

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) 853-5191 F: (631) 853-4767
Theresa Ward, Commissioner, Department of Economic Development and Planning
Sarah Lansdale, Director of Planning

Notice of Meeting

April 5, 2017 at 2 p.m.

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

Tentative Agenda Includes:

1. Meeting Summary for February and March 2017
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guests
 - None
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
 - Country Pointe at Hauppauge, Town of Smithtown
0800 15700 0200 013000 et al
7. Section A-14-24 of the Suffolk County Administrative Code
 - None
8. Other Business:
 - None

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on **May 3, 2017 2 p.m.** Maxine S. Postal Auditorium, Evans K. Griffing Building, Riverhead County Center, 300 Center Drive Riverhead, New York 11901



Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Theresa Ward
Commissioner

Division of Planning
and Environment

STAFF REPORT

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

Applicant: Country Pointe at Hauppauge
Municipality: Smithtown
Location: n/w/c NYS Rte. 347 & 454

Received: 3/8/2017
File Number: SM-17-01
T.P.I.N.: 0800 15700 0200 013000
Jurisdiction: w/in 500' of state ROW

ZONING DATA

- Zoning Classification: R-6
- Minimum Lot Area: N/A.
- Section 278: N/A
- Obtained Variance: N/A

SUPPLEMENTARY INFORMATION

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

SITE DESCRIPTION

- Present Land Use: vacant
- Existing Structures: yes stp
- General Character of Site: rolling
- Range of Elevation within Site: 55-60' amsl
- Cover: overgrown disturbance and some woods and trees

- Soil Types: Urban land, Cut and fill, Berryland mucky sand
- Range of Slopes (Soils Map): 0-15%
- Waterbodies or Wetlands: yes, wetland C-1

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: site plan
- Layout: standard
- Area of Tract: 11.64Acres
- Yield Map: N/A
 - No. of Lots: 69
- Open Space: N/A

ACCESS

- Roads: public state ROW
- Driveways: private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: cb-lp
 - Recharge Basins: yes
- Groundwater Management Zone: VIII
- Water Supply: public
- Sanitary Sewers: on site STP

PROPOSAL DETAILS

OVERVIEW – Applicant seeks subdivision and site plan approval from the Town of Smithtown Planning Board for the development of a 69 unit townhouse complex of which 38 units are age-restricted and 20% of the units are set aside for affordable purposes. The development is to include a 1,500 SF recreation center and pool. The Country Pointe at Hauppauge residential townhouse units are to be distributed into thirteen (13) two story (35’ high) buildings. The proposed buildings average approximately 4 units per buildings but vary from as few as 2 units per building. The total gross floor area is proposed to be 163,913 SF. Green space, particularly in the interior areas between the proposed housing buildings, is included in the development. In addition, a drainage recharge area is proposed at the western boarder of the development buffering a freshwater wetland. A new on-site BESST wastewater treatment plant is proposed at the southwest corner of the subject property.

The subject property is comprised of seven Suffolk County tax map parcels totaling approximately 11.63 acres and is located behind the northwest corner of the intersection of Smithtown Bypass (NYS Rte. 347) and Hauppauge Road (NYS Rte. 111) in the hamlet of Hauppauge. The site has frontage on both roads but a convenience/gas station and an office building are on out parcels at the corner. Access for the proposed townhouse community is to be from one existing controlled ingress/egress point to Hauppauge Road (NYS Rte. 111). No alternate or emergency access is proposed.

The proposed condominium complex site is the location of the former Smithtown General Hospital, followed by Community Hospital of Western Suffolk (CHOWS) and finally a medical center for Episcopal Health Services, Inc. The former hospital property ultimately contained a main hospital building, sewage treatment plant and residence. Most of the structures on site have been demolished (between 2004 and 2007). One structure at the northwest corner of the development site remains and is the sewage treatment plant of the former hospital complex.

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

Storm water runoff from the contemplated development is to be collected via on-site storm water catch basins, leaching pools and directed to a drainage recharge area (i.e. recharge basin).

