

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

May 2, 2018 at 2 p.m.

**Maxine S. Postal Auditorium, Evans K. Griffing Building
Riverhead County Center, 300
Center Drive Riverhead, New York 11901**

Tentative Agenda Includes:

1. Meeting Summary for March 2018
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guests
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
 - GREENTEK Living, LLC , Village of Amityville, Town of Babylon
0101 00300 0300 026002 et al
Amendment of Chapter 183 – to enact a Transit Oriented District
 - Brightview at Setauket, Town of Brookhaven
0200 33200 0500 001000 et al
Change of Zone from J4 Business to NH-H Nursing Home District
 - Arboretum at Farmingville (Multi Family), Town of Brookhaven
0200 62600 0300 039005 et al
Site Plan Phase IV construction of 292 Residential Units
 - AMG 351, Town of East Hampton
0300 17200 0200 033001
Site Plan for 38 Units of Affordable Housing

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

8. Other Business

NOTE: The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on **June 6, 2018, 2018 2 p.m..** Rose Caracappa Auditorium, W.H. Rogers Legislature Bldg., 725 Veterans Memorial Highway, Smithtown, NY

COUNTY OF SUFFOLK

Z-1



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Theresa Ward
Deputy County Executive and Commissioner

Department of Economic Development and Planning
Division of Planning and Environment

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

Applicant: Greentek Living, LLC
Municipality: Inc. Village of Amityville
Location: s/e/c County Line Road (CR 1) and Green Ave.

Received: 4/6/2018
File Number: Am-18-01
T.P.I.N.: 0101 00300 0300 026002
Jurisdiction: Within 500 feet of a municipal boundary, adjacent to CR 1 (County Line Road) & CR 12 (West Oak Street)

ZONING DATA

- Zoning Classification: Industrial
- Minimum Lot Area: 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: Pos/Dec
- Minority or Economic Distressed: No

SITE DESCRIPTION

- Present Land Use: commercial/industrial
- Existing Structures: masonry block
- General Character of Site: level
- Range of Elevation within Site: 24-25' amsl
- Cover: asphalt, buildings
- Soil Types: Ur (urban land)

- Range of Slopes (Soils Map): 0-3%
- Waterbodies or Wetlands: none

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: site plan
- Layout: standard
- Area of Tract: 2.44 Acres
- Yield Map:
 - No. of Lots: 2
- Open Space: N/A

ACCESS

- Roads: public
- Driveways: private

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: cb/lp
 - Recharge Basins: no
- Groundwater Management Zone: VII
- Water Supply: public
- Sanitary Sewers: public

PROPOSAL DETAILS

OVERVIEW – Petitioners seek to amend Chapter 183 of the Zoning Law of the Inc. Village of Amityville to add “Transit-Oriented (TO) District” as a new “floating” zone. Petitioners also request a change of zone from Industrial District to TO district on approximately 2.44 acres of property and request approval for certain incentives and bonuses pursuant to the TO district. Third, the Petitioners are seeking site plan approval to construct 115 attached apartment units.

The proposed Transit Oriented District (TO) is intended to be a “floating” zone that would apply to properties, on a voluntary basis, within an approximate 48 acre subject area around the Amityville Long Island Rail Road Station. The intended boundary of the district includes Sterling Place on the north, West Oak Street on the south, Broadway on the east and County Line Road on the west. The applicability of the district would only be for any Industrial-zoned property having a minimum lot area of 1.5 acres within those boundaries (see attached). The proposed ordinance is a seven page document that addresses procedures, permitted uses, affordable housing, lot and bulk controls, off-street parking, and zoning incentives (see attached).

The change of zone petition to the Village Board is for two adjacent lots totaling 2.44 acres of land zoned “Industrial” within the proposed “TO” district overlay. The subject property is located generally at the north east corner of County Line Road (CR 1) and West Oak Street (CR 12) and bound on the north by Green Avenue and the Long Island Rail Road right of way and to the east by Burch Avenue. An auto repair facility (Autotopia) remains an out parcel at the corner.

The Petitioners request the zone change to “TO” in order to allow the construction of 115 apartment units including 38 studios 65 one-bedroom and 12 two-bedroom units. Ten percent (10%) of the total units will be for affordable housing purposes. In addition, the 1,800 SF historic Amityville Electric Light and Power building on the north-west corner of the site along County Line Road (CR 1) will be restored and used for office purposes. The petition describes two requested incentives as per the TO ordinance: increase density from 35 to 48 units/acre and increase height to four stories/48 feet.

The subject property is currently developed with approximately six buildings that are used for industrial purposes. All but one of the existing buildings (the AELP building) are proposed to be removed from the site. The site also includes the outside storage of vehicles, equipment and materials. Demolition and site clearance of the existing industrial buildings on site is proposed prior to construction of the new apartment building.

With respect to the site plan application the site layout for the 2.44 acre property is organized with the proposed multi-family residential building purposely located as a “cornerstone” building prominently situated at the corner of West Oak Street and Burch Avenue. The interior wing of the u-shaped building is designed perpendicular to the LIRR to minimize building exposure to the train activity and to form an exterior courtyard amenity space framed on three sides by the building. The main entrance to the building is at the corner of West Oak Street and Burch Avenue which is the most direct and convenient pedestrian route to the LIRR platform stairs located just off the east side of Burch Avenue. Design amenities consist of the 12,224 SF recreational courtyard, rooftop terrace area of 3,892 SF, a newly constructed sidewalk on West Oak Street and a new sidewalk proposed along County Line Road. Additional enhancements will include new street trees and sidewalk median plantings (e.g. Lilyturf and daylilies). Decorative lighting for the sidewalk along West Oak Street will be provided by wall mounted fixtures along the building. The proposed streetscape treatment along Burch Street will include a new sidewalk, decorative pavers, lighting and street trees. Green Avenue enhancements will include landscape median plantings between site access points.

All sanitary waste generated at the subject property would be accommodated by connection to the Southwest Sewer District (SCSD #3).

Storm water runoff from the proposed development is to be collected by a combination of on-site catch basins, drywells and leaching pools. In addition, the proposed parking area has been designed with median bio-swales that will be landscaped with ground covers and shade trees.

Site access is proposed off of Green Avenue with on-site parking of 138 spaces located to the west side of the building. Three ingress/egress points to Green Avenue are proposed.

Land use and zoning in the area include a mix of residential, commercial and industrial. The subject site abuts on all four sides road right-of-ways and is situated in a corridor of industrial zoning. To the south are some business and residential zoning and uses and to the north along the LIRR tracks is the Amityville Station and improved industrial and residential zoned land. The Town of Babylon and the Nassau County (Town of Oyster Bay) lines are less than 500 feet to the west.

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 VII. The subject property is not in a State designated Critical Environmental Area. No local or State designated wetlands occur on the subject site. The subject application received a Positive Declaration pursuant to the State Environmental Quality Review Act (SEQRA) and includes the preparation of a Draft Environmental Impact Statement.

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.

The proposed Transit Oriented District (TO) does not appear to be an incompatible land use and would not affect public convenience and the maintenance of a satisfactory community environment. The proposal does not appear to raise any inter-community issues with the Town of Babylon or the Town of Oyster Bay and Nassau County. No reply communication with respect to an inquiry of issues was received by the Department of Economic Development and Planning, Division of Planning and Environment on behalf of the Suffolk County Planning Commission. The proposed apartment building will remove a high-intensity non-compatible industrial use and provide a more compatible use with the commercial and residential uses to the east. Public convenience is likely to improve as truck trips will be removed from the area and motor trip generation congestion improves.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Inc. Village of Amityville has no Comprehensive or Master Plan. In 2015 the Village prepared a Downtown Opportunity Analysis (funded by the Suffolk County Industrial Development Agency and written and designed by the Regional Plan Association in concert with James Lima Planning and Development). While the Analysis made recommendations for the downtown area including an overlay zone along and around Broadway (with the LIRR train station), TOD style development and smart growth principals, the subject site was not specifically identified. The Proposed Transit Oriented District (TO) is similar to other transit oriented districts proposed in the Town of Babylon and throughout the County of Suffolk. Generally speaking, local municipalities are considered the laboratories and incubators of innovative zoning and land use techniques. The Amityville TO District intends to take advantage of the multiple benefits offered by the location of the Amityville LIRR Station and incorporate smart growth principals to the redevelopment of certain industrially zoned property in the vicinity. The Proposed Amityville Transit Oriented District includes development incentives designed to prompt localized community investment/benefits to support community improvement. Two requested incentives are listed in the petition: increase density from 35 to 48 units/acre and increase height to four stories/48 feet. In return the Petitioner offers the preservation and restoration of the former Amityville Power and Light Building, a new pedestrian connection from Amityville LIRR to Broadway, contribution to the Village Fire Department, Contribution to the 9/11 Memorial Plaza, and enhanced architectural facade treatments to the proposed building.

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 GreenTek project is intended to be conveyed to Suffolk County Sewer District No. 3 Southwest. Continued review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted.

Storm water runoff from the proposed project will be retained on-site and recharged via a drainage system designed to conform to all applicable Village requirements. As with all site plans NYS DEC

SWPPP requirements should be met. As indicated in referral materials from the Inc. Village of Amityville to the Suffolk County Planning Commission, the proposed parking area has been designed with median bio-swales that will be landscaped with ground covers and shade trees. It is the belief of staff that additional opportunities exist on site, during site plan stages to incorporate additional best management practices for the treatment of storm water runoff. The petitioners should be encouraged to review the Suffolk County Planning Commission publication *Managing Stormwater-Natural Vegetation and Green Methodologies* and incorporate into the proposal, where practical, additional design elements contained therein.

