

and south sides of Old Country Road in the vicinity of North Bay Avenue, where Sommer's and Country Gardens nurseries, a pre-existing mobile home park, a church, and other institutional and mixed uses are interspersed with single family residences.

In addition to these community crossroads locations that were subject to more intensive planning review and citizen input, a major undertaking of this Area Study was discussion about the following areas that are subject to change, or are facing current/future development pressure:

- Sand mine sites
- Commercial nurseries and agricultural resource sites
- Residential Receiving Area Districts (RRADs) identified in the New York State Central Pine Barrens Comprehensive Land Use Plan
- Properties that present opportunities to provide for additional parks and recreation needs, protected open space, economic development, and/or community housing.<sup>1</sup>
- Properties that are currently the subject of development or zone change applications seeking floating zone designations for retirement housing or other multi-unit housing, subdivision approvals, and other land use permits.<sup>2</sup>

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<sup>1</sup>For example, "the Remsenburg portion" of the Speonk-Remsenburg Hamlet Area does not contain any of the specific "commercial/mixed use nodes" identified or "areas subject to change." There is no separate hamlet shopping area in Remsenburg, no RRADs designated, no sand mine sites, no office developments, no industrial developments and the area is nearly built-out with infill development under existing residential zoning. However, it does contain one pre-existing marina on Dock Road adjacent to a future park preserve site and a 19± acre former farmfield on the southern portion of Nidzyn Avenue. A Remsenburg Hamlet Green and Stokes Poges Nature Preserve have also been established.

<sup>2</sup>For example, in Speonk within the Eastport/South Manor School District, "Remsen Crossing" is seeking two change of zone approvals from the Town Board to permit a senior housing rental apartment complex on two contiguous parcels totaling about 15 acres and "Mountain Brook Homes" is seeking a 12-lot residential subdivision map approval from the Town Planning Board for the adjoining U-shaped parcel comprising approximately 14 acres.

## **PRESERVATION PRIORITIES/OPEN SPACE AND RECREATION**

Throughout the citizen involvement process associated with this Area Study, and emphasized in particular by the CAC-West and Speonk-Remsenburg Civic Association during the hearing process, community members indicated the following Preservation Priorities for specific properties noted for potential open space preservation, agricultural resource protection, recreational opportunities and scenic gateway interests.<sup>3</sup>

