

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Economic Development & Planning
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Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development
and Planning

Sarah Lansdale, Director of Planning

Notice of Meeting

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

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

Tentative Agenda Includes:

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

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



Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Joanne Minieri
Deputy County Executive and Commissioner

Division of Planning
and Environment

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

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

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

ZONING DATA

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

SUPPLEMENTARY INFORMATION

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

SITE DESCRIPTION

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

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

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

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

ACCESS

- Roads: road proposed
- Driveways: existing

ENVIRONMENTAL INFORMATION

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

PROPOSAL DETAILS

OVERVIEW – Greater Bellport Land Use Plan

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

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

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

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

three community education workshops.

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

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

STAFF ANALYSIS

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

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

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

It is the belief of the staff that:

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

- The existing destination retail centers west of Station Road on either side of Sunrise Highway should be maintained and not expanded. As the plan recommends, existing industrial zoning should be retained in the nearby areas north and south of Sunrise Highway.
- The phasing out of the overabundance of automobile related uses should be supported, and the Plan wisely keeps most of them contained in a “heavy commercial” area immediately east of the proposed Hagerman downtown.
- No new commercial development should take place beyond the concentrations noted in the Plan. This is an important element in the Plan so as not to impact existing nearby commercial areas and not to compete with the newly created “downtowns.”
- The three “opportunity areas” leave open a wide range of possibilities for these relatively large areas. The Plan should address these possibilities in more detail. For example; what zoning categories might they contain or be limited to and what type of land use (industrial, commercial recreational, housing, etc.) is envisioned or totally rejected. The Town has indicated that development impacts for these areas will be analyzed, when developments are proposed, with a Supplemental EIS as necessary. Also, as indicated in conversations with Town of Brookhaven staff, the Town received a 2012 NYSDOS Brownfield Opportunity Area grant that will manifest as an addendum to the greater Bellport LUP and SEIS. In these documents, the Town plans to further address transportation conflicts, housing and marketing opportunities and the disposition of underutilized properties including the Opportunity Areas and the 24 brownfields identified in the Greater Bellport study area.

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

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

- The Greater Bellport Land Use Plan makes little mention of the Town’s intent to maintain the agricultural uses in the study area. This should be addressed in more detail and could be explored in relation to the Plan’s recommendation to address the Food Desert (Recommendation 7.5.3).
- A map showing proposed zoning changes would assist the reader to envision the future pattern of the land uses in the area and allow the reader to understand the evolution of the plan.
- The Greater Bellport Land Use Plan makes little mention of affordable/workforce housing opportunities provided by the Town and this Land Use Plan. Affordable housing is a regionally significant issue to the County and this should be addressed in greater detail.

- While seniors are mentioned in the Greater Bellport Land Use Plan, little mention is made regarding accommodating the demographics of various age groups beyond providing housing choices in the form of attached housing. Varying demographics can have different impacts on land use and require particular amenities. Additional detail in the Plan is warranted.
- The Greater Bellport Land Use Plan recommends creating a new north-south route for trucks to the South Sunrise Highway Service Road so industrial trucks do not have to use Station Road, which travels primarily through residential areas. This new 60 foot right-of-way industrial road can be created by extending Cemetery Road, by annexing parkland on the eastern boundary of the LI Auto property, or by obtaining an easement for dedication of property on the western boundary of the LI Auto property. In addition, completing the South Sunrise Highway Service Road from Station Road to Horse Block Road would provide a connection for the future truck route. Further discussions with NYSDOT, Suffolk County and the Town would be necessary to execute this proposal.
- Section 7.0, Recommendations, is missing section 7.1 and skips to section 7.2

STAFF RECOMMENDATION

Approval subject to the following comments:

