

## 4.0 RECOMMENDATIONS

Based upon the above analysis, both policy and land use recommendations have been developed according to three levels of priority.<sup>16</sup> *Appendix H* of this report lists those recommendations that were presented during the celebration/validation meeting and the coinciding ideas that were expressed throughout the community involvement sessions. These ideas not only support the proposed recommendations but also represent creative and valuable insights into possible future Town actions. It should be noted that many of the policy recommendations are targeted at the elimination of blight, while the land use recommendations are focused on articulating a clear development vision for the three hamlets that will direct future development.

### 4.1 Policy Recommendations

#### *First Level Priority Policy Recommendations*

##### Develop a comprehensive plan to repair, maintain and clean-up local properties.

This is an opportunity for the Town to be proactive in its attempt to clean-up blighted privately-owned properties. The critical first step would be to develop a comprehensive inventory of all such properties. This would represent an expansion of the existing database within the Fire Prevention Department – Division of Code Enforcement that would be updated approximately every two to three years and as complaints and remediation occur. Further this inventory represents an opportunity to develop the base data required for a blight determination study that can be undertaken if the Town seeks to utilize its powers of eminent domain to target areas for physical improvements, and/or areas in need of specialized social programs.

##### Establish a Town inventory of all properties that are determined to be incompatible with surrounding uses.

Incompatible land uses are considered a variable of blight. Thus, such an inventory would clearly identify the tax-parcel number of properties that are defined as clearly incompatible with surrounding properties. The Town would have to first evaluate the underlying zoning and determine if changes are required or, if the property is at variance with the underlying zoning, the Town could consider utilizing a blight determination and subsequent acquisition for redevelopment in accordance with the zoning.

##### Establish a Code Violation Court.

Through the public outreach, many discussions focused on the issue of code enforcement. Currently, the Town issues hundreds of citations for code violations that impact the Town's and Study Area's quality of life. It is felt that much of this is a result of an overburdened County Court system. In order to alleviate the pressures on the County Court system and expedite code violation procedures, it is recommended that

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<sup>16</sup> The first level priority items represent those that the Consultant believes require the most immediate attention, while the third level priority items are those that are envisioned for the longer term.

the Town create a Code Violations Court that would have concurrent jurisdiction with the State and would address Town code matters.

It should be noted that while courts specific to Town Code violations are relatively unique, the concept of a community court is not, as examples can be found throughout New York City.

### *Second Level Priority Recommendations*

#### Promote tax ratable development that is consistent with the recommendations of this Study.

As with most municipalities there is an ongoing need to ensure that revenues generated from tax ratable developments keep pace with the growth of the local population and the demand for local services. Such development should meet not only the revenue needs of the Town but should also reflect the “type” of development desired by local residents. Accordingly, the Town should actively promote tax ratable development within the framework of recommendations put forward in this Plan (for example, locating retail and commercial development in the hamlet areas through the Hamlet Office/Hamlet Commercial zoning designation and within the Planned Development Districts, that will be further outlined through design charrettes as identified as official “next steps” of this Study).

#### Evaluate the impacts of political and jurisdictional boundaries.

Throughout the public involvement process issues of overlapping and inappropriate political and jurisdictional boundaries were noted as a constraining factor for the provision of necessary services. The redrawing of such boundaries should be explored by the Town, in particular, as related to the local school districts.

### *Third Level Priority Policy Recommendations*

#### The Town should consider the use of its power of eminent domain.

Many of the recommendations articulated in this study deal with the elimination of blight. One of the oft-used tools of local officials in dealing with blight is the power of eminent domain. Eminent domain refers to the authority of the government to acquire private property for public use or public purpose.<sup>17</sup> The Consultant cautiously recommends that the Town consider the implementation of this power.<sup>18</sup> Given the effort and cost involved in supporting the use of eminent domain (conducting a detailed blight survey and negotiating with property owners for the fair market value of properties), the Town would be better off first initiating other recommendations of this study and then undertaking property acquisition only in extreme cases of blight.

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<sup>17</sup> The Fifth Amendment of U.S. Constitution requires just compensation for any taking. The taking must be for a public purpose, the definition of which has been significantly broadened in recent years to include private development.

<sup>18</sup> The Town of Southampton has recently been granted Community Development Agency status by the State of New York, which further enhances the ability of the Town to renew areas using strategies involving eminent domain and its zoning powers.

Create distance parameters within the Town's zoning code for incompatible land uses. One of the key factors of blight in the Study Area (and a topic of much public concern) is the number of incompatible land uses in the area. Accordingly, the zoning code should be examined for opportunities to establish clear distance parameters between otherwise incompatible land uses such as gas stations and residential properties. Distance parameters would establish an explicit distance that a particular land use could be developed from another use. For example, gas stations might not be allowed within 500 feet' of an existing residential dwelling.

## 4.2 Land Use Recommendations

The land use recommendations<sup>19</sup> were based on fundamental planning principles, namely the notion of connectivity (that is connecting rather than segregating complementary land uses), creating positive public spaces and encouraging development that will facilitate an economically and socially viable area.

### *First Level Priority Land Use Recommendations*

#### The Creation of Hamlet Centers

The *1999 Comprehensive Plan Update* calls for the creation of Hamlet Business Centers that "promote business centers that not only meet consumer needs, but also enable small business retention and attraction, and bolster the hamlet and village centers that are essential to Southampton's economy, 'Town and Country' image, and quality of life." More specifically, for the Riverside/Flanders area, the *1999 Comprehensive Plan Update* calls for "small centers...with an emphasis on meeting the daily shopping and service needs of hamlet/village residents, and on serving as the civic and historic centers of their hamlet. However, the consultant for this Revitalization Study contends that the locations proposed in the 1999 Plan for this Study Area are inappropriate. The 1999 Plan calls for such a Hamlet Center at the Riverside Traffic Circle, to be developed through the enhancement and preservation of existing uses. However, the uses in this area currently do not meet the local service needs of the community and any further development of this area would exacerbate safety and already congested traffic conditions. Thus it is recommended that two Hamlet Centers with slightly different "themes" should be encouraged within the Study Area: the first, in the Riverside hamlet at the "old drive in movie theatre site", and the second in Flanders.

- Riverside Hamlet Center

The Riverside site encompasses approximately thirty-five acres, fronts on Route 24 and abuts the Phillips Avenue School. The *1999 Comprehensive Plan Update* seeks to "promote compatible commercial/light industrial development [for this site] ideally incorporating adjoining vacant and underutilized property." It further

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<sup>19</sup> During the implementation phase of this Plan the impacts of these land use recommendations will be evaluated through the State Environmental Quality Review Act (SEQRA) process. Accordingly, impacts upon all taxing districts, including school and fire districts, impacts upon the natural and physical environment, traffic impacts and economic impacts will be evaluated. Any potential adverse impacts will then have to be appropriately mitigated.

states that “the development should place priority on landscaping and buffers especially proximate to an adjoining school, which might benefit from expansion in this direction.” Accordingly, the proposed hamlet center would house local level retail and commercial uses and should have a pedestrian connection to the Riverhead downtown area (through a proposed Waterfront Recreation area discussed later) and to the adjoining school property. It should be noted that the Riverhead downtown is beginning to develop in accordance with its own revitalization plan. Accordingly, any commercial development in Riverside should complement the existing base of businesses and the future vision for Riverhead’s downtown. Given the natural geography of the area (such as the Peconic River between them), the market area for local goods and services as proposed for this Hamlet Center is unlikely to adversely impact the positive economic change occurring in downtown Riverhead.