The proposed development would include 276 off street parking stalls, and is in compliance with Town of Smithtown Zoning Law.

A 2006 change of zone approval by the Town of Smithtown requires at least twenty percent (20%) of the residence units to “be for affordable purposes, in perpetuity...” The Towns resolution also indicates that “the method of achieving affordability shall be determined by agreement between the Town and the petitioner, prior to submission of a site plan application...”

Some treed and rough vegetation areas currently exist on the subject property. There are standing exposed demolition debris piles visibly containing concrete, rebar, various types of bricks and rusted metal plumbing pipes and fixtures, unremoved slab foundations with remains of ceramic floor tiles and evidence of floor drains, rolling topography with debris exposed in places indicating fill, and marshy and standing water areas.

The subject property is situated in a mixed use area. The development site is bounded on the north by single family residences in the R10 District; to the east by Hauppauge Road, a convenience/gas station and an office building in the NB/R10 Districts and across Hauppauge Road by a gas station (NB District) and a shopping center in the SCB District; to the south by Smithtown Bypass and across Smithtown Bypass by a shopping area and a diner in the NB and OB Districts respectively; and to the west by a medical office building in the OB District and residences in the R21 District.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located in a State Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone VIII. The subject property is not in a State designated Critical Environmental Area. State designated wetlands (C-1) and high groundwater occur on the subject site and adjacent to the north-west.

The Suffolk County Planning Commission deliberated a change of zone referral on the subject property in 2003 (SM-03-19) and approved said referral with three conditions (see attached).

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-I 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.

It is the belief of the staff that the proposed Country Pointe at Hauppauge project appears conditionally appropriate considering the prevailing pattern of zoning and land use character of the surrounding area. The development can serve as a transitional residential development situated between commercial uses along the Hauppauge Road and Smithtown Bypass corridors and the single family residences to the north.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Smithtown Comprehensive Plan (1961) makes no specific recommendation for the subject property. The Comprehensive Plan does however, call for the development of attached dwelling units in the Town.

The Town of Smithtown draft Comprehensive Plan Update (Volume VIII, February 2015) has no specific recommendations for most of the subject parcel. The “wooded” north east corner of the development site appears to be in a recommended open-space acquisition overlay. Section VI B. Community Identity; Hauppauge, of the Smithtown Comprehensive Plan Update does indicate, under the Land Use heading, a desire to “facilitate the construction of multi-family developments behind the existing buildings on the east side of NYS Rte. 111.” The Plan also indicates a desire to “...prohibit additional commercial development on the By-Pass (NYS Rte. 347).” The development of this project site meets the objectives of the latter and attempts to achieve the spirit of the former. While not being on the east side of NYS Rte. 111 the residential development of this site concentrates a walkable multi-family residential community in close pedestrian proximity to shopping and other amenities desired for multi-residence purposes

It is important to note that the draft plan has not yet been adopted by the Town and is provided herein for informational purposes. However, the applicants have indicated that the development can serve as a transitional residential development situated between commercial uses along the state road corridors and the single family residences to the north.

The proposed Country Pointe at Hauppauge development is responsive to the recommendations of “Framework for the Future – Suffolk County Comprehensive Master Plan 2035” Section 2, Key Policy areas (1. Foster Walkable, Bikeable Communities, and 2. Promote and Support Areas that Best Accommodate Multi-Family Housing) by being in proximity to commercial areas and newly conceived and constructed pedestrian ways across the state road corridors that connect residentially zoned land with commercial centers in the Hauppauge Hamlet.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS: The Suffolk County Planning Commission 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 noted above, an onsite sewage treat system (BESST) has been proposed which will be located at the southwest corner of the property, (75 ft. north of Route 347) to serve the condominium units. The application, SCDHS Ref. # C08-15-0012, has been under review at the Suffolk County Department of Public Works (DPW). Suffolk County Sewer District # 22 Hauppauge to the west and the STP at Stratford Green Apartments to the south are in proximity to the proposed development and may warrant connection consideration toward the efficiency of regional sanitary waste water management. High ground water and wetlands may make connection problematic however, continued dialogue and review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted.

