

Town of

# RIVERHEAD

Comprehensive Plan Update

## Final Generic Environmental Impact Statement

August 6, 2024





**FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FGEIS)**

**TOWN OF RIVERHEAD  
2024 COMPREHENSIVE PLAN UPDATE**

**Town of Riverhead  
Suffolk County, New York**

**August 6, 2024**

SEQRA Classification: Type I Action

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Website where FGEIS can be viewed: <https://townofriverheadcomprehensiveplanupdate.com/draft-documents>

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## 1.0. INTRODUCTION

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This Final Generic Environmental Impact Statement (FGEIS) has been prepared pursuant to the State Environmental Quality Review Act (SEQR) and its implementing regulations (6 NYCRR Part 617). Under those regulations, the FGEIS serves as the basis for the Lead Agency Findings; the Town of Riverhead Town Board (hereafter referred to as the Town or Town of Riverhead) is the Lead Agency for this environmental review. This FGEIS has been prepared to respond to all substantive environmental comments made on the Draft Generic Environmental Impact Statement (DGEIS).<sup>1</sup> In accordance with Section 617.9(b)(7) of the SEQR regulations, this FGEIS incorporates by reference the DGEIS. The proposed action analyzed in the DGEIS is the adoption of the 2024 Comprehensive Plan Update (“Comprehensive Plan”) hereinafter referred to as the “Proposed Action”. The Comprehensive Plan is incorporated herein by reference<sup>2</sup>.

The following steps have been or will be undertaken during this SEQR review process:

- **Environmental Assessment Form (EAF)** – An EAF was prepared and submitted to the Riverhead Town Board in July 2023. The Board declared itself lead agency on July 18, 2023. The EAF provided preliminary analysis of the potential impacts associated with the Proposed Action. Following review, the Town Board determined that the Proposed Action had the potential for significant adverse environmental impacts and would require the preparation of a GEIS. Pursuant to this determination, the Town Board (SEQR lead agency) issued a positive declaration for the Proposed Action on November 9, 2023 (see FGEIS Appendix 1).
- **Scope** – the Final Scope of the DGEIS was adopted by the Town Board on January 19, 2024 (see FGEIS Appendix 2), after a 30-day written public comment period on the Draft Scope.
- **DGEIS** – a draft document accepted by the Town Board and released for public and agency review and comment. On April 25, 2024, the Town Board accepted the DGEIS as adequate and complete for the purpose of commencing public review and comment (see FGEIS Appendix 3).
- **Public Review** – of at least 30 days, including a public hearing at which any individual, group or agency may comment on the DGEIS. A Public Hearing on the DGEIS was held on May 29, 2024, and written comments were accepted until June 10, 2024.
- **Final GEIS (FGEIS)** – acceptance and publication by the Town Board as Lead Agency, which incorporates relevant comments and responses, if any, made during the public review of the DGEIS.
- **Findings Statement** – adopted and passed by the Town Board as Lead Agency no sooner than 10 days, nor more than 30 days after publication of the FGEIS. The Findings Statement must: 1) consider the relevant environmental impacts, facts, and conclusions presented in the GEIS; 2) provide a rationale for the agency’s decision; 3) certify that SEQR’s requirements have been met; and 4) certify that consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that the adverse environmental impacts would be avoided or minimized to the maximum extent practicable.

This FGEIS is organized into three sections: Section 1.0 describes the purpose of the Generic Environmental Impact Statement, summarizes the Proposed Action and identifies the project location and environmental setting; Section 2.0 describes changes that have been made to the Proposed Action in response to concerns

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<sup>1</sup> The Draft Generic Environmental Impact Statement (DGEIS) can be found here:  
<https://townofriverheadcomprehensiveplanupdate.com/draft-documents>

<sup>2</sup> The Draft 2024 Comprehensive Plan can be found here:  
<https://townofriverheadcomprehensiveplanupdate.com/draft-documents>

raised during the public comment period; Section 3.0 contains a summary of all relevant written comments received on the DGEIS during the public comment period and responses to each of those comments ( the May 29, 2024 public hearing transcript and public comment letters are located in FGEIS Appendices 4, 5, and 6).

## 1.1. Generic Environmental Impact Statement

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Under SEQR (§617.10), a “Generic” EIS, or GEIS, is prepared when a proposed action represents a comprehensive program having wide application and defining the range of future projects in the affected area. A Generic EIS, according to New York State Department of Environmental Conservation (NYSDEC) SEQR handbook, is “...A type of EIS that is more general than a site-specific EIS, and typically is used to consider broad-based actions or related groups of actions that agencies are likely to approve, fund, or directly undertake.” As noted in the SEQR handbook, “... A Generic EIS differs from a site or project specific EIS by being more general or conceptual in nature....” In addition, Section 617.10(c) of the SEQR regulations requires that a GEIS set forth the specific conditions under which future actions will be undertaken or approved.

This environmental impact statement for the adoption of the Town of Riverhead Comprehensive Plan Update by the Town of Riverhead has been prepared as a GEIS. Importantly, the Proposed Action is “generic” in nature in that it is not project-specific and does not directly result in physical changes to the environment, but rather it constitutes policy and regulatory changes that provide a framework to guide land use and policy decisions in the Town. The Proposed Action, the adoption of the updated Comprehensive Plan, may affect the size, type and form of development permitted to be developed in the Town. The Comprehensive Plan provides a series of recommendations related to potential zoning changes, but no zoning amendments are proposed at this time. All future zoning amendments recommended in the Comprehensive Plan Update would be subject to site-specific review under SEQR and a public hearing at such time as any future amendments are proposed.

## 1.2. Project Location

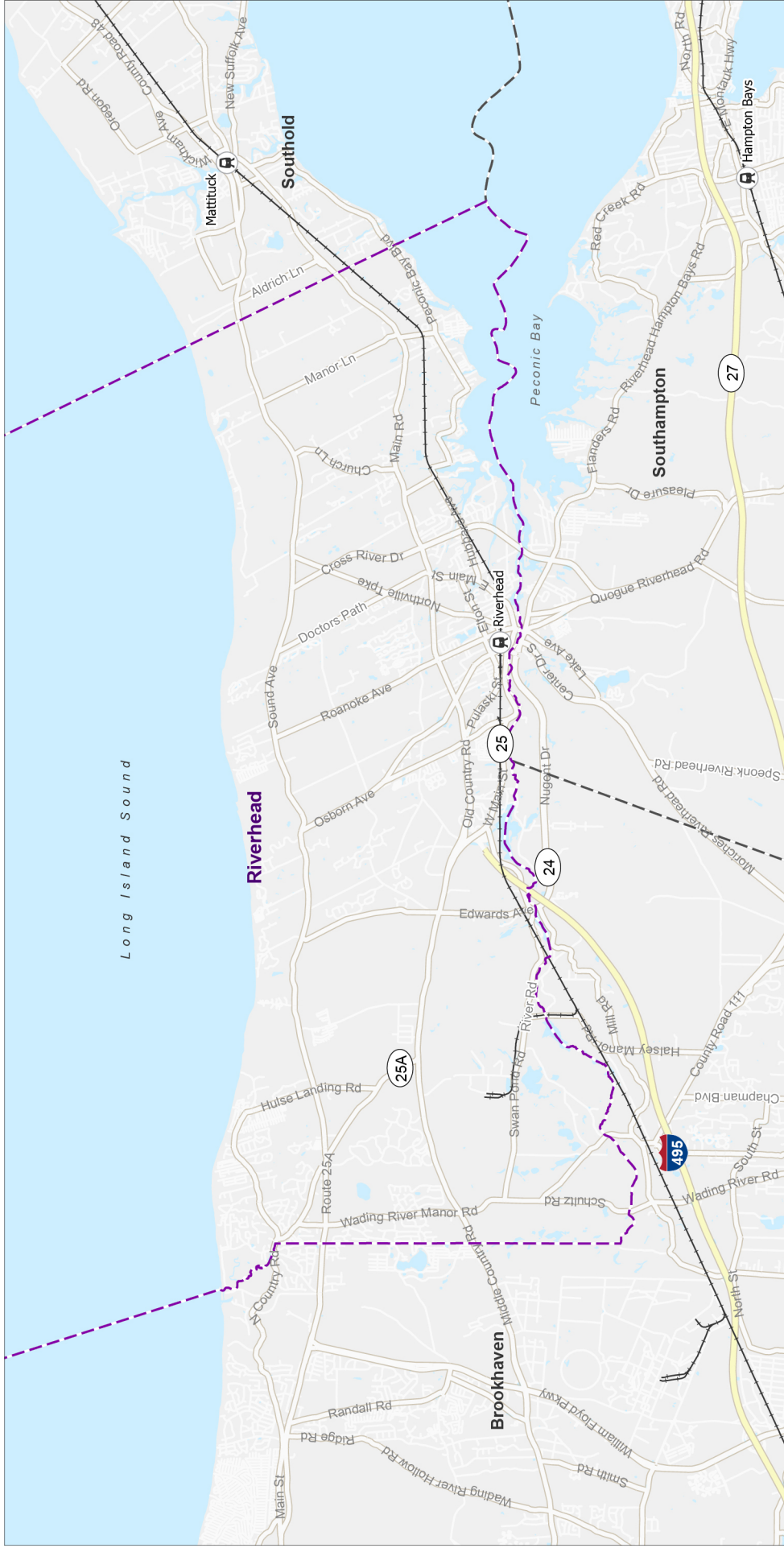
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The Comprehensive Plan covers the entire geographic area of the Town of Riverhead, situated on Long Island's eastern end in Suffolk County. Riverhead lies on the North Fork, bordered by Long Island Sound to the north and the Peconic Bay to the south, as shown in Figure 1-1. Riverhead encompasses nine hamlet areas, each with its own character and amenities, spanning over 41,000 acres or approximately 65 square miles. Agriculture dominates the land use, constituting 36.5% of the area, followed by residential (16%) and open space (12%). With over 20 miles of shoreline, Riverhead boasts scenic coastal areas, including the Long Island Sound waterfront with picturesque bluffs.

Riverhead is connected to neighboring communities and the New York Metropolitan Area via highways and the Long Island Railroad (LIRR). The Town of Riverhead is served by an interstate highway, two (2) highways under New York State Department of Transportation (NYSDOT) Jurisdiction, several Suffolk County roads, and numerous local roads. The easternmost 1.5 miles of Interstate 495 Long Island Expressway, lies within the Town, having its terminus at a partial cloverleaf interchange known as Exit 73. There are 20 miles of New York State highway, 14 miles of Suffolk County roads, and 208 miles of Town of Riverhead roadway within the Town. The Riverhead train station is a 2.5-3 hour ride to Penn Station, with trains connecting to Manhattan via the Ronkonkoma line. Additional public transportation includes Suffolk Transit bus service and limited service by the Hampton Jitney. The Town of Riverhead, the full study area, is shown in Figure 1-2.







0 1 2 Miles



-  Town of Riverhead Boundary
-  Municipal Boundary
-  LIRR Train Station
-  Railroad
-  Highway
-  Other Major Road
-  Water







## 2.0. CHANGES TO THE PROPOSED ACTION

This chapter describes changes that have been made to the draft Comprehensive Plan Update (Proposed Action) in response to comments raised during the public comment period.

### 2.1. Comprehensive Plan

In response to comments received by members of the public and interested agencies, the Town Board has revised the Comprehensive Plan to include additional recommendations, reflect existing efforts the Town has undertaken, and make clarifications to the Public Hearing Draft. Formatting, spelling, grammar, and minor changes are not included in the list of changes below. The updated document also includes several new photos with captions where there were placeholders previously. All of these aforementioned changes are considered to be minor and would not result in any new environmental impacts not previously analyzed in the DGEIS.

The revised version of the draft Comprehensive Plan can be found here:

<https://townofriverheadcomprehensiveplanupdate.com/draft-documents>.

In the list of changes below, bold black headers indicate the page number of the Draft Comprehensive Plan (4/18/2024), the subject of the change, and description of the change. Changes are listed by page number order. Draft Comprehensive Plan text is shown in quotation marks and indented. Black text within the quotation marks is existing text that is unchanged and is provided here for context. Purple text within the quotation marks is existing header text. Red text represents changes to the text, including additions. Deletions are denoted in red text with a strike through.

#### Pg. 8 – Introduction

**Add text acknowledging the suggested period of review for the Comprehensive Plan.**

*"This document is intended to capture the existing conditions and priorities as of the adoption date in 2024. It is recognized that this plan should be re-examined as needed as conditions change. Furthermore, it is recommended that the Plan be reevaluated every 10-years, to ensure that recommendations continue to reflect priorities in the Town."*

#### Pg. 19 – Northville

**Add an acknowledgement that the United Riverhead Terminal (URT) is a pre-existing non-conforming use in Northville.**

*"Northville*

*Northville, formerly an incorporated village, is on the north shore of Long Island in the eastern portion of Riverhead. Primarily agricultural and single-family residential in nature, Northville is part of the larger wine region on Long Island, and there are several vineyards and wineries in the vicinity. The historic center is on Sound Avenue and includes historic houses and a church. The United Riverhead Terminal in Northville is a petroleum bulk storage and distribution facility featuring a deep-water platform on the Long Island Sound. This industrial area is a pre-existing non-conforming use, meaning that it can continue its operations, and may only expand its operations with a Special Permit from the Town Board, pursuant to Town Code §301-222A."*

#### Pg. 28 – DC-1 500-unit cap

**Revise text to suggest need for annual review of the cap.**

*"Demographics and Housing (Ch. 3)*

The Demographics and Housing Chapter includes four goals which collectively address the diverse housing needs of Riverhead, encompassing affordability, diversity in housing types, homeownership support, and inclusivity.

Goal 1 focuses on promoting housing affordability and workforce housing availability, with recommendations including regular monitoring of housing dynamics, reviewing housing policies, and addressing the impact of short-term rentals on the housing stock. The chapter also stresses the importance of encouraging other East End towns to contribute their fair share of affordable and workforce housing.

Goal 2 emphasizes diversifying housing types to accommodate various income levels and evolving needs. Initiatives include eliminating minimum home size requirements and utilizing TDR to allow for new housing types (i.e. townhomes and garden apartments) in areas that can accommodate increased densities. In the downtown area, the chapter recommends allowing for adaptive reuse of buildings for residential purposes and evaluating the 500-unit cap for the DC-1 District. **This review should be conducted regularly, potentially on an annual basis.**

Goal 3 aims to support the creation and protection of homeownership workforce households. Strategies include providing resources and incentives for first-time homebuyers, revising the 500-unit cap to promote homeownership opportunities, and changing affordability thresholds for ownership versus rentals.

Goal 4 focuses on promoting inclusive housing policies and accessible design standards. Recommendations include supporting home improvement funding for low-income senior residents, allowing residential health-care facilities in designated zones (i.e. assisted-care and continuing care facilities), and developing accessible design standards."

**Pg. 33 – Population projections – Remove the last paragraph that was a carryover from the prior consultant’s work. The correct, revised projection, as described in the Draft CPU, is 40,009 residents by 2035.**

***“Projected Population Growth***

The New York Metropolitan Transportation Council (NYMTC) projects population growth for the region, including Suffolk County. The most recent NYMTC forecasts to 2055, adopted in October 2020, were created with the full cooperation of the Suffolk County Department of Economic Development and Planning and reflect the significant changes in land use throughout the County. Further, the forecasts consider all known development in the pipeline as of 2020 for the County, including Riverhead.

NYMTC’s 2020 estimates show Suffolk County’s population will grow 14% from 2010 to 2055 (see Chart 2). If Riverhead’s population were to grow at the same rate from its 2010 population, the Town would expect to see a population of about 35,756 by 2035. In the 2020 Decennial Census, the County’s actual population was somewhat higher (about 1.7% greater) than projected, while Riverhead’s population was 6.6% greater than projected. As previously noted, Riverhead’s population has recently grown faster than the County. If trends hold, these factors suggest a higher-than-projected long-term population. Therefore, as shown in Chart 2, NYMTC issued revised projections for Suffolk County and Riverhead which now project a population of 40,009 residents by 2035.