This site has been targeted in the Town Code and Pine Barrens Plan for the application of Pine Barrens Development Credits, which could be used to encourage second story residential development, allowing for a very vibrant “24-hour” space. This site would be pedestrian-friendly and the lighting and infrastructure would be consistent with the design elements set forth in the *1999 Comprehensive Plan*. To limit traffic impacts on Route 24 and to enhance the viability of this proposed hamlet Center, a connector road should be developed from the site to at least Riverhead Quogue Road (County Road 104) and possibly also to Riverhead Moriches Road (County Road 51) (**refer to Figures 10 & 11**).

The site is currently zoned Light Industrial (LI-40), which allows for a range of manufacturing and retail uses, such as boat building and repair and landscaping and horticultural services as well as community facilities such as a public library or museum. The owner of the property is currently exploring options to subdivide this site in accordance with the existing zoning.

As per the proposed recommendation of this Revitalization Study, a portion of the site should be rezoned to ensure options for smaller scale retail and commercial uses that are more in character with the residential and mixed-use nature of the hamlets. Given the nature of the proposed uses on this site, a Hamlet Planned Development District (HPDD) or Mixed-use Planned Development District (MUPDD) would be appropriate rezonings for this site (described below). Design charrettes should be initiated to further determine land uses for this 35-acre site, as outlined later in this report.

- Flanders Hamlet Center

During the topical workshops and subsequent meetings with the Steering Advisory Committee three sites were explored for a potential Hamlet Center in the Flanders area. The first site was initially proposed for its potential as a riverfront scenic boardwalk. However, concerns were raised regarding the depth and topography of this site that would restrict the development envelope (**refer to Figures 12 & 13**).

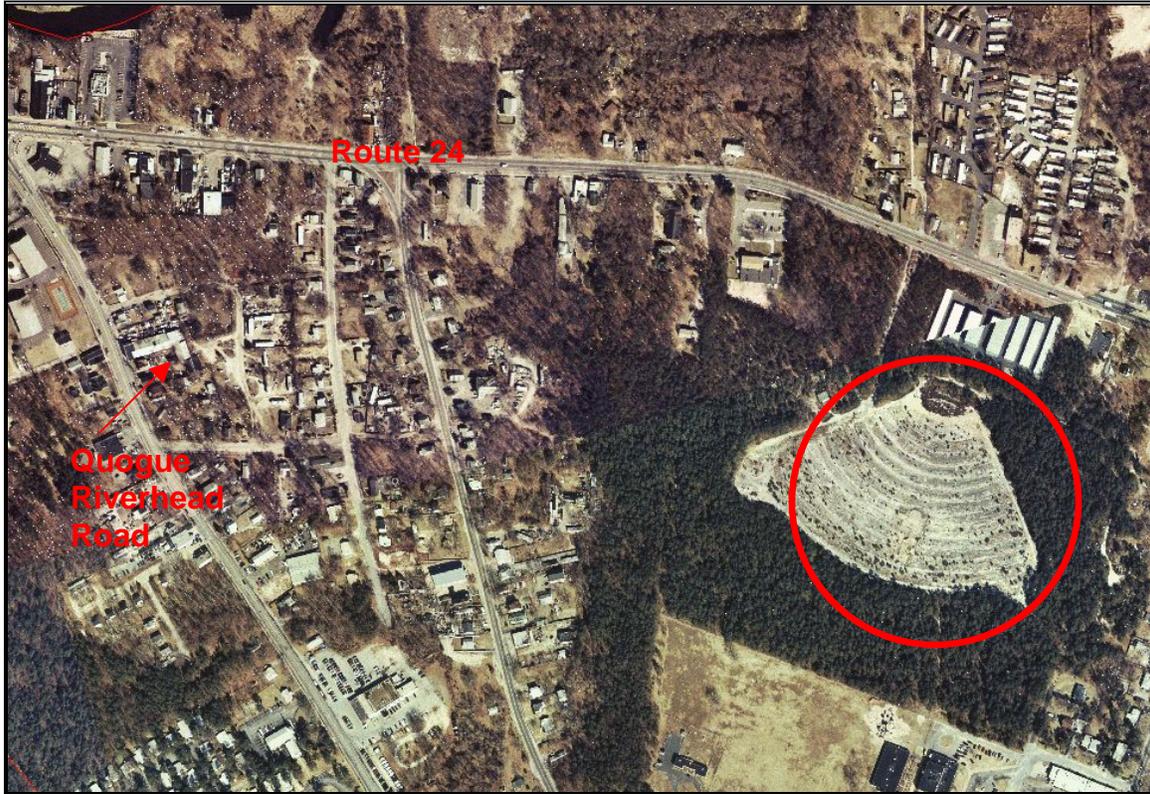


Figure 10. "Old Drive-In Movie Theatre Site" in Riverside on Route 24.



Figure 11. Riverside Hamlet Area Conceptual Design.



Figure 12. Potential Location for Flanders Hamlet Center on Route 24.



Figure 13. Photo of Conceptual Hamlet Center for Flanders.

Accordingly, two other sites were examined, namely the existing sand mine pit and the area surrounding the Silver Pond (refer to **Figure 14** below).



**Figure 14. Silver Brook Pond and Sand Mine – Alternative Sites for Flanders Hamlet Center.**

Highlighted in the lower right of Figure 14 above is the existing sand mine that has not yet been fully reclaimed (and the DEC permit is to be extended for at least the next five years). This site's reuse must be carefully considered and it is recommended to the Town, once the site is reclaimed, that a site-specific examination be undertaken to explore feasible and appropriate options for reuse. Accordingly, the Town should seek to apply a proactive zoning designation to the site, such as a Planned Development District (PDD) designation, prior to the expiration of the DEC permit. The purpose of the PDD, as set forth in the Town Code and the New York State Central Pine Barrens Plan, is to facilitate increased flexibility to achieve more desirable development through the use of more creative and imaginative design of residential, mixed use, commercial and industrial areas. The implementation of such shall be established as a floating zone that could take the form of a residential, mixed use, commercial/industrial, recreation/tourism and/or maritime development district. However, given that the Flanders community generally favors residential rehabilitation over new commercial development, and the site does not lend itself to commercial or maritime theme development, it is likely that this site would be best suited for reuse as some form of development that incorporates recreational venues.

Finally, the Silver Brook Pond site, which is highlighted in the upper left corner of **Figure 14**, while initially thought to have the most potential for a hamlet center, is significantly encumbered by existing wetlands.

