

**APPENDIX B**

**COMMENT LETTERS**

November 19, 2015



Kyle P. Collins, ACIP, Southampton Town Planning & Development Administrator  
Town of Southampton Town Hall  
116 Hampton Road  
Southampton, NY 11968

Sundy A. Schermeyer, Town Clerk  
Town of Southampton Town Hall  
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Southampton, NY 11968

Vacant  
*Chair*

Steven Bellone  
*Member*

Edward P. Romaine  
*Member*

Anna E. Throne-Holst  
*Member*

Sean M. Walter  
*Member*

**RE:** Draft Generic Environmental Impact Statement, dated October 2015  
Riverside Brownfield Opportunity Area (BOA), Revitalization Action Plan  
(RRAP) and Zoning Amendments in the hamlet of Riverside, Town of  
Southampton, Compatible Growth Area of the Central Pine Barrens

Dear Mr. Collins and Ms. Schermeyer:

Southampton Town proposes to adopt the Riverside Revitalization Action Plan (RRAP) and to create a new overlay zoning district and rezone 468 acres in the hamlet of Riverside to encourage the revitalization of this area in order to address long-standing socioeconomic and environmental issues. The 468 acre study area contains approximately 340 acres in the Compatible Growth Area (CGA) of the Central Pine Barrens. It is also within the Peconic River Watershed. The portion of the study area not in the CGA or the Central Pine Barrens is located north of State Route 24, east of Peconic Avenue and south of the Peconic River.

On September 24, 2015, the Town Board assumed Lead Agency status pursuant to the State Environmental Quality Review Act (SEQRA) and issued a Positive Declaration requiring the preparation of a Draft Generic Environmental Impact Statement (DGEIS) for the RRAP.

Subsequently, on October 13, 2015 the Town Board DGEIS and deemed it complete for the purpose of public review. On October 16, 2015, the Central Pine Barrens Commission office received the DGEIS for the RRAP, including proposed zoning amendments to facilitate the RRAP implementation.

This letter analyzes the potential impact, to the extent that the same can be ascertained from the DGEIS, of full development under the RRAP. If an impact of a development activity exceeds a Central Pine Barrens land use standard or guideline, a hardship waiver will be required from the Commission.

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**Background and Proposed Action**

**PBC-1**  
3.2.9 The DGEIS defines the proposed action as the Theoretical Development Scenario (TDS) and uses this to analyze potential adverse environmental impacts. The action proposes a new zoning code with overlay zones, RO-1 through RO-7, radiating from the traffic circle at Route 24 and Peconic Avenue. The proposed zones permit greater development density around the traffic circle with reduced development density in zones radiating southward and eastward from the circle.

Table 7-5 of the DGEIS lists proposed land uses and additional square feet, rooms, and dwelling units.

Land Use	Additional Square Feet, Rooms, and Dwelling Units
Residential Units	2,267 Dwelling Units
Adult Care/Nursing Home	63,910 Square Feet
Retail	133,517 Square Feet
Office	62,000 Square Feet
Hotel	97 Hotel Rooms
Artisan Lofts/Production	30,900 Square Feet
Cultural	11,032 Square Feet
Parking Garage	550 Spaces
Surface Parking Lots	1,602 spaces
On-Street Parking Spaces	1,107 spaces
Indoor Ice Skating/Hockey Rink	100,000 SF, plus parking

**PBC-2**  
3.2.7 The study area is comprised of approximately 542 parcels of land. Currently, approximately 43 percent of the study area is zoned Residence 15 (minimum 15,000 square foot lots); the remaining majority of zoning districts include R-20, Mobile Home (57 acres), and commercial districts including highway and village business zoning districts. Table 14-1 of the DGEIS indicates that for the total study area water use will increase by approximately 416,332 gallons per day in the RRAP area under the TDS.

Given the potential magnitude of full implementation of the proposed action, future actions arising from it may be subject to Commission review as defined in the Central Pine Barrens Comprehensive Land Use Plan (CLUP).

**Comments on the DGEIS**

*General Comments*

- PBC-3**  
3.2.7 1. The Commission reiterates and restates its comments contained in its October 5, 2015 letter
- PBC-4**  
3.2.9 ↓ 2. The DGEIS states, “Additional development density will be permitted by the Proposed Action.” However, the DGEIS is unclear as to the extent of existing residential and commercial development, the amount of additional development permitted under

PBC-4 cont

3.2.9

current zoning and the amount of proposed development. Accordingly, this should be clarified.

PBC-5

3.2.9

3. The specific details and quantitative analysis appear deeply embedded in the document in chapters 7 and 14. Instead, the elements of the proposed action, in particular density and intensity of land uses, should be presented upfront in the beginning of the DGEIS.

The data are also not entirely clear. For instance, quantities generated by the proposed action (e.g. square feet of residential units) are presented as being comprised of the new development resulting directly from the TDS plus existing development. In order to comprehend and compare the magnitude and scope of the action relative to existing conditions in the study area, please provide a data summary indicating the amount of development that currently exists, the amount that could exist if the study area were fully built out under existing zoning and the amount of the development under the proposed action.

PBC-6

3.2.7

4. The DGEIS appears to defer full analysis and mitigation of potential adverse environmental impacts in many subject areas (e.g. ecological, water resources, traffic) to a future time when site-specific plans arising from the action are submitted. Any potentially significant adverse environmental impacts that are identified in the DGEIS analysis must be clearly presented and avoided or mitigated, pursuant to Section 617.9(b)(5) of the SEQRA regulations (“*Preparation and Content of Environmental Impact Statements*”). If some future site plans arising from this project are permitted to be classified as Type II Actions, requiring no environmental review, the GEIS must provide a thorough evaluation of all potential impacts of the same.

Furthermore, the GEIS and its subsequent SEQRA Findings must define specific, measurable maximum threshold criteria for future site plans and other development proposals in the study area that, if exceeded, will trigger additional site-specific SEQRA review. In addition, the DGEIS should identify where an action is deferred and compliance is unidentified at this time and if a supplemental EIS or additional site-specific environmental impact analysis will be required, pursuant to Section 617.10(d)(4) of the SEQRA regulations (“*Generic Environmental Impact Statements*”).

Not establishing the aforementioned thresholds in the GEIS and Findings may result in future site-specific projects being deemed in non-conformance with the Central Pine Barrens land use development standards and guidelines and therefore may result in the need to apply for and obtain hardship waivers from the Commission.

***Central Pine Barrens Status***

PBC-8

3.2.7

1. Consistent with Commission comments on prior actions, compliance with ECL Article 57, the Long Island Pine Barrens Protection Act, and the CLUP, must be demonstrated.

PBC-9

3.2.7

2. The study area includes a small area of the Compatible Growth Area (CGA) located on the west side of Peconic Avenue, south of the Peconic River and north of the traffic circle. As it appears the DGEIS may have inadvertently excluded this area from the

PBC-9 cont

3.2.7

CGA, this area should be identified in the future as being within the CGA .

PBC-10

3.2.7

3. In Appendix G: Theoretical Program Scenario Central Pine Barrens Analysis, the clearing analysis appears to exclude some Central Pine Barrens land, located within the Study Area, that is currently cleared or developed. Appendix G states that the portion of the Study Area within the Central Pine Barrens is 339.69 acres. It lists the existing naturally vegetated area as 101.50 acres. Then, in the clearing calculation, certain existing -developed areas are subtracted from the Central Pine Barrens Study area, reducing the portion in the Central Pine Barrens, by 82.54 acres, to 257.15 acres due to previous development. However, in evaluating conformance with other CLUP standards, such as those in regard to water resources, the entire 339.69-acre area is utilized. Therefore, consistent with Commission practice, the entire area within the CGA must be evaluated in regard to relative conformity to the clearing standard.

PBC-11

3.2.7

4. Appendix G, page G-8 of the DGEIS presents an interpretation of Pine Barrens Credits (PBCs) and their value which equates a clearing value to PBCs to estimate the number of PBCs that may be retired for the proposed increase in land use density and intensity. However, PBCs have always been equated solely to sanitary flow (i.e., 300 gallons per day per acre) and this interpretation to equate PBCs to clearing would be contrary to the long-standing practice of the Commission, the Pine Barrens Credit Clearinghouse and the Suffolk County Department of Health Services and may establish an adverse precedent. The method presented in the DGEIS to estimate the number of 20 PBCs is an incorrect interpretation of Credit use and allocation under the Credit program as per Chapter 6 of the CLUP nor is it the policy or current practice of the Commission or Clearinghouse.

PBC-12

3.2.7

5. Compliance with ECL Article 57 and the CLUP must be demonstrated, especially in regard to the goals and objectives for the land use plan outlined in ECL Sections 57-0121(1), (2) and (4) and the CLUP, specifically Chapter 5, Standards and Guidelines for Land Use and Chapter 6, Pine Barrens Credit Program.

PBC-13

3.2.7

Please note that areas already dedicated as public open space cannot be counted toward the action site's area to remain natural and therefore cannot be used to ensure conformance to the clearing standards for proposed development. Furthermore, please note that revegetation of an area cannot be used to bring a site into conformance with the CLUP clearing standards.

PBC-14

3.2.7

6. The CLUP and its GEIS analyzed a specific build out capacity for the Town based on the Town's zoning in 1995. Accordingly, for any proposed deviation from the SEQRA analysis that formed the basis of the adopted CLUP, particularly proposed increases in density and/or intensity for all land uses (residential, commercial, industrial, etc.), Pine Barrens Credits should be utilized and redeemed. Compliance with the CLUP must be demonstrated for all rezoning scenarios to avoid potential adverse cumulative impacts on the Central Pine Barrens, including, but not limited to, ensuring that the ratio of receiving area to sending area capacity is maintained, as outlined in CLUP Chapter 6, Pine Barrens Credit Program.

PBC-15

3.2.7

7. A designated as-of-right Pine Barrens Credit receiving area, Area E, is located within

PBC-15  
3.2.7



the proposed action area (see Figure 6-7 and Figure 6-8 in the CLUP). This receiving area, comprised of Suffolk County Tax Map parcels 900-139-3- lot 10.2 and 900-141-1- lot 9.2 and contains a total of 47.2 acres, is located within the Riverhead School District. As such, the DGEIS must review the potential impacts if development is proposed on this site for which redemption of Pine Barrens Credits is not required at all or not at the maximum rate calculated when this receiving site was first designated.

**Section 1.0 Summary**

PBC-16  
3.2.20

1. On Page 1-7 the DGEIS states, “Some future development could be proposed within areas identified as having archaeological sensitivity or potential local historic significance.” If archaeological surveys and compliance with the New York State Historic Preservation Office are deferred, please discuss how and when in the review process project sites will be surveyed prior to development or redevelopment to identify archaeological resources, if any, and if identified, how they will be protected, and when such findings will be coordinated in conformance with guidelines of the New York State Historic Preservation Office and to ensure preservation.

PBC-17  
3.2.8

2. On Page 1-10 the DGEIS states, “If threatened or endangered wildlife are encountered on a project site, site specific mitigation measures will need to be developed and an Article 11 Take Permit or Letter of Non-Jurisdiction will be necessary from the NYSDEC.” It is strongly suggested that the action avoid significant adverse impacts to endangered species and avoid the need to obtain an Article 11 Take Permit. Since it is not clear at this time whether or not impacts will occur, compliance with Central Pine Barrens CLUP Standard 5.3.3.7.1 cannot be determined at this time. Any project that may result in potential impacts on endangered species is expected to require review by the Commission when it is proposed, unless measures are implemented now which will obviate the need to such permits.

PBC-18  
3.2.8

In a related matter, on pages 5-13 and 5-14 the DGEIS refers to the potential need for a Takings Permit for the Eastern Tiger Salamander. In that case, it is not clear at this time that the action conforms since the analysis of potential specific impacts has not been conducted and no ECL Article 11 permit has yet been applied for or obtained. Please explain how the action will conform to this standard and consider avoidance of such permits through revisions to projects to the maximum extent practicable. Please explain how it will be confirmed and by whom that surveys were performed in the required season to properly identify whether there are endangered species present and please explain potential impacts and mitigation that will be required as a result of documented presence.

PBC-19  
3.2.7

3. On Page 1-10 the DGEIS states, “Obtain a hardship waiver or modification of the CLUP for any clearing that would exceed 13.09 acres for the overall ROD.” If a development activity the project exceeds the standard, the applicant must apply to the Commission for a hardship waiver.

PBC-20  
3.2.6



4. On Page 1-11 the DGEIS states an application will be made to the New York State Department of Environmental Conservation to change the current Peconic River Recreational designation, in the area mapped along the western boundary of the study

PBC-20 cont.

3.2.6

area, to a less-restrictive community rivers designation or, maintain the existing Recreational designation and comply or seek variances upon redevelopment of individual parcels. It is strongly suggested that action avoid requesting variances of WSRR designations through revisions in the action.

PBC-21

3.2.4

5. On page 1-11 the DGEIS states, “*New York State Coastal Consistency reviews may be required for future projects proposed north of SR 24 in the future if they require State or Federal Permits.*” A portion of the study area lies within the Coastal Area Boundary. Therefore, the coastal consistency review should occur at this time allowing the New York State Department of State (DOS) to review the action and offer its guidance. For instance, it is a clear a state permit will be required simply by the proposed curb cut(s) on New York State roads in the coastal area boundary (e.g., east of the existing McDonald’s on the north side of Route 24). Please explain, if not now, then when will consistency be demonstrated with all 44 applicable DOS Coastal Zone Management policies of the Coastal Zone Management Program. All potential impacts must be identified and analyzed in accordance with the DOS policies. In accordance with Section 617.9(b)(5)(vi) of the SEQRA regulations, please assess the proposed action’s consistency with the coastal policies contained in 19 NYCRR 600.5. If an action is deferred, it is not clear if and when the policies will be reviewed. Therefore, conformance with the Coastal Zone Management policies cannot be confirmed at this time.

**Section 2.0 Description of the Proposed Action**

PBC-22

3.2.9

1. Section 2, Description of the Proposed Action, should clearly define the existing conditions under existing zoning, the existing build out potential under current zoning and details of the proposed action using the quantitative estimates that are known at this time (e.g., sanitary flow, residential housing, commercial uses), rather than later in Section 7.0. Without a side-by-side comparison the proposed action with existing conditions and full buildout under existing zoning, the potential impacts of the action are not clearly identified. This would allow the reviewer to compare and understand how the action area will change from the existing zoning and land uses to the proposed increases in land use density and intensity, including residential and commercial development, respectively. This information could be added to Table 2-9 titled, “*Reasonably Expected New Development Riverside Overlay Zones*” which currently lists the land uses and additional square footage, rooms, and dwelling units under the proposed Theoretical Development Scenario. Similarly, the Trip Generation under the proposed plan, Table 10-3a on page 10-10 should be presented alongside the existing conditions or build out scenario for comparison.

**Section 4.0 Water Resources**

PBC-23

3.2.4

1. The DGEIS notes on page 4-11 that the action will strive to achieve an overall concentration of Nitrate-Nitrogen of 2.5 mg/l, as indicated in the CLUP for DRSS. However, on page 4-14 the DGEIS acknowledges that, under the current Theoretical Development Scenario, even with a new sewage treatment plant, the action will result in a significant net increase in nitrogen loading of 631 pounds or nitrogen per year. Given the significant impairments already faced by local surface waters, especially the

PBC-23  
3.2.4

Peconic River and Flanders Bay, it is imperative that the action strive to achieve a significant net reduction in nitrogen loading when the proposed action has achieved full buildout to prevent any further environmental degradation and to improve environmental quality. Accordingly, the GEIS should explore any and all means necessary to achieve such a net nitrogen loading reduction, including establishing a fertilizer-dependent vegetation threshold at significantly less than 15%. This should be carried over to the mitigation measures on pages 4-18 and 4-19. Detailed discussions and analyses should be provided.

PBC-24  
3.2.7

Development generated by the action will result in an overall Nitrate-Nitrogen concentration above the CLUP's Guideline of 2.5 mg/l. A hardship exemption from the Commission will be required for actions which constitute a DRS or over which the Commission asserts jurisdiction.

PBC-25  
3.2.26

2. Given that the action will be developed over a period of at least 10 years, the DGEIS should provided a detailed discussion of action phasing to ensure that the sewage treatment plant will have enough flow to operate appropriately. Also, in the interim, the DGEIS should discuss whether or not "temporary sanitary systems" will be used until the STP is constructed and enough flow is available to ensure proper operation.

### ***Section 5.0 Ecological Resources***

PBC-26  
3.2.8

1. It has been noted that the action area contains documented habitats of rare, endangered and threatened species of plants and animals which includes the Eastern tiger salamander. The DGEIS should provide for on-site ecological surveys for such species during those times of the year when such species are expected to be present. Potential impacts to these species should be fully analyzed and appropriate mitigation measures proposed and considered.

### ***Section 6.0 Critical Environmental Areas and Other Regulated Environmental Districts***

PBC-27  
3.2.7

1. On Pages 6-6 through 6-18, the DGEIS provides an analysis of the proposed action's conformity with the Central Pine Barrens Standards and Guidelines and the Town of Southampton's Central Pine Barrens Overlay District. This includes, on page 6-8, a discussion of CLUP guideline 5.3.3.1.3, "Nitrate-nitrogen goal", the achievement of a more protective goal of 2.5 mg/l of nitrate-nitrogen. The DGEIS subsequently acknowledges that "...the Study Area currently exceeds a concentration of nitrogen in recharge of 2.5 mg/l" and that "therefore, the goal should be to not increase, or decrease the level of non-conformity." Further, the DGEIS references the discussion in Section 4.0, Water Resources, as demonstrating this achievement. However, this is still not the same as meeting the goal of a nitrate-nitrogen concentration of 2.5 mg/l. The discussion on page 4-18 states that the existing nitrate-nitrogen concentration will decrease from an existing condition of 4.58 mg/l to 4.12 mg/l for the overall study area and a decrease from the existing condition of 4.83 mg/l to 4.55 mg/l for that portion of the action site that lies within the Central Pine Barrens. A hardship exemption from the Commission is required for development under the action that constitutes a DRS or is a development project over which the Commission asserts jurisdiction that will result in an overall Nitrate-Nitrogen concentration above the 2.5 mg/l CLUP Guideline. As

<p>PBC-27 3.2.7</p>	<p>↑ mentioned previously in regard to overall nitrogen loading, the GEIS should explore additional means of mitigation so that a truly significant reduction in nitrogen concentration can be achieved. It would be helpful, in this regard, if in so doing the GEIS provided a detailed explanation of the sources of nitrogen and their relative contribution to overall loading and concentration.</p>
<p>PBC-28 3.2.1</p>	<p>2. On Page 6-10 the DGEIS proposes to connect all future new development and redevelopment associated with the proposal to a new sewage treatment plant. Discuss whether any initiatives will be employed to remove or abandon existing sanitary systems in the action site area once existing uses are connected to the new sewage treatment plant, especially to ensure that such systems cannot be reused.</p>
<p>PBC-29 3.2.1</p>	<p>3. The GEIS should indicate the proposed total flow of the proposed sewage treatment plant (e.g., 500,000 gpd, 1 million gpd).</p>
<p>PBC-30 3.2.7</p>	<p>4. In the discussion on Page 6-10 of Standards under Section 5.3.3.4, Surface Waters and Wetlands, the DGEIS states that “...any future development or site disturbance within NYSDEC, NWI and/or Town wetlands jurisdiction(s) will be required to receive a wetlands permit...” If this is the case then the action cannot be deemed to be in compliance with this section of the CLUP. It is not clear where wetlands permits will be required and the potential impacts have not been identified and mitigated as necessary. If a future site-specific project generated by the action results in potential adverse impacts to wetlands, then the DGEIS cannot presumptively designate that future site-specific project as a Type II action. Accordingly, please explain the project review process. Since it is not clear at this time whether or not impacts will occur, compliance with CLUP Standards 5.3.3.4.1 and 5.3.3.4.2 cannot be determined at this time.</p>
<p>PBC-31 3.2.7</p>	<p>5. On page 6-12, the DGEIS discusses the CLUP vegetation clearing standard, 5.3.3.6.1 but does not note, as it does in <i>Appendix G: Theoretical Program Scenario Central Pine Barrens Analysis</i>, that the action will exceed the overall clearing standard requiring a hardship from the Commission.</p>
<p>PBC-32 3.2.7</p>	<p>6. On Page 6-13 the DGEIS states, “Prior to any development project that is in proximity to known rare, threatened or endangered species, site specific surveys will be conducted to determine the presence/absence of such species. If positive identification of such species occurs on the development site, the developer will be required to work with the Town and the NYSDEC to incorporate appropriate design changes or mitigation measures necessary for the protection of the identified specie.” Thresholds should be established for future site-specific projects. For example, if a project falls within the regulatory jurisdiction of the NYSDEC or other regulatory body and a permit is required, survey(s) of species should be performed and conformance to the CLUP Standard 5.3.3.7.1, Special species and ecological communities, must be demonstrated at that time. Projects should be designed to avoid potential significant adverse impacts to listed species to the greatest extent practicable. Until such time as conformance is demonstrated, it is not clear at this time if potential significant adverse impacts will occur to species, if any mitigation is required and if a hardship waiver is necessary.</p>

PBC-33  
3.2.7

7. Consideration should be given to recent reported sightings and observations of bald eagle nesting activity on the Peconic River in the action site area and potential impacts on the species as it relates to conformance with CLUP Standard 5.3.3.7.1. Consideration should be given to providing support of the presence and propagation of the species that appears to be utilizing habitat in the action site area.

### ***Section 8.0 Community Character***

PBC-34  
3.2.20

1. On Page 8-4 of the DGEIS an estimated 14 potentially historically significant structures were identified in the study area, per a Town Historical Resources Survey in 2014. Six sites (designated RV-2, RV-3, RV-4, RV-5, RV-7 and RV-14) exist in the Theoretical Development Scenario and therefore could potentially be affected by redevelopment. The six sites should be identified and thresholds for review should be established to examine the potential for salvage, adaptive reuse, or other preservation under the proposed redevelopment. Mitigation measures on page 8-12 and 8-13 should provide specific actions that will be undertaken to mitigate impacts on these historic sites. In addition, please explain how these historic sites will be protected and/or appropriately mitigation if future site-specific projects are reviewed as Type II Actions pursuant to SEQRA with limited review and discretionary decision. (CLUP Guideline 5.3.3.11.1)

PBC-35  
3.2.20

2. Pages 8-12 and 8-13 of the DGEIS contain a discussion on potential impacts to cultural and historic resources, where the DGEIS states, "*Future site-specific development applications (conforming to the Proposed Action) submitted to the Town will be subject to site-specific review of visual and/or cultural resources impacts.*" Please explain how this is consistent with the earlier discussions to not require site specific project review and classify projects as Type II, requiring no further environmental review. Additionally, the DGEIS notes that the SHPO requested additional information and a response is pending from the agency. The DGEIS further states that the Town will continue to coordinate with SHPO to identify any potential impacts or concerns it may have. Accordingly, please describe the coordination that will occur with the agencies and reviewing board(s) and how will it be ensured that impacts to cultural resources do not occur, are avoided and/or mitigated. Thresholds or types of development projects may need to be specified to identify projects that will and will not require site specific and environmental review by the Town and involved agencies. Since it is not clear at this time whether or not impacts will occur, compliance with CLUP Guidelines 5.3.3.11.1, 5.3.3.11.2, 5.3.11.3, and 5.3.3.11.4 cannot be determined at this time.

### ***Section 10.0 Traffic and Transportation***

PBC-36  
3.2.16

1. The GEIS must clearly indicate whether or not the proposed action will result in a reduction in service at any intersection by two levels below the existing level of service or to a level of service of D or below.

### ***Section 14.0 Alternatives***

PBC-37  
3.2.7

1. In Table 14-1 the sanitary flow estimates of existing flow and conditions under the proposed action appear unclear. Please clarify if the data should be interrelated as existing conditions or build out under existing zoning, the latter of which would be

PBC-37  
3.2.7

higher since the study area is not currently built out. The gallons per day in excess of what is permitted under current zoning should be examined as it relates to the proposal to retire Pine Barrens Credits (PBCs) for the action keeping in mind that 1 PBC equates to 300 gpd of sanitary waste. Redemption of PBCs should be considered as an option for mitigation to the proposed increases in land use density and intensity.

PBC-38  
3.2.24

2. In the Alternatives Analysis, consider a reduced scale alternative, pursuant to Section 617.9(b)(5)(v)(c) of the SEQRA regulations. A reduced scale alternative may avoid some or all of the potential significant adverse impacts identified or that may potentially occur per the DGEIS including, but not limited to, avoiding significant adverse traffic impacts and new traffic signals, an Article 11 Takings Permit, and wetland impacts.

### Other Comments on the DGEIS

Comments are provided on the DGEIS as they relate to compact, efficient, and orderly development and the goals and objectives of the Act. Some of the previous comments submitted in the staff's letter dated October 5, 2015 are reiterated, as applicable.

PBC-39  
3.2.10

1. Where Town owned land exists in the study area, please describe the process for the Master Planner to use and/or acquire public land for the proposed development.

PBC-40  
32.10

2. Please identify and explain the use of taxing districts in the proposal to facilitate the development plan including sewage treatment, parking, parks (riverfront access), etc.

PBC-41  
3.2.10

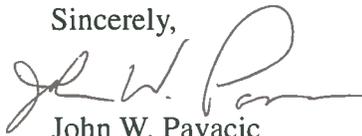
3. Please discuss the timeline of riverfront development, walkways, and other public amenities and benefits, how they will be paid for and by whom and on what timetable or deadline.

PBC-42  
3.2.11

4. The NYSDEC mapped environmental justice areas in New York State (see [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/suffolkejeast.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/suffolkejeast.pdf)). The 2003 Environmental Justice Policy (see <http://www.dec.ny.gov/public/36929.html>) should be addressed in the DGEIS, particularly as it relates to the proposed 50 percent "Community Benefit Units," increasing the affordable workforce housing options for persons with diverse housing needs.

Thank you. If you have any questions, please do not hesitate to contact this office.

Sincerely,



John W. Pavacic  
Executive Director

cc: Julie Hargrave, Principal Environmental Planner, Central Pine Barrens Joint Planning & Policy Commission  
Judy Jakobsen, Policy and Planning Manager, Central Pine Barrens Joint Planning & Policy Commission  
John Milazzo, Counsel to the Central Pine Barrens Joint Planning & Policy Commission  
Martin Shea, Chief Environmental Analyst, Town of Southampton  
Renaissance Rediscovered  
Nelson Pope & Voorhis



October 5, 2015

Kyle P. Collins, AICP, Town Planning and Development Administrator  
Town of Southampton  
116 Hampton Road  
Southampton, NY 11968

**RE:** SEQRA Lead Agency Coordination  
Riverside Revitalization Action Plan (RRAP) dated July 2015  
Compatible Growth Area of the Central Pine Barrens

Vacant  
*Chair*

Steven Bellone  
*Member*

Edward P. Romaine  
*Member*

Anna E. Throne-Holst  
*Member*

Sean M. Walter  
*Member*

Dear Mr. Collins:

On September 10, 2015, the Central Pine Barrens Commission office received the SEQRA Lead Agency Coordination for the above-referenced document. The Commission does not object to the Southampton Town Board assuming Lead Agency status.

On September 16, 2015, Riverside Rediscovered Master Planner, Sean McLean, presented the proposal at the regular meeting of the Commission. On September 18<sup>th</sup>, Commission staff including John Pavacic, Executive Director, and Julie Hargrave met in the field with project representatives including Town staff including yourself and David Wilcox, representatives of Nelson and Pope including Charles Voorhis and Lara Urbat, and representatives of Riverside Rediscovered including Ela Dokonal and Sean McLean. Additionally, previously, on August 14<sup>th</sup>, Commission staff met with the Master Planner and Town representatives for an overview of the proposal.

On September 29, 2015 the Commission office received the Town's Resolution RES-2015-946 to declare Lead Agency and to adopt a Positive Declaration requiring the preparation of an Environmental Impact Statement for the project.

### **Proposed Project**

According to the RRAP and information presented by the Town and Master Planner, the project considers the adoption of a proposed Brownfield Opportunity Area (BOA) Step 2 – Riverside Revitalization Action Plan and optional Form Based Zoning Overlay Districts with the hamlet that would serve to implement the RRAP. The BOA is a New York State program that provides grants and other mechanisms for community revitalization.

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The RRAP describes an existing buildout potential of 1,229,958 square feet, and a proposed potential buildout of 5,470,895 square feet, approximately five times greater than existing conditions. The proposed zoning overlay district would facilitate the zoning approval for the potential mixed use residential and commercial development of a maximum of approximately 2,400 residential units, a one million gallon wastewater treatment plant, new roads, a riverwalk, other infrastructure and development activities in the 468-acre area of the hamlet of Riverside, which is the study area outlined in the RRAP. The project is expected to cost \$100 million in capital costs to develop the STP, two lane traffic circle, river bridge, waterfront, parks, etc.

