State Environmental Quality Review Act
GENERIC ENVIRONMENTAL IMPACT STATEMENT
FINDINGS STATEMENT

RIVERSIDE BOA STEP II NOMINATION STUDY, RIVERSIDE REVITALIZATION ACTION PLAN AND ZONING MAP AND CODE AMENDMENTS

December 22, 2015

1.0 INTRODUCTION

Pursuant to Article 8 of the New York State Environmental Quality Review Act ("SEQRA") of the New York State Environmental Conservation Law and Title 6 of the New York State Code of Rules and Regulations ("6 NYCRR") Part 617, the Town Board of the Town of Southampton makes the following findings.

Name of Action: Riverside BOA Step II Nomination Study ("BOA Study"); Riverside Revitalization Action Plan ("RRAP"); and Town Zoning Map and Code Amendments ("Riverside Overlay District" or "ROD").

Description of Action: The Subject Action involves the adoption of the BOA Study, RRAP and ROD Zoning Map and Code Amendments creating seven separate Overlay Zones covering a total of +/-468 acres in the Hamlet of Riverside, Town of Southampton, Suffolk County, New York. The highest development density permitted in the RO-1 Zone ("Hamlet Center") would be concentrated around the "Riverside Traffic Circle," and other mixed-use zones allowing variable densities, dimensional standards, and functions would radiate out from the RO-1. These other mixed-use overlay zones include the RO-2 ("Hamlet Neighborhood"), RO-3 ("Special"), RO-4 ("Gateway"), RO-5 ("Suburban"), RO-6 ("Waterfront"), and RO-7 ("Parkland") Zones. Development under the standards, thresholds, and provisions of the ROD would be optional for landowners, who would be permitted to develop and/or redevelop their land under the standards and specifications of the existing "underlying" zoning if they chose. The Subject Action, however, includes incentives for increased building heights and development densities to encourage landowners to explore new development and redevelopment options under the proposed ROD and Overlay Zones that are more consistent with the long-term planning and vision for area revitalization than the existing underlying zoning, which to date has not been able to achieve this vision. The purpose and intent of the ROD's standards and requirements, therefore, are to address the various social and economic challenges in the Riverside community that have been identified by past study and community outreach, and encourage economic

development through the creation of a carefully planned, form-based, mixed-use revitalization overlay district.

The ROD's Overlay Zones (RO-1, RO-2, RO-3, RO-4, RO-5, RO-6 and RO-7) will encourage a mix of possible retail stores, restaurants, offices, service-related businesses, hotels, light industries, artisan production, cultural and recreational facilities, open spaces, advanced care facilities, and diverse living options, along with improved transportation infrastructure, parking lots/garages and on-street parking, pedestrian corridors, a state-of-the-art sewage treatment plant, public and private open spaces, and facilitated access to the Peconic River and preserved open spaces. The ROD's Overlay Zones are intended to provide the flexibility to allow for various types of land uses, at appropriate building heights, development densities, and building and site design options radiating out from a central hamlet core and strive to promote desirable development and redevelopment by incentivizing a mix of viable land uses (e.g., commercial/retail storefronts, offices, and upper-level dwelling units) on assembled properties or individual parcels. The proposed Overlay Zones will promote the establishment of a distinctive walkable Riverside Hamlet Center that will augment the community's character and "sense of place," improve the aesthetic quality of the built environment, restore brownfield sites, enhance the overall quality of life of its residents, offer incentives for local investment, create new employment opportunities, provide a variety of goods and services to residents, their guests and passersby, expand and diversify the local housing stock, create jobs, stimulate additional economic activity and promote fiscal well-being.

When an applicant opts into a specified action under one of the Overlay Zones, they must adhere to the land use restrictions, dimensional standards, design criteria, and community benefit and fee requirements of the overlay zoning to become eligible to receive density and building height bonuses that incentivize development under the proposed zoning. Future actions must also demonstrate consistency with the mitigations and future actions provided in this Findings Statement and comply with the applicable requirements of SEQRA.

SEQRA Classification: Type I Action

Location: The 468-acre Riverside Overlay District ("ROD") is located in the Hamlet of Riverside, Town of Southampton, Suffolk County, New York (see attached map).

Lead Agency: Town of Southampton Town Board, Town Hall, 116 Hampton Road, Southampton, New York 11968

Date Generic Environmental Impact Statement Filed: December 8, 2015

Contact for Additional Information:

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Standards for Findings Statement Preparation and Review: The Town Board of the Town of Southampton ("Town Board") as Lead Agency must review the Draft Generic Environmental Impact Statement ("DGEIS") and Final Generic Environmental Impact Statement ("FGEIS"), which together constitute the complete Generic Environmental Impact Statement ("GEIS"), and certify through its preparation, analysis and adoption of this Findings Statement that it has:

- considered the relevant environmental impacts, facts and conclusions disclosed in the DGEIS, FGEIS, and Findings Statement;
- weighed and balanced the relevant environmental impacts with social, economic and other considerations;
- met the requirements of 6 NYCRR Part 617;
- provided a rationale for its decision; and
- found that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action described herein is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable during the environmental review process.

Background and History of the Subject Action: On August 22, 2013, the Town of Southampton issued a Request for Qualifications (RFQ) which sought responses by qualified and eligible Master Developers to guide the Town in formulating a Riverside Revitalization Action Plan (RRAP) in order to assist the Town and Riverside in meeting the Hamlet's social, economic, land development, and environmental protection goals. Master Developer, "Renaissance Downtowns" (RD) responded to the Tonw's RFQ for the Master Developer's position and was ultimately selected by the Town Board as the most qualified respondent and given the responsibility of assisting in creating the RRAP and the implementing policies contained in the ROD Code.

On October 17, 2013, in recognition of the needs of the Riverside community and the Town's abilities in overseeing and guiding the implementation of necessary actions to address them, Governor Cuomo announced that the Town Department of Land Management (DLM) was

awarded a grant through the New York State Department of State (NYSDOS) for the preparation of a Brownfield Opportunity Area (BOA) Step II Nomination Study and RRAP.

RD entered into a Public-Private Partnership with the Town of Southampton by signing a Master Developer Agreement (MDA) on April 16, 2014. The MDA required RD to work with the Town and the Riverside community and its many public and private stakeholders to create the RRAP and implement viable and proven planning strategies and placemaking techniques. RD was to work with the Town in close partnership early in the planning process to develop policies and standards, refine development concepts, test market assumptions, obtain regulatory approvals, secure financing and successfully implement a multi-stage development program for the ROD. Through the use of its proprietary Crowdsourced Placemaking and Unified Development Approach, RD created a platform whereby community driven ideas for revitalization could be analyzed and thoroughly vetted. This process, and in particular, the steps taken in creating, presenting and refining the RRAP and ROD, involved considerable community, agency, and public service provider outreach and input and included an examination of a variety of existing land use, zoning, environmental protection, traffic control, and capital infrastructure improvements studies, which guided the content and direction of the RRAP.

The primary community revitalization objectives to be achieved by the BOA program included identification of blighted properties, removal of blighted structures, property upgrades through redevelopment, and attraction of new commercial uses to the area that will provide needed goods, services and jobs to the community, along with tax ratables to alleviate the Hamlet's school tax burden. The primary responsibilities of NP&V in preparing the GEIS was to assist the Town in identify the benefits of the Subject Action, its impacts, the impact avoidance and mitigation strategies that are practicable, as well as to consider alternatives for the Subject Action and ensure compliance to the standards and procedural requirements of SEQRA.

SEQRA Review Process: In July 2015, the Town accepted the RRAP, which included the draft ROD Zoning Map and Code Amendments for public review. On August 20, 2015, Town staff, with assistance from NP&V prepared an Environmental Assessment Form (EAF) Part 1 to assess the potential for moderate to large impacts from the Subject Action. The Town Board, on August 25, 2015, accepted the EAF, tentatively identified the Subject Action as a Type I Action pursuant to SEQRA, and began Lead Agency coordination. An EAF Part 2 was subsequently prepared, and since the potential for one or more moderate to large impacts was identified from the Subject Action, an EAF Part 3 was prepared. On September 24, 2015, the Southampton Town Board, by Town Board resolution, officially assumed "Lead Agency" status upon completion of the coordination process, formally identified the Subject Action as a Type I Action, determined that one or more significant environmental impacts may result from the Action, and determined the anticipated level of significance by issuing a Positive Declaration pursuant to SEQRA. A New York State Department of Environmental Conservation (NYSDEC) Environmental Notice Bulletin (ENB) Positive Declaration notice was subsequently filed with the NYSDEC indicating that a Positive Declaration had been issued in this matter, and applicable

materials were distributed in accordance with SEQRA's preparation, filing, publication, and distribution requirements as set forth under Section 617.12 of 6NYCRR Part 617 (SEQRA).

A DGEIS, together with an updated version of the proposed ROD Zoning Amendments, the BOA Study and RRAP, was submitted to the Town Board, as the agreed upon Lead Agency for review, and on October 13, 2015, the DGEIS was formally accepted by the Town Board as adequate for public review. Following its determination of adequacy for review in terms of DGEIS scope and content, the Town Board announced it would accept written public and involved and interested agency comments relating to the DGEIS and Subject Action until the close of the duly designated comment period ending November 12, 2015, therefore providing a 30-day comment period. A "Notice of Acceptance of Draft GEIS and Public Hearing" for the Subject Action was then filed with and accepted by the NYSDEC and published in the NYSDEC ENB on October 21, 2015. A notice of hearing, including hearing date, hearing location and other essential information was also filed with and posted by *The Southampton Press*, 14 days prior to the hearing, in accordance with applicable posting and notice requirements.

A public hearing was held for the DGEIS, BOA Study, RRAP and ROD on October 29, 2015 at which a significant number of persons came to voice their opinions and ask questions about the Subject Action. Comments received at the hearing indicated overwhelming and unprecedented support for the Subject Action along with some questions and limited objections and/or concerns. After the close of the public hearing and designated written comment period for the DGEIS, a Final Generic Environmental Impact Statement or "FGEIS" was prepared by the Town with assistance from NP&V which reflected the content requirements set forth by Section 617.10(b)(8) of SEQRA. A total of 208 separate comments and questions were received on the Subject Action during the designated 30-day SEQRA public participation phase, including 104 comments spoken into the record at the public hearing and 13 separate written correspondences from agencies, organizations and the public, which contain a total of 104 comments.

Based on the input received from the public and involved and interested agencies, further analysis and consideration of the Subject Action was initiated by Town staff, the Town's consulting team, and Master Developer. The purpose of this additional review was to assess the need for modifications to the Subject Action based on input received during the hearing and written comment period, to ensure that future implementation of the Subject Action avoids or mitigates potential environmental impacts to the maximum extent practicable, and to enhance or expand upon the many benefits of the Subject Action, if at all possible. This stage of the process included the identification of additional modifications and refinements to the ROD and identification of additional impact avoidance and mitigation techniques deemed necessary, appropriate, and viable which were outlined in detail in Section 2 of the FGEIS and subsequently incorporated into the ROD and the "Future Actions" section attached as an appendix to the FGEIS. A draft FGEIS was submitted to Town Staff for review then submitted to the Town Board/Lead Agency for review.

On December 8, 2015, the Town Board, by Resolution 2015-1227, accepted the FGEIS document as complete and commenced a 14-day period for involved agencies and interested parties to consider the document prior to adoption of this Findings Statement. A Notice of Completion for the acceptance of the FGEIS was filed with the NYSDEC ENB on December 9, 2015 and for posting by the NYSDEC on December 16, 2015. Several additional modifications to the proposed Code were also made to provide clarifications to several definitions and uses, as well as height reductions in RO-3 and for the incentive bonuses (RIB 1 and 2) (see **Attachment 1**).

ROD/Study Area: The 468-acre ROD is located in the Hamlet of Riverside, Town of Southampton, Suffolk County, New York. The ROD is more specifically described as being situated:

- North of New York State's 2,700-acre David A. Sarnoff Preserve;
- South of Downtown Riverhead, the Peconic River, and the Southampton/Riverhead municipal boundary;
- East of the Suffolk County office complex (Evan K. Griffing Center), County courthouse (Arthur M. Cromarty Court Complex), County prison facilities (Suffolk County Jail), County Road 51 (Center Drive South), and the Little Peconic River; and
- West of White Brook Drive and Black Creek Pond.

Involved and Interested Agency Review:

Involved Agencies for the Subject Action are those agencies that have jurisdiction by law to fund, approve or directly undertake an action. Coordination occurs between the Lead Agency and Involved agencies to determine Lead Agency status and exchange input and GEIS documents; however, like the Lead Agency, Involved Agencies must ultimately issue their own findings. The following agencies are considered Involved Agencies:

- Suffolk County Department of Public Works
- Suffolk County Department of Health Services, Suffolk County Sewer Agency
- Suffolk County Department of Health Services, Office of Wastewater Management
- New York State Department of Environmental Conservation-Region 1
- New York State Department of Transportation, Region 10
- Central Pine Barrens Joint Planning and Policy Commission
- New York State Department of State, Office of Planning and Development

Interested agencies are those agencies that do not have the jurisdiction to fund, approve, or directly undertake an action but wish (or may wish) to participate in the review process because of specific expertise or concern about the proposed action. Interested agencies that were identified included:

- Suffolk County Planning Commission
- Town of Southampton Planning Board
- Town of Southampton Board of Trustees
- Town of Riverhead
- Riverhead Central School District
- New York State Police
- Town of Southampton Police
- Riverhead Fire District
- Flanders/Northampton Volunteer Ambulance
- US Army Corps of Engineers
- National Grid
- PSEG - Long Island
- Suffolk County Water Authority
- Town of Southampton Conservation Board
- Town of Southampton Department of Municipal Works
- Town of Southampton Parks Department
- Flanders/Riverside/Northampton Civic Association

During the process, the Town reached out to each of these entities as well as area residents. The Suffolk County Planning Commission, which has authority to review the project and issue an approval, conditional approval or denial, but may be overridden by the reviewing agency if warranted under certain conditions, reviewed the DGEIS and the proposed BOA Study, RRAP and ROD pursuant to Section 239-m of the General Municipal Law. At its November 4, 2015 meeting, the SCPC moved to adopt Resolution 2015-950 for conceptual approval of the Action, by a vote of 8 in favor and 0 opposed. Substantive comments on the Subject Action raised by the County were addressed in the responses contained in the FGEIS.

Theoretical Development Scenario: The DGEIS examined the potential impacts of a Theoretical Development Scenario ("TDS") which could be developed if the Proposed Action is adopted – it specifies the potential buildout within the Study Area over a 10-year period. **Table 1** summarizes the TDS. The DGEIS, FGEIS, and Findings Statement evaluations are applicable to any application which is submitted in accordance with the ROD, to the extent the thresholds set forth in Table 1 and as described below are not exceeded in aggregate. Nothing herein limits the Planning Board's authority to conduct further site-specific SEQRA evaluations during its review of a site–specific application.

TABLE 1
RIVERSIDE OVERLAY ZONES – THEORETICAL DEVELOPMENT SCENARIO

(Zones RO-1 through RO-6)

Land Use	Additional Square Feet, Rooms, and Dwelling Units
Retail	133,517 Square Feet
Professional Office	37,000 Square Feet
Medical Office	25,000 Square Feet
Hotel	97 Hotel Rooms
Residential Units*	2,267 Dwelling Units*
Adult Care/Nursing Home	63,910 Square Feet
Artisan Lofts/Production	30,900 Square Feet
Cultural	11,032 Square Feet
Indoor Ice Skating/Hockey Rink	100,000 SF, plus parking
Parking Garage	550 Spaces
Surface Parking Lots	1,602 Spaces
On-Street Parking Spaces	1,107 Spaces

* See discussion below regarding number of residential units

As discussed in Section 3.2.1 of the FGEIS, based on additional nitrogen loading analysis, it was determined that a reduced residential unit density and/or providing wastewater treatment for existing developed areas would provide a means to reduce nitrogen loading below what would occur if the Riverside revitalization did not occur (i.e., development under existing zoning and meeting Suffolk County Sanitary Code for development of remaining vacant or further sub-dividable properties in the study area). Based on this analysis, the Theoretical Development Scenario would be limited to 1,167 units with a flow of 150 gpd/unit (or a limit of 175,050 gpd of residential use connected to a sewage treatment plant), and/or additional steps would need to be taken to ensure nitrogen loads would not exceed that which would be permitted under existing conditions. Because nitrogen loading is based on the volume of wastewater and the concentration of nitrogen in the wastewater (i.e., treated wastewater has lower nitrogen levels than untreated wastewater), the reductions in nitrogen loading to meet existing permitted loads under the Suffolk County Sanitary Code could be achieved in several ways, including sewering of existing unsewered areas in the Study Area, reduction in the number of residential units built under the Theoretical Development Scenario, treatment and discharge of wastewater in deep recharge areas outside of the Study Area, or advanced nitrogen removal technologies. The following provides quantification of options that may be considered or combined to reach the necessary nitrogen loading reductions:

- Provide connection to a sewage treatment plant for 200 existing units for units with design flow of 225 gpd/unit
- Provide connection to a sewage treatment plant for 150 existing units for units with a design flow of 300 gpd/unit

- Reduce the Theoretical Development Scenario density by 1,100 units connected to a sewage treatment plant for units with a design flow of 150 gpd/unit
- Reduce density the Theoretical Development Scenario by 750 units connected to a sewage treatment plant for units with a design flow of 225 gpd/unit
- Reduce density by 550 units connected to a sewage treatment plant for units with design flow of 300 gpd/unit

As discussed in the FGEIS, nitrogen limitations must be adhered to for the type of discharge, with the goal of reducing nitrogen load within the watershed and conforming to the Total Maximum Daily Load (TMDL) established for the Peconic Estuary, as well as Suffolk County Guidance Memo #28. Biological treatment of effluent in created wetlands proximate to surface water may provide multiple benefits of further effluent treatment and nitrogen reduction, and establishment of beneficial wetlands habitat. Additional study of treatment feasibility, sanitary treatment plant locations, capacity, engineering and design, plans and specifications, funding, district establishment, permitting and construction will be needed and will be reviewed under SEQRA, SC Guidance Memo #28, the TMDL and SPDES permitting requirements.

2.0 RELEVANT CONDITIONS, IMPACTS, MITIGATIONS AND FINDINGS

The following is a summary of the physical conditions and environmental resources that currently exist within the ROD, the potential environmental impacts identified, impact avoidance and mitigation measures determined to be necessary and practical, anticipated benefits and social and economic factors considered, action alternatives evaluated, and the Lead Agency's findings from the SEQRA environmental review process.