1. The Greater Bellport Land Use Plan prepared by the Town of Brookhaven seems thoughtful, detailed, and comprehensive.
2. No new commercial development should take place beyond the concentrations noted in the Plan. This is an important element in the Plan so as not to impact existing nearby commercial areas and not to compete with the newly created “downtowns.”
3. The three “opportunity areas” leave open a wide range of possibilities for these relatively large areas. The Plan should address these possibilities in more detail, and discuss the possible impacts from a variety of land uses on them.
4. The Greater Bellport Land Use Plan makes little mention of affordable/workforce housing opportunities provided by the Town and this Land Use Plan. It is the belief of the Suffolk County Planning Commission that this should be addressed in more detail.
5. Additional detail is warranted regarding accommodating varying demographics current and future populations and their impacts on land use.
6. The Greater Bellport Land Use Plan makes little mention of the Town’s intent to maintain the agricultural uses in the study area. This should be addressed in more detail.
7. A map showing proposed zoning changes would assist the reader to envision the pattern of the land uses in the area and allow the reader to understand the rationale and evolution of the plan.
8. Potential developers of land located in the Land Use Plan study area should be made aware of Suffolk County Planning Commission and Town of Brookhaven guidelines and requirements for public safety, universal design, energy efficiency and natural/green methodologies for the treatment of storm water runoff.

9. Continued dialogue and coordination with the Suffolk County Department of Public Works is in order with respect to regional waste water collection and treatment.
10. Further discussions with NYSDOT, Suffolk County, and the Town would be necessary to execute the proposed new north-south route for trucks as described in the Greater Bellport Land Use Plan.



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STAFF REPORT

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

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

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

ZONING DATA

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

SUPPLEMENTARY INFORMATION

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

SITE DESCRIPTION

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

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

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

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

ACCESS

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

ENVIRONMENTAL INFORMATION

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

PROPOSAL DETAILS

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

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

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

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

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

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

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

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

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

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

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

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

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-I provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment.

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

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

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

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the Commission policies:

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

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

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

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

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

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

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

STAFF RECOMMENDATION

Approval, subject to the following comments:

1. The Suffolk County Planning Commission's publication on Managing Stormwater - Natural Vegetation and Green Methodologies should be reviewed and additional stormwater mitigations incorporated where practical.
2. The Town should require that the applicant be prohibited from exporting any soil material, classified as prime agricultural soils, off the subject parcel. And that the proposed solar panel arrays not negatively impact the viability of the prime agricultural soils on-site.
3. The proposed action should only be approved after an acceptable "Decommissioning Plan" has been submitted in accordance with the Town's zoning ordinances governing solar energy generating facilities (solar farms).
4. In supporting with the intent and objectives of the 'Planned Conservation Overlay District', it should be required that a 'Sight-line Analysis' be prepared along all adjacent roadways to ensure that the proposed solar farm will not adversely impact the scenic vistas and community character of the subject area.
5. It is suggested that the Town and applicant review the U.S. Department of Agriculture's Natural Resources Conservation Services information on 'cover crops and soil health' for best practices regarding what to grow under and between the proposed solar array panels. Cover crops have the potential to prevent erosion, improve soil's physical and biological properties, supply nutrients and suppress weeds, and break pest cycles along with various other benefits.