The applicant is proposing the demolition of approximately six buildings that are used for industrial purposes, as well as, the outside storage of vehicles, equipment and materials. 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. No final approval should be granted by the Inc. Village of Amityville until such time as the NYS Department of Environmental Conservation (DEC) and/or any other appropriate agency is satisfied with the removal plan for ACM, florescent light, thermometer components, etc.

Application materials referred to the Suffolk County Planning Commission from the Inc. Village of Amityville regarding the consideration of energy efficiency indicate the intention to incorporate energy efficient amenities into the project during site design stages. These include high efficiency heating/cooling equipment that utilizes environmentally friendly refrigerants, programmable thermostats, Energy Star products/appliances, low wattage/florescent light bulbs, sensor operated light switches, high R-value insulating materials for building envelopes (glass, ductwork, piping, etc.), and high efficiency domestic hot water storage equipment. Notwithstanding the foregoing, the petitioners should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency (geothermal, solar & wind) and incorporate where practical, elements contained therein.

Suffolk County Bus Transit route SC-20 runs along Oak Street, while Routs S-1, and 1A arrive and depart from the Amityville LIRR station. These routes provide access to Sunrise Mall to the west; South Oaks Hospital, Brunswick Hospital the Maxine Postal Tri-community Health Center to the north; and the Copiague LIRR station and the Great South Bay shopping center to the east. An accommodation for bus transit is not indicated on the conceptual plan.

Three ingress/egress points to Green Avenue are proposed for site access. Three uncontrolled exit and access points along the short frontage of Green Avenue is not recommended considering that Green Ave is a two way through street to County Line Road (CR 1). These three curb cuts would exacerbate conflicts of left and right turn in and out movements with on-coming traffic on the road and motor vehicle (and pedestrian/bicycle) movements from the other two ingress/egress access points from the site to Green Ave. It appears that the site plan design is using Green Avenue as internal circulation for the parking lanes in order to meet code required parking. A single access point to Green Avenue would be preferable. This would require rearrangement of the internal circulation of the proposed surface parking lot and most likely the loss of some off street parking stalls. The site plan should be redrawn to limit access to Green Avenue to a single ingress/egress.

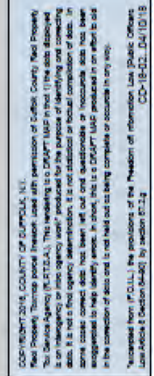
Little discussion is made in the petition to the Town and referred to the Commission on public safety and universal design. The applicant should review the Planning Commission guidelines particularly related to public safety and universal design and incorporate into the proposal, where practical, design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

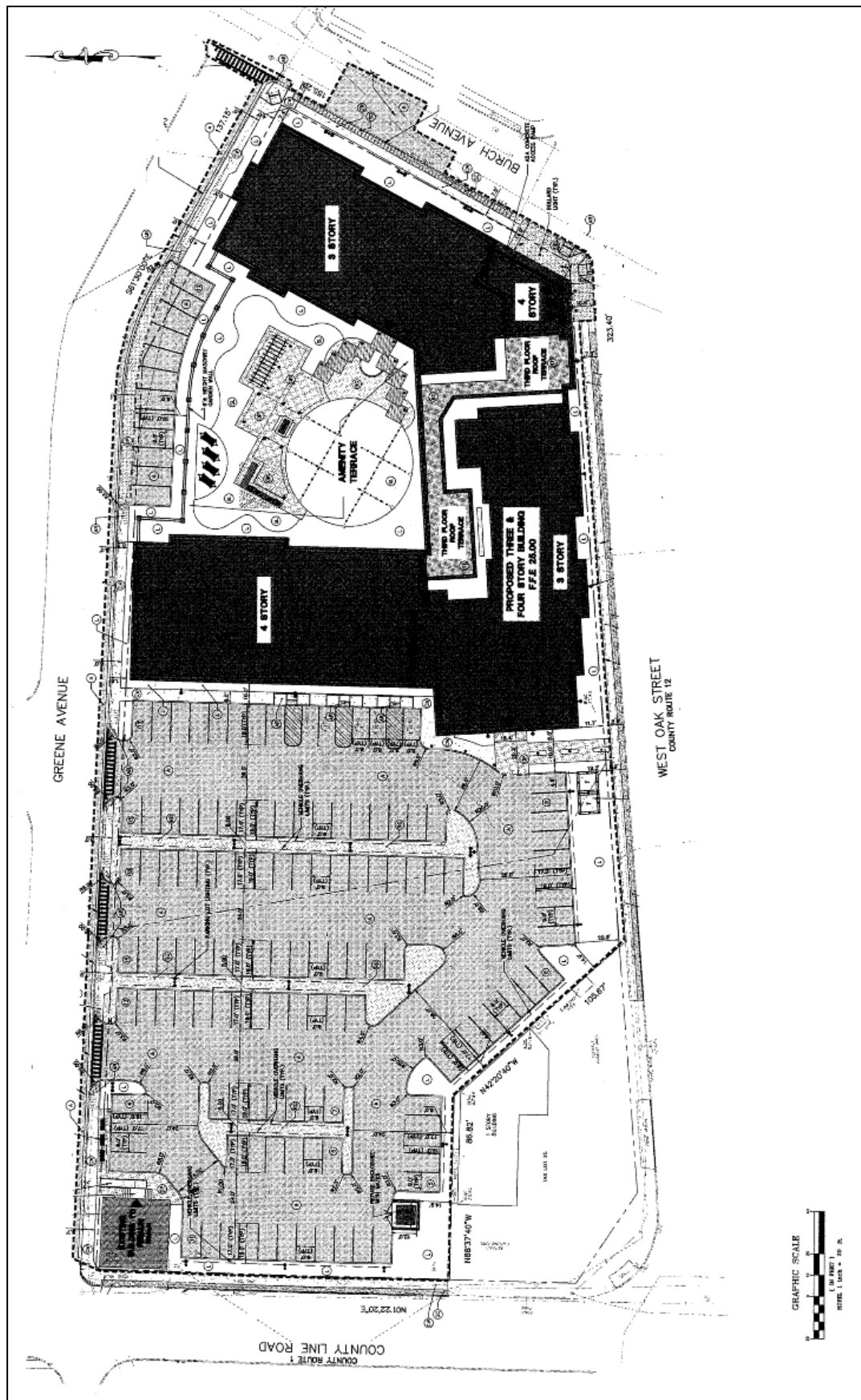
STAFF RECOMMENDATION

Approval of the amendment to Chapter 183 of the Zoning Law of the Inc. Village of Amityville to add “Transit-Oriented (TO) District” as a new “overlay” zone; **Approval** of the Petitioners request for a change of zone from Industrial District to TO district on approximately 2.44 acres of property and approval for certain incentives and bonuses pursuant to the TO district; and **Approval** of the Petitioners request for preliminary site plan approval to construct 115 attached apartment units for GreenTek Living LLC 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 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, additional design elements contained therein.
3. No final approval should be granted by the Inc. Village of Amityville until such time as the NYS Department of Environmental Conservation (DEC) and/or any other appropriate agency is satisfied with the removal plan for ACM, florescent light, thermometer components, etc.
4. The site plan should be redrawn to limit access to and from Green Avenue to a single ingress/egress.
5. 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.
6. The Petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
7. The Petitioner should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.

Village of Amityville, Town of Babylon - Suffolk County New York





APPLICANT INFORMATION

GREENTEK LIVING, LLC/R & S REALTY CORP.
235 COUNTY LINE ROAD
AMITYVILLE, NY 11701
SCTV 0101-003-03-026.00' & 026.002

MAP LEGEND

TO PARCEL BOUNDARY
TO DISTRICT BOUNDARY
200' RADIUS LINE
TAX .5" LINE

ZONING LEGEND

VILLAGE OF AMITYVILLE
B RESIDENCE
B1 BUSINESS
B2 BUSINESS
INDUSTRIAL
MTA-OWNED
OUTSIDE THE VILLAGE
TOWN OF BAR
TOWN OF BAR
B RESIDENCE
TOWN OF OYS
E-BUSINESS
TOWN OF OYS
R-7
TOWN OF OYS
TOWN OF OYS
GB

Scale (In Feet)
0 300



200' Radius Map
PROPOSED TO (TRANSIT ORIENTED) DISTRICT
AND GREENTEK LIVING, LLC TRANSIT
ORIENTED DEVELOPMENT
VILLAGE OF AMITYVILLE, SUFFOLK COUNTY



CAMERON ENGINEERING
& ASSOCIATES, LLP
1000
SUFFOLK COUNTY, NEW YORK
REGISTERED PROFESSIONAL ENGINEER
No. 008687

FEBRUARY 2018
CE 2605



Local Law Filing

New York State Department of State

162 Washington Avenue, Albany, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Village of Amityville

Introductory Local Law No. 4 of the year 2017

A local law to establish a transit-oriented zoning district.

Be it enacted by the Board of Trustees of the Village of Amityville as follows:

Section 1. The Board of Trustees finds that in order to meet the growing demand for housing for young professionals and senior citizens in close proximity to mass transportation such as the Long Island Rail Road (LIRR) train station and several publicly operated bus lines, it is in the best interests of the residents and businesses of the Village of Amityville, to establish a transit-oriented zoning district, with high standards which balance incentivizing responsible development with protecting the character of the community. The Board finds that transit oriented development in immediate proximity to the Amityville train station and adjacent to the downtown commercial and social center of the community, would encourage walking, bicycling and transit use in both the downtown and LIRR train station area, would reduce automobile dependency for residents of such development and would help to support a vibrant and economically sustainable commercial base for downtown Amityville. The Board also finds that it is important to regulate the design and architectural aspects of development so as to ensure the creation of an attractive, pedestrian-friendly built environment that recognizes the train station as a gateway to the community enhances the overall quality of the Village. Said zoning district should include increased unit density and decreased off-street parking requirements because any property to be re-zoned for such purpose will be near the Amityville LIRR train station, the central location for mass transportation within the village.

