

# 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 3, 2017 at 2 p.m.**

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

### **Tentative Agenda Includes:**

1. Meeting Summary for April 2017
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guests
  - None
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
  - Gull Haven Commons LLC, Town of Islip  
0500 16500 1300 002001
  - Gregory Collins (Gramercy Bay LLC), Town of Islip  
0500 36600 0400 035000 et al
  - 203-213 E. Main Street, Town of Riverhead  
0600 12900 0100 017000 et al
7. Section A-14-24 of the Suffolk County Administrative Code
  - None
8. Other Business:

**NOTE:** The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on **June 7, 2017 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:** Gull Haven Commons, LLC  
**Municipality:** Islip  
**Location:** s/e corner Carleton Avenue CR (17) and Sunburst Boulevard

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**Received:** 4/10/2017  
**File Number:** IS-17-02  
**T.P.I.N.:** 0500 16500 1300 002001  
**Jurisdiction:** Adjacent to CR 17

### ZONING DATA

- Zoning Classification: PDDEC
- Minimum Lot Area: N/A
- Section 278: N/A
- Obtained Variance: N/A

### SUPPLEMENTARY INFORMATION

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

### SITE DESCRIPTION

- Present Land Use: vacant
- Existing Structures: educational facilities
- General Character of Site: gently sloping
- Range of Elevation within Site: ~45-60' amsl
- Cover: buildings, asphalt turf and shrubs
- Soil Types: Riverhead series, cut and fill
- Range of Slopes (Soils Map): 0-8%

- Waterbodies or Wetlands: none

#### **NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST**

- Type: change of zone
- Layout: campus
- Area of Tract: 28.9 Acres
- Yield Map:
  - No. of Lots: 1
  - Lot Area Range: N/A
- Open Space: N/A

#### **ACCESS**

- Roads: Sunburst Boulevard - Town
- 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** – Petitioner seeks change of zone approval from the Islip Town Board authorizing the conversion of Planned Development District - Educational Campus (PDD-EC) zoned land to Planned Development District - Multi Family (PDD-MF) for the construction of 266 non-age restricted rental apartments. The subject parcel is an approximately 29 acre portion of a lot owned by the New York Institute of Technology. The petitioner proposed to renovate and convert the existing “Sunburst” buildings on site into 100 (one and two bedroom) apartments and the existing “Bauhaus” building into 16 (one bedroom) apartments. In addition, the petitioner proposes to construct 6 new 3 story buildings on the western portion of the site consisting of 152 (one and two bedroom) apartments. Total building area is proposed at 345,651 square feet.

The subject property is currently owned, and last utilized by The New York Institute of Technology (NYIT). The Institute acquired the property from New York State (NYS) in the 1980’s. NYS formerly used the subject property and the surrounding properties as the NYS Central Islip Psychiatric Center. The Sunburst building was originally constructed for use as a hospital for people suffering from tuberculosis. The Bauhaus was a dormitory constructed for use as a nurse’s residence. Between 1985 and 1987, NYIT renovated the western half of the Sunburst building, as well as the entire Bauhaus building. The western half of the Sunburst building was then re-utilized for classroom, library and administrative purposes. The entire subject property was vacant by 2005.

The intended redevelopment site is located on the south east corner of Carleton Avenue (CR 17) and Sunburst Boulevard in the hamlet of Central Islip. Access to the site would only be from a single un-signalized/unrestricted access point to Sunburst Boulevard. Emergency access is proposed from Robinson Road, an internal NYIT street.

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

The proposed Gull Haven Commons project is to be connected to the Suffolk County Sewer District

– Southwest (SCSD #3).

Storm water runoff from the contemplated development is proposed to use catch basins and leaching pools in the surface parking area.

Total off street parking required for the proposed development is 469 spaces. Approximately 476 off street parking spaces are demonstrated on the conceptual master plan and appear to be in conformance with the Town of Islip Zoning Law. According to materials referred to the Suffolk County Planning Commission, a traffic study has been submitted to the Islip Town Planning Board and is being reviewed by the Town. Part of the Islip Town code requirement for the PDD approval is a “mitigation fee” to be used for recreation or transportation improvements at the discretion of the Town. The Town of Islip is considering utilizing this money for a traffic circle at the intersection of Sunburst Boulevard and Eastview Drive to the east as a traffic calming measure. According to the referral materials this is currently being considered by the Town’s Traffic Safety Division. No information is provided with respect to dialogue with the Suffolk County Department of Public Works (SCDPW) regarding impacts to Carleton Avenue (CR 17) as a result of trip generation from the proposed development.

The subject property is bound on the north by attached multi-family housing (Park Row) in the PDDMF zoning district. To the south and east the proposed development site is bound by Gull Haven golf course in the PDDREC zoning district. Further to the east are Multifamily developments (Fox Gate, Islip Landing) in the PDDMF and PDDSC zoning Districts and an educational building (PDDEC) of NYIT. To the west the subject property abuts Carleton Avenue (CR 17) and out parcels and buildings on lands designated as PDDEC. Further to the west are the Bishop McGann Village affordable senior multi-family housing development (PDDSC) and the Town Center retail/industrial complex in the PDDRS and PDDRI zoning districts respectively.

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

It should be noted that the subject application is located in a minority and 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 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 Suffolk County Planning Commission staff that the proposed action does not contradict the intent of the State law and would be compatible with adjacent land uses.

The Suffolk County Comprehensive Master Plan 2035 “Framework for the Future” identifies, as one of its key objectives, to provide equitable, affordable, fair housing. It is the belief of staff that the 20% affordability component is responsive to that objective. Moreover, it is a priority in the Master Plan to promote and support areas that best accommodate multi-family housing. Though the site is not near a downtown, it is near to the Town Center at Islip retail center, the subject development would be walkable to Suffolk County Transit bus Rte. S3C (see below).

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** According to the Town of Islip referral material to the Suffolk County Planning Commission, The Central Islip Master Plan Update of 2005 recommends that this property either be used as part of the college or as an alternative, as multi-family housing. It also specifically recommend the adaptive reuse of the Sunburst Buildings which is being proposed by the petitioner.

**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:

There is little indication in the referred material to the Suffolk County Planning Commission regarding storm water runoff from the contemplated development and how it is to be collected and treated. Storm water runoff from the proposed project should be retained on-site and recharged via a drainage system designed to conform to all applicable Town requirements. Submission materials to the Commission do not indicate that NYS DEC SWPPP requirements will be met, though it is presumed. There is an opportunity to develop the site utilizing best management practices and state of the art storm water treatment methodologies. 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, design elements contained therein.

