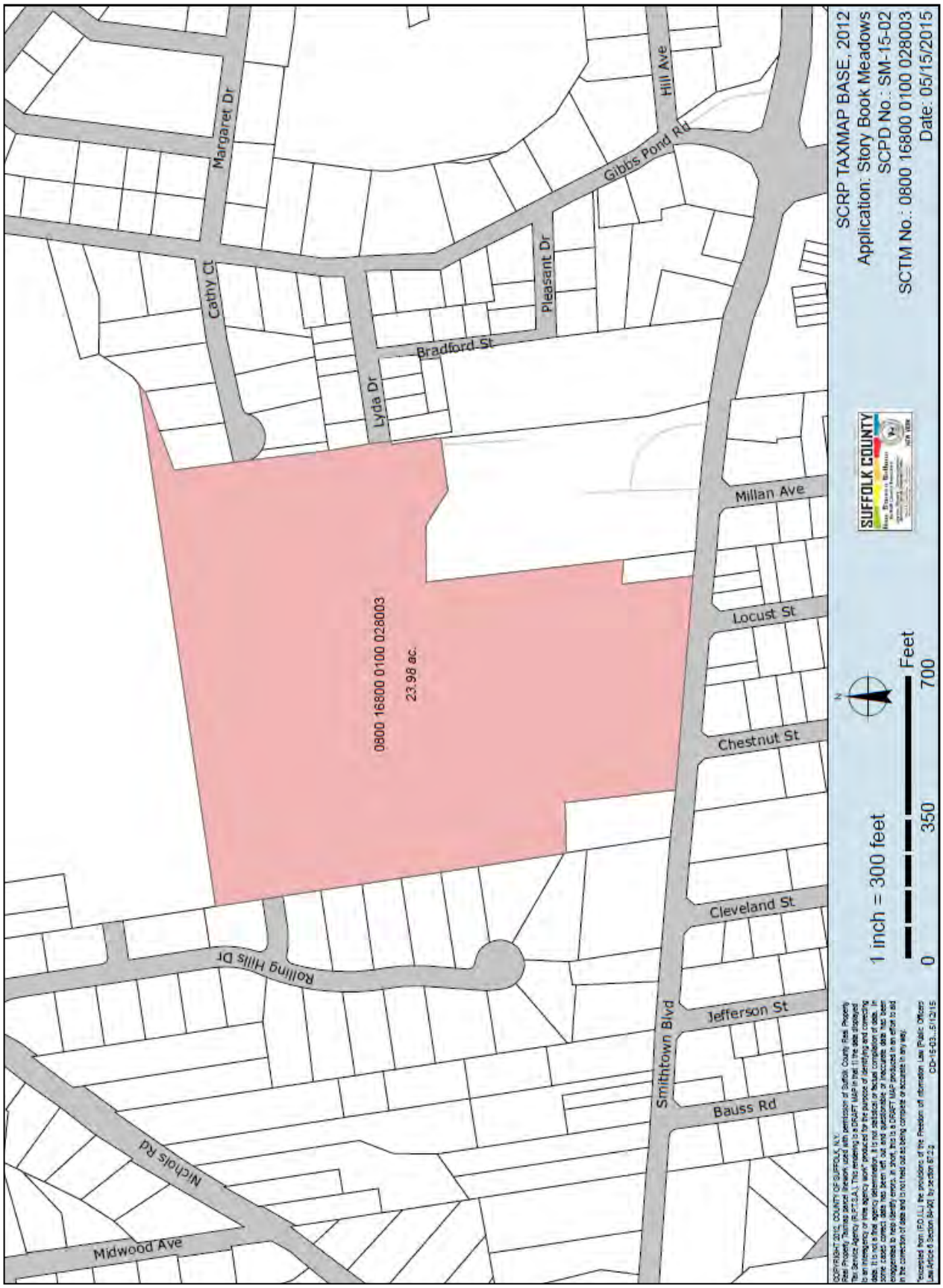
3. The petitioner should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