According to communication with the DPW this office has been advised that “...as to the existing facilities on the property, the original older portion of Smithtown General Hospital was never connected to the onsite STP, but continued to operate on a subsurface septic system with leaching pools. Only the new and expanded portion of the hospital was connected to the existing STP. The effluent from the STP was discharged into the ground through leaching pool clusters which are probably located on the northeast and southeast side of the STP building. The location of the septic

system is unknown. The STP was pumped out approximately 15 years ago, however, most of the equipment were retained.”

The applicant is proposing the demolition of the STP facility structure located on site. This should be in accordance with the prevailing environmental laws and regulations. The applicant should evaluate options for addressing project-related recycling and reuse of construction and demolition debris. The applicant should prepare, if relevant, an asbestos-containing materials (ACM) removal program and asbestos abatement should be conducted as applicable prior to the demolitions of the building/structure that is to be removed from the site and be disposed in accordance with prevailing regulations.

There is a history of hospital waste being generated, treated and/or disposed of on the subject property. There was no Environmental Site Assessment or other documents indicating the presence or non-presence of hazardous materials at, on or below the site included in the referral material from the Town of Smithtown to the Suffolk County Planning Commission. Consideration of any remediation of potential environmental concerns (PECs) and recognized environmental conditions (RECs) on site should be consistent with a Facility Closure Plan (FCP), if warranted, proposed and prepared by the applicant. The Facility Closure Plan should include health and safety measures and methodologies for addressing the identified PECs and RECs. The Facility Closure Plan should summarize closure requirements for PECs and RECs and should identify the regulatory agencies having oversight (SCDHS, NYS DEC, OSHA, etc.). No final approval should be granted by the Town of Smithtown Planning Board until such time as the NYS Department of Environmental Conservation (DEC) and/or any other appropriate agency is satisfied with the level of remediation at the subject property for the purposes of the proposed use.

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 an on-site storm water retention area. Submission materials to the Commission indicate that NYS DEC SWPPP requirements will be met. That would be a local condition of approval. The applicant should be encouraged to review the following 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.

The freshwater wetland system at the northwest corner of the subject property was last flagged in the field in 2015. Boundaries of wetlands tend to fluctuate overtime due to hydrological and other conditions. The most landward limit of the freshwater wetland boundary should be confirmed by a qualified expert.

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 for the residential and clubhouse components of the proposal.

Residential developments along the state roadway corridors in this area are mitigated from highway noise by sound walls. No sound walls exist at the development site. All residential structures that are erected within this subdivision should be constructed using materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Department of Housing and Urban Development or other authority that has promulgated standards for reduction of interior noise levels.

It is noted in the referral material that the “method of achieving affordability shall be determined by

agreement between the Town and the petitioner, prior to submission of a site plan application...” The method of achieving affordability should also be in accordance with Suffolk County guidelines promulgated by the Department of Economic Development and Planning, Division of Workforce Housing and Community Development.

No traffic analysis report was included in referral material from the Town of Smithtown to the Suffolk County Planning Commission. It is not clear if the trip generation of the proposal will adversely affect vehicular circulation patterns diminishing the safety and traffic carrying capacity in the local area. Traffic improvements should be provided consisted with a traffic analysis acceptable to the New York State Department of Transportation (DOT).

Suffolk County Bus Transit route SCT-62 runs along Smithtown Bypass (NYS Rte. 347) and SCT-45 runs along Hauppauge Road (NYS Rte. 111). These routes provide access to Lake Grove, Port Jefferson Train Station and Riverhead to the east and New York State and County Offices to the west. Pedestrian connections should be assured from the interior of the site to bus transit shelters on the state sidewalk system along the state roadway corridors.

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.