Section 2. The Code of the Village of Amityville is hereby amended to add a new Zoning District, the Transit Oriented (TO) District, to §183-3 Establishment of districts, and to amend the Village Building Zone Map to include the TO District designation.

Section 3. The Code of the Village of Amityville is hereby amended to add 'Floor Area Ratio (FAR): The gross floor area of a structure divided by the total lot area' to §183-1 Definitions and word usage.

Section 4. The Code of the Village of Amityville is hereby amended to add subsection 'E' to §144-6 Signs in residence districts, as follows: 'No sign shall be erected in the TO Zoning District except one wall sign and one free-standing sign. Said free-standing sign shall not be higher than 10 feet above ground level and shall not exceed 20 square feet, and shall contain only the name of the complex.'

Section 5. The Code of the Village of Amityville is hereby amended to add a new Article to Chapter 183 as follows:

"Article V- (a)
TO (Transit - Oriented) Zoning District

§183-66.1 Transit Oriented Zone (TO) Established

The Transit Oriented (TO) District is hereby established with potential applicability to any property which is Industrial-zoned in the Village that is located within the area bounded by Sterling Place on the north, West Oak Street on the south, Broadway on the east, and County Line Road on the west. No property which is partially within the Industrial District and partially within a Residence District shall be eligible for inclusion in the TO District. The subject property shall meet the lot, bulk, design and other requirements contained in this article, as determined by the Board of Trustees.

§183-66.2 Permitted Uses.

In the TO Zoning District, no building or premises shall be used and no building shall hereafter be erected or altered, unless otherwise provided for in this article, except for one or more of the following uses:

A. Multiple Dwellings

B. Accessory Uses

- (1) Off-street parking and loading, including parking structures . .
- (2) Open space or plaza areas accessible to the general public.
- (3) Signs, subject to the provisions of §144-6(E)
- (4) Courtyard areas, including amenities such as a swimming pool, gazebo, seating areas for use of the residents of the development
- (5) Other customary accessory uses and buildings, provided that such uses are incidental to the principal use.

C. Offices, personal service shops, retail stores and restaurants, in an existing building which are deemed to be complimentary to the transit-oriented use.

§183-66.3 Lot and bulk controls.

All development in the TO Zoning District shall meet or exceed the minimum standards contained herein.

A. Building Height. In a TO Zoning District, no building or structure hereafter erected or altered shall exceed 38 feet in height. The following exceptions are permitted:

- (1) Parapets, not exceeding three feet in vertical distance from the base to the highest point.
- (2) Stairwell or elevator bulkheads, water tanks, chimneys, heating and air-conditioning apparatus, or other mechanical equipment projections occupying less than 10% of the area of the roof and not exceeding 12 feet in vertical distance from base to the highest point.
- (3) Decorative turrets or similar structures consistent with the architectural character of the building.
- (4) Safety railings or walls required by the New York State Uniform Fire Prevention and Building Code to enclose outdoor living space or decks, not exceeding the minimum height required by the State Code for such railings or walls.

B. Lot area. In the TO Zoning District, no building shall be erected on a lot having an area of less than one and one-half (1.5) acres.

C. Lot width. In the TO Zoning District, no building shall be erected on a lot having a width of less than 150 feet at the front street line.

- C. Front yards . In the TO Zoning District, no front yard shall be required. To the extent practicable, buildings should be constructed to the front lotline.
- D. Side yards . In the TO Zoning District, no side yard shall be required. To the extent practicable, buildings should be constructed to the side lotline.
- E. Rear yards . In the TO Zoning District, there shall be a rear yard having a minimum depth of 15 feet.
- F. Building Area. In the TO Zoning District, the total building area shall not exceed 80% of the lot area .
- G. Residential Density. In the TO Zoning District, the maximum residential density shall be 35 dwelling units per acre.
- H. Dwelling unit size. In the TO Zoning District, the minimum dwelling unit size shall be 550 square feet.
- I. Floor area ratio (FAR). In the TO Zoning District, the maximum FAR shall be 1.5.

§183-66.4 General procedures.

- A. Application to Board of Trustees. An application to amend the Village Building Zone Map to apply the TO District shall be submitted to the Village Clerk, in accordance with the application procedures and requirements of this article. Any application to request incentive bonuses as promulgated in §183-66.10 may also be considered by the Board of Trustees concurrent with the review of an application to amend the Village Building Zone Map. The Applicant shall pay a filing fee established by the Board of Trustees and shall reimburse the village for any expenses incurred by the village to review said application and to comply with SEQRA, including the services of engineers, architects and environmental consultants.
- B. Re-Use of Existing Buildings
 - 1. When the Board of Trustees finds that an existing building has cultural, historical or architectural significance to the Village, it may permit the re-purposing of said building for one or more of the permitted uses listed in §183-66.2. Said determination may be applied for, heard by the Board of Trustees and determined jointly with the application to amend the Village Building Zone Map to apply the TO District.
 - 2. The Board of Trustees, at its discretion, may grant increased FAR, increased height, reduced parking requirements and may modify other land development standards or dimensional requirements of the Code for such buildings.
- C. Site Plan Review. Upon approval of an amendment of the Village Building Zone Map for the TO District, all development shall be subject to site plan review by the Planning Board.

§ 183-66.5 Design review.

- A. Design review procedures. The Planning Board shall also review the architectural design of structures and buildings, pursuant to the design considerations listed in paragraph C.
- B. Such application shall include at least one colored rendering. The Planning Board, as part of its review, may require an applicant to provide additional architectural design, elevation drawings, samples of materials or other information, as it shall determine.
- C. Design considerations. The objective of the design considerations for the TO Zoning District is to provide high quality and complementary design of buildings, landscaping, parking, and other site and building design characteristics consistent with the Bay Village architectural theme and in view of the railroad station as a "Village Gateway." Special emphasis is placed upon methods that reduce the large-scale visual impact of buildings and encourage tasteful innovative design for individual buildings. The design considerations are as follows:

- (1) The principal building entrance and front should face the primary street frontage and sidewalk, or the Amityville LIRR train station, as appropriate.
 - (2) Building design and landscaping should serve to reinforce and announce the main pedestrian building entrances and streetscape frontage. Any proposed building that includes ground level parking or partially subsurface level parking located under a building shall include an architectural and landscape treatment to screen the parking from the street.
 - (3) Parking should be placed in the rear of lots, whenever possible, and should be adequately planted and landscaped in order to create an attractive point of arrival.
 - (4) Walkways should be provided for safe and convenient pedestrian access to mass transportation.
 - (5) Special materials, such as brick or cobblestones and picket fences, shall be used for walkways.
 - (6) The exteriors of buildings shall utilize natural cladding materials such as wood, brick, stucco, stone, or a combination of such materials or their equivalent. The use of imitation, synthetic, metallic, and reflective materials shall be avoided, including, but not limited to, aluminum or vinyl siding, imitation brick or stone, or plastic.
 - (7) Building shape, proportions, massing, and design should be appropriate to the historic character of downtown Amityville. Architectural features such as porches, porticoes, shutters, decorative door and window frames, balconies, cornices, dormers, chimneys, turrets, and spires should be used to reinforce a pedestrian scale and create interest and variety in the facade.
 - (8) All signs shall be in accordance with Chapter 144-6 E. which establishes the regulations for signs within the TO Zoning District as follows: No sign shall be erected in the TO Zoning District except one wall sign and one free-standing sign. Said free-standing sign shall not be higher than 10 feet above ground level and shall not exceed 20 square feet, and shall contain only the name of the complex.
- D. When the Board of Trustees has determined that an existing building may be repurposed pursuant to §183-66.48, then the Planning Board shall be guided by the standards and goals of this Article, but shall, in its review, give due consideration to the pre-existing status of the building. Consideration shall be given to shared parking and complementary parking arrangements with other uses on the same or adjoining lots.

§183-66.6 Lighting.

Any development within the TO Zoning District shall comply with the provisions of Article I of Chapter 116, and this section. All parking areas, entries, walkways, corridors, passages, utility areas and front landscaping must be provided with adequate lighting, for safety purposes. Lights shall be adjusted or shielded so as not to shine into adjacent properties.

§183-66.7 Buffering and transitions.

A. Trash/dumpster areas shall be screened by an enclosure (such as wood fences, chain-link fences, vinyl fences, or masonry enclosures), as well as sufficient landscaping. Such screening shall be aesthetically pleasing, as well as durable to the satisfaction of the Planning Board.

8. Wherever a TO zoned parcel abuts upon a single-family residential parcel or building, there shall be suitable screening, fencing, landscaping, or buffer plantings, as determined by the Planning Board.

C. The type, location, and extent of screening or fencing shall be determined by the Planning Board.

§183-66.8 Affordable housing.

Any project with five or more residential units shall comply with the requirements of Article 16-A, the Long Island Workforce Housing Act, of the New York General Municipal Law.

§183-66.9 Off-street parking.

In the TO Zoning District the following off-street parking requirements shall apply:

A. Off-street parking on premises.

- (1) Studio apartments: 1 space per unit.
- (2) One bedroom apartments: 1.25 spaces per unit.
- (3) Two bedroom apartments: 1.5 spaces per unit.
- (4) Three bedroom apartments: 1 space per bedroom.