~~Riverhead could accommodate 41,064 people by 2040, considering a full residential build-out scenario based on Riverhead’s 2003 comprehensive plan. Any zoning changes on residential density could allow the Town to absorb a larger proportion of the County’s growth or limit the Town’s growth.”~~

**Pg. 42 – Short-term rentals**

**Remove text about considering shorter term rentals in some locations.**

***“Short-Term Rentals***

Regionally, short-term rentals have contributed to significant loss of year-round residential properties. As noted, 61% of Riverhead’s vacant units are held for seasonal, recreational, or occasional use. This is similar to the County as a whole, where 64% of vacant units are held for such purposes. However, in the towns of Southampton and Southold, a full 93% and 86%, respectively, of vacant units are for seasonal use. The implications are that the majority of potential new permanent residents on the East End will be competing for the limited amount of available housing--often in Riverhead and Brookhaven – which will likely drive up rents throughout the area.

New construction is not alleviating the pressure. Between 2000 and 2021, the number of housing units in Suffolk County increased by 56,000 units; of these, 30% were new renters while 12% were new units for seasonal use. In the same period in Riverhead, 1,396 net new units were constructed, of which 26% were new renters and 29% were for seasonal use.

Riverhead’s 2016–2017 rental ordinance was amended to ban short-term rentals for 29 days or less. For rentals 30 days or more a rental permit from the Town is required. However, enforcement is difficult, with lesser stay rentals still occurring in Riverhead. ~~The Town has discussed possibly amending the code to allow them in certain areas, possibly with a separate permitting process, which would give a better idea of where they are located.”~~

**Pg. 44 – Short-term rentals**

**Remove text about reviewing the short-term rental code and text about considering shorter term rentals in some locations. Add text to acknowledge the rental term should remain in place.**

***"1.2. Monitor short-term rentals for their im-pact on Riverhead’s housing stock.***

~~The Town is currently reviewing the short term rental code.~~ Short-term rentals have an impact on the availability of year-round housing throughout the region. While not as pervasive in Riverhead compared to other areas on the East End, there are hamlets in the community that have significant numbers of short-term rental listings. ~~The Town should continue to enforce the 30-day minimum rental period. The numbers and impacts of these units on neighborhoods should be quantified to determine if further regulation is required to maintain housing stock for full-time residents. There may be some areas where shorter term rentals are appropriate and can provide economic benefits by supporting local businesses, such as restaurants, shops, and attractions.”~~

**Pg. 46 – DC-1 500-unit cap**

**Revise text to suggest annual review of the cap and changes to how the cap is reached.**

***"2.3. Evaluate the 500-unit cap for the DC-1 District.***

The Plan recommends evaluation of the 500-unit cap in the DC-1 District and is not recommending an outright removal of the cap. The greatest density and housing growth has been focused, appropriately, in the downtown. In the next five years, a wave of new development is anticipated in this area, which is anticipated to exhaust the 500-unit cap on residential in the DC-1 district. It would be reasonable for the Town to reassess this cap on a regular basis ~~once development in the pipeline is complete~~, given the significant market demand and the continued need to meet other housing, economic, and community development goals. A 2021 Market Study for the Town Square by Streetsense recommends the removal of the 500-unit cap. With a strong push for development and a federal opportunity zone in play, investors and developers need predictability in the process and to know whether they can or cannot build.

This recommendation includes two actions. The first would be to conduct economic and fiscal cost-benefit analysis of impacts of new development on the downtown and Riverhead overall. This will provide a fiscal understanding of the benefit of any potential increases of the cap.

In addition, regulations for the cap should also be cleaned up. Currently, the conditions on when the cap threshold would be reached is based on certificate of occupancy, which creates issues of implementation

and enforcement. There are several alternatives to consider. One option would be to not accept new applications after a building permit is issued for the 500<sup>th</sup> unit.”

**Pg. 60 – Industrial FAR**

Add a note that FAR and other industrial bulk standards do not apply to solar farms, which fall under separate regulations in the Town Code.

*"2.2. Reduce allowable density of industrial development to be more responsive to surrounding uses.*

It is essential to carefully manage the permitted density of development within industrial districts. This Comprehensive Plan recommends a reduction in the allowable density from 0.4 FAR to 0.25 FAR, with the potential to increase to 0.3 through the use of TDR credits. Note that FAR and other industrial bulk standards for buildings do not apply to solar farms, which are regulated separately in the Town code. This measured approach addresses concerns about aesthetics, overcrowding, and environmental impacts. Lowering the FAR threshold can curtail excessive development while promoting thoughtful land use planning that ensures the long-term sustainability of industrial areas. Zoning strategies are further discussed in Chapter 13.”

**Pg. 61 – Downtown Riverhead Pattern Book**

Change text to recommend codifying certain elements of the pattern book.

*"3.7. Codify design elements of the Downtown Riverhead Pattern Book and continue to advance its recommendations.*

The Downtown Riverhead Pattern Book provides direction for policies and projects proposed in the Main Street (DC-1) Zoning Use District. The document addresses policies for the proper siting and massing of new buildings, the enhancement of the public realm, and resiliency and adaptability. There are some inconsistencies between the pattern book and the Town Code, such as lot coverage and building height, however its design guidance has proven to result in favorable developments. Riverhead adopted the Pattern Book and should codify its design elements to give it more authority as a guiding document for developers, land use boards, the Town Board, and Town staff. To avoid confusion, other dimensional criteria in the Pattern Book (i.e., FAR, height, coverage) should be reviewed to ensure that it is consistent with DC-1 provisions. “

**Pg. 65 – Short-term rentals**

Remove text about reviewing the short-term rental code and text about considering shorter term rentals in some locations. Add text to acknowledge the rental term should remain in place.

Correct the rental term, it is a minimum of 30 days.

*"9.2. Regulate short-term rentals to balance the benefits of tourism with the impacts on residential areas.*

~~The Town is currently studying the short term rental code.~~ The code currently has a minimum rental period of ~~28~~ 30 days to limit the impacts of short-term rentals on the housing market and the associated noise and neighborhood impacts that can occur with these rentals. ~~On the other hand, allowing shorter term rentals in more popular areas such as near the downtown and beaches can boost and sustain local businesses, such as restaurants, shops, and attractions.~~ Balancing the economic benefits of tourism with the needs and concerns of permanent residents requires careful consideration and community engagement. Regulations for short-term rentals should also be regularly reviewed and adjusted as necessary to address changing market conditions and community priorities.”

**Pg. 95 – Suffolk County Aquaculture**

Revise name of program to “ALP,” reflecting updated acronym.

*"Suffolk County Shellfish Aquaculture Lease Program (SCALP)*

Shellfish cultivation has been conducted in the Peconic Estuary for centuries. Most underwater lands in Suffolk County are owned by the County or State, with few exceptions. The County created and offered private land grants for oyster cultivation between 1885 and 1914.<sup>7</sup> While most of these deeds have reverted to County or State ownership, a few have remained in private ownership.

In 2004, the State transferred 110,000 acres of underwater lands in the Bays to the County to implement an aquaculture lease program. Adopted in 2009, S~~C~~ALP authorized the County to lease underwater lands for the cultivation of shellfish within the designated Shellfish Cultivation Zone located in the Peconic and Gardiners Bays.

Through S~~C~~ALP, the County determines the location and extent of shellfish farms through limits on the size and number of leases. The State and Federal agencies (i.e., NYS DEC, USACE, and US Coast Guard) regulate the species and number of shellfish allowed to be farmed and the methods for their cultivation, harvesting, and handling.

During the first 10 years of S~~C~~ALP, Phase I, a lease acreage cap was set at 600 acres, allowing up to 60 acres to be leased annually through an application cycle. The Shellfish Cultivation Zone included historic, private oyster grants and NYS DEC Temporary Marine Area Use Assignments (TMAUAs) issued before implementation of the lease program began. These established shellfish farms were given priority to lease underwater lands through the program. Oyster grants allow for the cultivation of oysters only and do not count toward the cap. However, if an oyster grant owner wishes to expand their production to other types of shellfish, they are required to apply for a lease.

S~~C~~ALP was reviewed and amended in 2021, Phase II, which applies through 2030. The allowable Shellfish Cultivation Zone was reduced to about 17,000 acres. Within the zone are 61 private oyster grants and 60 10-acre lease sites. Phase II capped the lease acreage program to 600 acres and continues to allow only 60 acres for “new” leases by application each year. Preexisting oyster grants do not count toward the cap.

Within Riverhead are 14 total and three partial (boundary crosses Town line) 10-acre lease sites. Of these, five are leased, and one is pending lease as of 2023.<sup>8</sup> There is also one private oyster grant property owned by Eastern Bays Company Inc.

7 Suffolk County, Lease Program Overview and Program History, 2024, <https://www.suffolkcountyny.gov/Departments/Econom-ic-Development-and-Planning/Planning-and-Environment/Environmental-Planning-and-Aquaculture/Shellfish-Aquaculture-Lease-Pro-gram/Program-Overview>

8 Suffolk County S~~C~~ALP Lease Mapper, Accessed 1/26/2024, <https://gis.suffolkcountyny.gov/portal/apps/View/index.html?appid=6ae708a346f340ada850544fe25ce0fb>

**Pg. 98 – PRC zoning district**

**Add description of PRC zoning district recommendations.**

***"CRC and Peconic River Community (PRC) Districts***

The CRC Zone is intended to allow for a variety of housing types; however, the existing zoning standards only permit 1 dwelling unit per acre (single-family). It would be reasonable to accommodate slightly higher densities in this area (potentially 4 units per acre) with the ability to increase with the use of TDR (potentially up to 12 units per acre) if infrastructure is in place. This would allow for the development of “missing middle” housing typologies such as townhouses. **The MRP district could be looked at as a comparable for recommended development types and densities.**

**The PRC Zone is intended to allow for “an array of residential, commercial and recreational uses.” However, no residential uses are specifically provided for in the zoning. This Plan proposes to allow**

residential uses at 4 units per acre, bonusable to 8 units per acre with the use of TDR, provided infrastructure is in place. This would allow for the development of “missing” middle-housing typologies such as townhouses. The district also needs to strengthen dimensional criteria to push buildings towards the road and away from the Peconic River. Other design guidance should be provided to ensure that riparian areas are maintained and enhanced. Riparian areas are further protected by DEC through the Wild, Scenic And Recreational Rivers Permit Program.

It is important to note that housing density is constrained by access to wastewater infrastructure. None of the existing PRC zones have access to sewers, therefore, it is unlikely that any existing districts could achieve densities higher than 4 units per acre given the density standards for non-sewered areas established by SCDHS.”

**Pg 101 – Vertical farming**

**Emphasize that the town should establish specific development standards (bulk, height, screening, architecture, etc.) for vertical farms.**

***"4.1. Consider flexibility in the zoning code to allow for agricultural innovation.***

Farming is an ever-evolving industry—economics dictate what crops farmers will grow, and technology advances can change the way farms operates. Providing flexibility in the zoning code can help the Town and farmers adapt to changing demands and techniques in the agricultural industry.

Conditional use permits for agricultural uses could allow unique uses that are not covered in the zoning code to be considered on a case-by-case basis. This would be a helpful tool since the Town cannot predict future innovations in the farming industry. The Town Board would review the proposed use and consider any impacts, such as traffic or noise and visual impacts, and could require conditions to be met to ensure that those effects are mitigated. Conditional use permits would not be a town-wide option and would only apply to agricultural uses on farmland that is not preserved. Conditional use projects would not be exempt from SEQR.

All sections of any conditional use permit for agricultural operations and buildings should reference NYS Dept. of Ag & Markets Law Section 301 for accepted agricultural definitions, practices, and rights of farmers. Any new conditional use permits should be developed with input from the Towns Agricultural Advisory Committee.

**Renewable Energy:** Solar facilities for commercial energy production are only allowed in industrial zoning districts. For agricultural properties in other districts with development rights intact, the State’s current agricultural policies allow solar but limited to 110% of the anticipated annual electricity needs of the farm. It may be reasonable to provide some flexibility in allowing farmers to incorporate renewable energy facilities (i.e., solar or wind) beyond the 110% threshold, provided the solar is an accessory use to the primary agricultural use. This supports the financial stability of farmers and fosters the integration of renewable energy. **It is important to acknowledge that Town regulations should be consistent with regulations provided by NYSERDA.**<sup>3</sup>

This recommendation could be addressed with the creation of a special permit by the Town Board for solar or wind as an accessory use to the principal agricultural use. This mechanism would provide the Town Board with discretion to ensure that visual and other impacts are addressed. The Town Board may also consider whether development rights have been previously extinguished (i.e. through the TDR or PDR programs). In addition, the Town Board could provide flexibility for agrivoltaic projects, which provide for a dual use with the production of vegetables or other crops. This approach allows for the prioritization of

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<sup>3</sup> See section 4.3.2 of <https://www.nyserda.ny.gov/-/media/Project/Nyserda/Files/Programs/NY-Sun/2023-Solar-Installations-in-Agricultural-Lands.pdf>

a site's continued agriculture use, as the project may be designed to maximize both renewable energy production and crop yields.

Vertical farming can complement traditional farming methods by allowing for year-round cultivation of crops and crop diversification. This can significantly increase a farm's overall productivity, providing a consistent supply of fresh produce and opening up new revenue streams and income opportunities for farmers, potentially increasing their economic stability. ~~Vertical farming is different from traditional farming in many ways, for example, crops are grown in a substrate instead of soil and lighting, temperature, and watering are artificially controlled rather than depending on the natural weather.~~

~~Traditional horizontal farming requires large expanses of land. Vertical farming allows farmers to produce more on a smaller footprint, making more efficient use of their available land resources. Concerns about vertical farming include the visual impact of these structures. During the public outreach process, members of the public expressed concerns about the visual impact of vertical farming structures. The Town should consider clear guidance for the total size, setbacks, landscaping, screening, and design, etc., to minimize the visual impact of these structures. for example, a vertical farm would have to conform to bulk standards (i.e. FAR and setbacks).~~

The Town ~~should~~ could consider areas where vertical farming ~~they~~ may or may not be permitted such as on prime agricultural soils. ~~Some flexibility could be provided for a hybrid model where plants grown in a vertical farm are transferred to the adjacent agricultural land.~~ Additional standards could apply. Flexibility ~~should~~ could be provided for the adaptive reuse of agricultural buildings such as when these facilities are integrated into existing farm infrastructure. ~~In residential zones, vertical farming should~~ could be limited to an accessory use to principal farming activities. In industrially zoned areas, allowances for vertical farming structures may be slightly more permissive but must comply with underlying standards of each district. This topic is discussed further on page 199."

**Pg. 145 – Downtown Riverhead Pattern Book**

**Change text to codify certain elements of the pattern book.**

~~"3.1. Adopt design elements from the Downtown Pattern Book into the zoning code.~~

This document is a valuable tool, providing clear guidance for developers, architects, and the community on how to design buildings that preserve and enhance the unique character of the downtown district."

**Pg. 162 – Private Schools in Industrial Zones**

**Remove text recommending allowing private schools as a special permit use in industrial zones.**

~~"3.2. Consider allowing private schools as a permitted use in all Industrial zones.~~

~~State law considers charter schools as private schools for the purposes of zoning regulations, and therefore they are not allowed in any zone as public schools are. Allowing private schools as a permitted use in all Industrial zones would open additional opportunities for educational facilities in Riverhead."~~

**Pg. 183 – Solar farms**

**Remove text about reducing allowable coverage, and add text on the maintenance of buffers:**

~~"1.7. Revise solar regulations and incentives to ensure they are compatible with surroundings.~~

Commercial solar operations, or solar farms, should continue to be limited to industrially zoned lands. Tightening special permit requirements for solar farms, ~~including reducing allowed coverage and such as~~ requiring additional buffers and landscaping and ~~their maintenance~~, would mitigate some of the negative visual impacts of solar farms and subject them to the same zoning standards as other land uses and can provide a level of predictability and conformity with established development patterns.



The Town should encourage rooftop solar in all zones, whether on industrial, commercial, residential, or public buildings. A requirement that commercial or industrial developments of a certain size must consider available rooftop space for solar generation may be implemented. This could reduce demand for ground-based installations and help decentralize installations outside a single hamlet.”