2.1 Soils and Topography

2.1.1 Conditions and Resources

Soils

Soils in the ROD consist of a mix of native upland soils, urban fill, dredge spoil, and wetland and floodplain soils. The most common soil types in the area, from a land area perspective, are "Cut and fill land, gently sloping" (CuB) and "Urban land" (Ur). These soil types are commonly associated with past soil disturbance and development activities involving the placement of fill, the mixing of native and non-native soils, and site grading for land development and drainage. The characteristics of these soils are generally variable depending on their source and are therefore undefined by the Soil Survey.

Native soils in the area are identified by the Suffolk County Soil Survey as components of the "Plymouth-Carver Association" and consist of deep, coarse textured sand and gravel, and are excessively drained. Soils in the ROD appear to have been formed on glacial outwash deposits

near the side slopes of glacial moraines that lead to the Peconic Estuary basin. Native upland soils within the ROD are identified as "Carver and Plymouth sands, 0 to 3 percent slopes" (CpA), "Plymouth loamy sand, 0 to 3 percent slopes" (PlA), "Plymouth loamy sand, 8 to 15 percent slopes" (PlB), and "Deerfield sand" (De).

Also found within the ROD are several hydric (saturated or wet) soils, including Wareham loamy sand (We), Atsion sand (At), Tidal marsh (Tm), and Berryland mucky sand (Bd). These soil types exist primarily on the north side of SR 24 and are associated with the Peconic River, its floodplain, and fresh and tidal wetlands and marshes; however, a few small areas containing hydric soils do exist south of SR 24. These include a narrow floodplain or freshwater wetland paralleling the Little Peconic River tributary, and a few very small and isolated freshwater ponds, wetlands, and/or shallow poorly drained topographic depressions.

The last grouping of soils identified in the area is "Filled land dredged material" (Fd) (in this case, dredge spoil deposits from the river) which is found in the northeast corner of the ROD along the south bank of the Peconic River.

Soil conditions are important in ensuring suitable development sites, proper support of buildings and structures, ensuring adequate stormwater and wastewater leaching, prevention of dust, erosion and sedimentation control during construction, support of landscaping and other factors. The specific characteristics and constraints of the above listed soils are discussed in detail in the DGEIS.

Topography

Topography in the ROD is generally flat to gently-sloping with a gradual decrease in elevation from south to north across the ROD toward the Peconic River. Land surface elevations range from a high of approximately 50 feet above mean sea level (msl) at the southwest corner of the ROD at the south end of the Riverwoods Community property to essentially sea level along the Peconic River. Topography in the ROD is mostly flat or gently sloping and no significant topographic issues or concerns were identified. The steepest slopes are found in a small area within the Riverwoods Community, near its south end, where the rolling hills and moderately-steep side slopes of the Ronkonkoma Moraine to the south and outside the ROD descend, grading into the more gently sloping glacial outwash plain that underlies the Riverside community and Peconic basin. Small minor topographic depressions are found at several locations in the ROD, some of which contain small freshwater wetlands or shallow groundwater fed surface waters bodies.

Topography plays a role in ensuring suitable and stable locations and grades for buildings, parking lots and roads, can necessitate the need for cut, fill and grading, and can affect stormwater runoff, erosion, sedimentation, and other factors.

2.1.2 Impacts

- Soil disturbance will occur as part of future development and redevelopment activities in the ROD which could result in erosion, sedimentation, and the raising of dust during construction.
- Minor grading, filling, backfilling of soils and minor disturbances to gently sloping topography is expected.
- Some buildings to be demolished, infrastructure to be removed (cesspools, drainage structures, fuel tanks, floor drains, etc.), and sites to be cleared and redeveloped under the ROD have been identified as "Sites of Environmental Concern" due to "recognized environmental conditions" (RECs). Still other locations may have environmental conditions that have yet to be discovered. Disturbance to these sites has the potential to release contaminants into the environment if not properly contained, managed and disposed.
- Some existing natural and landscaped areas will be replaced with impervious surfaces.

2.1.3 Mitigations and Future Actions

- Soil test borings shall be completed on development sites to identify actual on-site subsurface conditions, determine their suitability for development and any previously unknown factors that may affect development, and to identify viable means for mitigation as warranted. If unsuitable subsoils are found, techniques including deep compaction or over-excavation and replacement of unsuitable fill materials will be utilized as applicable. Development areas shall be stabilized, in accordance with the recommendations of a licensed civil engineer, prior to construction of structural elements.
- Erosion control and construction phasing plans shall be prepared for future site developments and will be reviewed by the Town Engineer and Planning Board as part of Site Plan review.
- Prior to the initiation of demolition and construction activities, brownfields or other sites having "recognized environmental conditions" (RECs) must be remediated. Remediation activities are required to be completed in accordance with the protocols, procedures, standards and documentation requirements of the appropriate supervising entity (e.g., SCDHS, NYS Department of Labor, and/or NYSDEC) as applicable.
- Stormwater Best Management Practices (BMPs) including green infrastructure (landscaped buffers, rain gardens, green roofs, vegetated swales, etc.) should be utilized and are promoted on future development sites for pretreatment of stormwater prior to infiltration where practicable but in any case shall comply with all State and Town standards and specifications and shall be subject to Town Engineering review and approval.

Finding 1: The Proposed Action is not anticipated to have a significant adverse impact on geology, soils or topography. Much of the Study Area was previously disturbed and was excavated, filled and/or graded and several parcels within the ROD will be retained for open space and recreation and will not be disturbed. Numerous impact avoidance and mitigation strategies have been identified to address issues related to soils, including but not limited to

controlling erosion and sedimentation, ensuring suitable drainage facilities, and other factors. Hydric soils (soils located in wetland areas) which ae poorly suited for development will be avoided through the establishment of wetlands setbacks and buffers. Native non/hydric soils in the area are suitable for development but are excessively drained and therefore are also subject to impact avoidance and mitigations included in this Findings Statement. During future site- and project-specific site plan and SEQRA review, the Town will be required to ensure compliance to impact avoidance and mitigation strategies identified by this Findings Statement and that stormwater and erosion control measures are installed to protect against any potential project-specific impacts.

2.2 Water Resources

2.2.1 Conditions and Resources

There are a variety of water resources located in and adjacent to the ROD. These resources are protected by a variety of agencies, policies and laws. Water resources in and adjacent to the ROD include:

- Peconic River/Peconic Estuary
- Little Peconic River
- Black Creek Pond
- Other un-named freshwater ponds
- Tidal and freshwater wetlands
- Groundwater resources

There are several small freshwater ponds in the Study Area which have a total combined surface water area of 6.5 acres; one is located east of Lake Avenue and south of Maynard Street within a publicly owned property, while two additional very small surface water features (likely used for drainage recharge or as a wet/detention pond) are located near the Riverwoods/MacLeod mobile home park in the southwest corner of the Study Area. Finally, a small surface water feature is located just east of the Riverwoods community on the west side of Riverleigh Avenue. These features, along with the Peconic River and several other surface waterbodies in the surrounding area, provide insight into the drainage patterns, surface hydrology, and relationship between groundwater and surface water in the area.

The tidal portion of the lower Peconic River, along the edge of the northerly boundary of the Study Area, discharges into Flanders Bay which is the westernmost reach of the greater Peconic Estuary. The Peconic Estuary is identified as one of 28 estuaries within U.S. territory that are included in the National Estuary Program (Section 320 of the Clean Water Act). Due to the Study Area's proximity to the river and ground surface elevations, land adjacent to the south bank of the river contains an assemblage of high marsh, intertidal marsh, and freshwater wetlands that are regulated by the NYSDEC. Some areas of freshwater wetlands extend south toward SR 24 along the west side of a small residential community and south from the river a

short distance along the northeasterly boundary of the Study Area. The above described wetlands comprise the river's southern floodplain. Wetlands that once existed along the south side of the river in the northeast corner of the Study Area were apparently filled by dredge spoil removed during a long past river dredging project. Much of the shoreline along the river at the west end of the Study Area, closest to the traffic circle is bulkheaded.

A portion of the ROD is in the Town's Aquifer Protection Overlay District (APOD), the Central Pine Barrens Compatible Growth Area (CPB CGA) and Central Suffolk South Special Groundwater Protection Area (SGPA). Land north of SR 25 and east of Peconic Avenue is in a Suffolk County Department of Health Services' (SCDHS) Groundwater Management Zone IV. The remainder of the ROD is within SCDHS' Groundwater Management Zone III. Near the Peconic River, groundwater flow is generally north toward the river; therefore, on the south side of the river within the Study Area, flow is generally to the north or north-northeast and the time of travel of groundwater to the Peconic River ranges between days in areas immediately proximate to the river to as much as 10 to 25 years at the south end of the Study Area near the intersection of Ludlam Avenue and Pebble Way (Figure 4-5 of the DGEIS). Depth to groundwater from the ground surface is variable within the Study Area depending on surface elevations and how near or far from the river depth to water is measured due to increasing water elevations to the south with distance from the river. Based on available water table data compiled by the County, depth to groundwater in the Study Area ranges from near zero at few locations near the river to approximately 35 feet at the south end of the Study Area between Oak Court and Elm Court in the Riverwoods Community. General depth to groundwater zones are shown in Figure 4-7 of the DGEIS.

Water resources are important for many reasons including their use as potable drinking water supplies, their limited quantity, and the ease at which they can be degraded, their support of ecological communities, contribution to aesthetic qualities, community character and identity, support for the economic and tourism, opportunities for recreation, potential for flooding, and other factors (see also sections on Ecological Resources, Land Use, Zoning, and Plans, and Community Character).

2.2.2 Impacts

- Under the subject action, additional potable water will be required to serve the area and additional wastewater will be generated that must be treated and recharged into the ground.
- Additional stormwater will be generated due to an anticipated increase in impervious surfaces that must be properly controlled and recharged.
- Future development will take place within a designated Central Pine Barrens Compatible Growth Area.

2.2.3 Mitigations and Future Actions

- Wastewater flow and water supply permitting is subject to SCDHS approval;

- Future development under the ROD must connect to approved sewage treatment plant(s) (STP) that provides advanced nitrogen treatment reduction capabilities;
- The siting of one or more new STP(s) must be assessed further to ensure that the facility conforms to SCDHS, SCDPW and NYSDEC requirements and that groundwater and surface waters are properly protected. Further study will address the following:
    - Strict compliance with all State Pollution Discharge Elimination System (SPDES) effluent permit requirements for STPs.
    - Additional study of treatment feasibility, project sponsor, location, capacity, engineering and design, plans and specifications, funding, district establishment, permitting and construction will be needed and will be reviewed under SEQRA.
    - Wastewater assessment will be subject to analysis of pre-project and post-project nitrogen loading to the groundwater so that it can be reviewed against the Total Maximum Daily Load limit (TMDL) for nitrogen established for the Peconic River system. (see discussion under Theoretical Development Scenario in **Section 1** above and also discussion of Alternative 3, "Sewage Treatment Plant Options," which outlines additional standards and requirements siting an STP(s)). Nitrogen loading may not exceed the allowable loads based on existing conditions and permitted loads per Suffolk County Sanitary Code for vacant and subdividable lands within the Study Area.
- No more than 15 percent of a development site proposed under the Subject Action may be planted with fertilizer dependent vegetation, thereby limiting landscaped areas that will require irrigation, fertilization and pesticide applications by retaining natural vegetation to the maximum extent possible and revegetating areas that have been disturbed during the construction process but will remain undeveloped with native or well-adapted non-invasive species;
- Water conservation fixtures for both indoor plumbing and any outdoor irrigation to help reduce water consumption and wastewater generation and adherence to the proposed Sustainable Development Standards for reducing impacts to water outlined under Section 410 J. of the ROD Code;
- Incorporation of pre-treatment of stormwater runoff prior to infiltration using "green infrastructure" practices such as vegetated swales, filter strips, rain gardens, green roofs other best management practices (BMPs) in accordance with the New York State Stormwater Management Design Manual and the Suffolk County Planning Commission Managing Stormwater Guide.
- Future development within the Central Pine Barrens Compatible Growth Area shall be demonstrated to comply with Articles 7 and 12 of the Suffolk County Sanitary Code (SCSC);
- Preparation of a Stormwater Pollution Prevention Plan (SWPPP) if required, to ensure compliance with water quality and quantity requirements indicated by the NYSDEC General Permit for Stormwater Discharges from Construction Activities (GP 0-15-002) and Town of Southampton requirements. Subsequent to construction, permanent occupancy and operation of the project sites would not be expected to impact water resources in consideration of the following:

- The Site Grading and Drainage Plan (to be prepared as part of the site plan application) will provide a drainage system to retain stormwater on-site and will be subject to thorough review and approval of the Town Engineering Division prior to approval. This plan will be designed to prevent runoff from developed surfaces from causing erosion, sedimentation or impacts to land or water resources.

***Finding 2*: The Proposed Action will not have any significant adverse impacts on water resources, including surface waters, wetlands, and groundwater. Indirect impacts to water quality will be addressed through implementation of water quality best management practices implemented as part of any SWPPP and the many impact avoidance and mitigation requirements set forth in this Findings Statement, including those indicated in the Water Resources Section and the Critical Environmental Areas Section. Loading of sediment into surface waters or off-site will be controlled through the implementation of erosion control and drainage plans which must be approved by the Town Engineer. Moreover, wetlands will be protected by wetlands conservation policies that are in place or indicated herein and the conditions of permit approvals.**

Groundwater will also be protected through stormwater controls, the elimination of septic systems and cesspools on redevelopment sites, construction of one or more sewage treatment plants that meet strict effluent standards, and other mitigation techniques. Nitrogen loading to groundwater shall not exceed the allowable loads based on existing conditions and permitted loads per Suffolk County Sanitary Code for vacant and subdividable lands within the Study Area. This limits the Theoretical Development Scenario residential use to 1,167 units with a flow of 150 gpd/unit (or a limit of 175,050 gpd of residential use connected to a sewage treatment plant) until additional steps are taken to ensure nitrogen loads would not exceed that which would be permitted under existing conditions. These could be achieved in several ways, including sewering of existing unsewered areas in the Study Area, reduction in the number of residential units built under the Theoretical Development Scenario, treatment and discharge of wastewater in deep recharge areas outside of the Study Area, or advanced nitrogen removal technologies.

The need for additional water resources investigations and associated mitigation measures are indicated in this Findings Statement and will be further enhanced or augmented as determined by the Planning Board during site plan and SEQRA reviews for site- and project-specific plans.

2.3 Ecological Resources

2.3.1 Conditions and Resources

The Riverside Study Area is mostly comprised of suburban and commercial development; some vacant and undisturbed lands remain. Lands that are vacant fall into one of the following four

categories: freshwater wetlands, tidal wetlands, preserved lands, or vacant lands surrounded by development. The NYSDEC has identified five freshwater wetland complexes within or partially within the Riverside Study Area. These areas comprise approximately 2,413 acres of wetland systems, 15.60 acres of which are located within the Study Area. NYSDEC tidal wetlands located along the shoreline of the Study Area east of the Peconic Avenue bridge include High Marsh (HM), Intertidal Marsh (IM), Dredge Spoil (DS) and Littoral Zone (LZ). The tidal wetlands within the Study Area are located where the shoreline intersects and interfaces with tidal waters. These wetlands contain saline waters, which originate from the ocean-fed surface waters associated with Peconic Bay. These features are formed by coastal processes and, with the exception of formerly connected tidal wetlands, are subject to tidal influence. These areas are not only vital to the ecological systems to which they serve, but also function to control storm surges during flood and major storm events which may impact sensitive watershed areas.

Upland ecological communities found within the study area are generally comprised of Pitch Pine-Oak forest, Successional Southern Hardwood forest, Maritime Oak Forest, Successional Shrubland, Maritime Heathland, and Successional Old Field. The Maritime Oak Forest woodland was primarily comprised of invasive species (Norway maple, tree of heaven); however, remnant oaks were visible within the forested area. The NYSDEC has also identified five freshwater wetland complexes within or partially within the Riverside Study Area. These areas comprise approximately 2,413 acres of wetland systems, 15.60 acres of which are located within the Study Area.

Six significant natural communities are located within or adjacent to the study area. The communities identified include:

- Red Maple-Blackgum Swamp
- Coastal Plain Atlantic White Cedar Swamp
- Coastal Plain Poor Fen
- Coastal Plain Pond Shore
- Pitch Pine-Oak-Heath Woodland
- Pitch Pine-Oak Forest

Wildlife within the majority of the Study Area is anticipated to consist of species that are adapted to suburban habitats, such as raccoons, squirrels, deer, rabbits, robins, mocking birds, grackles and starlings. The exception to this assumption is areas of forested upland, vegetated tidal wetlands, and freshwater wetlands, where a greater diversity of wildlife may inhabit, including interior forest birds, salamanders, shore birds, turtles, bivalves, and reptiles adapted for living in wetland habitats. It is noted that the eastern tiger salamander has also been identified as occurring within a half mile of the study area.

Ecological resources are important for their habitat and wildlife values including their support of rare as well as common ecological communities, plants, and wildlife which is important to our quality of life and natural heritage. (See also sections on Water Resources, Critical Environmental Areas and Other Regulated Environmental Districts)

2.3.2 Impacts

- Development may take place in proximity to wetlands and surface waters that could affect these resources.
- There is the potential for threatened or endangered wildlife occurring in the area.

2.3.3 Mitigations and Future Actions

- Delineation of the flagged wetland boundary within the vicinity of each wetland area will be necessary to determine the exact location of the wetland boundary, and the quality of habitat within the wetland adjacent area. Development within the regulated adjacent area of each wetland will be governed through appropriate regulatory review at which time appropriate protective measures for the wetlands will be determined.
- Future actions should be assessed to determine jurisdiction under New York State Environmental Conservation Law (NYSECL), including Article 24 (Freshwater Wetlands), Article 25 (Tidal Wetlands) and Article 11 (Endangered Species). It is noted that Southampton Town Code Section 325 regulates "wetlands" as well and is addressed below. Conformance with standards for issuance of permits should be sought wherever possible.
- Under Article 25, the limitations which are likely to have the most influence on projects proposed as part of future development pursuant to the ROD Code include, but are not limited to:
  - A 75-foot minimum setback requirement from the wetland for all new principal buildings and other non-water-dependent structures in excess of 100 square feet in area.
  - A 100-foot minimum wetland setback requirement for all components of a septic system.
  - All components of a septic system must be installed with at least two vertical feet of soil between the bottom of the component and the seasonal high groundwater level.
  - No more than 20 percent of the adjacent area on any lot can be covered with existing or new structures and impervious surfaces. Individual lots which lawfully existed on August 20, 1977 (the effective date of Part 661) may be covered with up to 3,000 square feet of existing and structures and other impervious surfaces.
  - The minimum lot area for any principal building constructed within the area regulated by Part 661, which minimum lot area shall include any wetland portion and any adjacent area portion of such lot, shall be as follows:
    - 20,000 square feet where the principal building[1] will be served by a public or community sewage disposal system.