B. Shared parking.

- (1) The minimum required quantity of parking may be reduced when shared parking is used. Where credible evidence is provided that parking could be shared by the proposed uses with nearby uses, as provided by a traffic study, parking study, traffic counts, or data by a licensed traffic engineer, up to a 20% reduction in off-street parking may be permitted for shared parking. Shared parking shall be located within 500 feet of each use and may include on-street parking, off-street parking, and commuter parking areas. Such determination shall be at the discretion of the Planning Board and determined during the site plan approval process.
- (2) Shared parking lots with cross-access agreements are encouraged so as to allow drivers to park in one lot and walk to other properties without moving their cars, or to drive from one lot to another without returning to the street.

C. ~~Parking demand reduction.~~ Given the transit-oriented nature of the area, as part of site plan review, applicants will be encouraged to explore techniques to reduce parking demand. Techniques may include, but are not limited to; parking management programs, promotion of and priority to car-sharing and ride sharing, parking cash out programs, unbundled parking, provision of free or discounted transit passes, provision of bicycle parking facilities.

D. Buffering. In order to soften the appearance of parking lots, parking lots shall be landscaped with groundcover, grasses, or low shrubs.

§183-66.10 Zoning incentives.

A. In order to encourage development in accordance with this article and in accordance with the Village Law, the Board of Trustees is empowered to provide for a system of zoning incentives or bonuses in exchange for specific physical, social, or cultural benefits or amenities, as the Board deems necessary and appropriate, consistent with the purposes and conditions set forth herein.

B. Community benefits or amenities.

- (1) The following community benefits or amenities may, at the discretion of the Board of Trustees, be accepted in exchange for one or more incentives, as provided in paragraph C:
 - (a) Public parking: municipal or public parking provided in addition to the minimum required on-site parking. Alternatively, monetary contribution to the creation or improvement of public parking elsewhere in the community.

- (b) Open or park space: additional or passive open or park space available to the public. Alternatively, monetary contribution to the creation or improvement of open or park space elsewhere in the community.
- (c) Infrastructure improvements: infrastructure improvements above and beyond minimum requirements in the form of street furniture, lighting, pavers, plazas, and related public amenities, as well as improvements to sewer and water systems. Alternatively, monetary contribution to the creation or enhancement of similar improvements elsewhere in the community.
- (d) other facilities or benefits to the residents of the community, as determined by the Board of Trustees.
- (e) Any combination of the above listed community benefits or amenities.
- (2) These community benefits or amenities shall be in addition to any mandated requirements pursuant to other provisions in this article.
- (3) These community benefits or amenities may be either on or off the site of the subject application and may involve one or more parcels of land.
- (C) Incentives or bonuses. The Board of Trustees may grant the following specific incentives:
 - (1) Increased residential density. The Board of Trustees may grant an increased residential density of up to 48 units per acre. The highest density shall be reserved for applications that include substantial community benefits or amenities and have a total lot area greater than two (2) acres.
 - (2) Increased FAR. The Board of Trustees may grant an increased FAR of up to 1.75. The highest FAR shall be reserved for applications that include substantial community benefits or amenities and have a total lot area greater than two (2) acres.
 - (3) Increased height. The Board of Trustees may grant an increased building height of up to four stories or 48 feet in height. Increased height shall be reserved for applications that include substantial community benefits or amenities and have a total lot area greater than two (2) acres.
 - (4) Reduced parking requirements. The Board of Trustees may reduce the parking requirements for applications that demonstrate elevated transit usage, significant pedestrian and walkability amenities, and have a total lot area greater than two (2) acres.
 - (5) Modifications to other land development standards or dimensional requirements. The Board of Trustees, at its discretion, may modify other land development standards or dimensional requirements of the Code.
- D. Criteria and procedure for approval. Authorization of zoning incentives is subject to approval by the Board of Trustees upon referral from the Planning Board prior to the grant of site plan approval. The following procedures shall be followed for the approval of any incentive or bonus:
 - (1) Submission of application. Applications for incentives in exchange for amenities shall be submitted to the Board of Trustees. In order to preliminarily evaluate the adequacy of the community benefit or amenity to be accepted in exchange for the requested incentive or bonus, the following information shall be provided by the applicant in addition to the information required as part of the site plan review.
 - (a) A description of the incentive being requested.
 - (b) A description of the proposed community benefit or amenity.
 - (c) An estimate of the economic value of the proposed benefit or amenity to the public.
 - (d) A narrative statement which:
 - [1] Describes the benefits to be provided to the community by the proposed amenity.

- [2] Demonstrates that adequate services and facilities exist in the community that could accommodate the additional demand that would be generated by granting the incentive or bonus.
- [3] Explains how the proposed amenity promotes implementation of physical, social, or cultural policies.
- (e) Any additional information, as may be requested by the Board of Trustees.
- (2) Procedure.
 - (a) Application completeness. The Code Enforcement Officer shall review any application for its compliance and completeness with the requirements of this article.
 - (b) Planning Board review. Once the incentive and site plan application has been determined to be complete by the Code Enforcement Officer, the Planning Board shall begin its site plan review of the incentives and the overall site plan.
 - (c) Planning Board hearing. The Planning Board shall then hold a public hearing on the incentives and site plan application.
 - (d) Planning Board recommendation. The Planning Board shall then report to the Board of Trustees with its evaluation of the adequacy with which the amenity(s)/incentive(s) fits the site and how it relates to adjacent uses and structures upon completion of their proceeding with regard to the same, along with any general site plan comments. Site plan approval shall be subsequent to any approval of the incentives by the Board of Trustees.
- (3) Compliance with SEQRA;
 - (a) Every decision by the Board of Trustees concerning the application for use of incentive zoning on a particular project shall fully comply with the provisions of SEQRA.

Section 6. This local law shall be effective upon filing with the Secretary of State.

COUNTY OF SUFFOLK

Z-3



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Theresa Ward
Deputy County Executive and Commissioner

Department of Economic Development and Planning
Division of Planning and Environment

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

Applicant: The Arboretum at Farmingville
Municipality: Brookhaven
Location: s/s of Horseblock Road (CR 16) approximately 811 feet w/o Hanrahan Avenue

Received: 4/16/18 (8/12/15)
File Number: BR-18-03 (BR-15-01)
T.P.I.N.: 0200 62600 0300 039005 & 040000, 0200 65300 0700 001000
Jurisdiction: 500 feet of County Park Land, Adjacent to County Road 16

ZONING DATA

- Zoning Classification: A Residence 1 / J Business 4
- Minimum Lot Area: 40,000. Sq. Ft. / 9,000. 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: FEIS
- Minority or Economic Distressed: No

SITE DESCRIPTION

- Present Land Use: Agricultural, commercial and residential
- Existing Structures: yes, vacant agricultural equipment storage buildings, commercial nursery; vacant equestrian facilities
- General Character of Site: cleared, gently sloping lands
- Range of Elevation within Site: 112' to 168' amsl
- Cover: cleared with some trees
- Soil Types: Haven loam, Plymouth loamy sand, Riverhead sandy loam

- Range of Slopes (Soils Map): terraformed 0-8%
- Waterbodies or Wetlands: Artificial wetland

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Site Plan (change of zone)
- Layout: Standard
- Area of Tract: 65.238 acres
- Yield Map: N/A
 - No. of Lots:
 - Lot Area Range:
- Open Space: 7.28 ac

ACCESS

- Roads: Public – Horseblock Road (CR 16), Henry Street
- Driveways: Proposed Internal Road Network

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: drywells, leaching pools, drainage ponds
 - Recharge Basins: two
- Groundwater Management Zone: III
- Hydrogeologic Zone: I
- Water Supply: public SCWA
- Sanitary Sewers: on-site STP

PROPOSAL ADDENDUM 5/2/18

Applicants request a four (4) phase site plan approval from the Town of Brookhaven Planning Board for the residential development component of this 61.59 acre site. Similar to the prior change of zone petition and referral to the Suffolk County Planning Commission the applicant requests site plan approval for the construction of 292-residential units; 164 two-bedroom apartments, 63 two-bedroom townhouses, 14 three-bedroom units, and 51 single family residences. As noted above the layout will consist of multiple building types (flats, townhouses, and single family residences). The multifamily buildings will be clustered throughout the center of the property with the single family residences around the perimeter. Ten (10) percent of all residential units (30) shall be maintained in perpetuity as affordable or workforce units. In addition, there will be a 5,500 SF recreational clubhouse located within the center of the property, and a 6,800 SF sewage treatment plant at the southern end of the property. Approximately 7 acres of the site will be used for recreational activities (pond area, walkways, parks, swimming, etc.).

Also included in the overall development are a separate land division application and a separate commercial site plan application.

The Suffolk County Planning Commission reviewed the change of zone petition and conceptual site plan referral from the Brookhaven Town Board at the regularly scheduled meeting of September 2, 2015. After review and deliberation the Suffolk County Planning Commission resolved to approve the change of zone referral with eight (8) comments (see attached).

An examination of the currently referred site plan as compared to the prior change of zone and conceptual plan referred to the commission did not reveal any substantial difference between the two maps.

Suffolk County Department of Economic Development and Planning staff reviewed the comments of

the Suffolk County Planning Commission resolution of 9/2/15 and the Brookhaven Town Board Resolution granting the change of zone to the project (see attached) and did not find inclusion of the Commission comments in the Town resolution. Nothing in the referral materials from the Town of Brookhaven Planning Board to the Suffolk County Planning Commission indicated consideration of the Commissions comments.