**Pg. 195 – Downtown Riverhead Pattern Book**

**Change text to codify certain elements of the pattern book.**

**“Pattern Book**

The Town has developed a pattern book for the downtown area, which has proven to be a useful tool helping to guide the development of recent projects. It is recommended that the Pattern Book be formally included in the zoning code, so it is required to be considered during the site plan approval process by developers, land use boards, the Town Board, and Town staff.

It is recognized that that there are some inconsistencies between the pattern book and the Town Code. It is recommended that the Town revisit the standards provided to avoid confusion. The Pattern Book provides revised dimensional standards that help to minimize the bulk of new buildings. Current DC-1 zoning permits 5-story buildings with up to 80% lot coverage (applicants may apply for 100% lot coverage). Community surveys revealed that many residents prefer buildings to appear smaller in scale, in keeping with the historical fabric. Five-story buildings along the length of Main Street could create a canyon-like effect and cast shadows on streets, sidewalks, and outdoor dining, creating an undesirable condition for pedestrians.

The Pattern Book recommends several changes to dimensional standards that would minimize the bulk of new buildings and address concerns that Main Street would be redeveloped with 5-story buildings. For example, the existing DC-1’s existing FAR is 4.0 with a maximum height of 60 feet/5 stories. The Pattern Book recommends a FAR of 3.5 with a maximum height of 50 feet/4 stories, with a setback on the fourth story. Proposed design standards are shown to the right below.”





**Pg. 195 – Uses in Industrial Zones**

**Remove text about allowing private schools in industrial zones.**

***"Uses in Industrial Districts***

Industrial properties currently permit, and should continue to permit, various non-industrial uses including agricultural, equestrian, recreational, and golf uses. ~~The Town should consider allowing private schools as a permitted use in all Industrial zones. State law considers charter schools as private schools for the purposes of zoning regulations, and therefore they are not allowed in any zone as public schools are. This would open additional opportunities for educational facilities in Riverhead.~~ The Town should consider allowing assisted living and continuum of care residential facilities in industrial zones, potentially by special permit. This Plan also recommends these uses be allowed by special permit in any district. Allowing these facilities can be reasonable because it provides alternative redevelopment options with community-serving uses which meet the growing demand for senior housing without displacing residential neighborhoods or overwhelming existing infrastructure.

~~Town may Assisted Living and Continuum of Care Residential Facilities could be permitted in Industrial Zones if the Town adopts this plan's recommendation to allow these uses by Special Permit in any district."~~

**Pg. 195 – DC-1 500-unit cap**

**Revise text to suggest annual review and changes to how the cap is reached.**

***"Reassess the 500-unit cap***

"It would be reasonable for the Town to reassess this cap on a regular basis ~~once development in the pipeline is complete~~, given the significant market demand and the continued need to meet other housing, economic, and community development goals. The 2021 Market Study for the Town Square by Streetsense recommends the removal of the 500-unit cap. With a strong push for development and a Federal Opportunity Zone in play, investors and developers need predictability in the process and to know whether they can or cannot build. This recommendation includes two actions.

- The first would be to conduct economic and fiscal cost-benefit analysis of impacts of new development on the downtown and the Town overall. This will provide a fiscal understanding of the benefit of any potential increases of the cap.
- Regulations for the cap should also be cleaned up. Currently, the conditions on when the cap threshold would be reached is based on certificate of occupancy, which creates issues related to implementation and enforcement. ~~There are several alternatives to consider. For example, one option would be to not accept new applications after a building permit is issued for the 500<sup>th</sup> unit."~~

**Pg. 199 – Short-term rentals**

**Remove text about reviewing the short-term rental code and text about considering shorter term rentals in some locations. Revise rental period to 30 days (Code does not allow rental periods of 29 days or less).**

***"Short term rentals***

~~The Town is currently studying the short-term rental code.~~ The code currently has a minimum rental period of ~~28-30~~ days to limit the impacts of short-term rentals on the housing market and the associated noise and neighborhood impacts that can occur with these rentals. ~~On the other hand, allowing shorter term rentals can boost and sustain local businesses, such as restaurants, shops, and attractions.~~ Balancing the economic benefits of tourism with the needs and concerns of permanent residents requires careful consideration and community engagement. Regulations for short-term rentals should also be regularly reviewed and adjusted as necessary to address changing market conditions and community priorities."

## Pg. 199 – Vertical farming

Revise text to emphasize bulk, coverage, and design requirements should be strict to make sure that vertical farms are small and contextual. The header has been changed to “Agricultural uses” for clarity.

**~~“FARM OPERATIONS AND AGRITOURISM AGRICULTURAL USES~~***Vertical Farming**In Industrial Zones:*

Vertical farming should be a permitted use in all industrial districts. Vertical farming allows for the cultivation of crops in a vertically stacked system, reducing the footprint needed for agriculture. Allowing vertical farming in industrial zones can diversify land use, promoting mixed-use development that combines industrial, agricultural, and commercial activities. This can contribute to more vibrant and resilient communities.

Industrial zones often have vacant or underutilized buildings and spaces. Permitting vertical farming can encourage the adaptive reuse of these structures, revitalizing underused areas and putting vacant industrial properties to productive use.

*In APZ and Other Districts:*

Allowing vertical farming on farmland with development rights in tact can offer several advantages and align with modern agricultural practices and the need to support the agriculture industry. Vertical farming can complement traditional farming methods by allowing for year-round cultivation of crops and crop diversification. This can significantly increase a farm’s overall productivity, providing a consistent supply of fresh produce. Diversifying a farm’s production through vertical farming can open up new revenue streams and income opportunities for farmers, potentially increasing their economic stability.

~~Traditional horizontal farming requires large expanses of land. Vertical farming allows farmers to produce more on a smaller footprint, making more efficient use of their available land resources.~~ One of the biggest concerns about vertical farming is the visual impact of these structures. The Town should consider clear guidance for the total size, setbacks, landscaping, ~~screening, and design, etc.~~, to minimize the visual impact of these structures. ~~for example, a vertical farm would have to conform to bulk standards (i.e. FAR and setbacks).~~

The Town would need to establish exactly how these would be regulated – potentially as an accessory use ~~for farm operations~~ when farming is the principal use. The Town ~~should~~ could consider areas where vertical farming ~~they~~ may or may not be permitted such as on prime agricultural soils. ~~Some flexibility could be provided for a hybrid model where plants are transferred from the vertical farming structure to the adjacent agricultural land.~~ Additional standards could apply. Flexibility ~~should~~ could be provided for the adaptive reuse of agricultural buildings such as when these facilities are integrated into existing farm infrastructure.”

## Pg. 201-202 – Non-conforming uses

Change the language to say that these are a few examples in the Town, and other pre-existing non-conforming uses can be found throughout the Town and may also be addressed.

**~~“NON-CONFORMING USES~~**

Zoning regulations do not always perfectly align with existing land uses. Sometimes the existing uses are non-conforming, which means that the use was legally established and in compliance with zoning regulations at the time it was established but no longer conforms to the current zoning ordinance. This situation typically arises when zoning laws are updated, revised, or changed over time, leading certain existing uses to become non-conforming.

There are occasions when zoning changes may be needed to recognize and accommodate existing land uses that contribute positively to the community fabric. This Plan recommends strategically looking at places where existing non-conforming uses should be allowed to continue and does not advocate for the continuation of all non-conforming uses, some of which may have negative impacts on the community. Such evaluations are essential to ensure that zoning regulations remain relevant and beneficial, balancing the need for development with the preservation of community character and property owner rights.

Several examples of areas where existing uses should continue, with reasonable limitations on expansion, are identified below. The examples are meant to be illustrative of types of inconsistency issues that may exist in other areas of town.

#### *Marinas*

Some marinas along the Peconic Bay are in residentially zoned areas which do not list marinas as a permitted use. It is important to support these non-conforming uses, which are key stakeholders in the local economy. It is recommended that the Town work with property owners to help them establish conformity should they wish to do so. This could be done with an overlay zone or a floating zone which property owners would have to opt-in to.

#### *Residential Area on JT Boulevard*

The south side of JT Boulevard has four single-family homes but is zoned Ind C. Residential use appears to be more appropriate than industrial or business given the surrounding built context – there are single-family homes on both sides of the street. This area could be rezoned to RB40 to match the nearby residential parcels.

#### *Commercial Node on Edgar Avenue*

There is a small node of properties on the northwest corner of Edgar and Hubbard Avenues that contains light industrial uses. This area has become a locally serving commercial node and should remain, even though the underlying zoning is residential. The Town should determine the most appropriate designation, which could be light industrial or one of the smaller scale commercial districts. Additionally, the Lighthouse Market property just south of the railroad tracks is another historical use that should remain, even if the property were to be redeveloped. The Village Center (VC) district could be considered for this parcel.

#### *Commercial Node on Tuthills Lane*

Another commercial node that should be supported is the Vinland Commons property on the northwest corner of the intersection of Main Road and Tuthills Lane. The property is developed with a commercial shopping center, but the existing RLC zoning makes this use non-conforming. Rezoning the area as Hamlet Center (HC) would permit low-intensity commercial uses comparable in size with the existing shopping center.”

### **Pg. 203 – RA80 sending and receiving areas**

*Clarify text.*

#### *“Single-Family Districts*

The Town should consider designating sending areas in all RB-80 and RA-80 districts (includes Laurel and Jamesport south of Main Road, Baiting Hollow, Northville, and Riverhead north of Sound Avenue, and in Wading River), as these areas have large tracts of agricultural lands that should be eligible for preservation through the TDR program.

Currently, areas in RA-80 north of Sound Avenue are ~~currently~~ only designated as receiving districts, meaning that property owners can buy additional development rights from farms in the APZ sending area to develop their property with bonuses. Properties in RA-80 have a 2-acre minimum lot size, however, with

the use of TDR they can achieve a 1-acre minimum lot size. This transaction also results in the preservation of land in TDR sending areas.

However, there are many agricultural properties in RA-80 north of Sound Avenue that do not have the same ability to protect their farmland through the TDR program. ~~Currently property owners in RA-80 north of Sound Avenue cannot sell development rights through the TDR program to protect their farmland or open space. Because the area north of Sound Avenue has many agricultural properties, this~~ This Plan proposes to also designate the RA-80 zone north of Sound Avenue as a sending area, allowing owners of these properties to sell their development rights through the TDR program and preserve their lands. While these areas would also remain receiving districts, the sending district designation will provide the opportunity to preserve some land while allowing reasonable development on other lands at densities consistent with existing development patterns. Cluster regulations still apply to the RA-80 Zone which requires any new development to preserve 70% of farmland or open space.

Designating additional sending areas in residential districts that contain agricultural lands would provide flexibility for property owners and developers depending on their needs and the market demand.”

**Pg. 204-206 – CRC zoning district**

**Add language to clarify that it is unlikely that properties could achieve densities greater than 4 units per acre without access to sewer infrastructure or an on-site treatment system.**

**"CRC Zone**

The CRC Zone is intended to allow for a variety of housing types; however, the existing zoning standards only permit one dwelling unit per acre (single-family). It would be reasonable to accommodate slightly higher densities in this area, given their proximity to the downtown core. While the precise density is yet to be determined, it is reasonable to consider a range of densities, such as 4-12 units per acre, depending on whether infrastructure is in place and if TDR credits are used. This would allow for the development of townhouses. The MRP district could be looked at as a comparable for recommended development types and densities. The bulk criteria for the CRC zone may need to be revised to ensure that the property can accommodate these housing types. It is acknowledged that sanitary requirements set by SCDHS may limit the development potential on sites without supporting infrastructure. **It is unlikely that properties could achieve densities greater than 4 units per acre without access to sewer infrastructure or an on-site treatment system.** The Town may also consider the use of TDRs for a density bonus when the development is of homeownership units.”

**Pg. 206 – PRC zoning district**

**Revise description of PRC zoning recommendations density bonus with TDR and acknowledge limitation of sewer infrastructure and Suffolk County DOHS regulations.**

**"Peconic River Community (PRC) Districts:**

The PRC Zone is intended to allow for “an array of residential, commercial and recreational uses.” However, no residential uses are specifically provided for in the zoning. This Plan recommends allowing for residential uses **at 4 units per acre, bonusable to 8 units per acre with the use of TDR, with the use of TDR, up to a maximum density of 4 units per acre** provided that infrastructure is in place. **None of the existing PRC zones are currently adjacent to sewer infrastructure, therefore, it is unlikely that any existing districts could achieve densities higher than 4 units per acre given the density standards for non-sewered areas established by Suffolk County Department of Health Services.** This would allow for the development of “missing” middle-housing typologies such as townhouses. ~~The MRP district could be looked at as a comparable for recommended development types and densities.~~ It is recommended that design guidance be put in place to push buildings away from the Peconic River and ensure that riparian areas are maintained **and enhanced.** Development in this district is further controlled by NYSDEC.”

**Pg. 206 – Cap on residential TDR**

Add text to state that this cap should be reviewed on a regular basis.

***"Remove Review the Cap on Use of TDR for Residential***

The Town should review Part D of Town Code §301-209, which sets a 500-unit limit on redemption of preservation credits at residential properties. This cap may inhibit the intent of the suggested TDR program revisions to expand the market for and use of TDRs. The Town could consider changing or eliminating the cap as this threshold is approached. Changing this cap would need to be balanced with land use, environmental, and infrastructure considerations. **Review of the 500-unit cap should occur on a regular basis, at intervals to be determined by Town Board."**

**Pg. 207 – Agritourism**

Add text about following NYAM definitions to "agritourism."

***"Define Land Uses That Are Not Addressed***

There are some uses that are not specifically defined in the zoning code, which can lead to confusion and lack of consistency. Having specific definitions provides land use boards and Town staff a reference point with which to measure compliance and to establish consistency. The Town can refer to the Standard Industrial Code (SIC) classifications for guidance. Some examples of terms which could be better defined include:

- Agritourism – **The Town should consider using definitions and guidance from New York Agriculture and Markets. Section 301 Definitions of AGM Chapter 69, Article 25-AA defines "Agriculture Tourism" as "activities, including the production of maple sap and pure maple products made therefrom, conducted by a farmer on-farm for the enjoyment and/or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding and awareness of farming and farm life."**
- Non-nuisance industry
- Wholesale business
- Winery (however, there is a definition of "micro-winery")
- Banquet facility
- Convenience Store – definition exists but needs more clarity
- Shopping center – definition exists but needs more clarity. There should also be a different definition for a neighborhood-oriented shopping center and a large shopping center. For example, neighborhood-oriented shopping centers might limit the number of uses that can exist on one lot. This limit may not be needed for larger shopping centers (i.e. in districts along Route 58).
- Warehouses and Distribution Centers – these uses have important differences that affect building design, transportation and truck traffic, and employment and should be defined in the code. The Institute of Transportation Engineers provides definitions for Warehouses, types of High Cube Storage, and High Cube Fulfillment Centers that could guide the Town's zoning."

**Pg. 207 – Accessory Dwelling Units**

**Remove redundant text.**

***"Accessory Dwelling Units (ADUS)***

~~The current requirement within the Accessory Apartment code mandates applicants to possess a certificate of occupancy (CO) for an accessory building for a duration of three years before the approval of~~

~~an accessory unit. Originally intended to permit accessory units in existing buildings while discouraging new developments, this provision poses a burden on applicants. A potential remedy could involve modifying the requirement to apply the three-year CO period to the principal building rather than the accessory building.~~

*Revise or remove the three-year certificate of occupancy provision.*

Within the Accessory Apartment code, there is a requirement that applicants have three years of a certificate of occupancy (CO) in an accessory building before an accessory unit can be approved. The intent of this provision was to allow accessory units in existing buildings but not to promote a wave of new development. The regulation is burdensome for applicants and could be remedied by changing the three-year CO period to apply to the principal building and not the accessory building or by eliminating the three-year period entirely.”