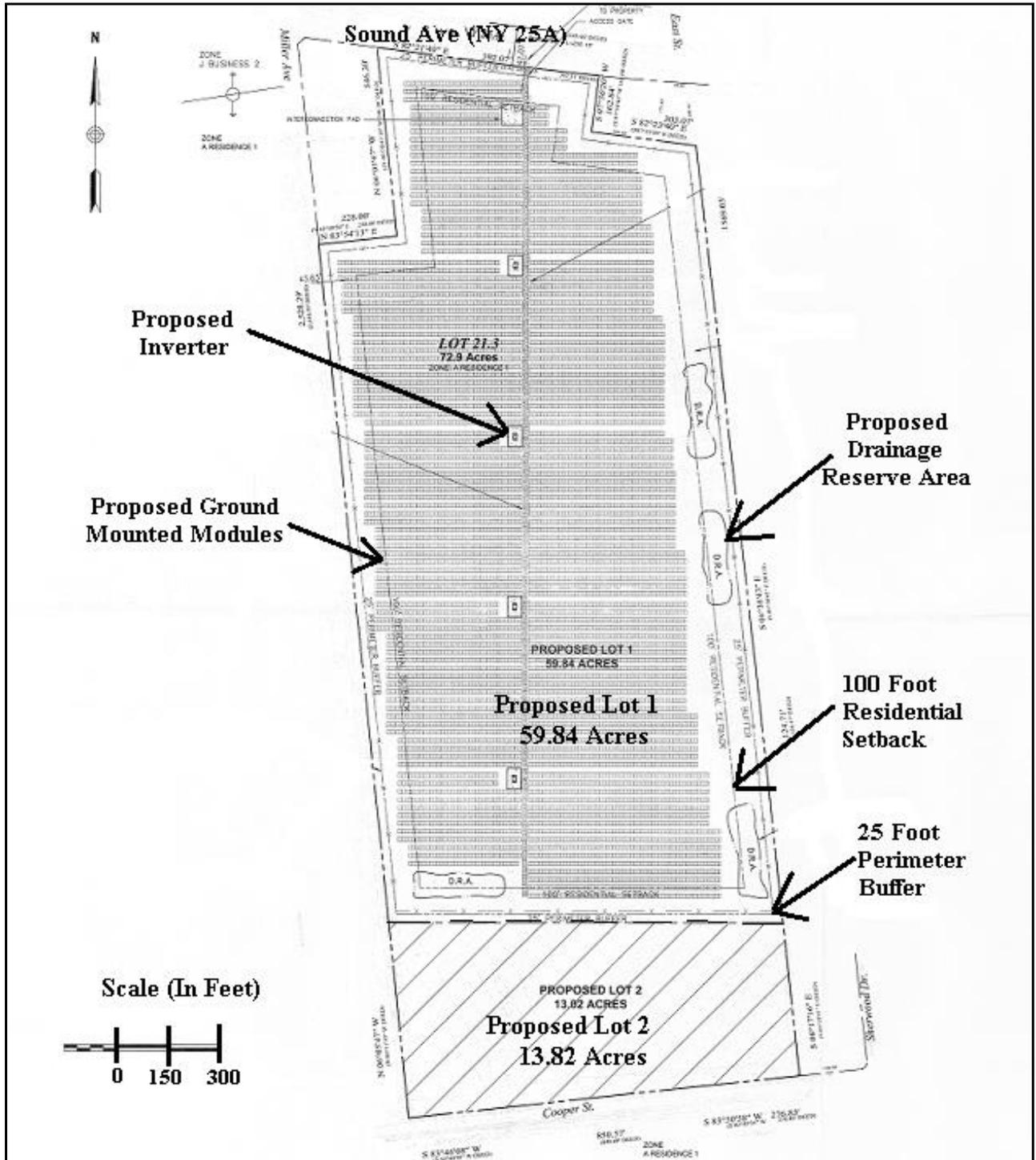


SUFFOLK COUNTY
 COUNTY OF SUFFOLK, N.Y.
 Real Property Taxing Districts used with permission of Suffolk County Real Property Taxing Agency (RPTA). This rendering is a digital map product. The data represented on this map is derived from aerial photography and other sources. While every effort is made to ensure accuracy, some cases correct data has been left out and questionable or inaccurate data has been exaggerated to help identify errors. In short, this is a DIGITAL MAP produced in an effort to aid in the correction of data and is not intended to be a complete or accurate in any way.
 Sourced from FGLU, the provisions of the Freedom of Information Law (Public Officers Law Article 6 Section 84-40) in section 87(2)(g) CD-14-023, 07/18/14

SCRP TAXMAP BASE, 2012
 Application: SPOWER, Shoreham
 SCPD No.: BR-14-10

SCTM No.: 0200 10400 0200 021003

Date: 07/17/14



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



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

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

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

ZONING DATA

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

SUPPLEMENTARY INFORMATION

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

SITE DESCRIPTION

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

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

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

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

ACCESS

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

ENVIRONMENTAL INFORMATION

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

PROPOSAL DETAILS

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

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

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

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

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

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

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

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

(Calverton) and agriculture.

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

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

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-I provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment.