The petitioner is proposing the demolition and or renovation of the existing Sunburst and Bauhaus buildings. Included in referral material to the Suffolk County planning Commission from the Town of Islip was a copy of a Phase I Environmental Site Assessment (ESA). The ESA was prepared to determine evidence of recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), historic recognized environmental conditions (HRECs) and/or potential environmental concerns (PECs) in connection with the development of the Gull Haven Commons project. In addition, an Asbestos-Containing Materials (ACM) survey, analysis and recommendations report was also included.

Based on the results of the ESA no RECs were identified for the subject property. However the following PECs were identified:

- A significant quantity of asbestos-containing materials were identified that will require abatement by a NYS-Licensed contractor as part of the anticipated site redevelopment activities;
- Due to the ages of the buildings lead based paint (LBP) should be investigated and addressed;
- Polychlorinated biphenyls (PCBs) potentially present in building materials and electrical light ballasts in portions of the buildings that have not been previously renovated should be

appropriately disposed of in accordance with prevailing regulations during the anticipated site redevelopment activities;

- The existing storm water drywells and building floor drains may be subject to the United States Environmental Protection Agency (USEPA) Underground Injection Control (UIC) Program as administered by the Suffolk County Department of Health Services (SCDHS). As such, further investigation and bottom sediment sampling may be required by the SCDHS at and/or prior to the time of the redevelopment activities.
- It is the belief of the Suffolk County Planning Commission staff that the petitioner should prepare and submit to the Islip Town Board an asbestos-containing materials (ACMs) removal program and asbestos abatement should be conducted as applicable prior to the demolition or renovation of the buildings in accordance with prevailing regulations. In addition, consideration of any remediation of all potential environmental conditions (PECs) on site should be consistent with a Facility Closure Plan (FAC) as appropriate, in accordance with prevailing regulations, prepared by the petitioner and submitted to the Town of Islip. The FAC should be sanctioned by the appropriate regulatory agencies prior to final site plan approval of the Gull Haven Commons project.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission.

As indicated in referral materials from the Islip Town Board to the Suffolk County Planning Commission the Town of Islip Planning Board has recommended that 20% of the units proposed (52) should be set aside for affordable housing purposes.

The proposed Gull Haven Commons, LLC apartment project is adjacent to Suffolk County Transit bus route S3C on Carleton Ave (CR 17). The S3C has connections to the village of Islandia, the Central Islip Family Health Center, the Central Islip LIRR Station, the Cohalan County and Federal Courts, Touro Law Center and the Great River LIRR Station. The internal pedestrian circulation plan should provide connection to Carleton Avenue (CR 17) for pedestrian access to the Suffolk County Transit route S3C.

Little discussion is made in the petition to the Town and referred to the Commission on public safety and universal design.

## **STAFF RECOMMENDATION**

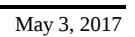
**Approval** of the change of zone for the Gull Haven Commons, LLC project from Planned Development District - Educational Campus (PDD-EC) to Planned Development District - Multi Family (PDD-MF), with the following comments:

1. 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.
2. The petitioner should prepare and submit to the Islip Town Board an asbestos-containing materials (ACMs) removal program and asbestos abatement should be conducted as applicable prior to the demolition or renovation of the buildings in accordance with prevailing regulations. In addition, consideration of any remediation of all potential environmental conditions (PECs) on site should be consistent with a Facility Closure Plan (FAC) as appropriate, in accordance with prevailing regulations, prepared by the petitioner and submitted to the Town of Islip. The FAC should be sanctioned by the appropriate regulatory

agencies prior to final site plan approval of the Gull Haven Commons project.

3. 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.
4. In accordance with the Town of Islip Planning Board recommendation twenty percent (20%) of the units proposed (52) should be set aside for affordable housing purposes.
5. The internal pedestrian circulation plan should provide connection to Carleton Avenue (CR 17) for pedestrian access to the Suffolk County Transit route S3C.
6. The Petitioner should begin/continue dialogue with the Suffolk County Department of Public Works with respect to any anticipated roadway improvements to the intersection of Sunburst Boulevard with County Road 17 (Carleton Avenue).
7. The Petitioner should begin/continue dialogue with the Suffolk County Department of Public Works Transit Division with respect to Transit Bus shelter accommodation along Carleton Avenue (CR 17).
8. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to public safety and universal design and incorporate where practical, applicable elements contained therein.





# COUNTY OF SUFFOLK

Z-2



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:** Gregory Collins (Gramercy Bay, LLC)  
**Municipality:** Town of Islip  
**Location:** Building site location is southeast corner of 5<sup>th</sup> Avenue (C.R. 13) and Oak street. Two additional parcels to be used for parking are located on the Northeast corner of 5<sup>th</sup> Avenue (C.R. 13) and the northeast corner of Oak St and Center Ave.

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**Received:** 4/12/17  
**File Number:** IS-17-03  
**T.P.I.N.:** 0500 36600 0400 013000, 035000, 040001 and 0500 392 0100 038000.  
**Jurisdiction:** Adjacent to 5<sup>th</sup> Avenue (County Road 13) and within 500 ft of Union Blvd (County Road 50)

### ZONING DATA

- Zoning Classification: Industrial 1. Business 1. Residential B.
- Minimum Lot Area: Industrial 1 (20,000 SF). Business 1 (20,000 SF). Residential B (7,500 SF).
- Section 278: NA

### 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: EAF
- SEQRA Type: Unlisted
- Minority or Economic Distressed: Yes

### SITE DESCRIPTION

- Present Land Use: Industrial and Vacant.
- Existing Structures: 3 commercial buildings to be removed
- General Character of Site: Level.
- Range of Elevation within Site: 15'-20" amsl
- Cover: Buildings and paved parking surface
- Soil Types: Urban land

- Range of Slopes (Soils Map): 0-8%
- Waterbodies or Wetlands: None

#### **NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST**

- Type: Change of zone
- Layout: 5 story mixed-use building with 122 apartment units.
- Area of Tract: 1.28 Acres
- Yield Map: N/A
- Open Space: N/A

#### **ACCESS**

- Roads: Existing (Oak Street)
- Driveways: Inter parking lot lanes.

#### **ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: Catch Basins Leaching pool.
  - Recharge Basins No
- Groundwater Management Zone: VII
- Water Supply: Connection to the public Water District
- Sanitary Sewers: Connection to the Suffolk County Sewer District three (3)-Southwest.