STAFF RECOMMENDATION

Approval of the Subdivision/Site Plan referral from the Town of Smithtown Planning Board of Country Pointe at Hauppauge for the construction of 69 condominium units with the following condition and comments:

Condition:

1. No final approval shall be granted by the Town of Smithtown Planning Board until such time as the applicant has provided assurance to the Planning Board that the Suffolk County Department of Health Services and the New York State Department of Environmental Conservation (DEC) and/or any other appropriate agency is satisfied with the level of remediation at the subject property for the purposes of the proposed use.

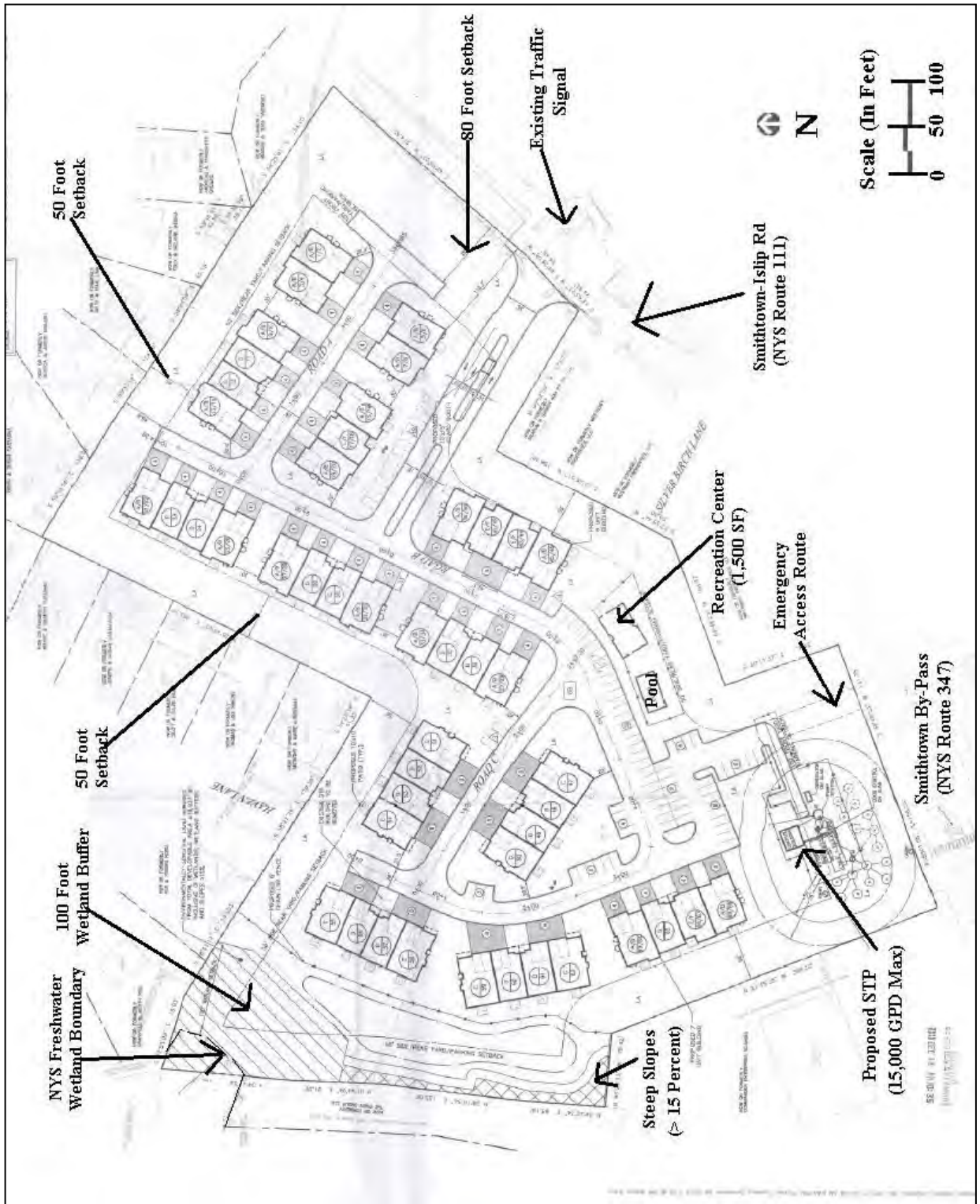
Reason: There is a history of hospital waste being generated, treated and/or disposed of on the subject property. There was no Environmental Site Assessment or other documents indicating the presence or non-presence of hazardous materials at, on or below the site included in the referral material from the Town of Smithtown to the Suffolk County Planning Commission. Consideration of any remediation of potential environmental concerns (PECs) and recognized environmental conditions (RECs) on site should be consistent with a Facility Closure Plan (FCP), if warranted, that is proposed and prepared by the applicant. The Facility Closure Plan should include health and safety measures and methodologies for addressing the identified PECs and RECs. The Facility Closure Plan should summarize closure requirements for PECs and RECs and should identify the regulatory agencies having oversight (SCDHS, NYS DEC, OSHA, etc.).