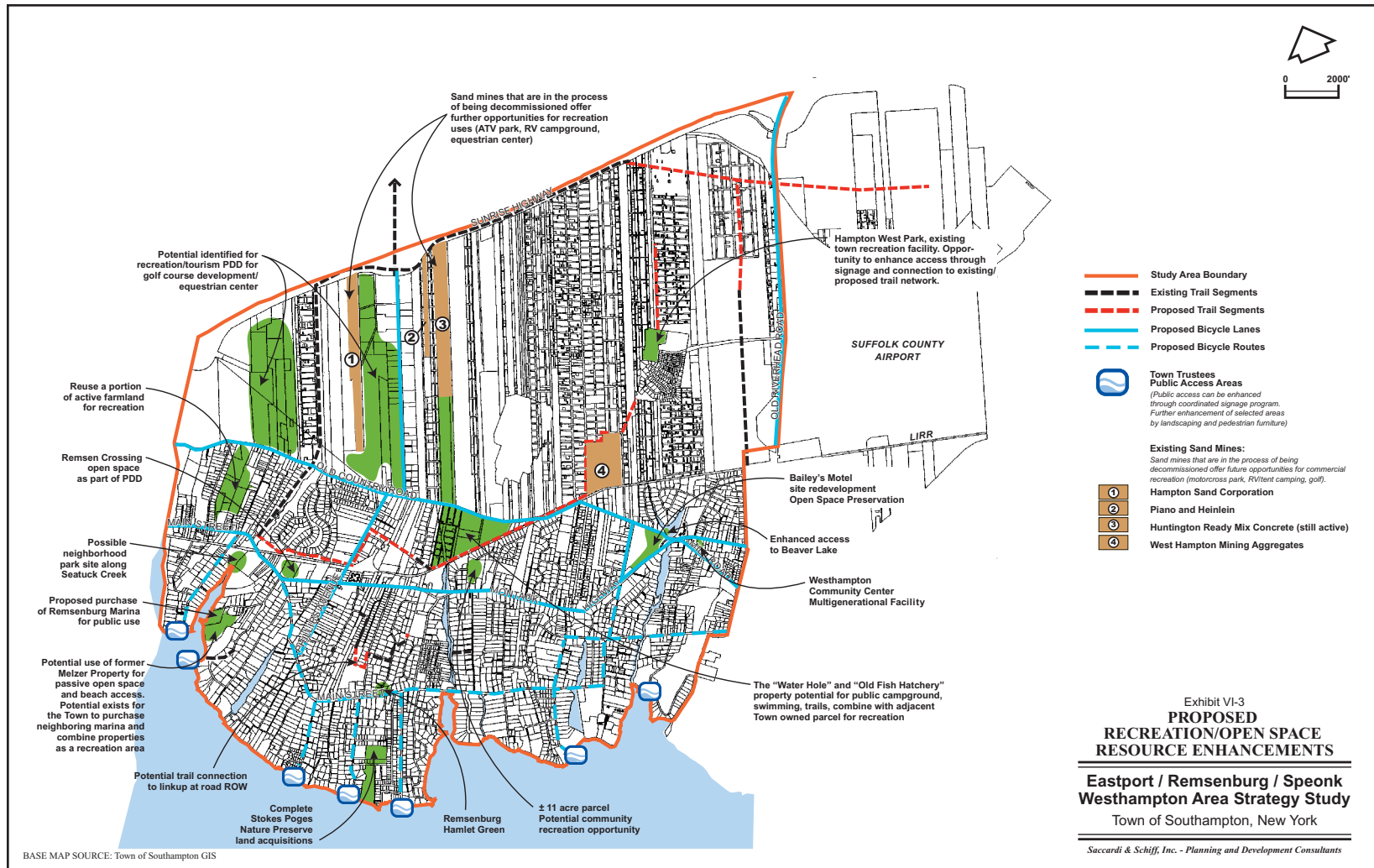
See Exhibit VI-3 "Proposed Recreation/Open Space Resource Enhancements".

### ***Community Park Preserve at "The Water Hole" and "Old Fish Hatchery" – Old Country Road (Speonk/Westhampton)***

This assemblage of property is located on the south side of Old Country Road, north of the LIRR, spanning the tributaries of the Speonk River at the westerly border of Westhampton. As noted in the Historic Profiles Report in Appendix B, a manmade groundwater-fed lake was created by the Mason Mix Company (a mining operation) in the 1970s. Local community members call it "The Water Hole." The adjoining property to the west is the site of an old fish hatchery, which spanned the tributaries of the Speonk River. From this hatchery, trout were raised and supplied to Tuttle's Lake (a.k.a. Fordham Pond) south of the railroad tracks for the pleasure of an exclusive fishing club whose members were wealthy businessmen from New York City. The

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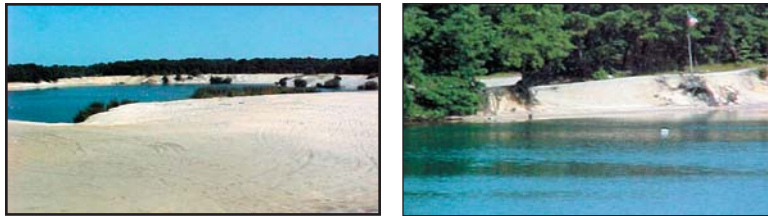
<sup>3</sup>In addition to the larger sites, community members note that there are smaller parcels that offer limited open space or trail opportunities in the study area, but help to "soften the community's edges" such as the former farmfield at the corner of Tanners Neck Lane and South Road where the former pie stand/vegetable stand remains.



Pepperidge Lake Trout Hatchery was built in 1895 and was in operation until 1969. Footbridges and related structures remain on this picturesque property. To the east, the Water Hole abuts a 15-acre land tract that was dedicated to the Town for “parks and recreation purposes” as part of the required park set-aside associated with the Mill Pond land subdivision several years ago.

There is widespread public support for a Community Park Preserve at this location, which would combine preservation with both active and passive recreational activities.

The Water Hole and Old Fish Hatchery land assemblage represents a potential future public campgrounds, swimming access, and nature preserve. These parcels can be connected to a community park on the adjacent 15-acre Town-owned property on Old Country Road that could be developed with ball fields, playgrounds, concessions, a trail head and parking in an area closer to the railroad tracks, leaving an extensive greenway adjacent to Old Country Road.