### **Central Pine Barrens Status**

Page 54 in the Existing Conditions portion of the RRAP is entitled “Challenges and Opportunities: Long Island Pine Barrens.” It provides a very broad and brief discussion of the relationship between the proposed action and the Long Island Pine Barrens Protection Act, New York State New York State Environmental Conservation Law (ECL) Article 57, and the Central Pine Barrens Comprehensive Land Use Plan (the “CLUP”). The discussion states that the proposed Riverside form-based zoning code will adhere to the goals for the CLUP, outlined in Article 57, and reiterated on page 54. (Although map entitled “Pine Barrens Protected Lands” appears at the top of page 55 it appears page 55 should be entitled “Long Island Regional Planning Council” based on the discussions contained in the text on that page.)

However, the RRAP does not state specifically how the proposal will conform with Article 57 and the CLUP, in particular, the Standards and Guidelines contained within CLUP Chapter 5. It should be noted that the proposed zoning overlay district and the expected mixed use development constitute development, pursuant to ECL Article 57 Section 57-0107(13). Therefore, the project must conform to the provisions of the Town Zoning Code, including standards and guidelines, which implement the CLUP. If the proposal does not comply with these provisions or, if such compliance is not proposed, then the applicant must submit a CGA Hardship Waiver application to the Commission, subject to Commission review and approval, prior to commencement of construction or development activities related to the proposal.

Although not mentioned in the RRAP and although the RRAP does not entail any physical activity, such as construction, clearing and grading, in and of itself, the Master Planner indicated that the project is expected to achieve the definition of a Development of Regional Significance (DRS). As was discussed previously, instead of reviewing every ensuing site-specific project generated by this proposal for conformance to Central Pine Barrens requirements and potentially segmenting review, consideration may be given to the submission of a DRS application, for the overall project, to the Commission for review and decision. A DRS application would address comprehensively how the project conforms or does not conform to each specific standard and guideline in CLUP Chapter 5 and could also aid in refining the thresholds and site-specific criteria in the Final GEIS and SEQRA Findings for future actions.

Alternatively, as was previously discussed, consideration may be given to reviewing the potential for an amendment to the CLUP or requesting that the Commission assert jurisdiction over the proposal pursuant to Chapter 4, Section 4.5.3 of the CLUP entitled “*Development located within the Compatible Growth Area which has been subjected to a petition by the Commission pursuant to ECL Section 57-0123(2).*”

### Comments on the project

**PBC-43**  
3.2.7

1. The RRAP contains Attachment A, the proposed Riverside Overlay District Zoning Amendments to be adopted following the completion of the SEQRA process. Section 330-415 of this proposed zoning code, entitled “Compliance with the State Environmental Quality Review Act,” states in part C that “...*all site plan applications for development proceeding under the Riverside Overlay Zones and their standards under this Article shall be deemed Type II Actions.*” Therefore, it is imperative that any potential significant adverse environmental impacts posed by the project are identified, analyzed, and mitigated in the Draft GEIS, pursuant to Section 617.9(b)(5) of the SEQRA regulations. If future site plans arising from this project are permitted to be classified as Type II Actions, requiring no environmental review, the EIS must provide a thorough evaluation of all impacts. Furthermore, the EIS and SEQRA Findings must define specific, measurable criteria for future site plans and other development proposals in the study area that exceed the envisioned Type II Action threshold below which site-specific environmental review is not required.

**PBC-44**  
3.2.4

2. A portion of the study area lies within the Coastal Area Boundary. Therefore, the DGEIS must contain an analysis of the proposed action in accordance with all 44 applicable Coastal Zone Management policies of the Coastal Zone Management Program administered by the New York State Department of State (DOS). All potential impacts must be identified and analyzed in accordance with the DOS policies. In accordance with Section 617.9(b)(5)(vi) of the SEQRA regulations, please assess the proposed action’s consistency with the coastal policies contained in 19 NYCRR 600.5.

**PBC-45**  
3.2.26

3. In the DGEIS, please analyze impacts of the proposed maximum build out in the study area including impacts on traffic and infrastructure, sewage treatment with a capacity of one million gallons per day, approximately 2,400 to 2,500 residential dwelling units, impacts on community services including schools, fire districts, libraries, and other institutional uses and facilities, short and long term impacts, alternatives, etc.

PBC-46  
3.2.26

4. The DGEIS should address key potential environmental impacts including the following:

a. *Water Resources:*

Please discuss potential environmental impacts on groundwater and surface water resources including the impacts of siting a new and significantly sized wastewater treatment plant in the watershed of the Peconic River and impacts on water quality including groundwater and surface water. It is recommended that the analysis include a mass balance approach to compare the nitrogen loading to groundwater and Peconic River surface waters generated by the existing development, and build-out in accordance with existing zoning without sewage treatment, to the overall nitrogen loading which would occur after the RRAP is implemented, with full development under the Riverside Overlay zoning, with the entire study area is connected to the new sewage treatment plant. A net reduction in overall nitrogen loading due to RRAP implementation would be expected to be beneficial and, if this were not to occur, mitigation and other measures should be examined, which when implemented, would cause a net reduction in nitrogen loading.

Page 90 of the RRAP discusses the infrastructure necessary to support redevelopment of Riverside. In regard to sewage treatment, the RRAP briefly touches on the “Living Machine” engineered wetland system and the Omni processor. The feasibility of both of these systems should be fully explored in the DGEIS including their history, permitting requirements, track record, space requirements and their ability to meet both effluent and air pollution requirements.

In addition, discussion should include potential impacts on public supply wells and private wells and water quantity demand under existing conditions and as compared to full build out under existing zoning and under full Riverside Overlay District build out.

Also, the DGEIS analysis should cover existing stormwater inputs, especially direct inputs into the Peconic River and area wetlands, potential impacts from the proposed project and potential mitigation measures to reduce direct, untreated stormwater inputs into these surface waters.

b. *Wetlands:*

There are a number of freshwater wetlands and tidal wetlands within and in close proximity to the project area, some of which provide habitat for rare, endangered and threatened species of plants and animals. Accordingly, potential impacts on these wetlands should be analyzed along with potential mitigation measures including restoration of wetlands and wetland buffer



areas (e.g. adjacent areas), removal of direct inputs of stormwater and removal of invasive plant species.

Under the section “Addressing Resiliency,” on page 95 the RRAP discusses protection and restoration of wetlands but does not touch on design and implementation nor shading and other impacts related to construction near, over or within wetlands. Accordingly, these issues should be fully explored and discussed in the DGEIS.

c. *Vegetation:*

Portions of the project area are currently vegetated. Potential impacts on existing natural vegetation, especially clearing, should be reviewed in the DGEIS and potential mitigation measures explored.

d. *Endangered, threatened and special concern:*

As has been noted the project area contains documented habitats of rare, endangered and threatened species of plants and animals. These include the Eastern tiger salamander. The DGEIS should provide for on-sight ecological surveys for such species during those times of the year when such species are expected to be present. Potential impacts to these species should be fully analyzed and appropriate mitigation measures proposed and considered. In the case of the Eastern tiger salamander it is our understanding that a portion of the project area contains at least some of the upland habitat for this endangered species. The New York State Department of Environmental Conservation requires proposed disturbances, such as those within 1,000 feet of a documented Eastern tiger salamander breeding site, be fully analyzed and if there is any potential for adverse impact to this species, an ECL Article 11 endangered species permit must be submitted. Such permits are only issued when for a proposed action it can be demonstrated that it will result in a net conservation benefit to the endangered species at issue. As such, the DGEIS should explore measures, including land set asides within the upland habitat area of this species, which will ensure species protection, or potential acquisitions of other habitat areas within the watershed area.

e. *Traffic and Transportation:*

The DGEIS should conduct a full review of traffic and transportation including an assessment of existing conditions including traffic counts, accident data, v/c ratios and LOS. Existing conditions under weekday morning and evening and weekend peak periods (especially during summer and fall) should be reviewed.

Impacts on traffic associated with the proposed project should be fully analyzed. The RRAP has noted that traffic mitigation is to be implemented

PBC-46  
3.2.26

including the widening of the traffic circle by Suffolk County and the construction of new bypass and “slip” streets to shift traffic away from the traffic circle and major state and county roadways. These should also be fully analyzed in the DGEIS

f. *Cultural and scenic resources:*

SEQRA information and information provided in the RRAP indicates that no historic resources listed on the State or National Registers is present within the project area. However, the RRAP acknowledges the significant history and identity of the Riverside area as noted in the “Getting to Know the Community: Historic Maps” section of the RRAP on pages 56 to 59, the “Getting to the Know the Community: Learning About the Past and Present” section on page 60 and “Riverside’s Forgotten Cranberry Bogs” section on page 63. Accordingly, the DGEIS should inventory historic sites and areas within the project area and analyze potential impacts on these. Mitigation measures should be explored for identified historic resources including adaptive reuse or incorporation into future development or even restoration and nomination for listing on the State and National Registers or as a Town of Southampton Landmark or Historic Place. In cases where such resources are to be removed, mitigation could include provisions for full documentation in accordance with State Historic Preservation Office standards including photographs and potential for removal and reuse of certain historic elements prior to demolition (e.g. salvaging materials for dedication to museums or reuse in restoration of other historic buildings).

The DGEIS should also consider potential impacts on scenic resources, including impacts on scenic resources identified in Volume II of the CLUP, and impacts due to the removal of existing naturally-vegetated sites which serves as visual buffers.

g. *Other Impacts:*

The DGEIS should also consider environmental justice concerns of displacement, changes in character of the area due to an increase in allowable building height and other structures, capacity of the area to support the proposed uses, and potential cumulative impacts.

5. The DGEIS must demonstrate that the proposed rezoning actions comply with the goals and objectives for the land use plan outlined in ECL Article 57 Section 57-0121(1), (2) and (4) and the CLUP, specifically Chapter 5, Standards and Guidelines for Land Use and Chapter 6, Pine Barrens Credit Program.

In regard to the Chapter 5 requirements, the DGEIS should analyze the adherence of the proposed project to standards including those regarding SCDHS Article 6 and nitrogen, wetlands and surface waters, stormwater runoff, preservation of

PBC-47  
3.2.7

PBC-47

3.2.26

natural vegetation and open space and protection of special species and ecological communities.

Please note that area(s) already dedicated as open space cannot be used to conform to standards for proposed development and that revegetation cannot be used to bring a site into conformance with the CLUP clearing standards – revegetation could only be used as a form of mitigation after the Commission has reviewed and considered a hardship waiver for proposed clearing of vegetation which will exceed the clearing standard.

Chapter 6, Section 6.5.2.1 of the CLUP states:

*“Each Town shall include enough absorption capacity in receiving districts that meet the as of right definition set forth in Section 6.4 of this Plan so as to absorb all of the Pine Barrens Credits on a one to one (1:1) ratio that the Commission estimates it may allocate in that town pursuant to this Plan. The Commission recognizes that a change in zoning upon a town board's own motion that would decrease the receiving capacity so as to reduce this ratio below 1:1 would have an adverse effect on the Pine Barrens Credit program.”*

The CLUP analyzed a specific build out capacity for the Town based on the Town zoning in 1995. Any proposed deviation from the DEIS analysis that formed the basis of the adopted CLUP, particularly proposed increases in density, shall be required to utilize and redeem pine barrens credits or transfer of development rights (TDRs) for such requests to increase density and/or intensity for all land uses (residential, commercial, industrial, etc.). Compliance with the CLUP must be demonstrated for all rezoning scenarios to avoid potential adverse cumulative impacts on the Central Pine Barrens, including, but not limited to, ensuring that the ratio of receiving area to sending area capacity is maintained, as outlined in CLUP Chapter 6, Pine Barrens Credit Program.

In addition, a designated as-of-right Pine Barrens Credit receiving area, Area E, is located within the proposed project area (see Figure 6-7 and Figure 6-8 in the CLUP). This receiving area, comprised of Suffolk County Tax Map parcels 900-139-3- lot 10.2 and 900-141-1- lot 9.2 and containing a total of 47.2 acres, is located within the Riverhead School District. As such, the DGEIS must review the potential impacts if development is proposed on this site for which redemption of Pine Barrens Credits is not required at all or not at the maximum rate calculated when this receiving site was first designated. Appropriate compensation, such as designation of another receiving area, would need to be considered in response to any proposed diminution of receiving area capacity in the Riverhead School District.

*PBC-48*  
3.2.7

6. The redemption of Pine Barrens Credits should be considered to mitigate the proposed increase in density and intensity of land uses and facilitate the implementation of the CLUP.

*PBC-49*  
3.2.9

7. It is recommended that a zoning analysis be prepared which quantifies the number of residential dwellings and commercial square footage allowed with full build out under existing zoning compared with the proposed number of residential units and commercial space which could be generated by full build out under the Riverside Overlay District. In addition, potential impacts due to the proposed increases in population and housing, impacts on parks, community facilities, water use, etc. should also be evaluated.

A discussion of potential mitigation for the increase in units, could consider offsets via the acquisition of land in environmentally-sensitive areas or TDRs or PBCs, etc.

*PBC-50*  
3.2.9

8. A matrix of the existing and proposed zoning of all parcels in the study area should be provided.

*PBC-51*  
3.2.10

9. Where Town owned land exists in the study area, please describe the process for the Master Planner to use and/or acquire public land for the proposed development.

*PBC-52*  
3.2.10

10. Please identify and explain the use of taxing districts in the proposal to facilitate the development plan including sewage treatment, parking, parks (riverfront access), etc.

*PBC-53*  
3.2.10

11. Please discuss the timeline of riverfront development, walkways, and other public amenities and benefits, how they will be paid for and by whom and on what timetable or deadline.

*PBC-54*  
3.2.11

12. Please discuss the proposed 50 affordable units and the programs that may or may not require affordable units to be developed, the “affordability” rate to be used based on State, County, and/or local incomes, how it is established, and related subjects.

*PBC-55*  
3.2.26

13. Please discuss phasing of the project and the expected build out in each phase.

Thank you for the opportunity to review the proposed RRAP. If you have any questions, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Julie Hargrave".

Julie Hargrave  
Principal Environmental Planner

cc: John W. Pavacic, Executive Director, CPBJP & Policy Commission  
Judy Jakobsen, Policy and Planning Manager, CPBJP & Policy Commission  
John Milazzo, Counsel to the CPBJP & Policy Commission



**Town of Southampton**  
116 HAMPTON ROAD  
SOUTHAMPTON, NEW YORK 11968

**TOWN COUNCIL**

**BRIDGET FLEMING**  
COUNCILWOMAN

Telephone (631) 287-5745  
FAX (631) 287-4507

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**TO:** Kyle Collins, Town Planning and Development Administrator  
David Wilcox, Director of Planning

**FROM:** Councilwoman Bridget Fleming

**DATE:** November 17, 2015

**RE:** Riverside Revitalization Action Plan

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I wholeheartedly support economic revitalization of the Riverside community. At the same time, responsible legislation in this regard requires careful scrutiny of underlying assumptions to avoid a false sense of confidence in the community regarding full build out of the Theoretical Development Scenario. Additionally, short of full build out, we must ensure that allowing piecemeal opting in to the density bonuses provided for in the overlay district not further degrade the economy and quality of life of the area. With these thoughts in mind, kindly ensure that the following concerns are addressed in the FEIS:

- |                      |  |
|----------------------|--|
| <i>BF-1</i><br>3.2.1 | <ul style="list-style-type: none"><li>• Discussion of alternatives regarding sewage disposal indicate that “additional study is warranted to determine the best locations to serve the community.” Specifically identify strategy, timelines, funding sources and proposed entities to undertake such study.</li></ul>   |
| <i>BF-2</i><br>3.2.1 | <ul style="list-style-type: none"><li>• Describe and analyze specific features of any proposed Sewage Treatment Plant.</li></ul>   |
| <i>BF-3</i><br>3.2.1 | <ul style="list-style-type: none"><li>• Where, if at all, can density bonuses be realized, if it all, without the installation of large-scale septic, that is, identify properties that could opt in to the overlay district and meet septic standards with individual on-site sewage disposal systems. <i>See e.g.</i>, (410.A (4) “Where public sewerage is not available, no lot shall be built upon which has insufficient space for a private sanitary waste disposal system, as determined by the Town and the Suffolk County Department of Health Services.”)</li></ul> |
| <i>BF-4</i><br>3.2.9 | <ul style="list-style-type: none"><li>• How will commercial developers who benefit from, or will benefit from, density bonuses contribute to regional costs of governmental infrastructure investment, e.g., sewers, traffic infrastructure, if at all, e.g., TIFF.</li></ul>  |

*BF-5*

*3.2.1*

- If the proposal is adopted and funding for septic is not subsequently secured so that the full Theoretical Development Scenario cannot be realized, what legislative mechanism exists for retracting the density bonuses provided for in the overlay district?

*BF-6*

*3.2.10*

- The RRAP provides that “We believe that, even with the considerable conditions for economic, social and environmental protection contained in the proposed Zoning, property owners will choose over time to opt in because it will provide them the most sustainable and profitable path to development for them and the community.” (p.36) What, if any inducements are contemplated to encourage current property owners to opt into the overlay zoning rather than being vulnerable to sale to commercial developers who are far better equipped to profit from density bonuses, and to what extent can or will commercial developers contribute to such inducements?

*BF-7*

*3.2.10*

- Who determines payment in lieu of civic space? Identify a timeline tying the construction of civic space to project construction.

*BF-8*

*3.2.10*

- Will the opportunity to opt into density bonuses be organized strictly on a “first come first served” basis, or will other organizational principles be utilized?

*BF-9*

*3.2.10*

- Identify a strategy for build out that will ensure against displacement of current residents who desire to remain the hamlet, particularly with regard to larger single family homes.

*BF-10*

*3.2.15*

- Is there general agreement that full build out will only generate the addition of 283 children to the school district? Is the Riverhead School District in agreement with this estimate? What is the specific strategy for the District to serve these additional students, what will be the cost and how will that cost be met? Does the School Board agree with the proposed strategy regarding these challenges?

cc: Town Board

**Catcove Corp**  
**71 Hill Street**  
**Southampton, NY 11968**

**November 10, 2015**

**Anna Throne Holst, Supervisor  
Town of Southampton  
116 Hampton Road  
Southampton, NY 11968**

**Re: Riverside BOA, Revitalization Plan and Zoning Amendments  
DEIS comments**

**Dear Supervisor Throne Holst:**

**After attending the meeting in FRNCA last week, and meeting with Sean McLean and others, I submit some comments on the GEIS plan, hoping that they can be incorporated prior to finalizing.**

*DDG-1*  
*3.2.9*

**1) The R0-6 benefits are associated with a 300 foot minimum frontage. I respectfully request that this be waived since some of the properties (including 252 and 248 Flanders Road) are flag lots. Please amend to remove that requirement or to remove it for any waterfront properties that contain more than 60,000 sf of land area.**

*DDG-2*  
*3.2.9*

**2) The zoning chart of the GEIS calls for 44 hotel units on the approximate 7 acres of properties that my companies own (252 and 248 Flanders Road). This is not at all economically viable and doesn't appear to be conforming to the community and current Town Board desires to maximize waterfront access, to create jobs, to contribute to an economic multiplier, and to beautify the hamlet. I am hoping that the proposed overlay zoning can be amended to the maximum number of housing units acceptable given the lot area, sanitary, parking, and wetland constraints. As discussed with Sean Mclean, I am suggesting 20 units per acre of first time home buyer product—perhaps condo with pool, paddle tennis, kayak and canoe open to community use, and potentially a restaurant overlooking the water. Walking path connecting to the parkland to the west, and perhaps a float boat landing pad for “commute” across to downtown riverhead. All are possible, but none are economic without such density.**

*DDG-3*  
*3.2.9*

**3) In order to maximize density and views, and to create a visual beacon, I propose amending the draft height restriction to the maximum proposed on neighboring sites in the hamlet study area. (55 feet) This would permit the construction to**

- DDG-3  
3.2.9
- ↑
- be raised above flood plain, to maximize views, and to minimize the footprint of the building area, (limiting impervious lot coverage as much as possible).**
- DDG-4  
3.2.9
- 4) The 3.5 story limit is respectfully requested to be, as written above, changed to the maximum under the riverside rediscovered guidelines—4 story. Again, shrinking the footprint while affording maximum density.**
- DDG-5  
3.2.9
- 5) It is requested that the wetland set- backs be set as close to the water as is possible (especially in light of the wetland mitigation and restoration project discussed by Sean). This would permit the waterfront theme, the walking trails, seating areas, and maritime connection that the community is seeking. As has been discussed, a 50' setback from both the tidal and freshwater wetlands is requested.**
- DDG-6  
3.2.9
- 6) As written above, a use of residential, rather than hotel, could be economically feasible. I do not believe that a Hotel, in this location, on the much smaller amount of land area, at this time, is feasible.**

**Thank you very much for your consideration. Please call with any questions or comments: 631 283 6500 ext 718 or email, [dedecatcove@aol.com](mailto:dedecatcove@aol.com).**

**Sincerely,**

**Dede Gotthelf**

**Cc: Brad Bender, Councilman  
Christine Scalera, Councilwoman  
Stan Glinka, Councilman  
Bridget Flemming, Councilwoman  
Sundy Schermeyer, Clerk of the Town of Southampton  
Frank Zappone, Deputy Supervisor, Town of Southampton  
Kyle Collins, Southampton Town Planning and Development Administrator  
Members, FRMCA Board of Directors  
Sean McLean, Riverside Rediscovered  
Charles Cuddy  
T. Moan**

*Flanders, Riverside and Northampton Community Association*

P.O. Box 602, Flanders, N.Y. 11901 • FRNCA.org

November 10, 2015

Anna Throne Holst, Supervisor  
Town of Southampton  
116 Hampton Road  
Southampton, N.Y. 11901

Re: Riverside BOA, Revitalization Plan and  
Zoning Amendments  
DEIS Comments By FRNCA

Dear Supervisor Throne Holst:

I am writing to once again express the support of the Flanders, Riverside and Northampton Community Association, Inc. (FRNCA) for the referenced plan and zoning amendments.

On Behalf of FRNCA, I spoke at the public hearing of October 29, 2015, to express the organization's full support for the proposed overlay district and revitalization plan and, hope to see the proposed action approved in its entirety by the Southampton Town Board.

FRNCA-1  
3.2.27

Nonetheless, I request town consideration of modifications to dimensional requirements and related limitations of the RO6 zoning overlay district in the area north of SR 24 on the easterly side of the 14 acre county park property located along the Peconic River (including the formerly proposed Catwalk Hotel site). Specifically, I make the following suggestions:

FRNCA-2  
3.2.9

Any residential, or hospitality/commercial development should maximize public access to the waterfront and minimize the total building lot coverage through the adoption of incentives. To achieve this, the zoning should provide for relief from such limitations to create a building(s) of smaller footprint by permitting greater height – similar to the height achieved by the Riverhead Hyatt located just north of the property on the Riverhead side of the Peconic River.

The subject RO6 waterfront site is one of particular significance as it forms a corner of the developed area and a terminating vista for the new Riverside. Due to its location, additional latitude should be provided to encourage architecturally significant roof structures. Turrets and other possible roof and building features that create a stronger architectural statement, as determined by the Southampton Town ARB, should not be counted toward the stated total height limit of the proposed zone.

FRNCA-3  
3.2.9

Additionally, height limits for this location should be measured from the roof of any internal or underground parking within the principal structures to encourage design that will best protect buildings from both long term sea level rise and, in the shorter term, occasional flooding as a result of storm surges.

FRNCA-4  
3.2.9

Further, minimum setbacks and street frontage should be made flexible to permit the maximum amount of wetland remediation where desired and, for providing relief to flag lot parcels to encourage appropriate building and site designs as well as the utilization of advanced building systems that can reuse treated water (gray water) to irrigate said re created natural landscapes as well as to collect and reuse storm water. For this waterfront area, visibility of the overall site, as seen from a distance, is as important as the sidewalk view from Flanders Blvd.

FRNCA-5  
3.2.9

Lastly, most overlay district wide mitigation charges should be paid prior to the issuance of Certificate of Occupancies instead of upon application for building permits. The imposition of such charges prior to completion of buildings is an undesirable burden on developers who have a long construction period before generating revenues.

FRNCA-6  
3.2.10

If you have any question or want to discuss the matter further, please contact me at 631-369-3535 or at [Vtaldone@optonline.net](mailto:Vtaldone@optonline.net).

Thank you for your consideration.

Sincerely,



Vince Taldone  
President

C:  
Brad Bender, Councilman, Town of Southampton  
Christine Scalera, Councilwoman, Town of Southampton  
Stan Glinka, Councilman, Town of Southampton  
Bridget Fleming, Councilwoman, Town of Southampton  
Sundy Schermeyer, Clerk of the Town of Southampton  
Frank Zappone, Deputy Supervisor, Town of Southampton  
Kyle Collins, Southampton Town Planning and Development Administrator  
Members, FRNCA Board of Directors

# *Flanders, Riverside and Northampton Community Association*

P.O. Box 602, Flanders, N.Y. 11901 • FRNCA.org

November 11, 2015

Anna Throne Holst, Supervisor  
Town of Southampton  
116 Hampton Road  
Southampton, N.Y. 11901

Re: Riverside BOA, Revitalization Plan and  
Zoning Amendments, DEIS, Comments By FRNCA

Dear Supervisor Throne Holst:

I am writing to supplement my attached comments dated November 10, 2015, in effect adding add one additional recommendation regarding the referenced proposed zoning as it affects the density of development on the riverfront east of the 14 acre county park. Specifically, I recommend that the as of right density be increased for projects that include at least 50% affordable condominium units and which provide maximum public access to the waterfront (for residents and non residents) as well as environmental enhancements that are deemed by the town to be of significant public benefit.

*FRNCA-7*  
*3.2.9*

Overall, FRNCA supports non single-family home residential development that provides both market rate and affordable units together so as to avoid the identification or stigmatization of persons who live in “affordable housing”. However, due to high land values on the waterfront, I believe such a mix may only be achieved through greater density than that which is permitted by the present zoning designation.

Higher density offers perhaps the last opportunity to create attainably priced residential options on the East End waterfront. There is no other location that I can imagine that has waterfront views and access for those who are not wealthy, may be veterans and emergency workers, are seniors or persons with disabilities of modest means. We should make creating such an affordable option feasible through increased density.

Thank you for your consideration.

Sincerely,

Vince Taldone  
President

C: Brad Bender, Councilman, Town of Southampton  
Christine Scalera, Councilwoman, Town of Southampton  
Stan Glinka, Councilman, Town of Southampton  
Bridget Fleming, Councilwoman, Town of Southampton  
Sundy Schermeyer, Clerk of the Town of Southampton  
Frank Zappone, Deputy Supervisor, Town of Southampton  
Kyle Collins, Southampton Town Planning and Development Administrator  
Members, FRNCA Board of Directors

**From:** [Tara Farrell](#)  
**To:** [David Wilcox](#)  
**Cc:** [Kimberly Ottati](#)  
**Subject:** Riverside project  
**Date:** Tuesday, November 24, 2015 3:42:50 PM

---

As per your request.

Thank you,  
Tara Farrell on behalf of  
Sundy Schermeyer, Town Clerk  
Town of Southampton  
116 Hampton Road  
Southampton, NY 11968  
Phone: 631.287.5740  
Fax: 631.283.5606

From: Lorraine paceleo [[lpaceleo@msn.com](mailto:lpaceleo@msn.com)]  
Sent: Wednesday, November 11, 2015 12:28 PM  
To: Sundy Schermeyer  
Subject: Riverside project

Hi,

My name is Lorraine Paceleo and I reside at 23 Nash Ave., in Flanders NY and I work in Riverhead.

I was recently informed that the redevelopment project for the Riverside project is in its final stages and is up for approval in December.

I respectfully request more time be given for the public to review the proposal as well as request another public hearing (or 2!) be allowed, especially one that will take place at night. I have a lot of questions (as I know my neighbors have as well). We need this additional time to see exactly what will be happening to our neighborhood as well as enable us to voice any concerns or revisions we may need or think may help the area more.

Thank you for your consideration.

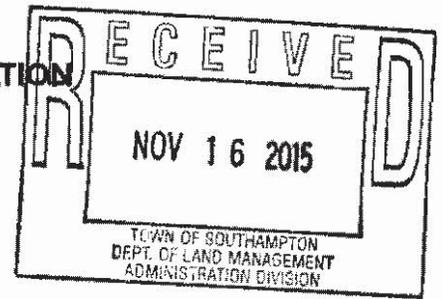
Lorraine Paceleo  
516-672-7187

*LP-1*

3.2.25

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Division of Environmental Permits, Region 1  
SLNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790  
P: (631) 444-0365 | F: (631) 444-0360  
www.dec.ny.gov



Kyle Collins  
Planning & Development Administrator  
Town of Southampton  
Department of Land Management  
116 Hampton Rd  
Southampton, NY 11968

November 12, 2015

Re: DEC # 1-4736-08363 / 00001 DGEIS for Riverside BOA, Revitalization Action Plan & Zoning Amendments

Dear Mr. Collins:

The Department of Environmental Conservation has reviewed the Draft Generic Environmental Impact Statement (DGEIS) for the action known as the Riverside Brownfield Opportunity Area Step II Nomination Study, Revitalization Action Plan and Zoning Amendments. The action involves the creation of a new zoning overlay district which will affect approximately 468 acres of land in the hamlet of Riverside. The overlay district will consist of seven separate zones with various incentives for increased density and building height to encourage landowners to explore redevelopment options which would further the vision and goals for revitalization of the hamlet.