### **PROPOSAL DETAILS**

**OVERVIEW** – Petitioners seek change of zone approval from the Islip Town Board authorizing the conversion of four parcels of land from Industrial-1, Business-1 and Residential-B Districts to Downtown Development District (DDD) in order to construct a five (5) story, mixed use building and to construct two non-contiguous parking lots for the proposed building.

The proposal is an assemblage of four tax map parcels (1.2 Acres) in the hamlet of Bay Shore where the applicant is proposing at the southeast corner of Oak Street and Fifth Avenue (CR 13) a mixed use retail/apartment building (on two parcels) consisting of 3,685 sf of retail space at ground level and 122 apartments (103 one-bedroom & 19 two-bedroom) above. In accordance with the requested zoning district category (DDD), twenty percent (20%) of the units are to be set aside for affordable housing purposes.

Parking required for the proposed mixed use development is 214 off street parking stalls. Only 96 spaces are provided on site and the parking does not appear to be in conformance with the Town of Islip Zoning law.

According to referral materials to the Suffolk County Planning Commission from the Islip Town Board, the petitioner is under contract to purchase two lots on the north side of Oak Street, one on the northeast corner of 5<sup>th</sup> Avenue (CR 13) and Oak Street and the other on the northeast corner of Center Avenue and Oak Street to provide two additional of street parking lots for an additional 29 spaces totaling 123 spaces. In addition, the east side of the building where the retail component is located is facing and adjacent to a municipal parking lot consisting of 170 spaces.

Access to the (at-grade/under-building) parking lot of the mixed use building is proposed to be from two 12' wide curb cuts to Oak Street. While it is not indicated on the conceptual site plan referred to the Suffolk County Planning Commission from the Town of Islip, if the curb cuts will be ingress or egress restricted (one way only), the width would indicate so. Access to the two non-contiguous parking lots will be from Oak Street via unrestricted ingress/egress.

The proposed Gregory Collins (Gramercy Bay) project is to be connected to the Suffolk county Southwest Sewer District (SCSD #3).

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

Storm water runoff from the contemplated development is proposed to use catch basins and leaching pools in the surface parking area.

The subject property is bound on the north by Oak Street (Town Road) and improved lands in the Business-1 zoning district. To the east the subject parcel abuts a Town of Islip municipal parking lot in the Industrial-1 District. The intended development site is bound on the south by the Long Island Rail Road right of way and is adjacent to the Bay Shore Train Station platform in land zoned Industrial-1. To the west the subject site is bound by County Road 13 (5<sup>th</sup> Avenue) and further west improved lands in the Industrial-1 zoning district.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located a State Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone VII. The subject property is not in a State designated Critical Environmental Area. No local or State designated wetland occur on the subject site.

It should be noted that the subject application is located in a minority 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-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 Suffolk County Planning Commission staff that the proposed action does not contradict the intent of the State law and could be compatible with adjacent land uses provided appropriate buffering is put in place along the LIRR ROW. It is the belief of the staff that the proposed Gregory Collins – Gramercy Bay project can be designed to be in harmony with the existing character of the area. At this time the proposed five story building may be an anomaly for the area where three stories may be more aesthetically compatible but the Town has already set the precedence for this type of development for the area by including the site and other surrounding parcels in the recently approved Downtown Development District Overlay Zone. Said overlay encourages mixed-use and high density in exchange for community amenities (see below). The petition is one of several similar applications in the area.

The Suffolk County Comprehensive Master Plan 2035 “Framework for the Future” identifies, as one of its key objectives, to provide equitable, affordable, fair housing. It is the belief of staff that the 20% affordability component is responsive to that objective. Moreover, it is a priority in the Master Plan to promote and support areas that best accommodate multi-family housing. Though the site is not near a downtown or retail center, the subject development would be walkable to Suffolk County Transit bus Rte. S41 (see below).

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** The Town of Islip Comprehensive Plan Community Identity for Bay Shore (1974) designates the subject site for industrial. The site is presently zoned industrial and has had an Industrial/commercial use in accordance with plan. The area is generally built out to the existing zoning which is reflective of the '74 plan.

Current community and Town planning thoughts have evolved since the adoption of the '74 plan. Article XIII A of the Town of Islip Zoning Law for the Downtown Development District, last revised in 2008, among other things identifies in its legislation the intent to provide a broader range of housing choices (to the detached single family dwelling); to reduce automobile transportation demand by locating housing near major commercial and employment centers and mass transit facilities; and to facilitate pedestrian circulation and access to transportation, shopping, recreation, natural features and other amenities. The Downtown Development District overlay identifies this parcel, and numerous others in the area, but is implemented by petition to the Town Board to amend the zoning.

The proposed development sites location near the Bay Shore LIRR train station is noted by the Town of Islip planning staff as being “appropriate for a mixed use building, and this retail use would be a benefit to commuters...” The DDD requires, for additional permitted height and density, amenities listed in the Town Code to enhance and improve the downtown environment. These are provided by the proposed development in the form of a brick plaza area adjacent to the retail area, as well as, streetscape improvements to Oak Street including curbs, sidewalks, street trees and decorative street lights. The petitioner is also including a “proposed connection to the LIRR platform.” A proposed covenant from Town of Islip Planning Board requires this connection unless denied by the LIRR/MTA. In that event an alternative convenient access will be required by the Town of Islip, as identified in referral material to the Commission.

### **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:

Three existing commercial buildings are proposed to be demolished and removed from the project development parcels. There was no copy of a Phase I Environmental Site Assessment (ESA) included in referral material to the Suffolk County planning Commission from the Town of Islip; nor was there a copy of a report or statement prepared to determine evidence of recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), historic recognized environmental conditions (HRECs) and/or potential environmental concerns (PECs) in connection with the development of the intended project. In addition, an Asbestos-Containing Materials (ACM) survey, analysis and recommendations report was not included.

The petitioner should prepare and submit to the Islip Town Board an Environmental Site Assessment (ESA) and if warranted, an asbestos-containing materials (ACMs) removal program. Any asbestos abatement should be conducted as applicable, prior to the demolition or renovation of the buildings in accordance with prevailing regulations. In addition, consideration of any remediation of all potential environmental conditions (PECs) on site should be consistent with a Facility Closure Plan (FAC) as appropriate, in accordance with prevailing regulations, prepared by the petitioner and submitted to the Town of Islip. The FAC should be sanctioned by the appropriate regulatory agencies prior to final site plan approval of the Gregory Collins-Gramercy Bay project.