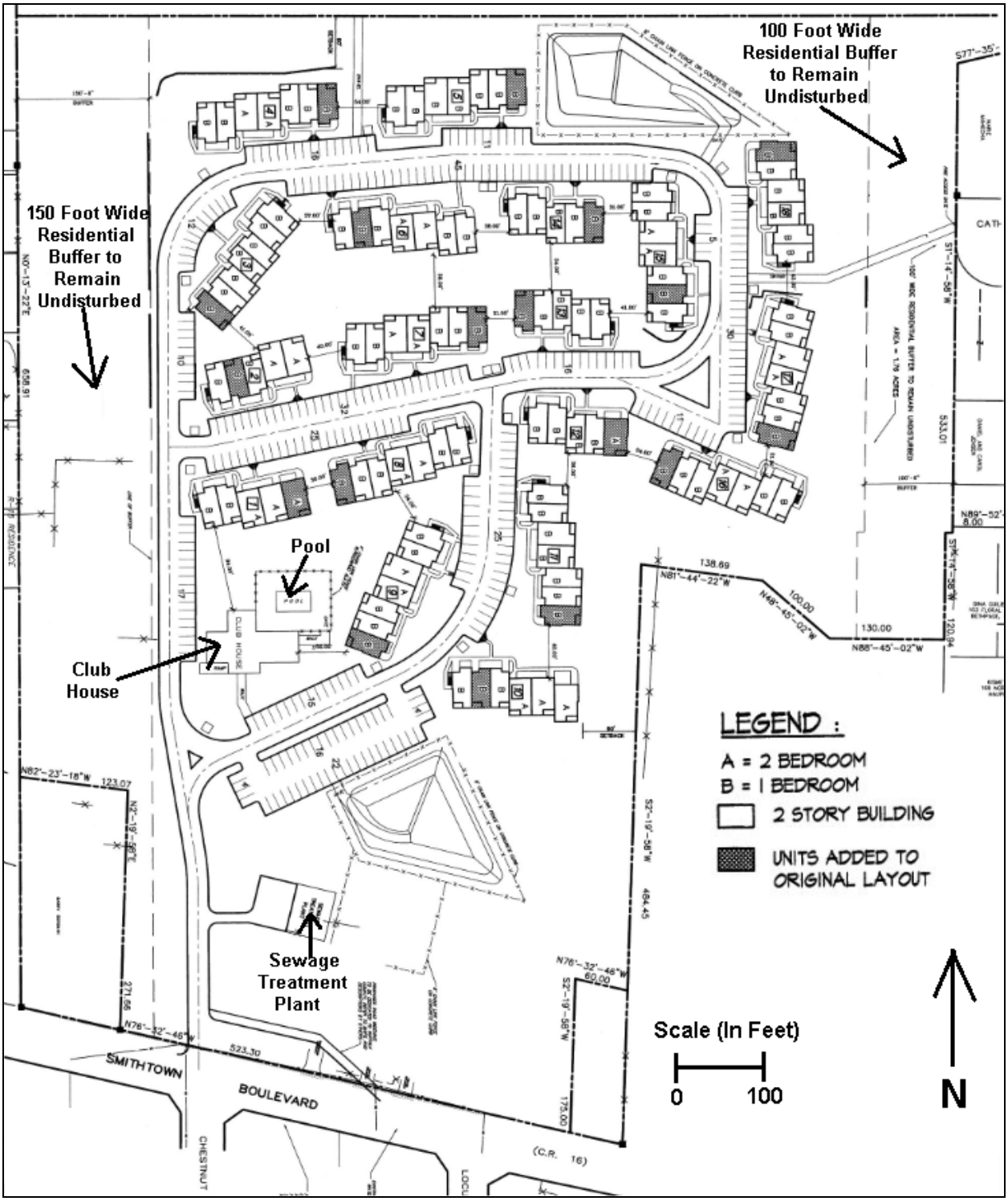
4. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.

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

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

7. A supplement to the 1994 DEIS should be prepared to examine hydro-geologic issues related to stormwater runoff and flooding, degree and technology of sewage treatment and discharge to the groundwater, traffic and other related issues.


SCRP TAXMAP BASE, 2012
Application: Story Book Meadows
SCPD No.: SM-15-02
SCTM No.: 0800 16800 0100 028003
Date: 05/15/2015
SUFFOLK COUNTY
1 inch = 300 feet
0
350
700
Feet
0800 16800 0100 028003
23.98 ac.
Margaret Dr
Cathy Ct
Lyda Dr
Bradford St
Pleasant Dr
Gibbs Pond Rd
Hill Ave
Millan Ave
Locust St
Chestnut St
Cleveland St
Jefferson St
Bauss Rd
Smithtown Blvd
Rolling Hills Dr
Nichols Rd
Midwood Ave



Z-2: Story Book Meadows
SCPD: SM-15-Inc
SCTM No: 0800-168.00-01.00-028.003

COUNTY OF SUFFOLK

PATRICK G. HALPIN
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

ARTHUR H. KUNZ
DIRECTOR OF PLANNING

September 5, 1991

Mr. Victor T. Liss, Town Clerk
Town of Smithtown
99 West Main Street
Smithtown, New York 11787

Re: Application of "Stony Brook Homes, Inc." (#90-3A) for a change of zone from "NB" and "R-15" to "RM-GA", Town of Smithtown (SM-91-16).

Dear Mr. Liss:

Pursuant to the requirements of Sections A14-14 to 23 of the Suffolk County Administrative Code, the Suffolk County Planning Commission on September 4, 1991 reviewed the above captioned application and after due study and deliberation Resolved to disapprove it because of the following reasons:

1. It constitutes the unwarranted extensive encroachment of multi-residence development into a single family residence district;

2. It would tend to impair the zoning stability of surrounding single family residence zoned lands;

3. The existence of two (2) local residential tap streets on the easterly boundary of premises indicates planned single family residence development thereof;

4. It is inconsistent with prevailing permitted single family residence development patterns throughout the periphery of premises; and,

5. A significant portion of premises can be reasonably developed in accordance with existing zoning.

VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, L.I., NEW YORK 11788
(516) 360-5192

The complexity of the property suggests a more comprehensive approach to zoning layout and design - affordable housing, and mitigating measures for traffic problems. Also, if the issue of sewer disposal for a wider area is addressed, we will reconsider the application.