We have a number of comments on the DEIS and the action as described in the report. General comments or concerns are followed by specific issues linked to the various sections of the document.

- 1. Two of the DEC regulatory programs which cover portions of the project area contain specific development restrictions or land use controls which are the functional equivalent of zoning requirements and have at least the potential to disallow some activities or uses, or the intensity of some uses which the proposed zoning amendments seem to encourage. The Tidal Wetlands Land Use Regulations (6 NYCRR Part 661) and the Regulation for Administration and Management of the Wild, Scenic and Recreational Rivers Program in New York State (Part 666) both include such standards as prohibited land uses, minimum lot size requirements for principal buildings, minimum setback requirements for principal buildings and other structures from the wetland boundary or river bank, maximum lot coverage percentages and maximum floor area limits for certain commercial, public or semi-public buildings.

DEC-1  
3.2.10

2015 NOV 16 AM 11:09  
RECEIVED

DEC-1  
3.2.10

↑ These standards will be discussed in more detail later in this letter, but it is important to recognize now that these DEC regulations must be taken into account, particularly for parcels located in the proposed "Waterfront Center", overlay zone RO-6 and the western portion of the project area, generally west of Lake Avenue, in proposed overlay zones RO-5 (Suburban), RO-2 (Hamlet Neighborhood) and RO-4 (Gateway).

DEC-2  
3.2.1

2. The proposed action as described in the GEIS includes the construction of a new sewage treatment plant with a groundwater discharge to service the project area. During the October 29, 2015 meeting at the DEC office in Stony Brook among the Town of Southampton; the master developer, Renaissance Downtowns, the lead consultant and DEC, the proposed sewage treatment plant was described as an advanced facility with a surface water discharge to the Peconic River through a created tidal wetland which would also serve as a pre-constructed mitigation bank to offset wetland losses or impacts associated with certain development in the project area. The GEIS contains no mention of the surface water discharge for the STP or the created wetland / mitigation bank concept which was described as being part of the action. The Town should decide now whether these features are or will be viable components of the action. If they are determined to be viable, they should be described and analyzed to the greatest extent practicable now in the GEIS as both components will require extensive DEC regulatory involvement.

DEC-3  
3.2.7

3. GEIS Page 2-24; Table 2-11 – Reviews, Permits & Approvals Required: The section of this table which lists the DEC approvals required for this action should include the possibility of an Endangered Species – Incidental Take permit (ECL Article 11 & 6 NYCRR Part 182) for development on parcels located within 1,000 linear feet of the identified breeding pond of the state endangered eastern tiger salamander.

DEC-4  
3.2.7

4. Pages 5-6 through 5-8; Table 5-3 – Rare, Threatened or Endangered Species Identified by the New York Natural Heritage Program: Several additional species should be added to this table, because either the project area appears to contain suitable habitat or the species has been observed in the project area. The northern long-eared bat, *Myotis septentrionalis*, was listed by the federal government and New York State as threatened earlier this year. The species is known to spend a significant portion of the year in forested areas similar to those found in the project area. The eastern box turtle (*Terrepenne carolina*) and the spotted turtle (*Clemmys guttata*) are listed by New York State as special concern species and have been observed by the undersigned on properties within the project area. Planning and environmental reviews undertaken for the development of parcels with suitable habitat within the project area must account for these listed species. These presence or possible presence of these species should also be considered and accommodated in any wetland or other habitat restoration or creation proposals developed in conjunction with this action.

DEC-5  
3.2.10

5. Pages 5-9 & 5-10; Regulatory Conditions – Tidal Wetlands: 6 NYCRR Part 661.6 (Tidal Wetlands Land Use Regulations) sets forth a series of limitations on development activities conducted in the adjacent area of a tidal wetland. The adjacent area is broadly defined as the non-wetland area which extends from the tidal wetland boundary up to 300 feet landward. The limitations which are likely to have the most influence on projects proposed as part of the proposed action include, but are not limited to:

- A 75-foot minimum setback requirement from the wetland for all new principal buildings and other non-water-dependent structures in excess of 100 square feet in area.
- A 100-foot minimum wetland setback requirement for all components of a septic system.
- All components of a septic system must be installed with at least two vertical feet of soil between the bottom of the component and the seasonal high groundwater level.
- No more than 20% of the adjacent area on any lot can be covered with existing or new structures and impervious surfaces. Individual lots which were lawfully existing on the August 20, 1977 effective date of Part 661 may be covered with up to 3,000 square feet of existing and structures and other impervious surfaces.
- The minimum lot area for any **principal building** constructed within the area regulated by Part 661, which minimum lot area shall include any wetland portion and any adjacent area portion of such lot, shall be as follows:
  - a. 20,000 square feet where the principal building will be served by a public or community sewage disposal system.
  - b. 40,000 square feet where the principal building will not be served by a public or community sewage disposal system.

The definition of the term **principal building** is any one of the following: single-family dwelling; each two units of a multiple-family dwelling; any other type of building, including but not limited to any commercial or industrial use building or public or semi-public building, that exceeds 1,000 square feet in area and each additional 1,000 square feet of floor space of such a building in excess of 3,000 square feet. In addition, each commercial or industrial use building or public or semi-public building less than 1,000 square feet in area shall count as one-quarter of a principal building.

↓

DEC-5  
3.2.10

↑ These restrictions are very likely to have an impact on the development of the parcels in the project area which contain or are adjacent to tidal wetlands, IE: the riverfront parcels in the proposed "Waterfront Center" overlay zone RO-6, where the proposed allowable uses include hotels, bed & breakfast / inns and senior housing. These types of buildings are often very concentrated and are likely to exceed the allowable density outlined above, particularly if the building/s are not connected to a sewage treatment plant. This situation should be noted in the GEIS so that prospective developers of RO-6 lots are aware of and understand these restrictions.

DEC-6  
3.2.6

6. Pages 5-9 & 5-10; Regulatory Conditions – Wild, Scenic & Recreational Rivers System:

6 NYCRR Part 666 (Regulation for Administration & Management of the Wild, Scenic & Recreational Rivers System in New York State) also establishes a system of land use controls or development restrictions for lands situated within the Peconic River Corridor. The western portion of the study area, generally the section west of Lake Avenue in proposed overlay zones RO-5, and small sections of RO-2 and RO-4 is located in the Peconic Recreational River Area and is subject to regulation pursuant to Part 666. See Section 666.13 for the full explanation of the restrictions. Notable provisions include:

- A prohibition on non-river-related commercial uses.
- New residential development must be on a lot at least two acres in area, and if applicable have at least 200 linear feet of river frontage.
- Multiple family dwellings must be constructed on lots with at least one acre per dwelling unit.
- New residential buildings must be located at least 150 feet from the river.

The GEIS should include a presentation of the Part 666 development restrictions so that landowners and potential project sponsors are aware of them and can make informed decisions. This is especially important for the parcels in the proposed RO-2 and RO-4 zones near the traffic circle, where the project vision calls for many types of commercial development at densities which are contrary to the regulation. Sponsors contemplating projects on parcels located in the Peconic Recreational River Corridor should be directed to DEC at the earliest possible juncture for pre-application discussions.

DEC-7  
3.2.7

↓ 7. Page 5-14; Section 5.3 – Mitigation: This section describes measures which can be employed to mitigate impacts to natural resources, or as offsets for variance relief granted for particular projects.

DEC-7  
3.2.7  
↑ It is important that this section of the GEIS include a discussion of the approach to environmental impact and mitigation employed by DEC, the Town of Southampton and most other regulatory agencies, namely, the sequence of avoiding impacts and minimizing impacts before the discussion turns to mitigating impacts.

Also, please note that the more complicated mitigation proposals, especially large scale wetland creation or restoration projects involve very detailed planning, design and regulatory reviews which involve multiple DEC programs and considerable time. DEC should be contacted for guidance as early in the planning process as possible to ensure that the proposed mitigation project will be feasible, appropriately matched with the project causing the impacts, and approvable.

This section states that site specific mitigation measures will need to be developed and an Article 11 Incidental Take Permit of Letter or Non-Jurisdiction obtained from DEC if species of wildlife listed as threatened or endangered are encountered on a property in the project area. Article 11 / Part 182 Endangered Species – Incidental Take permits are not routine matters. Even though regulations have been promulgated which establish a permit program, the showing that is required of an applicant to demonstrate that permit issuance standards are met is daunting. The application process is always very involved, as well as work and funding intensive, with no guarantee of an approval. Multi-year or multi-field season, site specific studies of the listed species on the property in question with detailed data analysis are generally required. Incidental Take permit applications should not be taken lightly and any developer considering a project requiring one should be contacting DEC before doing anything else.

DEC-8  
3.2.1  
↓  
8. Pages 14-7 through 14-11; Section 14.3 Alternative 3 – Sewage Treatment Plant Options:

This section discusses the need for some type of sewage treatment works for the project area to achieve the level of nitrogen removal necessary for regulatory agencies to authorize the development densities the master developer has identified as critical for an economically viable project. The scenario contemplated in the GEIS involves a new sewage treatment plant with a groundwater discharge. A new plant with a groundwater discharge developed privately would require a State Pollutant Discharge Elimination System (SPDES) permit administered by the Suffolk County Department of Health Services. The application for such a permit would need to include information about pre-project and post-project nitrogen loading to the groundwater so that it can be reviewed against the Total Maximum Daily Load limit for nitrogen established for the Peconic system.

Kyle Collins  
November 12, 2015  
Page 6

DEC-8  
3.2.1

As mentioned earlier in this letter, the project sponsor described a proposal to develop a sewage treatment plant with a surface water discharge during an October 29, 2015 meeting on this action attended by the Town, the Master Developer, the lead consultant and DEC. It was described as an advanced treatment facility which would discharge through a created wetland system to the Peconic River. If this approach is being considered, it should be described in as much detail as possible in the GEIS. The nitrogen discharge limitations for a surface water discharge are much lower than for a groundwater discharge. Also, the agency administering the SPDES permit application for a surface water discharge plant would be DEC. There would also be detailed involvement by DEC natural resources programs.

I can be reached at (631) 444-0371 or [george.hammarth@dec.ny.gov](mailto:george.hammarth@dec.ny.gov) if you have any questions about these comments. Thank you for the opportunity to review this GEIS.

Sincerely,



George W. Hammarth  
Deputy Regional Permit  
Administrator

cc: Cathy Haas  
Anthony Leung  
Rob Marsh



# Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ROSE HARVEY  
Commissioner

October 23, 2015

Mr. Scott Robin  
Environmental Planner  
Nelson, Pope & Voorhis, LLC  
572 Walt Whitman Road  
Melville, NY 11747

Re: SEQRA - Adoption of Riverside Overlay Zone  
468 acres in the Hamlet of Riverside in the Town of Southampton. 15PR05055  
NPV #15128

Dear Mr. Robin:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

*OPRHP-1*  
*3.2.20*

There are no known historic properties wholly or partially within, or substantially contiguous to the project area that are recommended for listing or listed in the State and/or National Registers of Historic Places (S/NRHP). Therefore, under SEQRA we have no comments regarding potential impacts to architectural or archaeological resources.

*OPRHP-2*  
*3.2.20*

However, our review does not include potential impacts to architectural or archaeological resources that may be eligible for the registers. If the lead agency concludes that additional studies would be beneficial to identify and/or assess potential impacts to archeological and historic resources eligible for the registers, the OPRHP would be pleased to provide additional guidance.

*OPRHP-3*  
*3.2.20*

If this project will involve state or federal permitting, funding or licensing, it may require a more rigorous review for potential impacts to architectural and archaeological resources, in accordance with Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.

*OPRHP-4*  
*3.2.20*

Sincerely,

Ruth L. Pierpont  
Deputy Commissioner for Historic Preservation

---

**Division for Historic Preservation**

DEPARTMENT OF LAND MANAGEMENT  
PLANNING BOARD  
116 Hampton Road  
Southampton, NY 11968

Phone: (631) 287-5735  
Fax: (631) 287-5706

## Town of Southampton



ANNA THRONE-HOLST  
TOWN SUPERVISOR

CHAIR  
DENNIS FINNERTY

VICE CHAIR  
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SECRETARY  
JOHN ZUCCARELLI

BOARD MEMBERS  
GEORGE SKIDMORE JACQUI LOFARO  
PHILIP KEITH CATHIE GANDEL

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**PLANNING BOARD REPORT AND COMMENTS  
ON THE  
RIVERSIDE BROWNFIELD OPPORTUNITY AREA REVITALIZATION ACTION PLAN,  
FORM BASED ZONING CODE AMENDMENTS AND  
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT,  
AS AN AMENDMENT TO THE TOWN'S COMPREHENSIVE PLAN**

**NOVEMBER 19, 2015**

The Town of Southampton Department of Land Management (DLM), Master Developer Renaissance Downtowns (RD), and environmental planning consultant Nelson, Pope & Voorhis meet with the Town of Southampton Planning Board (the Board) on October 8<sup>th</sup> and 22<sup>nd</sup>, and November 12, 2015 to provide an overview of the Riverside Revitalization Action Plan (RRAP) and proposed Form Based Zoning Code and Overlay District. The purpose of these meetings was to discuss the proposed zoning overlay initiative and the details of how the form based code would be implemented, as well as review the State Environmental Quality Review Act (SEQRA) process, to form the basis for this report.

Sean McLean (Renaissance Downtowns) and Kyle Collins (DLM) provided an overview and presentation of the RRAP and proposed Overlay Districts during the October 8, 2015 Board meeting. This meeting was mainly an informational meeting for the Board. The Board expressed a desire to further understand how an optional overlay district would work, as well as concerns regarding potential displacement of existing residents. The Board had an opportunity to review the details of the draft code prior to the additional meetings held on October 22, 2015, and November 12, 2015, and these meetings provided an opportunity for questions/concerns to be discussed. The following summarizes discussions during these meetings.

### October 22, 2015 Meeting

- Board Member Lofaro asked the Master Developer to explain how the proposed Overlay District interacts with the underlying zoning, and if a landowner would still have the option of going to the Zoning Board of Appeals under the Overlay District. Sean McLean explained that the Overlay District is entirely optional for property owners; however incentives are built into the proposed Overlay District that significantly benefit the land owner to opt into the Overlay District. Those benefits are tied to the various requirements of the overlay code, which provide for

community benefits such as fees contributing to wetlands and pine barrens restoration funds, requirement for connection to sewers, local hiring requirements and sustainable development requirements. The Code dictates the form, or architectural styles of the buildings constructed under the Overlay District, which provides for a cohesive downtown appearance. So rather than require property owners to development under the Overlay District, the code is designed to provide adequate incentives to encourage land owners to choose to opt in. The Overlay District still follows NYS law, and therefore is subject to Zoning Board of Appeals procedures.

- Board member Gandel questioned how the RO-5 was set up, and if the existing non-conforming homes would be impacted by the Overlay District. Sean McLean explained that the RO-5 District maintains the existing residential neighborhoods and does not allow for additional density in RO-5 so the existing established residential neighborhoods are not impacted or changed by the Overlay District. The Board also discussed the existing mobile home communities and was generally supportive in the notion that these established neighborhoods should remain unchanged.
- Board member Blaney questioned if an analysis had been done to evaluate what could be built under the existing zoning and compared to that which could be built under the proposed Overlay District. Sean McLean explained that in developing the proposed Overlay code, the Master Developer started with an evaluation of build out under the existing zoning to understand allowable uses, setbacks and heights. The proposed Overlay District was then built around the existing parameters to ensure incentives were adequately provided for the optional Overlay District. The Town of Riverhead's rezoning efforts were also discussed in comparison to the proposed Overlay District. Sean McLean noted that the Town of Riverhead's situation is fairly unique, in that a single land owner controls much of the downtown area (and was using the vacant buildings as a tax write off). The Town then rezoned the downtown, which gave further density/value that significantly benefited that single property owner.
- The question of eminent domain was raised. Sean McLean explained that the Overlay District does not anticipate or encourage the use of any eminent domain. The Overlay District is entirely optional for landowners.
- The uses were generally discussed and the Planning Board asked if a community center was envisioned in the area. Sean McLean indicated that a community ice rink is being evaluated as part of the Theoretical Development Scenario considered in the environmental impact statement. Suffolk Community College is in the process of building a pool nearby; therefore a separate YMCA type use is not envisioned at this time.
- Increased public transportation opportunities were also discussed, including the potential for a shuttle from Riverside to downtown Riverhead and shopping areas on CR 58. The need for increased bus service along the existing bus route was also discussed. Sean McLean indicated that increased bus service and public transit opportunities were voiced as significantly desired by the community during the

extensive community outreach efforts. Therefore, the Master Developer and the Town are working with Suffolk County on potential increases in service for this line. Chairman Finnerty noted that a public/private bus service or shuttle would be a great addition to the Riverside area.

#### November 12, 2015 Meeting

- The types of artisan manufacturing uses that would be permitted and what controls exist in the code to ensure that potentially incompatible industrial activities do not occur adjacent to residential uses was discussed. The draft code is broad in the allowance of uses, but requires that all buildings built are a minimum of two stories, and many of the streets have storefront requirements – which are designed for artisan production and first floor showroom space. Kyle Collins indicated that the code does not allow “industrial scale”, mass production manufacturing, rather it is geared toward costume work that is compatible with residential uses. The Planning Board suggested that the code definitions be updated to distinguish and define “industrial scale” to ensure artisan production uses are an appropriate scale and do not require large tractor trailer deliveries into the downtown area.
- The process for individual site development and the 10-year build-out horizon evaluated under the Draft GEIS was discussed. It was explained that the Draft GEIS assumed a 10 year build horizon for analysis purposes, which is the basis for establishing thresholds in the Findings Statement. The actual time to build the uses evaluated in the GEIS may take more or less time based on market demand. However, each individual project opting into the code will need to provide a consistency analysis with the adopted Findings Statement to demonstrate the project falls within the SEQRA assumptions evaluated in the GEIS, and provides supplemental information/analysis as needed (i.e., items identified in the “Future Actions” Section 15 of the Draft GEIS, such as site-specific Phase I environmental assessments, archaeological surveys, access analysis for driveway locations, etc.). Any project in the future that is outside or beyond the thresholds established by the current GEIS would require supplemental review pursuant to SEQRA.
- Specific threshold limits were discussed for impacts such as nitrogen loading. The load limitations to the Peconic River were discussed, and in particular how discharge is monitored from sewage treatment. Carrie O’Farrell discussed that under the permitting requirements for a sewage treatment plant (STP), the NYS Dept. of Environmental Conservation requires regular testing and reporting of the effluent discharged from the STP. Because the Peconic River has strict nitrogen loading limitations and regulatory standards precluding increases in nitrogen loading to the Peconic River, any STP proposed for Riverside will be subject to very closely monitored discharge limitations. It is recognized that building under the Overlay District cannot occur until an acceptable sewage treatment solution is constructed.
- Board Member Keith questioned how the Overlay Districts will facilitate and encourage revitalization? Sean McLean indicated the purpose of this larger planning effort and the BOA is to help work out many of the barriers to development that currently exist

in Riverside. The complications surrounding Pine Barrens requirements, sewage treatment, and what the zoning currently allows do not allow for a property owner to easily pursue redevelopment with any kind of significant financial gain. The process presently underway is intended to identify clear roads to redevelopment, and provide a code that incentivizes redevelopment as a “market ready model”. By understanding what can be built and what mitigation needs to be provided to redevelop, there is much greater certainty and benefit to a property owner.

- Board Member Keith also asked if Veterans were afforded some priority in the housing proposed under the Overlay District. Kyle Collins noted that the Town’s Community Benefit housing regulations that will be applied to 50% of the units built under the Overlay District already places Veterans as a priority group eligible for Community Benefit Housing. Board Member Keith suggested that outreach to Veterans should be considered once the residential units are available. Board Member Lofaro asked if an applicant could opt out of the requirement for providing the Community Benefit Housing. It was explained that you cannot opt out; however applicants can reach agreements for the Community Benefit Housing to be built on other parcels within the Overlay District area – however it must be constructed on a one for one basis.
- Board Member Gandel asked how the community felt about the density proposed under the Overlay Districts. Sean McLean discussed the tremendous community support and positive turnout at the Town’s public hearing on 10/29/15. The community has been overwhelmingly supportive of the revitalization efforts. Kyle Collins noted that the code only allows the higher 3-4.5 story buildings for properties that meet the minimum area and frontage requirements, so not all properties will be able to qualify for the large building heights (without consolidating lots with adjacent properties).
- Board Member Gandel noted concern regarding the proposed reduction of parking requirements, as other downtown areas of the town have experienced issues with parking shortfalls. Additionally, concern regarding the creation of connector streets and the potential for impact to the adjacent residential streets was noted. Kyle Collins noted that the connector streets that are limited in their networking can create problems, but when a fully integrated network can be constructed, as proposed, then the burden that any one street would experience would be reduced (it’s spread throughout a larger area).
- Board Member Keith noted that traffic conditions on Route 24 at 5:00 in the afternoon are problematic currently. He asked if the Town had coordinated with the Town of Riverhead on the backups occurring on Main St. and Roanoke in Riverhead. Sean McLean noted that the County has funded the traffic circle improvements which will convert the roundabout to two lanes beginning in 2016. The traffic analysis indicates that this will improve the traffic situation significantly; however, as development occurs, it will decline again, but not to the unacceptable level of service that currently occurs. However, slowing traffic down on Rt. 24 through the Riverside area is viewed as a good situation in support of a vibrant downtown. Kyle Collins

noted that the Town’s consultants, NP&V, are also the Town of Riverhead’s consultants for Riverhead BOA work. The Towns have met and have a full understanding of the traffic conditions and concerns from both Towns.

- The Board was interested in when projects would be expected to be built given a STP needs to first be built. Sean McLean indicated the target is for STP groundbreaking to begin in 2017 and projects starting in 2019.

Recommendations:

- |   |                               |
|---|-------------------------------|
| • The Board fully supports the proposed Overlay District and recommends that a stream line application process be established for projects opting into the code. Establishment of a specific procedure for reviews under the Overlay District was also suggested.   | <i>SPB-1</i><br><i>3.2.10</i> |
| • The Board also suggested that applicants be referred to the Town’s Project Development Council in the early stages of the application process to ensure the various agencies and the applicant are fully informed regarding the proposed project and any concerns or issues are identified as early as possible.                                | <i>SPB-2</i><br><i>3.2.10</i> |
| • The Planning Board suggested that the code should define “industrial scale” to ensure the size and hours of operation of artisan manufacturing are clearly understood. Artisan manufacturing should not depend on large scale deliveries with large trucks in the downtown area and should ensure compatibility with adjacent residential uses. | <i>SPB-3</i><br><i>3.2.9</i>  |
| • The Planning Board suggested that a greater effort should be made to determine where the STP(s) may be constructed, sooner than later, in order to minimize opposition to the location(s) from nearby property owners in the overlay district.  | <i>SPB-4</i><br><i>3.2.1</i>  |

## Ashley Marciszyn

---

**From:** David Wilcox <DWilcox@southamptontownny.gov>  
**Sent:** Friday, October 30, 2015 1:53 PM  
**To:** Carrie OFarrell; Kathy Eiseman; mike brusseau  
**Subject:** FW: Communication- Riverside redevelopment plan (10/29/15)

This communication was received by the Town Clerk regarding the RRAP

DAVID A. WILCOX, JR.  
DIRECTOR OF TOWN PLANNING  
SOUTHAMPTON TOWN DEPARTMENT OF LAND MANAGEMENT  
116 HAMPTON ROAD  
SOUTHAMPTON, NY 11968  
[DWILCOX@SOUTHAMPTONTOWNNY.GOV](mailto:DWILCOX@SOUTHAMPTONTOWNNY.GOV)  
631-702-1812 (PHONE)  
631-287-5706 (FAX)

---

**From:** Tara Farrell  
**Sent:** Thursday, October 29, 2015 1:55 PM  
**To:** Anna Throne-Holst; Bradley Bender; Bridget Fleming; Christine Scalera; Stan Glinka; Tiffany Scarlato; Kathleen Murray; Kyle Collins  
**Cc:** Sundy Schermeyer; Kimberly Ottati; Linda Marzano; Janice Wilson; Jamie Cunningham; Julie Fitzgerald; David Wilcox  
**Subject:** Communication- Riverside redevelopment plan (10/29/15)

I am fully in support of the proposed Riverside redevelopment plan.

*PS-1*

*3.2.27*

Pauline Sandmann  
President of Mobile/Manufactured Homeowners Assoc. Suffolk.Inc.  
and  
resident of Riverwoods MHP in Riverside

525 Riverleigh Ave. #108  
Riverside, N.Y. 11901

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**Steven Bellone**  
SUFFOLK COUNTY EXECUTIVE  
**Department of**  
**Economic Development and Planning**

**Joanne Minieri**  
Deputy County Executive and Commissioner

**Division of Planning**  
**and Environment**

November 5, 2015

Town of Southampton  
116 Hampton Road  
Southampton, NY 11968  
Attn: Sundry A. Schermeyer, Town Clerk

Re: Adopted Res-2015-950 Riverside Revitalization  
Action Plan  
Local File No.: Res-2015-950  
S.C.P.C. File No.: ZSR-15-31

Dear Ms. Schermeyer:

The Suffolk Planning Commission at its regular meeting on November 4, 2015, reviewed the referral from the Town of East Hampton entitled, "**Adopted Res-2015-950 Riverside Revitalization Action Plan**," referred to it pursuant to Section A14-14 thru A14-25, Article XIV of the Suffolk County Administrative Code.

The attached Resolution signifies action taken by the Commission relative to this application.

Very Truly Yours,

Sarah Lansdale  
Director of Planning



Andrew P. Freleing  
Chief Planner

APF/cd

Resolution No. ZSR-15-31 of the Suffolk County Planning Commission  
Pursuant to Sections A14-14 to thru A14-25 of the Suffolk County Administrative Code

WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received on October 8, 2015 at the offices of the Suffolk County Planning Commission with respect to the application of **“Adopted Res-2015-950 Riverside Revitalization Action Plan/Zoning ”** located in the Town of Southampton, and

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

RESOLVED, that the Suffolk County Planning Commission hereby adopts the report of its staff, as the report of the Commission, Be it further

RESOLVED, pursuant to Section A14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law, the referring municipality within thirty (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action, Be it further

RESOLVED, that the Suffolk County Planning Commission **Conceptually Approves** the Riverside Revitalization Action Plan and Residential Overlay District(s) ROD(s) with the following comments:

- |                         |   |
|-------------------------|---|
| <i>SCPC-1</i><br>3.2.1  | 1. The Town should continue dialogue with the New York State Department of Environmental Conservation, the Suffolk County Department of Public Works and the Suffolk County Department of Health Services for wastewater treatment options for the Riverside area.  |
| <i>SCPC-2</i><br>3.2.2  | 2. The Town of Southampton should continue to coordinate with the Suffolk County Department of Public Works and the Town of Riverhead regarding traffic and storm water issues north of the CR 94 Roundabout on Peconic Avenue and in connecting downtown Riverhead to Riverside.                           |
| <i>SCPC-3</i><br>3.2.7  | 3. Referral of the RRAD and ROD should be referred to the Central Pine Barrens Joint Planning and Policy Commission for consistency review with the CLUP.   |
| <i>SCPC-4</i><br>3.2.7  | 4. The Town should allow no more than 65% total natural vegetative clearance and maintain no less than 35% natural vegetation within the proposed ROD.  |
| <i>SCPC-5</i><br>3.2.7  | 5. The redemption of Pine Barrens Credits beyond the 20 PBC's discussed for non-compliance with native vegetation clearing standards, should be considered to mitigate the proposed increases in density and intensity of land uses above the existing and base zoning yield for properties within the ROD. |
| <i>SCPC-6</i><br>3.2.23 | 6. The Town should review the Suffolk County Planning Commission Guidelines on energy efficiency and incorporate into the Form Based Code practical elements contained therein.   |
| <i>SCPC-7</i><br>3.2.16 | 7. The Town of Southampton should work with the Suffolk County Department of Public Works to explore the feasibility of increasing bus service within the proposed ROD.   |

<i>SCPC-8</i> 3.2.2	8. The Town of Southampton should consult with the Suffolk County Department of Public Works on future possible improvements to the Riverside Roundabout intersection with the goal of not precluding, by way of land use zoning changes, right-of-way expansion for traffic flow mitigations or storm water treatment options.
<i>SCPC-9</i> 3.2.22	9. The Town of Southampton should review the Suffolk County Planning Commission Guidelines on public safety and include into the Form Based Code practical elements contained therein.
<i>SCPC-10</i> 3.2.22	10. The Town should review the Planning Commission Guidelines particularly related to universal design and include into the Form Based Code practical elements contained therein.
<i>SCPC-11</i> 3.2.2	11. The Town should review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and include into the Form Based Code practical elements contained therein.