Thus, while the sites targeted by the Consultant team are not feasible for Hamlet Centers, the Town should continue to actively pursue this type of development in the Flanders area. Route 24 has several existing isolated commercial nodes consisting of gas stations, convenience stores (or a combination of both) and other retail establishments which are located at the intersection of Route 24 with local streets. These establishments form a gateway into the local communities. Traditional crossroads development such as these are characteristic in many rural New England and mid-west communities. The existing retail nodes can function both as a gateway into the local residential neighborhoods while serving a broader customer demand. Unfortunately, most of the current development is not attractively designed due to lack of landscaping, poor parking, signage and lighting. This does not inspire local community pride nor reflect the character of the hamlet. Therefore, it may be most appropriate to enhance (through a physical re-design) existing commercial "nodes" in the Flanders area to create the Hamlet Center in this area, that is, where small scale commercial activity is already located at intersections with Route 24, it may be possible to create small gateways into the residential developments in the Flanders area that reflect the historic and scenic qualities of this community.

Currently many of these sites are zoned Village Business (VB), which allows for retail businesses and community facilities up to 15,000 square feet and Office Business (OB), which permits professional offices up to 15,000 square feet. A more appropriate zone would be the currently proposed new Hamlet Office/Hamlet Commercial (HO/HC) zoning district, or rezoning these Village Business parcels as a Mixed Use Planned Development District (MUPDD), as described below.

- Hamlet Planned Development District (HPDD)/ Mixed-Use Planned Development District (MUPDD)

As with other PDDs, this HPDD would have these attributes:

- ✓ Be considered on floating zone basis
- ✓ Underlying zoning would still be in effect
- ✓ Would be implemented through incentives with regard to density, layout and use and will be based upon an approved plan
- ✓ Incentives would be tied to acquisition of Transfer of Development Rights (TDR) or Pine Barren Credits from agricultural or other open and environmentally sensitive lands earmarked for preservation
- ✓ The mapping of the HPDD would be by the Town Board
- ✓ The detailed HPDD plan must be approved by the Planning Board; and
- ✓ Significant community input is a pre-requisite

Specific to the HPDD/MUPDD, its purpose would include the following:

- ✓ Curtail additional and/or correct existing sprawl development
- ✓ Provide adequate landscaped buffers between commercial and residential uses
- ✓ Prevent encroachment of commercial uses and traffic into residential neighborhoods
- ✓ Promote orderly and coordinated development; and

- ✓ Promote architectural and design standards that are consistent with the hamlets' special and (as relevant) historic character

Specific to the HPDD, permitted uses and actions would include:

- ✓ TDR transfers from Highway Business (HB) districts to Village Business (VB) districts in the same hamlet so as to reduce commercial sprawl
- ✓ In VB districts, buildings could involve 100 percent lot coverage

Specific to the MUPDD, permitted uses and actions would include:

- ✓ The same as above, but would also allow for accessory residential units.

- Hamlet Office/Hamlet Commercial (HO/HC)

This proposed zoning district, as described in the Comprehensive Plan, would allow for small scale retail and housing development with very specific design and performance guidelines. Specifically, these districts set design standards that call for a building with less than a 6,000 square foot size limitation, pitched roofs, plate glass and attractive facades/signage. It would also require that land uses not have late night operating hours, have no early morning deliveries, and no noise or odors. Accordingly, the HO/HC zone would represent an appropriate rezoning for commercial nodes in Flanders, described above, and would encourage vital and appropriately scaled mixed retail commercial and residential uses.

### Waterfront Recreation Areas

As with the Hamlet Centers, the study proposes two waterfront recreation areas, one in Riverside, along Route 24 across from the Town of Riverhead (**refer to Figure 15**), and another in Flanders, also along Route 24 near the Bay Avenue (**refer to Figure 16**). These areas will take advantage of the existing scenic assets of the Peconic River and will complement the existing uses along the river in the Town of Riverhead. It is envisioned that these developments will complement, enhance and provide greater access to the Peconic River and will be connected to surrounding land uses. The *1999 Comprehensive Plan Update* specifically calls for a "recreation/maritime theme along the Peconic River (such as an inn or other lodging, conference center, waterfront housing with boat slips), subject to sound controls to preserve the estuary and eliminate wastewater, runoff, etc."

While both sites are vacant, the Town Board is currently reviewing a change of zone application proposing small hotel and conference center development (the Rivercatwalk) along the eastern portion of the proposed Riverside Waterfront Recreation area. This site is currently zoned Resort Waterfront Business (RWB), which allows for a range of commercial uses that would enhance the waterfront area, specifically private moorings, restaurants (by right) and waterfront business complexes (by special exception). This site will require rezoning (to a PDD) to facilitate the type of development that will meet the vision of the community to enhance and preserve the waterfront and increase public access. However, special attention should to be paid to the environmental constraints of this site (currently the applicant is proposing incorporation of an independent sewage treatment plant to treat the wastewater from this proposed development). On the other hand, the Flanders site, along Route 24 near

the Bay Avenue, is currently zoned R-40, which allows for recreational uses by right (in addition to residential subdivision by right) and a rezoning of this site would not be necessary.



Figure 15. Riverside Waterfront Recreation Area



Figure 16. Flanders Waterfront Recreation Area.

#### Traffic Circle Study

As noted in the *1999 Comprehensive Plan Update*, "the Circle is central to the self-image of Flanders, Riverside and Riverhead." Accordingly, this area is of particular interest and concern to this study. General observation indicates that it does not efficiently act as a conduit for commuter (refer to **Figure 17**) and local traffic, in particular during peak periods. Moreover, the area should serve as a key gateway, welcoming people into the Town of Southampton and the hamlet of Riverside. Existing uses however are not inviting and do not connote any sense of "arrival." Further this area is an extremely complex mix of traffic, land use and zoning.



Figure 17. Aerial View of the Traffic Circle (dated photo).

In terms of traffic, it has six points of entry that serve both local and regional automobile and truck traffic, as well as serving as a pedestrian and bicycle crossing, and access off of the circle is an impediment to existing and adjacent businesses. This traffic mix not only poses several safety concerns, but any impediment on the smooth flow of traffic is often an inhibiting factor to land use and economic development.

In terms of land uses, the area is in a state of both positive and negative flux. Since the initiation of the Flanders/Northampton/Riverside Revitalization Study, several changes have occurred. Most notably, the Town has purchased the former Tire Craft property, northwest of the Circle, and plans have been put forward to demolish this eyesore and utilize the site as public green space or gateway park. Further, the Town intends to work with the owner of the Peconic Paddler with regard to enhancing this waterfront property, which currently functions both as a canoe launch and as a U-haul truck and trailer rental facility, to find a more appropriate location for the canoe-launch use away from the gateway or to develop plans where the facility can be redesigned to more closely reflect the maritime theme of the Peconic River. The Town's purchase of the Tire Craft property, while applauded by the community, should be followed with additional efforts to improve this key location.

Subsequent to the Town's purchase of the Tire Craft property, two of the existing gas stations have been undergoing renovations by the owner, but the use itself has not changed (refer to Figures 18 and 19) and the existing diner has gone out of business and has been "boarded up."