There is little indication in the referred material to the Suffolk County Planning Commission

regarding storm water runoff from the contemplated development and how it is to be collected and treated. Storm water runoff from the proposed project should be retained on-site and recharged via a drainage system designed to conform to all applicable Town requirements. Submission materials to the Commission do not indicate that NYS DEC SWPPP requirements will be met, though it is presumed. There is an opportunity to develop the site utilizing best management practices and state of the art storm water treatment methodologies. 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, design elements contained therein.

Noise issues related to the proximity of the Long Island Rail Road tracks and Bay Shore Station in the vicinity of the proposed mixed use building may become a concern for future residents. It is the belief of the staff that noise attenuation for proposed residential structures would be appropriate. All residential structures that are erected within the proposed mixed use building should be constructed with materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Department of Housing and Urban Development or other authority that has promulgated standards for reduction of interior noise levels.

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, for later site planning stages, elements contained therein applicable for residential and commercial components of the proposal.

The proposed Gregory Collins-Gramercy Bay apartment building is adjacent to Suffolk County Transit bus route S41 on 5th Ave (CR 13). The S41 has connections to Bay Shore LIRR Station, Brentwood LIRR Station, Suffolk Community College the Long Island Psychiatric Center, Memorial Sloan-Kettering Center, Huntington Square Mall and the US VA Medical Center. The Conceptual Site plan for the proposed development of Gramercy Bay submitted with the referral material from the Town of Islip to the Suffolk County Planning Commission does not indicate a safe pedestrian connection to 5<sup>th</sup> Avenue for access toward the bus route. The pedestrian circulation plan should provide connection to 5<sup>th</sup> Avenue (CR 13) for pedestrian access to the Suffolk County Transit route.

There is no indication in the referred material to the Suffolk County Planning Commission that the petitioner is currently preparing a traffic impact analysis in coordination with the Town and Suffolk County Department of Public Works. Such an analysis is helpful to determine the impact to the intersection of 5<sup>th</sup> Avenue with Oak Street, particularly in the vicinity of the Long Island Rail Road grade crossing.

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.

## **STAFF RECOMMENDATION**

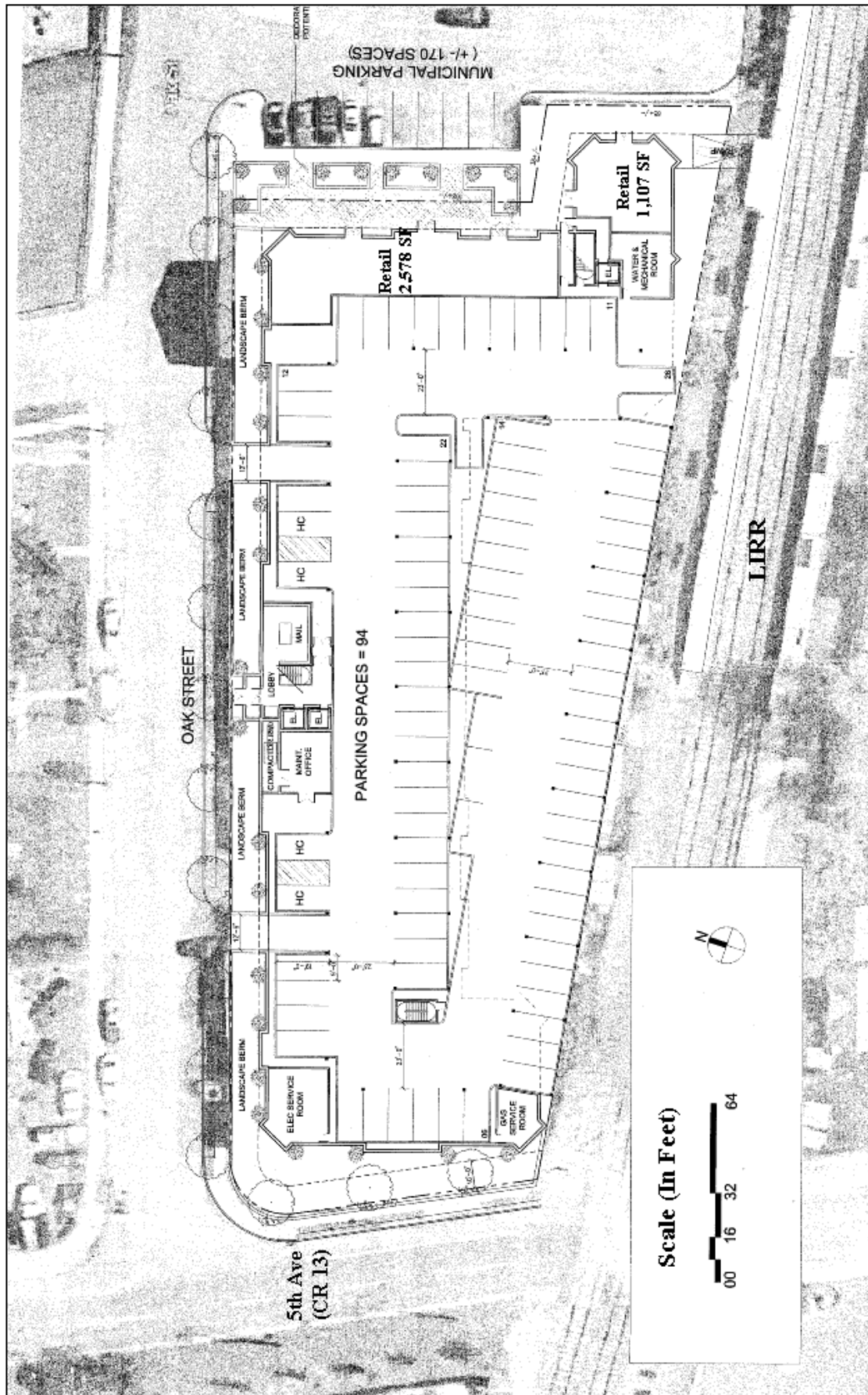
**Approval** of the change zone petition for Gregory Collins - Gramercy Bay LLC, authorizing the conversion of four parcels of land from Industrial-1, Business-1 and Residential-B Districts to Downtown Development District (DDD) in order to construct a five (5) story, mixed use building and to construct two non-contiguous parking lots for the proposed building, with the following comments:

1. The petitioner should prepare and submit to the Islip Town Board an Environmental Site Assessment (ESA) and if warranted, an asbestos-containing materials (ACMs) removal

program. Any asbestos abatement should be conducted as applicable prior to the demolition or renovation of the buildings in accordance with prevailing regulations. In addition, consideration of any remediation of all potential environmental conditions (PECs) on site should be consistent with a Facility Closure Plan (FAC) as appropriate, in accordance with prevailing regulations, prepared by the petitioner and submitted to the Town of Islip. The FAC should be sanctioned by the appropriate regulatory agencies prior to final site plan approval of the Gregory Collins-Gramercy Bay project.