- The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:  
<http://www.suffolkcountyny.gov/Home/departments/planning/Publications%20and%20Information.aspx#SCPC>

Adopted Reso 2015-950 Riverside Revitalization Action Plan/Zoning

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

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

Motion: Commissioner Kaufman

Present: 8

Seconded: Commissioner Accettella

Absent: 6

Voted: 8

Recused: 0

DECISION: Conceptual Approval

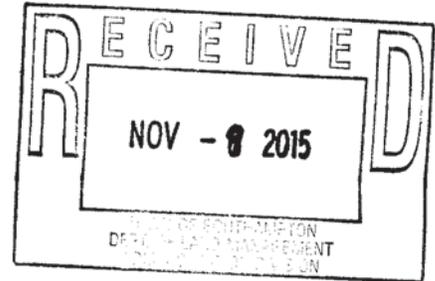


Jeffrey W. Szabo  
Chief Executive Officer

Administrative Offices: 4060 Sunrise Highway, Oakdale, New York 11769-0901  
(631) 563-0353  
Fax: (631) 563-0370

November 4, 2015

Kyle Collins  
Town Planning & Development Administrator  
Town of Southampton  
116 Hampton Road  
Southampton, NY 11968



Re: DGEIS- Riverside Hamlet Revitalization, Town Southampton

Dear Mr. Collins:

The Suffolk County Water Authority (SCWA) would like to thank you for the opportunity to comment on the recently adopted DGEIS for the Riverside Hamlet Revitalization project.

As you know, representatives of SCWA met with Chic Voorhis, a project consultant with Nelson & Pope to discuss the scope of the project. While SCWA does not object to the project or anticipate any water quality impacts at this time due to the proposed project, more information on the theoretical build out would be needed to determine anticipated water supply demand and evaluation of existing and future infrastructure improvements.

SCWA-1  
3.2.3

It is anticipated that the consultant will be providing SCWA with additional information on the theoretical build out and that another meeting may be necessary to discuss this additional information as well as the other discussion points outlined in the DGEIS document.

I look forward to working with you on this project and may be reached at 631-563-0353 if you would like to discuss this matter further.

Very truly yours,

Handwritten signature of Jeffrey W. Szabo in black ink.  
Jeffrey W. Szabo

JWS:kk

cc: James Gaughran, Chairman, SCWA  
Joseph Pokorny, Deputy CEO Operations, SCWA

**APPENDIX C**  
**SEQRA DOCUMENTS**



ADOPTED

**TOWN BOARD RESOLUTION 2015-1001**

**Deem Draft Generic Environmental Impact Statement (DGEIS) for the Riverside Brownfield Opportunity Area (BOA) Step II Nomination Study and Riverside Revitalization Action Plan (RRAP) with Proposed Zoning Overlays Adequate for the Purpose of Commencing Public Review Pursuant to State Environmental Quality Review Act (SEQRA)**

WHEREAS, the Town Board of the Town of Southampton, in accordance with §272-a, Town Law, is authorized to prepare and adopt a comprehensive plan and amendments thereto; and

WHEREAS, S272-a (2)(a), of Town Law enables a comprehensive plan and subsequent amendments to be prepared in the form of written and/or graphic materials that identify goals, policies, guidelines and other means for the immediate and long range protection, enhancement, growth and development of the Town; and

WHEREAS, by Resolution No. 2013-1149 dated November 26, 2013, the Town Board of the Town of Southampton authorized entering into a contract and Master Developer Agreement with Renaissance Downtowns, to prepare a Riverside Revitalization Action Plan (RRAP) with Proposed Zoning Overlay Districts, as a component of the Town's Comprehensive Plan and to work with the Town in close partnership to develop plans, test market assumptions, obtain regulatory approvals, secure financing and successfully implement a multi-stage redevelopment program for Riverside; and

WHEREAS, the Master Developer and the Town worked closely with the community to develop a RRAP that facilitates implementation of the many past planning efforts that have been initiated by the Town for the Riverside community and that provides a comprehensive planning framework for redevelopment of the Hamlet; and

WHEREAS, the zoning amendments contained in the RRAP propose seven separate Overlay Zones affecting 468 acres in the Hamlet of Riverside. The highest development density would be permitted in the RO-1 Zone ("Hamlet Center"), which is located around the Riverside traffic circle. Other mixed-use zones, which will allow other mixes of uses, at different densities, and building heights, and which will serve different purposes, include: the RO-2 ("Hamlet Neighborhood"), RO-3 ("Special"), RO-4 ("Gateway"), RO-5 ("Suburban"), RO-6 ("Waterfront"), and RO-7 ("Parkland") Zones. The proposed Overlay Zones (RO-1, RO-2, RO-3, RO-4, RO-5, RO-6 and RO-7) will encourage a mix of retail stores, restaurants, offices, service-related businesses, hotels, light industries, cultural and recreational facilities, advanced care facilities, and diverse living options, and place significant emphasis on the form of the buildings, streets and civic spaces (form-based code).

WHEREAS, on January 22, 2014 the Town of Southampton was awarded a grant through the New York State Department of State for the preparation of a Brownfield Opportunity Area (BOA) Step II Nomination Study for the revitalization of the Riverside hamlet; and

WHEREAS, by Resolution No. 2015-599, on June 9, 2015 the Town Board contracted with Nelson, Pope & Voorhis, LLC, to prepare a BOA Step II Nomination Study with the incorporation of the RRAP and Proposed Zoning Overlays and to prepare a corresponding Draft Generic Environmental Impact Statement in order to review proposed zoning amendments, analyze potential environmental impacts of development envisioned by the RRAP and propose measures to mitigate any potential adverse impacts of the plan and zoning overlays; and

WHEREAS the adoption of the Riverside BOA Study and Revitalization Action Plan (RRAP) with Proposed Zoning Overlays is an action that is subject to environmental review pursuant to 6 NYCRR 617 (State Environmental Quality Review Act - SEQRA) of the New York State Environmental Conservation Law and Chapter 157 (Environmental Quality Review) of the Code of the Town of Southampton; and

WHEREAS, by Resolution No. 2015-866, on August 25, 2015 the Town Board accepted the Draft RRAP as complete for public review and coordinated with other identified Involved Agencies for Lead Agency designation; and

WHEREAS, by Resolution No 2015-946, on September 24, 2015 the Town Board assumed Lead Agency status in connection with the State Environmental Quality Review of the Riverside BOA Step II Nomination Study and the RRAP and issued a Positive Declaration, requiring the submission of a Draft Generic Environmental Impact Statement (DGEIS); and

WHEREAS, on October 5, 2015, the Town Clerk received a Draft Riverside BOA Step II Nomination Study and Draft GEIS from Nelson, Pope & Voorhis, LLC; and

WHEREAS, pursuant 6 NYCRR § 617.9, the Town Board as lead agency must determine whether to accept the Draft GEIS as adequate with respect to its scope and content for the purpose of commencing public review pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Division of Land Management staff reviewed the Draft GEIS for completeness of content and has determined that the document contains the minimum submission requirements for the purpose of conducting the SEQR and is therefore adequate for public review and comment; and

WHEREAS, the following agencies have been identified as Involved Agencies pursuant to SEQRA:

1. Suffolk County Department of Public Works  
Attn: Daniel Dresch Jr., Director of Traffic Safety  
335 Yaphank Avenue  
Yaphank, New York 11980
2. Suffolk County Department of Health Services  
Suffolk County Sewer Agency  
Attn: Gilbert Anderson, P.E., Commissioner of Public Works and Sewer Agency Chair  
335 Yaphank Avenue  
Yaphank, New York 11980

3. Suffolk County Department of Health Services  
Office of Wastewater Management  
Attn: Walter Hilbert, P.E., Principal Public Health Engineer  
360 Yaphank Avenue, Suite 2C  
Yaphank, New York 11980
4. New York State Department of Environmental Conservation-Region 1  
Attn: Ajay Shah, P.E.  
50 Circle Road  
Stony Brook, New York 11790
5. New York State Department of Transportation, Region 10  
Attn: Mr. Tariq Melik, Regional Permit Coordinator  
250 Veterans Memorial Highway  
Hauppauge, New York 11788
6. Central Pine Barrens Joint Planning & Policy Commission  
624 Old Riverhead Road  
Westhampton Beach, New York 11978
7. NYS Department of State  
Office of Planning and Development  
Attn: David Ashton  
99 Washington Ave., Suite 1010  
Albany, NY 12231

WHEREAS, the following agencies have been identified as interested agencies:

1. Suffolk County Planning Commission
2. Town of Southampton Planning Board
3. Town of Riverhead
4. Town of Southampton Board of Trustees
5. Riverhead Central School District
6. New York State Police
7. Town of Southampton Police
8. Riverhead Fire District
9. Flanders/Northampton Volunteer Ambulance
10. US Army Corps of Engineers
11. National Grid
12. PSEG - Long Island
13. Suffolk County Water Authority
14. Town of Southampton Conservation Board
15. Town of Southampton Department of Municipal Works
16. Town of Southampton Parks Department
17. Flanders/Riverside/Northampton Civic Association

WHEREAS, referral to the Suffolk County Planning Commission is being made pursuant to General Municipal Law Section 239-m;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Southampton hereby deems the scope and content of the Draft Generic Environmental Impact Statement (DGEIS) for the Riverside Brownfield Opportunity Area (BOA) Step II Nomination Study and Revitalization Action Plan (RRAP) with Proposed Zoning Overlays to be adequate for the purpose of commencing public review and comment pursuant to the State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER RESOLVED, the Town Clerk is hereby directed to file a Notice of Completion of a Draft GEIS for the Riverside Brownfield Opportunity Area (BOA) Step II Nomination Study and Revitalization Action Plan (RRAP) with Proposed Zoning Overlays for Publication in the Environmental Notice Bulletin (ENB) as prescribed in SEQRA (6 NYCRR) Section § 617.12; and

BE IT FURTHER RESOLVED, the Town Clerk is hereby directed to forward this resolution and copies of the Draft GEIS, Draft Brownfield Opportunity Area (BOA) Step II Nomination Study and Draft Riverside Revitalization Action Plan (RRAP) with Proposed Zoning Overlays to all involved and interested agencies listed herein; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Completion of Draft GEIS:

**NOTICE OF COMPLETION  
OF A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT**

PLEASE TAKE NOTICE, that this notice is issued pursuant (6 NYCRR) Section § 617.12 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law. A Draft Generic Environmental Impact Statement (DGEIS) for the Riverside Brownfield Opportunity Area (BOA) Step II Nomination Study and Revitalization Action Plan (RRAP) with Proposed Zoning Overlays has been accepted by the Southampton Town Board for the purpose of commencing public review and comment.

The Town of Southampton was awarded a grant through the New York State Department of State for the preparation of a Brownfield Opportunity Area (BOA) Step II Nomination Study for the Riverside Revitalization Plan. To facilitate implementation of many planning efforts that have been initiated by the Town in the past for the Riverside and nearby Flanders communities and by the BOA Nomination Study, the Town entered into a Master Developer Agreement with Renaissance Downtowns, to work with the Town in close partnership to develop plans, test market assumptions, obtain regulatory approvals, secure financing and successfully implement a multi-stage redevelopment program for Riverside. The Master Developer and the Town worked closely with the community to develop a Riverside Revitalization Action Plan (RRAP), completed in July 2015, which provides a comprehensive planning framework for redevelopment of the Hamlet. The RRAP includes recommendations for a Riverside Overlay Zoning District as an amendment to the Town Zoning Code.

The Riverside Overlay District includes seven separate Overlay Zones affecting 468 acres in the Hamlet of Riverside. The highest development density would be permitted in the RO-1 Zone ("Hamlet Center"), which is located around the Riverside traffic circle. Other mixed-use zones, which will allow other mixes of uses, at different densities, and building heights, and which will serve different purposes, include: the RO-2 ("Hamlet Neighborhood"), RO-3

("Special"), RO-4 ("Gateway"), RO-5 ("Suburban"), RO-6 ("Waterfront"), and RO-7 ("Parkland") Zones. The proposed Overlay Zones (RO-1, RO-2, RO-3, RO-4, RO-5, RO-6 and RO-7) will encourage a mix of retail stores, restaurants, offices, service-related businesses, hotels, light industries, cultural and recreational facilities, advanced care facilities, and diverse living options, and place significant emphasis on the form of the buildings, streets and civic spaces (form-based code).

Copies of the Draft Generic Environmental Impact Statement (DGEIS) for the Riverside Brownfield Opportunity Area (BOA) Step II Nomination Study and Revitalization Action Plan (RRAP) with Proposed Zoning Overlays will be available beginning on October 13, 2015 at the Town of Southampton Town Clerk's Office, 116 Hampton Road, Southampton, NY 11968, Monday through Friday, from 8:30 a.m. to 4:00 p.m., the Riverhead Free Library, 330 Court Street, Riverhead, NY, during library hours, and on the Town website at <http://www.southamptontownny.gov/408/Town-Studies-Reports>

Comments on the Draft GEIS are requested and will be accepted by the Town of Southampton Department of Land Management, 116 Hampton Road, Southampton, NY 11968, until the close of business on November 12, 2015.

BY ORDER OF THE TOWN BOARD  
TOWN OF SOUTHAMPTON, NEW YORK  
SUNDY A. SCHERMEYER, TOWN CLERK

**Financial Impact**

None

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anna Throne-Holst, Supervisor
<b>SECONDER:</b>	Bradley Bender, Stan Glinka
<b>AYES:</b>	Throne-Holst, Bender, Scalera, Fleming, Glinka

county e-mail listservs available at:  
[www.dec.ny.gov/chemical/61092.html](http://www.dec.ny.gov/chemical/61092.html).

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## Negative Declaration

**Suffolk County** - The Town of Southampton Planning Board, as lead agency, has determined that the proposed Audi - Southampton will not have a significant adverse environmental impact. The action involves a site plan / special exception application is for a 11,572 footprint car dealership (14,890 total square footage) on two parcels to be merged totaling 94,006 square feet in the Highway Business (HB) Zoning District. The project is located at 51 and 55 Montauk Highway in Water Mill, Town of Southampton, New York.

**Contact:** Clare Vail, Town of Southampton, 116 Hampton Road, Southampton, NY 11968, Phone: (631) 287-5735, E-mail: CVail@southamptontownny.gov.

---

## Notice of Acceptance of Draft GEIS and Public Hearing

**Suffolk County** - The Town of Southampton Town Board, as lead agency, has accepted a Draft Generic Environmental Impact Statement on the proposed Riverside Brownfield Opportunity Area (BOA), Revitalization Action Plan and Zoning Amendments. **A public hearing on the Draft GEIS will be held on October 29, 2015 at 6:00 p.m. at the Phillips Avenue**

**Elementary School, 141 Phillips****Avenue, Riverside, NY.** Written

comments on the Draft GEIS will be

accepted until November 12, 2015. The

Draft GEIS is available from the Town of

Southampton Town Clerk's Office, 116

Hampton Road, Southampton, NY

11968 and on line at:

<http://www.southamptontownny.gov/408/Town-Studies-Reports>.

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The Town of Southampton was awarded a grant through the New York State Department of State for the preparation of a Brownfield Opportunity Area Step II Nomination Study for the Riverside Revitalization Plan. To facilitate implementation of many planning efforts that have been initiated by the Town in the past for the Riverside and nearby Flanders communities and the BOA Nomination Study, the Town entered into a Master Developer Agreement with Renaissance Downtowns (RD), to work with the Town in close partnership to develop plans, test market assumptions, obtain regulatory approvals, secure financing and successfully implement a multi-stage redevelopment program for Riverside. The Master Developer and the Town worked closely with the community to develop a Riverside Revitalization Action Plan (RRAP), completed in July 2015, which provides a comprehensive planning framework for redevelopment of the Hamlet. As recommended by the RRAP, amendments to the Town Zoning Code are proposed.

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The Riverside Overlay District proposes seven separate Overlay Zones affecting 468 acres in the Hamlet of Riverside. The highest development density would be permitted in the RO-1 Zone (Hamlet Center), which is located around the Riverside traffic circle. Other mixed-use zones, which will allow other mixes of uses, at different densities, and building heights, and which will serve different purposes, include: the RO-2 (Hamlet Neighborhood), RO-3 (Special), RO-4 (Gateway), RO-5 (Suburban), RO-6 (Waterfront), and RO-7 (Parkland) Zones. The proposed Overlay Zones (RO-1, RO-2, RO-3, RO-4, RO-5, RO-6 and RO-7) will encourage a mix of retail stores, restaurants, offices, service-related businesses, hotels, light industries, cultural and recreational facilities, advanced care facilities, and diverse living options, and place significant emphasis on the form of the buildings, streets and civic spaces (form-based code).

The project is located in the Hamlet of Riverside, Town of Southampton, New York.

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**Contact:** Kyle Collins, Town of Southampton, 116 Hampton Road, Southampton, NY 11968, Phone: (631) 702-1800, E-mail: [kcollins@southamptontownny.gov](mailto:kcollins@southamptontownny.gov).

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**Public Notice  
NOTICE OF COMPLETION  
OF A DRAFT GENERIC  
ENVIRONMENTAL IMPACT  
STATEMENT**

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The Town of Southampton was awarded a grant through the New York State Department of State for the preparation of a Brownfield Opportunity Area (BOA) Step II Nomination Study and Revitalization Plan. To facilitate implementation of many planning efforts that have been initiated by the Town in the past for the Riverside and nearby Flanders communities and by the BOA Nomination Study, the Town entered into a Master Developer Agreement with Renaissance Downtowns, to work with the Town in close partnership to develop plans, test market assumptions, obtain regulatory approvals, secure financing and successfully implement a multi-stage redevelopment program for Riverside. The Master Developer and the Town worked closely with the community to develop a Riverside Revitalization Action Plan (RRAP), completed in July 2015, which provides a comprehensive planning framework for redevelopment of the Hamlet. The RRAP includes recommendations for a Riverside Overlay Zoning District as an amendment to the Town Zoning Code.

The Riverside Overlay District includes seven separate Overlay Zones affecting 468 acres in the Hamlet of Riverside. The highest development density would be permitted in the RO-1 Zone ("Hamlet Center"), which is located around the Riverside traffic circle. Other mixed-use zones, which will allow other mixes of uses, at different densities, and building heights, and which will serve different purposes, include: the RO-2 ("Hamlet Neighborhood"), RO-3 ("Special"), RO-4 ("Gateway"), RO-5 ("Suburban"), RO-6 ("Waterfront"), and RO-7 ("Parkland") Zones. The proposed Overlay Zones (RO-1, RO-2, RO-3, RO-4, RO-5, RO-6 and RO-7) will encourage a mix of retail stores, restaurants, offices, service-related businesses, hotels, light industries, cultural and recreational facilities, advanced care facilities, and diverse living options, and place significant emphasis on the form of the buildings, streets and civic spaces (form-based code).

Copies of the Draft Generic Environmental Impact Statement (DGEIS) for the Riverside Brownfield Opportunity Area (BOA) Step II Nomination Study and Revitalization Action Plan (RRAP) with Proposed Zoning Overlays will be available beginning on October 13, 2015 at the Town of Southampton Town Clerk's Office, 116 Hampton Road, Southampton, NY 11968, Monday through Friday, from 8:30 a.m. to 4:00 p.m., the Riverhead Free Library, 330 Court Street, Riverhead, NY, during library hours, and on the Town website at <<http://www.southamptontownny.gov/408/Town-Studies-Reports>>

Comments on the Draft GEIS are requested and will be

accepted by the Town of Southampton Department of Land Management, 116 Hampton Road, Southampton, NY 11968, until the close of business on November 12, 2015.

BY ORDER OF THE  
TOWN BOARD  
TOWN OF  
SOUTHAMPTON, NEW YORK  
SUNDY A. SCHERMAYER,  
TOWN CLERK

EW-875368022

State of New York  
County of Suffolk

Angela Sanchez

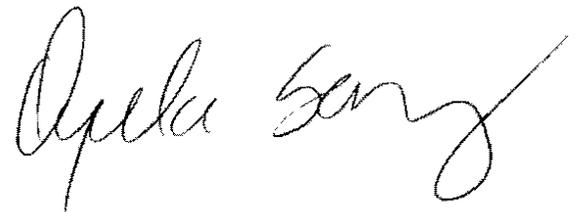
being duly sworn, says s/he is the

**ADMINISTRATIVE ASSISTANT**  
of the SOUTHAMPTON PRESS,  
EASTERN EDITION, a newspaper  
published weekly in the Village of  
Southampton, Town of Southampton,  
county and state aforesaid, and that a  
notice, of which the annexed printed slip is  
a copy, was published in said newspaper  
once a week

for 1 consecutive week(s),

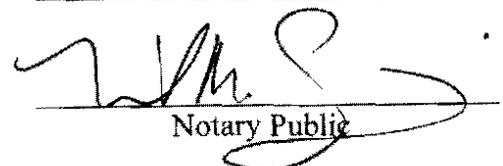
commencing on the 22nd day of

October 2015



Sworn to before me this 22nd day of

October 2015



Notary Public

NEIL M. SALVAGGIO  
Notary Public, State of New York  
No. 01SA802874, Suffolk County  
Commission Expires November 4, 2015

EW-875356

State of New York  
County of Suffolk

Angela Sanchez

being duly sworn, says s/he is the

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NOTICE OF COMPLETION  
OF A DRAFT GENERIC  
ENVIRONMENTAL IMPACT  
STATEMENT**

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fully implement a multi-stage redevelopment program for Riverside. The Master Developer and the Town worked closely with the community to develop a Riverside Revitalization Action Plan (RRAP), completed in July 2015, which provides a comprehensive planning framework for redevelopment of the Hamlet. The RRAP includes recommendations for a Riverside Overlay Zoning District as an amendment to the Town Zoning Code. The Riverside Overlay District includes seven separate Overlay Zones affecting 468 acres in the Hamlet of Riverside. The highest development density would be permitted in the RO-1 Zone ("Hamlet Center"), which is located around the Riverside traffic circle. Other mixed-use zones, which will allow other mixes of uses, at different densities, and building heights, and which will serve different purposes, include: the RO-2 ("Hamlet Neighborhood"), RO-3 ("Special"), RO-4 ("Gateway"), RO-5 ("Suburban"), RO-6 ("Waterfront"), and RO-7 ("Parkland") Zones. The proposed Overlay Zones (RO-1, RO-2, RO-3, RO-4, RO-5, RO-6 and RO-7) will encourage a mix of retail stores, restaurants, offices, service-related businesses, hotels, light indus-

tries, cultural and recreational facilities, advanced care facilities, and diverse living options, and place significant emphasis on the form of the buildings, streets and civic spaces (form-based code). Copies of the Draft Generic Environmental Impact Statement (DGEIS) for the Riverside Brownfield Opportunity Area (BOA) Step II Nomination Study and Revitalization Action Plan (RRAP) with Proposed Zoning Overlays will be available beginning on October 13, 2015 at the Town of Southampton Town Clerk's Office, 116 Hampton Road, Southampton, NY 11968, Monday through Friday, from 8:30 a.m. to 4:00 p.m., the Riverhead Free Library, 330 Court Street, Riverhead, NY, during library hours, and on the Town website at <<http://www.southamptontownny.gov/408/Town-Studies-Reports>>. Comments on the Draft GEIS are requested and will be accepted by the Town of Southampton Department of Land Management, 116 Hampton Road, Southampton, NY 11968, until the close of business on November 12, 2015.

BY ORDER OF THE  
TOWN BOARD  
TOWN OF  
SOUTHAMPTON, NEW YORK  
SUNDY A. SCHERMEYER,  
TOWN CLERK  
EW-8753561022

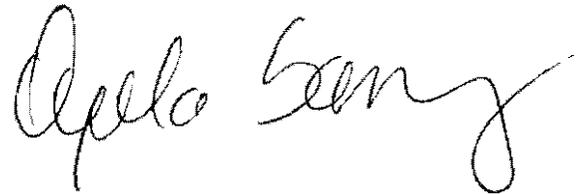
**ADMINISTRATIVE ASSISTANT**

of the SOUTHAMPTON PRESS, WESTERN EDITION, a newspaper published weekly in the Village of Westhampton Beach, Town of Southampton, county and state aforesaid, and that a notice, of which the annexed printed slip is a copy, was published in said newspaper once a week

for 1 consecutive week(s),

commencing on the 22nd day of

October 2015



Sworn to before me this 22nd day of

October 2015

  
Notary Public

NEIL M. SALVAGGIO  
Notary Public, State of New York  
No. 01SA6082874, Suffolk County  
Commission Expires November 4, 2018

**APPENDIX D**

**RIVERSIDE OVERLAY ZONE- DRAFT CODE  
AMENDMENTS (REVISED DECEMBER 2015)**

**APPENDIX E**

**COASTAL CONSISTENCY REVIEW**

NEW YORK STATE DEPARTMENT OF STATE  
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agency which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for any proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended to assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required by U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federal application is prepared. The Department of State will use the completed form and accompanying information in its review of the applicant's certification of consistency.

A. **APPLICANT** (please print)

1. Name: Town of Southampton
2. Address: 116 Hampton Road, Southampton, New York 11968
3. Telephone: Area Code ( ) Kyle Collins, Town Planning Administrator (631) 702-1800

B. **PROPOSED ACTIVITY:**

1. Brief description of activity:

Adoption of a BOA Step 2 Nomination Study, Riverside Revitalization Plan, Zoning Map amendments, and Zoning Code amendments affecting an area within the State-designated coastal boundary.

2. Purpose of activity:

Rezoning to redevelop and revitalize a blighted and economically depressed community.

3. Location of activity:

<u>Suffolk</u>	<u>Town of Southampton</u>	<u>Hamlet of Riverside</u>
County	City, Town, or Village	Street or Site Description

4. Type of federal permit/license required: Adoption of plans and zoning including BOA

5. Federal application number, if known: N/A(Town project; NYSDOS as involved agency)

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency and provide the application or permit number, if known:

State funding for BOA Step 2 Nomination Study & adoption of by NYSDOS

C. **COASTAL ASSESSMENT** Check either "YES" or "NO" for each of these questions. The numbers following each question refer to the policies described in the CMP document (see footnote on page 2) which may be affected by the proposed activity.

1. Will the proposed activity result in any of the following: YES/NO

- a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43)
- b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44)
- c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1)
- d. Reduction of existing or potential public access to or along coastal waters? (19, 20)
- e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9,10)
- f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29)
- g. Siting of a facility essential to the generation or transmission of energy? (27)
- h. Mining, excavation, or dredging activities, or the placement of dredged or fill material in coastal waters? (15, 35)
- i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (8, 15, 35)
- j. Draining of stormwater runoff or sewer overflows into coastal waters? (33)
- k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39)
- l. Adverse effect upon land or water uses within the State's small harbors? (4)

2. Will the proposed activity affect or be located in, on, or adjacent to any of the following: YES/NO

- a. State designated freshwater or tidal wetland? (44)
- b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17)
- c. State designated significant fish and/or wildlife habitat? (7)
- d. State designated significant scenic resource or area? (24)
- e. State designated important agricultural lands? (26)
- f. Beach, dune or Barrier Island? (12)
- g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3)
- h. State, county, or local park? (19, 20)
- i. Historic resource listed on the National or State Register of Historic Places? (23)

3. Will the proposed activity require any of the following: YES/NO

- a. Waterfront site? (2, 21, 22)
- b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5)
- c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16)
- d. State water quality permit or certification? (30, 38, 40)
- e. State air quality permit or certification? (41, 43)

4. Will the proposed activity occur within and/or affect an area covered by a State-approved local waterfront revitalization program, or State-approved regional coastal management program? (see policies in program document\*)

**D. ADDITIONAL STEPS**

1. If all of the questions in Section C are answered "NO", then the applicant or agency shall complete Section E and submit the documentation required by Section F.
2. If any of the questions in Section C are answered "YES", then the applicant or agent is advised to consult the CMP, or where appropriate, the local waterfront revitalization program document\*. The proposed activity must be analyzed in more detail with respect to the applicable state or local coastal policies. On a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agency shall complete Section E and submit the documentation required by Section F.

**E. CERTIFICATION**

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Town of Southampton  
Address: 116 Hampton Road, Southampton, NY 11968  
Telephone: Area Code ( ) (631) 702-1800  
Applicant/Agent's Signature: \_\_\_\_\_ Date: 11/20/15

**F. SUBMISSION REQUIREMENTS**

1. The applicant or agent shall submit the following documents to the **New York State Department of State, Office of Planning and Development, Attn: Consistency Review Unit, One Commerce Plaza-Suite 1010, 99 Washington Avenue, Albany, New York 12231.**
  - a. Copy of original signed form.
  - b. Copy of the completed federal agency application.
  - c. Other available information which would support the certification of consistency.
2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.
3. If there are any questions regarding the submission of this form, contact the Department of State at (518) 474-6000.