*The Water Hole and Old Fish Hatchery land assemblage represents a potential opportunity for a future public campground, swimming access and nature preserve. These parcels can be connected to a Community Park on the adjacent 15-acre Town-owned property on Old Country Road that can be developed with ball fields, playgrounds, concessions, a trail head, and parking in an area closer to the railroad tracks, leaving an extensive greenway adjacent to Old Country Road. There may be the opportunity to have public horseback riding stables like at Sears Bellows County park as a concession. Kayak rentals and continued use of “The Water Hole” for scuba diving could also be accommodated.*



*Community members support Town purchase of the “Old Fish Hatchery” property assemblage to establish a Community Park Preserve, nature center, and interpretive center in conjunction with the adjoining “Water Hole” site.*

There may be opportunity to have public horseback riding stables, similar to those at Sears Bellows County Park, as a concession. Also, kayak rentals and continued use of the water hole for scuba diving could be accommodated. There is an opportunity to continue a walkover location from an existing nature trail/park preserve parcel on Clover Grass Court. Purchase of this property assemblage is important for community preservation, community recreation, and protection of drinking water resources, as residential development could significantly impact the environment. In public hands, the property would have a Management Plan that would likely preclude jet skis and provide nature preserve status for sensitive areas, such as wetlands.

The property is presently zoned residential. It is located outside of the Aquifer Protection Overlay District and Pine Barrens Overlay District and, therefore, is not subject to clearing restrictions and other regulations associated with those districts. The northerly portion of the property, adjacent to Old Country Road, is unimproved and its existing vegetation provides a scenic buffer, which should be retained as part of a corridor greenbelt.

The Quogue Wildlife Refuge is a former commercial ice-harvesting site with manmade ponds and nature trails.



Exhibit VI-4  
**"WATER HOLE/OLD FISH HATCHERY"**

**Eastport / Remsenburg / Speonk  
Westhampton Area Strategy Study**  
Town of Southampton, New York

*Saccardi & Schiff, Inc. - Planning and Development Consultants*

The site comprises several hundred acres that have been reclaimed as a Wildfowl Sanctuary, Nature Preserve, Distressed Wildlife Refuge and Environmental Education Center, through the cooperative efforts of the Southampton Township Wildfowl Association, Town of Southampton, Village of Quogue, and NYSDEC. The Quogue Wildlife Refuge is professionally managed by the NYSDEC. The Old Fish Hatchery and Water Hole properties could become a similar nature preserve and recreational area for the Town of Southampton if purchased through the CPF and other resources and coupled with the adjoining Town park property.

South of the railroad tracks, there is potential to designate a “Fordham Mill and Speonk River Greenbelt Historic Hamlet Heritage Area” and “Brushy Neck Historic Hamlet Heritage Area,” which could make an informal linkage to this community park. Additional opportunity for recreational development, open space preservation, and adaptive re-use of an historic homestead dating to the late 1800s may be possible for the property located between Clover Grass Court and the Mill Pond subdivision. This open land was farmed many years ago and, if purchased by the Town, represents an opportunity for community-supported agriculture (CSA) combined with additional park development for a ballfield and a great lawn area for field sports, picnicking, flying kites, and limited community functions. Alternative would be development under existing zoning for residential subdivision of single-family homes interconnected through the exiting temporary turn-arounds (cul-de-sacs) on Clover Grass Court and Mill Pond.

#### **ACTION ITEMS**

- Conduct outreach to property owner of the parcels comprising The Water Hole and Old Fish Hatchery to determine their willingness to consider potential

Town purchase of this 60-acre assemblage. Pursue “preservation partnership” with the NYSDEC to facilitate eco-tourism park development, a conservation education campsite and interpretative opportunities, with linkages to the Central Pine Barrens north of Old Country Road.

- Explore community support for Town purchase of the property located between Clover Grass Court and the Mill Pond subdivision for recreational development, open space preservation, and adaptive re-use of the historic homestead dating to the late 1800s.

#### ***West Pond Greenbelt Scenic Gateway (Eastport)***

Preservation of the parcel located north of Montauk Highway abutting West Pond and Lily Pond Lane is recommended with a trail leading to the water and community waterfront access. The gateway to Eastport on Montauk Highway needs to be enhanced with signage welcoming people to the “Town of Southampton, Hamlet of Eastport.”