Finally, the area is comprised of two different zoning districts, specifically Highway Business (HB) and Motel Business (MTL). These zones allow for the development of motels and a range of office/commercial uses, none of which are in concert with the vision of this area as a gateway into the maritime-based Hamlets of Flanders,

Northampton and Riverside. Further, both of these zoning designations allow uses that are auto-dependent and, given the traffic concerns of the area, such zoning districts are inappropriate.

Accordingly, a more specific study should be undertaken to investigate how this circle and the surrounding uses can be reconfigured or redesigned to better accommodate the traffic (perhaps through a by-pass road) and serve as a gateway. Review of the zoning adjoining this Circle and the arterials of Riverleigh Avenue, Peconic Road and Route 24 up to the Old Quogue Riverhead Road intersection should also be part of such a study.

The proposed traffic/land use study for the Riverside Traffic Circle Area however, should seek alternatives that protect the Circle itself. Throughout the public involvement process, the Circle was identified as a key site with respect to the identity of this area and any reuse should maintain and enhance this identity and not eliminate it. As a gateway into the Hamlet of Riverside and the Town of Southampton, the first priority for the circle should be the visual enhancement of this area. If these properties are not preserved, then only small scale, non-auto-dependent land uses that serve the local community should be permitted. The Town should also require a substantial green space, landscaped buffer or similar public amenity on properties that are adjacent to the circle that will complement the adjacent Town and County open space and to provide an attractive gateway into the Hamlet of Riverside. Further, detailed design guidelines should be adopted to reflect the historic and residential character of the Hamlet of Riverside.



Figure 18. Former Tire Craft store at Traffic Circle recently acquired by the Town and soon to be demolished for park purposes and enhancements to the community's gateway.

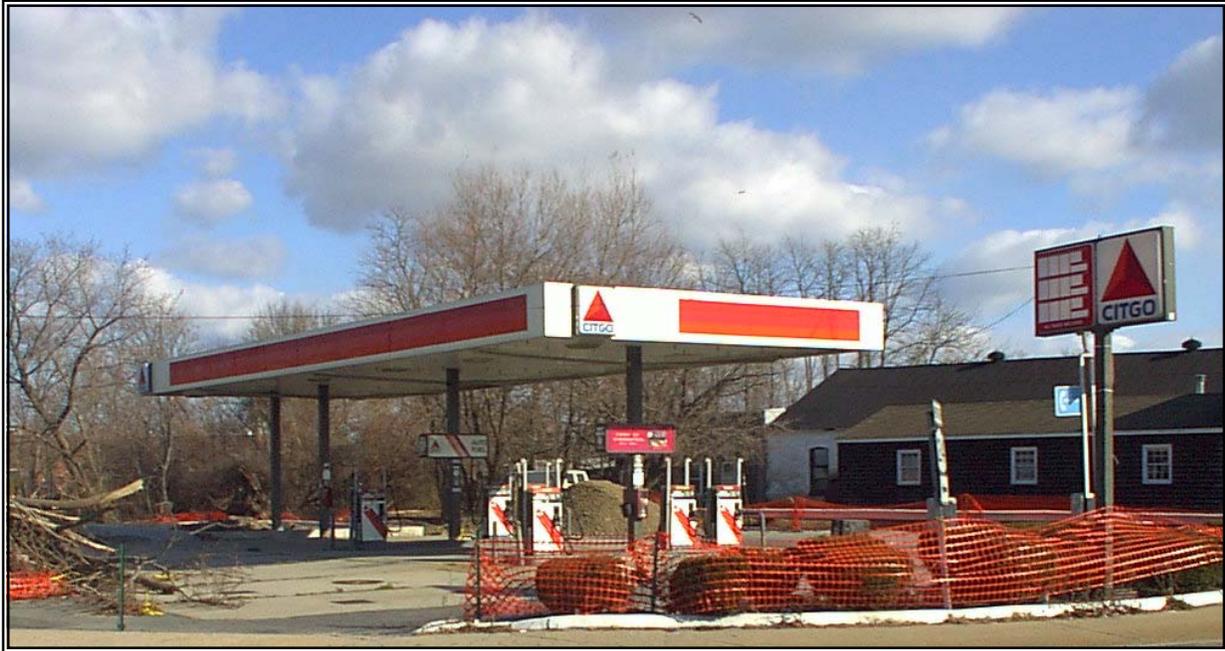


Figure 19. Citgo gas station at Traffic Circle, under renovation.

### *Second Level Priority Land Use Recommendations*

#### Creation of Active Parks

Throughout the public involvement process, the lack of recreational options for local youth was clearly expressed and this sentiment was validated through site visits and through the draft *Parks and Recreation Master Plan*. Thus, active recreation areas should be developed in each hamlet. Three sites have been identified in this report that would be feasible for such development, given their proximity to residential neighborhoods, ease of access and topographic potential for recreational development. While potential locations are identified below, the nature of each of these parks would differ, dependent upon the community's specific recreation needs. The parks may include a children's play area, basketball courts, baseball diamonds, benches and/or trailways.

- Flanders  
The Flanders site is adjacent to the proposed Waterfront Recreation Area and abuts Bay Avenue (**refer to Figure 20**). The site is currently vacant and is relatively large, allowing for one or more active spaces connected with a public trailway. Based upon the criteria described above, this site was determined to be the most appropriate for active recreation.
- Northampton  
The proposed Northampton Park is on the north shore of Wildwood Lake and adjacent to the existing residential development and the County designated parkland (**refer to Figure 21**). It is a wooded site, with current zoning of R15. The proposed park also abuts a 0.4 acre parcel that is zoned Highway Business (HB), currently serves as a truck storage area and is part of the Pine Barrens Preservation Area. As part of this recommendation, the Town should consider a more appropriate reuse for this parcel that ties into the proposed park area. Similarly, on the opposite side of Wildwood Lake there is a 0.7acre parcel with a vacant building (former deli) that is part of the Pine Barrens Preservation Area and is zoned Country Residence (CR200). Given the enhancement of the Wildwood Lake area, through current Town initiatives and through the recommendations of this study, the re-use/rezoning of this site should be considered to provide a public benefit. As described in Section 1.8 of this report, the Town is currently exploring opportunities to enhance the natural/park space in this hamlet and the development of this additional proposed park would certainly complement the existing trail system and ensure a large and contiguous natural environment for existing wildlife in the area.
- Riverside  
While active recreation areas, such as Ludlum Avenue Park, exist in the Riverside hamlet, the public perception and the view of the Consultant was that these areas are inadequate to meet the needs of the residents of the Riverside community. Accordingly, this study proposes that an additional park be developed along Riverhead Moriches Road (CR51) and adjacent to Pine Barrens Preserve land (**refer to Figure 22**). This recommendation was first proposed during the citizen involvement meetings and field visits verified the feasibility of this recreation area. Such a park will allow for active recreation options to be developed in close proximity to residential neighborhoods and further increase the availability of open space in the community.