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

  - 40,000 square feet where the principal building will not be served by a public or community sewage disposal system.

- With respect to NYSDEC jurisdiction under Article 25 of the NYSECL, the variance process would be used to consider limited structural improvements within the required 75 foot setback, but that all such improvements maintain a minimum setback of 50 feet and be designed as green roof and/or porous pavement that contain all runoff and erosion control/minimization potential. Coupled with this, a minimum natural buffer of 25 feet would be maintained between tidal wetlands and areas of disturbance; however, perpendicular pathways to access the waterfront, boardwalks and other such improvements that would normally be permitted would be allowed. The requirement of green infrastructure within any setback encroachment areas would be expected to mitigate impacts with respect to coverage and buffer relaxation and conform to variance criteria noted above.
- Further, it is noted that the jurisdiction area of NYSDEC would be expected to extend basically to Route 24. As a result, coverage within the jurisdiction area would be limited to 20 percent and density would be limited to the equivalent of 20,000 SF lots if connected to sewers, and under the definition of principal building, this would allow 4 units per acre of multi-family and commercial space as provided for in the note above (definition of principal building). It is expected that proposed density on the limited parcels identified above would exceed this Part 661 restrictions; however, density in and of itself is not expected to cause an impact to tidal wetlands provided that the development is sewered and the variance criteria above are met. In addition, the full preservation of riverfront parcels previously acquired by the Town, County and State, coupled with a proposal to provide an *environmental protection and enhancement fund* for wetland creation and improvements (as well as other acquisition and upland restoration efforts) will create a basis for further improvement of water quality, wetlands quantity and quality and open space in the Riverside area. Therefore it is proposed that no coverage or density restrictions be imposed provided that variance relief is sought, the project is justified through those criteria, and off-site mitigation is proposed. Off-site mitigation would occur in the form of wetland restoration on a 1 to 1 basis such that for each square foot of development that exceeds coverage within the subject parcels, one square foot of wetlands will be established elsewhere within and/or proximate to the ROD. Generally, this would apply only to the limited parcels east of McDonalds other than existing preserved lands within the ROD.
- Should a project require a variance from NYSDEC Article 25 wetland regulations, the project will need to meet the following criteria outlined in 6 NYCRR Part 661.11:
  - The spirit and intent of the pertinent provisions shall be observed,
  - That public safety and welfare are secured and substantial justice done, and
  - That action pursuant to the variance will not have an undue adverse impact on the present or potential value of any tidal wetland for marine food production, wildlife habitat, flood and hurricane and storm control, cleansing ecosystems, absorption of silt and organic material, recreation, education, research, or open space and aesthetic appreciation.

Variance applications will be required to demonstrate the following:

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

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

- Wetland creation
- Wetland restoration
- Invasive species removal
- Improvements to existing drainage systems which currently contribute to poor water quality
- Improvements to existing sanitary systems which currently contribute to poor water quality.

Consideration of Town wetlands regulations further note that NYSDEC regulates wetland setbacks, coverage and density under Article 25 of the NYSECL. The Town wetland setback of 125 feet that is typically required for vacant undeveloped parcels (with a 100 foot setback for developed parcels, and a 50 foot setback for bulkheaded shorelines). Development pursuant to the Theoretical Development Scenario would require relief as noted under Section 325-9. Much of the justification for such relief is outlined in relation to NYSDEC considerations and supported in the DGEIS and FGEIS. For the purpose of the Riverside ROD, the following considerations would apply:

- Riverside is unique in character and social conditions which warrant flexibility to ensure that revitalization is achieved in conformance with Town planning initiatives and the Town adopted Riverside RAP.
- The Riverside Theoretical Development Scenario envisions public access, appreciation and enjoyment of riverfront areas on limited parcels through passive public space and development that would require relief from Town Code wetlands setbacks.
- As noted in the FGEIS, the Town has permanently preserved many parcels of land along the Peconic River within the Riverside Study Area comprising 35.78 acres.

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

- With respect to Town of Southampton wetlands regulations, the Riverside ROD proposes specific modifications to the requirements of Chapter 325 to reflect the unique conditions of Riverside as noted above. Specifically, the following shall apply only to riverfront parcels within the ROD:

- For existing developed parcels within the ROD (i.e., lands between the Town Trustees parking lot and the existing McDonald's property which are not bulkheaded), a 50 foot wetlands setback and revegetated buffer for the purpose of providing retaining walls and an improved riverfront promenade is permitted, and a 75 foot principal building setback shall apply.
- For vacant lands (east of McDonalds) a 75 foot principal structure setback shall apply.

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

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

The basis for this relief is as noted above and in consideration of the existing section of the code that allows reduced setbacks as follows: Town Code Section 325-9 D. states that "For projects that do not satisfy the standards enumerated in this section, the approving authority shall consider imposing less than the recommended setbacks if the approving authority finds that the following requirements have been met." Specifically, the following considerations would apply:

> (1) The approving authority may consider imposing less than the recommended setbacks if the approving authority determines that the applicant has demonstrated the following:
>
> > (a) A buffer zone with an overall average width equivalent to the minimum required buffer zones set forth in § 325-9A, for turf, fertilizers, pesticides, herbicides, fungicides or similar treatments, landscaping or other clearing or disturbance of natural vegetation will provide equivalent protection of the wetland, or that partial relief of the minimum buffer requirements is both reasonable and sufficient to justify a lesser overall average buffer zone for such activities.
> >
> > (b) The proposed work and location will not impair the capacity of the wetland and buffer to provide essential wildlife habitat characteristics, including, among others, food, shelter, breeding, cover, screening and migratory habitat, as well as essential corridors and connective functions.
> >
> > (c) The proposed work and location will not impair wetlands and surface water quality by incorporating erosion, sedimentation and runoff controls to minimize nonpoint source pollution.
> >
> > (d) Mitigating measures shall be implemented that contribute to the protection and enhancement of wetlands and wetland benefits.
> >
> > (5) If the applicant can meet the criteria enumerated in § 325-9D(1) through (4), then the approving authority may impose less than the recommended setbacks set forth in § 325-9A.

- If further relief is sought to reduce setbacks more than provided for above, consistent with the potential relief and justification for NYSECL Article 25 as outlined above, this

would require a case-by-case review by the Planning Board under the provisions outlined in Chapter 325-9.

- Consideration of Town wetlands regulations further note that NYSDEC regulates wetland setbacks, coverage and density under Article 25 of the NYSECL. The Town wetland setback of 125 feet that is typically required would require relief as noted under Section 325-9. Much of the justification for such relief is outlined in relation to NYSDEC considerations and supported in the DGEIS and FGEIS. The following considerations would apply:
  - Riverside is unique in character and social conditions which warrant flexibility to ensure that revitalization is achieved in conformance with Town planning initiatives and the Town adopted Riverside RAP.
  - The Riverside Theoretical Development Scenario envisions public access, appreciation and enjoyment of riverfront areas on limited parcels through passive public space and development that would require relief from Town Code setbacks.
  - As noted in the FGEIS, the Town has permanently preserved many parcels of land along the Peconic River within the ROD.
  - Relief may be justified through provisions outlined with respect to Article 25 variance procedures noted in this section, specifically: if compliance is not possible, that relief be considered to allow principal buildings within 50 feet of wetlands, provided all improvements are "green infrastructure" (green roof, porous pavement, etc.), all runoff is controlled, a minimum 25 foot natural buffer is provided and for all square footage of encroachment within the jurisdiction area of NYSDEC (up to Route 24, or the 10 foot topographic contour), which would include the Town 125 foot setback area, off-site wetlands creation/mitigation be provided on a 1:1 basis of square feet of encroachment to wetland creation/mitigation. An environmental restoration fund that would potentially exceed $3 million at close to full development has been established to facilitate such mitigation.

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

- If threatened or endangered wildlife are encountered on a project site, site specific mitigation measures will need to be developed and an Article 11 Incidental Take Permit or Letter of Non-Jurisdiction will be necessary from the NYSDEC.
- Development within proximity to a potential tiger salamander breeding pond would require pond and/or upland habitat surveys to determine the presence/absence of the species. Should the presence of the species be confirmed, the appropriate mitigation measures would need to be considered during site design, which would include avoidance of impacts through site design, preservation of habitat, installation of barrier curbing or flashing to prevent salamanders from entering into a developed area, provisions to address lighting, stormwater runoff and management plans for both the pond and preserved upland habitat.

- **Figure 1** of the FGEIS provides a map of potential sites where radii extend into potential future development parcels is provided in the FGEIS. This map should be consulted and parcels within the check zone that are proposed for development should

***Finding 3*: Some ecological resources will be lost but significant impacts to ecological resources are not anticipated if future projects implement the numerous mitigation strategies outlined in this Findings Statement. Future development must meet NYSDEC and Town wetland permit conditions, as well as any requirements necessary for retention of habitat and impact avoidance associated with threatened and endangered species/Article 11 Incidental Take Permits.**

2.4 Critical Environmental Areas and Other Environmental Districts

2.4.1 Conditions and Resources

The parts of the ROD located south of SR 24 and a small area on the north side of SR 24 west of the traffic circle are within the Central Pine Barrens Compatible Growth Area (CGA), and based on the scope and nature of the Subject Action, including anticipated future development under the subject Zoning Code amendments, the Action is considered a "Development of Regional Significance." Parts of the ROD are also located within the Town's Aquifer Protection Overlay District (APOD) and/or contain freshwater wetlands and associated upland adjacent areas[2] that are currently subject to regulatory review by the Town pursuant to Chapter 157 of the Town Code as well as the NYSDEC per Article 24 of the Environmental Conservation Law of the State of New York. The Central Pine Barrens CGA, APOD, and NYSDEC designated freshwater wetlands and adjacent areas are all classified as "Critical Areas" under Section 157-10, "Critical areas," of the Southampton Town Code.

In addition, the area located south of SR 24 and west of the traffic circle on the north side of SR 24 is within the Long Island Regional Planning Board's Central Suffolk (South) Special Groundwater Protection Area (SGPA) which is a County designated Critical Environmental Area (CEA). Moreover, the ROD is adjacent to the County's "Peconic Bay and Environs" CEA which includes the lower Peconic River, Flanders Bay and the greater Peconic Estuary. Like the Town, the County also considers the Long Island Central Pine Barrens to be a CEA.

Sections of the Peconic River are classified as New York State Wild, Scenic and Recreational River (WSRR) areas and a small portion of the ROD is within a WSRR-designated "Recreational" area. The State's WSRRs are not CEAs, *per se*, but are nevertheless, identified as environmental resources of great value with attributes that must be protected

[2] "Adjacent area" means those areas of land or water that are outside a wetland and within 100 feet (approximately 30 meters), measured horizontally, of the boundary of the wetland. The Department may establish an adjacent area broader than 100 feet (approximately 30 meters) where necessary to protect and preserve a wetland, as set forth in subdivision 24-0701.2 of the Act and pursuant to Part 664.

The aforementioned CEAs and WSRR area focus primarily on the protection of "critical" or highly valued water resources; however, ecological considerations are also of paramount importance within these resource areas. As previously noted, despite its location along a tidal section of the Peconic River, the ROD is not currently within an approved Local Waterfront Revitalization Program (LWRP) Area. The Study Are is partly located within the Water Protection Boundary delineated for the draft "Southampton Town Water Protection Plan". Land north of SR 24 is located within a State Landward Coastal Boundary and may therefore require additional review for coastal consistency if state or federal permits are necessary as part of implementation of the Subject Action. The ROD is not within any State designated Coastal Erosion Hazard Area (CEHA) and is not within a delineated New York State Significant Coastal Fish and Wildlife Habitat but is in close proximity.

Protection of CEAs and other environmental districts in or adjacent to the ROD are important for a variety of reasons including but not limited to the protection of groundwater, surface water, wetlands, wildlife, wildlife habitat, and other environmental resources and features (see also sections on Water Resources, Ecological Resources, Land Use, Zoning, and Plans, and Community Character).

2.4.2 Impacts

- Development will take place within or near areas identified as CEAs which could affect these areas.
- Clearing could exceed current regulatory standards.
- Invasive species could become established if proper landscape plans are not instituted.
- Increased pollutant loading is possible.
- Applications for sites located within the Wild, Scenic and Recreational Rivers (WSRR) Recreational Area will require consistency reviews to demonstrate conformance to the land use requirements of the WSRR Act.
- New York State Coastal Consistency reviews will be required for future projects proposed north of SR 24 in the future if State or Federal permits are required.

2.4.3 Mitigations and Future Actions

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

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

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

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

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

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

- The Town regulates vegetation clearing under the APOD. The ROD is recommended to continue to rely on the Town's APOD with respect to clearing. However the ROD provides the ability to allow greater disturbance with an approved revegetation program. The DGEIS and FGEIS provide support for this approach particularly with respect to the discussion regarding the CPB CLUP as well as the provision for an environmental protection and enhancement fund that would be used for pine barrens vegetation preservation and enhancement. The ROD specifically notes the provisions of Section 330-67 B. shall apply to parcels opting into the ROD (i.e., the Planning Board may allow greater disturbance if

warranted by a particular application with mitigation provided). Notwithstanding the provisions of the aforementioned subsections, lots or tracts which opt-in to the Riverside ROD may be allowed to disturb a greater amount of the natural vegetation, provided that said use is consistent with the intent and policies of the Riverside Revitalization Action Plan and Aquifer Protection Overlay District and that a revegetation program which protects the aquifer is incorporated into the project design.

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

<u>Finding 4</u>: Future development must demonstrate consistency with APOD, CPBOD, and NYSDEC and Town wetlands permit conditions, and be consistent with the standards and guiding principles of the Central Pine Barrens Comprehensive Land Use Plan and Peconic Estuary Conservation and Management Plan including Total Maximum Daily Load standards, except as may be waived or varied pursuant to applicable laws and procedures after review and consideration by the agency or board overseeing the review and having authority over plan and law consistency and compliance. Numerous impact avoidance and mitigations have been identified in this Findings Statement which will help to maintain the quality of these critical resources. Future site specific actions must comply with SEQR (6 NYCRR Part 617) and may be subject to additional restrictions that may be imposed by the Planning Board, if necessary.

2.5 Land Use, Zoning, and Plans

2.5.1 Conditions

Land Use
Development along SR 24 and portions of several other major roads that merge at the traffic circle includes mixed commercial, industrial, residential, and institutional land uses, vacant/boarded-up buildings, and vacant land. Since development along the SR 24 corridor is spatially intermittent and not compact, is inconsistent in terms of use (e.g., commercial building next to a single-family home, next to a vacant lot, next to a vacant building, etc.), existing buildings tend to be single-story rather than two- or three-story structures, there are no significant anchor businesses, etc., the business district does not function as a compact, walkable and vibrant downtown or hamlet center.

Developed land outside the immediate corridor area consists primarily of an intermittent mix of medium-to-high density/small lot single-family residential neighborhoods and mobile home parks, vacant lots and buildings, minor light industrial development, and scattered institutional facilities.

Zoning
Currently, there are 13 standard zoning districts in the ROD, including five single-family residence (R-15, R-20, CR-40, R-80, MHS-40), six commercial (VB, HB, SCB, OD, RWB, MTL), one light industry (LI-40), and one open space conservation district OSC. Existing Overlay zones affecting portions of the ROD include the APOD, "Central Pine Barrens Overlay District" (CPBOD) and the Tidal Wetlands and Ocean Beach Overlay District ("TWOBOD"), applies to the tidal wetlands on the north side of SR 24 along the tidal portion of the Peconic River.

The dimensional standards for the ROD's 13 zoning districts are quite variable with minimum lot sizes ranging from 12,000 SF for the OD to 220,000 SF for the SCB; lot coverage standards ranging between 10 percent for the R-80 and 70 percent for the VB; and maximum building height standards that range from 32 feet and two stories for residential zones, 35 feet and two stories for the business districts, and 40 feet and three stories for the LI-40 zone. There are no dimensional standards for the OSC.

The above zoning districts would remain in place and persons developing pursuant to existing zoning would be subject to the standards and requirements of the respective zones. Under the Subject Action, however, land owners may opt into development under the applicable ROD zone. The ROD would alter the types of uses and mix of uses permitted, the dimensional and design standards of future development.

Plans
The following plans were reviewed as part of the DGEIS. Efforts were made in the development of the BOA Study, RRAP, and ROD provide consistency and to build off of adopted plans.

- 1999 Comprehensive Plan Update ("Southampton Tomorrow");
- 2004 Flanders/Riverside/Northampton Revitalization Study;
- 2006 Riverside Blight Study;
- 2008 Riverside Hamlet Plan;
- 2009 Riverside Urban Renewal Plan;
- 2011 Suffolk County Comprehensive Plan 2035;
- 2013 Flanders Riverside Corridor Sewering Feasibility Study;
- SCDPW traffic circle improvements planning; and
- 2015 RRAP, ROD and DGEIS.

Additionally, the Town of Riverhead is currently preparing a BOA for the neighboring Riverhead downtown area, which was considered in the preparation of the Riverside BOA Draft Nomination. The objective of both of these BOA studies is consistent and aimed at area-wide revitalization of these two communities, which are not only geographically and economically connected, but also share zip codes, service districts (including school, fire and library), major roadway interconnections and frontage along the Peconic River.

Land use, zoning, and plans are important in terms of providing housing, business activities, jobs, essential goods and services, cultural, recreational and entertainment opportunities. It is important in the design and appearance of development including but not limited to minimum lot sizes, development density, setbacks, building heights and other considerations for the built environment. It affects community character, the local economy, taxing and fiscal conditions, demand for utilities and services, traffic and other factors. Consistency with adopted plans helps in ensuring constancy with and building off of established goals, objectives, visions, and policies (see also sections on Community Character, Community Services, Traffic and Transportation, Socioeconomics, and Other Environmental Impacts).

2.5.2 Impacts

- Additional development density will be permitted under the provisions of the ROD.
- Some buildings to be demolished, infrastructure to be removed (cesspools, drainage structures, fuel tanks, floor drains, etc.), and sites to be cleared and redeveloped have been identified as "Sites of Environmental Concern" due to "recognized environmental conditions" (RECs). Still other locations may have environmental conditions that have yet to be discovered. Disturbance to these sites has the potential to release contaminants into the environment if not properly contained, managed and disposed.
- The appearance, type and scale of development will be different.