As recommended in the next section of this report, which details potential Historic Resource Protection strategies, the last remaining duck farm in Eastport on River Avenue may be considered for honorary Hamlet Heritage Area designation as well. There is potential for an Interpretative Center at this



*The eastern shore of Seatuck Creek forms an impressive green gateway feature along Montauk Highway in Eastport. (West Pond, pictured above, is half-owned by the Long Island Country Club of Eastport, and half-owned by the Board of Trustees for the Freeholders and Commonality of Southampton Township).*

agricultural resource. Alternatively, a Southampton Town Eastport Community Visitor’s Center could be established at the former Otto Sperling Chicken Farm House, built in 1922, provided there is sufficient community interest.

This property and adjoining vacant land is located on the south side of Montauk Highway, north of the railroad tracks at the Town’s western gateway. If purchased by the Town, a recreational area could be established which incorporates a partnership with a not-for-profit historical society and/or the Eastport Chamber of Commerce for property management and maintenance purposes with a trailhead origination point for hamlet heritage walking tours of the community. Downtown revitalization funds from Suffolk County and other resources could also be applicable for upkeep and improvement of the site as a small-scale information center promoting the assets of the entire South Fork of Long Island, as Eastport has become known as “The Gateway to the Hamptons”. Community members support linking historic and cultural resources in order to spur resident and visitor appreciation of the Town’s historic character.

**ACTION ITEMS**

- Conduct outreach to property owner of the parcel located north of Montauk Highway in Eastport adjacent to West Pond and Lilly Pond Lane to determine willingness to consider potential Town purchase for community access to the waterfront, a nature walking trail, and additional protection of community gateway greenbelt area.
- Conduct outreach to property owner for parcels, which comprise the former Otto Sperling Chicken Ranch property located on the south side of Montauk Highway in Eastport, to determine willingness to consider potential Town purchase to facilitate a Southampton Town Eastport Community Visitors Center.

***Raynor Farm – Agricultural and Recreational (Eastport)***

This assemblage of open lands is located north of Montauk Highway in Eastport behind the historic Egbert Raynor Farmstead, circa 1850s, and west of North Bay Avenue.

The property is segmented into tracts owned by various members of the Raynor family. These could be further subdivided under existing zoning into ½ acre residential lots. Under a lease arrangement with the Raynor family, this agricultural resource is presently farmed by the Olish family of Eastport. The Central Pine Barrens Comprehensive Land Use Plan currently identifies this tract as a Residential Receiving Area for transfers of development rights (TDRs, PBCs) to encourage compact residential development.



*Existing agricultural land located west of North Bay Avenue in Eastport is a potential resource.*

Community members support purchase of the property, provided there are willing sellers, through the Community Preservation Fund Program, both for continued agricultural use as well as to address recreational needs for sports fields. The property also offers a potential site for community-supported agriculture (CSA) combined with additional park development for a ballfield and a great lawn area for field sports, picnicking, flying kites, and limited community functions. A Hallockville Working Farm Demonstration

Project could potentially be established for this property in cooperation with a local historical society, as is presently being considered for agricultural properties in the hamlet center of Bridgehampton. The Eastport Community Church has also indicated interest in purchasing a portion of the land to address its need to expand and construct a parish center. Community members involved with cemetery association interests have indicated a potential future need for expansion of the cemetery grounds as well.

#### **ACTION ITEMS**

- Conduct outreach to property owners of the assemblage of agricultural parcels located north of Montauk Highway in Eastport behind the historic Raynor Farmstead, to determine willingness to consider potential partial Town purchase to achieve various community goals and objectives, including agricultural resource protection.
- Consider diversity of community interests for appropriate uses for the Raynor family land holdings.

#### ***Waterfront Park - South Bay Avenue (Eastport)***

Community members have indicated a desire for a waterfront park on South Bay Avenue. Efforts continue to be made to seek out willing sellers among the current landowners of former duck farms, now residential investment properties. The property located just south of the railroad tracks is most ideal for a community waterfront park and picnic area. If it cannot be achieved, the Town could utilize the Melzer property, located across Seatuck Creek off of Dock Road in Remsenburg, which was acquired through the CPF Program, for a waterfront park.