It has previously been noted that the Town is currently developing a *Parks and Recreation Master Plan*. This Plan, underway for almost three years, has yet to be adopted and it is anticipated that the recommendations from the Flanders/Northampton/Riverside Revitalization Study will be reflected in the *Parks and Recreation Master Plan* when it is published.



Figure 20. Flanders Active Recreation Area.



Figure 21. Northampton Active Park.



Figure 22. Riverside Park.

#### Infrastructure and Lighting Improvements

Infrastructure and lighting improvements will have to be developed by the Town or State in concert with the development/redevelopment of key areas in the Study Area. Such improvements would support other land use recommendations such as the Hamlet Centers, the Waterfront Recreation Areas and the Active Parks. The *1999 Comprehensive Plan Update* articulates general guidelines for such improvements, including:

- Upgrading Hamlet Center streetscapes with an emphasis on lighting and the “hub intersections”
- Providing better management, classification and improvement of the existing infrastructure, rather than new highways and arterials; and
- Providing traffic calming measures on busy arterials

Following the guidelines set forth in the *1999 Comprehensive Plan Update*, the Town should seek to improve the infrastructure and lighting in the key areas of the Study Area (such as the Hamlet Centers).

#### Bike-Pedestrian Pathways

Building upon the *1999 Comprehensive Plan Update* that calls for the linking of pedestrian trails and bicycle routes along the river as well as maintaining Route 24's ability to accommodate pedestrian and bicycle usage, it is recommended that the Town work with the current initiative of the State to develop such pathways along Route 24 and further develop such pathways between future developments and in concert with the Town of Riverhead's downtown and the County Government Center. Such development will help limit long-term pollution and traffic impacts and help create connections between neighborhoods.

### Hamlet-Based Housing Study

Both the *1970 Master Plan* and the *1999 Comprehensive Plan Update* address the issue of inadequate and affordable housing in the Town of Southampton and certainly the provision of affordable housing is an issue that the Town and its residents must come to terms with. More specifically, the *1999 Comprehensive Plan Update* identifies the following recommendations:

- the creation of density incentives to facilitate affordable housing where affordable housing is more scarce in the Town
- the development of alternative financing tools
- revisions to the zoning text for more coherent policy on location, design and other issues
- the creation of more rental apartments
- increased housing rehabilitation and improvements, to improve substandard housing stock; and
- the development of senior citizen housing, a taxable land use

As outlined in the demographic analysis section of this report there are residents in each of the hamlets of the Study Area who suffer from relatively low incomes and relatively high levels of unemployment. These groups are typically in jeopardy of being “priced out” of the local housing market. Accordingly, a more focused study should be developed for each hamlet area that examines the area’s housing needs. Such a review should be undertaken to evaluate the need for additional affordable and market rate housing. A priority recommendation is the rehabilitation of the existing housing stock to meet the needs of local residents. Such a study would include a parcel-by-parcel analysis of each residential unit in the Study Area that includes the size of the unit, the number of bedrooms in the unit, the assessed value of the property, the condition of the unit and the status of ownership.

### *Third Level Priority Land Use Recommendations*

#### Establish a Local Post Office Substation

Following the concept of place identity, frustration was expressed that many residents in the Town of Southampton actually have a Town of Riverhead mailing address (based on postal zip code boundaries). Accordingly, the Town should pursue either the development of a post-office substation with a coinciding secondary zip code or the creation of a new unique postal zip code for this area. Although this is a specific recommendation of the *1999 Comprehensive Plan Update*, it was identified through the community visioning process that this is a lower priority than the other proposed initiatives.

#### Hamlet Welcome Signs

Throughout the public outreach, there was concern regarding the Study Area’s lack of identity. Many elements already proposed should help to create a sense of identity for the Study Area as a whole as well as the individual hamlets. The most obvious and easiest way to demarcate a place as being unique is simply through the provision of

appropriate signage. Such signs should be erected at the main entry and exit points to each of the hamlets. However it should be noted that in some cases, such as Flanders, welcome signs currently exist, but the location thereof (in particular with Flanders) does not make them particularly noticeable.

### 4.3 Financing

This section summarizes some of the key financing mechanisms that are currently available or that could be made available to the Town to support the implementation of the proposed recommendations in this study. However, the funding mechanisms described should not be considered an exhaustive taxonomy, but rather a selective list tailored specifically to the recommendations described in this report.

#### Local Financing Tools

##### 1. Pine Barren Credits Program

It is the primary purpose of the Pine Barrens Credit Program to maintain value in lands designated for preservation or protection under the Plan by providing for the allocation and use of Pine Barrens Credits (PBCs). The Pine Barrens Credit Program will also promote development which is compact, efficient and orderly, and which is designed to protect the quality and quantity of surface water and groundwater and the long term integrity of the Pine Barrens ecosystem.

The Town of Southampton has identified receiving districts which are eligible to receive Pine Barrens Credits as of right from the Core Preservation Area and the Compatible Growth Area and in which increased density shall be allowed. The zoning and total acreage of residential lands throughout the entire Town which would be eligible for Pine Barrens Credit allocation are shown in **Table 10**.

**Table 10**  
**Town of Southampton Zoning and Pine Barrens Credit Illustration**

Statutory Zone	R-20 <sup>20</sup> Acreage	R-40 Acreage	CR-60 <sup>22</sup> Acreage	R-80 Acreage	CR-120 Acreage	CR-200 Acreage
Core Preservation Area	13	16	169	0	265	3367
Compatible Growth Area	48	0	10	42	221	1015
<b>Totals</b>	61	16	179	42	486	4382

Source: New York State Central Pine Barrens website (<http://pb.state.ny.us>).

<sup>20</sup> R-20 is a Residential District requiring a minimum lot size of 20,000 square feet, while CR-60 is a Country Residential District requiring a minimum lot size of 60,000 square feet.

The Pine Barrens Credit Program in Southampton is designed to redirect development from all residentially zoned lands within the Core Preservation Area and to preserve other key areas within the Compatible Growth Area.

Two primary approaches are to be used:

1. Redirection of development to other areas of the Town on an as-of-right basis through residential overlay districts; and
2. Use of innovative planning areas referred to as Planned Development Districts to creatively accommodate Pine Barrens Credits through a variety of development schemes. These approaches would convert Pine Barrens Credits to highly tax ratable uses such as resort and tourism, commercial and retail, senior housing and care centers, and medical centers.

The primary strategy for the redirection of development from the Core Preservation Area is through Residential Overlay Districts. In these districts, a single Pine Barrens Credit would allow an increase in density equal to one (1) dwelling unit, as defined by the Southampton Town Code. The end result is an incremental increase in density in selected residentially zoned areas of the Town.

This does not result in a net gain of dwelling units or population within the Town, but simply redirects development and channels growth in order to preserve more ecologically sensitive lands. The as-of-right receiving areas are designed to accommodate those Pine Barrens Credits from the Core Preservation Area within the same school district. In no case will it be necessary to cross school district boundaries on an as-of-right basis.

The net result of these Southampton Town policies is compact and efficient development that will protect Central Pine Barrens lands without significant public expenditure. The designation of receiving sites coincides with those areas where infrastructure and municipal services already exist.

