

Suffolk County Community College to the north and the planned receiving zones to the south.<sup>2</sup> The GEIS did not envision it as a cloverleaf pattern, but noted that a simple diamond system should be adequate. The latter would cause the least disturbance to the pine barrens ecological systems. The Western GEIS did not recommend extension of highway service roads from County Route 111 or development in the northerly area abutting Sunrise Highway. It indicated that “the open space along the Sunrise Highway’s south border is intentional to protect the deepest aquifer of this area, broaden unfractured woodlands and fortify the scenic qualities of this forest system as seen from Sunrise Highway.”

Although used as a reference material by Town Officials and planning staff, the draft Western GEIS was not adopted in a final form by the Town of Southampton, due to the advent of other regional planning efforts and required ratification of the New York State Central Pine Barrens Plan. Most of its recommendations for natural resource protection and viable receiving sites to facilitate transfers of development rights were transcribed into the New York State Central Pine Barrens Comprehensive Land Use Plan.

#### **CENTRAL PINE BARRENS COMPREHENSIVE LAND USE PLAN (1995)**

The Long Island Pine Barrens is a unique ecosystem that is recognized as a natural area of great value and significance.

The Central Pine Barrens Comprehensive Land Use Plan (the Pine Barrens Plan) resulted from earlier legislation, the Long Island Pine Barrens Maritime Reserve Act, and expanded on the 1993 Western GEIS. The intent was to protect Long Island’s underground drinking water, preserve its natural resources, and enhance its economic well-being.

<sup>2</sup>Western GEIS, pp. 7-152-7-160.

Article 57 – Long Island Pine Barrens Maritime Reserve Act, (New York Environmental Conservation Law (ECL), Act of 1990, as amended in 1993), was established for the purpose of preserving the Long Island Pine Barrens-Peconic Bay maritime region. The enactment of ECL Article 57 created the third largest open space preserve in New York State and established that compatible economic development is to be accommodated and directed to less sensitive areas through the use of conservation easements, transfer of development rights, and similar planning mechanisms. This law set forth the need for a comprehensive plan to oversee development and preservation within the Pine Barrens region.

The Pine Barrens comprise a 50,000-acre Core Preservation Area (CPA), where development is prohibited, and a 50,000-acre Compatible Growth Area (CGA), in which development is permitted, but highly controlled. (In the Study Area, the Pine Barrens comprises approximately 3,300 acres of Core Preservation Area and roughly 1,600 acres of Compatible Growth Area.)

In 1995, the Central Pine Barrens Commission officially adopted the Central Pine Barrens Comprehensive Land Use Plan, which outlined goals for the Central Pine Barrens (CPB) area in general, for the Core Preservation Area (CPA), and for the Compatible Growth Area (CGA). (See Exhibit II-2) The overall goals stated in the Plan were to:

- Protect, preserve and enhance the functional integrity of the Pine Barrens ecosystem and the significant natural resources, including plant and animal populations and communities, thereof;
- Protect the quality of surface water and groundwater;
- Discourage piecemeal and scattered development;