\*These state and local documents are available for inspection at the offices of many federal agencies, Department of environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

**RIVERSIDE BROWNFIELD OPPORTUNITY AREA STUDY,  
RIVERSIDE REVITALIZATION ACTION PLAN (RRAP) AND  
ZONING CODE AND ZONING MAP AMENDMENTS FGEIS**

*Coastal Zone Management Policies Consistency Review Attachment*

**1.0 Introduction**

The portion of the Study Area located within the New York State designated Coastal Boundary includes that area located north of Flanders Road/Center Drive (SR 25/CR 94) to the Peconic River waterfront (See Coastal Boundary Map attached). This area consists of an estimated 80.3 acres of land, excluding a short segment of road (Peconic Avenue) and two short unimproved road rights-of-way.

Existing/underlying zoning will remain in place but new optional overlay zones will be created for use by property owners who wish to develop in accordance with zone requirements (See proposed “ROD Zoning” Map attached). Overlay Districts proposed within the State Coastal Boundary include:

1. RO-1 (“Riverside Hamlet Center Zone”) located near the traffic circle;
2. RO-4 (“Gateway Zone”) located at the east end of the Study Area but does not have direct frontage on the river;
3. RO-6 (“Riverside Waterfront Zone”) which includes privately owned land located east of the traffic circle; and
4. RO-7 (“Riverside Recreation and Parks Zone”) which consists of large publicly owned open spaces within the coastal boundary.

The RO-1 Zone will allow mixed-use development including residential, retail, restaurants, offices, hospitality, and cultural and entertainment uses and will promote public activities and community interaction.

The RO-4 Zone within in the Coastal Boundary provides a transition for motorists passing through Riverside along Flanders Road (SR 25) and comprises the eastern gateway to the Riverside community. This zone allows for a broader mix of land uses than the underlying zone including residential, bed-and-breakfasts, residential care, recreational businesses, offices, educational facilities and low-intensity light industry but at lower densities than other proposed overlay zones

The RO-6 Zone is designed to accentuate Riverside’s character while allowing a greater mix of uses and waterfront related businesses than the underlying zones permit and would permit such uses as waterfront recreation and public gathering areas, mixed use buildings, hotels and bed and breakfasts, certain types of residences, and retail, museums, and restaurants by Special Exception Permit.

The RO-7 Zone includes five relatively large land areas that have been either preserved as open space or are used as parkland. These properties could not be developed under the proposed zoning strategy; however, their integration along the waterfront is important for passive and active recreation and overall quality of life and marketability of new development (See the October 2015 DGEIS and RRAP and ROD for a full discussion of the permitted uses, dimensional zoning requirements, and design standards for these zones).

## **2.0 Coastal Management Program Policy Review**

Based on the completed Coastal Management Program Consistency Assessment Form, it was determined that the following policies are applicable to the Proposed Action and must be further addressed.

*Policy 1: Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.*

The Proposed Action has been preceded by years of study and extensive community and agency outreach that recognized a critical need for economic development and the revitalization of the Riverside community with the purpose of creating a vibrant and successful mixed-use hamlet center that enhances community character, protects area environmental resources, and promotes sustainable economic development. The proposed BOA Study, RRAP, Zoning Map amendments and Overlay Zones are intended to provide the flexibility to allow for varying uses, development densities, building heights, and design options radiating out from a central core. The purpose of this development and redevelopment is to eliminate blight and achieve community goals by encouraging and incentivizing a mix of land uses which along the waterfront would include waterfront recreation and public gathering areas, mixed use buildings, hotels and bed and breakfasts, certain types of residences, offices (in the RO-1), as well as retail, museums, and restaurant uses by Special Exception Permit) to create a compatible mixed use/waterfront “Main Street” business district) on assembled properties or individual lots. A key goal in the establishment of the proposed Overlay Zones and use of a Master Developer is to provide a distinct walkable hamlet center that will augment the community’s sense of place, improve the aesthetic qualities of the built environment, provide public access to and enjoyment of the Peconic River and adjacent publically owned open space , enhance the overall quality of life of Riverside’s residents, offer incentives for local investment, create new employment opportunities, provide a variety of goods and services to locals and visitors, expand and diversify opportunities in an economically depressed, racially and ethnically mixed community. Structures will be removed and reconstructed to create a cohesive theme and to enhance aesthetic qualities.

*Policy 2: Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.*

A variety of land uses will be permitted to achieve the above-described goals. “WaterFire™” events, publicly accessible boardwalks and hiking/walking trails along the waterfront, marinas, and water related recreation or social gathering areas are water dependent uses to be permitted as will a variety of water enhanced businesses such as hotels, bed and breakfasts, certain types of residences, residential care facilities, educational uses, museums (by SE permit), restaurants (by SE permit), and retail (by SE permit). The attraction of new residents and business activity in the area will also invite more activity on the Riverhead side of the river to enhance park and boardwalk use on that side, provide an amenity to a nearby hotel and attract day trippers who visit the aquarium or shop in the area.

*Policy 7: Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.*

There are no Significant Fish and Wildlife Habitats in the Study area; however, a small SFWA exists adjacent to the Study Area upstream and to its west (west of Grangebél Park and the Grangebél Park dam. There are two properties in the Study Area that abut the SFWA. One is cleared/grass greenspace at the corner of SR24 and Peconic Avenue owned by the Town of Southampton. The other is currently developed with a small business, the “Peconic Paddler,” which is a kayak/canoe rental business. There is a Town of Riverhead Park outside the Study Area that is adjacent to the SFWH, while other areas to the north and east are urbanized. Very little land in the Study Area can be developed adjacent to the SFWA. Should the Peconic Paddler property be redeveloped in the future, the development would be greatly restricted by wetlands setbacks and buffer requirements and other resource protection restrictions. Again, it should be noted that the Proposed Action is the adoption of general long-range plans and zoning code amendments for future revitalization. Roughly 38.19 acres of open space or publically owned land will be retained in the coastal area of the Study Area and will be zoned RO-7, “Recreation and Parkland.” No development is currently proposed. Future development actions will be assessed for consistency with applicable state and local requirements as site and project specific plans are developed.

*Policy 11: Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.*

Some of the land within the coastal boundary in the Study Area is in the FEMA 100-year flood area. Most development will occur near the traffic circle and will be pushed toward the south as far from the river as possible and development will occur in areas of highest elevation to limit impacts to the flood zone, floodplain storage and recharge capacities, and areas of human occupation or activity. Much of the area to be developed or redeveloped is currently bulkheaded. There are roughly 38.19 acres of vacant County and Town-owned open space in the study area

that is not bulkheaded and available for flood storage to mitigate impacts of any possible severe flooding. Stormwater permits, erosion and sedimentation control plans, and Stormwater Pollution Prevention Plans will be required for some or all future projects to ensure that any future project captures and recharges stormwater in accordance with state and local requirements. Again, no development is currently proposed as part of this action. Future development actions will be assessed for consistency with the State and local stormwater control requirements as site- and location-specific plans are developed.

*Policy 12: Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.*

There are no beaches, dunes, barrier islands or bluffs in the Study Area. Some areas are natural but a large proportion of the waterfront section of the Study Area contain fill, dredge spoil deposits or “urban soils” from previous development activity. Existing tidal and freshwater wetlands along the shoreline, which provide flood control, will be protected from disturbance or obstruction as part of any necessary wetland permitting which will include requirements for minimum wetlands setbacks, buffers and other restrictions. Green infrastructure such as rain gardens, vegetated swales, green roofs may be incorporated into future site plans as possible and are fully supported by the Proposed Action and the EIS.

*Policy 17: Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.*

Currently there are no plans to construct structural flood controls. Development will be sited and constructed to mitigate potential flood impacts to the maximum extent practical by being setback from water and wetland features and to develop on higher upland areas. Developers and the Town will consider options such as swales, rain gardens, green roofs, green space, pervious pavement and/or standard stormwater control infrastructure once plans are developed and reviewed ensure that their investments are not affected by flooding.

*Policy 19: Protect, maintain, and increase the level and types of access to public water-related recreation resources and facilities.*

Currently there is approximately 38.19 acres of publically owned open space along the river in the Study Area. It is not expected that these areas will be developed, with the possible exception of boardwalk, trails and other amenities to serve the public and serve future public waterfront events such as “WaterFire<sup>TM</sup>.”

*Policy 20: Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner compatible with adjoining uses.*

Public boardwalks, viewing platforms, trails and walkways will be provided along the Riverfront. Easements will be required to allow public access which will necessitate an agreement by the property owner. These easements and constructed boardwalks, walkways, viewing platforms and trails will provide access to public open space.

*Policy 21: Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related used along the coast.*

As previously noted, boardwalks, viewing platforms, trails and walkways will be provided for the public to access, view, and enjoy the shoreline. Activities such as walking/hiking, and fishing, can and may be expected and “WaterFire<sup>TM</sup>” events are proposed. These activities are considered water-related uses which are not currently available or limited due to limited access.

*Policy 22: Development, when located adjacent to the shore, will provide for water-related recreation, whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.*

See Policy 21 response above.

*Policy 25: Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.*

Future implementation of the Proposed Action would provide for development or redevelopment of property along the shoreline, with the exception of the large tracts of Town and County open space. New development will be subject to the proposed standards and procedures. Wetlands will be protected and there is the potential for wetland restoration with some development projects.

*Policy 28: Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.*

N/A. Ice management practices are not proposed and there is no hydroelectric power facilities or infrastructure in the area.

*Policy 30: Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality standards.*

Stormwater runoff controls will be based on contemporary best management practices and will be captured and discharged into the ground unless adequate pretreatment is provided. This may include conventional drainage catch basins and leaching pools which may be complimented by green infrastructure such as green roofs, vegetated swales, rain gardens, pervious pavement, or

other similar techniques as practical. Sanitary wastes will be treated by an advanced sewage treatment facility and either discharged directly into the ground or discharged to constructed wetlands (“Living Machine”) for additional treatment, before being discharged. All future development will comply with state and local standards and requirements for siting and construction of stormwater and wastewater treatment facilities and will be subject to applicable permitting requirements, including but not necessarily limited to State Pollution Discharge Elimination System (SPDES) permits for both stormwater and wastewater.

*Policy 32: Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of these communities.*

Implementation of the Proposed Action is contingent on the use of alternative or innovative sanitary waste systems. This will be necessary to eliminate existing cesspools and sanitary systems and to ensure that wastewater discharges from future development receive the highest level of treatment possible to protect valued and sensitive environmental resources. As mentioned previously and within the DGEIS, the Proposed Action will necessitate the construction of a new advanced sewage treatment plant or connection to an existing plant to provide suitable wastewater treatment. Treatment would include nitrogen removal techniques including the possible discharge of treated effluent to a “Living Machine” constructed wetland to provide even greater treatment before release to surface waters or groundwater.

*Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.*

See response to Policy 30 above. Combined sewage overflow is currently not being considered.

*Policy 35: Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing State permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.*

N/A. No dredging or fill of coastal waters or deposition of dredge material is proposed. If grading or minor fill is proposed as part of the development of any properties in the future, the Town will require the installation of standard erosion and sedimentation control techniques described in Section 3.3 and Section 15 of the DGEIS.

*Policy 37: Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.*

See Policy 30, 32, 33, and 35 responses above.

*Policy 38: The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.*

Significant planning and review of potential impacts have transpired during the planning, public participation and environmental review processes and additional reviews will be performed as site plans are submitted to ensure the protection of groundwater resources. These reviews will be subject to the standards and specifications of review and mitigation outlined in Chapter 15, “Future Actions,” of this FGEIS (attached) and will be included in the requirements of the SEQRA Findings Statement for this review. There will be limitations on clearing, the use of fertilizer dependent vegetation, and other restrictions in the Central Pine Barrens Compatible Growth portion of the Study Area, which will help to reduce fertilizer inputs and impacts to groundwater. Projects will also be subject to SPDES stormwater and wastewater permits and approvals by the Suffolk County Health Department and other agencies. The proposed Zoning amendments do not allow intensive or hazardous land uses such as heavy industry in the area that could cause groundwater pollution. Also, as previously indicated, a substantial portion of the waterfront in the Study Area is publicly owned and will remain largely if not entirely undeveloped/wooded, and therefore, will have no additional impact. Advanced sewage treatment facilities will also help to reduce impacts to groundwater quality as discussed in previous policy responses.

In regard to water quantity, the Town, Master Developer, and project consultants have and/or will continue to coordinate with the Suffolk County Water Authority (SCWA) to ensure the delivery of a safe and sufficient supply of potable water and the quantity is abundant in the area due to the presence of the Central Pine Barrens Core Preservation Area which consists of roughly 50,000 acres of land that is mostly undeveloped and woodlands.

Based on the water quality data for the well/wellfield to serve future development, water quality is good or excellent. The well/wellfield is located a considerable distance from the hamlet and is not expected to be affected by development in the area as the hamlet is located outside the well’s groundwater contributing area.

*Policy 40: Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.*

N/A. Electric generating and industrial facilities that would discharge to the river are not anticipated and would be inconsistent with the public access to and enjoyment of the river and public waterfront events that are planned.

*Policy 41: Land use or development in the coastal area will not cause national or state air quality standards to be violated.*

N/A. Major polluters such as heavy industry, energy generating facilities, etc. that may discharge significant pollution into the air are not anticipated in the Study Area based on the proposed zoning. Renewable energy facilities are permitted in the coastal area but these are expected to be clean operations. Significant air polluting uses would be inconsistent with the Proposed Action.

*Policy 43: Land use or development in the coastal area must not cause the generation of significant amounts of acid rain precursors: nitrates and sulfates.*

N/A. Significant nitrate and sulfate discharges to the air that would cause or exacerbate acid rain events are not anticipated by this project based on permissible land uses.

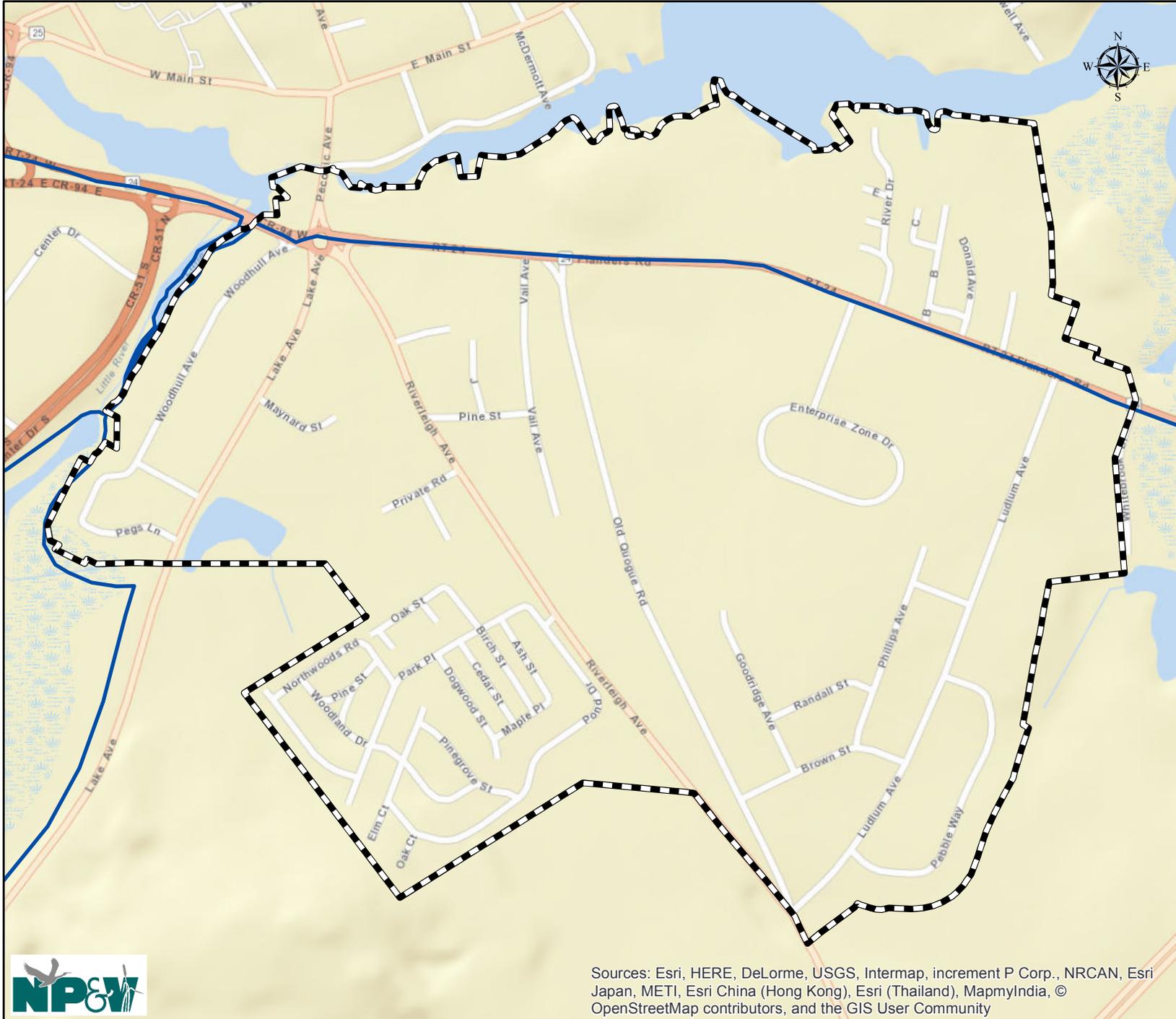
*Policy 44: Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.*

There is no planned encroachment into wetlands at this time with the possible exception of walkways or viewing platforms, and possible pedestrian bridge connecting Riverside and Riverhead that will facilitate access and walkability. Efforts will be made to prevent encroachment as impacts to wetlands, surface waters or other environmental resources are inconsistent with the intent of the plan which promotes waterfront access. Future site preparation and building construction will be subject to Town and State wetlands restrictions including but not limited to wetland setbacks, wetland buffers, and other protections as indicated by the DGEIS Section 15 attached.

### **3.0 Additional Comments**

Finally, it Additional coastal consistency reviews may be required at the time projects are proposed to address specific site- and project-specific elements of future actions.

## **FIGURES**



Town of Southampton  
and  
New York Department of State



Riverside Hamlet Revitalization

**FIGURE 1**  
**NYS Coastal**  
**Area Boundary**

**Legend**

-  Study Area
-  NYS Coastal Boundary

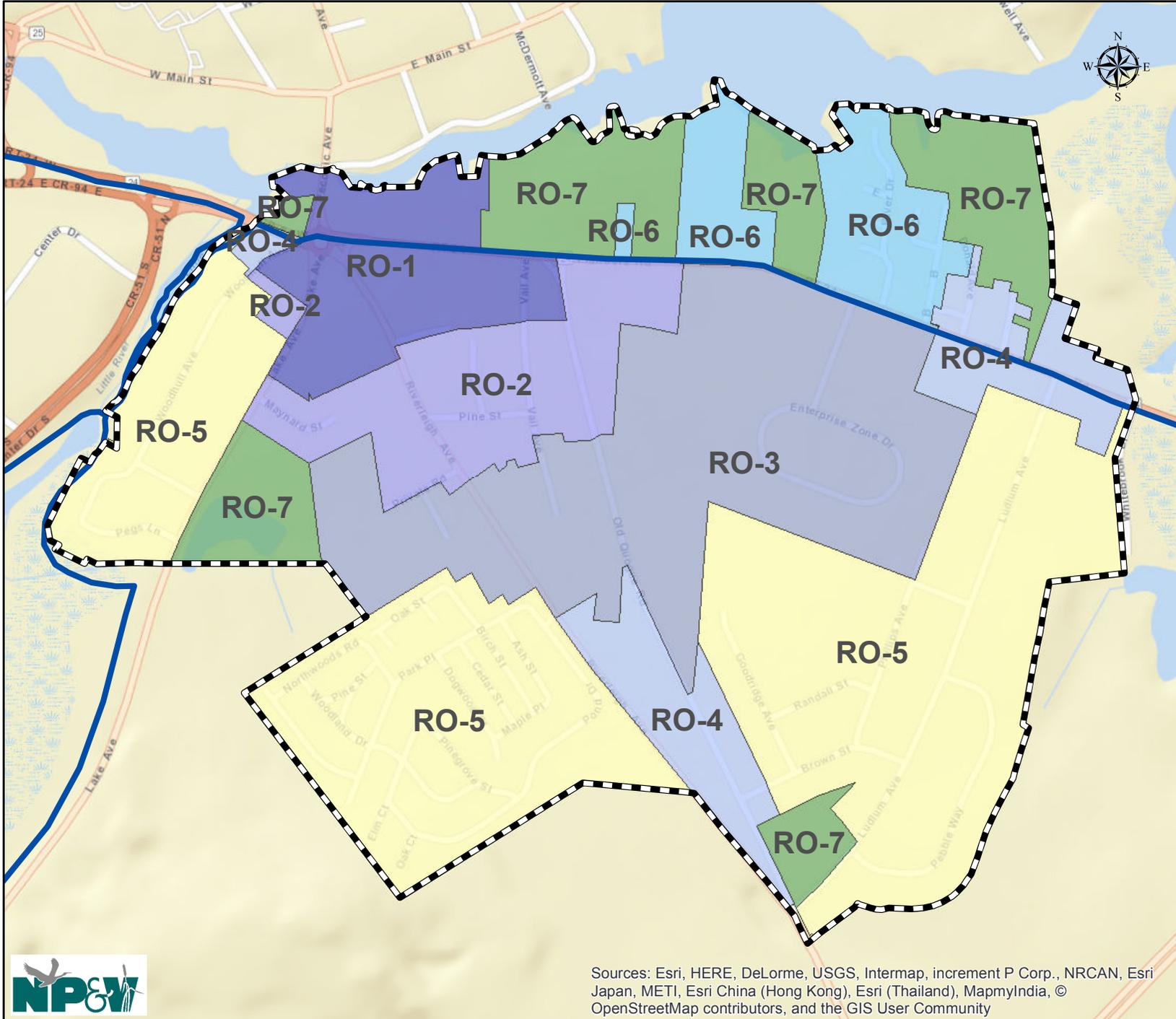
Source: ESRI Base Map;  
NYS DOS



1 inch = 800 feet



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Town of Southampton  
and  
New York Department of State



Riverside Hamlet Revitalization

**FIGURE 2**  
NYS Coastal Area  
Boundary & Proposed  
Zoning Overlay

**Legend**

- Study Area
- NYS Coastal Boundary
- Proposed Overlay Zone
  - RO-1
  - RO-2
  - RO-3
  - RO-4
  - RO-5
  - RO-6
  - RPL

Source: ESRI Base Map;  
NYS DOS



1 inch = 800 feet



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

**APPENDIX F**

**FUTURE ACTIONS**  
**(Revised Section 15.0 of the Draft EIS)**

## 15.0 FUTURE ACTIONS

*Note: The following is taken directly from Section 15 of the DGEIS but has been modified to reflect the input, analyses, and necessary refinements and amendments identified during the public participation and FGEIS preparation phases of the SEQRA review. Revisions and refinements to the original document are shown using “Track Changes.”*

### 15.1 Introduction/Future SEQRA Review

This document is a GEIS that analyzes the potential impacts associated with the adoption of the Riverside BOA Step II Nomination, Riverside Revitalization Action Plan (RRAP) and Zoning map and Code Amendments that would create a Riverside Overlay District (ROD) consisting of seven distinct Overlay Zones (RO-1 – RO-7). The SEQRA process will culminate with a Findings Statement on the Generic EIS. Title 6, New York Code of Rules and Regulations (“6 NYCRR”) Part 617.10(c), states “*Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the Generic EIS.*”

More specific guidance is provided in Part 617.10(d), which states that “When a final Generic EIS has been filed under this part:

- (1) No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the Generic EIS or its findings statement;*
- (2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the Generic EIS but was not addressed or was not adequately addressed in the findings statement for the Generic EIS;*
- (3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the Generic EIS and the subsequent action will not result in any significant environmental impacts;*
- (4) A supplement to the final Generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the Generic EIS and the subsequent action may have one or more significant adverse environmental impacts.”*

The Findings Statement for the Generic EIS on the adoption of the BOA, RRAP, ROD Code Amendments and Zoning Map Amendments will contain Conditions establishing thresholds, standards and requirements for supplementary impact analyses and mitigation measures for future development under the Proposed Action, including the items set forth in this Section. All future site-specific Unlisted or Type I actions proposed within the boundaries of the ROD and pursuant to the ROD Code shall undergo a SEQRA review, including the preparation of an

Environmental Assessment Form (EAF) or Supplemental GEIS in lieu of an EAF, to determine the appropriate level of review in conformance with 6 NYCRR Part 617.10(d). If, during future site- and project-specific review of development applications under the proposed ROD, one or more of the following thresholds is met, additional site-specific review including technical studies and/or a Supplemental EIS and amended Findings Statement, may be required.

- potential significant adverse environmental impacts are identified that were not previously or adequately analyzed as part of this SEQRA review;
- the project sponsor proposes project changes which may result in one or more significant adverse environmental impacts not addressed in the original GEIS;
- the lead agency discovers new information, not previously available, concerning significant adverse impacts;
- a change in circumstances arises which may result in a significant adverse environmental impact(s); or
- site-specific or project-specific analysis of potential significant adverse environmental impact(s) is needed for actions following a generic EIS.

The information submitted with the application for each such future project will be used by the entity having jurisdiction as the basis for this determination.

#### 15.2 Thresholds, Conditions, and Mitigations

Based on the results of the GEIS impact analyses completed for the Proposed Action, the following actions may be required for future site-specific development project in the Study Area:

##### Soils and Topography

- Soil test borings will be completed on development sites to identify subsurface conditions, determine their suitability for development, and to identify viable means for mitigation as warranted. If unsuitable soils are found, techniques including deep compaction or over-excavation and replacement of unsuitable fill materials will be utilized as applicable. Development areas will be stabilized, in accordance with the recommendations of a licensed civil engineer, prior to construction of structural elements.
- Erosion control and construction phasing plans will be prepared for future site developments and will be reviewed by the Town Engineer and Planning Board as part of site plan review.
- Prior to the initiation of demolition and construction activities, brownfields or other sites having “recognized environmental conditions” (RECs) will have to be remediated. Remediation activities are required to be completed according to the protocols, procedures, standards and documentation requirements of the appropriate supervising entity, such as SCDHS, NYS Department of Labor, and/or NYSDEC.
- Stormwater best management practices (BMPs) such as green infrastructure (landscaped buffers, rain gardens, green roofs, vegetated swales, etc.) should be utilized on future development sites for pretreatment of stormwater prior to infiltration where practicable.

## Water Resources

- Wastewater flow and water supply permitting is subject to SCDHS approval;
- Future development exceeding SCDHS groundwater management density loading requirements under Article 6 of the SCSC must connect to an approved STP that provides advanced nitrogen treatment reduction capabilities;
- The siting of a new STP must be assessed further to ensure that the facility conforms with SCDHS, SCDPW and NYSDEC requirements and that groundwater and surface waters are properly protected. Further study will address the following:
  - Strict compliance with all SPDES effluent permit requirements for community wastewater treatment and disposal systems (STPs).
  - Additional study of treatment feasibility, project sponsor, location, capacity, engineering and design, plans and specifications, funding, district establishment, permitting and construction will be needed and will be reviewed under SEQRA.
  - Wastewater assessment will be subject to analysis of pre-project and post-project nitrogen loading to the groundwater so that it can be reviewed against the Total Maximum Daily Load limit for nitrogen established for the Peconic River system.
- No more than 15 percent of the site may be planted with fertilizer dependent vegetation; Limiting landscaped areas that will require irrigation, fertilization and pesticide applications by retaining natural vegetation to the maximum extent possible and revegetating areas that have been disturbed during the construction process but will remain undeveloped with native or well-adapted non-invasive species;
- Water conservation fixtures for both indoor plumbing and any outdoor irrigation to help reduce water consumption and wastewater generation and adherence to the proposed Sustainable Development Standards for reducing impacts to water outlined under Section 410 J. of the Proposed Code Amendments;
- Incorporation of pre-treatment of stormwater runoff prior to infiltration using “green infrastructure” practices such as vegetated swales, filter strips, rain gardens, green roofs other best management practices (BMPs) in accordance with the New York State Stormwater Management Design Manual and the Suffolk County Planning Commission Managing Stormwater Guide.
- Future developments within the Central Pine Barrens Compatible Growth Area must be found in conformance to Articles 7 and 12 of the SCSC;
- Preparation of a SWPPP as required to ensure compliance with water quality and quantity requirements pursuant to the NYSDEC General Permit for Stormwater Discharges from Construction Activities (GP 0-15-002) and Town of Southampton requirements. Subsequent to construction, permanent occupancy and operation of the project sites would not be expected to impact water resources in consideration of the following:
  - The Site Grading and Drainage Plan (to be prepared as part of the site plan application) will provide a drainage system to retain stormwater on-site and will be subject to thorough review and approval of the Town Engineering Division prior to approval. This plan will be designed to prevent runoff from developed surfaces from causing erosion, sedimentation or impacts to land or water resources.