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

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

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the above policies:

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

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

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

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

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

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

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

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

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

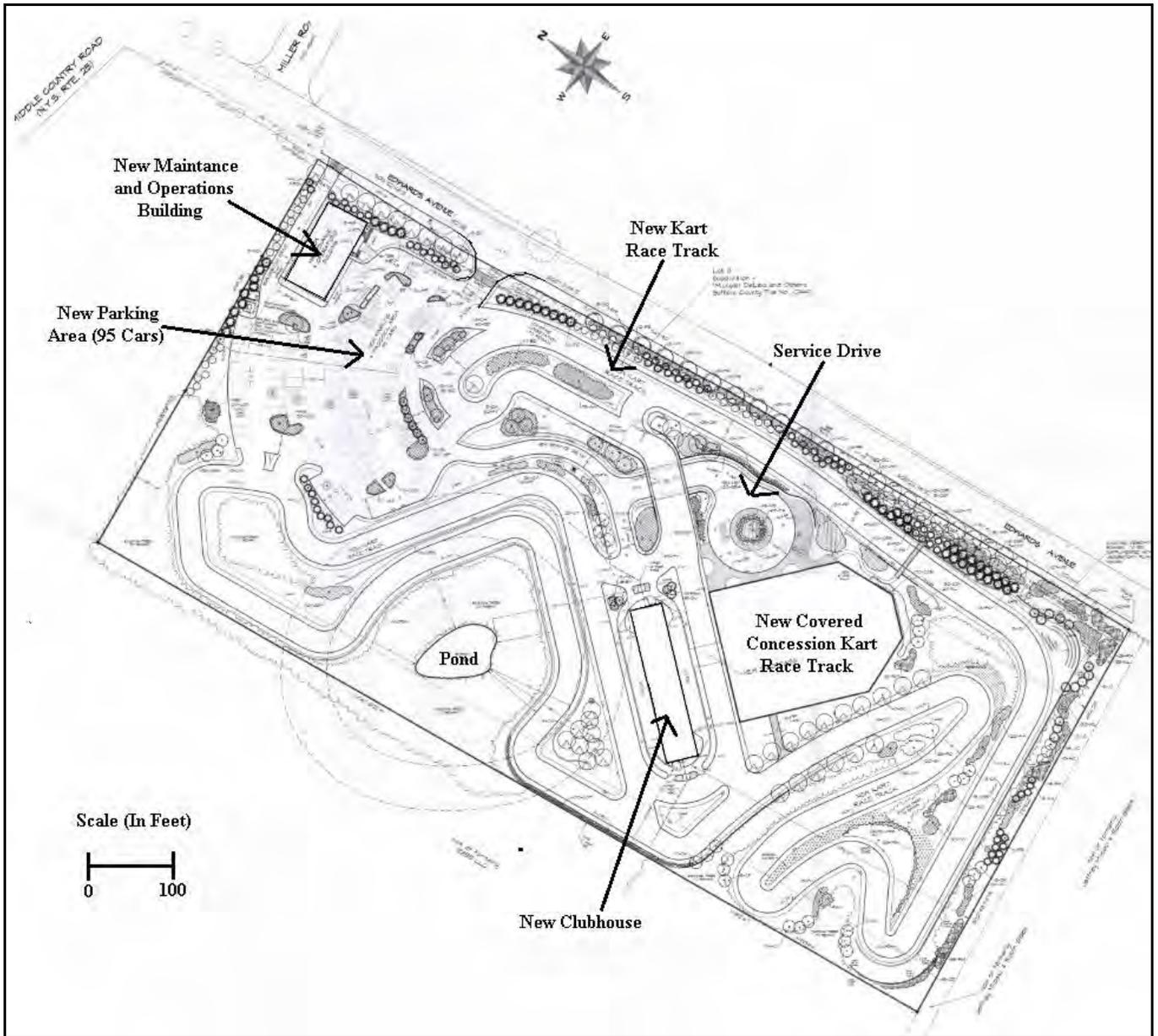
STAFF RECOMMENDATION

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

1. Early review by the Department of Health Services and the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted and the petitioner should be directed to contact and begin dialogue with the Suffolk County Department of Health Services and the SCDPW as early as possible with regard to waste water treatment.
2. There is some concern that fueling and servicing of the karts may require the storage of fuel, oil, solvents or other fluids that may be subject to the Suffolk County Sanitary Code Articles 7 and 12 on the handling and storage of hazardous materials. The applicants should be directed to contact the Suffolk County Department of Health Services and investigate issues surrounding fuel and liquid storage.
3. Noise from the proposed use may conflict with other land uses in the area including agriculture such as an equestrian facility, institutional (elementary school and post office), a charter school, golf course and residential. The chief generator of the noise is the racing of the karts. Mitigations proposed by the applicant include mandatory use of mufflers, maintain to the greatest extent practical existing contour or elevations as well as exiting vegetation/fauna on the premises and noise absorptive barriers. It is the belief of the Suffolk County Planning Commission that additional analysis is warranted and an acoustic specialist should be consulted.
4. The petitioner should be encouraged to review the Suffolk County Planning Commission publications on Man Made Ponds in Suffolk County and Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.
5. The petitioners should be directed to contact the NYS DOT to resolve access and traffic considerations for the intersection at Edwards Avenue and NYS Rte. 25.
6. The most landward limit of Town regulated wetland on the subject property should be flagged in the field by a qualified expert, verified by the appropriate agency and shown on all sketches, drawings, surveys and plans for the proposed sports facility. All appropriate construction and buffering setbacks should be established from the flagged line.