#### **ACTION ITEM**

- Conduct renewed outreach efforts to property owner of the assemblage of former duck farm parcels located

immediately south of the LIRR on South Bay Avenue, to determine willingness to allow updated appraisals and a potential Town purchase.

#### ***Marina Opportunity – Dock Road (Remsenburg)***

Community members have suggested that the Town explore municipal purchase of the Remsenburg Marina located on Dock Road adjacent to the former Melzer property. As a Town-owned marina, the revenues could be reinvested in the park and recreational area and other community preservation efforts.



*The Melzer property, which is presently under contract for Town purchase through the CPF Program, is off of Dock Road in Remsenburg (located behind the small escarpment). This proposed waterfront parkland purchase provides future open space/recreation opportunities. Some community members have also suggested potential municipal purchase of the adjacent Remsenburg marina.*

#### **ACTION ITEMS**

- Conduct outreach to property owner of the Remsenburg Marina to determine willingness in allowing Town to appraise land holdings.
- Consider land use alternatives with the adjacent Melzer property to achieve revitalization of the Remsenburg

Marina site and enhancement of community parks and recreational opportunities. Community benefits to be considered include public access improvements for the adjoining community park preserve (former Melzer Property) and shared parking facilities on the Remsenburg Marina property.

***Speonk-Remsenburg-Eastport Scenic Gateway (“Remsen Crossing”)***

The 15-acre former agricultural property, located north of Montauk Highway at the community crossroads across from South Country Road and Dock Road, has long been identified as a scenic gateway and potential park acquisition by the Town in prior planning studies. The property is presently zoned Residential, ½-acre lots and is located in the Eastport/South Manor School District.



*The Remsen Crossing site pictured above is a former agricultural tract and has been the subject of previous development proposals.*

The current landowners have petitioned for a change of zone under the application name Remsen Crossing seeking approval for a senior housing rental apartment complex,

originally requesting 119 units at approximately eight units per acre.<sup>4</sup>

The developer has promoted the project as a tax ratable for the Eastport/South Manor School District, as substantial tax revenue from the high-end housing could be realized without the cost impacts of school-age children, which typically result from the construction of single-family homes. In its advisory reports to the Town Board, the Planning Board has called for use of Planned Development District (PDD) zoning rather than the Senior Citizen Zone (SC-44) floating zone at this community crossroads location, with greater attendant controls and protection of the scenic vista and mitigation of environmental impacts.

Due to public concern about the proposed scale of any development at this location, a possible project that reduces the zone change request to 60 units of senior housing, clustered onto the easterly parcel and preserving the westerly parcel as a community benefit has been said by Town Officials to be offered by the developer. Such a concept is more in line with the Town Code provision of “Planned Residential Development” - a land use alternative to acquisition that can be used to protect community character clustering utilizing to preserve open space and agricultural soils while still providing the standard development yield. Through the PRD approval, additional protections are afforded to environmentally-sensitive areas and historical resources. Planned Residential Developments must, however, conform to other provisions in the Town Code relative to open space and density incentives. The goal of Planned Residential Development is to implement the Town

<sup>4</sup>The “Remsen Crossing” property assemblage is actually two parcels of land held by related ownership interests involved with the Cassata Organization: KR2LLC (Westerly Parcel) and K2LLC (Easterly Parcel.) Therefore, there are two change of zone petitions pending before the Town Board seeking Senior Citizen Zone (SC-44) designation. The developer completed one Draft Environmental Impact Statement (DEIS) to consider the potential impacts of the two proposed SC-44 projects. A Final EIS has not yet been accepted by the Town Board by resolution, deemed complete under the SEQRA processing requirements and distributed to involved agencies. These actions are required prior to adoption of a Findings Statement and final action on the two zone change applications.

Comprehensive Plan by preserving open space in order to maintain the community's rural character and promote other identified goals. In R-20 zones, at least 35 percent of the prime agricultural soils must be preserved, and in cases where open space preservation objectives cannot be met on site due to other constraints, the Town may allow off-site preservation, provided it is consistent with the Town's open space goals and objectives.