**Pg. 209 – Incentive Zoning**

**Add text to suggest other zoning tools to promote community benefits.**

***“Other Zoning Tools to Promote Community Benefits***

There are several tools the Town can utilize to ensure that new development appropriately addresses the need to provide community benefits and mitigate impacts. The use of TDRs is one example, which is discussed elsewhere in this Plan. Another example is incentive zoning, authorized under New York Town Law §261-B, which typically allows for the increase the density or size of a project in exchange for providing certain public benefits. This zoning tool has been used in other municipalities across New York State to achieve various community goals, including affordable housing, open space, and infrastructure improvements. With this zoning approach, details need to be explicit and transparent to ensure consistency in how incentives are applied. There also needs to be a clear rationale between a development's impacts and the provided benefits.”

## 2.2. Build-Out Analysis

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Based on comments received on the Comprehensive Plan and DGEIS, there are no changes required to the Build-Out Analysis presented in the DGEIS.







### **3.0. COMMENTS AND RESPONSES TO THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT**

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#### **Public Comment Period Process**

The public comment period on the DGEIS opened on April 26, 2024 and extended through June 10, 2024. Written comments were received from the public during this time and submitted to the Town Board. A public hearing on the draft Comprehensive Plan Update was held on May 20, 2024, and a public hearing on the DGEIS was held on May 29, 2024, in the Town Hall at 4 West 2<sup>nd</sup> Street, Riverhead, New York. This FGEIS includes responses to written comments received during the DGEIS comment period and comments made verbally at the DGEIS public hearing on May 29, 2024.

#### **Comments and Responses**

The following summarizes and responds to substantive environmental comments received on the DGEIS; copies of all DGEIS comments received are provided in Appendices 4 and 5. An index of comments by commentor can be found at the beginning of Appendices 4 and 5. A summary of the substantive environmental comments made in each of the referenced comment letters is presented in this section, where applicable, and a response to each substantive comment is also provided. Tables 3-1 and 3-2 below provide a list of all written comments received during the public review period and a list of all verbal comments received at the public hearing.

Table 3-1. Written Comments Received on the DGEIS\*

	Letter Author	Author Affiliation	Date of Letter
1	Meredith Ritter	Calverton Resident	5/27/2024
2	Judith Jakobsen, Executive Director	Pine Barrens Commission	5/29/2024
3	Laura Jens-Smith, President Steve Green, Vice President Catherine Welsh, Corresponding Secretary Joan Cear, Recording Secretary Patricia Carey, Treasurer	Greater Jamesport Civic Association	5/31/2024 6/3/2024
4	Rev. Laurie Cline and Mr. Edward Cline	Jamesport Residents	6/4/2024
5	Sid Bail	Wading River Civic	6/4/2024
6	Pilar Moya-Mancera, Executive Director	Housing Help Inc.	6/6/2024
7	Susan Vorndran	Resident (Calverton)	6/7/2024
8	Barbara Blass	Jamesport Resident	6/8/2024
9	Toqui S. Terchun, President Merry Ritter Janice Scherer Karen Kemp	Greater Calverton Civic Association	6/10/2024
10	Elaine and Mark McDuffee	Jamesport Residents	6/10/2024
11	Jenn Hartnagel, Director of Conservation Advocacy	Group for the East End	6/10/2024
12	Karen Kemp	Calverton Resident	6/10/2024
13		Riverhead Central School District	6/10/2024
14	Stephen Baxter Jr.		6/10/2024

\*See Appendix 5 for an index of written comments by commentor. Additional written letters were received during the April 26-June 10 review period on the Draft Comprehensive Plan. Those letters are included in Appendix 6 of this FGEIS and have been considered in the changes that were made to the Draft Comprehensive Plan (see Chapter 2 of this FGEIS). Letters were determined to be on the Draft Comprehensive Plan if their headline indicated that they were comments on the Draft Comprehensive Plan or if all comments were related to the Draft Comprehensive Plan and the DGEIS was not referenced.

Table 3-2. Commenters at the Public Hearing on May 29, 2024\*

	Speaker	Speaker Affiliation
1	Kathy McGraw	Northville Resident
2	Cindy Clifford	Riverhead Resident
3	Laura Jens Smith	Greater Jamesport Civic Association
4	Joan Cere	Jamesport Resident, Greater Jamesport Civic Association.
5	Phil Barbato	Jamesport Resident
6	Barbara Blass	Jamesport Resident
7	John McCullough	Rolling Woods / Roanoke Landing Resident
8	Ken Zilnicki	Riverhead Resident, Planning Board Member
9	Mike Foley	Reeves Park Resident
10	Toqui Terchun	Greater Calverton Civic Association

\*See Appendix 4 for an index of comments by commentor.

The following sections summarize and respond to substantive environmental comments received on the DGEIS; copies of all DGEIS comments received, including transcripts from the public hearing can be found in Appendices 4 and 5. A summary of the substantive comments made in each of the above referenced comment letters and public testimony is presented where applicable to the environmental review process and a response to each substantive comment listed is provided. The commenter’s name is listed after each comment.

The responses to comments are organized as follows:

- 3.1 General Comments
- 3.2 Land Use, Zoning and Public Policy
- 3.3 Demographics, Housing, and Economic Conditions
- 3.4 Historic and Scenic Resources
- 3.5 Transportation and Mobility
- 3.6 Community Facilities, Open Space, Parks, and Recreation
- 3.7 Natural Features, Environmental Resources, and Agricultural Lands
- 3.8 Infrastructure and Utilities
- 3.9 Other Environmental Impacts
- 3.10 Analysis of Alternatives
- 3.11 Subsequent SEQR Actions

Comments are grouped by major topic areas to keep similar comments and responses together for reader ease. Comments are cross-referenced where applicable.

### 3.1. General Comments

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This section addresses comments that are not related to specific sections of the DGEIS. Comments related to specific DGEIS chapters will be addressed in the following sections (3.2 to 3.11).

#### Planning Process

These comments are on the planning process, including the DGEIS and Comprehensive Plan written comment period and public involvement.

3.1.1. Comment      “The May 8, 2024 Environmental Notice Bulletin announced that Riverhead Town has accepted as complete the Draft Generic Environmental Impact Statement (DGEIS) for the Riverhead Town Comprehensive Land Use Plan Update. The deadline to submit comments is May 30, 2024.

The Central Pine Barrens Commission meets once per month. The next Commission meeting is June 26, 2024. The DGEIS covers aspects and information related to the Central Pine Barrens. With approximately 10,000 acres of land in Riverhead Town that is in the Central Pine Barrens Core Preservation Area and Compatible Growth Area, the Commission may submit comments on the DGEIS and therefore respectfully asks the town to please leave the written comment period open until June 27 to give the Commission time if they choose to send comments.” (Judith Jakobsen, Executive Director, Pine Barrens Commission, Written Letter, 05/29/2024)

3.1.1. Response      Comment noted. A public hearing on the DGEIS was held on May 29. Comments on the DGEIS were accepted from April 26, 2024, through June 10, 2024, a period of 46 days. SEQRA law (NYCRR Part 617.12) requires at least 30 days during which any individual, group or agency may comment on the DGEIS. After receiving requests for additional time to comment from the public, the Town Board dedicated a special meeting on May 29 to the DGEIS public hearing and extended the comment period deadline by 11 additional days, from May 30 to June 10.

3.1.2. Comment      “So my question is, you're going to put out a final update to the Comprehensive Plan and is the public then going to have a comment time – an opportunity to comment on that final before this draft, the Final Environmental Impact goes through? Timeline, how is this all working if we don't get a public comment period? Before June 10th? So, it would be – so there's a potential for an opportunity to have another public hearing based on the final comp plan for the public? And then for this, for the Environmental Impact Statement, where does that then fall in that? That would come – follow after that? [...]

I think a lot of people, you know, when they came and spoke, there were some pretty significant topics at the last public hearing. So, I'm assuming you're going to discuss those and come to some sort of conclusion. pro or against, right? You know, but the document with any changes would now be an update.” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.2. Response      Changes made to the Draft Comprehensive Plan and DGEIS (as set forth in this FGEIS) will be publicly available here: <https://townofriverheadcomprehensiveplanupdate.com/draft-documents>. Changes proposed to the Comprehensive Plan based on public comment are also included in Chapter 2 of this FGEIS.

The public hearing for the Comprehensive Plan and DGEIS have been closed and the draft Comprehensive Plan Update has been revised to reflect comments made during the public comment period.

If as part of responding to public comments, the Town Board decided to make a significant change to the Plan, then they would need to initiate another public hearing on the Plan. A significant change could entail a new zoning or policy recommendation that has never been discussed that could affect the DGEIS analysis. If the significant change also resulted in the need for new environmental analysis not previously presented in the DGEIS, then a new DGEIS public hearing may be required. However, the changes to the Comprehensive Plan are minor, such as removing a recommendation, clarifying, or tightening of language, correction of grammatical and spelling errors. None of these types of changes are considered significant and would require the comment period to be re-opened. Since none of the proposed changes are significant, the Town Board is not proposing to re-open the Comprehensive Plan or SEQR public hearings.

This FGEIS responds to public hearing comments on the DGEIS.

SEQR statute and regulations do not require a hearing on a final EIS. SEQR requires that the lead agency and all other involved agencies must wait for at least ten days after the filing of a final EIS before making their findings and final decisions on the action. This period is not a comment period, but instead allows time for the involved agencies and any interested parties to consider the final EIS. (SEQR Handbook, 4th Edition | Chapter 5: Environmental Impact Statements, pg. 137)

3.1.3. Comment

"I have a question about process or comment about process and a question. We started out with a very participatory grassroots involvement in the hamlets and the development, and I remember all of the little tags and there was a similar process here with people putting tags on things.

We're now in a stage where we have a final document that we almost need to go back to--we're getting some here or last week and here, we're getting some grassroots reaction to the final document, but I wonder whether there's a way that both of these documents ought to go for much more discussion in communities before you get to the point of a final document, that that's what the participatory piece would be.

I think you've got, as I said, you had this process of creating things for the planners, for the consultants. And I don't know, maybe I wasn't at all of them and I didn't hear everything, but what's come up last week and today are very controversial areas.

I think you've responded quite well to the organized controversy around the school question and the industrial areas, but it's clear that injected into this Comprehensive Plan now and the GEIS now are things that are by no means a consensus in the community." (John McCullough, Rolling Woods / Roanoke Landing Resident, Public Hearing, 05/29/2024)

3.1.3. Response

As outlined in the DGEIS, there were numerous opportunities for public and stakeholder review and involvement.

See DGEIS section 1.1, Introduction, for a timeline of the SEQR Process, including opportunities for public involvement.

See DGEIS 2.2, Project History, for an overview of the comprehensive planning process, including public involvement.

See 3.1.1. Response and 3.1.2. Response.

3.1.4. Comment      “I have a lot of respect for the goal of this comp plan, I really do. And I've spent a lot of hours trying to take it all in and understand what we're looking at and what we're getting and what, if anything, we might be sacrificing, but the environmental impacts are as important as the comp plan itself in moving forward.

I would request on behalf of anyone else in Riverhead who might need more clarification to be clear on what we're agreeing to, that the Board seriously consider hosting at least one information session that would spell out exactly what this all means for our future. Again, it's most important to get it right and then call it done” (Cindy Clifford, Riverhead Resident, Public Hearing, 05/29/2024)

3.1.4. Response      Comments noted. See 3.1.3. Response.

3.1.5. Comment      “Finally, again, on process because it was a little confusing at the beginning. This document will now be modified based on reactions. It's a little fuzzy to me what the difference is between substantive point and a comment. Is what I just said substantive or is it just a generalized comment, which doesn't have to be responded to?

It's been said that if things are taken out, then, yeah, obviously there's not a reason to have a hearing again about them. But if things stay in, if things like the farm issues, vertical whatever these issues, if these stay in, is there going to be another opportunity where you can get reaction?

In other words, you have now the draft, you'll have your final, and you'll be doing you will be doing some kind of hearing. If by then, opinion has emerged I mean, I think we have to thank Kathy and Barbara in particular for having both the intellectual weight and the energy to dig deeper than any of the rest of us have.

Maybe you have all done that already or the professional staff have done that already, but I suspect that over the next several weeks, not just June 10th, but over the next month or two, there's going to be continuing discussion of these things and when you're really when you're back at the point of having the document to approve that's going to have a 20 year impact on the Town, I would hope that there is, at that point, a hearing where you can hear from people, this point, which we objected to two months ago, we object to it and there's now 100 people objecting to it.

I mean, I think you need to be that sort of openness of the final process of things not additional things, but things that have been maintained from the version we're now looking at if there's reconsideration of them that comes from the community and from the civics. Any rate, that's I think that's great, Mr. Hubbard, but there is a certain shyness for many people. I mean, not everybody that's prepared to even come in to the office.

Well, I'm suggesting you're actually triggering another idea, which is, if you take these two documents and you say, at lunchtime on this date, we're going to talk about this section and people who have questions can come and ask us those questions. And then three days later or four days later, we're going to do this section. And, again, people with questions can come and ask them. And sort of walk through these documents.

I think you're right, that part of the conundrums or the nervousness is simple comprehension and understanding it. And if your staff are prepared to do it, you have beautiful facilities here and there isn't much food immediately available, but that could think about that one.” (John

McCullough, Rolling Woods / Roanoke Landing Resident, Public Hearing, 05/29/2024)

3.1.5. Response      Comments noted. See 3.1.3. Response.

3.1.6. Comment      “The comp plan recommends allowing farm operations and vertical farming on all agricultural land, not just the APZ. They recommend a change to allow it in the RA 80 zone north of Sound Avenue. Are you all prepared to reject that in the comp plan? Because it's there. Is it not?” (Kathy McGraw , Northville Resident, Public Hearing, 05/29/2024)

3.1.6. Response      The Town Board have reviewed the Comprehensive Plan Update, DGEIS, and listened to the public hearings, and reviewed comments submitted in writing by members of the public. The Town Board, working with the Town Staff and consultant team, has made changes to the Draft Comprehensive Plan in response. See Chapter 2 of this FGEIS for changes to the Comprehensive Plan.

### Comments Received on Previous Draft Comprehensive Plan Documents

These comments are about previously submitted comments related to earlier draft comprehensive plan chapters.

3.1.7. Comment      “The comments submitted by our Civic Association and other organizations on the DGEIS scoping document (December 2023) and the draft Comprehensive Plan Update (Feb. - March 2024) are neither included among the documents featured on the CPU website under Public Outreach nor are they included in the DGEIS appendices. These comments are of great importance and should be given equal, if not greater, consideration than the original comments submitted by each organization and should be included in the online documents and the DGEIS appendices.” (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

3.1.7. Response      Regarding the inclusion of earlier comments on the Comprehensive Plan, comments received by the Town Clerk or through the Comprehensive Plan Website were reviewed. Comments were reviewed with Town staff and the Town Board. The Public Hearing Draft Comprehensive Plan (4/18/2024) responds to many comments made on the previous Draft Comprehensive Plan (February 2024).

While comments were received during the scoping period from the Greater Jamesport Civic Association on December 6, the comments received referred to the Comprehensive Plan and not the DGEIS Scoping Document. These comments were considered during the drafting of the Comprehensive Plan.

3.1.8. Comment      “I submitted comments to the Town Board on the CPU listed as “communications” on the Town Board meeting agenda of April 16, 2024 and ask that those comments be incorporated into this hearing record with an acknowledgement that some comments may be duplicative.” (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.8. Response      See 3.1.7. Response.

3.1.9. Comment      “For the purposes of the current public hearings on the Comprehensive Plan Update (CPU) we are re-submitting our letter of response from several months ago to be sure it’s included in the public record, along with several other letters sent directly from residents.” (Toqui S. Terchun, President; Merry Ritter; Janice Scherer; Karen Kemp, Greater Calverton Civic Association, Written Letter, 06/10/2024)

3.1.9. Response See 3.1.7. Response.

### Accessory Dwelling Units (ADUs)

3.1.10. Comment "The Plan recommends changes to Accessory Dwelling Units (ADU's) Code requirements. The recommendation to remove the requirement for a 3 year CO on the principal or the accessory structure would allow every new single family residence in any of 10 zoning districts to build an accessory unit. The Plan incorrectly states that there is an amnesty period for the first 250 owners of preexisting ADU's to legalize their units with a waived fee.