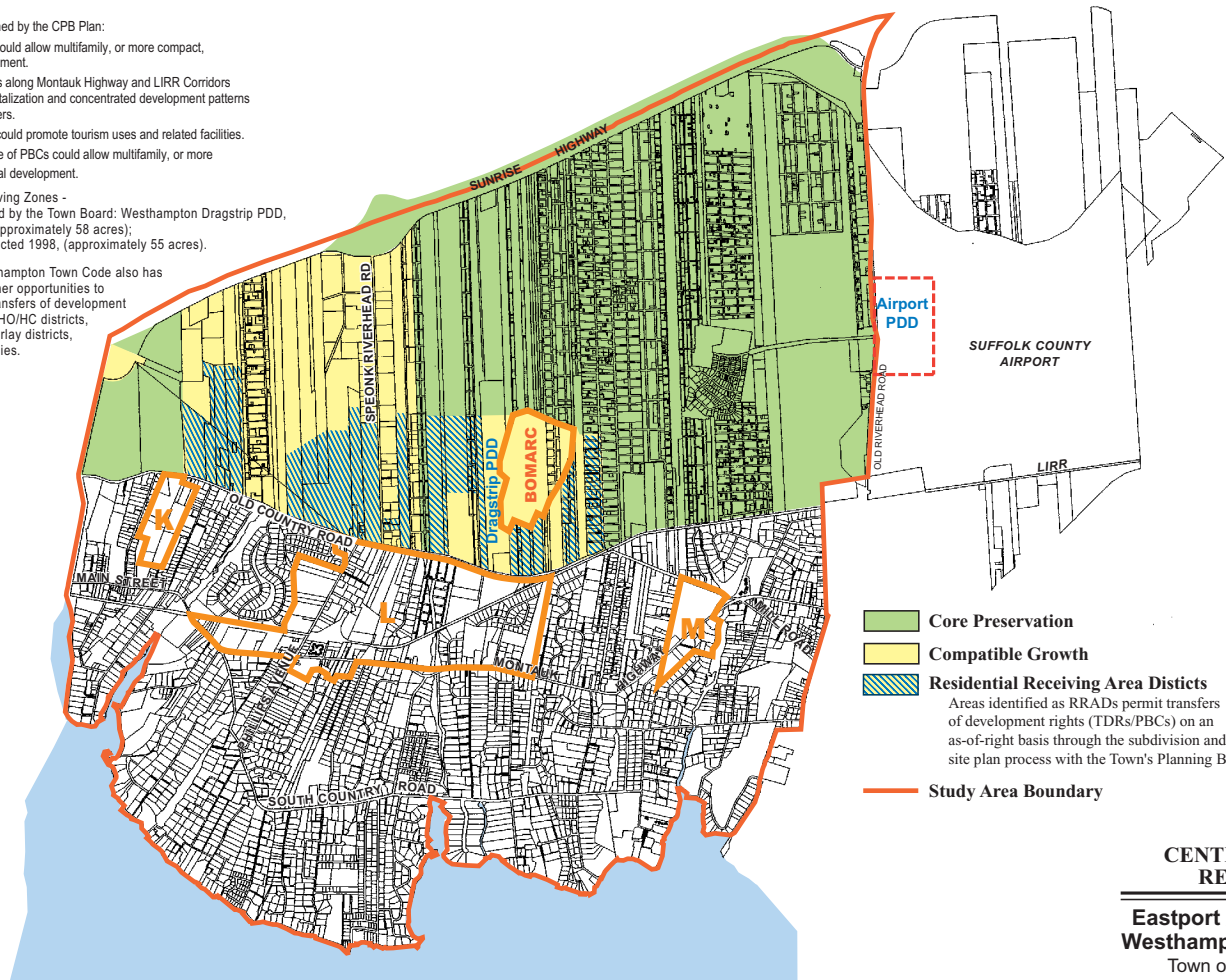
Areas labeled "K", "L", "M" and "BOMARC" are discussed in the Central Pine Barrens Comprehensive Land Use Plan as locations outside of the designated RRADs, for which potential development strategies through the use of Pine Barren Credit redemption may be considered by The Town Board in the future.

Strategies envisioned by the CPB Plan:

- K** Use of PBCs could allow multifamily, or more compact, residential development.
- L** Overlay districts along Montauk Highway and LIRR Corridors could promote revitalization and concentrated development patterns within hamlet centers.
- M** Use of PBCs could promote tourism uses and related facilities.
- BOMARC** Use of PBCs could allow multifamily, or more compact, residential development.

Additional Receiving Zones - PDDs established by the Town Board: Westhampton Dragstrip PDD, enacted 2002, (approximately 58 acres); Airport PDD, enacted 1998, (approximately 55 acres).

NOTE: The Southampton Town Code also has provisions for other opportunities to accommodate transfers of development rights, including HO/HC districts, old filed map overlay districts, and other strategies.



- Core Preservation
- Compatible Growth
- Residential Receiving Area Districts  
Areas identified as RRADs permit transfers of development rights (TDRs/PBCs) on an as-of-right basis through the subdivision and site plan process with the Town's Planning Board.
- Study Area Boundary

Exhibit II-2  
**CENTRAL PINE BARRENS  
 RECEIVING AREAS**  
**Eastport / Remsenburg / Speonk  
 Westhampton Area Strategy Study**  
 Town of Southampton, New York  
*Saccardi & Schiff, Inc. - Planning and Development Consultants*

BASE MAP SOURCE: Town of Southampton GIS

- Promote active and passive recreational and environmental educational uses that are consistent with the land use plan; and
- Accommodate development, in a manner consistent with the long-term integrity of the Pine Barrens ecosystem and to ensure that the pattern of development is compact, efficient and orderly.

A key goal set forth for the CPA was “prohibiting or redirecting new construction or development”; and for the CGA, “encourage appropriate patterns of compatible residential, commercial, agricultural, and industrial development in order to accommodate regional growth influences in an orderly way while protecting the Pine Barrens environment from the individual and cumulative adverse impacts thereof.”