Thus, the cost to municipalities and taxpayers with regard to new road construction, water main extension and the provision of police, fire and other services is thereby lowered.

The redemption of Pine Barrens Credits through mechanisms other than as-of-right uses may be possible through the many strategies that were outlined in *The Comprehensive Plan Initiative for Groundwater and Pine Barrens Forest Preservation* (the Southampton "Western Generic Environmental Impact Statement" or *WGEIS, 1993*), and which continue to be outlined through the update of the *1999 Town Comprehensive Plan*.

These receiving areas would serve to provide more opportunities for future use of Pine Barrens Credits and this presentation of environmental sensitive lands. Furthermore, the use of Planned Development Districts would allow for the conversion of residential development rights into commercial, industrial, tourism or other uses. These would serve

to limit the ultimate number of residential dwelling units that could be built while still providing for a strong tax base.

Two sites are identified in the Central Pine Barrens Comprehensive Land Use Plan as receiving sites. The first parcel is the former drive-in movie theatre site that is currently zoned LI-40 (Light Industrial). The Town of Southampton Planning Board recently approved a subdivision of this property. The second parcel is adjacent to the former drive-in movie theatre site. The site is currently zoned R-15 which permits single family homes on 15,000 square foot lots. Both of these sites are recommended in this Plan for rezoning to a Planned Development District (PDD) to allow a mixed-use downtown center. As a condition of the rezoning, the Town could require the transfer of development rights or Pine Barren Credits.

## 2. Tax Increment Financing (TIF)

TIF is a mechanism to capture the future tax benefits of real estate improvements to pay the present cost of those improvements. A local jurisdiction does this by freezing property tax assessments at a base year. In future years, all the tax revenue up to the base year assessment continues to go to the taxing jurisdictions (Town, county, school district, etc.) However, incremental tax revenue collected from rising property values is allocated to the TIF district through its governing agency.

The tax increment is often used to pay the debt on bonds that were issued to help fund the redevelopment. The bond proceeds are used to finance public infrastructure such as parking and road improvements or to support more directly a specific project through property acquisition, environmental remediation, loans or other means.

TIF has advantages and risks. TIF provides a mechanism to fund redevelopment without reducing tax revenue to local jurisdictions or raising tax rates to property owners. TIF also allows increased tax revenue to be retained and reinvested back into the designated district. There are risks however. There is no guarantee that a redevelopment effort by the public sector will generate the anticipated new private investment. Thus, property values and tax increment might not rise as expected. The demand for municipal services to the district may increase as development takes place. Yet the incremental taxes are not available to fund such services until the district expires.

It should be noted that a TIF district follows or parallels the designation of a redevelopment area. Therefore the establishment of a redevelopment area provides the framework for TIF.

Generally, a TIF would be implemented as follows:

- An agency designates a district to be redeveloped using the criteria established by the State for blighted areas.

- The agency develops and approves an area redevelopment plan addressing potential projects, estimated project costs and tax impact, and termination date of the TIF. The creation of the redevelopment plan should include a public participation component. States may limit the number of years a TIF district may exist. TIF districts are typically designated to last for 20-25 years, although they are often able to retire their bonds sooner.
- The agency may hold a public hearing before securing the Town Board's approval for the TIF, the redevelopment area and the possible sale of bonds. The municipality then enacts an ordinance that authorizes the use of the TIF.
- Once the use of TIF is authorized, the current tax base and revenue streams of the area are appraised to determine the original assessed value of the district. Tax revenues exceeding this amount during the life of the TIF district will be distributed to the redevelopment agency. These revenues can then be used to pay for redevelopment, or to repay bonds to finance the improvements.

It should be noted that throughout the public involvement process citizens expressed some concern about mechanisms such as this, the concern being that developers may be able to take advantage of the tax incentives with few actual benefits accruing to the area. Thus, if the Town seeks to utilize this financing tool, it should establish very clear guidelines and safeguards and ensure that these are conveyed to the public before the TIF is applied.

### 3. Bonding Programs

There are various bonding mechanisms that the Town could utilize to generate revenue to support development in the Hamlet areas of this Study.

- Umbrella bonds  
Umbrella bonds provide low cost financing for projects too small to qualify for normal revenue bond programs. The umbrella is a pool of small bonds of \$1 million or less packaged into a larger bond and issued by the State or local economic development agency. The pooling of the individual loan resources lessens credit risks to the bond holders because they are not invested in only one venture and creates economies of scale in terms of costs of issuing the bond, thus lowering the cost of bond financing for the different businesses or projects. The interest payments on bonds are also typically lower than the rate the project or businesses would otherwise pay for long-term loans.
- General Obligation Bonds  
Some level of General Obligation (G.O.) generally backs umbrella bonds. G.O. bonds are bonds backed in full faith and credit of a municipality. Such a bond may be repaid with general revenue, or with the borrowing or taxing authority of the issuer. Most local

jurisdictions can use G.O. bonds to finance land acquisition for the purpose of blight elimination.

Because the taxing authority of the local government backs G.O. bonds, investors consider them a low risk (secure) investment and, therefore, are more willing to accept a lower interest rate on their investment. Moreover, debt service on a G.O. bond does not have to correspond necessarily with the revenue flow from a project as with other bonds.

- **General Revenue Bonds**  
These are bonds backed by revenues from the financed project. Unlike GO bonds, revenue bonds usually are not backed by the full faith and credit or taxing power of a municipality. Rather they are backed by the strength of the revenue stream of the project. Generally, no voter approval is required prior to the issuance of these bonds.

#### 4. Land Write Downs

A land write-down is the public sale of land for less than its market value. The difference between the land's actual value and its sale price is effectively a subsidy passed on to developers. When this vehicle is used, a public agency purchases property and sells it for less than acquisition value. The cost of the land write-down to the local development agency is the cost of the acquisition less the disposition value received by the development agency (or Town) upon sale of the property. The Town would have to first establish clear policies about how and when land write-downs can be used.

### Suffolk County Financing Tools

#### 1. Community Development Block Grant Funds

The Suffolk County Community Development Office, a unit within the Office of the County Executive, is specifically charged with developing projects designed to improve community facilities principally for persons of low and moderate incomes. The Office is also charged with preventing or eliminating areas of blight within our communities, undertaking any activities designed to meet particularly urgent community development needs and with the financing of affordable housing programs.

The County is funded by the Community Development Block Grant (CDBG) program through the Housing and Community Development Act of 1974 (P.L. 93-383). This program, administered by the U.S. Department of Housing and Urban Development (HUD), provides for local discretion in the selection of community development-type activities. The County also receives funding through the HOME Investment Partnership Program and the Emergency Shelter Grant Program. In 2002, this agency had over \$6 million of available funding.

The Town of Southampton, as a member of the Suffolk County Urban County Consortium Program, receives \$275,000 in CDBG funds annually and several programs have benefited the Study Area in the past.