Although, ideally the community would like to see the entire property preserved as open space or returned to agricultural use, the following points have been considered:

- (1) The potential as-of-right yield of the property under R-20 zoning is between 25 and 30 single-family homes, with many new school-age children likely to impact the Eastport/South Manor School District as a result. Therefore, tax benefits would be greater with a senior citizen rental housing complex;
- (2) Traffic and sewage impacts are greater with a 25 to 30 lot residential subdivision of single family homes than a senior housing development of 60 units;
- (3) Preservation of the 50% of the land assemblage as open space is a substantial community benefit to protect community character, at no cost to the Town;
- (4) Under §330-9 of the Town Code, the Town Board has delegated to the Planning Board the ability to increase density, or development yield, as an incentive to preserve more open space on-site, or to use transfers of development rights to preserve open space off-site. The Planning Board also has the authority to increase the density to facilitate the set-aside of units at below-market rates for persons of moderate income. If the total

yield is 60 senior citizen units and 20% are mandated to be "affordable", there will be 12 units earmarked for residents of the Town at below market rate;

- (5) The Town's Comprehensive Plan and Suffolk County Smart Growth guidelines encourage senior housing to be developed within walking distance (e.g., ¼-mile) of a hamlet center and public transit;
- (6) Under Federal Fair Housing Act requirements and the New York State Building Code, a senior citizen rental housing development would be accessible for physically-challenged persons. Apartment complexes are also equipped with fire-sprinklers under State Building Codes;
- (7) Under PDD zoning, the Town Board can mandate substantial buffering requirements along Montauk Highway and coordinated access to North Phillips Avenue, consistent with the Town's Comprehensive Plan recommendations, as well as other specific design requirements; and
- (8) Under PDD zoning, the Town Board can mandate contribution of transportation mitigation funds by the developer to facilitate the construction of a roundabout at the intersection of Dock Road, South Country Road, and Montauk Highway for traffic-calming purposes, as recommended in later section of this chapter concerning transportation improvements.

Therefore, based upon community consensus-building, it is recommended that, with a preservation priority for this particular property assemblage, the following options be considered:

- Town purchase of the Remsen Crossing land tract, if there is a willing seller.<sup>5</sup>
- Incentive Zoning / PDD Zoning for the Remsen Crossing land tract, with the Town as author of the PDD conceptual plan allowing for a design of 60 units clustered onto the easterly parcel (approximately 7.5 acres), open space preservation of the westerly parcel (approximately 7.5 acres), coordinated access to North Phillips Avenue and substantial buffering along Montauk Highway. A revised FEIS would need to be prepared examining this PDD zoning alternative to the original proposed action. Concluding this process would be the adoption of a Findings Statement in connection with the proposed amendment to the Town Zoning Map and public hearings concerning draft legislation to establish this site-specific PDD and its design parameters.

#### **ACTION ITEMS**

- Conduct renewed outreach efforts to property owners of the Remsen Crossing tract to determine willingness to allow updated appraisals and a potential Town purchase offer; potentially Town can allow property owner to “bank” development rights for purpose of a transfer of development rights to an alternative site (e.g.,

Feather Factory) prior to potential Town purchase of the underlying conservation easement through the CPF Program or from other municipal resources.

- Consider alternative of carefully controlled PDD designation for the Remsen-Crossing site, providing an Incentive Zoning Overlay to achieve community preservation objectives, in particular an expanse of open space for the westerly gateway to Speonk, Remsenburg and Eastport.

#### ***Old Country Road – Agricultural Lands (Westhampton, Speonk)***

There is considerable community interest in maintaining a rural, country-like feeling along Old Country Road throughout the Study Area, through regulatory requirements for buffering, clearing restrictions and other design controls via a Scenic Roadway Designation. In addition, agricultural uses along Old Country Road, including the existing commercial nurseries, should be encouraged to continue. Community members support extension of the Agricultural Overlay District zoning provisions onto farmland and nursery tracts greater than ten acres in the Study Area, in order to secure agricultural reserves through the subdivision process if future development is inevitable. Community members also support purchase of development rights from these agricultural interests, provided willing sellers are encouraged to participate as “Preservation Partners” in the CPF Program. The Schoppman Pumpkin Farm, Carter Nursery, Peat & Son Nursery, the Estate of Stanley Mill, and other small family farm holdings could form a land assemblage of viable continued agricultural use including row crops, tree farms, greenhouse-grown flowers, fruits and vegetables stock, equestrian uses, and Community-Supported Agriculture (CSA).