2.5.3 Mitigations and Future Actions

- Incentive Bonus Verification: Applications opting into the Incentive Bonuses program of the ROD must demonstrate that the application meets the requirements for minimum lot area and street frontage, Sustainability Standards, and other standards and requirements.
- Phase I Environmental Site Assessments (and Phase II ESAs if determined necessary by the Phase I) shall be conducted to identify any existing recognized environmental conditions (RECs) or potential concerns relating to demolition and site preparation prior to demolition and development. An ESA will identify the need for testing to determine if RECs are present which may require further testing, remediation, abatement, regulatory oversight or other appropriate actions. Any redevelopment or property transfer will be subject to the necessary regulatory steps and agency oversight to properly investigate, and remediate if necessary, recognized environmental conditions warranting such action. Issues that must be considered include the presence of asbestos containing materials (ACM) or soil contamination that contains elevated concentrations of contaminants in excess of regulatory agency standards. Issues of concern shall include identification of potential issues associated with floor drains, above- and below-ground fuel storage tanks, drywells, stormwater leaching pools, septic systems and cesspools, and past hazardous materials releases from storage, leaks, spills, mishandling of materials, intentional discharges, or other hazardous materials releases that have resulted in or may cause hazardous conditions. If hazardous conditions are identified, a plan to rectify these concerns will be developed and implemented.

***Finding 5*: The Proposed Action is not anticipated to result in any significant adverse impacts to land use, zoning, or public planning policies. The Proposed Action provides the flexibility and controls necessary to realize the land use and planning goals of the community of Riverside and Town of Southampton officials, as determined by extensive public outreach, previous planning efforts, and the contents of the RRAP, BOA, and ROD. The Proposed Action is anticipated to result in beneficial changes to current land use and zoning, eliminate blight, provide new business and housing opportunities, create jobs, stimulate economic activity and fiscal health, and improve aesthetic and community character. Future site specific actions must comply with SEQR (6 NYCRR Part 617).**

2.6 Community Character (Visual and Cultural Resources)

2.6.1 Conditions and Resources

Community character refers to the overall setting of a place, its identity and function, its natural environment and history, the scale, density, design and physical form of its man-made features, its social fabric, the types of experiences it offers, and how its many characteristics and conditions affect and interact with the senses and provides us with an overall impression. Community character is largely an abstract concept which makes it nearly impossible to measure quantitatively but can, nevertheless, be defined and assessed qualitatively by considering common perceptions of what is appealing or unappealing based on information collected through

direct field observations, analysis of GIS data, examination of past and present aerial and ground level photographs, input from community outreach exercises, and simply comparing conditions to other places we have visited and experienced that tend to be appreciated or disliked. The perception of a community's visual character is also often established based on views observed from locations where the public travels or visits the most – in this instance, the arterial roads that traverse the Riverside hamlet.

While the surrounding area is replete with preserved pine barren forests and open spaces and contains ponds, a lake, rivers and streams, tidal creeks, marshes and a bay, the built environment within Riverside lacks the same positive and distinctive community identity and in many instances actually detracts from its character. Unlike other well-established and successful hamlets and villages in the Town, Riverside lacks any recognition as a desirable "place" or destination to live where social and economic activities are woven into the fabric of the community creating a vibrant, walkable, mixed-use, sustainable business and neighborhood climate.

Development in the area currently consists of one- and two-story buildings and structures that are spread out along SR 24, Old Quogue Rd, and Riverleigh Ave, but mostly concentrated around the traffic circle on SR 24. This development pattern has been largely influenced, for better or worse, by the presence of the traffic circle itself and the five State or County highways that merge at this location. The traffic circle not only serves as a gateway to the Riverside community, but it also serves as a major regional gateway to the Hamptons and the North and South Forks; the nearby downtown Riverhead and Route 58 business districts; and the Peconic River, extensive parklands containing pine barrens and other valued natural resources. Vacant lots in Riverside, in addition to buildings and structures that are vacant, boarded-up, poorly maintained and in disrepair, have degraded the overall appearance and character of the built environment in the ROD, leading to what has been characterized as blight. A need has existed for some time for a viable well-coordinated plan for redevelopment, economic revitalization and community investment to be implemented to reverse blight conditions.

There are no National or State listed historic buildings, structures or historic districts in the ROD. The closest listed landmark is Vail-Leavitt Music Hall which is located at 18-24 Peconic Avenue in the Town of Riverhead and the closest historic district is the Riverhead Main Street Historic District in downtown Riverhead; the historic buildings front to Main Street, and the rear facades are directed toward adjoining parking lots, Heidi Behr Way (i.e., the Riverhead municipal parking lot access road), and the Peconic riverfront. A Town of Southampton historic marker is located on Peconic Avenue at the entrance to the Town

The Town of Southampton completed a Historic Resources Survey in April of 2014 which identified 14 properties in Riverside as potentially historically significant structures; all which are located within the ROD. At this time, the Town (or State) has not designated any of the 14 properties as local landmarks.

Parts of the ROD are, located within areas identified by the NYS OPRHP as archaeologically sensitive, which in this instance is any area within a half-mile of a known resource. Areas identified as archaeologically sensitive include land in the northwestern quadrant of the ROD, including land around the traffic circle and along most of that area north of SR 24 along the Peconic River, the existing single-family residential neighborhood along the western boundary of the ROD, and land that is situated north of the Riverwoods/MacLeod Community. The other archaeologically sensitive location is a small area in the northeastern corner of the ROD which contains land that has been acquired and preserved by the Town, some wetlands that can't be developed, an area of dredge spoil deposits, a commercial property and some developed single-family residential properties.

Community character and historic, archaeological, and cultural resources are important in that they improve the quality of life by maintaining our human heritage. Aesthetic qualities, historic and cultural resources and heritage, quality of life, community identify and other factors comprise what is commonly referred to as community character (See also sections on Water Resources, Critical Environmental Areas and Other Regulated Environmental Districts, Land Use, Zoning, and Plans, Traffic and Transportation, Air Quality and Noise, Socioeconomics, and Other Environmental Impacts).

2.6.2 Impacts

- Some future development could be proposed within areas identified as having archaeological sensitivity or potential local historic significance.
- Additional building density and building height that is not currently permitted would be permitted under the Subject Action.

2.6.3 Mitigations and Future Actions

- If future development is proposed within identified areas of archaeological sensitivity that have not been previously and significantly disturbed, excavated, filled, or otherwise impacted so that the chances of discovering intact/undisturbed archeological resources is very unlikely considering the locations and depth of proposed disturbance, a Phase I archaeological survey/cultural resource evaluation will be required. A cultural resource evaluation should include contact with the SHPO for review and input. Additional analysis may be required to identify and mitigate any potential impacts based on the findings of the cultural resource evaluation. If an archaeological assessment is required, the first step in the analysis would be the performance of a Phase IA archaeological assessment in accordance with NYS OPRHP standards and guidelines, followed by a Phase IB, Phase II, and Phase III, if and as warranted.
- If future projects or actions involve state or federal permitting, funding or licensing, additional review of potential impacts to architectural and archaeological resources may be required pursuant to Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.
- The ROD includes architectural guidelines and the Town will adopt additional architectural standards as part of the ROD to insure that the vision as it relates to the

community character of redevelopment of the hamlet as contained in the RRAP will be achieved. If the Planning Board finds during site plan review that the proposed architecture is consistent with the Architectural Standards, no further Architectural Review will be required under the ROD. Every application for a building permit not requiring site plan review shall be referred by the Building Administrator to the Board of Architectural Review and be designated by the Building Administrator as "substantial" or "nonsubstantial" construction. Applications for nonsubstantial construction may be reviewed by a committee of one member of the Board, but all applications for a sign permit and all applications for substantial construction shall be reviewed by the entire Board. In any case, the Board of Architectural Review shall determine compliance with the ROD's Architectural Standards. Applications reviewed under this subsection shall be approved, denied or approved with conditions which relate specifically to the criteria set forth in Section 330.

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

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

<u>Finding 6</u>: Adoption of the ROD Amendments will not have a significant adverse impact on community character. Future site-specific development will be required to evaluate the potential impact of a site-specific project on historic and cultural resources and will undergo architectural review. The Form-Based zoning standards and Architectural Standards to be adopted for the ROD will vastly improve the quality of the built environment and implementation of the Subject Action will help in eliminating blight and fostering community pride and a new sense of place. Several existing open spaces in the ROD as well as ponds, creeks and wetlands will be protected to maintain the integrity of these natural resources and

the quality of life and enhancement of community character they provide. Enhanced access to the Peconic River waterfront will promote views of the natural character of Riverside and provide a location for social gatherings such as Waterfire. Future actions must comply with the standards of this Findings Statement, and if needed in the future, based on site- and project-specific plans and SEQRA reviews, may be subject to additional mitigation requirements, if necessary.

2.7 Community Services CSC Article 6 standards must connect to

2.7.1 Conditions and Resources

Community services are publicly funded agencies, organizations and facilities that provide essential services to the community. Provision of adequate public services and facilities is essential for ensuring the health, safety, welfare and coordinated growth of a community and promoting its cohesiveness, functionality, and sustainability. The various community services and facilities that are relevant to the ROD include public schools, emergency services (i.e., police, fire, and ambulance), sewer (not currently available), water, electric, natural gas utilities, and parks and recreation. (See also sections on Land Use, Zoning and Plans, Traffic and Transportation, and Socioeconomics)

2.7.2 Impacts

- Additional potable water will be required to serve the community.
- A sewage treatment plant will have to be constructed to collect, treat and discharge wastewater. This facility must be properly sited and designed or there must be connections to existing STP.
- Additional school-age children are anticipated to be generated by the Subject Action.
- Additional strain will be placed on emergency service provides.
- There will be a demand for additional emergency provider personnel.

2.7.3 Mitigations and Future Actions

- Future development and redevelopment projects envisioned under the Subject Action and Theoretical Development Scenario will require a source of potable drinking water and must connect to a public water supply. Written confirmation must be obtained from the SCWA, its successors or other public water purveyor demonstrating that an adequate supply of water is available to satisfy both the “domestic” (drinking water) and “non-domestic”(non-drinking water) needs of future projects prior to issuance of a building permit.
- Sewage flow that exceeds SCSC Article 6 standards must connect to sewers. (Mitigations and future actions relating to sewers are discussed under the “Alternatives” section.)
- The expected substantial increase in taxes generated will help to offset the increased needs for and costs of community services.

- Under the full 10-year build-out of the Theoretical Development Scenario, 283 school age children (an additional 233 students accounting for redevelopment of existing lots) are anticipated to be generated. The Town and the Master Development will work with the Riverhead CSD to evaluate the demographic projections and the expected enrollment changes based on current growth trends and the additional students anticipated from redevelopment pursuant to the Subject Action. Once a greater understanding of future enrollment and available classroom space is completed, a determination of facility needs to accommodate this growth can be evaluated, including the cost of necessary facility improvements and potential funding mechanisms. A "Fair Share" mitigation program and fund will be established based on the Subject Action's proportional share of additional school age children to assist in providing revenue for necessary evaluation and implementation of facility upgrades (Mitigations and future actions relating to Fair Share Mitigation are discussed further under "Socioeconomic Considerations").
- Buildings must be constructed in conformance with New York State Fire and Building Codes and the recommendations of emergency service providers in terms of access and the provision of fire hydrants. In addition, use of sprinklers and fire/smoke alarms will assist in minimizing the potential need for fire protective services.
- The Fire Department/Fire Marshal will have the opportunity to review future proposed site plans to ensure that their needs, including provisions for emergency access, hydrant locations, sprinkler systems, fire alarms, and smoke and carbon monoxide detection, are properly addressed.
- The Fire Department will have the opportunity to provide input on site-specific plans, thereby requiring any site-specific mitigation measures necessary.
- The Town should pursue establishment of third party billing (i.e., pay for service reimbursement program) which would permit the NFVA to bill private insurance companies for services rendered. , consideration of Prepare a sewer feasibility study to assess in detail the most suitable location(s) for the treatment of disposal of sewage generated in the ROD.

***Finding 7*: Development associated with the Proposed Action will increase the demand for community facilities and community services. However, the substantial increases in property tax, sales tax, building permit and other one-time fees and other revenues and payments to Fair Share Mitigation funds will offset these increased costs.**

There will be increased demand for additional manpower and equipment for police, fire, ambulance, school, and other essential services during buildout. The Town will continue to work with the school district to determine future fair share mitigations.

The Town and community service providers will have the opportunity to review site- and project-specific plans during site plan reviews.

Community sewage treatment plant(s) will be required to serve the ROD. Sewage treatment facilities, including but not limited to plant(s), leaching areas, pumps and mains will be paid

for by developers and possibly through funding programs. A sewer feasibility study shall be performed to identify the best location for a facility to provide quality service and reduce the potential for environmental degradation.

Buildout is projected to result in significant tax revenue increases to the Riverhead School District, which would be used to fund new education programs, pay for additional personnel, and offset costs associated with any necessary capital construction in the future. The Town, Master Developer and consultants will continue working with the school to provide fair share mitigation as development goes forward.

The ROD is equipped with Suffolk County water Authority Water mains and is served by a Suffolk County Water Authority well. Water quality is very good and the water resource is plentiful. Impacts to ground and drinking water supplies are not anticipated.

Electric and gas service is available in the area from PSEG and National Grid, respectively and will be provided using these utilities. .

The many impact avoidance and mitigation strategies included in this Findings Statement will address concerns regarding community services. Future site plan and SEQRA reviews for specific projects will help to refine the mitigation strategies if needed and viable.

2.8 Traffic and Transportation

2.8.1 Conditions and Infrastructure

A Traffic Impact Study (TIS) was prepared by Nelson & Pope to assess existing traffic conditions in and around the ROD and to forecast future traffic conditions at key intersections under "build" and "no-build" conditions. Based on these analyses, potential traffic impacts are identified and the actions necessary to mitigate them are proposed.

Flanders Road (NYS 24) is an east/west NYSDOT roadway within the ROD and extends from the five-leg roundabout in Southampton to Montauk Highway in Hampton Bays. Within the ROD, Flanders Road provides one lane per travel direction with a center two-way left turn lane. The posted speed limit on Flanders Road is 40 MPH within the Riverside area. The section of Flanders Road in Riverside has an average annual daily traffic (AADT) volume of approximately 17,444 vehicles per day. Sidewalks are provided on both sides of Flanders Road within the ROD.

Nugent Drive (CR 94) is an east/west Suffolk County roadway within the ROD and extends from the five-leg roundabout in Southampton to the Long Island Expressway. CR 94 provides two lanes per travel direction with turn lanes at major intersections. The posted speed limit on CR 94 is 40 MPH.

Lake Avenue (CR 63) is a north/south Suffolk County roadway within the ROD and extends from the five-leg roundabout to CR 51. CR 63 provides one lanes per travel direction. The posted speed limit on CR 63 is 55 MPH. CR 63 has an AADT volume of approximately 6,692 vehicles per day.

CR 104 is a north/south Suffolk County roadway within the ROD and extends from the five-leg roundabout to CR 80. CR 104 within the ROD provides one lanes per travel direction. The posted speed limit on CR 104 is 40 MPH. CR 104 has an AADT volume of approximately 8,443 vehicles per day.

Old Quogue Road is a north/south local roadway within the ROD and extends from the Flanders Road (NYS Route 24) to CR 104. Old Quogue Road provides one lanes per travel direction. The posted speed limit on Old Quogue Road is 30 MPH. Old Quogue Road has an AADT volume of approximately 813 vehicles per day.

Ludlam Avenue is an east/west local roadway within the ROD and extends from the Flanders Road (NYS Route 24) to CR 104. Ludlam Avenue provides one lanes per travel direction. The posted speed limit on Ludlam Avenue is 30 MPH. Ludlam Avenue has an AADT volume of approximately 802 vehicles per day.

Transit and Pedestrian Facilities
Transit services within the ROD include commuter rail and public bus. Also in the ROD are pedestrian facilities i.e. sidewalks, crosswalks, pedestrian signals and push buttons at traffic lights.

Commuter Rail - The Riverhead Long Island Railroad (LIRR) station is located in downtown Riverhead. The station is situated on the north side of Railroad Street between Osborn Avenue and Griffing Avenue and is approximately 1 mile from Riverside. There are 5 trains per day, per direction at this station. This station is a stop for Suffolk County Transit (SCT) Bus routes S58, S62, S90, S92 and 8A and serves as a transfer location. Train arrivals and departures are not coordinated with the SCT bus schedule and vice versa. Several bicycle racks are also provided at this location.

The ridership on this eastern section of the LIRR is low. The infrequent train service leaves commuters with few options when travelling to/from work. The current weekday schedule provides 5 trains daily for both eastbound and westbound travel. Weekend and holiday service is even more limited with just 2 trains per direction, per day. According to the most recent ridership information available from the LIRR, at the Riverhead station, during the weekday AM peak, 16 patrons boarded the westbound train and no one boarded the eastbound train. During the weekday midday peak, 16 patrons boarded the westbound train and 14 patrons exited the eastbound train. During the weekday PM peak no one boarded the westbound train and 6 patrons exited the eastbound train. The overall ridership for an entire day is 52 patrons entering/exiting the train at the Riverhead station. For comparison purposes, the Ronkonkoma

train station services 17,278 patrons, in one day. The infrequent service, arrival/departure times and distance from other stations does not appeal to long distance commuters.

Bus Routes - Suffolk County Transit (SCT) bus line S92 has stops on Flanders Road (NYS Route 24) in Riverside. This route runs between the Orient Point Ferry through Riverhead and then to the East Hampton Railroad. This route makes several stops along the north and south fork of Long Island as well as one stop in Riverside. The bus operates approximately every half hour or hour depending on the time of day and runs from 5:15 am to 8:45 pm. Full service is available on Saturdays and Sunday service is provided from May to October.

Pedestrian Facilities - Sidewalks are provided on Flanders Road. The northbound approach at the signalized intersection of CR 105 and Flanders Road (NYS Route 24) is equipped with pedestrian push buttons and/or pedestrian signals and crosswalks to provide adequate crossing time and guidance to pedestrians.

Traffic and transportation issues and infrastructure is important in terms of access, convenience, delivery of goods and materials, and public safety. Transportation networks provide connectivity, facilitate or impede visitation, consume land and require infrastructure that may be expensive to construct and maintain. Walking and biking promote health and social interaction. Some modes of transportation contribute to air quality issues and emit greenhouse gasses, while public transit or multi-modal that includes walking and bicycle use can mitigate air quality impacts. (See also sections on Land Use, Zoning and Plans, Community Services, Air Quality and Noise, and Other Environmental Impacts)

2.8.2 Impacts

- Additional traffic can be expected. Level of service changes are expected at many of the study intersections.