The Code actually states, "the article shall sunset upon the issuance of the 250th accessory apartment permit, excluding accessory apartment permits issued to applicants seeking to legalize a preexisting accessory apartment under the amnesty provision..." The Code no longer has an amnesty provision which could be reinstated. However, the Town should determine how many accessory apartment permits have been issued and whether the 250 limit should remain or otherwise impose a saturation limit within a specific geographic radius or zoning district." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.10. Response Comment noted. Comment is on the Comprehensive Plan Document and not the DGEIS.

Riverhead's existing accessory apartment code is found in Chapter 105 of the Town Code. Accessory apartments are limited from 300 to 650 square feet and cannot exceed 40 percent of the entire square footage of the dwelling. Owner occupancy of one of the units is mandatory.

As noted by other commenters, while some residents are concerned about the potential "density" that ADUs might bring to their community, experience has shown that restrictive policies result in few ADUs. A less restrictive policy can provide more housing options in a community without a significant increase in density, while maintaining the single-family character of neighborhoods. Furthermore, accessory dwelling units provide housing options for seniors, young people, and small households. These needs were identified both in the analysis of data as well as from public comments during the public outreach process.

Only about 100 legal ADUs exist in Riverhead, suggesting that the policy should be less restrictive to ensure more ADUs can be created legally to meet the demand for this housing typology.

For clarification, the text in the Draft Comprehensive Plan regarding ADUs is quoted below:

**"Revise or remove the three-year certificate of occupancy provision.** Within the Accessory Apartment code, there is a requirement that applicants have three years of a certificate of occupancy (CO) in an accessory building before an accessory unit can be approved. The intent of this provision was to allow accessory units in existing buildings but not to promote a wave of new development. The regulation is burdensome for applicants and could be remedied by changing the three-year CO period to apply to the principal building and not the accessory building or by eliminating the three-year period entirely.

**"Consider reopening the amnesty program to encourage illegal accessory apartments to become legal.** When Chapter 105 Article I was adopted to the Town Code enabling Accessory Dwelling Units (ADUs), there was an amnesty period for the first 250 owners of preexisting ADUs to legalize their units with a waived fee. Reopening this amnesty



provision could help legalize additional illegal units. Legalizing the units will benefit the Town and residents because owners of the properties will have to comply with the full provisions of the Town Code, including requiring the owner to occupy either the principal or accessory unit, and comply with building, fire, and health codes, making them safer for residents, while bringing in additional taxes

***“Eliminate the restriction on the minimum floor area of the ADU and consider adjusting the maximum size.*** The code currently establishes a minimum area for the ADU of 300sf and a maximum area of 650 sf, not to exceed 40% of the principal building area. If the Accessory Dwelling Unit and Principal single-family use are compliant with fire and safety codes, a restriction on the lower limit does not need to be stated. Regarding the upper limit, The Town should consider eliminating the 650sf maximum and limit the size of the accessory unit to 40% of the principal dwelling. These adjustments may enable additional property owners to create accessory dwelling units more easily. ADUs are limited to one bedroom.

***“Reduce the off-street parking requirement from two to one off-street parking spaces for the accessory unit.*** Off-street parking requirements are a barrier to homeowners who want to add an ADU on their property because they are costly, take up space, and can add to impervious surfaces.” (Draft Comprehensive Plan pg. 207-208)

3.1.11. Comment “Accessory Apartments - Chapter 13 page 207: We support efforts to enable homeowners to establish accessory dwelling units (ADUs) on their properties provided one of the units is owner occupied, that the units comply with safety codes and that the Town monitors and regulates the units. However, we object to lifting the 350- sq. ft. minimum and the 650-sq. ft. maximum size restrictions. Changing the code to allow all units to be up to 40% of the square footage of the main dwelling could result in excessively large, "one-bedroom" ADUs, as homeowners are now generally building much bigger residences. The Town should set a specific square footage cap on the size of ADU s. Regarding the CO requirements, we understand the reasoning to lift the three-year CO requirement, but we also understand the intention of the current code - to reduce an influx of new ADUs. We recommend a three-year minimum CO on the main residence. We do not support eliminating the two-car parking requirement. That should remain, as most two-person residences have two cars.” (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

3.1.11. Response See 3.1.10. Response

3.1.12. Comment “Allowing accessory units would help with housing for dependent family members but 40% of existing housing when the house is large seems excessive. It should be a sliding scale depending on the size of the existing house.” (Rev. Laurie Cline and Mr. Edward Cline, Jamesport Residents, Written Letter, 06/04/2024)

3.1.12. Response See 3.1.10. Response

3.1.13. Comment “We watched the Public Hearing for the Draft Generic Environmental Impact Statement on May 29, 2024, and wanted to submit our comments regarding Accessory Dwelling Units. Regarding the sections:

3.2.2.2. Housing

Goal 2. Encourage more diverse housing types to accommodate a wide range of income levels and to address evolving housing needs. Moreover, revisions to standards for ADUs are

proposed to reduce barriers to new housing, such as eliminating the requirement for a three-year certificate of occupancy for accessory buildings to receive an ADU permit. These measures collectively aim to foster a more flexible and sustainable housing landscape in Riverhead. These initiatives require further study as policy details are determined in the future. Potential impacts to community services, infrastructure, transportation and historic character would need to be assessed prior to any future policy changes.

#### and Other Regulatory Changes

Accessory Dwelling Units (ADUs): Modifying size restrictions and certain requirements to make the process less burdensome on applicants while maintaining regulatory intent. Aligning regulations with current needs and standards ensures compliance without adverse effects on the community. Individual project evaluations guarantee compatibility and safety

We fully support this assessment and urge the Town of Riverhead to maintain its position on ADUs. Research conducted nationwide over the past five years shows that a less restrictive ADU initiative is necessary for any significant success in the development and positive impact of ADUs.

While some residents are concerned about the potential "density" that ADUs might bring to their community, a gradual and restrictive policy usually leads to minimal ADU adoption. In contrast, a less restrictive policy can lead to greater adoption and can be made more restrictive if necessary, in the future.

A study on the influence of accessory dwelling unit (ADU) policy on the contributing factors to ADU development in the city of Los Angeles confirms that local governments' ADU ordinances can help expand the accessibility to ADUs in various geographical contexts, which in turn could increase housing stock and offer a wider range of housing options within communities.

The study, *The influence of accessory dwelling unit (ADU) policy on the contributing factors to ADU development: an assessment of the city of Los Angeles*, confirms "that local governments' ADU ordinances can contribute to expanding the accessibility to ADUs in broad geographical contexts. Therefore, ADUs could help increase housing stock and offer a wider range of housing options within communities."

Locally, the Towns of Southampton, East Hampton, and Southold show that restrictive policies result in few ADUs or Accessory Apartments in those towns. We urge the Town of Riverhead to develop an intentional, less-restrictive ADU policy that aligns with the ideals included in the Master Plan and revisit the policy on an annual basis to determine if adjustments are necessary.

We are ready to assist you with implementing a successful ADU initiative in the Town of Riverhead and welcome further discussions on the matter." (Pilar Moya-Mancera, Executive Director, Housing Help Inc., Written Letter, 06/06/2024)

3.1.13. Response See 3.1.10. Response

3.1.14. Comment "We do not support ADUs." (Elaine and Mark McDuffee, Jamesport Residents, Written Letter, 06/10/2024)

3.1.14. Response See 3.1.10. Response

3.1.15. Comment "With regard to the proposed changes to the ADU regulations, the district's concern

continues to be the increase in student population and safety. The multipliers used to predict the number of students generated from the ever-increasing number of apartments have consistently underestimated student population growth. There is no clear data indicating how many students are housed in ADU's or accurate predictors as to how the expansion of this type of housing, would impact the school district. Increasing accessory apartments in addition to the plethora of apartment complexes has the potential to overpopulate the schools.

It is, well-known that, for decades, the TOR Code Enforcement Department has been understaffed and has lacked the resources to address overcrowded and illegal housing which has contributed to student population growth and unsafe living conditions for individuals and families. Secondly, while the town has made some strides, it has not demonstrated the capacity to ensure the compliance and safety of the ADU's that currently exist. Lastly, while the goal of the proposed ADU expansion might be well intended to help young families and seniors, with their housing needs, the reality is that LLC's have been building and purchasing homes in our community to generate rental income. Loosening of ADU regulations might have the unintended consequence of overcrowded housing as the goal of LLC-owned properties is profit." (Riverhead Central School District, Written Letter, 06/10/2024)

3.1.15. Response Riverhead's existing accessory apartment code is found in Chapter 105 of the Town Code. Accessory apartments are limited to one bedroom, making them unlikely to generate many school children, and owner occupancy of one of the units is mandatory.

3.1.16. Comment There's also a recommendation of eliminating the three year occupational requirement for accessory dwellings and also increasing the size of those dwellings. Right now there's a limit of 650 square feet. The change would allow up to 40 percent of the primary residence.

Now, as I read this, it says, to me, that every house in Riverhead will now be eligible for construction of a dwelling apartment, an accessory dwelling apartment. There is a limitation of one bedroom, but, you know, you build an accessory that's 40 percent of a new house and it's a pretty big accessory and it will have family rooms, studies, and only one thing that's called a bedroom. It could easily be reused. And I do believe that a proliferation of these dwellings will inevitably impact on traffic, schools, and infrastructure." (Kathy McGraw, Northville Resident, Public Hearing, 05/29/2024)

3.1.16. Response See 3.1.10. Response

3.1.17. Comment "I think similarly the issue of housing. Both the increase in the number of apartments is a separate topic. It's not something that ought to just suddenly appear because, again, I don't remember a discussion of increasing the number of apartments in all of these preparatory meetings.

The other this accessory housing, I think people can have feelings in positively and negatively about it. Obviously there's a need for housing, but the accessory housing does become a rezoning.

You know, if there was a clear decision on the part of Riverhead, there's a lot of other rural areas, that it was going to protect itself by having one acre or two acre minimums for property and then all of a sudden you have accessory housing in them, well, then it's not the same kind of zoning anymore.

And I don't know if that's really been thought out as a question of our goals and policy or, again, having it appear within the context of the DGEIS and the Comprehensive Plan, I don't

think is adequate to that.” (John McCullough, Rolling Woods / Roanoke Landing Resident, Public Hearing, 05/29/2024)

3.1.17. Response See 3.1.10. Response

3.1.18. Comment “And the one question I have on the accessory apartments. Now 40 percent is the of the existing house or you can add on 40 percent? How does that work?” (Ken Zilnicki, Riverhead Resident, Planning Board Member, Public Hearing, 05/29/2024)

3.1.18. Response See 3.1.10. Response

3.1.19. Comment “I just have a question because it was a question about the accessory apartments. So currently the code for accessory apartments is that the maximum they can be is 650 square feet for an accessory apartment or 40 percent. So it could be 40 percent if it's less, but the max is 650 unless you're preexisting then you could go up to 850, but I mean, the intention of this code is for further build out and the new It's the accessory apartment. I'm reading the code that we have now, which was what we were just asking, right? It was unclear, that's what I'm trying to find out. So currently you can not build an accessory apartment at 40 percent of your house size, correct? And what's in the comp plan would allow that moving forward for accessory apartments, right? Is that correct that Of the full so if you have a 10,000 square foot house, you could build 4,500 whatever the 40 percent of which would not be a permissible the most you could build right now would be is 650?” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.19. Response See 3.1.10. Response

3.1.20. Comment “On page 87 [DGEIS pg. 3.1-23] for housing diversity. To allow the elimination of a Certificate of Occupancy for three years before granting an accessory apartment use and allowing the square footage to go from 650 square feet to 40 percent of the main residence, what does the DGEIS say about the dramatic change that these rules would have on density and residential neighborhoods with regard to the size of houses and the new demand to have additional parking even though the plan is suggesting to reduce that parking?” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.20. Response See 3.1.10. Response

3.1.21. Comment “I’m going to speak a little more about the accessory apartments because there's another aspect. The code currently permits them in ten zoning use districts. There's a recommendation to remove the C/O, we've talked about that, on accessory or principal structure for the three year requirement. And it does mean that every new single family residence in any one of the ten zoning use districts could be constructed with an accessory unit.

A standard yield map, something that Councilwoman Waski, I'm sure is familiar with, a standard yield map in a subdivision would look no different, but each single family residence depicted on that map could provide an additional living area for rent. The recommendation clearly has growth inducing impacts, which should be evaluated. Analyzing such recommendations as a separate action sometime in the future is a problem.” (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)

3.1.21. Response See 3.1.10. Response

See 3.1.101. Response on zoning changes that require further study.

## Agritourism

3.1.22. Comment "Agritourism – Page 41 [DGEIS pg. 2-15]: The Draft recommends allowing agritourism resort facilities, with the use of TDR credits, in appropriate locations, subject to design, development, and environmental standards. The placement of agritourism resort facilities needs to balance the support of agriculture with the preservation of our natural resources. Agritourism definitions should be aligned with regulatory guidelines established by the NYS Dept of Ag and Markets (Agriculture and Markets Law §300) that consider agritourism activities for the intention of directly marketing the farm's products, and which, when special events are conducted, state the farm must ensure that profits from admissions, facility rentals, or vendor fees do not exceed income from sale of farm produce.

Agritourism – Page 41 [DGEIS pg. 2-15]: The Draft recommends allowing agritourism resort facilities, with the use of TDR credits, in appropriate locations, subject to design, development, and environmental standards. The placement of agritourism resort facilities needs to balance the support of agriculture with the preservation of our natural resources. Agritourism definitions should be aligned with regulatory guidelines established by the NYS Dept of Ag and Markets (Agriculture and Markets Law §300) that consider agritourism activities for the intention of directly marketing the farm's products, and which, when special events are conducted, state the farm must ensure that profits from admissions, facility rentals, or vendor fees do not exceed income from sale of farm produce.

Agritourism – Page 242, section 3.6 – 38: The Civic Association supports creating clear definitions and implementing regulations for agritourism including size restrictions and a permitting process, all of which should align with NYS Dept of Ag and Markets (Agriculture and Markets Law §300). We urge caution with the planner's recommendation to "ensure that such definitions are flexible enough to accommodate the diverse range of agritourism without compromising environmental integrity" and to allow "conditional use permits." Agritourism in the area has already impacted our environment through increased noise, traffic, and therein, residents' access to essential and emergency services. In addition, we do not support the recommendation to permit tourist lodging on farmland. For example, an agritourism resort proposed for a location on Sound Avenue, would, in fact, be located in an area that the DGEIS shows is a New York Natural Heritage area (Page 216 – section 3.6 page 12)." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.1.22. Response Comments noted. For clarification, the Draft Comprehensive Plan advocates for defining "agritourism" based on New York State Agriculture and Markets definitions and referencing their guidance on agritourism. Goal 5.1, pg. 102 of the Draft Comprehensive Plan, reads, "The NYS Department of Agriculture and Markets provides resources on agritourism, including existing definitions that the Town could add to its code."

Section 301 Definitions of AGM Chapter 69, Article 25-AA defines "Agriculture Tourism" as "activities, including the production of maple sap and pure maple products made therefrom, conducted by a farmer on-farm for the enjoyment and/or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding and awareness of farming and farm life."

On Agritourism Resorts, the DGEIS, on pg. 3.1-25, states (underline added for emphasis):

"Agritourism Resort: Given the high demand for hotel space in the North Fork and the

Town's aim to support tourism, the proposal suggests permitting agritourism resorts in suitable locations. These resorts combine agricultural experiences with recreational activities and accommodations, catering to diverse preferences. By incorporating design, development, and environmental standards, the Town aims to balance agritourism support with land conservation objectives. Leveraging demand for these facilities, provisions would require substantial land preservation and TDR credit redemption, ensuring responsible development. Individual project evaluations would ensure site-specific considerations, mitigating potential adverse impacts on surrounding areas and preserving the agricultural character of the community. This recommendation was also made in the Town's 2003 Comprehensive Plan."

The DGEIS on pg. 3.1-26 states (underline added for emphasis):

"By incorporating design, development, and environmental standards, the Town aims to balance agritourism support with land conservation objectives. Leveraging demand for these facilities, provisions would require substantial land preservation and TDR credit redemption, ensuring responsible development. Individual project evaluations would ensure site-specific considerations, mitigating potential adverse impacts on surrounding areas and preserving the agricultural character of the community."