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, design elements contained therein.
3. All residential structures that are erected within the proposed mixed use building should be constructed with materials and techniques that will reduce interior noise levels in accordance with the recommendations of the Department of Housing and Urban Development or other authority that has promulgated standards for reduction of interior noise levels.
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 be encouraged to continue/begin dialogue with the Suffolk County Department of Public Works with respect to potential motor-vehicle congestion impacts to the intersection of Oak Street with CR 13 (5<sup>th</sup> Avenue).
6. The pedestrian circulation plan should provide connection to 5<sup>th</sup> Avenue (CR 13) for pedestrian access to Suffolk County Transit Route S41.
7. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to public safety and universal design and incorporate where practical, applicable elements contained therein.
8. The two tax map parcels (SCTM # 0500 36600 0400 035000 and SCTM # 0500 39200 0100 038000) on which the building is to be constructed should be merged to create a single and separate lot.





# 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 A14-24 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

**Applicant:** 203-213 East Main Street  
**Municipality:** Riverhead  
**Location:** South side of East Main Street (a.k.a SR 25), 82.39' west of McDermott Avenue

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**Received:** 3/22/2017  
**File Number:** RH-17-02  
**T.P.I.N.:** 0600 12900 0100 017000, 018000, 019000 & 020000  
**Jurisdiction:** adjacent to NY State Route 25 (East Main Street), within 500' of the banks of the Peconic River, and the boundary line of the Town of Southampton

### ZONING DATA

- Zoning Classification: Downtown Center 1: Main Street Zoning Use District (DC-1)
- Minimum Lot Area: 5,000 S.F.
- Section 278: No

### SUPPLEMENTARY INFORMATION

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

### SITE DESCRIPTION

- Present Land Use: Vacant (prior commercial building demolished 2016)
- Existing Structures: None
- General Character of Site: Gradual slopes down from road then level
- Range of Elevation within Site: 4'-14' amsl
- Cover: Asphalt & demolition aggregate spread over surface
- Soil Types: Urban land

- Range of Slopes (Soils Map): 0-8%
- Waterbodies or Wetlands: None on or abutting; Peconic River approx. 100' away

#### **NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST**

- Type: Site plan
- Layout: 5 story mixed-use building with lower level parking, 1<sup>st</sup> floor 3,800 sf commercial space and 170 apartment units.
- Area of Tract: 61,987 SF (1.42 acres) consisting of 4 tax map parcels
- Yield Map:
  - No. of Lots: N/A
  - Lot Area Range: N/A
- Open Space: N/A

#### **ACCESS**

- Roads: Proposing access from municipal parking lot (via Heidi Behr Way)
- Driveways: Two (20'0" wide, code requires 24'0") private driveways, utilizing one existing ingress and proposing an additional egress both fronting the adjacent municipal parking lot to the south leading directly into the internal ground-level parking area beneath the proposed building that is to provide 113 on-site (at 90° angle) parking (8'6" x 18'0", code requires 10'0" x 20'0") spaces. Emergency curb cuts on East Main Street and Heidi Behr Way for emergency/service driveway only.

#### **ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: Retain and recharge on-site via subterranean cistern system design for a 9" rainfall (24 hours)
  - Recharge Basins: No
- Groundwater Management Zone: III
- Water Supply: Connection to the Riverhead Water District
- Sanitary Sewers: Connection to the Riverhead Sewer District

### **PROPOSAL DETAILS**

**OVERVIEW** – Applicants request Site Plan approval from the Riverhead Town Board for the construction of a five story mixed-use building consisting of first floor commercial space (at grade with East Main Street) and four floors of apartments (170 units), and lower level parking area beneath the structure accessed from Town of Riverhead owned municipal parking lot via Heidi Behr Way (Town owned right-of-way). The proposed apartments include studios, one bedroom and two bedroom units. The total gross floor area of the proposed building is 189,196 SF (including 38,052 SF of basement parking) plus 1,772 SF of balconies.

The subject property includes four tax map parcels having a total area of 61,984 SF, located along the south side of East Main Street (SR 25), 82 feet west of McDermott Avenue in the downtown section of Riverhead. The site is bordered to the south by a municipal parking lot and a little further south is the Peconic River; to the west by a Town owned park and various small cultural center buildings, and to the east are two parcels improved with two commercial buildings which have been proposed for demolition and removal for its future development with a 5 story mixed-used building consisting 117 for-rent apartment building with 1<sup>st</sup> floor commercial space and ground floor/basement parking.

The current referral to the Suffolk County Planning Commission from the Riverhead Town Board indicated that the proposed project would include first floor space for 3,442 SF of retail space (3 units) along and at grade with East Main Street, and 30 apartment units. Above the first floor will be four floors of apartments. The site plan application indicates that there will three types of apartments planned: 36 studio units having an average of 405 SF; 77 one-bedroom units having an average of 637 SF; and 57 two-bedroom units having an average of 870 SF. The proposed plan includes three landscaped interior courtyards to be constructed between the four interconnected buildings above the parking area. The apartments on the upper floors are designed to have small balconies.

Because the subject site slopes downward towards to the south from East Main Street the proposed lower level for parking beneath the structure will be accessed via the municipal parking lot a.k.a. Heidi Behr Way (not mapped roadway). The site plan proposes two curb cuts to access and exit the parking garage providing 113 on-site parking spaces. Also, it proposes two emergency vehicle (fire & rescue, maintenance & service uses) access points along the westerly side of the subject parcel, one at East Main Street and one at Heidi Behr Way (municipal parking lot).

The subject property is within the Riverhead Parking District, a taxing jurisdiction that levies taxes on all property owners within the district on an ad valorem basis. The purpose of the district is to demand and create additional parking spaces that serve the downtown area. According to 108-60(I) of the Code of the Town of Riverhead, owners of property within a parking district do not have to provide off-street parking. Regardless, the applicant is proposing to provide 113 parking spaces on-site, however staff determined that the dimensions of the spaces and internal lane are substandard or not in accordance with Town of Riverhead Zoning Code (Off-street parking regulations).