Consistent with the prior Suffolk County Planning Commission review and comments, staff is recommending **approval of the site plan** referral and **approval of the land division application** referral for The Arboretum at Farmingville 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, additional 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. The pedestrian connection made between the walking path at the north end of the subject development and Horseblock Road should be designed, in addition to recreational use, as a connection to bus transit, as appropriate, in coordination with Suffolk County Transit.
8. The applicant should explore ways to connect the pedestrian path to access the soccer fields to the south.

PROPOSAL DETAILS 9/2/15

OVERVIEW – Applicants seek change of zone approval from the Brookhaven Town Board for the redevelopment of the 65.24 acre subject property, from A Residence 1 (minimum lot size 40,000 SF) & J Business 4 (minimum lot size 9,000 SF) to Multi-Family Residence District (MFRD) – Secondary Zone and J Business 2. The subject property is proposed to be redeveloped as a mixed-use residential community and commercial development consisting of 292 residential units (51 single-family residences, 164 two-bedroom flats, 63 Townhouse (triplex) units and 14 three-bedroom “Rosebud” units), one two-story 24,000 square feet of commercial space(containing 12,000 square

feet of restaurant space and 12,000 square feet of office space), 7,500 square feet of recreational clubhouse space and a 7,728 square foot-150,000 gallon capacity sewage treatment plant.

The subject property is located south of Horseblock Road (CR-16) and west of Blue Point Road in the hamlet of Farmingville, Town of Brookhaven.

In accordance with the NYS Long Island Workforce Housing Act, 10% of all residential units are required to be maintained as affordable or workforce housing. The Applicants have designated 30 of the two-bedroom flat units as workforce housing units (10.27% of all proposed residential units).

The proposal also includes 7.28 acres of publicly accessible recreational open space, 1.66 acres of private recreational open space and 1.38 acres of private recreational facilities.

The anticipated sanitary waste generation of the subject property is projected to be 89,370 gallons per day, increasing the sanitary waste generated on site by 88,651 gpd (from a previous 719 gpd of sanitary waste). All sanitary waste generated at the subject property would be accommodated by a newly constructed on-site sewage treatment plant (STP), designed to accommodate 150,000 gpd of sanitary waste. A small sanitary pump station would be located north of the STP which would be used to pump effluent from the pipes within Road "A" east to the STP. The STP would be located a minimum of 200 feet from the nearest on-site residence and separated from the on-site residences to the north by two recharge basins. Access to the STP would be from an "STP Access Road" that connects the two cul-de-sacs located at the southernmost portion of the site.

Storm water runoff from the proposed development is to be collected by a combination of on-site drywells, leaching pools, drainage ponds and natural vegetation.

The proposed development would include 206 parking spaces situated in multiple parking fields throughout the commercial property while 584 parking spaces for the remaining residential uses would be satisfied via single and double driveways, personal garages, internal driveways and a 4.69 acre public park area.

The proposed development contains two access points, one along Horseblock Road (CR-16) and another from Henry Street to the east of the subject property. There is a proposed emergency access on Alamo Drive to the west of the subject property.

The proposed development plans to abandon the current on-site private well and proposes to connect to the SCWA system to supply the estimated 89,470 gpd of potable water.

The subject site is currently developed with a single-family residence in the northeastern portion of the property, vacant agricultural equipment storage buildings located in the northern-central portion, a commercial nursery in the eastern portion, currently unused equestrian facilities in the southern portion, soil stockpiling operations and vacant land, including an artificial wetland (0.23 acres).

The subject property is primarily bounded by Horseblock Road to the north, residential uses to the east and west, and public utilities are located directly south of the subject property. The subject property is located within two zoning districts, the A-1 and J-4 Districts of the Town of Brookhaven.

The proposed project is not located in a Suffolk County Pine Barrens Zone. In order to achieve the proposed density on the site, as described above, the Arboretum project must redeem Pine Barrens Credits. Per the Town of Brookhaven Code, residential development on an eligible parcel is entitled to an increase in density based on the addition of Pine Barrens Credits to the customary unit yield. The proposed residential density increases to 292 units as the subject property redeems 38.6 Pine Barrens Credits. The subject parcel is not located in 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-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 does not appear that the change of zone application for the Arboretum project is incompatible land use and would not affect public convenience and maintaining of a satisfactory community environment. Inter-community issues that may exist between the residential communities that surround the project site appear to be mitigated by transitioning from existing neighboring single family detached dwellings to the attached units by surrounding the attached units with new detached single family homes as a buffer to the existing. Moreover, publicly accessible open space amenities are offered as additional recreational resources to the community. Motor vehicle trip generation from the subject proposed development, given implementation of minor mitigation measures (signal re-phasing at Waverly Ave. and CR16 and Blue Point Road and CR 16; addition of a traffic signal at the site access along CR 16; and relocating the curb cuts for the Post Office along the east side of the new entrance driveway to the project), the proposed project is not expected to have a significant impact on area traffic flow or operations at nearby intersections. The commercial component of the proposal as ground floor restaurant space and offices above do not appear to conflict with existing commercial establishments or nodes in the area and is considered a compatible land use in the area and would not impact community character in an adverse manner.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Brookhaven Comprehensive Land Use Plan (1996) specifically recommends “one acre or less” residential density for the subject property. The density scale for the Comprehensive Land Use Plan Map begins at very low density, to low density, to on acres or less density, to high density to PDD. It is not clear if the proposal is in alignment with the plan. The transfer of Pine Barrens Credit to create non-contiguous open space on targeted sending parcels, a land use planning tool not in the Comp. Plan at the time of the writing, can be a mitigation offsetting the recommendation of the '96 plan.

More recently, October 18 2010, the Town completed *Farmingville: Our Vision for Tomorrow, Community Redevelopment Plan*. While there are no specific recommendations in the vision plan for the project site’s overall development, many of the elements within the plan have been incorporated into the change of zone proposal (additional housing, green corridor, public recreation etc. The Vision plan was “accepted” as an advisory document by the Town Board but the plan has not been “adopted” by the Town Board giving it the force of 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 Arboretum at Farmingville project is intended to be conveyed to a newly constructed 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.

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 three on-site storm water retention areas in the form of ponds and catch basins and leaching pools. Submission materials to the Commission indicate that NYS DEC SWPPP requirements will be met. 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.

Application materials referred to the Suffolk County Planning Commission from the Town of Brookhaven regarding the consideration of energy efficiency indicate the intention to incorporate energy efficient amenities into the project during site design stages. 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 as well as the commercial components of the proposal.

Suffolk County Bus Transit routes SC-71 and SC-63 run along this portion of CR 16. These routes provide access to Brookhaven Town Hall, and the Yaphank train station to the east and Waverly Avenue to the west running north and south to Middle Country Road (NYS Rte. 25) and St Joseph's College respectively. Pedestrian connections are shown from the interior of the site to Horseblock Road in order to provide a pedestrian route linkage to the County ROW. An accommodation for bus transit is not indicated on the conceptual plan.

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.

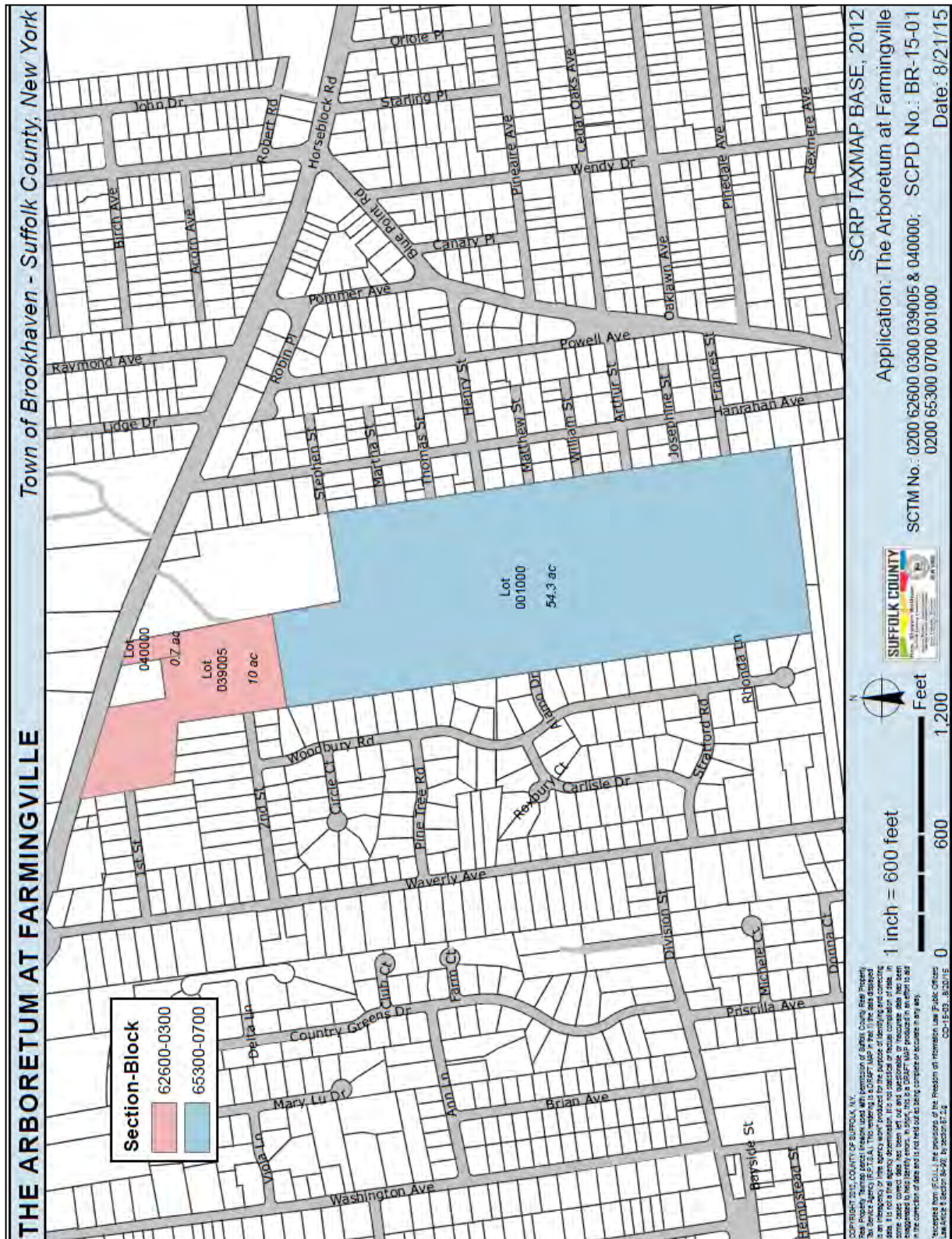
STAFF RECOMMENDATION

Approval of the change of zone from A Residence 1 & J Business 4 to Multi-Family Residence District (MFRD) and J Business 2 on 65.24 acres for the Arboretum at Farmingville's proposed mixed-use residential community and commercial development with the following comments:

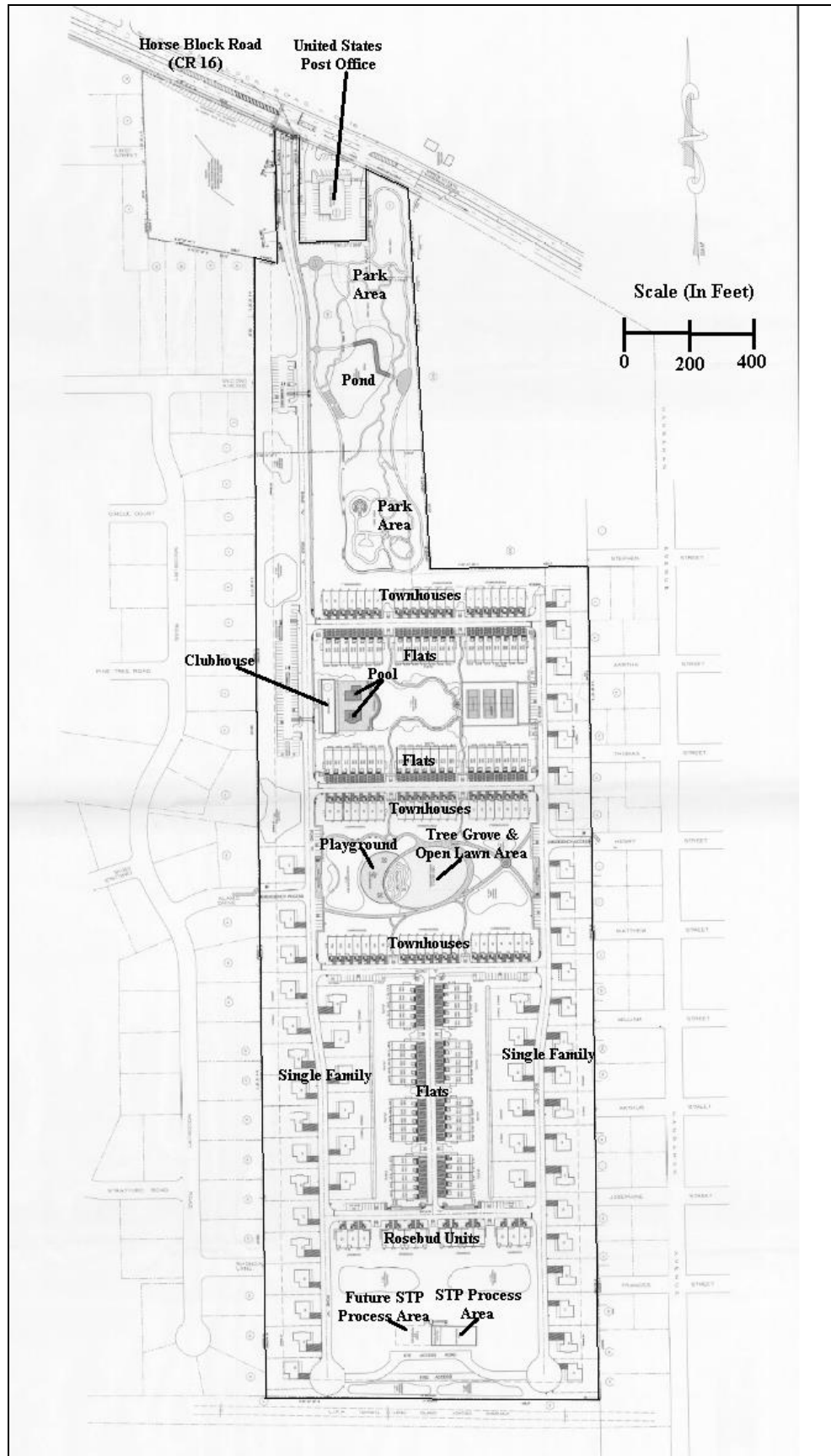
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2. The petitioner should be encouraged to review the Suffolk County Planning Commission publication on the Creation of Man-Made Ponds in Suffolk County and incorporate into the proposal, where practical, design elements contained therein.
3. The petitioner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

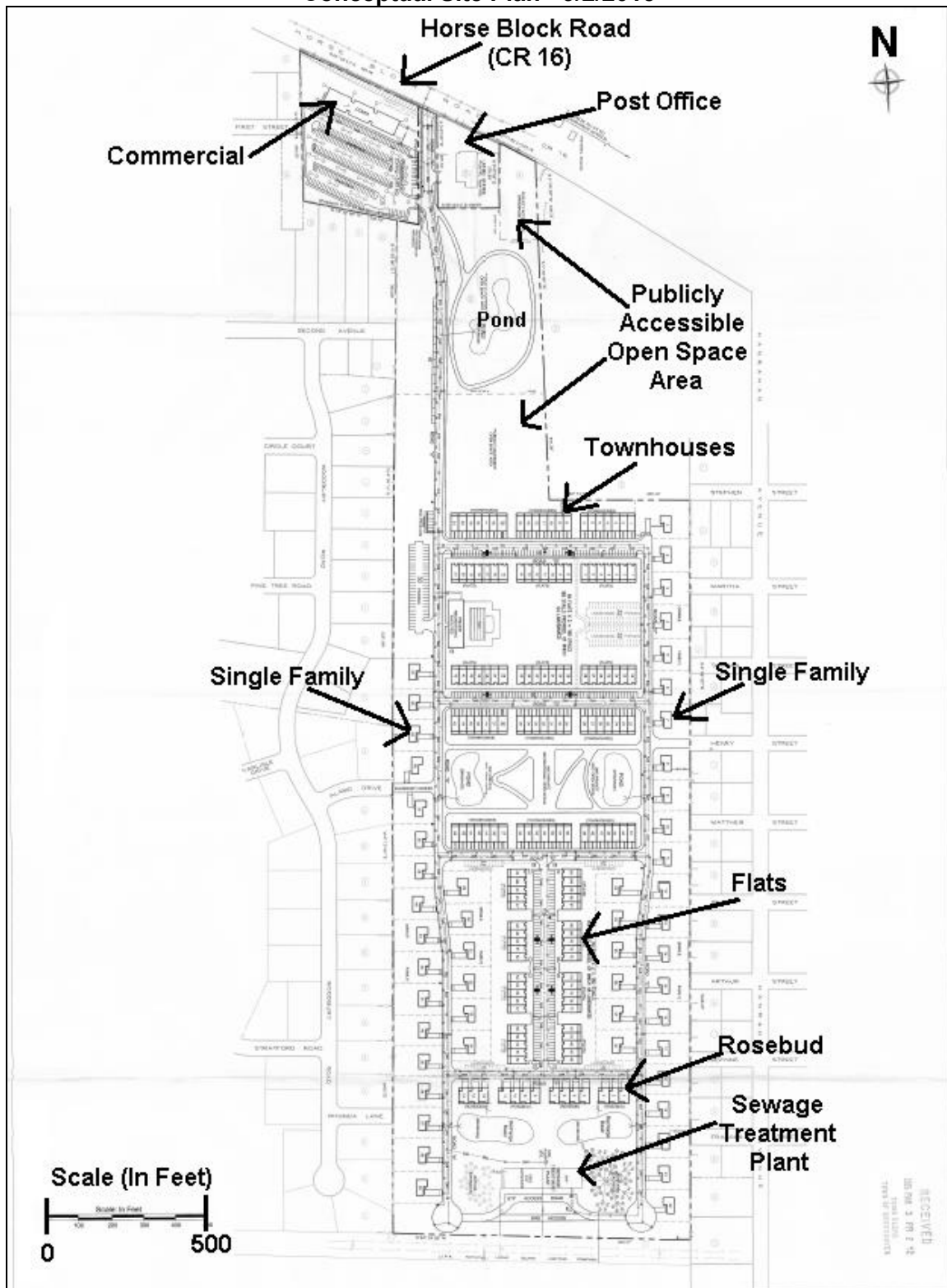
4. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.
5. The petitioner should review the Planning Commission guidelines particularly related 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. The pedestrian connection made between the walking path at the north end of the subject development and Horseblock Road should be designed, in addition to recreational use, as a connection to bus transit, as appropriate, in coordination with Suffolk County Transit.