See 3.1.101. Response, which addresses zoning changes that require further study and subsequent SEQR actions. Agritourism zoning changes are considered zoning changes that require further study and site-specific projects would be subject to SEQR.

3.1.23. Comment "Any agritourism should conform to the New York State Department of Agriculture and Markets laws/guidelines." (Rev. Laurie Cline and Mr. Edward Cline, Jamesport Residents, Written Letter, 06/04/2024)

3.1.23. Response See 3.1.22. Response.

3.1.24. Comment "On page 242, agritourism Section 3.6, Page 38. We support creating clear definitions and implementing regulations for agritourism including size restrictions and a permitting process and recommend that the New York State Ag and Markets Law be followed.

However, we do not support the recommendation to permit tourist lodging on farmland and, more specifically, for example, the proposed agritourism resort that was proposed on Long Island Sound is actually proposed to be located in an area that is designated a New York Natural Heritage area according to the DGEIS. And a New York Natural Heritage area according to the document says that under the Environmental Conservation Law, the New York Natural Heritage Areas Program defines significant natural communities as locations with rare or high quality wetlands, forests, grasslands, ponds, streams, and other types of habitats, echo systems, and ecological areas.

So we urge caution with the planners recommendation to ensure agritourism definitions are flexible enough to accommodate a diverse range without compromising environmental integrity. Clearly there is a risk of compromising environmental integrity." (Joan Cere, Jamesport Resident; Executive Committee Member, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.24. Response See 3.1.22. Response.

3.1.25. Comment "It may be a consensus among staff of the Town or among Board members, but the issue of the agritourism of the agricultural development and tourism merged together, I think it's not

clear to me whether that started out as an agricultural development tool or protection of land tool or it started out as a developer in Connecticut wanting to do a project and then finding the language that would make it more acceptable. And I think that sort of deep question about whether the Town really wants that, needs to be separated rather than injected in.” (John McCullough, Rolling Woods / Roanoke Landing Resident, Public Hearing, 05/29/2024)

3.1.25. Response See 3.1.22. Response.

3.1.26. Comment “And then agritourism results results? Resorts, sorry. The plan recommends them and I don't understand how such resorts would not have a significant impact on our scenic and historic resources. Namely, on our vistas, the historic Sound Avenue corridor, the Long Island Sound and its bluffs.” (Kathy McGraw, Northville Resident, Public Hearing, 05/29/2024)

3.1.26. Response See 3.1.22. Response.

3.1.27. Comment “One of the things on the hotel that wants to go up on the Sound, what a lot of people don't realize is that the two developments just to the west of that, Willow Ponds and Soundview Meadows, were farms. My family farmed them. Now they're houses and condos.

And I don't think anyone ever wanted to deny these people, you know, a nice place to live, but they did take over approximately 70 acres each parcel. So about 140 acres of farmland. The hotel that wants to go in, the whole front area, about 70 or 80 acres, are in the county program, so will have to remain forever; development rights have been sold. There's only 18 acres on the Sound. I'm neither for or against it because I we're not that quite involved as the planning members yet, but I think it's something to look into because if the person put up condos instead of a hotel, it would be much worse for the school system. Where a hotel you come there for a couple of days, you go home.

And I understand the traffic, but that hotel will never have the traffic as one weekend during pumpkin season at Harbes and all the other farms, and everyone enjoys that. Just consideration, something to look into.” (Ken Zilnicki, Riverhead Resident, Planning Board Member, Public Hearing, 05/29/2024)

3.1.27. Response See 3.1.22. Response.

3.1.28. Comment “On page 41 [DGEIS pg. 2-15] for agritourism, the draft recommends allowing agritourism resort facilities with the use of TDR credits in appropriate locations subject to design, development, and environmental standards.

The placement of agritourism resorts facility needs to balance the support of agricultural with the preservation of natural recourse sources. Agritourism defined should be aligned with regulatory guidelines established by the New York State Department of Ag and Market. That's Ag and Market Law number 300.

That considers agritourism activities for the intention of directly marketing the farm's products and which, when special events are conducted, state the farm must ensure that profits from admission, faculty rentals or venders fees do not exceed income from the sales of the farm produce.” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.28. Response See 3.1.22. Response.

3.1.29. Comment “Ken and I have had a handful of conversations about a hotel development under the term of



agritourism. And there was some very interesting concepts that we were going to be teaching people farming; that the people who were going to be there were really intending to learn more about that, get a farming experience. And all that sounds good.

When we're talking about agritourism and there's a possibility of catering, I think that changes the complexion and the definition of agritourism. And my concern is that if we allow catering halls on farmlands under the guise of it being a hotel, but all of a sudden they can put in a wedding reception or something else, it can very rapidly get out of control.

So I would ask, we talk about exclusions when we're talking about the DGEIS. And Ken is talking about excluding vertical farming north of Sound Avenue. Of course I agree with that wholeheartedly. What about excluding catering halls on any development, any project? I think if I remember, Dawn had mentioned that there was seven, I think, lots of 100 acres or more. It might have been Annmarie that mentioned that.

So we're talking conceptually of possibly having seven of these agritourism development complexes. If we excluded the term catering halls so that there was no way of getting accessory use to accessory use and having these things creep into something that nobody wants.

I think that's the problem here. I think sometimes if we don't exclude things right away, people can come in for a special permit. But if there's an exclusion, there will be no catering halls on any of these things, there will be no vertical farming on any of these things, it wouldn't even come up for a special permit. So I think that has value to take a hard look at that.

And if we really want to have agritourism, I think we have to define agritourism does not mean catering halls under any circumstances. Thanks.

You know, trying to parse it is not something that I'm here to do tonight. I think the concept of catering, everybody understand what a catering hall is. If we have 20 rooms in a hotel that 20 couples are in and they're getting married on the beach, would that constitute a reception? Not in my mind. If they're using a hotel to sleep over and do all that and they're not closing a restaurant to put as something and they have a piece of a room.

Something that we were concerned about the Cider house doing when they opened up that 6,000 square foot side thing. Right now nothing bad that I've seen has happened there and I'm hopeful that that continues.

But to try and cut it off before it can become an abusive thing, that all of a sudden land is used for something we never wanted, none of us ever wanted it to be, I think it's something to take a look at. Thanks again, thank you." (Mike Foley, Reeves Park Resident, Public Hearing, 05/29/2024)

3.1.29. Response See 3.1.22. Response.

3.1.30. Comment "Just one quick one on the agritourism point. If the plan could require that the agricultural land that's been set aside within that development could be permanently preserved, either through purchase by the Town or the county or donation by the owner. That should be a requirement because it's too wishy washy now. Oh, yeah, we're going to have some agricultural land there. Ten years down the road, if they start nipping away at that and building some more tourism stuff, how are we going to enforce that? I think it should be permanently preserved if it's going to be used for agricultural." (Phil Barbato, Jamesport



Resident, Public Hearing, 05/29/2024)

3.1.30. Response For clarification, when TDR rights are sold on farmland, the farm is permanently preserved through an easement that limits the development of the land to agricultural uses. Likewise, when farmland is preserved through cluster development, an easement restricts development on preserved lands in perpetuity.

See 3.1.22. Response.

3.1.31. Comment "All right, but on the point for agritourism, how will that agricultural land be permanently preserved? Is it in the contract somewhere or is it going to be? So it's a zoning code enforcement that would be necessary?"

I guess my only point was, if it's enforcement of Town code, it's a lot more difficult. If it's preserved farmland and the county has purchased the right to develop it, or the Town has purchased the right to develop it, that's a lot easier to enforce." (Phil Barbato, Jamesport Resident, Public Hearing, 05/29/2024)

3.1.31. Response See 3.1.30. Response

3.1.32. Comment "Agritourism and Agritourism Resorts - Chapter 13 page 201: The Civic Association supports recommendations to more strictly regulate agritourism activities and to align local agritourism with NYS Dept of Ag and Markets (Agriculture and Markets Law §300) regulating the amount of revenue a farm can earn through agritourism. We do not support zoning revisions to permit agritourism resorts. Keep agricultural lands for farming - not for spas, restaurants and other amenities at these tourist playgrounds." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

3.1.32. Response Comment noted. Comment is on the Comprehensive Plan.

See 3.1.22. Response.

3.1.33. Comment "2.5.4.2. Zoning Changes That Require Further Study (p.2-15) The DGEIS states, "Agritourism: The Plan recommends allowing agritourism resort facilities, with the use of TDR credits, in appropriate locations, subject to design, development, and environmental standards."

The impacts of the proposed changes to the zoning code to create an agritourism resort floating zone have not been analyzed.

#### Recommendations

There are several suggestions throughout the final draft of the Comprehensive Plan that recommend further scrutiny surrounding the agritourism use in order to minimize impacts. The suggestion to create an entirely new floating zone, which could theoretically create several large-scale resorts in sensitive environmental areas on agricultural land is counterproductive to these suggestions. We respectfully recommend deleting the suggestion for a new "agritourism resort" floating zone from the Comprehensive Plan. In our view, there are more appropriate and meaningful farmland preservation tools." (Jenn Hartnagel, Director of Conservation Advocacy, Group for the East End, Written Letter, 06/10/2024)

3.1.33. Response See 3.1.22. Response.

### Assisted Living Overlay District

3.1.34. Comment "So just a couple of things, just with Kathy McGraw, she was saying about housing and the significant impact. I think in there, one thing that wasn't mentioned was that there is a statement in there about adding optional potential housing on Route 58, which would also have a significant impact in the numbers and I did not see any of that in the Draft Environmental Impact Statement to analyze that." (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.34. Response The Draft Comprehensive Plan recommends an Assisted Living Overlay District that straddles a portion of Route 58 near the hospital. The Assisted Living Overlay would allow for Assisted Living and Continuum of Care facilities that include residences for Seniors. Higher densities could be achieved with the use of TDRs. This zoning recommendation is factored into the build-out analysis and analyzed throughout the DGEIS. See the following sections of the DGEIS for pertinent assessment:

- 2.5.4.1. Proposed Zoning Changes (pg. 2-14)
- 2.6.4.4. Zoning Recommendation: Assisted Living Overlay District (pg. 2-29) and Figure 2-8. Potential Development Sites in Proposed Assisted Living Overlay District (pg. 2-30) - for build-out analysis of the Assisted Living Overlay District
- 3.2.2.1. Land Use (pg. 3.1-19) - for potential impacts on land use
- 3.2.2.2. Zoning (pg. 3.1-22) - for potential impacts on zoning
- 3.2.2.1. Demographics (pg. 3.2-19) - for potential impacts on population
- 3.2.2.2. Housing (pg. 3.2-22) - for potential impacts on housing
- 3.2.2.3. Economic Conditions (pg. 3.2-33) - for potential fiscal impacts
- 3.3.2.2. Scenic Resources (pg. 3.3-18) for potential impacts on scenic resources
- 3.4.2.1. Comprehensive Plan Policies (pg. 3.4-18) for potential impacts on transportation and mobility
- 3.5.2.1. Community Facilities (pg. 3.5-19) for potential impacts on community facilities, community services (e.g., Police, fire, EMS), and schools
- 3.5.2.2. Open Space Parks and Recreation (pg. 3.5-27) for potential impacts on open space, parks, and recreation
- 3.6.2.1. Natural Features and Environmental Resources (pg. 3.6-34) for potential impacts on natural features and environmental resources
- 3.6.2.2. Agriculture (pg. 3.6-38) for potential impact on agriculture
- 3.7.2. Potential Impacts of Proposed Policy (pg. 3.7-15) for potential impacts on infrastructure and utilities

### Assisted Living by Special Permit

3.1.35. Comment "Assisted Living -Future Land Use Chapter 13, page 204: The Civic Association recognizes the Town's desire to address the housing needs of its aging population. We support the development of assisted living housing in areas served by the sewer district and that have easy access to ambulance service. Locating assisted living facilities in hamlet center (HC) and rural corridor (RLC) is opposed, as these areas do not have sewer service and the limited access via two-lane, country roads that are frequently congested, makes ambulance access difficult at times." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine

Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

- 3.1.35. Response Comment noted. Comments are on Draft Comprehensive Plan recommendation to consider allowing assisted living and continuum of care facilities in any district by special permit. The HC and RLC districts were given for example. Any site-specific project proposal would be subject to special permit and site plan review, which would both require evaluation under SEQR to determine significant adverse environmental impacts and mitigation. Proposed projects would also be required to comply with Suffolk County Sanitary Regulations for wastewater.
- 3.1.36. Comment "We do not agree with zoning changes permitting assisted living facilities in the rural corridor or hamlet centers of Aquebogue and Jamesport. Keep them in more commercial areas west of route 105." (Rev. Laurie Cline and Mr. Edward Cline, Jamesport Residents, Written Letter, 06/04/2024)
- 3.1.36. Response Comment noted. See 3.1.35. Response.
- 3.1.37. Comment "We do not support the addition of assisted living facilities along the rural corridor in Jamesport, Aquebogue or Laurel." (Elaine and Mark McDuffee, Jamesport Residents, Written Letter, 06/10/2024)
- 3.1.37. Response Comment noted. See 3.1.35. Response.
- 3.1.38. Comment "On page [...] 86 and 87 [DGEIS pg. 3-1.22, pg. 3.1.23], assisted living. It is recommended that assisting living facilities be allowed with special permit use in other areas to be evaluated by the Town Board on a site specific manner. We feel there needs to be an infrastructure in place for assisted living, not placed in zones within inadequate roads or storage." (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)
- 3.1.38. Response Comment noted. See 3.1.35. Response.
- 3.1.39. Comment "Pg 86-87 [DGEIS pg. 3-1.22, pg. 3.1.23] – Assisted Living – It is recommended that assisted living facilities be allowed with special permit use in other areas such as hamlet center (HC) and rural corridor (RLC), to be evaluated by the town board in a site-specific manner. HC and RLC are not appropriate locations, as they lack access to the sewer system and have inadequate roads. There needs to be infrastructure in place for assisted living facilities, which HC and RLC zones do not have." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)
- 3.1.39. Response Comment note. See 3.1.35. Response.

### Battery Energy Storage Systems (BESS)

- 3.1.40. Comment "On Battery Energy Storage Systems (BESS) the GEIS state, "Riverhead must persist in efforts to guarantee the compatibility of proposed battery storage facilities with the surrounding land uses, minimizing visual and groundwater impacts, and addressing emergency and fire safety concerns." The legislation was adopted with a Negative Declaration indicating that there were no potential significant impacts that couldn't be mitigated. The residents documented these very concerns during the public hearings on the BESS legislation highlighting the 11 impacts identified in Part 2 of the LEAF. Question #4 is noteworthy: The proposed action may result in new or additional use of groundwater or

have the potential to introduce contaminants to groundwater or aquifer. Answer NO! (See documentation submitted to the Town here: <https://docs.google.com/document/d/1MXYhz4kgaKZismrqcCfLrQjvatTN-iFy2O4QAA3NVWY/edit>).

This Code was nevertheless adopted with a Neg Dec without regard for obvious concerns, and unfortunately remains on our books as is. While the State may provide additional safety guidance which the Town will likely adopt, in my opinion, the Local Law should be repealed and codified only after proper planning and analysis." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.40. Response Comment noted. Comments are on Draft Comprehensive Plan recommendations regarding Battery Energy Storage Systems (BESS) facilities. The recommendation in the Draft Comprehensive Plan is:

***"1.8. Monitor battery storage safety and technology and revise the code as appropriate."***

"Riverhead should continue to work to ensure that proposed battery storage facilities are compatible with surrounding land uses, do not have significant visual impacts or impacts on groundwater, and address emergency and fire safety issues. The Town should follow State guidelines regarding safety protocols and emergency procedures as they become available and should continue to monitor this technology to assess its effectiveness in meeting renewable energy goals. Riverhead intends to modify the Town Code to meet forthcoming State Fire Code guidelines, as appropriate." (see pg. 183)

The BESS code was previously adopted and is not within the scope of this DGEIS on the Draft Comprehensive Plan.