The applicant is proposing the demolition of the STP facility structure located on site. This should be in accordance with the prevailing environmental laws and regulations. The applicant should evaluate options for addressing project-related recycling and reuse of construction and demolition debris. The applicant should prepare, if relevant, an asbestos-containing materials (ACM) removal program and asbestos abatement should be conducted as applicable prior to the demolition of the building/structure that is to be removed from the site and be disposed of in

accordance with prevailing regulations.

Comments:

1. With respect to the proposed on-site sewage treatment plant, continued review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted and the applicant should be directed to continue dialogue with these County agencies.
2. The freshwater wetland system at the northwest corner of the subject property was last flagged in the field in 2015. Boundaries of wetlands tend to fluctuate overtime due to hydrological and other conditions. The most landward limit of the freshwater wetland boundary should be confirmed by a qualified expert.
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. It is noted in the referral material that the “method of achieving affordability shall be determined by agreement between the Town and the petitioner, prior to submission of a site plan application...” The method of achieving affordability should also be in accordance with Suffolk County guidelines promulgated by the Department of Economic Development and Planning, Division of Workforce Housing and Community Development.
6. Pedestrian connections should be assured from the interior of the site to bus transit shelters on the state sidewalk system along the state roadway corridors.
7. Traffic improvements should be provided consisted with a traffic analysis acceptable to the New York State Department of Transportation (DOT).
8. 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.
9. All residential structures that are erected within this subdivision should be constructed using materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Department of Housing and Urban Development or other authority that has promulgated standards for reduction of interior noise levels.
10. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
11. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.



Resolution No. ZSR-03-32 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 July 24, 2003, with respect to the application of "South Fork Management & Maintenance Inc." (#2003-11) for a change of zone from R-10 to R-6 on premises situated northwest of the intersection of Nesconset-Port Jefferson Highway (N.Y.S. Rte. 347) and Smithtown-Islip Road (N.Y.S. Rte. 111) at Hauppauge in the Town of Smithtown, and

WHEREAS, said application was considered by the Suffolk County Planning Commission at its meeting on, August 6, 2003, and

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

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, that said application is approved subject to the following:

Approval, subject to the following:

1. Twenty (20) per cent of the residence units shall be for affordable purposes;
2. The affordable units shall be appropriately encumbered to insure long term affordability; and
3. In accordance with Smart Growth policies of Suffolk County, pedestrian walkways should be provided to the adjoining roadways to enhance accessibility to nearby public bus transportation services.

Comment:

Consideration should be given to the disbursement of the affordable housing units throughout the project site.

Motion by: Commissioner Tantone

Seconded by: Commissioner Graboski

Commission Vote: Present - 10 Ayes

9

Nays

0

Abstentions

1 (Commissioner Martin)

Dated: August 6, 2003

Longwood Estate, Brookhaven, NY

Suffolk County Planning Commission