Site Plan – 5/2/2018



Conceptual Site Plan - 9/2/2015



File No. ZSR-15-24

Resolution No. ZSR-15-24 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 August 12, 2015 at the offices of the Suffolk County Planning Commission with respect to the application of “**The Arboretum at Farmingville**” located in the Town of Brookhaven

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **September 2, 2015**, now therefore, Be it

RESOLVED, that the Suffolk County Planning Commission hereby 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** the referral of The Arboretum at Farmingville 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 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. The pedestrian connection made between the walking path at the north end of the subject development and Horseblock Road should be designed, in addition to recreational use, as a connection to bus transit, as appropriate, in coordination with Suffolk County Transit.
 8. The petitioner should explore ways to connect the pedestrian path to access the soccer fields to the south
- 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%20and%20Information.aspx#SCPC>

The Arboretum at Farmingville

COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

	AYE	NAY	ABSTAIN	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 Gershowitz

Present: 13

Seconded: Commissioner Kramer

Absent: 1

Voted: 12

Abstention: 1

DECISION: Approved

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

DECISION NO.
MEETING: SEPTEMBER 17, 2015

RESOLUTION OF ADOPTION – GRANTING
THE APPLICATION OF
THE ARBORETUM AT FARMINGVILLE FOR A
CHANGE OF ZONE FROM A RESIDENCE 1
AND J BUSINESS 4 TO MF RESIDENCE AND
J BUSINESS 2 ON PROPERTY LOCATED IN
FARMINGVILLE, NEW YORK

WHEREAS, the Town Board is considering the application of the Arboretum at Farmingville for a change of zone from A Residence 1 and J Business 4 to MF Residence and J Business 2 for multi-family residential development and commercial development, on a parcel of property located on the s/s of Horseblock Road (C.R. 16), w/o Hanrahan Avenue, Farmingville, New York, further identified as S.C.T.M. Nos. 0200-626.00-03.00-039.005 and 040.000 and 0200-653.00-07.00-001.000; and

WHEREAS, the Town Board of the Town of Brookhaven, acting as Lead Agency, adopted a Positive Declaration for the application at the June 24, 2014 Town Board Meeting; and

WHEREAS, The Draft Environmental Impact Statement (DEIS) in conjunction with said application was accepted as complete by the Town Board of the Town of Brookhaven at the March 26, 2015 Town Board Meeting, and a thirty (30) day minimum public comment period was commenced; and

WHEREAS, on May 7, 2015, a joint public hearing on both the DEIS and change of zone application was held, at which time all interested parties were given an opportunity to be heard, and the public comment period on same was held open until May 18, 2015, to receive written comments; and

WHEREAS, on August 6, 2015, the Town Board accepted the Final Environmental Impact Statement (FEIS) for the application, and a ten (10) day consideration period was commenced; and

WHEREAS, on September 17, 2015, the Town Board adopted a SEQRA Findings Statement for the application of the Arboretum at Farmingville for a change of zone from A Residence 1 and J Business 4 to MF Residence and J Business 2 for multi-family residential development and commercial development, pursuant to the requirements of Part 617.11 of the State Environmental Quality Review Act; and

WHEREAS, after due consideration and deliberation;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brookhaven that the above application of the Arboretum at Farmingville for a change of zone from A Residence 1 and J Business 4 to MF Residence and J Business 2 for multi-family residential development and commercial development, on a parcel of property located on the s/s of Horseblock Road (C.R. 16), w/o Hanrahan Avenue, Farmingville, New York, further identified as S.C.T.M. Nos. 0200-626.00-03.00-039.005 and 040.000 and 0200-653.00-07.00-001.000, is hereby approved subject to the following:

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. Use of the subject premises shall be limited to a multi-family residential community, consisting of not more than 292 units and 24,000 s.f. of commercial uses.

2. All development shall be in substantial compliance with the concept plan by Baldassano Architecture, LLP last revised on 2/11/2015 and date stamped received by the Town of Brookhaven Town Clerk on 3/3/15.
3. As illustrated on the Baldassano Architecture, LLP concept plan, single-family residences shall be situated along the eastern and western side yards.
4. The applicant/owner shall submit a land division application to separate the 3.65 acre J Business 2-zoned parcel and the 61.588 acre MF Residence District (Multi-Family)-zoned parcel. The Planning Board land division approval must be obtained before or simultaneous with site plan approval.
5. At the time of conditional site plan approval, the applicant/owner shall submit and agree to a perpetual cross access and public use easement agreement for the 7.28±-acre publicly accessible open space area with the Town of Brookhaven for public access and use, subject to the approval of the Town Attorney's Office. The public use easement agreement shall contain insurance indemnity provision for public use. Upon execution by all parties, said agreement shall be filed as a covenant in the Office of the Suffolk County Clerk.
6. Redemption of 41.6 Pine Barrens Credits shall be a condition of final site plan approval.
7. At the time of conditional site plan approval, the applicant/owner shall submit and agree to a perpetual future cross access easement agreement to the property to the east (SCTM No. 0200 62600 0300 039002) and to the property to the west (SCTM No. 0200 62600 0300 005000) which agreements shall be subject to the approval of the Town Attorney's Office. Upon execution by all parties, said agreement shall be filed as a covenant in the Office of the Suffolk County Clerk.
8. Site access to Horseblock Road shall be provided by means of an internal roadway connecting the multifamily residence and the commercial uses. Proposed site access to Horseblock Road shall be mitigated by the installation of a traffic signal or as may be directed by Suffolk County Department of Public Works. At time of site plan review the Planning Board shall review and determine whether or not and where to place the proposed access to the east and proposed emergency access west of the site, subject to final recommendations from traffic review agencies having jurisdiction.

9. A minimum of ten (10) percent of the total number of dwelling units shall be maintained in perpetuity as affordable and/or workforce units (30). Half of the "affordable" units (15) shall 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. Half of the "workforce" units (15) shall 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. 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.
10. A natural and/or re-vegetated buffer of not less than twenty five (25) feet shall be required along the western and eastern property lines abutting residentially used properties, with the exception for cross access and utilities.
11. A minimum fifty (50) foot landscaped area shall be maintained adjacent to Horseblock Road.
12. In accordance with Section 85-82 of the Code of the Town of "Brookhaven, a land use intensification mitigation fee shall be paid in the amount of \$68,437.50.

COUNTY OF SUFFOLK

Z-4



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Theresa Ward
Deputy County Executive and Commissioner

Department of Economic Development and Planning
Division of Planning and Environment

STAFF REPORT

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

Applicant: East Hampton Housing Authority's "AMG 351" Project
Municipality: Town of East Hampton
Location: Northerly side of Montauk Highway (SR 27), 1,062+/-' w/o Bunker Hill Road

Received: 4/18/2018
File Number: EH-18-01
T.P.I.N.: 0300 17200 0200 033001
Jurisdiction: Adjacent to SR-27 (Montauk Highway)

ZONING DATA

- Zoning Classification: A Residence - Affordable Housing & Limited Business Overlay
- Minimum Lot Area: 125,000 S.F. / maximum 8 units per acre via special permit
- Section 278: 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: Unlisted Action (EAF)
- Minority or Economic Distressed: No

SITE DESCRIPTION

- Present Land Use: Vacant Land
- Existing Structures: None, 1 non-utilized shed had been removed
- General Character of Site: Generally level
- Range of Elevation within Site: $\pm 48'$ to $\pm 55'$ Above Mean Sea Level
- Cover: Mostly cleared
- Soil Types: Bridgehampton silt loam & Riverhead sandy loam (both listed as Prime Ag. Soils)
- Range of Slopes (Soils Map): 0-3%

NATURE OF MUNICIPAL ZONING REQUEST

- Type: Site Plan and Special Permit Application
- Layout: Cluster design having 2 story apartment structures
- Area of Tract: 4.6 acres (203,154 Sq. Ft.)
- Yield Map: N/A
 - # of Housing Units: 37 affordable attached apartment units (8 units per acre)
- Open Space: None dedicated but provided in the buffer & recreation areas

ACCESS

- Roads: Existing
- Driveways: Internal private loop road proposed

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: There is no depiction of a storm-water management system on the referred site plan other than a 'rain garden' however a Town of E.H. Dept. of Engineering memorandum indicated that the proposed development is designed to provide for a 3.5" rainfall, where only 2" is required.
 - Recharge Basins
- Groundwater Management Zone: IV (600 gpd per acre)
- Water Supply: Public
- Sanitary Sewers: Proposed on-site "Biologically Engineered Single Sludge Treatment (BESST)" STP

PROPOSAL DETAILS

OVERVIEW - This is a Site Plan/Special Permit application to develop the 4.62 acre subject property in Amagansett with a 37-unit affordable housing project in the form of attached apartments with 12 one bedroom units, 12 two bedroom units, 12 three bedroom units, and 1 four bedroom unit above the proposed 'Community House'. The subject property is within the A-Residential Zoning District with an Affordable Housing Overlay and Limited Business Overlay. An affordable housing development is a Special Permit use, and standards of a multiple residence will apply. The referral material submitted with this application indicated that the Town Board discussed legislation that would allow for an exception that would permit two uses on a parcel that contained both an Affordable Housing Overlay and a Limited Business Overlay designation. Based on Planning Board recommendations the submitted application proposes no commercial buildings or uses, and the project is in accordance with zoning with regard to the number residential units. All the residential buildings are proposed to be 2 stories in height.

The referred Site Plan proposes creating 'green space' in both the middle and front of the project, with periphery parking. Additional green design elements are proposed to be incorporated into the project, including bike rentals, bike racks, a bus shelter, a canopy with solar panels over parking, and rain gardens to collect runoff. There is also a 20' bike easement proposed along the rear of the property adjacent the LIRR right-of-way.

The proposed development is intended to connect to a new sewage treatment plant at the easterly portion of the subject project site. The design and technology has been indicated in the referral material to be a BESST system.