Very truly yours,

Arthur H. Kunz
Director of Planning

by _____
Gerald G. Newman
Chief Planner

GGN:mb
cc: Planning Dept.

2-2

File No. SM-91-164

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	NOT PRESENT
DENNIS LYNCH	✓			
FELIX J. GRUCCI, JR.	✓			
NANCY NAGLE KELLEY		✓		
ELAINE CAPOBIANCO		✓		
MAURICE O'CONNELL				✓
ROBERT DONNELLY				✓
GEORGE R. GOHN				✓
ANTHONY YARUSSO			✓	
GILBERT SHEPARD				✓
MARK MC DONALD				✓
SAMUEL STAHLMAN	✓			
LLOYD L. LEE				✓
STEPHEN JONES	✓			
MARDOONI VAHRADIAN	✓			
DONALD EVERSOLL	✓			

Decision 3 app

Motion Stahlman

Second Grucci

Vote 6 ayes

Abstain Yarusso

(no action) (6)

6 ayes

Present 9

Absent 6

File No. SM-91-16A

Resolution No. ZSR-92-02 of the Suffolk County Planning Commission
Pursuant to Sections A 14-14 to 23 of the Suffolk County Administrative Code

WHEREAS, pursuant to Sections A 14-14 to 23 of the Suffolk County Administrative Code, a proposed zoning action was received at the offices of the Suffolk County Planning Commission on December 19, 1991 with respect to an application of "Story Brook Homes" (#90-3A) for a change of zone from "NB" & "R-15" to "RC" affecting premises situated on the north side of Smithtown Boulevard (C.R. 16) approximately 470 feet east of Mary's Lane at Nesconset in the Town of Smithtown, and

WHEREAS, said application was considered by the Suffolk County Planning Commission at its meeting on January 8, 1992 and

WHEREAS, the Commission considered a motion to conditionally approve said application

WHEREAS, The Suffolk County Planning Commission considered the report of its staff as the report of the Commission, Be It Therefore

RESOLVED, That a motion was considered to conditionally approve* said application subject to the following:

1. Premises shall be limited to no more than 200 dwelling units, preferably less;

2. Twenty (20) percent of the dwelling units shall be encumbered for "affordable" purposes;

3. The "affordable" housing units shall be appropriately encumbered to insure long term affordability;

4. Traffic improvements shall be provided consistent with a traffic analysis acceptable to the Suffolk County Dept. of Public Works;

5. Vehicular access to the premises shall be via multiple roadways; and,

6. Appropriate buffering and shielded lighting shall be provided to adequately protect nearby residences.

*Motion failed to carry.

Motion by: Commissioner Stahlman Seconded by: Commissioner Grucci

Commission Vote:	9 Present -	Ayes	6	
		Nays	2	Commissioner Kelley and Commissioner Capobianco
		Abstentions	1	Commissioner Yarusso

Dated January 8, 1992
Hauppauge, New York
Suffolk County Planning Commission

File No. SM-91-16

Resolution No. ZSR-91-136 of the Suffolk County Planning Commission
Pursuant to Sections A 14-14 to 23 of the Suffolk County Administrative Code

WHEREAS, pursuant to Sections A 14-14 to 23 of the Suffolk County Administrative Code, a proposed zoning action was received at the offices of the Suffolk County Planning Commission on August 5, 1991 with respect to an application of "Story Brook Homes, Inc." (#90-3A) for a change of zone from "NB" & "R-15" to RM-GA affecting premises situated on the north side of Smithtown Boulevard (C.R. 16) approximately 470 feet east of Mary's Lane at Nesconset in the Town of Smithtown, and

WHEREAS, said application was considered by the Suffolk County Planning Commission at its meeting on September 4, 1991 and

WHEREAS, the Commission has voted to disapprove said application, Be It Therefore

RESOLVED, That the Suffolk County Planning Commission hereby approves and adopts the report of its staff, as modified, as the report of the Commission, Be It Further

RESOLVED, That said application is disapproved for the following reasons:

1. It constitutes the unwarranted extensive encroachment of multi-residence development into a single family residence district;

2. It would tend to impair the zoning stability of surrounding single family residence zoned lands;

3. The existence of two (2) local residential tap streets on the easterly boundary of premises indicates planned single family residence development thereof;

4. It is inconsistent with prevailing permitted single family residence development patterns throughout the periphery of premises; and,

5. A significant portion of premises can be reasonably developed in accordance with existing zoning.

The complexity of the property suggests a more comprehensive approach to zoning layout and design - affordable housing, and mitigating measures for traffic problems. Also, if the issue of sewer disposal for a wider area is addressed, we will reconsider the application.