7. The proposed stone path leading to the covered concession should be made part of a larger pedestrian path network leading to Edwards Avenue and north to the transit routes.

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

8. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.
9. The petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
10. The petitioner should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.



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

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Economic Development & Planning
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099

T: (631) 853-5192 F: (631) 853-4044

Joanne Minieri, Deputy County Executive and Commissioner, Department of Economic Development
and Planning

Sarah Lansdale, Director of Planning

AGENDA

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

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

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

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

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

David L. Calone
Chairman

Sarah Lansdale, AICP
Director of Planning

Date: August 6, 2014
Time: 2:00 p.m.
Location: Rose Caracappa Legislative Auditorium
William H. Rogers Legislature Building
North County Complex
Hauppauge, New York 11788

Members Present (10)

Ramon Accettella – Town of Babylon
Michael Kelly – Town of Brookhaven
Jennifer Casey – Town of Huntington
Matthew Chartrand – Town of Islip
Carl Gabrielsen – Town of Riverhead
Adrienne Esposito – Villages Over 5,000
Michael Kaufman – Villages Under 5,000
Kevin Gershowitz – At Large
Glynis Margaret Berry – At Large
David Calone – At Large

Staff Present (4)

Sarah Lansdale – Director of Planning
Andrew Freleng – Chief Planner
Theodore Klein – Senior Planner
John Corral – Planner
Christine DeSalvo – Senior Clerk Typist
Mary Porter – Assistant County Attorney (Counsel to the Commission)

Call to Order

- The meeting of August 6, 2014 was called to order by David Calone, Chairman, at 2:10 p.m.

The Pledge of Allegiance

Adoption of Minutes

- The adoption of the July 2, 2014 Meeting Minutes. Motion to adopt as amended made by Commission member Chartrand, seconded by Commission member Gabrielsen. Vote Approved: 8 ayes, 0 nays, 0 abstentions. Note: Commission members Casey and Gershowitz had not yet arrived at the meeting.

Public Portion – Three members of the public spoke to the Commission about several different applications. In addition, during the public portion the Chair recognized Suffolk County Legislator Robert Calarco of the 7th Legislative District, and invited him to participate in the public portion of the meeting which he did, speaking in regard to the Town of Brookhaven’s Draft Bellport Land Use Plan.