## Ecological Resources

- Delineation of the flagged wetland boundary within the vicinity of each wetland area will be necessary to determine the exact location of the wetland boundary, and the quality of habitat within the wetland adjacent area. Development within the regulated adjacent area of each wetland will be governed through appropriate regulatory review at which time appropriate protective measures for the wetlands will be determined.
- Future actions should be assessed to determine jurisdiction under NYSECL, including Article 24 (Freshwater Wetlands), Article 25 (Tidal Wetlands) and Article 11 (Endangered Species). It is noted that Southampton Town Code Section 325 regulates “wetlands” as well and is addressed below. Conformance with standards for issuance of permits should be sought wherever possible.
- Under Article 25, the limitations which are likely to have the most influence on projects proposed as part of the proposed action include, but are not limited to:
  - A 75-foot minimum setback requirement from the wetland for all new principal buildings and other non-water-dependent structures in excess of 100 square feet in area.
  - A 100-foot minimum wetland setback requirement for all components of a septic system.
  - All components of a septic system must be installed with at least two vertical feet of soil between the bottom of the component and the seasonal high groundwater level.
  - No more than 20% of the adjacent area on any lot can be covered with existing or new structures and impervious surfaces. Individual lots which were lawfully existing on the August 20, 1977 effective date of Part 661 may be covered with up to 3,000 square feet of existing and structures and other impervious surfaces.
  - The minimum lot area for any principal building constructed within the area regulated by Part 661, which minimum lot area shall include any wetland portion and any adjacent area portion of such lot, shall be as follows:
    - 20,000 square feet where the principal building (as defined below) will be served by a public or community sewage disposal system.
    - 40,000 square feet where the principal building will not be served by a public or community sewage disposal system.

Note: Excerpted Definition of Principal Building - The definition of the term principal building is any one of the following: single-family dwelling; each two units of a multiple-family dwelling; any other type of building, including but not limited to any commercial or industrial use building or public or semi- public building, that exceeds 1,000 square feet in area and each additional 1,000 square feet of floor space of such a building in excess of 3,000 square feet. In addition, each commercial or industrial use building or public or semi-public building less than 1,000 square feet in area shall count as one-quarter of a principal building.
- With respect to NYSDEC jurisdiction under Article 25 of the NYSECL, the variance process would be used to consider limited structural improvements within the 75 foot required setback, but that all such improvements maintain a minimum setback of 50 feet and be designed as green roof and/or porous pavement that contains all runoff and erosion control/minimization potential. Coupled with this, a minimum natural buffer of 25 feet would be maintained between tidal wetlands and areas of disturbance; however,

perpendicular pathways, boardwalks and other such improvements that would normally be permitted would be allowed. The requirement of green infrastructure within any setback encroachment areas would be expected to mitigate impacts with respect to coverage and buffer relaxation and conform to variance criteria noted above.

- Further, it is noted that the jurisdiction area of NYSDEC would be expected to extend basically to Route 24. As a result, coverage within the jurisdiction area would be limited to 20% and density would be limited to the equivalent of 20,000 SF lots if connected to sewers, and under the definition of principal building, this would allow 4 units per acre of multi-family and commercial space as provided for in the note above (definition of principal building). It is expected that proposed density on the limited parcels identified above would exceed this Part 661 restrictions; however, density in and of itself is not expected to cause an impact to tidal wetlands provided that the development is sewerred and the variance criteria above are met. In addition, the full preservation of riverfront parcels previously acquired by the Town, coupled with a proposal to provide an *environmental protection and enhancement fund* for wetland creation and improvements (as well as other acquisition and upland restoration efforts) will create a basis for further improvement of water quality, wetlands quantity and quality and open space in the Riverside area. Therefore it is proposed that no coverage or density restrictions be imposed provided that variance relief is sought, the project is justified through those criteria, and off-site mitigation is proposed. Off-site mitigation would occur in the form of wetland restoration on a 1 to 1 basis such that for each square foot of development that exceeds coverage within the subject parcels, one square foot of wetlands will be established elsewhere within and/or proximate to the Study Area. This would apply only to the limited parcels east of McDonalds other than existing preserved lands within the Study Area.
- Should a project require a variance from NYSDEC Article 25 wetland regulations, the project will need to meet the following criteria outlined in 6 NYCRR Part 661.11:
  - The spirit and intent of the pertinent provisions shall be observed,
  - That public safety and welfare are secured and substantial justice done and
  - That action pursuant to the variance will not have an undue adverse impact on the present or potential value of any tidal wetland for marine food production, wildlife habitat, flood and hurricane and storm control, cleansing ecosystems, absorption of silt and organic material, recreation, education, research, or open space and aesthetic appreciation.

Variance applications will be required to demonstrate the following:

- Specify the proposed variance, which elements of section 661.6, Development Restrictions, relief is sought from,
- The variance request is the minimum relief that is necessary,
- The practical difficulties claimed necessitating a variance,
- A discussion of alternate site possibilities,
- A discussion of change of project objective possibilities and
- A discussion of environmental impact reduction or mitigation measures to be employed.

Mitigation for projects that necessitate variances from NYSDEC Article 24 and Article 25 and Town wetland regulations will be required. Mitigation measures that may be offered in support of a variance application include:

- Wetland creation
  - Wetland restoration
  - Invasive species removal
  - Improvements to existing drainage systems which currently contribute to poor water quality
  - Improvements to existing sanitary systems which currently contribute to poor water quality.
- Consideration of Town wetlands regulations further note that NYSDEC regulates wetland setbacks, coverage and density under Article 25 of the NYSECL. The Town wetland setback of 125 feet that is typically required for natural shorelines (with a 100 foot setback for bulkheaded shorelines) would require relief as noted under Section 325-9. Much of the justification for such relief is outlined in relation to NYSDEC considerations and supported in the DGEIS and FGEIS. For the purpose of the Riverside ROD, the following considerations would apply:
    - Riverside is unique in character and social conditions which warrant flexibility to ensure that revitalization is achieved in conformance with Town planning initiatives and the Town adopted Riverside RAP.
    - The Riverside Theoretical Development Scenario envisions public access, appreciation and enjoyment of riverfront areas on limited parcels through passive public space and development that would require relief from Town Code setbacks.
    - As noted in the FGEIS, the Town has permanently preserved many parcels of land along the Peconic River within the Riverside Study Area comprising 35.78 acres.

In summary, due to the unique social, economic and environmental conditions associated with the hamlet of Riverside, relief of Town wetland setbacks appears to be warranted.

- With respect to Town of Southampton wetlands regulations, the Riverside ROD proposes specific modifications to the requirements of Chapter 325 to reflect the unique conditions of Riverside as noted above. Specifically, the following shall apply only to riverfront parcels within the Study Area:
  - For existing developed parcels within the ROD (i.e., unbulkheaded lands between the Town parking lot and the McDonald's), a 50 foot wetlands setback and revegetated buffer for the purpose of providing retaining walls and an improved riverfront promenade is permitted, and a 75 foot principal building setback shall apply.
  - For vacant lands (east of McDonalds) a 75 foot principal structure setback shall apply.

The justification for these setbacks shall be based on the following:

- 5 acre wetlands restoration project on the Town owned land on the east side of the study area
- Already preserved Town and County waterfront lands within the study area comprising 35.78 acres.

The basis for this relief is as noted above and in consideration of the existing section of the code that allows reduced setbacks as follows: Town Code Section 325-9 D. states that "For

projects that do not satisfy the standards enumerated in this section, the approving authority shall consider imposing less than the recommended setbacks if the approving authority finds that the following requirements have been met.” Specifically, the following considerations would apply:

(1) The approving authority may consider imposing less than the recommended setbacks if the approving authority determines that the applicant has demonstrated the following:

(a) A buffer zone with an overall average width equivalent to the minimum required buffer zones set forth in § 325-9A, for turf, fertilizers, pesticides, herbicides, fungicides or similar treatments, landscaping or other clearing or disturbance of natural vegetation will provide equivalent protection of the wetland, or that partial relief of the minimum buffer requirements is both reasonable and sufficient to justify a lesser overall average buffer zone for such activities.

(b) The proposed work and location will not impair the capacity of the wetland and buffer to provide essential wildlife habitat characteristics, including, among others, food, shelter, breeding, cover, screening and migratory habitat, as well as essential corridors and connective functions.

(c) The proposed work and location will not impair wetlands and surface water quality by incorporating erosion, sedimentation and runoff controls to minimize nonpoint source pollution.

(d) Mitigating measures shall be implemented that contribute to the protection and enhancement of wetlands and wetland benefits.

(5) If the applicant can meet the criteria enumerated in § 325-9D(1) through (4), then the approving authority may impose less than the recommended setbacks set forth in § 325-9A.

- If further relief is sought to reduce setbacks more than provided for above, consistent with the potential relief and justification for NYSECL Article 25 as outlined above, this would require a case-by-case review by the Planning Board under the provisions outlined in Chapter 325-9.
- Consideration of Town wetlands regulations further note that NYSDEC regulates wetland setbacks, coverage and density under Article 25 of the NYSECL. The Town wetland setback of 125 feet that is typically required would require relief as noted under Section 325-9. Much of the justification for such relief is outlined in relation to NYSDEC considerations and supported in the DGEIS and FGEIS. The following considerations would apply:
  - Riverside is unique in character and social conditions which warrant flexibility to ensure that revitalization is achieved in conformance with Town planning initiatives and the Town adopted Riverside RAP.
  - The Riverside Theoretical Development Scenario envisions public access, appreciation and enjoyment of riverfront areas on limited parcels through passive public space and development that would require relief from Town Code setbacks.
  - As noted in the FGEIS, the Town has permanently preserved many parcels of land along the Peconic River within the Riverside Study Area.

- Relief may be justified through provisions outlined with respect to Article 25 variance procedures noted in this section, specifically: if compliance is not possible, that relief be considered to allow principal buildings within 50 feet of wetlands, provided all improvements are “green infrastructure” (green roof, porous pavement, etc.), all runoff is controlled, a minimum 25 foot natural buffer is provided and for all square footage of encroachment within the jurisdiction area of NYSDEC (up to Route 24, or the 10 foot topographic contour), which would include the Town 125 foot setback area, off-site wetlands creation/mitigation be provided on a 1:1 basis of square feet of encroachment to wetland creation/mitigation. A environmental restoration fund that would potentially exceed \$3 million at close to full development has been established to facilitate such mitigation.

In summary, due to the unique social, economic and environmental conditions associated with the hamlet of Riverside, relief of Town wetland setbacks appears to be warranted, and would be reviewed on a case by case basis by the Planning Board as a Future Action, with consideration of the factors noted above.

- If threatened or endangered wildlife are encountered on a project site, site specific mitigation measures will need to be developed and an Article 11 Incidental Take Permit or Letter of Non-Jurisdiction will be necessary from the NYSDEC.
- Development within proximity to a potential tiger salamander breeding pond would require pond and/or upland habitat surveys to determine the presence/absence of the species. Should the presence of the species be confirmed, the appropriate mitigation measures would need to be considered during site design, which would include avoidance of impacts through site design, preservation of habitat, installation of barrier curbing or flashing to prevent salamanders from entering into a developed area, provisions to address lighting, stormwater runoff and management plans for both the pond and preserved upland habitat.
- Figure 1 provides a map of potential sites where radii extend into potential future development parcels is provided in the FGEIS. This map should be consulted and parcels within the check zone that are proposed for development should

#### Critical Environmental Areas

- Future development must comply with all standards and requirements of the APOD, CPBOD, NYSDEC freshwater wetlands permit conditions, and be consistent with the guiding principles and recommendations of the Central Pine Barrens Comprehensive Land Use Plan and the Peconic Estuary Conservation and Management Plan and area TMDL standard, except as may be waived pursuant to applicable laws and procedures after review and consideration by the agency or board overseeing the review and having authority over consistency and compliance.
- Applicants for future site plans shall be required to demonstrate consistency with the standards of the Central Pine Barrens Comprehensive Land Use Plan.
- Future actions will consider either individual hardships, assessment of clearing within the downtown zones subject to code change and/or consideration of modification of the CLUP.
- It is noted that projects which exceed the Vegetation Clearance Limits outlined in Standard 5.3.3.6.1 would require a hardship waiver from the Commission. The DGEIS sought to

examine methods that could be used to establish a process to facilitate revitalization through analysis of clearing within the Study Area. This may be one of several options to approach vegetation clearance limits, with several other options being individual hardship waiver and/or modification of the CLUP to recognize the unique considerations with regard to Riverside. Future actions will consider either individual hardships, assessment of clearing within the downtown zones subject to code change and/or consideration of modification of the CLUP. Therefore, the criteria that must be considered are noted as follow:

1. the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
2. that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
3. that the requested use variance, if granted, will not alter the essential character of the neighborhood; and
4. that the alleged hardship has not been self-created.

The analysis of these criteria in relation to a development project would form the basis for a hardship waiver.

- Mapping and listing of parcels that may require relief has been prepared to identify parcels that should be considered with respect to a potential hardship waiver as related to Standard 5.3.3.6.1 Vegetation Clearance Limits.
- This establishes a hierarchy for consideration of the need for a hardship from Standard 5.3.3.6.1 noted as follows:
  1. Determine if a parcel in the TDS has any remaining vegetation; if not, hardship from 5.3.3.6.1 is not required.
  2. Determine if a parcel in the TDS that has vegetation can be developed within the allowable vegetation clearance limits; if so, a hardship from 5.3.3.6.1 is not required.
  3. Determine if a parcel in the TDS is overcleared; avoid remaining vegetation if possible; if not able to avoid remaining vegetation; a hardship from 5.3.3.6.1 is expected to be required.

This hierarchy would allow development of parcels with no vegetation, parcels that conform to vegetation clearance limits, and overcleared parcels that can avoid remaining vegetation; with the expectation that other parcels that don't meet these criteria would require a hardship.

- The Town regulates vegetation clearing under the APOD. The Riverside Overlay District (ROD) is recommended to continue to rely on the Town's APOD with respect to clearing. However the ROD should be treated similar to a PDD and be provided with the same ability to allow greater disturbance with an approved revegetation program. The DGEIS and FGEIS provide support for this approach particularly with respect to the discussion regarding the CPB CLUP as well as the provision for an environmental protection and enhancement fund that would be used for pine barrens vegetation preservation and enhancement. The ROD should incorporate reference to requirements of 330-67, but specifically note that provisions of 330-67.B shall also apply to parcels opting into the ROD (i.e., the Planning Board may allow greater disturbance if warranted by a particular application with mitigation provided). The following language is proposed to apply to the Riverside ROD:

B. Notwithstanding the provisions of the aforementioned subsections, lots or tracts which opt-in to the Riverside ROD may be allowed to disturb a greater amount of the natural

vegetation, provided that said use is consistent with the intent and policies of the Riverside Revitalization Action Plan and Aquifer Protection Overlay District and that a revegetation program which protects the aquifer is incorporated into the project design.

The DGEIS currently states the following on APOD: “the above standards must be complied with except as outlined under Section 330-69-4 E. of the Southampton Town Code which states that the provisions of [Article VIII] including the standards and regulations summarized in the first three bullets above, may only be modified by the Planning Board after due consideration is given to a site disturbance plan, as provided in Section 330-67A(1) of this chapter, and where the applicant has proven that there is a practical difficulty in meeting these regulations and that environmental considerations are still satisfied to the maximum extent possible.”

- No more than 15 percent site may be planted with fertilizer dependent vegetation such as certain grasses. Covenants and restrictions or the conditions of duly executed filed easements should be used to formalize such agreements and assist in any necessary enforcement actions.
- All future development should connect to the public water supply.
- Future actions in the Wild, Scenic and Recreational Rivers (WSRR) Area must be consistent with 6 NYCRR Part 666 (Regulation for Administration & Management of the Wild, Scenic & Recreational Rivers System in New York State) which establishes a system of land use controls or development restrictions for lands situated within the Peconic River Corridor. Figure 4-1 of the DGEIS shows the parcels located within the WSRR regulated area (western boundary of the study area). The density and uses shown on several parcels included for the Theoretical Development Scenario do not meet the requirements of 6 NYCRR Part 666. As described in Section 6.2.2 of the Draft GEIS, a Community Wild, Scenic and Recreational Rivers designation in the Recreational area mapped along the western boundary of the Study Area could be pursued. Alternatively, the Recreational designation would remain and redevelopment either be required to meet the WSRR requirements (6 NYCRR Part 666) or an applicant would be required to seek variances for redevelopment of individual parcels which do not meet the requirements.
- New York State Coastal Consistency assessments may be required for future projects or actions within the State coastal boundary are undertaken or funded by a State or Federal agency or require State or Federal Permits or approvals.
- A portion of the Study Area is located within the Water Protection Boundary delineated in the draft “Southampton Town Water Protection Plan.” If the Town approves this Plan and its proposed Water Protection Boundary, future development plans will have to be reviewed for consistency with its policies.

#### Land Use & Zoning

- Incentive Bonus Verification: Applications opting into the Incentive Bonuses must demonstrate the application meets the requirements for minimum lot area and street frontage, Sustainability Standards.
- Phase I Environmental Site Assessments (and Phase II ESAs if determined necessary by the Phase I) shall be conducted to identify any existing recognized environmental conditions

(RECs) or potential concerns relating to demolition and site preparation prior to demolition and development. An ESA will identify the need for testing to determine if RECs are present which require further testing, remediation, abatement, regulatory oversight or other appropriate action. Any redevelopment or property transfer will be subject to the necessary regulatory steps and agency oversight to properly investigate, and remediate if necessary, recognized environmental conditions warranting such action. Issues that must be considered include the presence of asbestos containing materials (ACM) or soil contamination that contains elevated concentrations of contaminants in excess of regulatory agency standards. Issues of concern shall include identification of potential issues associated with from floor drains, above- and below-ground fuel storage tanks, drywells, stormwater leaching pools, septic systems and cesspools, and past hazardous materials releases from storage, leaks, spills, mishandling of materials, intentional discharges, or other hazardous materials releases that have resulted in or may cause hazardous conditions. If hazardous conditions are identified, a plan to rectify these concerns will be developed and implemented.

#### Community Character (Visual Resources and Cultural Resources)

- If future development is proposed within identified areas of archaeological sensitivity that have not been previously and significantly disturbed, excavated, filled, or otherwise impacted so that the chances of discovering intact/undisturbed archeological resources is very unlikely considering the locations and depth of proposed disturbance, a Phase I archaeological survey/cultural resource evaluation will be required. A cultural resource evaluation should include contact with the SHPO for review and input. Additional analysis may be required to identify and mitigate any potential impacts based on the findings of the cultural resource evaluation. If an archaeological assessment is required, the first step in the analysis would be the performance of a Phase IA archaeological assessment in accordance with NYS OPRHP standards and guidelines, followed by a Phase IB, Phase II, and Phase III, if and as warranted.
- If future projects or actions involve state or federal permitting, funding or licensing, additional review of potential impacts to architectural and archaeological resources may be required pursuant to Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.
- Unless design guideline are implemented for the ROD by the Town, every application for site plan approval for the construction of a building or structure requiring site plan review shall be referred by the Planning Board to the Board of Architectural Review and be reviewed by the entire Board. Applications reviewed under this subsection shall result in the preparation of an advisory report to assist the Planning Board in its consideration of the site plan. The advisory report shall be limited to the architecture of the proposed buildings, structures and signage and shall include a specific recommendation that the buildings, structures or signs be approved, denied or approved with conditions which relate specifically to the criteria set forth in Chapter 330 and the ROD. If and when the Town adopts design guidelines as part of the ROD then the building official will perform a consistency review during the Site Plan Application process and make a recommendation to the Planning to Planning board specifically noting the Application's level of consistency with those

mandatory design guidelines no further Architectural Review will be required under the ROD. Every application for a building permit for the construction of a building or structure not requiring site plan review shall be referred by the Building Administrator to the Board of Architectural Review and be designated by the Building Administrator as "substantial" or "nonsubstantial" construction. Applications for nonsubstantial construction may be reviewed by a committee of one member of the Board, but all applications for a sign permit and all applications for substantial construction shall be reviewed by the entire Board. Applications reviewed under this subsection shall be approved, denied or approved with conditions which relate specifically to the criteria set forth in Section 330.

- Considering the high visibility location of the Riverside roundabout and its function as a gateway to the Riverside community, it is important that the roundabout be designed to be aesthetically pleasing and inviting. The following future actions are recommended to be considered and implemented by SCDPW with respect to the Riverside roundabout:
  - It is recommended that the center of the roundabout incorporate a shallow man made pond with park like landscaping and trees. The pond could be irregular in shape so that it has a more natural appearance. The pond could be illuminated at night for the visual effect.
  - Considering the high ground water level in the area of the roundabout it is also recommended that the pond be designed as a drainage retention area with overflow into standard catch basins and drainage rings. The incorporation of indigenous plants could also function to filter and absorb road runoff before entering catch basins and recharging into groundwater.
  - Lighting around the perimeter and on the approaching street arteries should be relatively low in height and of a community scale. Utility wires along the arteries and the roundabout should be placed underground. Pedestrian street crossings should be located where they will be most convenient and safe.

The provision of such a pond feature within the roundabout could achieve multiple objectives with respect to environmental benefits and visual aesthetics.

### Community Services

- Future development and redevelopment projects envisioned under the Proposed Action and Theoretical Development Scenario will require a source of potable drinking water and must connect to a public water supply. Written confirmation must be obtained from the SCWA, its successors or other public water provider demonstrating that an adequate supply of water is available to satisfy both the "domestic" (drinking water) and "non-domestic"(non-drinking water) needs of the project prior to issuance of a building permit.
- Sewage flow that exceeds SCSC Article 6 standards must connect to sewers and/or use other methods of acceptable mitigation such as the transfer of development rights or sanitary credits in accordance with Town, SCDHS and CPBJPPC standards and requirements.
- The expected substantial increase in taxes generated will help to offset the increased needs for and costs of community services.
- Under the full 10-year build-out of the Theoretical Development Scenario, 283 school age children (an additional 233 students accounting for redevelopment of existing lots) are

anticipated to be generated. The Town and the Master Development will work with the Riverhead CSD to evaluate the demographic projections and the expected enrollment changes based on current growth trends and the additional students anticipated from redevelopment pursuant to the Proposed Action. Once a greater understanding of future enrollment and available classroom space is completed, a determination of facility needs to accommodate this growth can be evaluated, including the cost of necessary facility improvements and potential funding mechanisms. A “Fair Share” mitigation program and fund will be established based on the Proposed Action’s proportional share of additional school age children to assist in providing revenue for necessary evaluation and implementation of facility upgrades.

- Buildings must be constructed in conformance with New York State Fire and Building Codes and the recommendations of emergency service providers in terms of access and the provision of fire hydrants. In addition, use of sprinklers and fire/smoke alarms will assist in minimizing the potential need for fire protective services.
- The Fire Department/Fire Marshal will have the opportunity to review future proposed site plans to ensure that their needs, including provisions for emergency access, hydrant locations, sprinkler systems, fire alarms, and smoke and carbon monoxide detection, are properly addressed.
- The Fire Department will have the opportunity to provide input on site-specific plans, thereby requiring any site-specific mitigation measures necessary.
- Pursue establishment of third party billing (i.e., pay for service reimbursement program) which would permit the NFVA to bill private insurance companies for services rendered. This would help to mitigate future costs and offset any additional burden on the Town and its taxpayers. Some of the money that is saved by the Town could be allocated toward paying the copayments of residents, while persons who live outside of the community would be responsible for their own copayments. A special contractor could assist in the third party billing and provide greater administrative efficiency and a greater likelihood of payment.
- If Third Party Billing is not pursued or achieved consider hiring two additional paid EMTs and two critical care technicians or create a Town-wide ALS office under the Town’s Public Safety Division so that personnel and resources can be pooled. The pooling of services, equipment, and costs would be a more efficient use of resources, while sharing the costs of service delivery throughout the Town. An estimated five Paramedics and one Supervisor would likely be needed in the future if this approach is chosen.
- Attract more ambulance personnel by giving preference to volunteers and any paid ambulance personnel who are residents in securing affordable or workforce housing to become available under the Proposed Action.
- Prepare a sewer feasibility study to assess in detail the most suitable location(s) for the treatment of disposal of sewage generated in the Study Area.

#### Traffic and Transportation

- Increases in traffic from the proposed project can be accommodated at some study intersections without any mitigation. Some locations will require mitigation ranging from adjustments to the signal timings, additional lanes and installation of a traffic signal.

Although there will be changes in the LOS at some intersections, they will continue to operate at acceptable levels of service. Fair Share mitigation contribution to allow for the following mitigation implementation:

- Optimize and adjust the splits at the signalized intersection of Flanders Road (NYS Route 24) and CR 105.
- Redesign the northbound Old Quogue Road approach at its intersection with Flanders Road (NYS Route 24) to provide one right turn lane and one left turn lane.
- Redesign the northbound Vail Avenue approach at the intersection of Flanders Road (NYS Route 24) at Vail Avenue to provide one right turn lane and one left turn lane. In addition to the redesign of the northbound approach, re-stripe the painted median on Flanders Road just west of Vail Avenue as a center two-way left turn lane consistent with the rest of Flanders Road.
- Install a traffic signal at the intersection of CR 104 at Old Quogue Road and Ludlam Avenue.

### Air Quality

- Construction activities must conform to Town Code Chapter 235 “Noise” regulations including conformance to the maximum prescribed sound pressure levels at the property line for activities occurring between the hours of 7:00 AM and 7:00 PM.
- Comply with NYSDEC air permit requirements if applicable, though major sources are not permissible (and minor facilities, such as auto uses, would require registrations through the DEC for minor emission sources).
- Require mitigation for fugitive dust related to construction activities using proper construction management techniques, erosion control measures, wetting of excessively dry soils.

### Socioeconomic

- Implement Community Benefit Policies:
  - Demonstrate compliance with the the Community Benefit Policies
  - Demonstrate provision for Community Benefit Units

### Demolition and Construction Activities

- Truck activity is expected during the day (Monday-Saturday). All soil material removed from the project site will be transported in accordance with Town input. Truck traffic will be temporary and intermittent and utilize major streets and highways such as SR 24, CR 104, CR 63, CR 105, CR 51 to the extent practicable.
- Parking Management Plans and/or a Remediation Plans (where applicable) for development and redevelopment.
- Prior to the initiation of construction activities, remediation of sites where recognized environmental conditions (RECs) will be identified. Remediation activities are required to be completed according to the protocols, procedures, standards and documentation

requirements of the appropriate supervising entity, such as SCDHS, NYS Department of Labor, Nassau County Fire Marshal and/or NYSDEC.

All applications for new development projects in the Study Area will continue to be subject to SEQRA procedures and requirements. This means that all such future development projects, whether proposed under the ROD or not, would be subject to individual approval processes, including site plan review and site-specific impact review or consistency review with the Findings Statement, under SEQRA. Applications filed consistent with ROD standards must conform to any applicable Conditions listed in the Findings Statement. Projects filed without the opting-in to the ROD shall be subject to SEQRA review and will not have the benefit of the qualified status of the Proposed Action. Such project shall consider the Findings and full analysis of the Proposed Action in its review prior to the Town completing the SEQRA process. Adherence to this procedure will ensure that all future development in the Study Area complies with SEQRA, and conforms to established land use controls, minimizes potential adverse environmental impacts, and provides consistency with established Town policies and goals as outlined in the Comprehensive Plan Update and other community plans.