Resolution No. ZSR-91-136 SM-91-16

Motion by: Commissioner Eversoll Seconded by: Commissioner Grucci

Commission Vote:	9 Present -	Ayes	8	
		Nays	0	
		Abstentions	1	Commissioner Yarusso

Dated September 4, 1991
Hauppauge, New York
Suffolk County Planning Commission

Z-5

File No. SM-91-16

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	NOT PRESENT
DENNIS LYNCH	✓			
FELIX J. GRUCCI, JR.	✓			
NANCY NAGLE KELLEY	✓			
ELAINE CAPOBIANCO				✓
MAURICE O'CONNELL				✓
ROBERT DONNELLY				
GEORGE R. GOHN	✓			
ANTHONY YARUSSO			✓	
GILBERT SHEPARD	✓			
MARK MC DONALD				✓
SAMUEL STAHLMAN				✓
LLOYD L. LEE	✓			
STEPHEN JONES	✓			
MARDOONI MAHRADIAN				✓
DONALD EVERSOLL	✓			

2nd reading

Decision Adopted

Motion Eversoll

Second Grucci

Vote Stayles

Abstain Yarusso

(unanimous)

Present 10

Absent 5

STAFF REPORT
SECTIONS A 14-14 to 23 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Municipality	Town of Smithtown	File Number	SM-91-16
Applicant(s)	Story Brook Homes, Inc.	Expiration Date	September 17, 1991

The Proposal and Its Location

Application to amend the zoning ordinance and map by rezoning a parcel of land from "NB" (neighborhood business uses on 7,500 sq. ft. lots) and "R-15" (single family residences on 15,000 sq. ft. lots) to "RM-GA" (garden apartments at 17.4 units/acre on minimum two (2) acre lots). The property is situated on the north side of Smithtown Boulevard (C.R. 16), approximately 470 ft. east of Mary's Lane at Nesconset.

Description and Analysis

The proposal is to erect 200 Senior Citizen apartments (60 one bedroom and 140 two bedroom) and 40 apartments (24 one bedroom and 16 two bedroom) for young adults or the hearing impaired on a 23 ± acre parcel (10.4 units/acre) which has approximately 268 ft. of frontage on C.R. 16 and extends northerly 1,240 ± ft. The preliminary site plan calls for the erection of 18 two story buildings, a clubhouse, tennis courts, pool, sewage treatment plant, one (1) point of vehicular access via C.R. 16 and one (1) via Rolling Hills Drive and building setbacks to within 40 ft. of the periphery of premises. The entire frontage of premises along C.R. 16 comprising 1.3 ± acres is zoned "NB" to a depth of 200 ft. Premises is currently occupied by two single family residences and a truck storage company to be removed. Under existing zoning approximately 41 single family residences could be erected on the 21.7 ± acre residence zoned portion of premises.

An application to rezone premises as set forth herein to erect 264 apartments (132 one bedroom and 132 two bedroom) at 12 units/acre was disapproved by the Suffolk County Planning Commission on 2/7/90 and subsequently withdrawn.

Subject property is bounded on the north by unimproved land of applicant in the "R-15" District; to the east by single family residences in the "R-10" & "R-15" Districts, the Cleary School for the Deaf in the "R-15" and "NB" Districts, and by an office building in the "NB" District; to the south across C.R. 16 by an insurance office/residence in the "NB" District; and to the west by unimproved land/single family residences in the "NB" and "R-15" Districts.

Reiterating previous staff contentions:

1. It constitutes the unwarranted extensive encroachment of multi-residence development into a single family residence district;

2. It would tend to impair the zoning stability of surrounding single family residence zoned lands;

3. The existence of two (2) local residential tap streets on the easterly boundary of premises indicates planned single family residence development thereof;

4. It is inconsistent with prevailing permitted single family residence development patterns throughout the periphery of premises; and,

5. A significant portion of premises can be reasonably developed in accordance with existing zoning.

Staff Recommendation

Disapproval

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

- January 6, 2016 Addendum to the 11/4/15 staff report -

Applicant: The Heritage @ Cutchogue
Municipality: Town of Southold
Location: Northwest corner of Griffing Street and School House Road

Received: 10/06/15 & 12/8/15
File Number: SD-15-03
T.P.I.N.: 1000 10200 0100 033003
Jurisdiction: Within 500 feet of Agricultural District # 1 and New York State Lands

ZONING DATA

- Zoning Classification: Hamlet Density (HD)
- Minimum Lot Area: 20,000. 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: Pending
- 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 DEIS
- Minority or Economic Distressed No

SITE DESCRIPTION

- Present Land Use: Vacant
- Existing Structures: None
- General Character of Site: Vacant, partially wooded and generally level
- Range of Elevation within Site: 20' to 38' amsl
- Cover: Partially wooded

- Soil Types: Haven Loam, Plymouth Loamy Sand and Riverhead Sanding Loam
- Range of Slopes (Soils Map): 0-15%
- Waterbodies or Wetlands: None

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Site Plan
- Layout: Condominium complex with attached and detached residential units
- Area of Tract: 46.03 acres
- Yield Map: N/A
- Open Space: 23 Acres (interspersed throughout the development)