2.8.3 Mitigations and Future Actions

- Increases in traffic from the proposed project can be accommodated at some study intersections without any mitigation. Some locations will require mitigation ranging from adjustments to the signal timings, additional lanes and installation of a traffic signal. Although there will be changes in the LOS at some intersections, they will continue to operate at acceptable levels of service. Fair Share mitigation contribution to allow for the following mitigation implementation:
  - Optimize and adjust the splits at the signalized intersection of Flanders Road (NYS Route 24) and CR 105.
  - Redesign the northbound Old Quogue Road approach at its intersection with Flanders Road (NYS Route 24) to provide one right turn lane and one left turn lane.
  - Redesign the northbound Vail Avenue approach at the intersection of Flanders Road (NYS Route 24) at Vail Avenue to provide one right turn lane and one left turn lane. In addition to the redesign of the northbound approach, re-stripe the painted median

on Flanders Road just west of Vail Avenue as a center two-way left turn lane consistent with the rest of Flanders Road.

- Redesign and install a traffic signal at the intersection of CR 104 at Old Quogue Road and Ludlam Avenue.

***Finding 8*: The introduction of mixed uses in the Hamlet reduces the need for vehicle use, as it places residential uses walking distance to the goods and services to be provided by the nonresidential uses contemplated in the ROD, as well as to those provided in Riverhead's Central Business District. In addition, the entire area contained in the ROD is within biking distance to the Riverhead Train Station or by a short cab drive as well as to a variety of jobs, goods and services. Portions of the ROD are also located in walking distance to the Riverhead Train Station and bus service is provided near the traffic circle and throughout the study area. New Streets are encouraged and incentivized in ROD to disperse local traffic alleviate the pressure on SR 24.**

The traffic impact analysis demonstrates that the roadway network serving the Study Area will require improvements and modifications to improve levels of service that are projected as the result of traffic that may be generated by projects pursued in accordance with the ROD Amendments. At the time a site-and project-specific development application is submitted, further evaluation of traffic, site access, bicycle and pedestrian facilities, and parking will be performed pursuant to site plan protocols, SEQRA and consistency with the standards outlined under the Findings Statement. This information will serve as the basis to determine if additional traffic analysis is warranted for individual development projects and will also be used to establish fair share traffic mitigation for each individual project. The need for additional traffic investigations and any required mitigation will be determined by the Planning Board during site plan review in conjunction with future site-specific SEQR (6 NYCRR Part 617) analysis. Anticipated improvements to the traffic circle by Suffolk County Department of Public Works, which includes the construction of a second lane will also help to offset impacts.

2.9 Air Quality and Noise

2.9.1 Conditions and Resources

Air Quality

Air quality monitoring data are published by the New York State Department of Environmental Conversation ("NYSDEC") Division of Air Resources for the continuous and manual ambient air monitoring systems that exist throughout the State to establish ambient air quality. Air quality data is compared to the National Ambient Air Quality Standards (NAAQS) and New York State standards. An ozone air quality monitoring station is located at 39 Sound Avenue in Riverhead. There are no monitoring stations for Sulfur Dioxide and Inhalable Particulates located in Riverhead, however, regional air quality can be characterized from a review of data

collected at the closest NYSDEC air quality monitoring stations. The nearest air quality monitoring station for Sulfur Dioxide and Inhalable Particulates is located at Holtsville, which is approximately 25 miles southwest of the of the ROD. The next closest station is located in Eisenhower Park (sulfur dioxide). Inhalable particulates PM2.5 are measured continuously at Holtsville and Eisenhower Park. O3 is monitored at Riverhead, Holtsville and Babylon. The most recent ten years of available air quality monitoring data is available on the NYSDEC's website through 2014.

The data indicate generally excellent air quality for the parameters in areas where monitoring is conducted and the full data for these stations and other area stations in NYSDEC Region 1 indicate a trend of general improvement in air quality for those parameters sampled, including ozone levels. Ground-level ozone is considered a secondary pollutant, since it is formed through a photochemical reaction between nitrogen oxides and reactive hydrocarbons (Volatile Organic Compounds) in the presence of elevated temperatures and ultraviolet light. The sources of the primary pollutants that form ozone include automobiles, trucks and buses, large combustion sources such as utilities, fuel stations, print shops, paints and cleaners, and engines (including construction and lawn equipment). Ozone level concentrations that exceed the NAAQS usually occur on hot sunny summer days with little to no wind. The present air quality in the vicinity of Riverside is expected to be excellent for the majority of the year, with the exception of a few days in summer when ozone levels are higher than normal.

Noise

Noise is "any loud, discordant or disagreeable sound or sounds" (NYSDEC, 2000). Sound that causes an unwelcome disturbance or that is harmful to the physical or psychological well-being of humans is often referred to as noise pollution. Such harmful, potentially harmful, distressing or unwelcome sound can also have quality of life and economic ramifications including a reduction in the enjoyment of private property or a lessening of one's quality of life and under extreme conditions the lowering of property values if the noise exposure is chronic and/or severe. Other specific impacts to humans from extreme, high-level or prolonged noise exposure include: inability to sleep or concentrate, discomfort, fatigue, anxiety, obstruction of normal communications, and under severe conditions hearing loss.

Noise can be generated by a variety of sources but is classified under two broad categories: mobile sources, including automobiles/traffic, construction vehicle activity, delivery trucks, trains and airplanes; and fixed or stationary sources, such as major/intensive commercial activities; industry (especially heavy industries involving the operation of manufacturing machinery, motors, pumps, fans, compressors, power generators, and/or HVAC equipment; large outdoor or semi-enclosed places of public assembly, including sporting events at active recreational facilities, special events that require the use of amplified sound, farming activities/machinery, and outdoor residential maintenance work, to name a few. Potential noise issues associated with future development under the proposed zoning scenario assuming potential increased traffic, new commercial, institutional, and light industrial uses, typical residential activities, and outdoor public events include:

- temporary noise from construction and site preparation activities including tree and brush removal, grubbing, grading, installation of utilities, and construction of roads, parking lots, and buildings;
- operation of equipment at light industrial facilities;
- periodic use of site maintenance tools such as leaf blowers, snow blowers, string and hedge trimmers, and lawn mowers;
- heavy truck traffic, including delivery vehicles, and garbage trucks;
- agricultural activities (which would be permitted) although they are unlikely in this area due to insufficient land area and soil conditions;
- additional vehicle traffic; and
- increased pedestrian activity and future outdoor events along the river such as Water Fire.

Air quality and noise are quality of life issues that affect health and the environment (see also sections on Land Use, Zoning and Plans, Community Character, Traffic and Transportation, and Other Environmental Impacts).

2.9.2 Impacts

- Fugitive dust may be generated during the construction process.
- Some noise will be generated in the community during demolition, site work, construction and increased activity, including outdoor events and maintenance activities upon completion of development and redevelopment.

2.9.3 Mitigations and Future Actions

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

***Finding 9*: The Proposed Action will not have a significant adverse impact on air resources or ambient noise levels. Any air-related impacts are primarily associated with construction-related activities, and these can be mitigated using best management practices to control fugitive dust. While noise levels may increase from mobile and stationary sources introduce by new development, the increase in noise would not be significant, and can be reduced through use of noise attenuating measures set forth in these findings including restrictions on the time and days construction can occur.**

2.10 Socioeconomic Considerations

2.10.1 Conditions

Extensive demographic and socioeconomic data collection and analyses were provided in the DGEIS. These investigations found among other things that:

- A total of 1,711 people reside in 706 households in the ROD. This equates to an average of 2.42 persons per household compared with the average household size of 3.0 persons for Suffolk County.
- Population growth has essentially been flat or stagnant over the past decade.
- Median home value in Riverside is just 20.8 percent of the County's median home value, while the "average home value" in Riverside is just 33.4 percent of the average County home.
- Only 4.5 percent of persons age 25 and older have a Bachelor's degree and 2.3 percent a Master's degree (as compared to 18.1 percent and 11.1 percent of the 25+ population within the County, respectively).
- The median income of the Study Area is $38,640 and significantly lower than the median income in Suffolk County at $87,763.
- The percentage of households with one or more persons with a disability is significantly higher in the ROD (35.3 percent of households) as compared to Suffolk County (20.8 percent of households).
- Riverside's peak unemployment rate in 2010 was 25.8, but by 2013 it had decreased to 14.6 percent. While the unemployment rate dropped by 11.2 percentage points in the course of four years, it is still more than twice the unemployment rate of either the County or the Town. Even more troubling than the unemployment rate in Riverside is the very low labor force participation rate (Labor force participants are individuals who are either working or looking for work). In 2013, labor force participation was 25.7% in Riverside, 59.6% in the Town of Southampton, and 66.1% in Suffolk County.

Demographics and socioeconomic conditions help to characterize a community in terms of the size of its population, population growth trends, racial, ethnic and age composition, housing tenure, household income, poverty and disability status, educational attainment, unemployment rate, workforce participation, and other characteristics. The primary reasons for performing socioeconomic investigations are to determine the social and economic needs of the community, the demand for certain types of land uses (i.e., affordable housing, rental units versus owner occupied units, senior housing, businesses and industries that will provide jobs for the workforce, educational facilities, recreational facility demands, the need for utilities and community services, etc.), and to ensure equity and environmental justice. (see also sections on Land Use, Zoning and Plans, Community Character, and Community Services).

2.10.2 Impacts

- There is the potential for redevelopment to displace existing residents and businesses.

- See also Community Services above.

2.10.3 Mitigations and Future Actions

- Implement Community Benefit Policies:
  - Demonstrate compliance with the Community Benefit Policies
  - Provide Community Benefit Housing Units
  - Require Fair Share Mitigation Fees

The DGEIS includes a discussion of two sources of funding for Town initiatives to improve the social and environmental conditions in Riverside. The ROD Code amendments have also been updated to include a Fair Share Mitigation fee schedule for developments approved under the ROD in order to offset the potential capital costs of mitigations identified during the SEQRA environmental review process. Additionally, Community Benefit Fees will be paid to promote the socioeconomic wellbeing of the residents of the area.

In determining the Fair Share Mitigation payments to be collected in connection with applications submitted under the ROD, the Town seeks to create a stream of revenue that would cover the projected capital costs of mitigating the anticipated impacts identified by the SEQRA process. The major categories of Fair Share Mitigation costs to offset anticipated impacts are described below. It should be noted that the actual allocation of the Fair Share Mitigation Payments will depend on the actual amount of development realized under the ROD. Necessary capital improvements and mitigation will be completed to accommodate the future development corresponding to actual needs as site specific developments are planned and as determined necessary by each entity.

Fair Share Environmental Mitigation Fund: Based on the importance of the Peconic Estuary and the Pine Barrens CLUP the Town is proposing several ways by which it may proactively mitigate potential impacts in these areas and protect or generally improve important ground and surface water resources. In total, approximately $4.6 million is estimated to be allocated to the improvement of these based on the full Theoretical Development Scenario over the 10-year projection period. The Town will allocate funding where appropriate over time however it is anticipated that 50 percent will be used in support of the Pine Barrens and 50 percent toward projects in support of the health of the Peconic Estuary, including but not limited to wetlands restoration projects. Additional benefits (not mitigation) may include a public recreation fee that is dedicated for construction of the promenade access to the Riverfront and support for the maritime trail program on public lands.

Fair Share Mitigation of Traffic Impacts: The flow of traffic was examined by the Town in the DGEIS. It is estimated that the total cost of these improvements are anticipated ot range between approximately $500,000 and $1,000,000. In addition to the capital cost associated with making improvement within the existing road right-of-ways, this total

cost estimate includes expenditures necessary to acquire land and/or construct limited amounts of new interior circulation roads, if necessary.

Community Benefit Fund toward Social Impacts: Significant Social Equity Investments into the Riverside Community are necessary to provide a safe, inviting and buildable environment. Since the current economic and socioeconomic conditions detailed in the RRAP and the DGEIS go beyond the limits of zoning and building forms, the new development under the ROD presents the opportunity to contribute toward addressing the current and ongoing needs of the Flanders/Riverside/Northampton area. The Community Benefit Program therefore should include funding for anti-recidivism programs, anti-human/drug trafficking programs, support for residents looking to recover from addiction and programs to eliminate prostitution, as well as other programs such as relocation assistance for residents who are displaced through future development resulting from this action. The allocation is estimated to be approximately $4.6 million, based on the full Theoretical Development Scenario over the 10-year projection period.

Fair Share Mitigation Fee Calculation
To determine the required fee for a proposed application in accordance with the ROD, the first step will be to determine the total net rentable square footage of the project. The total net rentable square footage will be multiplied by the then-applicable per square foot Fee Amount for each Fee Category (see table below). Finally, the applicable Fee Amounts derived will be summed to determine the total payment due for the applicable project.

The Per Square Foot Fee Amounts, which will be increased by three percent every year, starting on the first anniversary of the issuance of a site plan approval for the wastewater treatment plant serving the proposed ROD (and on each anniversary thereafter) are provided in the table below.

PER SQUARE FOOT FEE AMOUNTS

Per SF Fee Amount	Fee Category
$1.25	Fair Share Environmental Mitigation
$0.25	Fair Share Traffic/Road Improvements
$1.25	Community Benefit Program

In addition to the above socioeconomic benefits, the Subject Action also incorporates:

Sustainable Development Standards: Applicants opting into the ROD are required to meet various Sustainable Development Standards which include reductions in water use (both potable and irrigation water), heat island reduction through incorporation of tree canopies and shade, use of green roofs or roofs with high solar reflectance ("cool roofs"),

and provisions for shared parking and bicycle parking. (See Section 410 of the Zoning Amendments).

Community Benefit Housing: Overlay Zones require that 50 percent of the residential units built are constructed as Community Benefit Units, administered in accordance with the standards and specifications of Chapter 216 of the Town Code. The workforce housing units may be provided as part of a mixed income project or as stand-alone developments throughout the ROD. The quality of these developments shall be of the same standards of design, architecture and construction as full market rate units and be designed to be generally indistinguishable from a full market rate development. (See Section 412 of the Zoning Amendments.

2.10.4 Balancing Social, Economic and Other Considerations with Environmental Impacts

Section 9, "Community Services" and Section 12, "Socioeconomics" of the DGEIS address fiscal, economic, socioeconomic, and other factors associated with the adoption and implementation of the Proposed Project. These sections, along with Subsections 1.4, "Public Benefits of the Subject Action" and 2.2.3, "Community Benefits," of the DGEIS not only assist in identifying potential related impacts and impact avoidance and mitigation strategies but also indicate the many social and economic benefits of the Subject Action which is the primary impetus behind the Subject Action's creation. Social and economic factors are very important to SEQRA Findings Statements as:

> …it is not the intention of SEQR that environmental factors be the sole consideration in decision-making" but that "the environment, human and community resources be given appropriate weight with social and economic considerations in determining public policy, and that those factors be considered together in reaching decisions on proposed activities.
>
> (SEQRA 6NYCRR Part 617, Section 617.1(d)).

The SEQR Handbook is instructive in this regard, in its response to the question: "How should an agency balance environmental harm against social and economic benefits in order to approve an action?"

> SEQR gives considerable discretion to agencies to make decisions consistent with social, economic and other essential considerations. This allows agencies to approve actions providing social or economic benefits even if all environmental impacts cannot be totally avoided or mitigated. However, the underlying requirements that adverse environmental impacts must be avoided or minimized, and mitigation measures applied, remain. Thus, the more a project provides important, public, social and economic needs or benefits, the more an agency may conclude that it can accept certain adverse environmental impacts.
>
> (NYSDEC, 2010, p. 152, Question No. 15)

First and foremost, the Subject Action is intended to address many Town and community goals, needs and hopes for growth, revitalization, sustainability, and viability, as expressed in previous planning studies:

- (Town of Southampton 1999 Comprehensive Plan Update (Land Ethics, Inc.);
- 2004 Flanders/Riverside/Northampton Revitalization Study (Ferrandino & Associates, Inc; and Dvirka & Bartilucci, P.C./Greenwood Associates);
- 2006 Blight Study (Saccardi & Schiff, Inc.);
- 2008 Riverside Hamlet Plan (Hutton Associates & L.K. McLean Associates, P.C.);
- 2008 Draft GEIS for the Riverside Hamlet Plan (Cashin Associates, P.C.);
- 2009 Riverside Urban Renewal Plan (Saccardi & Schiff, Inc.);
- 2013 Flanders Riverside Corridor Sewer Feasibility Study (CDM Smith, H2M, and Bowne AE&T Group); and
- Suffolk County Department of Public Works traffic circle assessment and redesign studies.

The overall goal of these studies has always been to revitalize the ROD with uses that would restore the character and functionality of this struggling commercial corridor and residential community, promote much needed economic development, provide diverse and affordable housing opportunities, foster the creation of jobs, and ensure adequate capital infrastructure to support necessary growth and promote the health, safety and general welfare of the public. The specific benefits to the Riverside community from the current 2015 RRAP, BOA Study, and recommended zone changes and Zoning Code amendments are as follows:

Anticipated Community Benefits

- The fulfillment of long-established Town and community goals developed through extensive community participation, by helping to reestablish an appropriately-scaled, pedestrian-oriented mixed use hamlet center;
- The development and redevelopment of vacant and underutilized properties and providing a set of land uses that are appropriate and compatible with land uses in and around the ROD;
- The diversification of the community's housing stock by providing both market rate and Community Benefit Units (50 percent of the total units), significantly increasing affordable workforce housing options for persons with diverse housing needs;
- The elimination of blight, clean-up of contaminated properties and brownfield sites;
- Construction of infill development;
- Revitalization of the community and increases in property values;
- The generation of many temporary construction jobs as well as more permanent part-time and full-time employment opportunities at future retail, restaurant, office, personal services, hospitality, industrial, recreational, and cultural facilities and new maintenance positions at multifamily residential buildings as well as secondary "spin-off" jobs both for Riverside and ripple effects to the surrounding communities, including downtown

Riverhead;

- Applicants are required to comply with Community Benefit Policies, which include provisions for local construction and operation jobs and a local contracting policy to ensure local job creation both during construction and on a permanent basis.
- The creation of a more walkable multimodal transit-oriented community facilitating car, bus, train, taxi, bicycle and pedestrian activity, and new road improvements and street and pedestrian connections that will mitigate traffic impacts to the maximum extent practicable;
- The creation of a new sense of place, with increased community/social interaction through building designs and parcel layouts, with an increased level of "eyes on the street" to promote public safety, new pedestrian amenities, attractive architecture and landscaping, and outdoor community spaces, all under a unified form-based master plan;
- The construction of new buildings that are more energy efficient and fixtures and plumbing that conserve water for future generations;
- The enhancement of public access to the Peconic River and between the Riverside Hamlet Center and Downtown Riverhead;
- The use and connection to an advanced sewage treatment facility; and
- The cleanup of existing environmental conditions during demolition and site preparation for new development.