Sanitary waste water is to be collected on site and connected to the Riverhead Sewer District, as indicated in the referral material has adequate capacity to service the anticipated sanitary waste generated by the proposed mixed-use development.

Assuming the wastewater flow design rates of the Suffolk County Department of Health Services, the proposed redevelopment project will consume approximately 38,630 gallons of water daily. The potable water will be supplied by the Riverhead Water District.

All storm water generated on the property will be retained on site to be recharged to the groundwater via a drainage system agreed to be the Town Engineering Department, will be immediately conveyed to infiltration units (subterranean cistern for building capture, and perforated pipe and stone trench for driveway capture).

Lighting will be consistent with current Town standards and requirements, with all installed lighting dark-sky compliant with downcast fixtures. Lighting will be provided to establish safe and secure environment with illumination only in those areas where it is necessary.

## **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 proposed use, which is permitted in accordance with local zoning, appears to be compatible with the variety of land uses in the area. It intends to provide downtown housing opportunities that

are in close proximity to amenities which contributes to creating a walkable community character.

#### **LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:**

The Town of Riverhead 2003 Comprehensive Land Use Plan set forth recommendations and policies specific to the downtown area, the subsequent 2008 Update of the Town's East Main Street Urban Renewal Plan, including the Peconic River waterfront. As a result the Downtown Center District was created into five distinct categories (DC-1 through 5), each tailored to a distinct part of the downtown area, intended to balance downtown land uses and development patterns. The Downtown Center -1: Main Street (DC-1) zoning category is intended to foster a traditional downtown character along East Main Street with a mix of uses and a pedestrian friendly streetscape.

A Special Permit will likely be required for exceeding the maximum allowable building lot coverage (footprint) of 80% without transferring development rights (TDRs). Also variances for diminishing the minimum dimensional requirements for both parking stall spaces (10'0"x20'0" is required and 8'6"x18'0" is proposed) and internal aisle width within the basement parking garage (24' is required and 20' is proposed) need to be determined (as indicated in the referral material, the parking garage will be for the exclusive use of the building occupants and therefore this dimensional relief may be considered appropriate, and encourage the use/ownership of subcompact and therefore more energy efficient vehicles). Any other relief sought from dimensional or bulk regulations could provide an opportunity to improve design elements of the proposed project, i.e. increasing setbacks and other impact mitigations.

Overall, it is the belief of the staff that the proposed development and use is in accordance with the Town Comprehensive Land Use Plan and Zoning for the subject property.

#### **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:

While the proposed project site has no natural features or resources to protect it will nevertheless help to preserve and enhance the natural features Peconic River which is in close proximity, i.e. utilizing only previously disturbed land, 'dark-sky' lighting, permeable walkways, storm-water retention, and an overlooking view of the river that would tend to increase appreciation of its natural resources.

There is no indication in the referred material that the project sponsors have given significant consideration, at this time, related to energy efficiency. The petitioners should review the Suffolk County Planning Commission Guidebook with respect to energy efficiency. Staff did note that the

diminished parking stall dimensions could potentially encourage the use/ownership of subcompact and therefore more energy efficient vehicles.

The project is appropriately located as both a commercial and residential development; the increase residents will add to the customer base of local businesses, and its commercial component will help draw customers to the downtown. The project will also add to the economic base of downtown Riverhead by increasing employment and business spaces, with associated tax generation and employee income.

Staff believes that dialogue should continue as is necessary for permits and approvals with the Suffolk County Department of Health Services and the Town of Riverhead Sewer District regarding waste water treatment and connection to the Riverhead Sewer District.

The project will result in an increase in the number of housing units for the housing market that is specifically intended by the Town Comprehensive Plan. And these units will be in close and convenient proximity to public transit resources for the use of its residents. This would tend to increase potential Suffolk Transit bus and Long Island Rail Road (LIRR) ridership. The Riverhead LIRR Train Station is approximately a 0.6 miles walking distance away from the subject site.

In regard to reducing the dependency on the automobile for transportation by its future users and occupants the site plan depicts several accommodations for securing of bicycles on-site (in the parking garage) to promote bicycle use

There was not a Traffic Study submitted as part of the referral to address whether or not the proposed project would result in significant traffic impacts in the surrounding area, and it is the believe of the staff that a study should be done to determine impacts to surrounding roadways.

There is no discussion in the referral material related to public safety. The petitioners should review the Suffolk County Planning Commission Guidebook particularly with respect to public safety. Moreover, internal access/circulation aisles and parking stalls depicted in the referral material appears to be narrow and the egress potentially unsafe for pedestrians traversing the side walk along the project's frontage on Heidi Behr Way and the Town of Riverhead municipal parking lot. The ingress/egress aisles should be designed to accommodate a pedestrian crosswalk and amenities that assure safe walking movements as well as bicycle access onto the subject site.

## **STAFF RECOMMENDATION**

**Approval** of the Site Plan application with the following modifications as conditions to the approval, and with the following comments to be offered to the Town of Riverhead for its consideration and use:

### *Conditions:*

1. The four tax map parcels that are the subject of this site plan application for a single mixed-use building shall be merged to create a single and separate lot on which the building is to be constructed.

Reason: To maintain the multiple separate tax map lots (parcels) after development for a single mixed-use building could potentially result in ownership disputes over property maintenance, management, tax assessment and liability, and other serious legal issues

that would all be avoided by the merging of the four subject lots prior to the development as proposed.

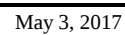
2. The project shall be consistent with the Town of Riverhead's Transfer of Development Rights Program.

Reason: It is the preference of the Commission in accordance with Chapter 4.1 of the Suffolk County Planning Commission Guidebook that adherence to the Zoning Code be achieved whenever possible before granting any relief to said Code requirements. The Town of Riverhead's TDR Program is an important part of the Code and provides for the preservation of open spaces and natural resources while directing development to more suitable locations within the Town, i.e. downtowns and commercial corridors.