ACCESS

- Roads: Public access off the corner of School House Lane and Griffing Street
- Driveways: Proposed Internal Road Network

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
  - Design of System: Drywells, drainage basins and drainage ponds
  - Recharge Basins Three
- Groundwater Management Zone: IV
- Hydrogeologic Zone IV
- Water Supply: Public SCWA
- Sanitary Sewers: Proposed on-site sanitary systems

ADDENDUM to the 11/4/15 staff report:

On November 4, 2015 the Suffolk County Planning Commission resolved to deem the referral of "The Heritage at Cutchogue" site plan application Incomplete until the Draft Environmental Impact Statement (DEIS) particularly including detailed information relating to:

- A complete traffic analysis for the proposed development project;
- A complete wastewater analysis for the proposed development project; and
- A complete soil remediation plan for the proposed development project

was submitted to the Commission (see attached).

The DEIS for the project was received by the offices of the Suffolk County Planning Commission and posted to the web on 12/8/15 at http://www.southoldtownny.gov/index.aspx?nid=270

Appendix G of the DEIS included a traffic study prepared by VHB Engineering, Surveying and Landscape Architects, P.C. dated June 2015. The Traffic study concluded that 1) the proposed project would generate moderate amount of traffic during the a.m., p.m. and Saturday peak periods 2) the traffic generated by the development can be accommodated by the adjacent roadway network, and 3) no mitigation is recommended as a result of the proposed development.

The DEIS, within the wastewater sections of the document, detailed the allowable wastewater flow on the subject property (in accordance with Suffolk County Sanitary Coad Article 6) to be 22,540 gpd. The design flow for the proposed Heritage at Cutchogue project is 22,500 gpd. and therefore would allow for the use of conventional septic systems. Thirty-seven (37) clustered septic systems are proposed and are designed to serve two to four housing units. Section 5.2 of the DEIS reviewed

alternative designs for waste water treatment on site including new technologies being explored by the Suffolk County Department of Health Services. The project sponsors have indicated a willingness to work with the SCDHS toward the most optimal treatment method for waste water generated at the project site form the proposed development.

Elevated levels of arsenic and mercury were identified in a soil pesticides report dated November 8, 2007 prepared by VHB. The DEIS for the Heritage at Cutchogue in section 2.1 details a preliminary soils management plan that includes scraping and stockpiling the top layer of impacted soils to various depths, covering the stockpiles with polyethylene plastic, burial of impacted soils beneath a minimum of one foot of clean soul at various locations of open space across the subject property and mixing of impacted soils with clean sandy material for use as fill within the berm areas.

The proposed soil management plan is put forth by the applicant to be designed in accordance with Suffolk County Department of Health Services draft guidance and is to be submitted for review and approval to the town of Southold and SCDHS prior to its implementation.

With the above considerations put forth, the staff recommends approval of the referred site plan of The Heritage at Cutchogue with the prior eight staff report comments (below).

PROPOSAL DETAILS from 11/4/15 staff report

OVERVIEW – Applicants seek site plan approval for a planned retirement community complex on 46.03 acres in the hamlet of Cutchogue, Town of Southold. The planned retirement community is proposed to consist of a 124 condominium units, 284 parking spaces and a 6,188 square foot community center with an outdoor swimming pool and an outdoor tennis court. The proposal also includes approximate 23 acres of designated open space areas, drainage ponds and drainage basins. The Suffolk County Planning Commission has jurisdiction for this site plan application because the subject property is located within 500 feet of an Agricultural District and within 500 feet of New York State lands.

The subject property is located approximately 1,079 feet north of Main Road (State Road 25) on the northwest corner of Griffing Street and School House Road. Access into the proposed development is off the northwest corner of Griffing Street and School House Road. A looped interior road network is proposed to provide access to the condominium units and the community center. Two emergency crash gate access points are proposed on the western property boundary which would connect to Bridle Lane and Spur Road.

This site plan application is subject to a stipulated settlement between the applicant and the Town of Southold. The stipulated settlement set a maximum number of permitted units for the development at 130 units and a maximum permitted floor area of 245,000 square feet. The site plan proposes 124 units and a maximum floor area of 219,076 square feet. The 124 proposed condominium units include 48 “Type A” 3 bedroom, 1,999 square foot units, 72 “Type B” 2 bedroom, 1,599 square foot units, and 4 “Type C” 3 bedroom, 1,999 square feet units. The Type A units are detached units and the Type B and C units are duplex units.

The subject property is zoned Hamlet Density (HD). The proposal conforms with the Town of Southold’s Hamlet Density zoning district’s set back requirements, lot coverage, open space, and maximum height requirements. The Hamlet Density zoning district requires a 50 percent set aside for open space and this is provided via designated open space areas located around the proposed development areas. The site plan application also provides 284 parking spaces which is in conformance with the Town of Southold’s parking requirements.

Storm water runoff from the proposed development is to be collected by a combination of on-site

drainage basins, storm water ponds and small recharge basins. Wastewater for the residential units and the community center are proposed to be accommodated by 36 separate on-site sanitary systems. The subject property is located in Groundwater Management Zone IV. The subject property is not located in a Critical Environmental Area and there are no NYSDEC mapped freshwater wetlands on or immediately adjacent to the subject property.