The Town's BESS code was evaluated under its own separate SEQR proceeding completed prior to the Draft Comprehensive Plan. The Comprehensive Plan recommendation is supportive of the BESS code previously adopted by the Town Board,

3.1.41. Comment "Page 91 – Section 3.1 – 27 – Battery Energy Storage Facilities – The DGEIS fails to thoroughly address the potential environmental impact of BESS facilities, including, but not limited to, the potential hazards from fire or explosion. The Comprehensive Plan Update and the GEIS must be more specific about zoning for BESS and potential environmental impacts." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.1.41. Response See 3.1.40. Response.

3.1.42. Comment "Most of us in the room will remember the discussions under the battery energy storage systems, the public hearings. The very extensive concerns over a period of time we had. And the Town and we went pretty we went into depth in reviewing the EAFs, all of the the narrative, everything.

Okay, so what am I getting at? I'm getting at the fact that when you spoke about the Town having done some additional zoning prior to the plan update, that was one of them. Battery energy storage systems are now in the code and we actually paid \$10,000 additional money to the consultants to write that code and they ended up, you know, it was given a negative declaration under SEQRA.

Here's what is the excerpt from the document right now. Battery energy storage, “: Riverhead must persist in efforts to guarantee the compatibility of proposed battery energy storage facilities with the surrounding land uses, minimizing visual and groundwater impacts and addressing emergency and fire safety concerns.

I find that ironic that the same consultants wrote that, wrote the neg dec and those were the comments that came out of the community passionately. So I just thought that was an interesting and ironic comment to be included. Thank you.” (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)

3.1.42. Response See 3.1.40. Response.

### Charter School

3.1.43. Comment “[T]he question of the charter school, that that, if we include in Epcal the concept of not for profit, educational, and cultural institution, it seems to me, as I've stayed in previous meetings, that Epcal ought to be the place that you should look to for the charter school.” (John McCullough, Rolling Woods / Roanoke Landing Resident, Public Hearing, 05/29/2024)

3.1.43. Response Comment Noted. Comments are on the Draft Comprehensive Plan.

See Chapter 2 of this FGEIS for changes to the Draft Comprehensive Plan. In response to public comments, the Plan has been revised to remove text recommending allowing private schools as a special permit use in industrial zones.

#### Pg 195: “Uses in Industrial Districts

Industrial properties currently permit, and should continue to permit, various non-industrial uses including agricultural, equestrian, recreational, and golf uses. ~~The Town should consider allowing private schools as a permitted use in all Industrial zones. State law considers charter schools as private schools for the purposes of zoning regulations, and therefore they are not allowed in any zone as public schools are. This would open additional opportunities for educational facilities in Riverhead.~~ Assisted Living and Continuum of Care Residential Facilities could be permitted in Industrial Zones if the Town adopts this plan’s recommendation to allow these uses by Special Permit in any district.”

Pg. 162 “~~3.2. Consider allowing private schools as a permitted use in all Industrial zones.~~

~~State law considers charter schools as private schools for the purposes of zoning regulations, and therefore they are not allowed in any zone as public schools are. Allowing private schools as a permitted use in all Industrial zones would open additional opportunities for educational facilities in Riverhead.”~~

### CRC and PRC Zones

3.1.44. Comment “Pg. 40 – Section 2- 14: PRC Zoning and TDR Map Change: In the PRC, “The plan proposes to allow residential uses at 4 units per acre, bonusable to 8 units per acre, provided the infrastructure is in place.” However, this section of the DGEIS acknowledges that the PRC zones are not adjacent to sewer infrastructure.

o On page 17, Section 1-19, the DGEIS states that the Comprehensive Plan Update (CPU) seeks to enhance the TDR program by updating the transfer formula by designating new

sending districts to conserve nearly 2,000 acres and “steer growth to less sensitive areas,” among them, the PRC. However, on page 31, section 1-13, the DGEIS calls the Peconic River area a “sensitive area.”

o Proposing increased densities within the PRC district is in conflict with the Peconic Estuary Comprehensive Conservation Management Plan (CCMP) discussed on page 208, section 3.6 – 4 of the DGEIS, which states that “the Peconic Estuary faces challenges from increased development and land use changes, leading to water quality degradation and habitat loss, especially in the system’s western end near Riverhead.” Further along on this page, the DGEIS states that “The CCMP includes several recommendations relevant to this comprehensive planning effort...” among these is to help local communities “conserve and protect habitats.” A higher density build-out of the PRC will neither conserve nor protect habitats and is more likely to result in increased effluence of pollutants into the Peconic River.

o Further, in the next section, 3.7 on page 251, under Infrastructure and Utilities, Flood Risk Management it states that “areas along the Peconic River and Bay are especially at risk of flood events.” Yet the plan proposes higher density residential in the PRC. This makes no sense. On page 253 of the DGEIS it states “The rise in sea level will most impact low-lying areas in Riverhead that are already subject to flooding.” So why would the Comprehensive Plan Update propose higher density residential in an area prone to flood events?

o On page 255, section 3.7 -11 the DGEIS states that utilizing nature-based solutions like preserving wetlands and riparian buffers are one way to help mitigate the effects of flooding, sea level rise and storm surge in Riverhead. It does not propose building multi-family housing as a way to solve flooding problems. For so many reasons, the proposal to increase densities within the PRC has a potential negative impact.” (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.1.44. Response

Comment noted. The DGEIS evaluates the Draft Comprehensive Plan’s recommendations regarding zoning in the CRC and PRC districts and the proposal in the Comprehensive Plan to designate them as receiving areas under the Town’s TDR program. This recommendation is factored into the build-out analysis and analyzed throughout the DGEIS. See the following sections of the DGEIS for pertinent assessment:

- 2.5.4.1. Proposed Zoning Changes (pg. 2-14)
- 2.6.4.5. Zoning Recommendation: Modification to CRC and PRC Districts (pg. 2-31) and Figure 2-9. Potential Development Sites in CRC and PRC Districts (pg. 2-32) - for build-out analysis in the CRC and PRC districts.
- 3.2.2.1. Land Use (pg. 3.1.20) - for potential impacts on land use
- 3.2.2.2. Zoning (pg. 3.1-25) - for potential impacts on zoning
- 3.2.2.1. Demographics (pg. 3.2-19) - for potential impacts on population
- 3.2.2.2. Housing (pg. 3.2-23) - for potential impacts on housing
- 3.2.2.3. Economic Conditions (pg. 3.2-33) - for potential fiscal impacts
- 3.3.2.2. Scenic Resources (pg. 3.3-19) for potential impacts on scenic resources
- 3.4.2.1. Comprehensive Plan Policies (pg. 3.4-20, pg. 3.4.22) for potential impacts on transportation and mobility
- 3.5.2.1. Community Facilities (pg. 3.5-20) for potential impacts on community facilities, community services (e.g., Police, fire, EMS), and schools
- 3.5.2.2. Open Space Parks and Recreation (pg. 3.5-26) for potential impacts on open space, parks, and recreation

- 3.6.2.1. Natural Features and Environmental Resources (pg. 3.6-33) for potential impacts on natural features and environmental resources
- 3.6.2.2. Agriculture (pg. 3.6-38) for potential impact on agriculture
- 3.7.2. Potential Impacts of Proposed Policy (pg. 3.7-17, pg. 3.7-19) for potential impacts on infrastructure and utilities

See Chapter 2 of this FGEIS for changes to the Draft Comprehensive Plan. Draft Comprehensive Plan text has been revised to describe the PRC zoning recommendations density bonus with TDR and acknowledge limitation of sewer infrastructure and Suffolk County DOHS regulations. Language was added to state that it is unlikely that properties could achieve densities greater than 4 units per acre without existing access to sewer infrastructure or an on-site treatment system.

Pg. 98 – ***"CRC and Peconic River Community (PRC) Districts***

The CRC Zone is intended to allow for a variety of housing types; however, the existing zoning standards only permit 1 dwelling unit per acre (single-family). It would be reasonable to accommodate slightly higher densities in this area (potentially 4 units per acre) with the ability to increase with the use of TDR (potentially up to 12 units per acre) if infrastructure is in place. This would allow for the development of "missing middle" housing typologies such as townhouses. **The MRP district could be looked at as a comparable for recommended development types and densities.**

**The PRC Zone is intended to allow for "an array of residential, commercial and recreational uses." However, no residential uses are specifically provided for in the zoning. This Plan proposes to allow residential uses at 4 units per acre, bonusable to 8 units per acre with the use of TDR, provided infrastructure is in place. This would allow for the development of "missing" middle-housing typologies such as townhouses. The district also needs to strengthen dimensional criteria to push buildings towards the road and away from the Peconic River. Other design guidance should be provided to ensure that riparian areas are maintained and enhanced. Riparian areas are further protected by DEC through the Wild, Scenic And Recreational Rivers Permit Program.**

**It is important to note that housing density is constrained by access to wastewater infrastructure. None of the existing PRC zones have access to sewers, therefore, it is unlikely that any existing districts could achieve densities higher than 4 units per acre given the density standards for non-sewered areas established by SCDHS."**

Pg. 204-206 – ***"CRC Zone***

The CRC Zone is intended to allow for a variety of housing types; however, the existing zoning standards only permit one dwelling unit per acre (single-family). It would be reasonable to accommodate slightly higher densities in this area, given their proximity to the downtown core. While the precise density is yet to be determined, it is reasonable to consider a range of densities, such as 4-12 units per acre, depending on whether infrastructure is in place and if TDR credits are used. This would allow for the development of townhouses. The MRP district could be looked at as a comparable for recommended development types and densities. The bulk criteria for the CRC zone may need to be revised to ensure that the property can accommodate these housing types. It is acknowledged that sanitary requirements set by SCDHS may limit the development potential on sites without supporting infrastructure. **It is unlikely that properties could achieve densities greater than 4 units per acre without access to sewer infrastructure or an on-site treatment system.** The Town may also consider the use of TDRs for a density bonus when the development is of homeownership units."



Pg. 206 - "*Peconic River Community (PRC) Districts:*

The PRC Zone is intended to allow for "an array of residential, commercial and recreational uses." However, no residential uses are specifically provided for in the zoning. This Plan recommends allowing for residential uses **at 4 units per acre, bonusable to 8 units per acre with the use of TDR, with the use of TDR, up to a maximum density of 4 units per acre** provided that infrastructure is in place. **None of the existing PRC zones are currently adjacent to sewer infrastructure, therefore, it is unlikely that any existing districts could achieve densities higher than 4 units per acre given the density standards for non-sewered areas established by Suffolk County Department of Health Services.** This would allow for the development of "missing" middle-housing typologies such as townhouses. **The MRP district could be looked at as a comparable for recommended development types and densities.** It is recommended that design guidance be put in place to push buildings away from the Peconic River and ensure that riparian areas are maintained **and enhanced**. Development in this district is further controlled by NYSDEC."

3.1.45. Comment "The Plan recommends CRC Zoning District as a TDR Receiving area and proposes density of anywhere from 4-12 units/acre with the necessary infrastructure which currently does not exist. The designation and mapping CRC as a Receiving Area must be reconsidered. Similarly, the PRC District is proposed to be a receiving area with a density up to 8 units per acre with TDR's but necessary infrastructure currently does not exist. The designation and mapping PRC as a Receiving Area must be reconsidered." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.45. Response See 3.1.44. Response

3.1.46. Comment "These comments are in reference to the DGEIS prepared in connection with the Town's adoption of its updated comprehensive plan. The DGEIS suggests limits on residential units in CRC Zoning District to 4 units as-of-right and up to 12 units per acre with use of TDR's. I foresee this working against the town's goal to promote the availability of quality affordable housing.

In order to provide quality affordable housing, you must start with affordable development. There is more to developing a quality entry-level community than just the cost of the right parcel of land. The planning, design, approvals, permits and the installation of necessary infrastructure (sewer, water, gas, electric, cable, drainage, lighting, roadways, curbing, sidewalks) are necessary and very costly before the construction of any buildings in the development. These development costs are all part of the project and are spread across the price of owning or occupying each approved dwelling unit. Higher unit counts create affordability.

I believe the unit count per acre in the CRC Zoning District needs to start at 16 units per acre in order to fulfill the Town's goal of creating quality affordable workforce housing.

Higher unit counts equate to smaller unit sizes as a result of FAR limitations. Higher unit counts also reduce the per unit cost to the buyer. If new development projects are not financially viable for developers then new affordable housing options will not exist. I agree that TDR's are a good tool to preserve desirable land and clustered development can balance the demands of today's population while protecting open space for future generations. But I don't feel the Town's current or proposed TOR program aligns with the Town's goals.

I don't believe TDR's should affect or control the availability of affordable homeownership



opportunities. The cost of purchasing TDR's to gain density has the potential to increase the cost to develop, that cost is ultimately passed along to home buyers and will increase prices.

Using TDR's to gain density for rental apartments, commercial and or industrial properties makes sense to me but not when the goal is to create affordable for sale residential units.

I believe a tremendous amount of thought needs to go into the TOR program to fully understand the benefit and detriment it has on the town's future.

Smart and practical zoning and codes should dictate the future of the town. Promoting large scale preservation, congregating smart development where it makes sense and creating new tax revenue all while limiting new tax burdens is a sustainable path for Riverhead's future." (Stephen Baxter Jr., Written Letter, 06/10/2024)

3.1.46. Response Comment noted.

3.1.47. Comment "CRC zoning use district. It is recommend as a this is one that's supposed to be implemented without further analysis. CRC zoning use district as a TDR receiving area proposes density from 4 to 12 units per acre with necessary infrastructure, which does not currently exist.

TDR guidance documents, as well as the state statute, says that the governor the governing body shall find that the receiving areas contain adequate resources and services. The Town cannot make such a finding in this case and I object to the mapping and destination of the CRC district as a receiving area as a result of that.

The PRC district is similarly situated in the sense that it is also intended to be designated and mapped as a receiving area with a density of up to eight units per acre with TDRs. Again, this area is not currently adjacent to a sewer infrastructure and unlikely to achieve that density given Suffolk County Health Department standards.

Again, this area should not be designated and mapped as a receiving area since the municipal services are not adequate to support the increased development. There is no such thing as a conditional receiving district.

Further, given the lack of sewer infrastructure in this particular area and the proximity to the Peconic, the GEIS should assess potential impact to the river by calculating the total load and travel time for nutrients from wastewater discharge to reach the river." (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)

3.1.47. Response See 3.1.44. Response

3.1.48. Comment "With regard to the PRC, the Peconic Riverfront proposed development, we're looking at page 17 of the document. That's Section 1, page 9. It says here that the proposed action seeks to enhance the TDR program by updating the transfer formula and identifying new receiving areas designated in RB 80 and RA 80 as sending district anyway, to steer growth to less sensitive zones. This includes diversifying housing in the CRC and PRC districts through TDRs.

While we support the development of an effective TDR program to preserve farmland and open space, the Peconic Riverfront is not a less sensitive area. On Page 31, Section 1, page 13 the DGEIS, in fact, calls the PRC a sensitive area.

The PRC recommendations are for up to eight units per acre with TDR. It says that that's

unlikely because it's not connected to the sewer, which is a concern about doing any multi family build out in an area that is along the river without a sewer.

So I'm failing to see how development of this area in excess of what it's currently zoned for, even with TDR, is preserving an environmentally sensitive riparian area that the DGEIS states, in numerous places, is to be preserved.

That's discussed also in the Peconic Estuary Comprehensive Conservation Management Plan on page 208, which says to conserve and protect habitats. And on the same page it says the Peconic Estuary faces challenges from increased development and land use changes leading to water quality degradation and habitat loss, especially in the system's western end near Riverhead.

So we have a conflict in the DGIS and the recommendations in the Comprehensive Plan saying let's build out this PRC area and then everything in the DGIS says let's protect it, let's protect it.