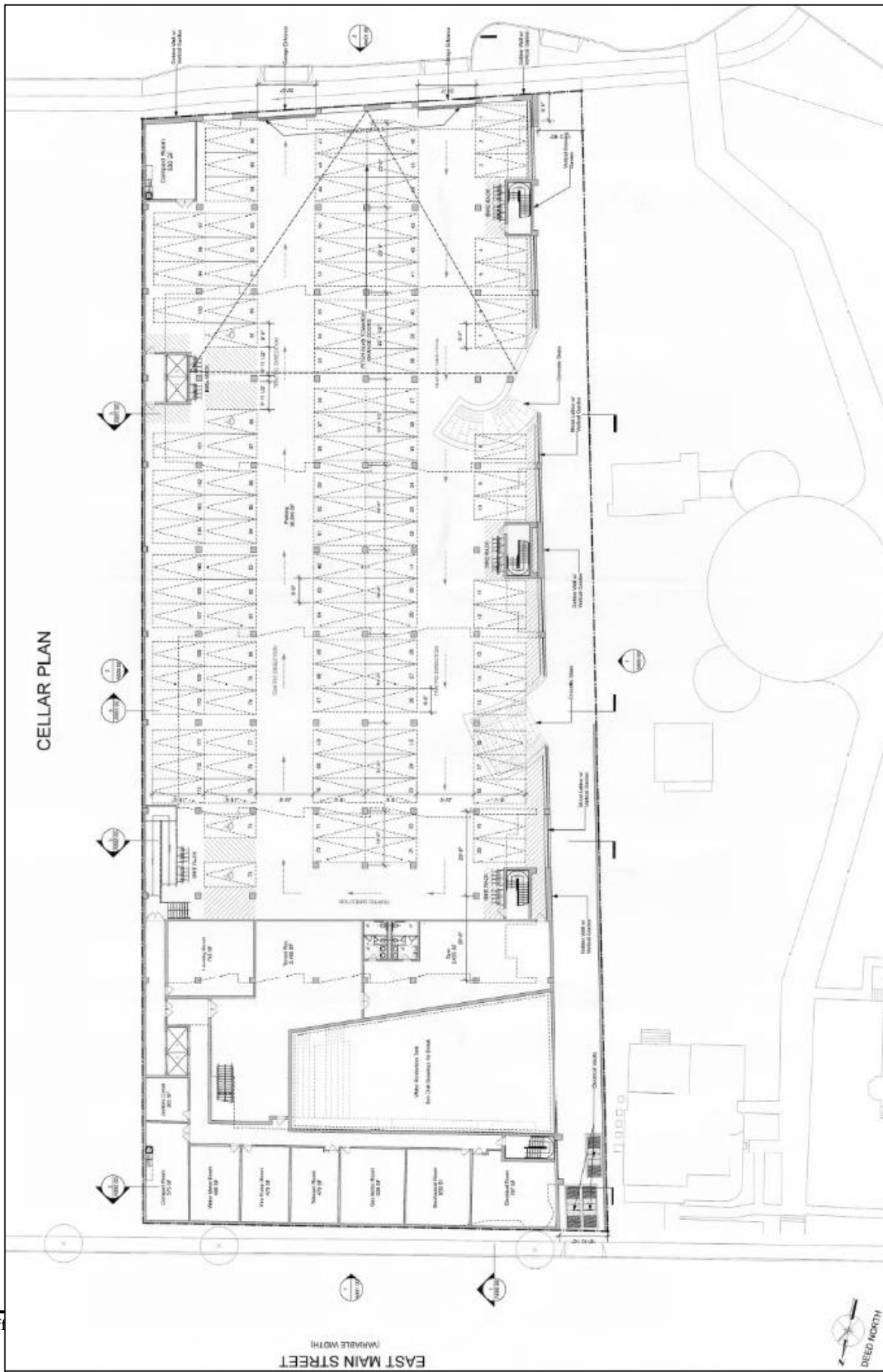
*Comments:*

1. The Town should conduct a detailed parking analysis of available parking in close proximity to the subject parcel in order to insure that adequate parking exists to accommodate the subject property as well as surrounding development. The proposed parking analysis should include potential build-out under existing zoning in order to insure that adequate parking will be available as additional development occurs consistent with Town's goals and objectives for the downtown.
2. The Town should require the applicant to provide a Traffic Impact Study of the proposed development project in order to insure that adequate mitigation are implemented if necessary to accommodate the vehicular movement on surrounding roadways during and after the construction phases of development.
3. The Town should require the applicant to apply the best design elements to reduce the visual impacts and the 'bulk' aspects of the proposed building on the surrounding property owners and streetscape, i.e. increasing setbacks to the upper stories to allow for more sunlight to reach the surrounding properties, streets and sidewalks.
4. The Town should require that the subject application is referred to all landmark, architectural and historic preservation agencies having interest in the subject area, and consider their recommendations as they relate to the proposed subject property's development.
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, 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, particularly as it relates to the points where vehicles, bicycles and pedestrians will intersect. The Town should also determine whether the spacing of the proposed parking stall is safe for users.