A detailed analysis of Fiscal and Economic impacts was prepared for the Subject Action and its implementation. This analysis indicates that the Subject Action will result in an increase in property taxes generated by the project parcels, due the increased assessed value of $636,117,077, and the return to the tax rolls of 36 parcels (or blocks) (which had been tax-exempt).

Anticipated Fiscal Impacts/Benefits

- The Subject Action, as envisioned under the ROD and anticipated Theoretical Development Scenario, will significantly increase taxes generated by the area, resulting in a substantial increase in revenues distributed to each taxing jurisdiction. At full build-out, the Theoretical Development Scenario is projected to generate over $12.6 million in annual taxes. This represents a net increase of over $10.3 million per year when compared to existing area conditions.
- Upon full build-out, the Theoretical Development Scenario will levy over $9.7 million to the Riverhead CSD. This represents 77.4 percent of the total taxes projected to be generated by the site.
- The Theoretical Development Scenario will levy over $355,000, or 2.8 percent of the taxes, to the Riverside and Baiting Hollow Library District.
- Over $550,000 or 4.4 percent of the total tax revenues are projected to be distributed to Suffolk County, which includes the General Fund, the Police Department and Out of County Tuition.
- Approximately 5.5 percent of the tax revenue is projected to be levied to the Town of

Southampton, which includes the Town/Part Town funds, Highway Tax and the Town-Wide Lighting District. These three line items combine to total over $690,000 in projected tax revenues.

- The Riverhead Fire District is projected to levy $758,000, or 6 percent of the total tax revenue generated by the implementation of the Subject Action.
- The balance of the current property tax revenues are projected to be apportioned to various other local taxing jurisdictions including New York State Real Property Tax Law, New York State MTA Tax, Open Space Bonds, and Northampton Ambulance District.
- The 283 school-aged children are project under the Theoretical Development Scenario, all assumed to be enrolled within public schools in the Riverhead CSD. It is projected that the 283 students will cost the Riverhead CSD approximately $5.2 million in annual expenditures upon full buildout and occupancy of the development.
- It is estimated that the school district will receive over $9.7 million in additional property taxes based on the Theoretical Development Scenario. This could help alleviate an increased burden on other taxpayers throughout the district.

Anticipated Economic Impacts/Benefits: Construction Period

- The construction period of 10 years is projected to represent a total of over $636 million in investment. This direct output is projected to generate an indirect impact to the region of over $254 million, and an induced impact of over $242 million, bringing the total economic impact on output to over $1.1 billion during the ten (10)-year construction period of 2016-2025.
- It is projected that the construction period will necessitate 306 full time equivalent (FTE) employees per year, over the course of ten (10) years. Under the Community Benefit Policy, a portion of these jobs go to residents of the Town, with priority consideration going to residents of Riverside.

Anticipated Economic Impacts/Benefits: Annual Operation

- It is assumed that the implementation of the Subject Action as evaluated in the DGEIS will begin the operational phase of development upon the completion of the first year of the ten (10)-year construction period. For the purpose of this analysis, construction will occur at a uniform rate each year until completed in 2025. The stabilized year of operations is assumed to occur in the following year, 2026.
- Implementation of the Action as indicated by the DGEIS is projected to generate over $56.4 million in annual operational revenues based on the Theoretical Development Scenario, stemming from annual rental income as well as annual sales revenues for each project component.
- The direct operational revenues are projected to generate an indirect impact of over $17 million.
- The induced impact of building operations alone totals $22.6 million under the Theoretical Development Scenario. Added to that is the impact of the expenditures of the new residents, which is quantified only in induced impacts. Residential expenditure impacts add another $142.9 million in output. Induced impacts of operations and

occupancy total $165.6 million per year. This additional output is generated through round-by-round sales made by households supported by or living in the development at various merchants in other sectors of the regional economy. These include local retailers, service providers, banks, grocers, restaurants, financial institutions, insurance companies, health and legal services providers, and other establishments in the region.

- The sum of the direct, indirect and induced impacts results in a total economic impact under the Theoretical Development Scenario on output of over $239.0 million during annual operations once the project reaches full buildout.
- The anticipated Theoretical Development Scenario examined in the DGEIS is projected to generate 678 jobs each year during annual operations. These 678 direct employment positions are projected to result in an indirect impact of 117 jobs, and an induced impact of almost 1,200 jobs throughout the region, bringing the total economic impact of employment to 1,971 jobs during annual operations. The regional nature of these induced impacts provides benefits to the Towns of Southampton and Riverhead as well as the County.
- Build out under the Theoretical Development Scenario is anticipated to generate 1,971 full-time equivalent (FTE) employees during annual operations. Under the Community Benefit Policy, a portion of these jobs must go to residents of the Town, with priority consideration going to residents of Riverside.
- The 1,971 employees are anticipated to earn a total of approximately $88.9 million in collective labor income. This includes the direct labor income of $26.1 million each year, as well as the income of the indirect and induced employment supported by the operations and occupancy.

The Subject Action represents a critical step toward the future of Riverside. The Riverside community is one of the most economically depressed communities on Long Island. It is racially and ethnically diverse community which has been significantly affected by poverty, unemployment, blight, depressed property values, an insufficient tax base, rampant crime, and a general feeling of hopelessness as expressed by some residents. Numerous buildings, including former homes and businesses are boarded-up, are dilapidated or in disrepair, while some residents are afraid to walk down public streets. The community is the gateway to the Hamptons and the North Fork but stands as a symbol of destitution while continuing to decline.

There is little chance for the above described issues and problems to be assuaged without the institution of a well-coordinated long-range multi-faceted planning strategy. Yet, at the same time, the area remains as one of the most heavily environmentally regulated locations on Long Island, despite the community's long existence and the generally poor quality and significant disturbance and fragmentation of much of the pine barrens habitat within in the ROD. In fact, most of the ROD has been cleared, excavated, filled, paved, developed, redeveloped, invaded by nonnative and invasive species, and/or contain numerous sites having existing hazardous/environmental conditions for many years.

Moreover, currently, there are thousands of acres of land that have, through the efforts of the Town, the County and the State, been preserved or protected in the surrounding area, including freshwater ponds, wetlands, groundwater resources, wildlife habitats, and hiking trails, not to mention considerable land within the ROD itself that has been preserved. The adjacent Central Pine Barrens Core Preservation Area, alone, contains 50,000 acres of fine natural resources and much of this area has already been acquired providing groundwater, surface water, and wildlife protection; while, another 50,000 acres comprise the Central Pine Barrens Compatible Growth Area which is set aside for compatible growth. Also, the Central Pine Barrens Commission and Town, long ago, identified land within the ROD to be set aside as a transfer of development rights receiving area, based on the conclusion that the area was suitable for additional density.

There has been extensive study, planning, community, agency outreach and input from planning and environmental professionals to address the issues and concerns of the area over the past decade, including traffic circle improvement planning, a sewer study, blight study, the comprehensive plan, hamlet studies, and a Hamlet Center Planned Development District proposal by the Town, all of which were meant to address critical economic development needs and none of which have come to fruition over these many years. The Hamlet of Riverside contains a previously established community, a location where five major State and County roads converge to bring people to the most major development center in the area (Downtown Riverhead), with extensive environmental restrictions, mitigations and protections contained herein and in various laws to protect resources that are essential and valued by everyone to ecological health of critical resources surrounding the Hamlet center.

The Town, its consultants and Master Developer have worked diligently in examining numerous land use, zoning and environmental laws and policies and have offered a multitude of approaches to ensure that identified environmental impacts are mitigated to the maximum extent practicable. The Subject Action has involved considerable public and agency outreach and has garnered overwhelming support and momentum to finally approve and begin the process of implementing this long-range strategy.

The ROD and envisioned development practices include among numerous other mitigation practices, form-based zoning, a sewage treatment plant(s), stormwater controls, cleanup of hazardous sites, elimination of septic systems and cesspools on redevelopment sites, water and energy conservation practices, green infrastructure, traffic mitigations, methods for reducing the heat island effect, limitations on clearing and the establishment of fertilizer dependent vegetation, promotion of walkable communities, and compliance with numerous permits and conditional approvals.

<u>Finding 10</u>: The Proposed Action is anticipated to result in substantial social and economic benefits to the Riverside community. These benefits arise from direct, indirect and induced investments, employment, tax revenues, salaries, and operational expenses from both construction activities and long-term occupancy of the new development sites. These benefits

are regional, providing an economic surge to Riverside and the neighboring Riverhead downtown, as well as throughout the region.

The ROD Amendments include the requirement to establish enforceable Community Benefit Housing, Sustainable Development Standards, as well as a Fair Share Mitigation Fund which are intended to assure that future development and redevelopment under the ROD result in direct benefits to Riverside. Additionally, to address concerns of potential displacement of existing residents within the Study Area, any housing units that are demolished as a result of redevelopment under the ROD shall be replaced with a quality Community Benefit Unit with the same number of bedrooms and offered at comparable cost as the housing unit that is proposed to be demolished. Any resident displaced by development under the ROD shall receive top priority for the in-kind replacement units referenced above.

Additionally, applicants will be required to comply with Community Benefit Policies, which will include provisions for local construction and operation jobs and a local contracting policy to ensure local job creation both during construction and on a permanent basis.

The many critical social and economic needs of the community and benefits the Subject Action provides, in conjunction with the numerous impact avoidance and mitigation strategies contained herein, clearly constitute a call for a reasoned balancing between the environment, human and community resources and social and economic considerations as indicated by SEQRA.

2.11 Other Impacts

The DGEIS investigated several additional environmental topics to fulfill the requirements of SEQRA including:

- Unavoidable Adverse Environmental Impacts
- Irreversible and Irretrievable Commitment of Resources
- Growth-Inducing, Secondary and Cumulative Impacts
- Energy Use and Conservation, and Greenhouse Gas Emissions
- Energy Use and Conservation
- Greenhouse Gas Emissions
- Construction Related Impacts

2.11.1 Unavoidable Adverse Environmental Impacts, Mitigations and Future Actions

- Redevelopment within the Study Area may result in the displacement of existing residents within the study area. To address the potential impacts of displacement, Finding #10 states that any housing units that are demolished as a result of redevelopment under the ROD shall be replaced with a quality Community Benefit Unit with the same number of bedrooms and offered at comparable cost as the housing unit that is proposed

to be demolished. Any resident displaced by development under the ROD shall receive top priority for the in-kind replacement units.

- The increased residential development associated with the Subject Action would generate new students for the Riverhead CSD, necessitating increased district expenditures. This impact would be at least partially offset by increased school district tax allocations, due to the increased property tax revenues generated.
- The increased development associated with the Subject Action will increase the potential need of emergency services (police, fire, and ambulance services), as well as the increased demands on such services. In compensation, it is expected that the increased taxes generated by this new development would offset at least a portion of the costs of service calls, as well as the costs associated with any expanded service capability (e.g., new equipment, additional personnel, improved/expanded facilities, etc.).
- The increased development associated with the Subject Action would result in increased wastewater generation and solid waste generation, as well as to increase the usage of solid waste services and handling facilities.
- The increased development associated with the Subject Action would result in an increase in total water consumption, with the potential to necessitate the improvements to the SCWA's distribution system in the area.
- There will be increased demands on the energy services of PSE&G and National Grid, which may entail expansions of these service networks (these impacts to be offset by fees paid by the new development).
- There will be increases in vehicle trips generated on area roadways, which may require mitigation measures, to be determined during the review of each development application.
- Temporary increases in truck traffic will occur during the construction period of each application associated with the Subject Action. Such activity will be conducted in conformance with Town requirements for construction hours and traffic management, and may include provisions for parking management and signage to alert and direct construction and commuter traffic.
- There would be temporary increases in the potential for fugitive dust caused by construction activities. Such conditions would be controlled as well as possible with mitigation techniques to be specified in the SWPPP and individual Erosion Control Plans, and may include such measures as soil wetting and temporary stabilization measures at the source.
- Temporary increases in noise will occur during the construction period. Such activity will be conducted in conformance with Town requirements for construction hours and noise management, and may include provisions for remediation activities (as necessary).

<u>Finding 11</u>: The Subject Action has the potential to result in the above-listed impacts. However, these impacts are determined to be unavoidable, and analyses of environmental impacts support the conclusion that they are properly mitigated, and none of the impacts are

significant. The Town will continue to work with the School District to establish fair share mitigation based on the District's long term plans to address overall growth within the district. Moreover, the many social and economic benefits of the Subject Action offset the unavoidable impacts identified.

2.11.2 Irreversible and Irretrievable Commitment of Resources, Mitigations and Future Actions

- Material used for construction, including but not limited to: wood, asphalt, concrete, fiberglass, steel, aluminum, glass, etc.
- Energy used in the construction, operation and maintenance of the Subject Action, including fossil fuels (i.e., oil and natural gas) and electricity.
- Potable water to be consumed on a daily basis for the operation of the Subject Action.

It is noted that the project involves sustainable planning concepts, by situating new development in proximity to an existing transit center, promoting indoor and outdoor water conservation, and providing techniques to mitigate the heat island effect which can exacerbate energy demand during warm spells. Furthermore, future plans and development are encouraged to utilize energy-efficient designs that incorporate, in part, design and planning standards equivalent to the US Green Buildings Council's LEED® (Leadership in Environmental and Energy Design) standards, even though requiring specific accreditation under LEED is not contemplated.

Finding 12: Analysis indicates that irreversibly committed resources are related to the building materials and energy resources associated with future site-specific construction processes as well as potable water; no other significant environmental resources are expected to be lost as a result of the Subject Action.

2.11.3 Growth-Inducing, Secondary and Cumulative Impacts, Mitigations and Future Actions

Growth-inducing aspects of development are those aspects that would cause or promote further development, either directly from future development under the proposed zoning itself (i.e., "primary" development), or indirectly, as a result of an increase in population or expanded retail, office, industry, institutional or other potential "spin-off" development in that community (i.e., "secondary" development). Direct/primary impacts might include, for example, the creation of a major employment center or institutional facility, installation or extension of infrastructure improvements or the development of a large residential project, particularly if that project were designed for a specific age group.

Cumulative impacts refer to the combined effects of a number of development proposals in an area, where the impacts of all such proposals are additive rather than individual and isolated. Cumulative impacts therefore consider the sum of the impacts anticipated from all actions and processes, which may be significantly greater than the individual effects occurring from each separate project.

The following planned projects identified as occurring in the adjacent Town of Riverhead were considered in the cumulative impact assessment:

- A 48-unit apartment development on the south side of West Main Street, just west of Peconic Avenue; and
- A mixed-use development on the south side of East Main Street just east of Roanoke Avenue, consisting of apartments and retail space.

Impacts

- As each of the cumulative projects would change the use and appearance of their sites, there will be a cumulative impact on the visual resources and character of the community; however, the area is already significantly developed with uses that are similar to those that may be requested in the future. New uses are anticipated to occupy buildings that would conform to specified height, bulk and setback requirements of their respective zones and will be subject to applicable design standards. Therefore, the Town Planning Board and ZBA will be responsible for determining the degree of conformance of the implementation of the Subject Action to the recommendations of the Town Comprehensive Plan Update, land use patterns, community character, and other potential impacts, considering both existing area conditions and the additional planned projects in determining whether to grant any variances requested by the Subject Action. As a result, development of these sites must conform to established Town land use requirements and architectural reviews, minimizing the potential for adverse visual impacts.
- The increased residential development would generate new students for the Riverhead CSD, necessitating increased district expenditures. This impact would be offset by additional school district tax revenues.
- The increased development possible under the Subject Action and Theoretical Development Scenario will increase the potential need of emergency services (police, fire, and ambulance services), as well as increased demands on such services. In compensation, it is expected that the additional taxes generated by this new development would offset at least a portion of the costs of service calls, as well as the costs associated with any expanded service capability (e.g., new equipment, additional personnel, improved/expanded facilities, etc.).
- Increased development would also result in additional wastewater and solid waste generation, with consequent requirements to increase solid waste services and handling facilities. Sewage treatment facilities, however, will be utilized for wastewater disposal to ensure an adequate level of protection of groundwater and surface water resources.
- The increased development would result in an increase in total water consumption, with the potential to necessitate the improvement of the SCWA's distribution system in the area.
- There will be increased demands on the energy services and supplies of PSE&G Long Island and National Grid, which may entail expansions of these service networks (these impacts to be offset by fees paid by the new development). These energy service

providers have been involved in initial stages of planning for redevelopment and will be contacted as development proceeds.

- The Traffic Impact Study (TIS) analysis provides a cumulative assessment of potential impacts to transportation resources. The TIS evaluated traffic generated from the Subject Action as well as the two other planned projects identified and balances these impacts with proposed mitigations. That analysis did not identify any significant adverse cumulative impacts to traffic conditions or resources.
- With respect to parking (and addressing only that component associated with non-residential development), it is expected that sufficient parking for each development application would be provided either on-site, on-street or in nearby public lots or parking garages, as determined by the Town Planning Board during the Site Plan review process.
- Temporary increases in the potential for fugitive dust caused by construction activities. Such conditions would be temporary and controlled with mitigation techniques to be specified in the SWPPP prepared for each development project, and may include soil wetting and temporary stabilization measures at the source.
- Temporary increases in noise will occur during the construction period of each application. Such activity will be conducted in conformance with Town requirements for construction hours and noise management, and may include provisions for remediation activities (as necessary).

The Subject Action would also have secondary effects on growth. The new development will encourage the establishment of additional, complementary development to a downtown setting within walking distance, biking distance or a short cab drive of public transportation, and thereby provide for beneficial economic growth and investment in an existing downtown setting that the Town acknowledges is in need of revitalization. It is anticipated that the Subject Action would contribute to an increase in activity for the existing local businesses from the increased customer bases arising from the increased number of residents. The new employment opportunities associated with the office and commercial spaces will be substantial, with associated beneficial economic and fiscal implications. New residents would be expected to shop not only in Riverside, but Riverhead and the Old Country Road (Route 58) corridor as well.