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<sup>5</sup>Land acquisitions financed through the Community Preservation Fund require “willing sellers” for “preservation partnerships” and/or establishment of recreational areas. During the community involvement process associated with this Area-Wide Study, the alternative of “Park District” formation to finance purchase of the “Remsen Crossing” land tract was also discussed. The establishment of Park Districts is governed under Chapter 62, Article 12 and 12a of New York State Town Law allowing for the establishment of a special improvement district by the Town Board, acting on its own volition subject to permissive referendum, or acting under petition of at least half the resident property owners of any proposed new special assessment district. The draft Town Recreation Master Plan recommends formation of Park Districts generally based upon school district lines and groups Eastport and Speonk-Remsenburg as one combined “Community Planning Area” and potential Park District. With regard to “Remsen Crossing,” resident property owners in the Eastport School District appear to feel differently than resident property owners in the Remsenburg-Speonk School District, due to current differences in tax base and property tax rates financing school district needs, as articulated in the prior chapter.

## **ACTION ITEMS**

- Conduct renewed outreach efforts to property owners along Old Country Road to determine willingness to allow appraisals and potential Town purchase offers for development rights or other interests in land holdings.
- Explore Conservation Opportunity Subdivision plans and other planning tools in conjunction with Peconic Land Trust or other preservation program facilitators familiar with land use strategies that preserve landowner equity while providing community benefits, including the protection of farmland, open space, and scenic vistas.
- Designate Old Country Road as a “Scenic Roadway” through a Scenic Protection Overlay Zone as discussed in a later section of this report concerning scenic resource protection strategies and enact related regulatory requirements for buffering, clearing restrictions and other design controls via a zoning overlay district.
- Designate properties in active agricultural use which exceed 10 acres in size as part of the Agricultural Overlay District to permit clustering when subdivision occurs, so as to secure agricultural reserves on portions of the properties, as discussed in a later section of this report.

### ***Stokes Poges Nature Preserve (Remsenburg)***

Completion of the Stokes Poges Nature Preserve assemblage remains a priority for the community preservation program and is important to the South Shore Estuary Reserve. The wetlands assembled into Town ownership under prior open space land acquisition programs have been designated as a nature preserve through an approved management plan, and passive recreational activities like bird-watching, nature trails, and visual enjoyment of the estuary are permitted.

Several other wetland areas in the Study Area have been donated by prior property owners to the Peconic Land Trust for stewardship. Additional preservation opportunities remain for certain private properties with environmental constraints in the Westhampton and Remsenburg areas. On Old Country Road in Eastport, there is also a scenic wetland preservation priority area near the Long Tree Pond subdivision, at a low point where flooding and drainage issues frequently arise.

## **ACTION ITEMS**

- Conduct renewed outreach efforts to property owners in the Stokes Poges wetlands target area to determine willingness to allow appraisals and potential Town purchase of development rights or other interests in land holdings to complete the nature preserve assemblage.
- Conduct outreach to property owners of other wetlands-encumbered parcels in Westhampton, Eastport, and Remsenburg through the Community Preservation Fund (CPF) Manager to determine potential interest in allowing Town to appraise land holdings and consider purchase offer.

### ***Sand Mines – Reclamation and Recreation***

Community members have also pointed out that reclamation of certain sand mine sites may represent opportunities for recreational development, either by the Town or the private sector. Therefore, preservation priorities include examination of the sand mines in the Study Area for potential incentive zoning to facilitate something other than residential development, which is a land use permitted as of right on most of these tracts.

As previously discussed in Section IV of this report, there are four sand mines located within the Study Area, three of which are no longer active. These include:

- Hampton Sand Mine Corporation (50±acres)
- Piano and Heinlein Sand Mine, which is still active (30±acres)
- Huntington Ready Mix Concrete Sand Mine (115± total acres – includes Carter Nursery)
- Westhampton Mining Aggregates Sand and Gravel Mine (50± total acres)

While each of these properties has significant acreage, except for Westhampton Mining Aggregates Sand and Gravel Mine they are all elongated lots running between Sunrise Highway and Old Country Road. This configuration somewhat limits the form of redevelopment. Each of these sites is located within the Central Pine Barrens, and each has been extensively cleared. The sites could appropriately be reused for different types of recreational uses, including equestrian centers, ATV parks, campgrounds, etc., subject to constraints under the Central Pine Barrens regulatory framework. If recreational reuse is proposed for any of these properties, it will be necessary to work with the Central Pine Barrens Commission to determine the appropriate active recreational uses.