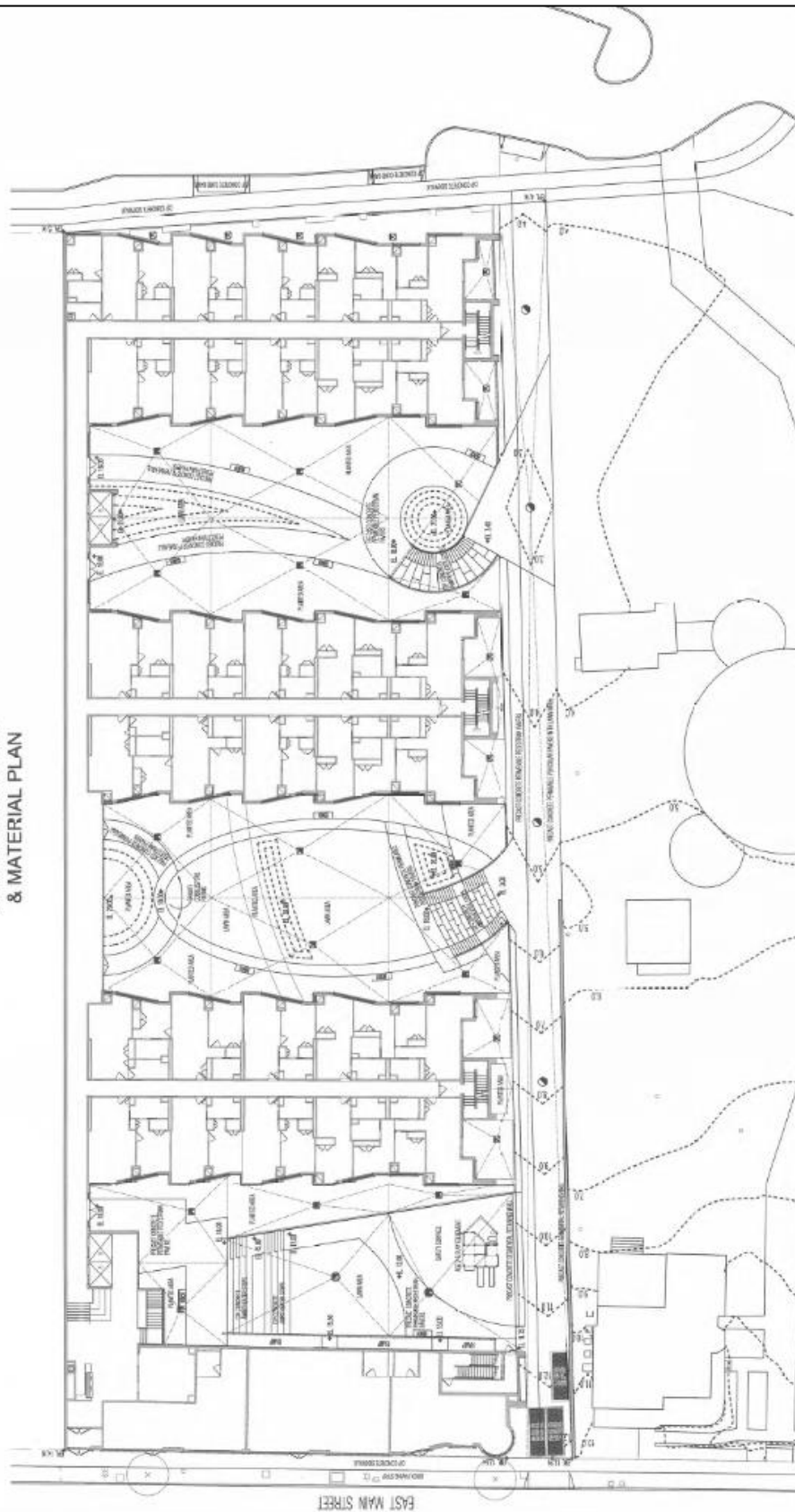
8. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
9. The applicant should be encouraged to investigate the viability of offering a 'ride share' program as a way of reducing parking stall demand in Riverhead's downtown and surrounding areas.
10. The Town should consider the applicable laws and if necessary require that applicant be in compliance with the NYS Long Island Affordable Housing Act

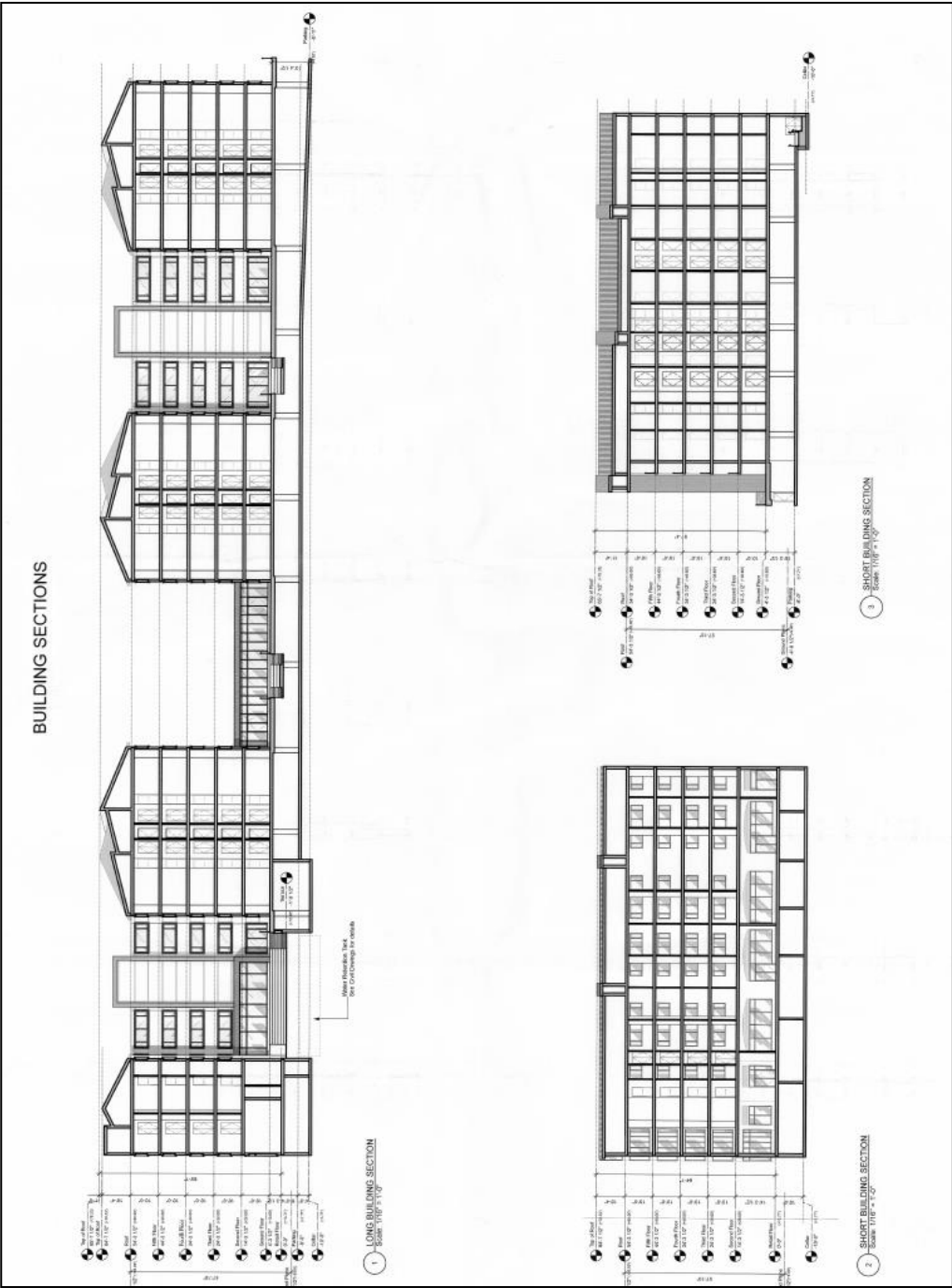






LANDSCAPE  
LAYOUT, GRADING,  
SURFACE GRADING  
& MATERIAL PLAN





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