STAFF ANALYSIS from 11/4/15 staff report

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 are such issues as compatibility of land uses, community character, public convenience and maintaining a satisfactory community environment.

The proposed development appears to be compatible with the existing land uses in the area. The entrance to the planned development district is approximately 1,000 feet from Main Street and the Cutchogue business district. The Cutchogue Business district includes places of worship, retail establishments and food services. This business district will be an important resource to the retirement community and will benefit from the increased patronage. Immediately adjacent to the proposed developed is a mix of farmland uses and single family residential properties. The proposed planned retirement complex appears to be a compatible land use. In addition, at least 75 feet of setbacks are proposed between the proposed condominium units and the property boundaries providing good buffering between the proposed developed and the adjacent properties.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Southold is currently working on its Comprehensive Plan Southold 2020 with the Land Use Chapter. The Town's 2004 Comprehensive Waterfront Revitalization Plan does indicate a zoning district of Hamlet Density Residential District for the subject property. As noted in the Proposal Details section of the staff report the number of residential units for the subject property was determined by a stipulated settlement. The proposed developed does appear to be in conformance with the other aspects of the Hamlet Density District including district requirements including setbacks, lot coverage, open space, and maximum height requirements.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities that 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 previously, all wastewater from the Heritage at Cutchogue project is proposed to be accommodated by 36 separate on-site sanitary systems. Advanced wastewater treatment including the possibility of sewering and/or innovative/alternative systems is appropriate for this site and

continued review and dialogue with the Suffolk County Department of Health Services is warranted.

The referral materials indicate that there may be soil contaminates such as pesticides present in the subject property's soils. In addition the referral materials indicate that as a result the top twelve inches of surface soils will be excavated and placed on a berm onsite. The applicant should continue to work with all appropriate regulatory agencies including the New York State Department of Conservation, Suffolk County Department of Health Services and the Town of Southold to insure that any impacted soils on the subject property are properly handled and mitigated.

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 drainage basins, two large ponds and three small recharge basins. It is the belief of staff that opportunities exist on site, during site plan stages to incorporate additional best management practices to the treatment of storm water runoff. The petitioners should be encouraged to review the Suffolk County Planning Commission publications *Creation 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.

There was not information in the referral materials indicating that the project will incorporate energy efficiency into the site design. 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 for the residential and community center components of the development.

Suffolk County Bus Transit route SC-92 runs along Main Road (NYS Route 25) approximately 1,000 feet south of the subject property. The applicant should contact Suffolk County Transit to coordinate bus service to the proposed development.

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 and incorporate into the proposal, where practical, design elements contained therein.

In addition, the referral materials did not provide information regarding affordable housing. The applicant should work with the Town to insure that the proposal is in conformance with the New York State Long Island Workforce Housing Act.

STAFF RECOMMENDATION

Approval of the site plan for The Heritage @ Cutchogue with the following comments:

1. Advanced wastewater treatment including the possibility of innovative/alternative nitrogen reducing systems are appropriate for this proposed development and the petitioner should be directed to continue dialogue with the Suffolk County Department of Health Services regarding the use of innovative alternative wastewater treatment for the proposed development.

2. The applicant should continue to work with all appropriate regulatory agencies including the New York State Department of Conservation, Suffolk County Department of Health Services and the Town of Southold to insure that any impacted soils on the subject property are properly handled and mitigated.

3. The applicant should be encouraged to review the Suffolk County Planning Commission

publication on the Creation of Man-Made Ponds in Suffolk County and incorporate into the proposal, where practical, design elements contained therein.