Mitigation and Future Actions

By its very nature, the Subject Action is intended to provide for commercial and residential growth in a portion of the Riverside hamlet so that economic development and community revitalization would occur, which is precisely the goal for this area, as specified in the Town's 1999 Comprehensive Plan Update and other studies. According to the Update, a major hamlet center similar to but smaller than the village/town centers, with shopping centers and retail corridors, should be created in Riverside by use of the Planned Development District (PDD) zoning mechanism. The Subject Action would achieve this goal, though not by use of the PDD concept, but by the implementation of Form-Based Code standards. Other general recommendations of the Update that apply to the Subject Action and would support other growth in the hamlet include:

- Combine convenience, destination, and specialty shopping, and therefore serve larger portions of the Town.
- Promote streetscape improvements unique to each hamlet/village center's themes and assets, through zoning guidelines, PDD guidelines, design guidelines, Capital Improvement Projects (CIP), etc.
- Focus landscape and other improvements on critical vistas which shape the image of hamlet/village centers.
- Retain or promote train stations, bus and jitney stops, beach shuttles, and other public transportation elements in the hamlet/village centers.
- Carefully consider how arterial access to hamlet/village centers can be improved without compromising on-street parking, the tranquility of adjoining neighborhoods, and pedestrian ambiance.
- Provide parking waiver fees in order to keep pace with inflation.
- Pursue on-street parking, sidewalk extensions, pedestrian-oriented lighting, street trees, traffic lights, and consistent building setbacks so as to create a pedestrian ambiance in hamlet/village centers.
- Target hamlet/village centers for TDR, PDD, MX zoning, and infill zoning so as to promote concentration of uses in these centers.
- Target hamlet/village centers for civic and Town facilities and amenities, including "greens" and pocket parks.

Construction in conformance with the ROD will create a significant number of full-time equivalent (FTE) construction jobs (both direct and indirect), which would last multiple years. These jobs may be filled first from within the local labor pool. These job opportunities would not require relocation of specialized labor forces or influx of large businesses from outside the area to provide construction support. As a result, construction job-related effects of the Subject Action are expected to be beneficial and significant, though temporary in duration.

Development associated with the Subject Action will result in increased usage of utilities. Electrical and natural gas services are generally available throughout Long Island (and are presently available in Riverside), and water mains are located within area roadways throughout the ROD. The Town and utility services providers will identify the necessary public improvements required to service the ROD as well as any future growth that may occur as a result of the Subject Action. Therefore, significant expansions of these utilities beyond what is planned for project-related redevelopment are not expected, though lesser improvements (e.g., individual service connections) are expected.

***Finding 13*: The Proposed Action is intended to stimulate much needed economic growth in the Study Area, and is expected to have beneficial growth-inducing aspects. The Subject Action will also result in significant, beneficial secondary and cumulative impacts, particularly related to the local economy. In general, while some negative cumulative impacts are anticipated from the implementation of the Subject Action, based on the forgoing**

considerations, it is the opinion of the Town that cumulative impacts would not be significant and would be offset by the Action's many benefits. Ultimately, involved agencies will review each application on its own merits, weigh the potential cumulative impacts outlined herein, and will render a decision on the significance of impacts and appropriateness of each individual project and further mitigate them if possible.

2.11.4 Energy Use and Conservation, and Greenhouse Gas Emissions

Impacts
There will be an increase in energy use during the construction and post-construction phases as the Subject Action is implemented. However, it is not anticipated that the project will result in significant adverse impacts on the availability of energy resources in the ROD.

Mitigations and Future Actions
An increase in the consumption of energy resources would typically be expected from an increase in development in the ROD. In general, the buildings associated with the Subject Action will be constructed in conformance with New York State Building Code and Town Code requirements, including the proposed "Sustainable Development Standards" outlined in Section 410 J. of the ROD Zoning Amendments. It is expected that new construction encouraged by the implementation of the Subject Action under the Theoretical Development Scenario will utilize contemporary energy-efficient building materials (e.g., insulation, windows, weather stripping, door seals, etc.) and mechanical systems (e.g., air conditioners, heating systems, HVAC systems, water heaters, heat pumps, etc.), which would minimize the amount of energy resources required. Incorporation of such measures is not only required by New York State, but is a sensible building practice, particularly in light of the increasing cost of energy resources and a movement toward energy efficiency to address Climate Change. Additionally, funding for Microgrid implementation is encouraged for the effectuation of additional energy resiliency measures. Water-saving plumbing fixtures would reduce unnecessary water loss, and with that conserve energy resources otherwise required for pumping of unnecessary amounts of water, as well as to heat water and baseline potable water use reduction is mandated by the Proposed Action.

The following general energy-conserving measures are expected to be incorporated into new construction:

- Utilize energy-efficient and cleaner-burning natural gas systems; consider alternative heating/cooling methods including geothermal, heat pumps and/or solar roof systems.
- Reduce energy consumption through use of superior building insulation materials (i.e., insulations, windows, weather stripping, door seals, etc.).
- Utilize water-saving devices such as low-flow toilets, automatic faucet shut-offs and related equipment would to reduce unnecessary water loss and resultant pumping energy loss.
- Utilize energy-efficient low wattage bulbs for facility exterior illumination and interior lighting wherever possible.

- Incentive-based use of "green development" options such as green roofs, grey-water and rainwater recycling, roof gardens, community gardens, etc.
- Incorporation of heat-island reduction requirements.

There will be an increase in energy use during the construction phase of the Subject Action. These impacts are expected to be of short duration, and the long-term energy demand in the ROD is expected to remain relatively stable as outdated buildings are removed and more energy-efficient structures are put in place. In summary, it is not anticipated that the project will result in significant adverse impacts on the availability of energy resources in the ROD.

Future development under the proposed zoning will necessitate the use of electricity and natural gas for energy, heating, and cooling needs. This will require the delivery of electricity from PSE&G LI which services the area, as well connection to National Grid gas pipelines. An increase in the consumption of energy resources would typically be expected from an increase in development, as represented by the Subject Action and Theoretical Development Scenario considered by the GEIS.

The Subject Action seeks to encourage energy-efficient development and designs by incorporating certain contemporary energy conservation planning and design standards that are consistent, in all or part, with the US Green Buildings Council's LEED® standards (though requiring specific accreditation under that standard is not contemplated) and with the recommendations of the Southampton 400+ Sustainability Plan. One example is the Proposed Action's call for solar reflectance standards for building roofs constructed under the requirements of the ROD to mitigate the potential impacts of the "heat island effect." The heat island effect is defined as a thermal gradient (i.e., a temperature difference) that exists between developed and undeveloped areas due to the presence of buildings, concrete and pavement which absorb and radiate heat during the summer rather than reflect it, and thereby results in increased localized temperatures. The problem with this phenomenon is that the increase in temperature can adversely affect a community by increasing summertime peak energy demands, air cooling costs, air pollution and greenhouse gas emissions, heat-related illness and mortality, and thermal water quality impacts from runoff that is heated as it flows over hot surfaces and makes its way to surface waters.

Section 330-410-I, Sustainable Development Standards specifies requirements for the Heat Island Reduction, as strategies on annual savings and peak-power avoidance. During the summer, solar-reflective roofs reflect most of the incoming sunlight and reduce the amount of heat conduction into a building. Similarly, green roofs and limited black-paved areas, as well as strategically placed trees reduce the amount of direct heat gain. The reduction in in summer heat gain due to cool roofs and shade from trees reduce the air-conditioning load of a building, improves thermal comfort, and saves peak electricity use.

In order to avoid or mitigate these concerns, the proposed development standards include the following techniques for addressing the heat island effect.

a) Heat island reduction shall be achieved through any combination of the following strategies for 50% of the non-roof site hardscape (including sidewalks, courtyards, parking lots, parking structures, and driveways), with exception of a Civic Space approved as a Piazza:

- Provide shade from open structures such as those supporting solar photovoltaic panels, canopied walkways, and pergolas;
- Have open grid pavement system (at least 50% pervious); and
- Provide shade from tree canopy (within five years of landscape installation).

b) Use roofing materials that have a Solar Reflectance Index (SRI) value equal to or greater than the values in the table below for a minimum of 75% of a roof's surface area of all new buildings within the project; or install a vegetated ("green") roof for at least 50% of the roof area of all new buildings within the project. Combinations of SRI compliant and vegetated roofs can be used; provided they collectively cover 75% of the roof area of all new buildings.

The Table below provides the SRI values to be employed under Subsection "b)" above:

SOLAR REFLECTANCE BY ROOF TYPE AND ROOF PITCH

Roof Type	**Slope**	**Solar Reflectance Index** (SRI)
Low-Sloped Roof	≤ 2 : 12	78
Steep-Sloped Roof	> 2 : 12	29

The SRI values shown in the above are consistent with LEED® Neighborhood Development (ND) standards. The retention of trees as intended by the Town's APOD and CPBOD will also help to provide shade, mitigate the heat island impacts and lower cooling loads in the summer.

The buildings will be constructed in conformance with New York State Building Code and Town Code standards, which will further minimize energy use, especially in consideration of the older less efficient buildings to be removed. It is expected that the Subject Action will utilize modern energy-efficient building materials (e.g., insulation, windows, weather stripping, door seals, lighting systems, etc.) and mechanical systems (e.g., air conditioners, heating systems, HVAC systems, water heaters, heat pumps, etc.), which would minimize the amount of energy resources required. Incorporation of such measures is not only required by the State of New York, but is a sensible building practice, particularly in light of the increasing costs of energy resources and is consistent with the recommendations of the Southampton 400+ Sustainability Plan. In addition to the above specified energy-conservation measures, the general energy-conserving aspects of the Subject Action and Theoretical Development Scenario include:

- Development that incorporates sustainable planning practices by situating the highest and densest development as close as possible to existing transit facilities (Riverhead Station and Suffolk County bus stops), proposed code requirements for bicycle parking and facilities, and greater encouragement of pedestrian activity to create a built environment that is conducive to reducing the need for vehicular trips;
- Design and development guidelines that seek to encourage energy efficient design and enhance the pedestrian environment and experience by providing safe, efficient, comfortable, aesthetically pleasing and interesting streetscapes, lighting, open spaces and other amenities;
- The mixed-use concept will provide residents with a range of employment opportunities, essential goods and services, access to parks and recreational facilities within the immediate area, as well as access to mass transit.

There will be an increase in energy use during the construction phase of implementation of the Subject Action. However, it is not anticipated that the project will result in significant adverse impacts on the availability of energy resources in the ROD.

Greenhouse Gas Emissions
Energy generation and usage to serve the development associated with the Subject Action is expected. Related to this is the generation of gaseous emissions from power sources and from the buildings to be built in redevelopment areas. These emissions are a scientifically well-established contributor to global climate change through a mechanism known as "the greenhouse effect", and so are termed "greenhouse gases". Specific requirements of the Form-based zoning are proposed in order to provide Public Frontages with increased pedestrian possibilities and Private Frontages to encourage and stimulate such pedestrian activity. To create safer environment and fight crime through design, techniques such as mixed use and "eyes on the street", increased glazing and active edge requirements are utilized. Bicycles as other-than-car transportation modality is supported by regulating bicycle storage and amenities, and park-once and walk techniques are encouraged through mixed use, more compact development possibilities combined with shared parking.

In general, it is important that new development proposals consider designs and practices that reduce emission of greenhouse gases. Greenhouse gas emissions result from combustion of fossil fuels, including direct/indirect emissions and stationary/mobile sources. The Subject Action will increase the amount of development in the area; however, the design, construction and operation of this new development will have the potential to incorporate measures to minimize the expected increase in overall generation of greenhouse gases. In addition to the measures listed in the Air Quality section of the DGEIS, the following measures shall be considered, where practicable, to ensure reduction of such emissions:

- Use of construction materials that consume minimal fossil fuel in their manufacture.
- Use of modern mechanical systems that are highly energy-efficient in their operation.
- Encourage the generation and usage of alternative energy.

- Reduce automobile dependence by instituting measures such as locating development in proximity to public transit facilities and routes, providing bicycle lanes and parking facilities, revising public bus transit routes to service the ROD.
- Utilize building materials and landscaping to reduce summer heat buildup that will reduce summer cooling demands.

Instituting the measures listed above will assure that development associated with the Subject Action will conserve energy resources. Such practices would also reduce the generation of greenhouse gases, which would in turn have regional benefits.

***Finding 14*: New construction in accordance with the Subject Action will be subject to the New York State Building and Town Codes and shall conform to specific design guidelines and extensive energy- and water-conserving standards required in the ROD, which have been designed to provide superior sustainable growth, including greenhouse gas emission control. Future site- and project-specific actions will also be reviewed for their impact as part of Site Plan and SEQRA review processes and may involve additional impact reduction, if the specific details of the project call for it.**

2.11.5 Demolition and Construction Related Activities

Impacts

- The geographic extent of impacts during construction would depend upon the location of a specific project, the scale of the project, and specifics of the particular project design (including but not limited to building height and bulk, parking facilities, length of construction schedule, etc.). Generally, the larger the project, the larger the area of potential impact. The scale and nature of each project would also contribute to the spatial extent and duration of potential impacts related to street closings, areas needed for staging and worker parking areas, materials storage, etc.
- Construction impacts from multiple sites may combine to increase the inconvenience and level of activity along streets;
- There will be an increase in noise from truck traffic, demolition and construction activities;
- There is potential for damage to Town, State and/or Suffolk County roads and streets during construction due to truck and heavy equipment traffic;
- Land will be cleared and soils and slopes will be disturbed which may promote soil erosion, sedimentation, and may generate dust;
- Site redevelopment will create noise as a result of equipment operation, demolition and increased activity levels;
- There are, have been, or may have been many commercial or industrial establishments within the ROD that have used, stored, generated, spilled, leaked, and hazardous substances on a site (as defined by the NY Environmental Conservation Law § 27-0901). Examples of such uses include gas stations, auto repair shops, certain manufacturing, etc. Storage and use of toxic and hazardous materials can present a potential hazard to human

health or the environment when improperly treated, stored, transported, disposed or otherwise managed;

- There is a potential for impact on traffic movements in the area during construction activities due to deliveries of building materials, construction worker arrivals and departures, etc. These impacts would be managed under the building permit issued, and by the terms of a Construction Traffic Management Plan, which may specify truck routes that would reduce impacts to roadways, options for the redirection of traffic at times or locations of particularly intense construction traffic, coordination of traffic measures with other adjacent or nearby construction sites, and staging of construction activities within the site to avoid activity on public streets, to the extent possible.

Mitigations and Future Actions

- The development program under the Subject Action will involve construction of individual sites. Construction will occur with or without the Subject Action; however, it is recognized that the zoning amendments are being advanced in order to stimulate beneficial development and redevelopment for the revitalization of Riverside. The pace of construction (which has been stagnant or in decline in recent years) is expected to increase as a result of the Subject Action. This is a planned and desired result of the Subject Action as sites are assembled and new development is conceived and implemented.
- Prior to the initiation of construction activities, sites where recognized environmental conditions (RECs) exist will be identified and remediated to standards suitable for redevelopment. Remediation activities are required to be completed according to the protocols, procedures, standards and documentation requirements of the appropriate supervising entity, such as SCDHS, NYS Department of Labor, Nassau County Fire Marshal's Office and/or NYSDEC.
- It is noted that construction is a short-term, temporary impact; however, the magnitude of redevelopment that is expected to occur over the study build period of ten years does warrant more detailed consideration of potential impacts and mitigation. Construction is expected to cause increased activity and localized inconvenience near construction sites. Such effects of development will be temporary in nature and can and shall be managed through Town regulations and any additional conditions that may be identified during the review process.
- Truck activity is expected during the day no earlier than 7:00 a.m. and no later than 7:00 p.m. between Monday and Saturday, excluding major holidays. All soil material removed from future project sites will be transported in accordance with Town restrictions and requirements. Truck traffic will be temporary and intermittent and utilize major streets and highways that may include SR 24, CR 104, CR 63, CR 105, and CR 51, which have sufficient capacity to accommodate these types of vehicles, so that no significant impact on traffic flow is expected, and truck traffic will be instructed to avoid residential streets to the extent possible. Impacts on traffic movements would be temporary and related to specific activities occurring on a given construction site at a

given period in the construction. While temporary inconveniences are expected, traffic impacts can be controlled and minimized through management plans.

- Any damage to Town, State and/or Suffolk County roads and streets during construction due to truck traffic, equipment movements, etc. will be repaired by each site-specific applicant as a part of their respective conditions of site plan approval. Such repairs would be conducted under a construction bond established by the applicant, which is a routine matter that is administered by the Building Department.
- Parking Management Plans and/or Remediation Plans (where applicable) for development and redevelopment will be required.
- Construction vehicles and equipment shall access each development site via construction entrances off bordering roadways. Demolition, site preparation and construction on individual sites will begin as the required site plan approvals and permits are obtained and essential capital infrastructure is put into place.
- All building construction including redevelopment is regulated under Town Code, which requires building permits and oversight by the Building Department. The building permit process provides for conformance with building code requirements, and special provisions as needed to ensure that construction occurs in a manner that causes the least disruption possible. It is expected that the Town may require site-specific construction management plans for construction activities on a case-by-case basis as each site-specific development proposal is submitted and reviewed. Such mitigation plans would take into account any other known planned or pending construction that could combine to increase the area of influence and therefore require special construction management considerations. The level and type of construction management plan would be determined during the site plan review process, and would be included as a condition of each building permit, to be administered and monitored by the Town Building Department.
- The ROD is characterized by relatively flat topography, and the block-type setting would tend to limit potential impacts to localized areas, immediately adjoining properties and roads. The potential for this impact occurs only during periods when soils on a site are exposed and/or placed in such a way that rainfall could cause sediment transport. Therefore, the potential for this impact is short-term for each construction site. SPDES requirements under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP 0-15-002) will be adhered to for stormwater permits as administered by the Town Code. For those sites where such measures are required, the filing of a Notice of Intent, erosion and sedimentation control plans, a SWPPP, site construction monitoring plans, and a Notice of Termination once complete, would ensure that potential impacts from stormwater are properly managed. Erosion and sedimentation control measures can be required and implemented at construction sites where there is a concern with respect to erosion, and would be specified on a case-by-case basis for each site-specific application but at a minimum would include the actions included herein. This potential impact is legitimately considered a short-term impact that can be controlled through measures outlined herein.

- Potential fugitive dust would only be generated during hours when construction activity occurs, which, is regulated by the Town Code. As a result, potential for dust generation would only occur during these hours. The most appropriate management techniques involve use of water spray to control dust, and avoidance of dust-generating activities during periods of excessively high winds. This type of impact is limited in duration to the time when activities are conducted that could generate dust, and therefore is legitimately considered a short-term potential impact that can be managed.
- Once buildings are enclosed and interior work commences, the potential for such noise impacts at a given site would be reduced or eliminated. Consequently, this potential impact can be limited and managed through existing Town Code requirements and is considered a temporary impact.

(see also sections on Soils and Topography and Air Quality and Noise)

Finding 15: ***No large scale impacts are anticipated from future construction activities based on the standards and policies outlined above which, based on the available information, mitigate impacts to the maximum extent practicable. Future site- and project-specific site plan reviews will provide opportunities to refine necessary mitigations contained in this document to further mitigate construction related impacts.***

2.12 Alternatives

SEQRA and its implementing regulations at 6 NYCRR Part 617.9(b)(5)(iii)(v) require an examination of reasonable project alternatives that are consistent with the objectives and capabilities of the project sponsor. This phase of environmental review provides the context and framework for identifying, comparing and contrasting feasible project alternatives and plays a critical role in project planning and the identification of impacts and mitigation strategies. Alternatives investigations provide a broader foundation for informed decision-making by the Lead Agency and other involved agencies and can include a wide range of action or project modifications or permutations.