The U.S. Department of Housing and Urban Development's CDBG Program provides funds to localities for their use in local housing and economic development efforts. To receive funding a project must meet one of the following three criteria:

- Benefit low and moderate-income persons;
- Aid in the elimination or prevention of slums and blight; and/or
- Meet an urgent need of the community for which there is no other funding available

In addition, at least 70 percent of CDBG grant funds must be used for activities that benefit low- and moderate-income persons. Expenditures must be targeted for the elimination of slums, blight and detrimental living conditions, improved use of land, preservation of property with special values, conservation and expansion of housing and housing opportunities, and increased public services and increased neighborhood diversity.

Funds may be used for a variety of projects:

- The acquisition, construction or installation of public works and facilities;
- Improvements to neighborhood facilities;
- Improvements to neighborhood utilities, streets, water and sewer facilities;
- Improvements to flood drainage facilities, parking facilities and fire protection facilities;
- Improvements to public services, including employment and economic development if funding for such services was applied for and denied under any other Federal program.

As part of its responsibilities to oversee and administer Consortium members' projects, the Suffolk County Community Development Office currently manages the implementation of 275 active projects for fiscal years 1994 through 2001. Projects include construction and rehabilitation of parks, streets, sidewalk, community and senior centers, public services, watermain installations and handicap accessibility. Again, the Town should work closely with this Office to ensure that funding opportunities are not missed.

## 2. Suffolk County Revolving Loan Fund - New York State Banking Department

Provides long term funding for capital equipment, real estate improvements and working capital. This is administered through the Suffolk County Community Development Office. Accordingly, the Town should work closely with this Office to encourage and promote this tool for existing businesses to make proposed enhancements to their properties.

State Financing Tools

1. New York State Empire Zone Credits

Empire Zones are designated areas throughout the State that offer special incentives to encourage economic and community development, business investments and job retention. Riverhead is currently designated as a County Empire Zone and the Zone is administered through the Town of Riverhead Community Development Agency for the Calverton area<sup>21</sup>. Recently, Empire Zone credits were transferred to the Riverside Hamlet adjacent to the Town of Riverhead. Accordingly, these credits can be used to provide tax incentives to new or expanding businesses in the Riverside Hamlet, in particular in relation to the proposed Waterfront Recreation area.

2. New York State Office of Parks, Recreation and Historic Preservation

Under this Office, grant opportunities exist that support the acquisition and development of land for parks and recreation, acquisition and rehabilitation of designated historic structures and to encourage, develop and expand public access to water bodies and promote water-based activities.

3. Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21)

Federal funds allocated to New York State for transportation improvements generally come from two sources within TEA-21, namely, Federal Aid Highway Funding and Federal Transit Assistance. The former is of particular significance as it provides funds to support the National Highway System (of which Route 24 qualifies), the Surface Transportation Program and the Congestion Mitigation and Air Quality Program.

Regional Financing Tools

Transportation Improvement Program

Public funding of Long Island's transportation needs is allocated through the Nassau-Suffolk Transportation Coordinating Committee (TCC) process, resulting in a regional Transportation Improvement Program (TIP). The Nassau-Suffolk TCC is part of the New York Metropolitan Transportation Council (NYMTC), which is the metropolitan planning organization for the New York metropolitan area. The TIP is a three-year capital construction program listing State and local transportation projects which are funded entirely or partially with Federal aid. Included on the TIP are projects to construct or rehabilitate roadways, bridges and railway facilities, as well as to purchase buses. Such funds may be available for the proposed Traffic Circle Study or to support the implementation of recommendations stemming from that study.

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<sup>21</sup> Ferrandino & Associates Inc. prepared the County's application for Empire Zone status for Calverton in 1998.

#### 4.4 Next Steps

While specific steps are outlined for every recommendation in the *Strategic Approach Matrix* in Section 5.0 of this report, this section suggests key tools and mechanisms that will provide the most forward movement of the recommendations as a whole.

##### *Land Use Recommendations*

The land use recommendations put forward in this report are to:

- Create a Hamlet Center in Riverside at the “Old Drive-In Movie Theatre” site
- Identify a site or node and create Hamlet Centers in Flanders and Riverside
- Create waterfront recreation areas (Flanders and Riverside)
- Conduct a Traffic Circle and Land Use Study (Riverside)
- Acquire and preserve land adjacent to the Traffic Circle.
- Prepare and adopt detailed design guidelines that reflect the special historic Character of the Hamlets of Flanders, Northampton and Riverside.
- Acquire additional lands and create active parks (Flanders, Northampton and Riverside)
- Install infrastructure and lighting improvements (in conjunction with the other land use recommendations).
- Develop/enhance bike-pedestrian pathways
- Prepare a Hamlet-based housing study
- Design and implement hamlet welcome signs
- Establish a Post Office substation

Given these recommendations, implementation of Phase II Design Workshops and the appropriate amending of the existing zoning code should be considered key next steps toward bringing the land use recommendations as a whole to fruition.

##### Phase II Design Workshop

A subsequent Phase II of this study should involve a one-day or weekend long public design workshop for each of the proposed hamlet center sites. Throughout the study process, the creation and development of these sites have been a central point of discussion and in terms of the Consultant’s recommendations these sites are viewed in many ways as the keystone for the revitalization process. Accordingly, it makes sense for the Town to establish a workshop session or design charrette that would bring together local residents, the site’s property owners and an urban designer or architect to develop a conceptual plan that would fulfill the objectives of the Hamlet Center, as defined in this study, and create a space in which the local residents have a stake in creating.

##### Zoning

As described in Section 1.4 of this report, zoning refers to the delineation of districts and the establishment of regulations governing the use, placement, spacing and size of land and buildings. As a result of this study it appears that zoning in specific areas (such

as the “old drive in movie theatre” site) will have to be changed to facilitate the proposed and desired development schemes.

Also, based on the proposed Riverside Traffic Circle Study, affordable housing studies and the possible implementation of distance parameters, the underlying zoning in the Study Area will have to be re-examined and most likely re-written. It should be noted, given the broad issues and objectives developed through the public involvement process, any in-depth examination of zoning was considered premature. Accordingly, to ensure that any rezoning amendment, in particular with regard to the areas described above, is a clear reflection of the community’s vision for the Study Area, future zoning changes should be developed following greater community input and analysis.

### *Policy Recommendations*

The policy recommendations put forward in this report are to:

- Develop a comprehensive plan to repair, maintain and clean-up properties
- Develop an inventory of incompatible land uses
- Establish a code violations court
- Promote tax ratable development consistent with the goals established in this study
- Evaluate the impacts of political and jurisdictional boundaries,
- Consider the use of the power of eminent domain,
- Create distance parameters within the Town zoning code for incompatible land uses

Given these recommendations, there are two particularly important steps the Town will need to take to guarantee both short-term and long-term movement, namely the development of a land use conditions database and increasing communication with various stakeholders (such as the State and County) regarding these recommendations.

### Land Use Conditions Database

Many of the policy recommendations put forward in this report require the documentation of existing land use conditions. The Town should move forward to develop such a database and link it to the Town’s Geographic Information Systems (GIS) mapping system. This will help target areas that have existing levels of blight as well as areas that are experiencing increased levels of blight. Such an endeavor will also support further studies and policy decisions by the Town with regard to the acquisition and disposition of property.