**APPENDIX G**

**CENTRAL PINE BARRENS CLEARING  
PARCEL ASSESSMENT**



Town of Southampton  
and  
New York Department of State



Riverside Hamlet Revitalization

**FIGURE G-1**  
Theoretical Development Program  
Parcels with No Existing  
Natural Vegetation

**Legend**

-  Study Area
-  Theoretical  
Development  
Program Parcels
-  Theoretical  
Development  
Program Parcels  
with No Existing  
Natural Vegetation

Source: NYSGIS Orthoimagery  
Program, 2013

0 800  
Feet

1 inch = 800 feet



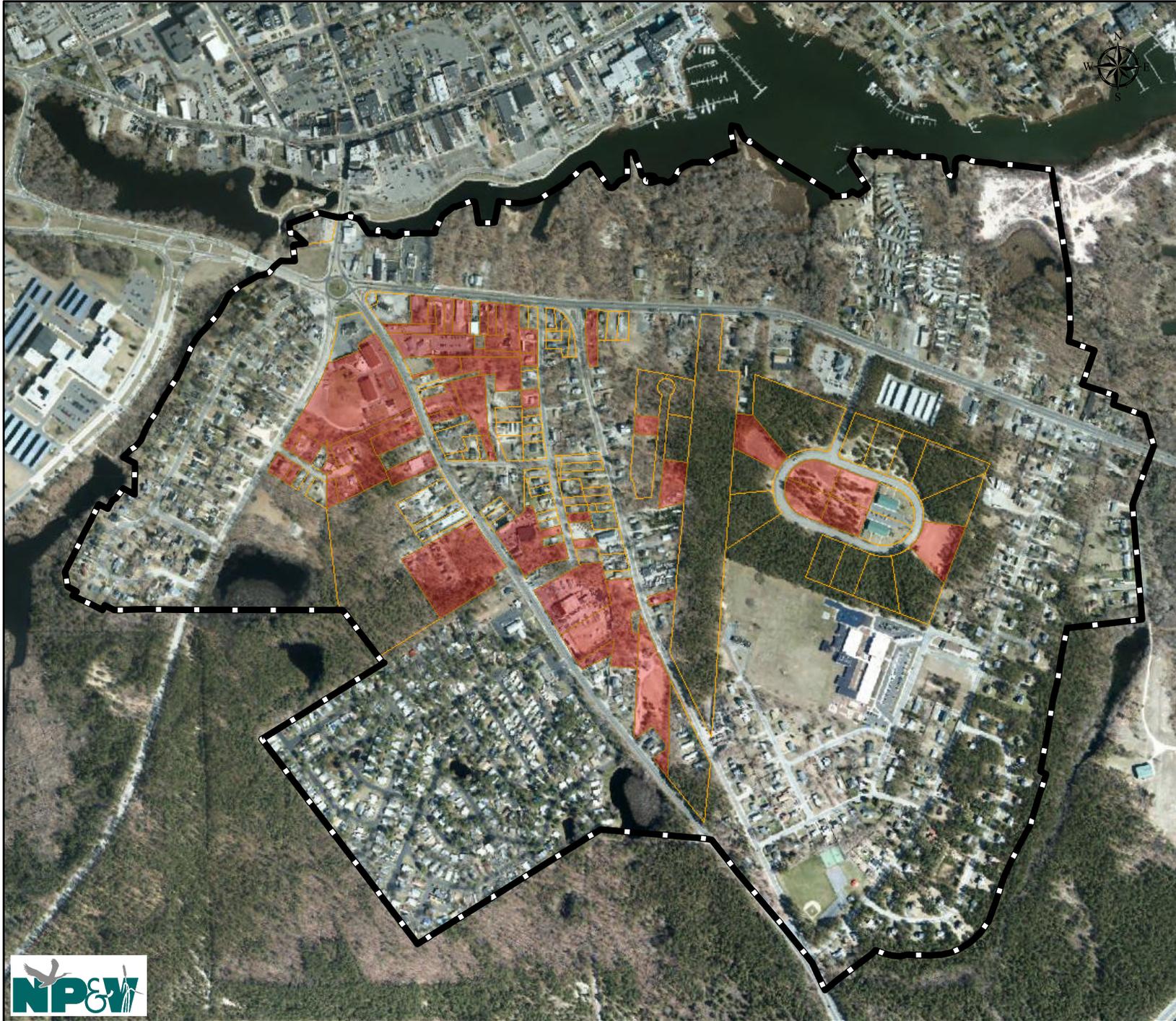
**Table G-1  
THEORETICAL DEVELOPMENT PROGRAM PARCELS  
WITH NO EXISTING NATURAL VEGETATION REMAINING**

<b>Taxmap ID #</b>	<b>Parcel Area (acres)</b>	<b>Applicable CPB<sup>1</sup> Clearing Standard - Maximum Clearing Permitted (acres)</b>	<b>Approximate Existing Natural Vegetation Remaining (percent)</b>
900 - 118 - 2 - 2	0.8	0.52	0
900 - 138 - 2 - 12	0.32	0.22	0
900 - 138 - 2 - 14	0.15	0.11	0
900 - 138 - 2 - 20	0.18	0.13	0
900 - 138 - 2 - 30	0.99	0.65	0
900 - 138 - 2 - 31	0.1	0.06	0
900 - 138 - 2 - 32	0.82	0.53	0
900 - 139 - 1 - 14	0.16	0.10	0
900 - 139 - 1 - 15	0.16	0.10	0
900 - 139 - 1 - 18.1	0.05	0.03	0
900 - 139 - 1 - 18.2	0.26	0.18	0
900 - 139 - 1 - 22	0.13	0.09	0
900 - 139 - 1 - 23	0.13	0.09	0
900 - 139 - 1 - 24	0.14	0.10	0
900 - 139 - 1 - 25	0.3	0.21	0
900 - 139 - 1 - 26	0.4	0.28	0
900 - 139 - 1 - 27	0.27	0.19	0
900 - 139 - 1 - 28	0.3	0.21	0
900 - 139 - 1 - 40.4	0.25	0.16	0
900 - 139 - 1 - 46.2	0.18	0.12	0
900 - 139 - 1 - 50	0.26	0.17	0
900 - 139 - 1 - 53.1	0.68	0.44	0
900 - 139 - 1 - 54	0.1	0.06	0
900 - 139 - 1 - 55	0.27	0.18	0
900 - 139 - 1 - 56	0.13	0.08	0
900 - 139 - 1 - 62.1	0.33	0.21	0
900 - 139 - 1 - 71	0.24	0.16	0
900 - 139 - 2 - 1	0.15	0.10	0
900 - 139 - 2 - 2	0.11	0.07	0
900 - 139 - 2 - 24	0.25	0.18	0
900 - 139 - 2 - 25	0.27	0.19	0
900 - 139 - 2 - 26	0.09	0.06	0
900 - 139 - 2 - 3	0.08	0.05	0

<sup>1</sup> Central Pine Barrens (CPB)

Final Generic Environmental Impact Statement  
Riverside BOA, Revitalization Action Plan and  
Zoning Amendments  
Appendix G – CPB Clearing Parcel Analysis

<b>Taxmap ID #</b>	<b>Parcel Area (acres)</b>	<b>Applicable CPB<sup>1</sup> Clearing Standard - Maximum Clearing Permitted (acres)</b>	<b>Approximate Existing Natural Vegetation Remaining (percent)</b>
900 - 139 - 2 - 31.4	0.17	0.12	0
900 - 139 - 2 - 32.1	0.3	0.21	0
900 - 139 - 2 - 33.1	0.17	0.12	0
900 - 139 - 2 - 33.2	0.15	0.10	0
900 - 139 - 2 - 34.1	0.11	0.07	0
900 - 139 - 2 - 35	0.14	0.10	0
900 - 139 - 2 - 38.1	0.35	0.25	0
900 - 139 - 2 - 4	0.13	0.09	0
900 - 139 - 2 - 42.2	0.8	0.56	0
900 - 139 - 2 - 45	0.35	0.24	0
900 - 139 - 2 - 5	0.1	0.07	0
900 - 139 - 2 - 53	0.15	0.10	0
900 - 139 - 2 - 55	0.14	0.10	0
900 - 139 - 2 - 56	0.14	0.10	0
900 - 139 - 2 - 57	0.39	0.27	0
900 - 139 - 2 - 58	0.14	0.10	0
900 - 139 - 2 - 59	0.17	0.12	0
900 - 139 - 2 - 60	0.17	0.12	0
900 - 139 - 2 - 67	0.16	0.11	0
900 - 139 - 2 - 68	0.17	0.11	0
900 - 139 - 2 - 69	0.2	0.13	0
900 - 139 - 2 - 76	1.1	0.72	0
900 - 139 - 2 - 77	0.35	0.23	0
900 - 139 - 2 - 78	0.48	0.31	0
900 - 139 - 2 - 81	0.02	0.01	0
900 - 139 - 2 - 85.1	0.25	0.17	0
900 - 139 - 3 - 2.2	0.22	0.14	0
900 - 139 - 3 - 3.2	0.24	0.15	0
900 - 139 - 3 - 48	0.24	0.15	0
900 - 141 - 1 - 9.21	0.92	0.60	0
900 - 141 - 1 - 9.24	0.92	0.60	0



Town of Southampton  
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New York Department of State



Riverside Hamlet Revitalization

**FIGURE G-2**  
Theoretical Development Program  
Parcels Exceeding CPB Standards  
Under Existing Conditions

**Legend**

-  Study Area
-  Theoretical Development Program Parcels
-  Theoretical Development Program Parcels Exceeding CPB Standards Under Existing Conditions



Source: NYSGIS Orthoimagery Program, 2013



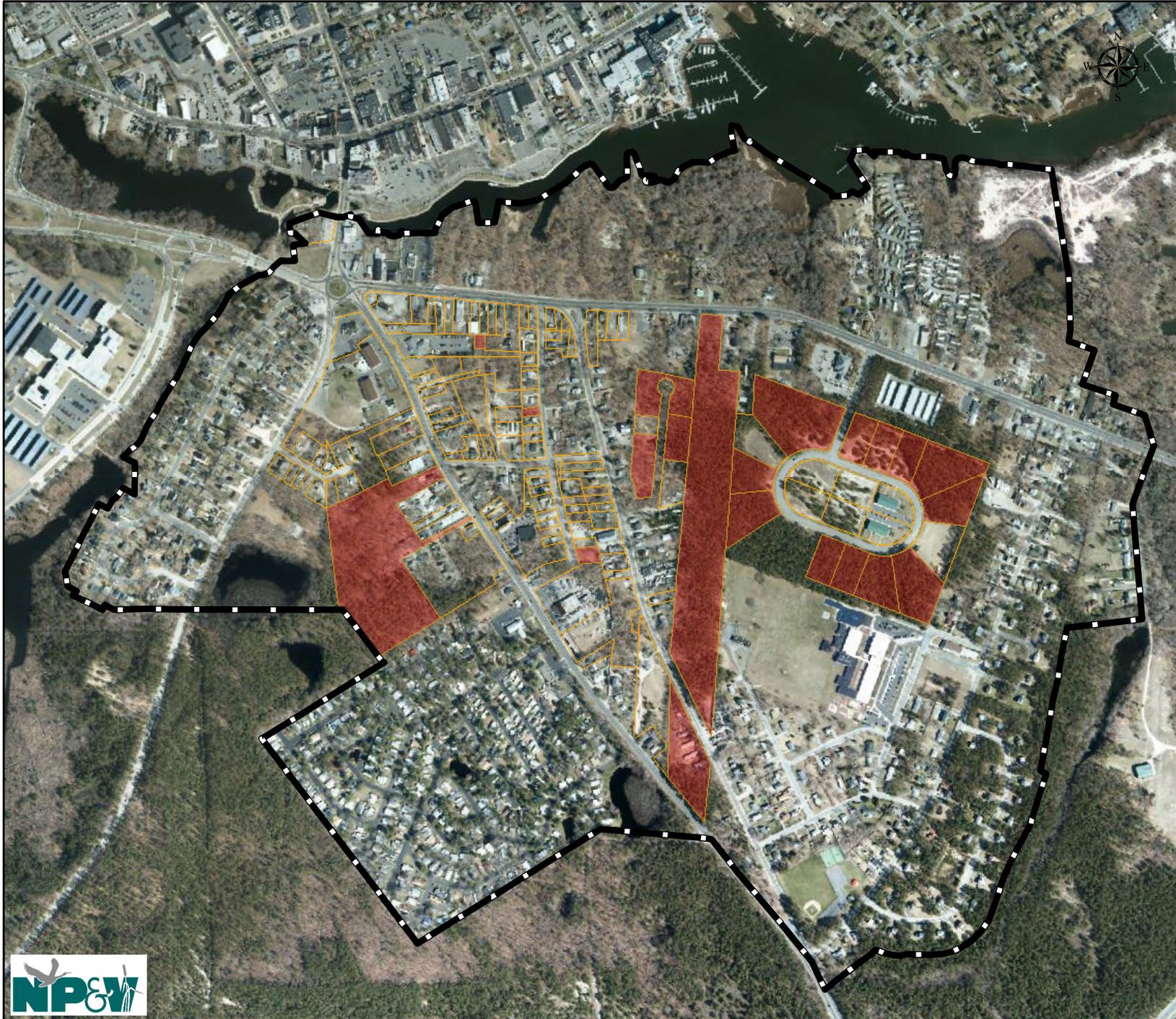
1 inch = 800 feet

**Table G-2  
THEORETICAL DEVELOPMENT PROGRAM PARCELS  
EXCEEDING CPB CLEARING STANDARDS UNDER EXISTING CONDITIONS**

Taxmap ID #	Parcel Area (acres)	Applicable CPB Clearing Standard - Maximum Clearing Permitted (acres)	Approximate Existing Natural Vegetation Remaining (percent)
900 - 139 - 1 - 16	0.32	0.23	0.002
900 - 139 - 1 - 72	0.22	0.14	0.01
900 - 138 - 2 - 15	0.15	0.11	0.07
900 - 139 - 1 - 17	0.19	0.13	0.15
900 - 139 - 1 - 70	0.47	0.30	1.09
900 - 139 - 1 - 62.4	1.11	0.74	1.42
900 - 139 - 1 - 49	0.19	0.12	2.12
900 - 139 - 1 - 69	0.24	0.15	2.17
900 - 139 - 1 - 20.1	0.25	0.17	3.40
900 - 138 - 2 - 19	0.42	0.30	4.60
900 - 139 - 2 - 43	0.15	0.10	5.80
900 - 139 - 1 - 66	0.37	0.24	6.66
900 - 139 - 3 - 39	0.21	0.15	6.89
900 - 139 - 1 - 48.1	0.58	0.38	6.98
900 - 139 - 1 - 12.2	0.22	0.14	8.76
900 - 138 - 2 - 21	0.2	0.14	10.92
900 - 139 - 2 - 50.2	2.54	1.69	11.18
900 - 139 - 1 - 44.1	1.01	0.66	11.20
900 - 139 - 3 - 1	0.47	0.32	11.70
900 - 138 - 2 - 10	0.44	0.31	11.89
900 - 141 - 1 - 9.8	1.46	0.95	12.51
900 - 139 - 1 - 74.1	1.62	1.05	12.94
900 - 138 - 2 - 16	0.31	0.22	14.98
900 - 138 - 2 - 29.1	5.81	3.81	16.07
900 - 139 - 1 - 68	0.26	0.17	18.99
900 - 138 - 2 - 22	0.33	0.23	20.09
900 - 140 - 1 - 14	2.48	1.73	25.06
900 - 138 - 2 - 33	0.38	0.25	25.28
900 - 139 - 1 - 11.2	0.19	0.13	27.32
900 - 139 - 1 - 57	0.17	0.11	33.67
900 - 141 - 1 - 9.20	0.92	0.60	35.61
900 - 138 - 2 - 9	0.65	0.42	37.22
900 - 139 - 2 - 79.1	0.15	0.10	37.97

**Final Generic Environmental Impact Statement  
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Appendix G – CPB Clearing Parcel Analysis**

<b>Taxmap ID #</b>	<b>Parcel Area (acres)</b>	<b>Applicable CPB Clearing Standard - Maximum Clearing Permitted (acres)</b>	<b>Approximate Existing Natural Vegetation Remaining (percent)</b>
900 - 141 - 1 - 9.29	0.92	0.60	38.43
900 - 138 - 2 - 11	0.2	0.14	39.09
900 - 139 - 3 - 21.2	0.34	0.23	40.39
900 - 139 - 2 - 54.1	1.98	1.31	43.70
900 - 141 - 1 - 9.25	1.27	0.82	45.63
900 - 138 - 2 - 8.2	0.74	0.48	46.19
900 - 139 - 2 - 49.1	2.91	2.04	47.05
900 - 140 - 1 - 2	0.31	0.22	47.41
900 - 139 - 1 - 13.2	0.77	0.50	49.27
900 - 139 - 1 - 67	0.15	0.10	50.65
900 - 141 - 1 - 9.30	0.92	0.60	56.93
900 - 139 - 1 - 62.2	0.46	0.30	57.13
900 - 139 - 3 - 23	0.85	0.60	58.00
900 - 141 - 1 - 9.23	0.92	0.60	58.47
900 - 139 - 2 - 70.1	4.15	2.90	61.11
900 - 138 - 2 - 8.1	1.69	1.15	61.17
900 - 139 - 2 - 36	0.15	0.11	66.24



Town of Southampton  
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Riverside Hamlet Revitalization

**FIGURE G-3**

Theoretical Development Program  
Parcels Meeting the CPB Clearing  
Standard Under Existing Conditions

**Legend**

-  Study Area
-  Theoretical  
Development Plan  
Parcels within  
Allowable Clearing  
Limit
-  Theoretical  
Development  
Program Parcels

Source: NYSGIS Orthoimagery  
Program, 2013

0 800  
Feet

1 inch = 800 feet

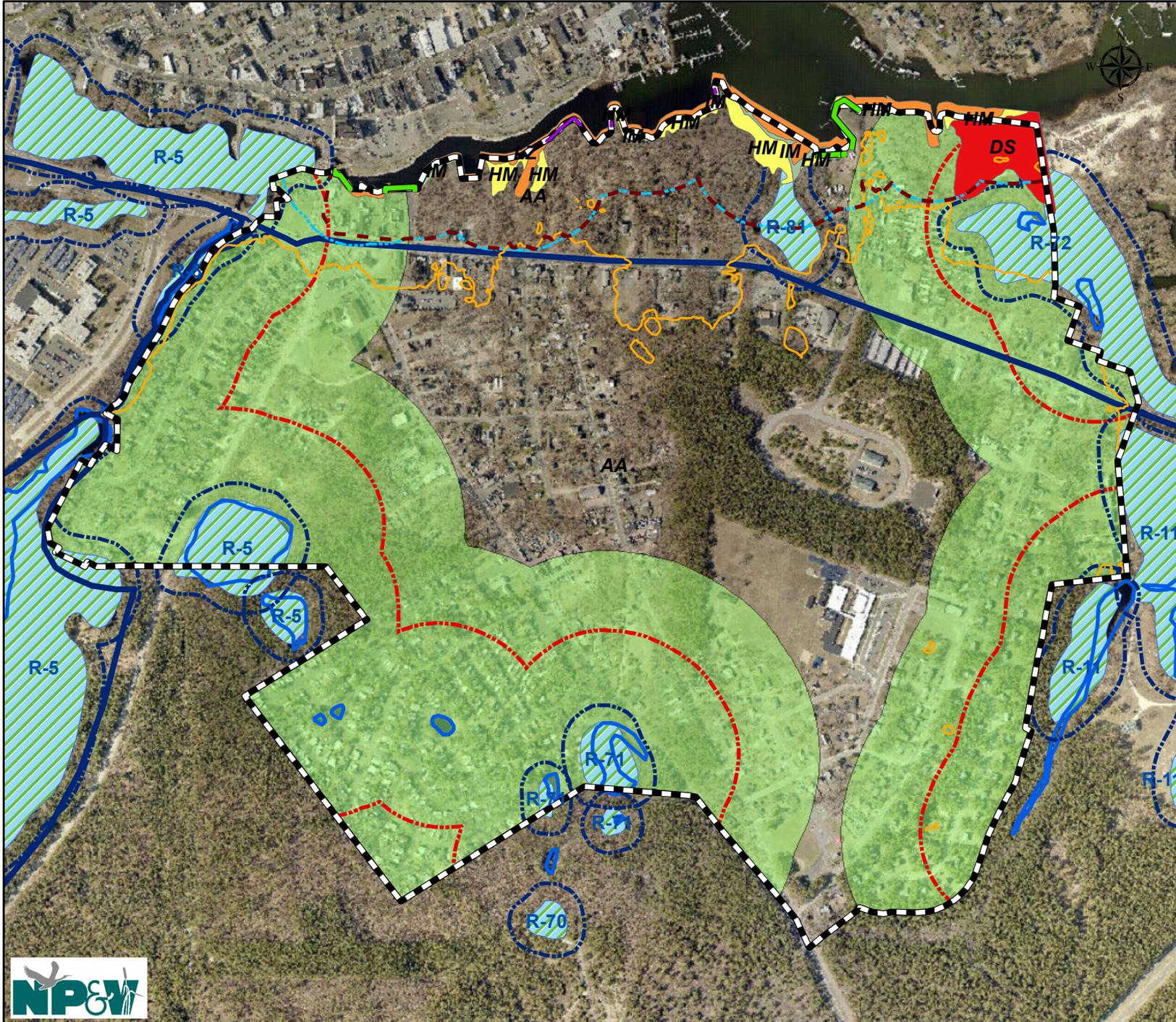


**Table G-3  
THEORETICAL DEVELOPMENT PROGRAM PARCELS  
MEETING CPB ALLOWABLE CLEARING STANDARDS UNDER EXISTING  
CONDITIONS**

Taxmap ID #	Parcel Area (acres)	Applicable CPB Clearing Standard - Maximum Clearing Permitted (acres)	Approximate Existing Natural Vegetation Remaining (percent)
900 - 141 - 1 - 9.3	0.95	0.62	68.34
900 - 139 - 3 - 24	1.05	0.73	70.12
900 - 139 - 2 - 44	0.28	0.20	70.47
900 - 140 - 1 - 15	2.51	1.76	71.18
900 - 141 - 1 - 9.5	0.96	0.62	71.28
900 - 141 - 1 - 9.4	0.95	0.62	81.34
900 - 139 - 3 - 56	0.84	0.58	87.41
900 - 139 - 1 - 73	0.11	0.07	90.11
900 - 139 - 2 - 75	10.06	7.00	90.85
900 - 141 - 1 - 9.7	1.45	0.94	93.30
900 - 141 - 1 - 9.17	3.61	2.35	94.16
900 - 141 - 1 - 9.32	1.15	0.75	95.64
900 - 141 - 1 - 9.6	1.98	1.29	95.66
900 - 139 - 3 - 10.2	12.49	8.67	95.96
900 - 139 - 3 - 22.2	0.83	0.58	96.69
900 - 141 - 1 - 9.31	1.50	0.97	99.57
900 - 139 - 1 - 21	0.12	0.08	100.00
900 - 139 - 3 - 55	0.68	0.47	100.00
900 - 141 - 1 - 9.10	1.33	0.87	100.00
900 - 141 - 1 - 9.11	0.91	0.59	100.00
900 - 141 - 1 - 9.12	0.91	0.59	100.00
900 - 141 - 1 - 9.9	1.98	1.29	100.00

**APPENDIX H**

**TIGER SALAMANDER GUIDANCE AND  
PARCEL ANALYSIS**



Town of Southampton  
and  
New York Department of State



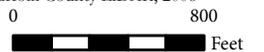
Riverside BOA Revitalization  
Action Plan and  
Zoning Amendments

APPENDIX H  
Natural Resource  
Regulatory Jurisdictional  
Areas (Approximate)

Legend

- Existing Bulkhead
- Condition
  - Failed
  - Functional
- Study Area
- Approximate Limit of
  - NYSDEC Tidal Wetland Jurisdiction
  - EL. 10
  - 300' Tidal Wetlands Buffer
  - NYS Coastal Boundary
- NYSDEC Tidal Wetlands
  - DS - Dredge Spoil
  - HM - High Marsh
  - IM - Intertidal Marsh
  - LZ - Littoral Zone
- Approximate NYSDEC 100'
  - Freshwater Wetlands Adjacent Area
  - Potential Tiger Salamander Breeding Ponds
  - NYSDEC Freshwater Wetlands
  - 535' Tiger Salamander Pond Habitat Preservation Setback
  - Approximate Tiger Salamander Upland Habitat Radius (1,000')

Source: Town of Southampton  
Orthoimagery, 2014; NYSDEC;  
Suffolk County LiDAR, 2006



1 inch = 800 feet



**Final Generic Environmental Impact Statement  
Riverside BOA, Revitalization Action Plan and  
Zoning Amendments**

<b>Parcels that May Require Further Tiger Salamander Habitat Investigation</b>			
<b>Tax ID Number</b>	<b>Area (Acres)</b>	<b>Street Address</b>	<b>Hamlet</b>
900 - 118 - 2 - 1	0.7	129 Peconic Ave	Riverside
900 - 118 - 2 - 2	0.7	89 Peconic Ave	Riverside
900 - 118 - 2 - 29	0.2	120 Peconic Ave	Riverside
900 - 118 - 2 - 3.1	0.2	110 Peconic Ave	Riverside
900 - 118 - 2 - 4	0.4	7 Peconic Ave	Riverside
900 - 118 - 2 - 5	0.3	10 Flanders Rd	Riverside
900 - 118 - 2 - 6	0.4	14 Flanders Rd	Riverside
900 - 118 - 2 - 7	0.5	26 Flanders Rd	Riverside
900 - 118 - 2 - 8	1.2	30 Flanders Rd	Riverside
900 - 118.1 - 1 - 11	0.1	Row	Riverside
900 - 118.1 - 1 - 12.1	0.1	312A Flanders Rd	Riverside
900 - 118.1 - 1 - 13	0.3	316 Flanders Rd	Riverside
900 - 118.1 - 1 - 14	6.7	320 Flanders Rd	Riverside
900 - 118.1 - 1 - 15.1	0.1	Landlocked	Riverside
900 - 118.1 - 1 - 16	4.4	346 Flanders Rd	Riverside
900 - 118.1 - 1 - 17	0.9	21 Donald Ave	Riverside
900 - 118.1 - 1 - 20.1	0.1	40 Donald Ave	Riverside
900 - 118.1 - 1 - 21	0.2	16 Donald Ave	Riverside
900 - 118.1 - 1 - 22	0.5	372 Flanders Rd	Riverside
900 - 118.1 - 1 - 23	0.1	374 Flanders Rd	Riverside
900 - 118.1 - 1 - 24	0.2	378 Flanders Rd	Riverside
900 - 118.1 - 1 - 25	0.2	23 Kirk Ave	Riverside
900 - 118.1 - 1 - 26	0.1	29 Kirk Ave	Riverside
900 - 118.1 - 1 - 27	0.2	4 Kirk Ave	Riverside
900 - 118.1 - 1 - 28	0.1	8 Kirk Ave	Riverside
900 - 118.1 - 1 - 29	0.1	10 Kirk Ave	Riverside
900 - 118.1 - 1 - 30.1	0	Kirk Ave	Riverside
900 - 118.1 - 1 - 31.1	15.4	Landlocked	Riverside
900 - 118.1 - 1 - 32	5.9	500 Flanders Rd	Riverside
900 - 118.1 - 1 - 5	0.4	310 Flanders Rd	Riverside
900 - 118.1 - 1 - 6	0.5	308 Flanders Rd	Riverside
900 - 118.1 - 1 - 7	0.4	312B Flanders Rd	Riverside
900 - 118.1 - 1 - 8	2.3	306 Flanders Rd	Riverside
900 - 118.1 - 1 - 9	0	312C Flanders Rd	Riverside
900 - 119 - 1 - 18	0.3	404 Flanders Rd	Riverside
900 - 119 - 1 - 19	0.3	406 Flanders Rd	Riverside
900 - 119 - 1 - 20	2.9	408 Flanders Rd	Riverside
900 - 119 - 1 - 21	0.5	418 Flanders Rd	Riverside
900 - 119 - 1 - 22	0.1	420 Flanders Rd	Riverside
900 - 119 - 1 - 23	0.3	424 Flanders Rd	Riverside
900 - 119 - 1 - 24	0.2	440 Flanders Rd	Riverside
900 - 119 - 1 - 25	0.3	448 Flanders Rd	Riverside
900 - 119 - 1 - 26.1	34.4	500 Flanders Rd	Riverside
900 - 137 - 1 - 14.2	177.1	Cranberry Bog Park	Northampton
900 - 137 - 1 - 32	1.4	County Rd 94	Riverside
900 - 137 - 3 - 1	30	525 Riverleigh Ave	Riverside
900 - 138 - 1 - 10	0.1	61 Pegs Ln	Riverside

**Final Generic Environmental Impact Statement  
Riverside BOA, Revitalization Action Plan and  
Zoning Amendments**

<b>Parcels that May Require Further Tiger Salamander Habitat Investigation</b>			
<b>Tax ID Number</b>	<b>Area (Acres)</b>	<b>Street Address</b>	<b>Hamlet</b>
900 - 138 - 1 - 100	0.2	42 Woodhull Ave	Riverside
900 - 138 - 1 - 101	0.1	32 Woodhull Ave	Riverside
900 - 138 - 1 - 102	0	32 Woodhull Ave	Riverside
900 - 138 - 1 - 104.1	0.3	9 Lake Ave	Riverside
900 - 138 - 1 - 105	0.3	15 Lake Ave	Riverside
900 - 138 - 1 - 106	0.2	37 Lake Ave	Riverside
900 - 138 - 1 - 107	0.2	43 Lake Ave	Riverside
900 - 138 - 1 - 108	0.2	53 Lake Ave	Riverside
900 - 138 - 1 - 12.1	0.3	9 Pegs Ln	Riverside
900 - 138 - 1 - 13	0.2	5 Pegs Ln	Riverside
900 - 138 - 1 - 16	0.3	10 Pegs Ln	Riverside
900 - 138 - 1 - 18	0.2	12 Pegs Ln	Riverside
900 - 138 - 1 - 20.1	0.1	20 Pegs Ln	Riverside
900 - 138 - 1 - 21	0.4	24 Pegs Ln	Riverside
900 - 138 - 1 - 22	0.1	32 Pegs Ln	Riverside
900 - 138 - 1 - 23	0.1	195 Lake Ave	Riverside
900 - 138 - 1 - 24	0.1	175 Lake Ave	Riverside
900 - 138 - 1 - 26.1	0.3	155 Lake Ave	Riverside
900 - 138 - 1 - 28	0.1	187 Woodhull Ave	Riverside
900 - 138 - 1 - 29	0.2	185 Woodhull Ave	Riverside
900 - 138 - 1 - 3.3	0.3	87 Pegs Ln	Riverside
900 - 138 - 1 - 30	0.3	183 Woodhull Ave	Riverside
900 - 138 - 1 - 31	0.4	181 Woodhull Ave	Riverside
900 - 138 - 1 - 32	0.5	179 Woodhull Ave	Riverside
900 - 138 - 1 - 33	0.2	177 Woodhull Ave	Riverside
900 - 138 - 1 - 34	0.3	173 Woodhull Ave	Riverside
900 - 138 - 1 - 35	0.3	171 Woodhull Ave	Riverside
900 - 138 - 1 - 36	0.2	169 Woodhull Ave	Riverside
900 - 138 - 1 - 37	0.3	167 Woodhull Ave	Riverside
900 - 138 - 1 - 38	0.2	165 Woodhull Ave	Riverside
900 - 138 - 1 - 39.1	0.2	163 Woodhull Ave	Riverside
900 - 138 - 1 - 39.2	0.2	161 Woodhull Ave	Riverside
900 - 138 - 1 - 4	0.4	77 Pegs Ln	Riverside
900 - 138 - 1 - 40	0.2	159 Woodhull Ave	Riverside
900 - 138 - 1 - 41	0.3	157 Woodhull Ave	Riverside
900 - 138 - 1 - 42	0.3	155 Woodhull Ave	Riverside
900 - 138 - 1 - 43	0.4	77 Woodhull Ave	Riverside
900 - 138 - 1 - 44	0.6	49 Woodhull Ave	Riverside
900 - 138 - 1 - 46.11	0.8	57 Woodhull Ave	Riverside
900 - 138 - 1 - 46.2	0.3	43 Woodhull Ave	Riverside
900 - 138 - 1 - 5	0.2	75 Pegs Ln	Riverside
900 - 138 - 1 - 54	0.2	58 Woodhull Ave	Riverside
900 - 138 - 1 - 55	0.2	64 Woodhull Ave	Riverside
900 - 138 - 1 - 56	0.3	72 Woodhull Ave	Riverside
900 - 138 - 1 - 57	0.2	80 Woodhull Ave	Riverside
900 - 138 - 1 - 58	0.2	92 Woodhull Ave	Riverside
900 - 138 - 1 - 59	0.2	100 Woodhull Ave	Riverside