Recognizing that landowners within the Central Pine Barrens have development rights associated with their properties, the Pine Barrens Commission established a way to provide credits to redirect development, and in turn preserve lands within the Pine Barrens. The Commission issues certificates that indicate the number of Pine Barrens Credits (PBCs) to which a landowner is entitled, based upon development permitted within the parcel’s zoning district. A development yield factor is then applied per acre of the parcel, and the number of credits is determined. These certificates can then be used by the parcel’s landowner, or sold to other landowners to permit additional development on certain properties located outside of the Core Preservation Area. Exhibit II-3 illustrates the parcels within the Study Area for which PBC Certificates have been issued or redeemed.

Receiving areas within the Compatible Growth Area have been created to take in development rights that can be transferred out of the Core Preservation Area. (Development

can also be redirected onto parcels that are not part of the Central Pine Barrens.)

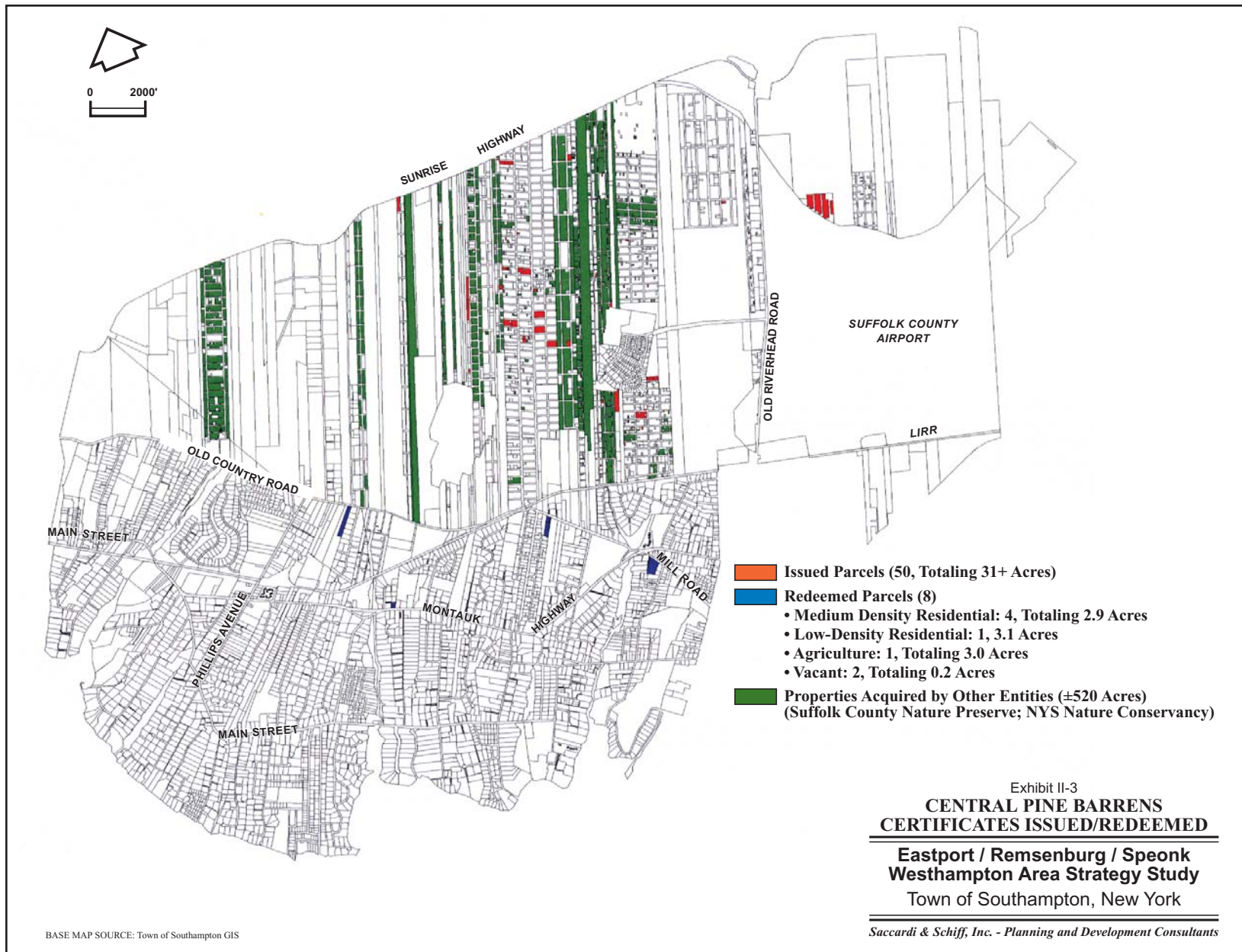
As part of the required ratification of the Central Pine Barrens Plan, the Town of Southampton identified Residential Receiving Area Districts (RRADs), which are eligible to receive Pine Barrens Credits (PBCs) as of right from the Core Preservation Area and the Compatible Growth Area and in which increased density is permitted. (Exhibit II-2). Within the Town of Southampton, as of right redemption means “a single Pine Barrens Credit shall allow an increase in density equal to one (1) dwelling unit, as defined by the Southampton Town Code.” This permitted increase in density does not create a net increase in the number of overall dwelling units, but redirects where these units are built. Under as of right redemption of Pine Barrens Credits, such credits must be used within the same school district. If the redeemer of the credits wishes to cross school district lines, the Town Board must grant special approval.<sup>3</sup>