The subject property is located in the hamlet of Amagansett, along the northerly side of Montauk Highway, the main east-west roadway for the subject area as well as most of the south fork of Suffolk County.

A review of the character of the land use and zoning pattern in the vicinity indicates a wide variety of uses ranging from single family residential to typical highway business uses, including retail and professional uses.

There is a shopping center development with a grocery store adjacent to the subject property and a train station for the Montauk branch of the Long Island Railroad a short (walking) distance to the west. Suffolk County Transit operates a bus route (known as S10c) along Montauk Highway directly past the subject property.

The subject application proposes an ingress/egress point of access along Montauk Highway providing access to the housing development which will need to obtain a curb-cut permit from the New York State Department of Transportation. This ingress/egress is proposed to be un-signalized, and not directly across from other existing access points along Montauk Highway. The point of access is relatively close to an existing access easement (to remain) that provides a 2nd point of ingress/egress for the abutting gas station property and this should be considered.

A middle turning lane exists along this portion of Montauk Highway, directly in front of the subject parcel. The proposed site plan indicated sidewalks with a crosswalk on Montauk Highway.

It has been noted that no other form of alternative or emergency access has been proposed as part of the current Site Plan application.

The subject property is situated in Hydro-geologic Ground Water Management Zone IV pursuant to Article 6 of the Suffolk County Sanitary Code. The site is not located in a NYS Special Groundwater Protection Area (SGPA). The subject site is not located in a NY State Critical Environmental Area. The site is not located in a Suffolk County Pine Barrens. No federal or state mapped and regulated wetlands occur on or near the subject property.

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

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.

The proposed East Hampton Housing Authority's "AMG 351" Project addresses one inter-community issue faced by Suffolk County; that being the provision of affordable housing. The proposed attached housing development is compatible with the adjacent land uses. The project is designed to conform to community character, being limited to two stories with architectural elements consistent with the area. Public convenience is not anticipated to be impacted as motor vehicle trip generation will be minimal. The project as proposed along with the local review process assures the continuance of a satisfactory community environment.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of East Hampton's 2005

Comprehensive Plan analyzes Land Use by Hamlet or Planning Area, whereas the School District boundaries serve as the Hamlet or Planning Areas boundaries. The proposal of 37 unit affordable apartments appears to conform to many of the stated goals of the Plan for the Amagansett hamlet; including providing affordable housing for full time residents, creating a pocket neighborhood, protecting natural resources through the clustering of dwelling units. In addition, the proposal will incorporate ways to reduce reliance on the single occupant automobile but providing bike rental facility, being located in walking distance to public modes of transportation, shopping, and places of recreation.

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 part of the information in the Town referral, the project is classified as an Unlisted Action pursuant to SEQRA; and no significant adverse environmental impacts have been identified by the Town of East Hampton Planning Department, and they have recommended a negative declaration.

The proposed development is anticipated to generate 8,730 gallons per day of liquid waste, and is intended to connect to a new sewage treatment plant at the easterly portion of the subject project site. The design and technology has been indicated in the referral material to be a BESST system, and in accordance with Suffolk County Health Department Services redundancy design requirements; being that is expandable to 100%, and equipped with a secondary generator and pump as a back-up in the event that the primary ones fail. Early review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted for consideration of waste water treatment options and the applicant should also be directed to contact and begin/continue dialogue with the Suffolk County Department DPW as early as possible.

As indicated in the referral material that the project is proposed to have energy efficient elements particularly the solar panel canopy over parking, and provides healthiest possible living environment for its residents.

Upon review of the referral materials from the Town of East Hampton, Suffolk County Department of Planning staff found that the Site Plan was consistent with the local law for the Affordable Housing Overlay District, and that the Special Permit required to develop the subject property with the proposed 37 unit affordable housing community (pocket neighborhood) was preferable to what could be constructed under the A-Residential (single family) zone, or the Limited Business Overlay.

It is the belief of the staff that the premise may be adequately situated for multi-residence purposes. Attached unit developments should be within a practical distance from walkable services and amenities such as groceries, personal services, entertainment, etc. A review of the land uses in the area indicates that there are walkable services and amenities from the subject property, i.e. a commercial business districts (including a grocery store and post office) adjacent to the subject

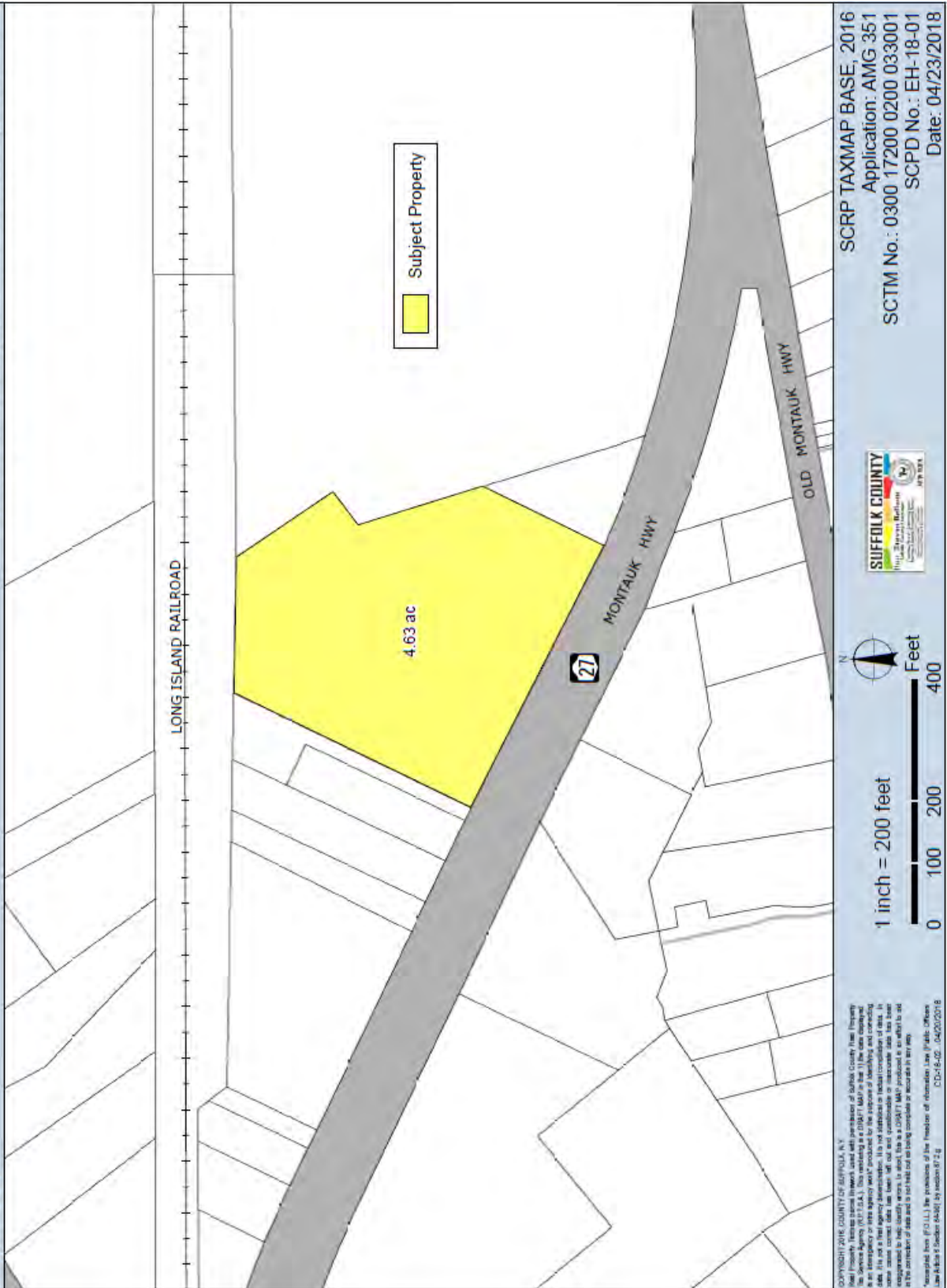
property; the LIRR train station and public busing; and in addition the developer intends to provide a bus shelter and bike rental facility.

The lighting plan is under review and the height and placement of exterior luminaries will be consistent with the Town of East Hampton “dark sky” requirements.

STAFF RECOMMENDATION

Approval of the proposed AMG 351 project by the East Hampton Housing Authority with the following comments:

1. Consideration should be given to require the applicant to include a provision on the Site Plan that would incorporate the existing access easement for the adjacent gas station to the east as a possible shared point of ingress/egress. This would be supported by the Town Comprehensive Plan and the Amagansett Hamlet Plan which recommend limiting/reducing the number of curb-cuts along Montauk Highway; And also allow for the future connection of the subject property and Montauk Highway with the vacant and/or underutilized parcels to the east.
2. Early review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted for consideration of waste water treatment options and the applicant should also be directed to contact and begin/continue dialogue with the Suffolk County Department of Health Services and the Suffolk County Department of Public Works as early as possible.
3. The applicant should be directed to contact and begin/continue dialogue with the Suffolk County DPW Transit Division as early as possible for the ability to accommodate bus ridership at the subject property and with respect to the preferred location of the proposed bus shelter (and turn-out if deemed necessary).
4. The visual impact to the Montauk Highway corridor and surrounding area should be assessed in order to mitigate any visual effect that might lessen the safety and carrying capacity of the state roadway. “Dark Sky” best management techniques should be employed for the lighting plan to mitigate impacts to adjacent residential areas as well as the Montauk Highway corridor
5. 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.
6. 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.
7. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
8. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.



(M.T.A.)
Long Island Rail Road