SEQRA specifically requires a comparative assessment of what it refers to as the "No Action alternative." The No Action alternative serves as the basis for characterizing and evaluating anticipated changes and the possible impacts and benefits that are likely to result in the reasonably foreseeable future in the absence of the proposed action or any other actions. Finally, SEQRA requires that the discussions and analyses of alternatives be conducted at a level of detail that is sufficient to allow for the comparison of project benefits and impacts by the Lead Agency and all involved decision-making entities. The Draft GEIS considered the following alternatives:

Alternative 1: No-Action
Alternative 2: Development under Existing Zoning

Alternative 3: Sewage Treatment Plant Options

2.12.1 Alternative 1: No-Action

The No Action alternative assessed the potential conditions, impacts and benefits likely to occur if the Action is not adopted and effectuated. Current conditions, therefore, include existing land uses, zoning, development patterns and infrastructure that is currently in place. Under this scenario, current land use, environmental, social and economic conditions would be expected to remain the same and the potential impacts and many benefits of the Subject Action would not come to pass.

Impacts

- The Town would not implement the recommendations of the BOA Study, RRAP, and ROD, nor fulfill the many goals of past and present land use planning studies and community visioning exercises.
- The pattern of haphazard and ineffective development that currently exists in Riverside would remain unchanged and development would be governed by conventional zoning rather than Form-Based zoning which is less suitable for achieving Town goals in this area.
- The No Action Alternative would do nothing to address any of the critically important social and economic problems that currently affect the Riverside community.
- The existing blight would remain and improvements in the visual quality of the built environment through the implementation of design standards would not occur.
- The existing condition would not provide the types and numbers of housing opportunities needed to serve the public, including studio, one- and two-bedroom rental apartments and affordable workforce housing for emergency responders, teachers, seniors, single moms and young adults that is necessary to promote sustainable growth, enhanced housing opportunities and community health.
- The status quo condition would not generate the many temporary construction jobs (work occurring over roughly a 10 year period) and subsequent full- and part-time employment opportunities anticipated as a result of the implementation of the ROD.
- New business development would not be promoted to the extent anticipated by the Subject Action and the type and level of mixed-use growth that is necessary to create a sustainable community and the renaissance of the Hamlet of Riverside would not occur.
- The existing condition would not provide the tax revenues that the Subject Action will to support and sustain efficient and effective community service delivery, although, there would be less demand for services.
- The existing cesspools and septic systems, which provide minimal treatment, especially on substandard sized redevelopment sites, would remain in use.
- The sites identified as raising “environmental concern” in the area that would be cleaned up under the Subject Action, would not be remediated and reclaimed to the extent likely under the Subject Action.

- The area may not get the needed traffic improvements at the traffic circle and the enhanced street connectivity and pedestrian and bicycle friendly atmosphere envisioned by the Subject Action.
- Requirements for dedicated open spaces (plazas, courtyards, pocket parks, green areas, etc. envisioned by the ROD) on redevelopment sites would not be in place.
- The prospective regional hockey rink, which would fulfill regional demand for such facilities, would not be established.
- Standards for water conservation and energy conservation outlined in the Subject Action would not be implemented.
- There would be a total of $10,331,037 less in tax revenues generated in the community.
- There would be a total of $8,031,527 less in school revenues generated in the community.
- The opportunity for the community to come together to rebuild as it sees necessary would not be instituted.

Benefits

- The No Action alternative would not increase traffic.
- The No Action alternative would not consume as much water (416,332 gpd less) or generate as much wastewater and stormwater as the Subject Action, Theoretical Development Scenario, and remaining development would.
- Additional clearing and disturbance to wildlife habitat would not be necessary.
- An additional 233 children would not be added to the public school system.
- Additional solid waste would not be generated.
- There would be 48.4 acres less impervious surface.
- 32.4 acres of woodlands would not be cleared.
- An additional 5.65 tons/day of solid waste would not be generated.

2.12.2 Alternative 2: Development under Existing Zoning

Impacts of Development under Existing Zoning

The primary issue with Alternative 2 is that US Census data from 2000 through 2010 shows that population growth in Riverside was just 0.89 percent (i.e., less than one percent) indicating for all intents and purposes population stagnation. Empirical evidence, including the fact that most of the limited number of vacant developable lots in the ROD have remained vacant for extended periods of time, and the presence of numerous boarded up commercial and recreational structures in the Hamlet, support this notion of long-term stagnation from both a population and business growth perspective, and may in fact be considered to be in decline based on certain indicators. In fact, major reasons for the Subject Action are to reverse this long-term trend of vacant blighted buildings and the lack of business development and success, to provide greater opportunity for residents and more community self-sustainability. Based on the aforementioned, a more realistic projection of buildout in the absence of the Subject Action over the next ten years is the status quo or no growth /No Action alternative scenario considered above.

2.12.3 Alternative 3: Sewage Treatment Plant Options

Alternative 3 involves the identification and evaluation of several new locations and one existing location for the collection, treatment and disposal of sewage generated under the Subject Action and Theoretical Development Scenario. Specifically, this alternative considered the best location(s) in or near the ROD to site one or more new STPs and associated leaching field(s) and/or possible connection to and expansion of a currently operating STP to ensure the level of treatment required to continue to protect human and natural environments under the Subject Action.

Any new STP locations must be capable of accommodating the projected 500,000 gpd of sewage projected for the Theoretical Development Scenario and comply with Suffolk County siting, design, operation, and applicable public health and environmental regulations. Similarly, an existing STP would have to have the capacity to accommodate the additional approximately 500,000 gpd or enough land and suitable environmental conditions to expand to meet this additional demand.

Alternative 3 of the DGEIS assumed development under the Subject Action but focused on the identification and preliminary assessment of potential STP sites. As a result, potential impacts and possible benefits were identified due to increased sewage generation, sewage collection needs, and treatment and disposal issues. Removal of existing antiquated cesspools and sanitary systems and replacement with an advanced sewage treatment facility has many benefits, including supporting economic growth and an expanded housing stock with new housing options, more tax ratable development to offset impacts on community service providers, new employment opportunities to serve an area with a very high unemployment rate, and others, while mitigating impacts to environmental resources to the extent possible.

Mitigation

Additional study is warranted to determine the best location(s) to construct an STP and provide leaching area(s) to serve the Riverside community. The following actions shall be taken in determining the most suitable location for sewage disposal.

- Commission a detailed sewer feasibility study to identify which of the identified sites or combination of sites in the ROD is most suitable to serve the area assuming development under the ROD.
- Drill soil borings at potential sites to determine the suitability of soils for drainage, sewage absorption and identification of actual on-site depth to groundwater. Unsuitable soils must be removed and replaced with clean material of a texture that complies with SCDHS requirements and has suitable characteristics (i.e. soil texture) to provide the necessary level of permeability and percolation.
- Any development opting into the ROD must be connected to a tertiary sewage treatment facility which has an effluent concentration of no more than 6 mg/l of nitrogen or a concentration deemed suitable by the SCDHS Board of Review and SPDES permits.

- An area dedicated for construction of an STP should be approximately 120 feet by 120 feet to meet the anticipated design needs of the area or conform to the SCDHS Board of Review requirements if the SCDHS finds that a different size is appropriate.
- A minimum of two acres or the minimum required by the SCDHS Board of Review should be set aside for sewage leaching areas.
- The minimum depth to groundwater in leaching areas should be 14 feet or 12 feet with two feet of soil mounded at the surface to ensure adequate groundwater separation unless the SCDHS Board of Review, based on other information, allows or requires a different standard.
- Leaching pools must be a minimum of 150 feet from any private well or greater if required by SCDHS based on the depth of a well unless the SCDHS Board of Review finds another setback is appropriate or necessary. If the 150 foot setback cannot be met, the developer will have to provide public water connections to properties currently relying on private wells within the 150 foot setback, as required by SCDHS.
- Sewage leaching areas should not be located in areas with a 0-2 year groundwater time of travel of any public supply well. Based on the distances of existing public wellfields from the ROD and groundwater flow patterns, threats to public water supplies do not appear to be an issue. SCDHS and SCWA will further investigate this matter and provide input to verify conformance before any permits for STP construction are granted.
- Groundwater time of travel to receiving surface waters should be the maximum possible and leaching pools should be installed at locations that maximize this separation distance.
- A minimum two feet of separation must be maintained between the base of any leaching pool and the seasonally high groundwater table or a depth determined by the SCDHS Board of Review, if greater separation is deemed necessary.
- The leaching area must be a minimum of 100 feet from any surface waterbody or wetland unless the SCDHS Board of Review requires a lesser or greater separation distance. Leaching areas should be located away from wetlands and surface waters and comply with any permits that may be issued.
- Sewer mains must be a minimum of 50 feet from any surface water or well or as required by the SCDHS Board of Review.
- Discharge from the STP must comply with the thresholds and performance standards of a State-issued SPDES wastewater permit.
- Odor control technology shall be provided.
- Future facilities must be consistent with all other the SCDHS requirements except as may be modified by the SCDHS Board of Review.
- New sewage treatment facilities should be dedicated to the County and the County should operate and maintain the system(s), including making sure a trained STP professional is available 24/7 to respond to any plant operations and maintenance issues.

<u>Finding 16</u>: Based on the review of Action Alternatives, and in consideration of social, economic, environmental, and other applicable considerations, the Proposed Action has been found to provide the best approach to achieving Town and community goals while avoiding or

minimizing adverse environmental impacts to the maximum extent practicable, by incorporating as conditions to the decision those mitigation measures and safeguards that were identified as practicable.

2.13 Future SEQRA Review

Title 6, New York Code of Rules and Regulations ("6 NYCRR") Part 617.10(c), states "Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect significant impacts, such as site specific impacts, that were not adequately analyzed or addressed in the Generic EIS.

As indicated by SEQRA Part 617.10(d), "When a final Generic EIS has been filed under this part:

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

All applications for new development projects in the ROD that are determined to constitute an Unlisted or Type I action under SEQRA will continue to be subject to SEQRA procedures and requirements. This means that all such projects and actions proposed under the ROD would be subject to individual approval processes and reviews, including Site Plan review, Findings Statement consistency review, and site- and project-specific impact review under SEQRA using an EAF or Supplemental Generic Environmental Impact Statement (SGEIS). Applications filed for review under ROD standards must conform to applicable thresholds, conditions, restrictions, standards and requirements identified by this Findings Statement. Projects filed without opting-in to the ROD shall be subject to SEQRA review and will not have the benefit of the qualified status of the Subject Action. Such projects shall consider the Findings and full analysis of the Subject Action in its review prior to the Town completing the SEQRA process. Adherence to this procedure will ensure that all future development in the ROD complies with SEQRA, and conforms to established land use controls, minimizes potential adverse environmental impacts, and provides consistency with established Town goals and policies as outlined in the RRAP, Town's Comprehensive Plan Update and other applicable adopted plans.

3.0 CONCLUSION

The preceding analyses and conditions establish thresholds, standards and requirements for supplementary impact assessments and mitigation measures for future development under the Action. Each site-specific development application or action that involves development in accordance with the ROD that is identified as an Unlisted or Type I action pursuant to SEQRA shall be subsequently reviewed for consistency with this Findings Statement and the regulations implementing SEQRA (6 NYCRR Part 617) in order to evaluate possible site-specific impacts and the need for further environmental review through the preparation of an Environmental Assessment Form (EAF). Plan preparation and site- and project-specific reviews shall be guided by the thresholds, standards, and requirements identified in this Finding Statement and any significant adverse environmental impacts that are identified shall be further investigated through the preparation of EAFs Part 1, Part 2 and if warranted, Part 3 (or in lieu of an EAF, an SGEIS shall be submitted) which shall lead to the adoption of a Negative Declaration, Conditional Negative Declaration or Positive Declaration. Should a Positive Declaration be issued and an SGEIS was not submitted in lieu of an EAF, an SGEIS shall be prepared in accordance with SEQRA, and all potential significant impacts that are identified are to be mitigated to the maximum extent practicable, with consideration of and balance with social and economic factors, as required by SEQRA.

If, during future site- and project-specific development reviews under the proposed ROD, one or more of the following thresholds is met, additional site-specific review including technical studies and/or a Supplemental EIS and amended Findings Statement may be required.

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

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

Based on the Town Board's review of the subject GEIS and consideration of comments received during the public review process, the Town Board concludes that identified impacts have been avoided or mitigated to the maximum extent possible and that the long-term benefits of the

Action, including social, economic and other essential considerations outweigh any residual individual or cumulative impacts that were identified. In fact, the Subject Action is one that is necessary, and is expected to have a pronounced beneficial effect on the Riverside community. The mitigations identified for the Subject Action avoid or minimize adverse environmental impacts to the maximum extent practicable, while the Action meets the spirit and overall objectives of the Town of Southampton and Hamlet of Riverside's long-term planning efforts and vision for the future as documented by the RRAP, GEIS, and numerous previous studies prepared by the Town, County, land developers, and various planning and environmental professionals including the 1999 Comprehensive Plan Update ("Southampton Tomorrow"); 2004 Flanders/Riverside/ Northampton Revitalization Study; 2006 Riverside Blight Study; 2008 Riverside Hamlet Plan; 2009 Riverside Urban Renewal Plan; 2011 Suffolk County Comprehensive Plan 2035; 2013 Flanders Riverside Corridor Sewering Feasibility Study; ongoing SCDPW traffic circle improvements planning and design).

The Lead Agency, as required by SEQRA, evaluated and compared and contrasted the Subject Action to the requisite "No Action Alternative" ("Alternative 1"), a "Development under Existing Zoning Alternative" ("Alternative 2"), and explored an "Available Sewage Treatment Plant Options Alternative" ("Alternative 3"). Based on these investigations, it was determined that in the absence of the Zoning Amendments, the Riverside community would not receive the critical mass and essential community needs and benefits anticipated by the type, design and level of development, redevelopment and revitalization envisioned by the BOA Study, RRAP, ROD and previous land use, zoning and infrastructure studies. Based on the information and findings contained in this Findings Statement and in the DGEIS and FGEIS, a "Positive Finding," indicating that the Subject Action can be approved, is recommended.

State Environmental Quality Review Act
FINDINGS STATEMENT SIGNATURE PAGE

Certification to Approve/Undertake

Having considered the Draft and Final Generic Environmental Impact Statements for the Subject Action and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR Part 617.11, this Statement of Findings certifies that the Southampton Town Board as Lead Agency in the subject matter has:

1. considered the relevant environmental impacts, facts and conclusions disclosed in the SEQRA documents;
2. weighed and balanced relevant environmental impacts with social, economic and other considerations;
3. provided a rationale for the agency's decision;
4. met the requirements of 6 NYCRR Part 617; and
5. found that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Subject Action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures and safeguards that were identified as practicable.

By the Town Board of the Town of Southampton,

_____
Signature of Responsible Official

_____
Name of Responsible Official

_____
Title of Responsible Official

_____
Date

Copies of this Findings Statement have been filed with:
Lead Agency
Involved Agencies

Attachment 1

Riverside Overlay District
Summary of Code Changes

ROD CODE CHANGES

In addition to changes of the code submitted to the Town with the Final Generic Environmental Impact Statement, the following outlines the additional changes have been made to the draft ROD since December 8, 2015.

- Revisions largely consisting of typographic edits and renumbering of Sections where the numbering was either out of order or the numbering system was incorrectly used were made.
- Townhome was added to Table of Permitted Uses, as it was hidden in the table but analyzed by the FEIS.

Other changes which were requested by the Planning Department:

1. SECTION 330-402 APPLICABILITY

- The provisions of this Riverside Overlay District shall not be utilized or available until such time thatas a proposed development project can be serviced by a community Wastewater Treatment Facility is provided to service such lands or developments

2. SECTION 330-403 DEFINITIONS

GRANNY FLATS

Defined the A studio or one bedroom dwelling unit established in conjunction with and clearly subordinateaccessory to the single-family detached dwelling (one-family dwelling, detached)primary use of a single family occupied by a member(s) of the same household, whether as a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lotin an attached or detached building, and shall not be counted as an additional dwelling for the purposes of calculating permitted residential zoning density and complying with the standards outlined in Article IIA, with the exception of Section 330-11.2(F) and (H).

3. SECTION 330-410 TABLE OF PRINCIPAL USES

	RO-1	RO-2	RO-3	RO-4	RO-5	RO-6	RO-7
Granny-Flat****	X	XP	XP	XP	P	xP	X
Townhome	P	P	P	P	X	P	X

**** Only permitted as an accessoryaddition to existing single family home

4. SECTION 330-410 DEVELOPMENT STANDARDS FOR RO-1, RO-2, RO-3, RO-4, RO-5, RO-6,

RO-3	1 stories min, 22.5 stories and 35' max
RIB1	3.5 stories and 4540' max
RIB2	4 stories and 5045' max

- In RO3, RO4, RO6 Eliminated 1 story minimum from RO5 and added 16 feet Streetwall Height minimum (when a minimum of 1 story is built the minimum street wall height of 16 feet)
- Add note: All setbacks in RO-5 shall comply with the setbacks prescribed by the underlying zoning

5. 411.E.(4) PRIVATE FRONTAGE STANDARDS

- Reordered to place Court Frontage after Stoop Frontage to match Table of Frontage Standards
- Renamed the Frontage "ForeCourt Frontage" to match the Table of Frontage Standards

6. 411.F.(5) BUILDING MASSING

- Provided additional imagery to clarify the intent
- 411.F (5) (iii) added mansard roofs
  - In buildings with flat roofs massing shall be controlled by, and not limited to, more pronounced vertical breaks, change in height and type of parapet, inclusion of more pronounced overhang elements (e.g. cornices, and balconies), inclusion of mansard roofs, change in material, inclusion of pergolas for rooftop gardens.

7. 417 AMENDEMENTS TO THIS ARTICLE

- This Article may be amended as provided in Article XX of the Zoning Ordinance. Prior to adopting an amendment, the ~~[TBD]~~ Town Board shall refer such proposed amendment to the PDC for comment. If the PDC does not comment within 30 days of such referral, the Town Board may enact the amendment without receiving such comment. In the event that the Town Board does not follow the recommendation of the PDC, it shall provide a written statement of its reasons in the resolution of adoption of the amendment. All such amendments shall be consistent with the Comprehensive Plan and the Final Generic Supplemental Environmental Impact Statement.