In addition, certain sand mines are in the Core Preservation Area of the Central Pine Barrens and guidance needs to be sought from the Central Pine Barrens Commission as to what active recreational uses could possibly be considered under “hardship provisions” or “compelling public need” standards.

Westhampton Mining Aggregates is located in the Core Preservation Area and is alleged to be in violation of ECL Article 57 and the Town Zoning Code, purportedly having built and operated a cement plant without proper building permits and zoning approvals. Residential development of an old filed map area is proposed for the area located between this sand mine property and the Town transfer

station just west on Old Country Road, using transfers of development rights and redemption of Pine Barrens Credits. Old filed map development is consistent with Town zoning and approvals have been granted by the Central Pine Barrens Commission.

As-of-right RRADs have made the implementation goals of the Central Pine Barrens Plan a more streamlined process for residential developers. A similar process should be undertaken for as-of-right Recreational Zones to be created with municipal support and conversion of residential development rights into recreational/eco-tourism rights. Because residential development is allowed as of right for residentially-zoned properties, it becomes the easiest course of action for a land owner in pursuing a return on investment. The Town could undertake the environmental review and citizen input process for certain sand mine sites in order to “pre-permit” certain sites as Recreation-Tourism PDDs in order to attract recreational developers to such sites, thereafter allowing the Planning Board to review and refine site plan elements. However, presently PDDs are not permitted in the Core Preservation Area, even if specific to recreational uses, such as equestrian facilities or campgrounds. The Town should explore possible alternatives to provide tax incentives for recreational land uses in the Pine Barrens region.

#### **ACTION ITEMS**

- Seek guidance from the Central Pine Barrens Commission as to what active recreational uses could potentially be considered under “hardship provisions” or “compelling public need” standards.
- Consider if certain sand mines can be designated as as-of-right Recreational Zones created with municipal support, following environmental review and citizen

input, to allow the conversion of residential development rights into recreational/eco-tourism uses.

- Explore possible alternatives to provide tax incentives for recreational land uses in the Pine Barrens region.

### ***Other Open Space/Recreational Opportunities***

Throughout the Study Area there are several sites that provide, or have the potential to provide, open space or recreation opportunities, without impacting municipal financial resources.

For example, approximately 145 acres of land in the northwestern portion of the Study Area, within the Compatible Growth Area of the Central Pine Barrens, are currently vacant or are used for commercial nurseries. Portions of properties, including Central Suffolk Hospital, Sommer’s Nursery, Country Gardens, and the former Town dump, located on the south side of Sunrise Highway and the north side of Old Country Road, have already been cleared. The reuse of this disturbed property would be preferable to the clearing of other forested land for golf course development. Based on the size and location of these properties near a gateway to the Study Area and within the Compatible Growth Area, this land would best be used for a low intensity commercial tourism or recreational use, such as a golf course resort. A golf course would include revegetation and landscape buffering. The associated clubhouse, possible inn/spa and ancillary recreational amenities could provide a tax ratable for the Eastport /South Manor School District. A resort/tourism facility would encourage eco-tourism for the area, provided care is taken to ensure that traffic patterns connect to the Sunrise Highway service road extension running along the northerly property line and the country ambiance is maintained along Old Country Road. A portion of the site abutting Old Country

Road could continue in nursery stock use, or be used for another agricultural pursuit such as equestrian uses, which could facilitate further enjoyment of trails within the nearby-forested areas.



*Existing equestrian uses in the Study Area should be encouraged to promote commercial recreation, agri-tourism and eco-tourism economic development.*

The section entitled “Recommendations involving Incentive Zoning” provides more detail on potential alternative zoning for these properties to facilitate recreational amenities, land conservation and eco-tourism.

### **UTILIZATION OF INCENTIVE ZONING**

Incentive zoning is a technique for regulating land use, in which zoning incentives are provided to developers on the condition that specific physical, social or cultural benefits are provided to the community. Incentive zoning is particularly adaptable to promoting compact development within a community (and therefore open space conservation) since the incentive itself is usually an increase in the density of development permitted on a particular parcel. By providing a density bonus for the developer, specific community