Chairman’s Report – Chairman Calone updated the Commission as follows:

- On Agriculture; To support our agricultural economy and to sustain it into the future the Planning Commission has two initiatives in the works; 1) along with the Farm Bureau, the Peconic Land Trust and the County administration, the Suffolk County Planning Commission put together an application to the State Long Island Regional Economic Development Council that would help new farmers finance the capital equipment they need to get started. The Chair indicated that the proposal was one of the top proposals that the LIREDC highlighted recently and that he is hopeful that they will provide their formal support this month. In addition, 2) an effort to improve education opportunities to get more people interested and prepared to farm. The Chair recognized and thanked Commission members Carl Gabrielsen who has been attending those meetings on behalf of the County Planning Commission.
 - o Commission member Gabrielsen informed the Commission that he has been in talks with Suffolk BO.C.E.S. and the local school districts to look into offering a curriculum that included agriculture education including farm field trips.
- On ‘Housing’, the Chair restated the lack of good housing data in Suffolk County, and said that working with groups like the Long Island Community Foundation, a plan has been finalized for the County Planning Commission to start collecting that data on an annual basis so that the County can better establish regional housing strategies and goals. This will build on the data that the County Planning Department staff is already collecting. The Chair noted that there have been inquiries on this kind of data recently, and asked each of the Commission members to personally ask their Towns to help with this effort. The Chair indicated that he has spoken with all the Supervisors, and has their support. He also recognized Sarah Lansdale, Andrew Freleng and Peter Lambert for their efforts.
- On the “Public Safety” initiative the Chair shared some exciting action on this project over the last few weeks. He said that we already have several towns, including Brookhaven and Babylon, where the supervisors have expressed an interest in taking our public safety design code and providing guidelines for their town planning boards to keep public safety principles in mind when evaluating site plans. The Chair also indicated that he mentioned the Commission’s public safety guidelines to New York State Attorney General Eric Schneiderman, who was so intrigued with the idea that he assigned one of his top assistants to look at working on the project with the Commission. So over the next few weeks the Commission will have a sense on whether the State Attorney General’s office is going to work with the Commission on

refining the principles and possibly getting behind on effort to get these out not just in Suffolk, but across New York State.

Meeting Summary (Continued)

August 6, 2014

Chairman's Report – Continued

- Regarding the 'Economic Development Conference', the agenda for this event, which is a joint effort of the Suffolk Planning Commission and the Suffolk County IDA, has been further refined. It looks like Canon is willing to host this event at its U.S. headquarters in Melville. The Commission is looking at finalizing a date in either October or November for the conference and the Commission members will be notified as soon as that happens.
- On the 'Geothermal Model Code'; Chairman Calone acknowledged the work of former Commission member John Whelan and Commission member Michael Kaufman. And then stated that the Commission recently received a modified version of the code back from LI-GEO, the industry group that the Commission has been working with. The Chair indicated that this latest draft addressed many of the issues raised by stakeholders and municipalities when the first draft was circulated several months ago. In the next day or two the revised version we will sent around to the key stakeholders and government officials for final review and comment with hopes to have the model code ready for the Commission's consideration at the September meeting.
- With respect to other Commission business;
 - The Chair stated that there were two issues that the Executive Committee will be discussing and provide thoughts on to the Commission next month: 1) how can we streamline the public portion, ideas that are used elsewhere are limiting speakers for each side to a half hour each; and 2) should the Commission do more to affirmatively support development projects that are strong from a regional perspective. This could include creating a designation that the Commission could award to select projects that it approves that indicates that they are "regionally valuable". This is something we can talk about and get feedback from the Commission members.
 - Chairman Calone reminded the Commission that the Fall Planning Federation event has been scheduled for October 21st starting at 3 pm. And that once again the Planning Commission will play a key role in the conference and that Commission members will be needed to serve as moderators for the various panel
 - The Chair mentioned the next Commission meeting is to be held in Riverhead at 2 p.m. on September 3rd.

Director's Report – The Planning Director Sarah Lansdale informed the Commission about recent activities within the Division including the following:

- Director Lansdale stated that a 'green-light' was received from the USDA and NRCS on a pre-proposal for a stewardship grant under their Regional Conservation Partnership Program or RCPP. Last month a \$12 million pre-proposal was submitted to look into an aqua-cultural stewardship program in the Peconic Estuary area and the pre-proposal was accepted. We have until October 2nd to get our final proposal in. The goal is to reduce agriculture nitrogen input into the Peconic Estuary watershed.
- The Director reminded the Commission that the County is still accepting submissions

for the "Crap-Shoot Short Film Contest" through September 1st.