**Final Generic Environmental Impact Statement  
Riverside BOA, Revitalization Action Plan and  
Zoning Amendments**

<b>Parcels that May Require Further Tiger Salamander Habitat Investigation</b>			
<b>Tax ID Number</b>	<b>Area (Acres)</b>	<b>Street Address</b>	<b>Hamlet</b>
900 - 138 - 1 - 6	0.2	71 Pegs Ln	Riverside
900 - 138 - 1 - 60	0.2	108 Woodhull Ave	Riverside
900 - 138 - 1 - 61	0.2	116 Woodhull Ave	Riverside
900 - 138 - 1 - 62	0.4	124 Woodhull Ave	Riverside
900 - 138 - 1 - 63	0.6	132 Woodhull Ave	Riverside
900 - 138 - 1 - 64	0.2	136 Woodhull Ave	Riverside
900 - 138 - 1 - 65	0.2	140 Woodhull Ave	Riverside
900 - 138 - 1 - 66	0.2	142 Woodhull Ave	Riverside
900 - 138 - 1 - 67	0.2	148 Woodhull Ave	Riverside
900 - 138 - 1 - 68	0.2	180 Woodhull Ave	Riverside
900 - 138 - 1 - 69	0.2	184 Woodhull Ave	Riverside
900 - 138 - 1 - 7	0.4	67 Pegs Ln	Riverside
900 - 138 - 1 - 70	0.2	186 Woodhull Ave	Riverside
900 - 138 - 1 - 71	0.1	188 Woodhull Ave	Riverside
900 - 138 - 1 - 72	0.1	149 Lake Ave	Riverside
900 - 138 - 1 - 73	0.3	127 Lake Ave	Riverside
900 - 138 - 1 - 74	0.1	147 Lake Ave	Riverside
900 - 138 - 1 - 75	0.3	143 Lake Ave	Riverside
900 - 138 - 1 - 76	0.3	135 Lake Ave	Riverside
900 - 138 - 1 - 77	0.2	125 Lake Ave	Riverside
900 - 138 - 1 - 78	0.2	123 Lake Ave	Riverside
900 - 138 - 1 - 79	0.2	121 Lake Ave	Riverside
900 - 138 - 1 - 8	0.6	65 Pegs Ln	Riverside
900 - 138 - 1 - 80	0.2	119 Lake Ave	Riverside
900 - 138 - 1 - 81	0.2	97 Lake Ave	Riverside
900 - 138 - 1 - 82	0.2	83 Lake Ave	Riverside
900 - 138 - 1 - 83	0.3	79 Lake Ave	Riverside
900 - 138 - 1 - 84	0.3	69 Lake Ave	Riverside
900 - 138 - 1 - 85	0.2	63 Lake Ave	Riverside
900 - 138 - 1 - 86	0.2	57 Lake Ave	Riverside
900 - 138 - 1 - 9	0.1	63 Pegs Ln	Riverside
900 - 138 - 1 - 91.1	0.4	6 Pegs Ln	Riverside
900 - 138 - 1 - 92	0.3	175 Woodhull Ave	Riverside
900 - 138 - 1 - 93.1	0.3	1 Pegs Ln	Riverside
900 - 138 - 1 - 94.1	0.5	91 Pegs Ln	Riverside
900 - 138 - 1 - 96.1	0.1	189 Woodhull Ave	Riverside
900 - 138 - 1 - 97	0	Cranberry Bog Park	Riverside
900 - 138 - 1 - 98	0.3	33 Woodhull Ave	Riverside
900 - 138 - 1 - 99	0.2	50 Woodhull Ave	Riverside
900 - 138 - 2 - 10	0.4	47 Maynard St	Riverside
900 - 138 - 2 - 11	0.2	41 Maynard St	Riverside
900 - 138 - 2 - 12	0.3	37 Maynard St	Riverside
900 - 138 - 2 - 13	0.1	31 Maynard St	Riverside
900 - 138 - 2 - 14	0.1	25 Maynard St	Riverside
900 - 138 - 2 - 15	0.1	17 Maynard St	Riverside
900 - 138 - 2 - 16	0.3	11 Maynard St	Riverside
900 - 138 - 2 - 19	0.4	16 Maynard St	Riverside

**Final Generic Environmental Impact Statement  
Riverside BOA, Revitalization Action Plan and  
Zoning Amendments**

<b>Parcels that May Require Further Tiger Salamander Habitat Investigation</b>			
<b>Tax ID Number</b>	<b>Area (Acres)</b>	<b>Street Address</b>	<b>Hamlet</b>
900 - 138 - 2 - 20	0.1	30 Maynard St	Riverside
900 - 138 - 2 - 21	0.1	36 Maynard St	Riverside
900 - 138 - 2 - 22	0.3	44 Maynard St	Riverside
900 - 138 - 2 - 29.1	5.8	30 Lake Ave	Riverside
900 - 138 - 2 - 30	0.9	20 Riverleigh Ave	Riverside
900 - 138 - 2 - 31	0	9 Flanders Rd	Riverside
900 - 138 - 2 - 32	0.8	11 Flanders Rd	Riverside
900 - 138 - 2 - 33	0.3	39 Flanders Rd	Riverside
900 - 138 - 2 - 8.1	1.6	269 Riverleigh Ave	Riverside
900 - 138 - 2 - 8.2	0.7	273 Riverleigh Ave	Riverside
900 - 138 - 2 - 8.3	0.6	325 Riverleigh Ave	Riverside
900 - 138 - 2 - 9	0.6	393 Riverleigh Ave	Riverside
900 - 139 - 1 - 62.1	0.3	242 Riverleigh Ave	Riverside
900 - 139 - 1 - 66	0.3	226 Riverleigh Ave	Riverside
900 - 139 - 1 - 74.1	1.6	234 Riverleigh Ave	Riverside
900 - 139 - 2 - 48	0.1	117 Old Quogue Rd	Riverside
900 - 139 - 2 - 49.1	2.9	113 Old Quogue Rd	Riverside
900 - 139 - 2 - 50.2	2.5	500 Riverleigh Ave	Riverside
900 - 139 - 2 - 70.1	4.1	429 Riverleigh Ave	Riverside
900 - 139 - 2 - 73	0.3	437 Riverleigh Ave	Riverside
900 - 139 - 2 - 74.1	1.7	515 Riverleigh Ave	Riverside
900 - 139 - 2 - 75	10	411 Riverleigh Ave	Riverside
900 - 139 - 2 - 76	1.1	421 Riverleigh Ave	Riverside
900 - 139 - 2 - 77	0.3	423 Riverleigh Ave	Riverside
900 - 139 - 2 - 78	0.4	423 Riverleigh Ave #a	Riverside
900 - 139 - 2 - 79.1	0.1	425 Riverleigh Ave	Riverside
900 - 139 - 2 - 82.1	0.8	Riverleigh Ave	Riverside
900 - 139 - 2 - 83	0.1	Riverleigh Ave	Riverside
900 - 139 - 2 - 84	0.1	Riverleigh Ave	Riverside
900 - 139 - 3 - 10.2	12.4	243 Flanders Rd	Riverside
900 - 139 - 3 - 38	0.2	116 Old Quogue Rd	Riverside
900 - 139 - 3 - 39	0.2	118 Old Quogue Rd	Riverside
900 - 139 - 3 - 40	0.1	120 Old Quogue Rd	Riverside
900 - 139 - 3 - 41	0.1	124 Old Quogue Rd	Riverside
900 - 139 - 3 - 42	0.1	134 Old Quogue Rd	Riverside
900 - 140 - 1 - 1	27	525 Riverleigh Ave	Riverside
900 - 140 - 1 - 10	0.3	568 Riverleigh Ave	Riverside
900 - 140 - 1 - 12	0.2	600 Riverleigh Ave	Riverside
900 - 140 - 1 - 13	0.1	606 Riverleigh Ave	Riverside
900 - 140 - 1 - 14	2.4	131 Old Quogue Rd	Riverside
900 - 140 - 1 - 15	2.5	185 Old Quogue Rd	Riverside
900 - 140 - 1 - 2	0.3	532 Riverleigh Ave	Riverside
900 - 140 - 1 - 3	0.2	534 Riverleigh Ave	Riverside
900 - 140 - 1 - 4	0.2	538 Riverleigh Ave	Riverside
900 - 140 - 1 - 5	0.1	542 Riverleigh Ave	Riverside
900 - 140 - 1 - 6	0.4	544 Riverleigh Ave	Riverside
900 - 140 - 1 - 7	0.1	546 Riverleigh Ave	Riverside

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<b>Parcels that May Require Further Tiger Salamander Habitat Investigation</b>			
<b>Tax ID Number</b>	<b>Area (Acres)</b>	<b>Street Address</b>	<b>Hamlet</b>
900 - 140 - 1 - 8	2	249 Old Quogue Rd	Riverside
900 - 140 - 1 - 9	0.1	564 Riverleigh Ave	Riverside
900 - 140 - 2 - 10	0.2	10 Brown St	Riverside
900 - 140 - 2 - 11	0.2	20 Brown St	Riverside
900 - 140 - 2 - 12	0.2	17 Goodridge Ave	Riverside
900 - 140 - 2 - 13	0.2	21 Goodridge Ave	Riverside
900 - 140 - 2 - 14	0.2	27 Goodridge Ave	Riverside
900 - 140 - 2 - 15	0.2	31 Goodridge Ave	Riverside
900 - 140 - 2 - 16	0.2	35 Goodridge Ave	Riverside
900 - 140 - 2 - 17.1	0.2	43 Goodridge Ave	Riverside
900 - 140 - 2 - 18	0.3	51 Goodridge Ave	Riverside
900 - 140 - 2 - 19	0.3	57 Goodridge Ave	Riverside
900 - 140 - 2 - 2	0.1	186 Old Quogue Rd	Riverside
900 - 140 - 2 - 20	0.2	65 Goodridge Ave	Riverside
900 - 140 - 2 - 21	0.5	73 Goodridge Ave	Riverside
900 - 140 - 2 - 22	0.7	28 Randall St	Riverside
900 - 140 - 2 - 23	0.4	52 Goodridge Ave	Riverside
900 - 140 - 2 - 24	0.6	44 Goodridge Ave	Riverside
900 - 140 - 2 - 25	0.4	34 Goodridge Ave	Riverside
900 - 140 - 2 - 26	0.2	16 Randall St	Riverside
900 - 140 - 2 - 31	0.3	19 Randall St	Riverside
900 - 140 - 2 - 32	0	11 Randall St	Riverside
900 - 140 - 2 - 33	0.2	7 Randall St	Riverside
900 - 140 - 2 - 34	0.2	20 Goodridge Ave	Riverside
900 - 140 - 2 - 35	0.4	6 Goodridge Ave	Riverside
900 - 140 - 2 - 36	0.4	42 Brown St	Riverside
900 - 140 - 2 - 39	0.2	190 Phillips Ave	Riverside
900 - 140 - 2 - 40	0.2	68 Brown St	Riverside
900 - 140 - 2 - 41	0.1	180 Phillips Ave	Riverside
900 - 140 - 2 - 42	0.2	170 Phillips Ave	Riverside
900 - 140 - 2 - 43	0.3	164 Phillips Ave	Riverside
900 - 140 - 2 - 44	0.3	165 Ludlam Ave	Riverside
900 - 140 - 2 - 45	0.3	173 Ludlam Ave	Riverside
900 - 140 - 2 - 46	0.2	179 Ludlam Ave	Riverside
900 - 140 - 2 - 47	0.3	185 Ludlam Ave	Riverside
900 - 140 - 2 - 48	0.2	195 Ludlam Ave	Riverside
900 - 140 - 2 - 49	0.2	203 Ludlam Ave	Riverside
900 - 140 - 2 - 5.1	0.6	194 Old Quogue Rd	Riverside
900 - 140 - 2 - 50	0.2	207 Ludlam Ave	Riverside
900 - 140 - 2 - 51	0.2	211 Ludlam Ave	Riverside
900 - 140 - 2 - 52	0.2	215 Ludlam Ave	Riverside
900 - 140 - 2 - 53	0.2	219 Ludlam Ave	Riverside
900 - 140 - 2 - 54	0.2	223 Ludlam Ave	Riverside
900 - 140 - 2 - 57.1	4.5	239 Ludlam Ave	Riverside
900 - 140 - 2 - 58	0.5	57 Brown St	Riverside
900 - 140 - 2 - 59	0.2	47 Brown St	Riverside
900 - 140 - 2 - 6	0.4	206 Old Quogue Rd	Riverside

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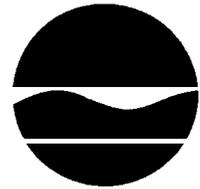
<b>Parcels that May Require Further Tiger Salamander Habitat Investigation</b>			
<b>Tax ID Number</b>	<b>Area (Acres)</b>	<b>Street Address</b>	<b>Hamlet</b>
900 - 140 - 2 - 61	0.2	39 Brown St	Riverside
900 - 140 - 2 - 62	0.2	33 Brown St	Riverside
900 - 140 - 2 - 63	0.2	25 Brown St	Riverside
900 - 140 - 2 - 64	0.2	17 Brown St	Riverside
900 - 140 - 2 - 65	0.2	11 Brown St	Riverside
900 - 140 - 2 - 66	0.1	240 Old Quogue Rd	Riverside
900 - 140 - 2 - 67	0.1	244 Old Quogue Rd	Riverside
900 - 140 - 2 - 68	0.1	248 Old Quogue Rd	Riverside
900 - 140 - 2 - 69	0.3	156 Phillips Ave	Riverside
900 - 140 - 2 - 7	0.3	218 Old Quogue Rd	Riverside
900 - 140 - 2 - 70	0.3	157 Ludlam Ave	Riverside
900 - 140 - 2 - 71.1	0.6	182 Old Quogue Rd	Riverside
900 - 140 - 2 - 72	0	Goodridge Ave	Riverside
900 - 140 - 2 - 73	1.5	77 Goodridge Ave	Riverside
900 - 140 - 2 - 8	0.2	224 Old Quogue Rd	Riverside
900 - 140 - 2 - 9	0.2	230 Old Quogue Rd	Riverside
900 - 141 - 1 - 11.1	14.8	141 Phillips Ave	Riverside
900 - 141 - 1 - 17.4	3.3	345 Flanders Rd	Riverside
900 - 141 - 1 - 18.1	0.7	373 Flanders Rd	Riverside
900 - 141 - 1 - 5.2	1.7	369 Flanders Rd	Riverside
900 - 141 - 1 - 8.2	0.9	Private Road	Riverside
900 - 141 - 1 - 9.6	1.9	28 Enterprise Zone Dr	Riverside
900 - 141 - 1 - 9.7	1.4	26 Enterprise Zone Dr	Riverside
900 - 141 - 2 - 10	0.3	78 Ludlam Ave	Riverside
900 - 141 - 2 - 11	0.2	70 Ludlam Ave	Riverside
900 - 141 - 2 - 12	0.6	62 Ludlam Ave	Riverside
900 - 141 - 2 - 13	0.6	52 Ludlam Ave	Riverside
900 - 141 - 2 - 14	0.6	50 Ludlam Ave	Riverside
900 - 141 - 2 - 15.1	0.5	30 Ludlam Ave	Riverside
900 - 141 - 2 - 15.2	0.5	36 Ludlam Ave	Riverside
900 - 141 - 2 - 16	0.3	24 Ludlam Ave	Riverside
900 - 141 - 2 - 17	0.3	18 Ludlam Ave	Riverside
900 - 141 - 2 - 18.2	0.5	15 Ludlam Ave	Riverside
900 - 141 - 2 - 19	0.3	25 Ludlam Ave	Riverside
900 - 141 - 2 - 2	0.5	301 Flanders Rd	Riverside
900 - 141 - 2 - 20	0.2	33 Ludlam Ave	Riverside
900 - 141 - 2 - 21.2	0.5	28 Phillips Ave	Riverside
900 - 141 - 2 - 22.5	1.3	37 Ludlam Ave	Riverside
900 - 141 - 2 - 23	1	61 Ludlam Ave	Riverside
900 - 141 - 2 - 24	0.8	54 Phillips Ave	Riverside
900 - 141 - 2 - 25	0.2	65 Ludlam Ave	Riverside
900 - 141 - 2 - 26	0.2	71 Ludlam Ave	Riverside
900 - 141 - 2 - 27	0.2	75 Ludlam Ave	Riverside
900 - 141 - 2 - 28	0.2	77 Ludlam Ave	Riverside
900 - 141 - 2 - 29	0.7	91 Ludlam Ave	Riverside
900 - 141 - 2 - 3	0.6	415 Flanders Rd	Riverside
900 - 141 - 2 - 30	0.3	99 Ludlam Ave	Riverside

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<b>Tax ID Number</b>	<b>Area (Acres)</b>	<b>Street Address</b>	<b>Hamlet</b>
900 - 141 - 2 - 31	0.3	102 Phillips Ave	Riverside
900 - 141 - 2 - 32	0.3	110 Phillips Ave	Riverside
900 - 141 - 2 - 33	0.3	33 Van Houton St	Riverside
900 - 141 - 2 - 34	0.3	107 Ludlam Ave	Riverside
900 - 141 - 2 - 36.1	1	140 Phillips Ave	Riverside
900 - 141 - 2 - 36.3	1.4	117 Ludlam Ave	Riverside
900 - 141 - 2 - 37	0.3	148 Phillips Ave	Riverside
900 - 141 - 2 - 38	0.4	149 Ludlam Ave	Riverside
900 - 141 - 2 - 39.1	0.9	61 Whitebrook Dr	Riverside
900 - 141 - 2 - 39.2	0.9	67 Whitebrook Dr	Riverside
900 - 141 - 2 - 4	1	437 Flanders Rd	Riverside
900 - 141 - 2 - 40	0.5	389 Flanders Rd	Riverside
900 - 141 - 2 - 5	0.3	443 Flanders Rd	Riverside
900 - 141 - 2 - 6	0.6	33 Whitebrook Dr	Riverside
900 - 141 - 2 - 7	0.7	39 Whitebrook Dr	Riverside
900 - 141 - 2 - 8	0.7	47 Whitebrook Dr	Riverside
900 - 141 - 2 - 9	0.8	55 Whitebrook Dr	Riverside
900 - 142 - 1 - 1.1	0.6	2 Pebble Way	Riverside
900 - 142 - 1 - 1.10	0.5	20 Pebble Way	Riverside
900 - 142 - 1 - 1.11	0.4	22 Pebble Way	Riverside
900 - 142 - 1 - 1.12	0.5	24 Pebble Way	Riverside
900 - 142 - 1 - 1.13	0.5	26 Pebble Way	Riverside
900 - 142 - 1 - 1.14	0.8	28 Pebble Way	Riverside
900 - 142 - 1 - 1.15	0.6	30 Pebble Way	Riverside
900 - 142 - 1 - 1.16	0.5	32 Pebble Way	Riverside
900 - 142 - 1 - 1.17	0.4	112 Ludlam Ave	Riverside
900 - 142 - 1 - 1.18	0.8	110 Ludlam Ave	Riverside
900 - 142 - 1 - 1.19	0.7	108 Ludlam Ave	Riverside
900 - 142 - 1 - 1.2	0.6	4 Pebble Way	Riverside
900 - 142 - 1 - 1.20	0.4	106 Ludlam Ave	Riverside
900 - 142 - 1 - 1.21	0.5	104 Ludlam Ave	Riverside
900 - 142 - 1 - 1.22	0.7	102 Ludlam Ave	Riverside
900 - 142 - 1 - 1.23	0.6	100 Ludlam Ave	Riverside
900 - 142 - 1 - 1.24	0.5	98 Ludlam Ave	Riverside
900 - 142 - 1 - 1.25	0.5	96 Ludlam Ave	Riverside
900 - 142 - 1 - 1.26	0.5	94 Ludlam Ave	Riverside
900 - 142 - 1 - 1.27	0.9	86 Ludlam Ave	Riverside
900 - 142 - 1 - 1.28	0.8	15 Pebble Way	Riverside
900 - 142 - 1 - 1.29	0.8	13 Pebble Way	Riverside
900 - 142 - 1 - 1.3	0.5	6 Pebble Way	Riverside
900 - 142 - 1 - 1.30	0.5	11 Pebble Way	Riverside
900 - 142 - 1 - 1.31	0.5	9 Pebble Way	Riverside
900 - 142 - 1 - 1.32	0.4	7 Pebble Way	Riverside
900 - 142 - 1 - 1.33	0.6	5 Pebble Way	Riverside
900 - 142 - 1 - 1.34	0.5	3 Pebble Way	Riverside
900 - 142 - 1 - 1.35	0.5	1 Pebble Way	Riverside
900 - 142 - 1 - 1.36	0.6	228 Ludlam Ave	Riverside

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<b>Tax ID Number</b>	<b>Area (Acres)</b>	<b>Street Address</b>	<b>Hamlet</b>
900 - 142 - 1 - 1.37	0.5	196 Ludlam Ave	Riverside
900 - 142 - 1 - 1.38	0.5	184 Ludlam Ave	Riverside
900 - 142 - 1 - 1.39	0.4	170 Ludlam Ave	Riverside
900 - 142 - 1 - 1.4	0.5	8 Pebble Way	Riverside
900 - 142 - 1 - 1.40	0.7	162 Ludlam Ave	Riverside
900 - 142 - 1 - 1.41	1	Recharge Area	Riverside
900 - 142 - 1 - 1.42	29.5	Wild Conservation Land	Riverside
900 - 142 - 1 - 1.5	0.6	10 Pebble Way	Riverside
900 - 142 - 1 - 1.6	0.5	12 Pebble Way	Riverside
900 - 142 - 1 - 1.7	0.5	14 Pebble Way	Riverside
900 - 142 - 1 - 1.8	0.5	16 Pebble Way	Riverside
900 - 142 - 1 - 1.9	0.5	18 Pebble Way	Riverside
900 - 142 - 1 - 53	39.8	12 Whitebrook Dr	Riverside
900 - 142 - 1 - 54.2	1.1	27 Whitebrook Dr	Riverside
900 - 142 - 1 - 54.4	0.9	Whitebrook Drive	Riverside
900 - 194 - 1 - 1.3	1258.2	Wild Conservation Land	Northampton



### **Guidance for Land Cover Set Asides for Conservation of the Eastern Tiger Salamander And Suggested Methods to Avoid, Minimize, and Mitigate Impacts**

In the discharge of its authority and responsibility to protect and conserve endangered species under ECL Article 11-0535 and associated regulations 6 NYCRR § 182.6, and as a general matter, DEC urges developers to minimize adverse impacts to tiger salamanders by conforming with both of the following when designing projects that would occur on lands within 1,000 feet of known tiger salamander breeding ponds (measurements should be taken from average water level based on water marks, rack lines and vegetation):

- a) Preserving 100% of the existing upland forest habitat within 535 feet of the breeding pond.
- b) Preserving a minimum of 50% of the adjacent upland area within 1,000 feet of breeding ponds in contiguous blocks of suitable habitat, while allowing for the preservation of wooded corridors which provide connections to adjacent tiger salamander upland habitats. The exact configuration of this habitat is subject to the particular site history and habitat features of a project site.

In general, the habitat closest to the wetland is given a higher priority, with a secondary priority being the preservation of intact corridors of habitat that will allow animals to move off of the subject parcel to other suitable habitat if they choose to do so. Where possible, development is encouraged within existing disturbed areas. The preferred habitat of the salamanders is mature oak-pine woodlands. In general, the preserved area should contain as much oak pine woodland as possible, with development occurring on existing footprints of previous buildings, parking areas, roadways or tilled fields. Therefore, the optimal layout for any particular site can vary depending on site specific features such as historic land use, habitat coverage, and adjacent land cover. In addition, preserved areas should remain undisturbed with no grading, excavation, clearing or similar physical activity allowed except as noted below. DEC may request that additional measures be undertaken to protect preserved upland areas including installation of fencing, signage, supplemental plantings of native woody species, and closure of existing pathways that currently provide access to such preserved areas.

#### Additional requirements:

**Roadways:** For all newly constructed roadways within 1,000 feet of known tiger ponds, at least one culvert suitable for the passage of migrating tiger salamanders must be placed under the roadway for every 100 feet of roadway within 1,000 feet of known breeding ponds. All curbing installed within 1000 feet must have a minimum height of 8" above grade on the side facing out from the roadbed to prevent tiger salamanders from inadvertently crossing the road and being killed. This curbing should also be sloped (1:3) on the side facing in from the roadbed to allow

salamanders the ability to exit the road back to their natural habitat. Another approved curb design is also called Cape Cod Curbing (see Figure 1). Curbing must also be placed around leaching pools, catch basins and similar storm water drainage structures to prevent inadvertent entry of tiger salamanders into these structures.

**Pools:** All pools within 1,000 feet of tiger salamander breeding ponds must be surrounded by a steeply-sided curb of no less than 8" above grade and which also extends well below the surface.

**Other Created Bodies of Surface Water** (e.g. recharge or decorative ponds, etc.): All other created (man-made) bodies of surface water within 1,000 feet of tiger salamander breeding ponds must be surrounded by a steeply-sided curb of no less than 4" above grade and which also extends well below the surface.

**Window wells:** All window wells must be constructed so that either the lip of the well is a minimum of 4" above grade or else a steeply-sided curb of no less than 4" above grade is constructed around the area enclosing the window well.

**Lighting:** New lighting shall be directed away from Tiger Salamander ponds and should be of a spectrum that does not interfere with the biological activity of this species.

**Public Water Supply Wells and Other Groundwater Wells:** New groundwater wells for potable water supply, irrigation, firefighting and other purposes should be placed at a distance sufficient from any tiger salamander breeding pond so as to ensure that operation of the well does not result in significant adverse drawdown of surface water levels in the pond.

**Use of the preserved area for drainage:** The breeding pond must not be utilized as a catch basin for drainage. However, water may be directed into the preserved area as long as the area receiving water does not drain into the breeding pond, the area of upland habitat will not be significantly impacted or altered (e.g. covered with rip-rap), the area of upland habitat receiving storm water is sufficiently small in size so as not to represent a significant percentage of upland tiger salamander habitat and significant quantities of sediment are not introduced into the area.

**Mosquito Control and Pesticides:** No application of larvicides containing Methoprene shall be made to tiger salamander breeding ponds. No predatory fish such as Gambusia or other finfish may be introduced into Tiger Salamander breeding ponds. Applications of other pesticides or implementation of other mosquito control techniques may require DEC approval.

**Management of Preserved Upland Habitat Areas:** Appropriate and adequate management plans will be developed and implemented for the management of upland tiger salamander habitat areas preserved as a result of this policy. Said management plans will identify the owner of the preserved area and procedures undertaken to protect and preserve the area. Such measures may include but shall not be limited to frequent patrols of the preserved area; closing of access points to motorized vehicles including cars, trucks, ATVs, motorbikes as well as horses and mountain bikes; restrictive covenants; maintenance and preservation of existing vegetation; planting of supplemental vegetation in denuded areas; fencing; etc.

Figure 1: Example of Cape Cod Curbing