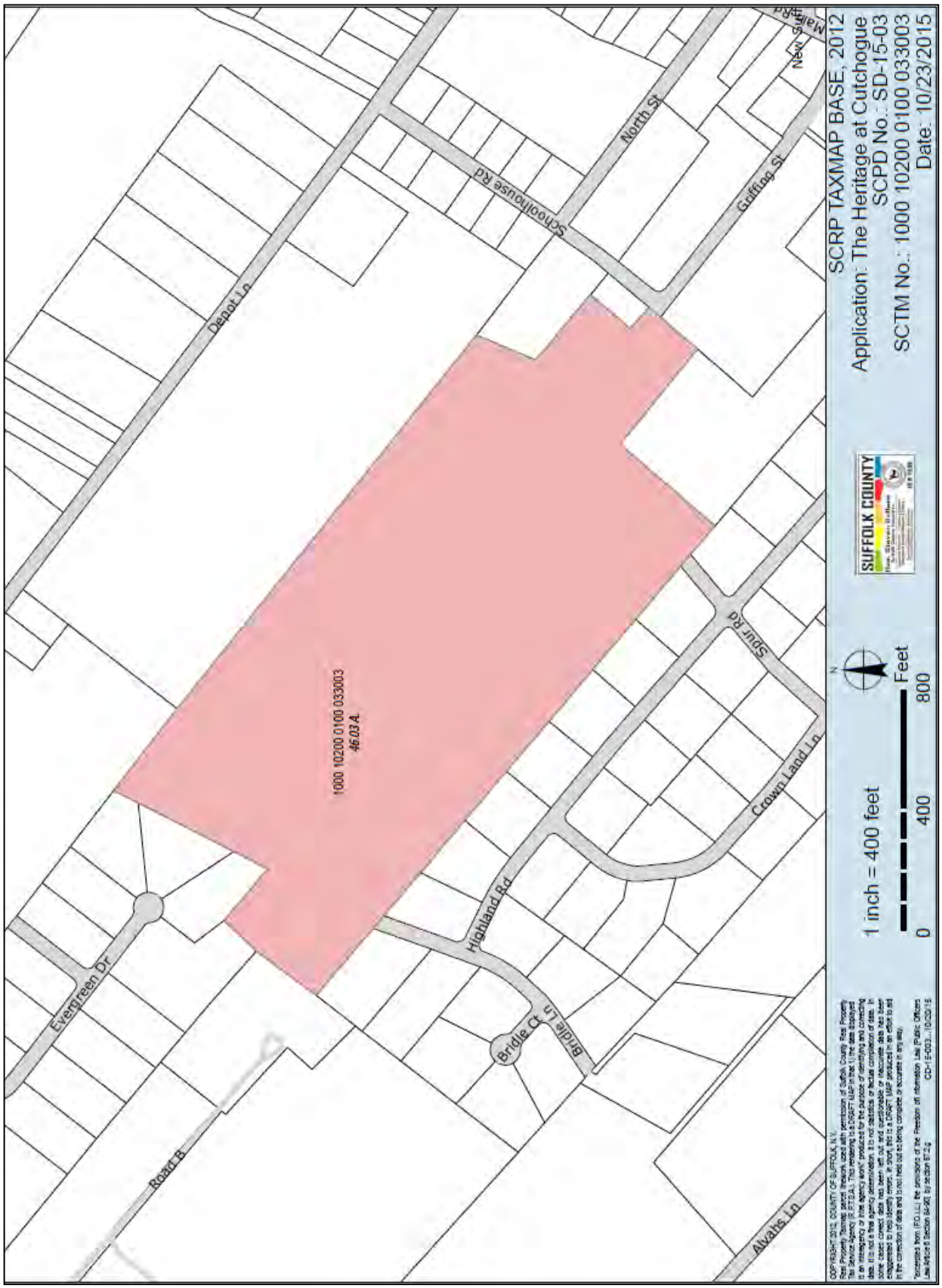
4. The applicant should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

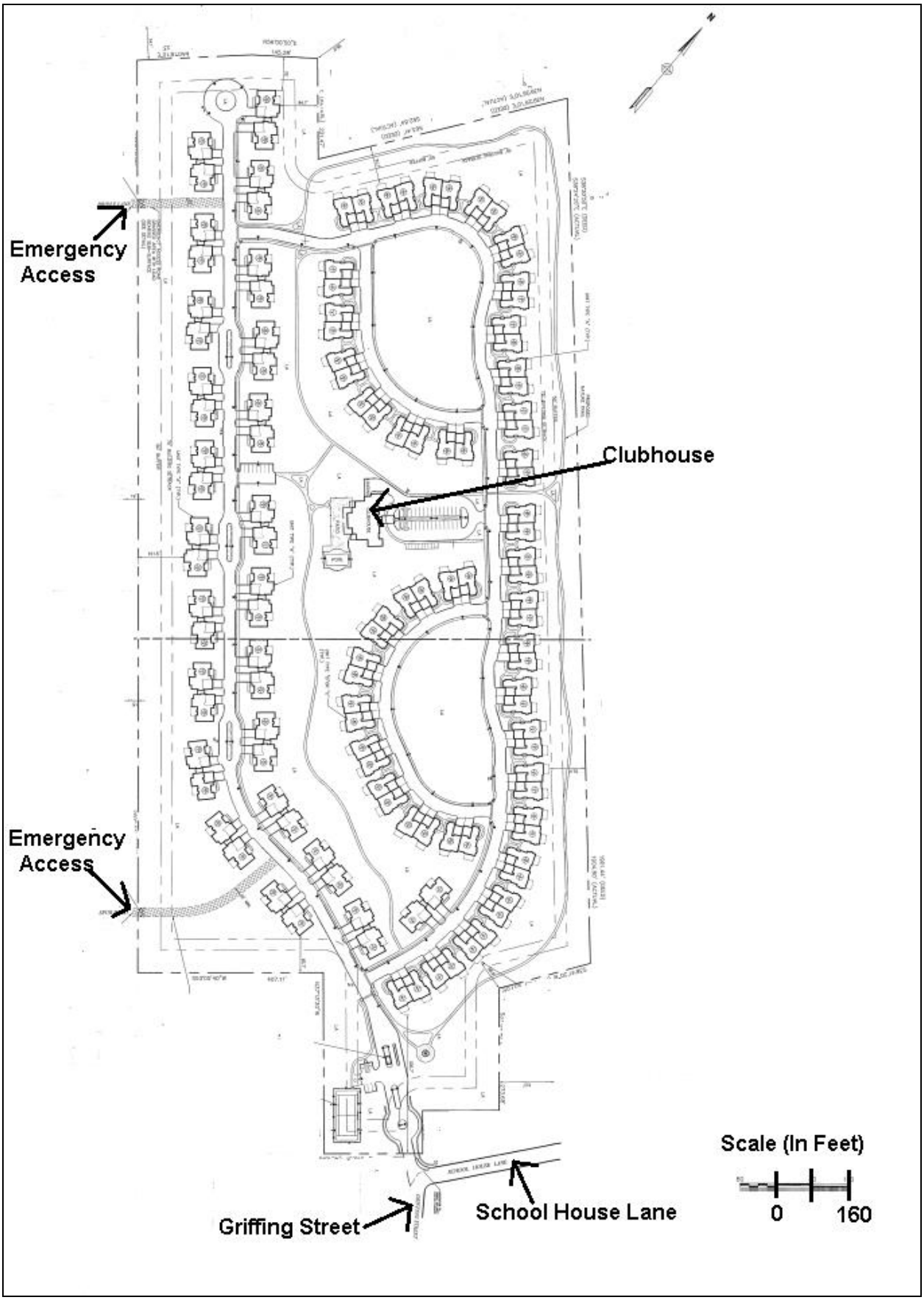
5. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.