### Communication with Various Stakeholders

Given that a number of the recommendations in this report will require action by various stakeholders, the Town should begin to identify these stakeholders and notify them that their support will be required. Further, the Town should identify the community organizations and groups that represent the local areas that will be

impacted by the implementation of these recommendations and begin to reach out to them to ensure their participation throughout the implementation process.

## 5.0 IMPLEMENTATION MATRIX

This section includes a detailed implementation matrix, to guide the Town as it moves forward with the proposed recommendations. More specifically, for each recommendation, the matrix identifies the key steps required for implementation, the significant organizations involved, potential funding sources to support the recommendation and the anticipated time frame for completion. **See pages 51 through 56.**

## 6.0 CONCLUSION

This report is the outcome of the Town of Southampton's first effort to study and plan specifically for the Flanders, Northampton and Riverside hamlets. Over the course of this study the Consultant has seen a community that is active, interested and committed to encouraging positive change. Accordingly, while this report represents a conclusion to this phase of the Consultant's work, the recommendations contained herein build upon the *1999 Comprehensive Plan Update*, which is a "living document" requiring ongoing review.

**FLANDERS/NORTHAMPTON/RIVERSIDE REVITALIZATION PLAN**

**Implementation Matrix**

**Land Use Recommendations**

**First Level Priority Items**

Recommendation	Implementation Steps	Key Organization(s)	Funding Source(s)	Time Frame for Completion (in months)**				
				1 - 6	7 - 12	13 - 18	19 - 24	More than 24
Creation of Hamlet Centers	- Phase II Design Workshops	Town/Public/Property Owner	Town	•				
	- Amend zoning to reflect design criteria	Town Board	-		•			
	- Work with owners to encourage appropriate development	Town/Property Owner/Developer	-				•	
	- Promote Commercial Development	Town/Property Owner/Developer	-					•
Creation of Waterfront Recreation Areas	- Amend zoning	Town Board	Town		•			
	- Work with owners to encourage appropriate development	Town/Property Owner/Developer	-				•	
Traffic Circle Study	- Define geographic boundaries of Study	Town/County/State DOT	-	•				
	- Develop and Issue RFP	Town/County/State DOT	-		•			
	- Initiate Study	Consultant	Town/County/State DOT			•		
	- Complete Study	Consultant						•
** Dates are from the formal acceptance of the report by the Town Board.								

**FLANDERS/NORTHAMPTON/RIVERSIDE REVITALIZATION PLAN**

**Implementation Matrix**

**Land Use Recommendations**

**Second Level Priority Items**

Recommendation	Implementation Steps	Key Organization(s)	Funding Source(s)	Time Frame for Completion (in months)**				
				1 - 6	7 - 12	13 - 18	19 - 24	More than 24
Creation of Active Parks	- Acquire funds for property acquisition and/or park development	Town Board	Town/New York State			•		
	- Acquire properties	Town Board	Town/New York State				•	
	- Develop park design	Town Board/Consultant	Town/New York State			•		
	- Purchase and construct park equipment	Town Board	Town/New York State					•
Infrastructure and Lighting Improvements Bike-Pedestrian Pathways	- Coordinate with Hamlet and Waterfront Recreation developments	Town/County DPW/State DOT	Town/New York State				•	
	- Coordinate with Hamlet and Waterfront Recreation developments	Town/County DPW/State DOT	-				•	
Hamlet-Based Housing Study	- Define the geographic boundaries of the Study	Town Community Development	-	•				
	- Develop and Issue RFP	Town Community Development	-		•			
	- Initiate Study	Consultant	CDBG			•		
	- Complete Study	Consultant	-				•	

\*\* Dates are from the formal acceptance of the report by the Town Board.

**FLANDERS/NORTHAMPTON/RIVERSIDE REVITALIZATION PLAN**

**Implementation Matrix**

**Land Use Recommendations**

**Third Level Priority Items**

Recommendation	Implementation Steps	Key Organization(s)	Funding Source(s)	Time Frame for Completion (in months)**				
				1-6	7-12	13-18	19-24	More than 24
Hamlet Welcome Signs	- Site key locations for welcome signs	Town - DPW	-	•				
	- Acquire funds for purchase and construction of signs	Town - DPW	Town	•				
Establish a Post Office Substation	- Negotiate with USPS	Town/ USPS	-			•		
** Dates are from the formal acceptance of the report by the Town Board.								

**FLANDERS/NORTHAMPTON/RIVERSIDE REVITALIZATION PLAN**

**Implementation Matrix**

***Policy Recommendations***

**First Level Priority Items**

Recommendation	Implementation Steps	Key Organization(s)	Funding Source(s)	Time Frame for Completion (in months)**				
				1 - 6	7 - 12	13 - 18	19 - 24	More than 24
Develop Comprehensive Plan to Repair, Maintain and Clean-up Properties	- Prepare inventory of all properties (based on Property Maintenance Law)	Town - Code Enforcement Division	-		•			
Inventory of Incompatible Land Uses	- Identify criteria determining incompatibility	Town - Code Enforcement Division	-		•			
	- Prepare Inventory of all properties	Town - Code Enforcement Division	-		•			
Establish Code Violations Cou	- Negotiate with County and	Town/County/State	-					•

\*\* Dates are from the formal acceptance of the report by the Town Board.

**FLANDERS/NORTHAMPTON/RIVERSIDE REVITALIZATION PLAN**

**Implementation Matrix**

***Policy Recommendations***

**Second Level Priority Items**

Recommendation	Implementation Steps	Key Organization(s)	Funding Source(s)	Time Frame for Completion (in months)				
				1 - 6	7 - 12	13 - 18	19 - 24	More than 24
Promote Tax Ratable Development Consistent with this Study.	- Apply for grants to help offset developer/Town costs	Town Grants Division	-	•				
	- Work with property owners to Identify opportunities for tax ratable developments	Town	-					•
Evaluate the Impacts of Political and Jurisdictional	- Internal study to identify redundancies and inefficiencies	Town	-			•		

\*\* Dates are from the formal acceptance of the report by the Town Board.

**FLANDERS/NORTHAMPTON/RIVERSIDE REVITALIZATION PLAN**

**Implementation Matrix**

***Policy Recommendations***

**Third Level Priority Items**

Recommendation	Implementation Steps	Key Organization(s)	Funding Source(s)	Time Frame for Completion (in months)**				
				1 - 6	7 - 12	13 - 18	19 - 24	More than 24
Town Should Consider the Use of its Power of Eminent Domain.	- Utilize property inventory to conduct blight analysis	Town/Consultant	CDBG			•	•	
	- Develop Urban Renewal Plan identifying properties for acquisition/redevelopment.	Town/Consultant	CDBG					•
Create Distance Parameters within the Town's Zoning Code for Incompatible Land Uses	- Identify types of land uses that are problematic	Town/Consultant	Town			•		
	- Amend zoning code according	Town Board	Town				•	
** Dates are from the formal acceptance of the report by the Town Board.								