The Central Pine Barrens Comprehensive Land Use Plan also notes a redemption strategy through the use of Planned Development Districts (PDDs). These PDDs would provide for redevelopment opportunities for a variety of uses, not just residential, resulting in an increased tax base, and the opportunity to create additional receiving areas for transfers of development rights and provide for more flexible development standards.<sup>4</sup>

---

<sup>3</sup>It should be noted that permitted transfers of PBCs into RRADs are administered by the Town Planning Board as part of the residential subdivision process, in accordance with existing Town Code, as envisioned by the Central Pine Barrens Land Use Plan.

<sup>4</sup>PDDs are a zoning strategy under auspices of the Town Board, which can proceed on the Town Board’s own motion or upon petition by an applicant under existing Town Code.



As part of Article 57, §57-0121.13, it was stated that at least every five years after adoption of the Land Use Plan, the Central Pine Barrens Commission shall review the Plan and make amendments where appropriate, (and updating the General Environmental Impact Statement in the process), including the designated receiving areas. At least one public hearing is required as part of this process.

The Central Pine Barrens Commission consists of five members: each of the Town Supervisors of Riverhead, Brookhaven and Southampton, the Suffolk County Executive, and the New York State Department of Environmental Conservation (NYSDEC) Regional Director.

#### **TOWN OF SOUTHAMPTON COMPREHENSIVE PLAN UPDATE (1999)**

The Town's 1999 Comprehensive Plan Update (the 1999 Plan) reviewed the history of Southampton, demographic and land use trends, the Town's natural and historic resources, economic factors, transportation issues and other relevant factors. The Plan is organized through technical reports, plan and implementation strategies, and strategic and capital improvements.

The 1999 Update outlined four key visions and goals for the Town:

- The Town will protect its valuable natural, historic and scenic resources;
- The Town will enhance the community through a variety of public facilities and programs designed to ensure that Southampton can meet the fullest range of needs for its entire community today and tomorrow (including recreation, affordable housing, etc.)
- The Town will maintain the existing nature of the local economy, while working to enhance the diversity of

the economy for the future, particularly in the areas of tourism and the second home industry, by protecting the Town's character and quality of place; and

- The Town will create more choices for residents in how they travel to and through Town, and will create a transportation system that works in tandem with land use to preserve a landscape of rural roads with distinct village and hamlet centers.

Since the adoption of the original Master Plan in 1970, land use planning has been affected by the adoption of the Central Pine Barrens Plan and the creation of a regional authority to oversee implementation for an area, which covers approximately 30,000 acres within Southampton Town. Due to the adoption of these regulations, the Town is faced with shifting of growth for those areas designated as Core Preservation Areas. The protection and preservation of these lands, and implementation of the CPB Plan, was listed as a specific goal in the chapter covering the Town's natural resources. The 1999 Plan points out, however, that some of the Residential Receiving Area Districts (RRADs) are in conflict with the Town's agricultural and preservation goals and scenic corridor recommendations. The 1999 Comprehensive Plan identifies potential strategies for the protection of natural resources and open space, such as cluster development, the use of transfer of development rights (TDR's), planned residential development and scenic resource protection strategies, such as overlay districts.

The 1999 Comprehensive Update addresses the importance of preserving scenic resources, and the goal of providing an interconnected system of greenways, walkways and bicycle paths. It is suggested that community facilities be concentrated in village and hamlet centers, although specific community facilities are not outlined.