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

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

8. The applicant should work with the Town to insure that the proposal is in conformance with the New York State Long Island Workforce Housing Act.


SCRP TAXMAP BASE, 2012
Application: The Heritage at Cutchogue
SCPD No.: SD-15-03
SCTM No.: 1000 10200 0100 033003
Date: 10/23/2015
SUFFOLK COUNTY
1 inch = 400 feet
0 400 800 Feet
N
1000 10200 0100 033003
46.03 A
Depot Ln
Schoolhouse Rd
North St
Griffing St
Main St
New St
Spur Rd
Crown Land Ln
Highland Rd
Bridle Ln
Bridle Ct
Evergreen Dr
Road B
Alvahs Ln


Emergency Access
Clubhouse
Emergency Access
Scale (In Feet)
0
160
Griffing Street
School House Lane

Resolution No. ZSR-15-32 of the Suffolk County Planning Commission
Pursuant to Sections A14-14 to 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 on October 15, 2015 at the offices of the Suffolk County Planning Commission with respect to the application of **"The Heritage at Cutchogue"** located in the Town of Southold, and

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **November 4, 2015**, and

WHEREAS, it is the belief of the Suffolk County Planning Commission that due to its nature and location said referral requires careful consideration in regards to a number of environmental issues; and

WHEREAS, it was discussed at the November 4, 2015 Suffolk County Planning Commission meeting that the State Environmental Quality Review Act (SEQRA) information for said application in the form of a Draft Environmental Impact Statement (DEIS) is not yet available and was not included in the referral materials to the Suffolk County Planning Commission, now therefore, be it

RESOLVED, that the Suffolk County Planning Commission, pursuant to NYS General Municipal Law Section 239-m 1. (c), the Suffolk County Administrative Code Section A14-15C., and the Suffolk County Planning Commission Guidebook Section 2.1A, deems the municipal referral **The Heritage at Cutchogue**, to be **Incomplete** with respect to a "full statement" of facts, and be it further

RESOLVED, that the above noted referral will not be reviewed until the following information is submitted through the offices of the municipal referring agency:

1. The Draft Environmental Impact Statement for the Heritage at Cutchogue Site Plan Application including detailed information relating to:

    - A complete traffic analysis for the proposed development project.
    - A complete wastewater analysis for the proposed development project.
    - A complete soil remediation plan for the proposed development project.

- 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/Portals/0/planning/Publications/SCPCguidebk12r.pdf

ZSR-15-31

File No.: SD-15-03

The Heritage at Cutchogue

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	RECUSED	ABSENT
ACCETTELLA Jr., RAMON – Town of Babylon	X			
CALONE, DAVID – Chairman, At Large	X			
CASEY, JENNIFER - Town of Huntington	X			
CHARTRAND, MATTHEW - Town of Islip	X			
CHU, SAMUEL – At Large				X
ESPOSITO, ADRIENNE - Villages over 5,000	X			
FINN, JOHN - Town of Smithtown				X
GABRIELSEN, CARL - Town of Riverhead				X
GERSHOWITZ, KEVIN G.- At Large				X
KAUFMAN, MICHAEL - Villages under 5,000	X			
KELLY, MICHAEL – Town of Brookhaven				X
PLANAMENTO, NICHOLAS - Town of Southold	X			
ROBERTS, BARBARA Town of Southampton				X
KRAMER, SAMUEL – Town of East Hampton	X			

Motion: Commissioner Planamento Present: 8

Seconded: Commissioner Chartrand Absent: 6

Voted: 8

Recused: 0

DECISION: Incomplete