- Director Lansdale also informed the Commission that the County is making progress with the selection of innovative alternative septic systems, and hopes to make an announcement shortly.

Meeting Summary (Continued)

August 6, 2014

Director's Report – continued

- Regarding the Comprehensive Plan, the County has met with its consultants on the Plan and the Director indicated that an Executive Summary of the plan could be available for the Commissions review within the next couple of weeks.

Guest Speaker(s) – Tullio Bertoli and Diane Mazarakis, Town of Brookhaven Department of Planning and Economic; presented an overview of the "Greater Bellport Land Use Plan". They also addressed questions by the Commission.

Section A14-14 thru A14-25 of the Suffolk County Administrative Code

- **Draft Greater Bellport Land Use Plan and DGEIS;** the application is referred by the Town of Brookhaven, received on June 30, 2014 - the Commission's jurisdiction for review is that the application is a Land Use Plan/Comprehensive Plan. The Town of Brookhaven seeks to adopt a Land Use Plan for the Greater Bellport Area in the area including East Patchogue, Hagerman and North Bellport.

The staff report recommended approval of the Land Use Plan, and offered ten (10) comments for their consideration and use by the Town of Brookhaven. After deliberation the Commission resolved to generally agree and approve the applications subject to nine (9) comments.

The motion to approve the Land Use Plan, with the nine (9) comments for their consideration and use by the Town of Brookhaven was made by Commission member Kelly and seconded by Commission member Esposito, vote to Approve; 9 ayes, 0 nays, 1 abstentions (Berry).

- **S Power at Shoreham – a.k.a. Richwood Greenworks, LLC;** referred by the Town of Brookhaven, Variance received on July 9, 2014 and Site Plan received on July 15, 2014 – the Commission's jurisdiction for review is that the application is adjacent to State Route 25A and located within the Central Suffolk Pine Barrens – Compatible Growth Area. The Applicant seeks area variance approvals from Town of Brookhaven Zoning Board of Appeals, and site plan approval from the Town of Brookhaven Planning Board, for construction of a proposed solar panel array - generating facility. The variance sought is for dimensional relief from setback requirements from residentially zoned lands in accordance with solar permitting criteria.

The staff report recommended approval of both the variance and site plan applications and offered five (5) comments for their consideration and use by the Town of Brookhaven. After deliberation the Commission resolved to generally agree and approve the applications subject to one (1) modification and with six (6) comments.

The motion to approve both the variance and site plan applications subject to one (1) modification and with six (6) comments for their consideration and use by the Town of Brookhaven was made by Commission member Gabrielsen and seconded by Commission member Kelly, vote to Approve; 10 ayes, 0 nays, 0 abstentions.

Meeting Summary (Continued)

August 6, 2014

Section A14-14 thru A14-25 of the Suffolk County Administrative Code (Continued)

- **F1 Long Island LLC**; referred by the Town of Riverhead, received on July 9, 2014 – the Commission's jurisdiction for review is that the application is within 500 feet of an Agricultural District(#7) and within one mile of an Airport (Calverton). The applicant seeks site plan approval from the Town of Riverhead Planning Board, for construction of a commercial sports facility consisting of a series of kart racing tracks, a 14,800 SF clubhouse/corporate conference facility of 23,000 SF, and a 5,000 SF maintenance building.

The staff report recommended approval of the site plan application and offered ten (10) comments for their consideration and use by the Town of Riverhead. After deliberation the Commission resolved to generally agree and approve the applications subject to one (1) modification and with ten (10) comments.

The motion to approve the site plan applications subject to one (1) modification with ten (10) comments for their consideration and use by the Town of Riverhead and was made by Commission member Gabrielsen and seconded by Commission member Kaufman, vote to Approve; 10 ayes, 0 nays, 0 abstentions.

Meeting Adjournment (4:10 p.m.)

The motion to adjourn the meeting was made by Commission member Chartrand and seconded by Commission member Accettella. The motion was approved.