So we've got, I think a significant conflict there that needs to be resolved in my opinion. Furthermore, under the Section 3.7, infrastructure and utilities, flood risk management, page 251, it states that areas along the Peconic River especially at risk of flood events. And again, if we're proposing higher density residential in the PRC, so another conflict. We're saying let's protect it; we're saying there's a flooding problem, oh, but by the way, let's put up to eight units per acre. So that seems like a conflict." (Joan Cere, Jamesport Resident; Executive Committee Member, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.48. Response See 3.1.44. Response

### **DC-1 500-Unit Cap**

3.1.49. Comment "The Plan recommended reassessment of Downtown CAP once development in the pipeline, (see page 18) is complete. We would then have 929 new dwelling units and use 10 TDR's ( 10 acres preserved) at most. Did this recommendation come from the community? New development in DC-1 designed for home ownership will be eligible for density bonus if TDR's are used. Is there an enforceable legal mechanism to ensure that a condominium owner won't rent their unit?" (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.49. Response This comment inaccurately states that, "We would then have 929 new dwelling units and use 10 TDR's (10 acres preserved) at most." The sum of 929 apartments listed on pg. 3.2-9 of the DGEIS, and pg. 36 of the Draft Comprehensive Plan, includes units that are constructed or at various stages of review by the Town Board and includes units in the DC-1 district as well as the DC-3 district. The 500-unit cap only applies to the DC-1 district. The table shows that there are 516 units in the DC-1 that are constructed or under review. The cap applies at the certificate of occupancy.

The Draft Comprehensive Plan does not recommend that the 500-unit cap in DC-1 be immediately lifted. The Draft Comprehensive Plan states, "The Plan recommends evaluation of the 500-unit cap in the DC-1 District and is not recommending an outright removal of the cap." (Pg. 46) Furthermore, the revised recommendation states that the Town should "reassess this cap on a regular basis, given the significant market demand and the continued need to meet other housing, economic, and community development goals." (Pg. 46)

The DGEIS considers the Draft Comprehensive Plan recommendations regarding the DC-1 500-unit cap as "Zoning Changes that Require Further Study." (see pg. 2-15, section 2.5.4.2). See 3.1.101. Response on zoning changes requiring further study.

See Chapter 2 of this FGEIS for changes to the Draft Comprehensive Plan. Text has been revised to recommend that the Town review the cap periodically and provides alternative options to determine when the cap is reached.

Pg 28 – "*Demographics and Housing (Ch. 3)*"

The Demographics and Housing Chapter includes four goals which collectively address the diverse housing needs of Riverhead, encompassing affordability, diversity in housing types, homeownership support, and inclusivity.

Goal 1 focuses on promoting housing affordability and workforce housing availability, with recommendations including regular monitoring of housing dynamics, reviewing housing policies, and addressing the impact of short-term rentals on the housing stock. The chapter also stresses the importance of encouraging other East End towns to contribute their fair share of affordable and workforce housing.

Goal 2 emphasizes diversifying housing types to accommodate various income levels and evolving needs. Initiatives include eliminating minimum home size requirements and utilizing TDR to allow for new housing types (i.e. townhomes and garden apartments) in areas that can accommodate increased densities. In the downtown area, the chapter recommends allowing for adaptive reuse of buildings for residential purposes and evaluating the 500-unit cap for the DC-1 District. **This review should be conducted regularly, potentially on an annual basis.**

Goal 3 aims to support the creation and protection of homeownership workforce households. Strategies include providing resources and incentives for first-time homebuyers, revising the 500-unit cap to promote homeownership opportunities, and changing affordability thresholds for ownership versus rentals.

Goal 4 focuses on promoting inclusive housing policies and accessible design standards. Recommendations include supporting home improvement funding for low-income senior residents, allowing residential health-care facilities in designated zones (i.e. assisted-care and continuing care facilities), and developing accessible design standards."

Pg. 46 – "*2.3. Evaluate the 500-unit cap for the DC-1 District.*"

The Plan recommends evaluation of the 500-unit cap in the DC-1 District and is not recommending an outright removal of the cap. The greatest density and housing growth has been focused, appropriately, in the downtown. In the next five years, a wave of new development is anticipated in this area, which is anticipated to exhaust the 500-unit cap on residential in the DC-1 district. It would be reasonable for the Town to reassess this cap **on a regular basis, once development in the pipeline is complete**, given the significant market demand and the continued need to meet other housing, economic, and community development goals. A 2021 Market Study for the Town Square by Streetsense recommends the removal of the 500-unit cap. With a strong push for development and a federal opportunity zone in play, investors and developers need predictability in the process and to know whether they can or cannot build.

This recommendation includes two actions. The first would be to conduct economic and fiscal cost-benefit analysis of impacts of new development on the downtown and

Riverhead overall. This will provide a fiscal understanding of the benefit of any potential increases of the cap.

In addition, regulations for the cap should also be cleaned up. Currently, the conditions on when the cap threshold would be reached is based on certificate of occupancy, which creates issues of implementation and enforcement. **There are several alternatives to consider. One option would be to not accept new applications after a building permit is issued for the 500<sup>th</sup> unit.**

Pg. 195 – **“Reassess the 500-unit cap**

“It would be reasonable for the Town to reassess this cap on a regular basis ~~once development in the pipeline is complete~~, given the significant market demand and the continued need to meet other housing, economic, and community development goals. **The 2021 Market Study for the Town Square by Streetsense recommends the removal of the 500-unit cap. With a strong push for development and a Federal Opportunity Zone in play, investors and developers need predictability in the process and to know whether they can or cannot build. This recommendation includes two actions.**

- The first would be to conduct economic and fiscal cost-benefit analysis of impacts of new development on the downtown and the Town overall. This will provide a fiscal understanding of the benefit of any potential increases of the cap.
- Regulations for the cap should also be cleaned up. Currently, the conditions on when the cap threshold would be reached is based on certificate of occupancy, which creates issues related to implementation and enforcement. **There are several alternatives to consider. For example, one option would be to not accept new applications after a building permit is issued for the 500<sup>th</sup> unit.**

3.1.50. Comment “And, again, I could be misreading, but I think that this TDR can be used in tandem with lifting the 500-unit cap of apartments downtown, permitting more units elsewhere. I used to have an office in the Science Center's original 11 West Main building, which they sold to the Conifer organization, who were going to bring artist residents and workforce housing to benefit Main Street. The apartments happened, but the artist and workforce housing did not.

Now the sciences center, once touted as a perfect town square centerpiece, made a series of design changes to suit the greater project, had necessary permits long delaying the start of the old Sweezy building renovation and they're being threatened with imminent domain. Is it a concern that a children's science center is no longer wanted or is a greater concern that there might be a plan down the road to swap out some TDRs and put another Main Street apartment building in that space?” (Cindy Clifford, Riverhead Resident, Public Hearing, 05/29/2024)

3.1.50. Response See 3.1.49. Response.

3.1.51. Comment “Another example, housing. The GEIS says there are no significant impacts in the plan. I question that because they recommend lifting the DC 1 500 housing unit limit. I think that would have a definite visual impact and on the infrastructure. There will be impact on the infrastructure, schools, and traffic from that.” (Kathy McGraw, Northville Resident, Public Hearing, 05/29/2024)

3.1.51. Response See 3.1.49. Response.

### Designated Affordable Housing

3.1.52. Comment "There is considerable information on local and regional housing. Despite being the workforce housing alternative for the East End and despite being able to meet affordable housing needs through 2040 and despite having 380 more income restricted housing units than the rest of the East End combined, the Plan concludes that Riverhead would benefit from an additional 800-900 new income restricted affordable units for workforce populations. The Plan also states the 2-3 bedroom units are in greatest demand. Does Riverhead have the necessary resources to carry such growth?" (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.52. Response Comment noted. Comment is on the Draft Comprehensive Plan.

For clarification, The DGEIS does not say that an additional 800-900 new income restricted affordable units would benefit Riverhead. This comment refers to a previous draft of the Comprehensive Plan that cited a finding from AKRF's Housing Trends Analysis (June, 2022).

All references to AKRF's Housing Demand Forecast statement that an additional 800-900 new designated affordable units would be needed by 2040, were removed prior to the release of the Draft Comprehensive Plan dated 4/18/2024 for the Public Hearing.

3.1.53. Comment "One affordable housing demand analysis concluded that 3 to 500 units of newly designated affordable's would be required to meet the communities needs. And using a different data source, that changed to 900 new income restricted affordable's over the planning period. There's something needs to be looked at a little bit differently here." (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)

3.1.53. Response See 3.1.52. Response.

### Environmental Justice Areas

3.1.54. Comment "Potential Environmental Justice Areas (p. 3.2-5)  
The DGEIS discussed the definition of an environmental justice area and states, "Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies."

Much of Calverton is defined as an Environmental Justice Area. The DGEIS did not provide a discussion or analysis of how the proposed reduction in industrial development density would impact this area other than to say that because of the slight decrease in density, a positive benefit would result. This is unacceptable.

#### Recommendations

The FGEIS should further explore how the proposed changes in FAR within the industrial districts that also contain Environmental Justice Areas mitigate the "negative environmental consequences resulting from industrial, municipal, and commercial operations..." of the vast amount of industrial space allowed per code as proposed within the Comprehensive Plan and DGEIS." (Jenn Hartnagel, Director of Conservation Advocacy, Group for the East End, Written Letter, 06/10/2024)

3.1.54. Response      The analysis of the impact of industrial development on environmental justice areas is not within the scope of this DGEIS. This DGEIS is generic and Town-wide and evaluates the incremental change between a future with no action and future with action scenario.

Because the Proposed Action results in a reduction in potential industrial development, this is not considered a significant adverse environmental impact, and by contrast, is regarded as a beneficial impact.

The DGEIS, on pg. 6-1, acknowledges that:

“Following the adoption of the Proposed Action, all actions or projects coming before the Town of Riverhead Town Board, Planning Board, and Zoning Board of Appeals of the Town of Riverhead for new development projects located within the Town would be required to follow the SEQR process. All future development projects located within the Town would be subject to individual approvals processes, including special permit review, site plan review and site-specific review under SEQR.”

Furthermore, the DGEIS identifies the Potential Environmental Justice Areas (PEJAs) in Riverhead. Future site-specific projects would be evaluated in relation to the PEJA status.

“During the environmental permitting and SEQR process of proposed projects within PEJAs, there are enhanced public participation requirements, additional requirements for projects that would have at least one significant adverse environmental impact, and dispute resolution opportunities (Pg. 3.2-5).”

3.1.55. Comment      “Currently, there are two properties for sale on both sides of Foxwood Village and an Industrial Zone at the end of Middle Road. We do not want to be surrounded by pavement and buildings. We need zoning that will protect us and our lifestyle, and we need it now. The Comprehensive Plan has offered some suggestions that can guide zoning changes that will protect Calverton from over development.

On pg 44 in Chapter 3 [Draft Comprehensive Plan pg. 37; DGEIS pg.3.2-5], Environmental Justice Areas are finally noted! According to the DEC, an environmental justice area is determined by census data which identifies communities where a certain percentage of residents are living below the federal poverty level and/or a certain percentage of the population identifies as a minority. On March 27, 2023, the NYS Climate Justice Working Group finalized these criteria for identifying an Environmental Justice Community. Calverton meets these criteria.

The DEC describes Environmental Justice as "meaningful treatment of all people; regardless of race, income, national origin or color, with respect to the development, implementation and enforcement of environmental laws, regulations and policies." The Office of Environmental Justice works to address environmental issues and concerns that affect primarily low income and minority communities through grant opportunities, enforcement of environmental laws and regulations, consultations, guidance and enhanced public participation.

Calverton, as an Environmental Justice community, has more than its share of industrial development. There are several solar energy farms situated on or near Edwards Ave. They may contribute clean energy, but they are covering rich farmland and, after construction is complete, employ only a handful of workers. Another solar farm is planned on Youngs Ave as well. HK Ventures will eventually complete its 412,000 foot warehouse project on Middle Country Road. This will add to the buildings already established or under development in the

493 acres in Epcal known as the Planned Industrial Park. Eventually, the town will decide what should be done with the acreage made available by the failure of the sale to CAT. There's little doubt that there will be more warehouses and manufacturing sites built there as well.

Breezy Hill Asphalt & Concrete Crushing & Screening Facility is quietly tucked away at 1792 Middle Rd. This enterprise is located at the dead end of Middle Road, and occupies about 6.7 acres. Their business has been cited by the DEC for operating a solid waste facility without a permit, and other violations. These actions took place several years ago, but it is interesting to note that Breezy Hill is selling 24.6 acres of Industrial Zoned land adjoining their remaining 17.6 acres. This property adjoins the area that Northpointe Riverhead wants to build their 612,000 sq ft logistics center.

There are also two other large properties on Middle Country Road that are zoned for Industrial Development. The total acreage of the OST AD Project is about 130.91 acres. The large property next to it is unknown to me, but it is zoned industrial. In one Newsday article (Jan 14, 2024) an estimated 12 million square feet of industrial development could be accomplished if zoning remains unchecked. Most of the proposed development is in Calverton.

Having reviewed this information, it has become clear to me that any industrial zoning in Calverton outside of Epcal violates the principles of Economic Justice. Keep in mind that the southern area of Calverton is buried in commercial development and more is being planned (Chick Fil A et al). How much more should one community tolerate? We are constantly reminded that the town needs more tax resources. Why should Calverton bear that burden alone?

We know that the air quality of our area is poor. Clearing trees and green spaces will make it worse. The toxic waste within EPCAL threatens our water; more construction will add yet another stressor to the aquifer. Our roads are inadequate for constant use by oversized trucks. Riverhead is not prepared for this kind of rapid development. Riverhead must be proactive rather than reacting to situations as they arise.

Eliminate Industrial Zones outside of EPCAL. Change building codes to demand green construction, solar roofing, permeable surfaces, etc. Repair or rebuild roads and seek other transportation improvements. Create a North Fork Alliance and work with Southold Township to resolve shared problems. Plan for severe weather events and other possible disasters such as electrical grid failure or even another epidemic. The moratorium on Industrial Development expires on July 23, 2024. Are we ready for that? Applications will flood Town Hall soon. How will you respond to them without completed plans?

There are so many issues that must be addressed. I don't underestimate the tremendous responsibility you bear. All I can ask is that you proceed with extreme caution as you introduce changes. Some things cannot be undone. Please keep the public informed and involved. We will participate and assist in any way possible." (Meredith Ritter, Calverton Resident, Written Letter, 05/27/2024)

3.1.55. Response      Comment noted. See 3.1.54. Response.

## **Farm Operations**

3.1.56. Comment      "Page 281 – Section 5.0 – 2: There is a recommendation "to harmonize regulations for farm operations in the RA-80 and APZ districts by permitting farm activities on parcels with Sound



Avenue frontage (which) ensures fairness and consistency for farmers across zoning areas, promoting equitable treatment and operational predictability." This statement needs further clarification as to why the RA-80 and APZ parcels on Sound Avenue would be singled out for farm operation utilization, and not include other RA-80 and APZ parcels located on other roadways in the town." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.1.56. Response The text quoted on pg. 5-2 of the DGEIS and other instances of this recommendation (pg. 3.1-24, were made in error and should be revised to match the recommendation in the Draft Comprehensive Plan. The language in the Draft Comprehensive Plan, pg. 101, reads "farm operations should be permitted in any zone where the principal use of the land is agriculture production. The Town should follow New York State Agriculture and Markets Law Section 301 definitions to define the term in the Town Code."

DGEIS, pg. 5-2, is revised herein as follows: "The recommendation to harmonize regulations for farm-operations ~~in all zoning districts, in the RA-80 and APZ districts~~ by permitting farm operations ~~activities~~ as an accessory use on parcels where agriculture production is the principle use ~~with Sound Avenue frontage~~ ensures fairness and consistency for farmers across zoning areas, promoting equitable treatment and operational predictability."

DGEIS, pg. 3.1-24, revised as follows: " Farm Activities: Treating farms equally with regard to farm operations regulation ensures consistency and fairness across agricultural districts. By allowing farm operations as accessory uses on parcels ~~where the principal use of the land is agriculture production with frontage on Sound Avenue~~, this policy promotes uniformity in agricultural regulation and supports farming activities without creating disparities or undue burdens on farmers.

The following instances in the DGEIS are consistent with the Draft Comprehensive Plan recommendation:

Pg. 3.2-32 "Farm Activities: Treating farms equally with regard to farm operations regulation ensures consistency and fairness across agricultural areas. By allowing farm operations as accessory uses on parcels where farming is the principal use, this policy promotes uniformity in agricultural regulation and supports farming activities without creating disparities or undue burdens on farmers."

Pg. 3.6-37 "cleaning up the zoning code to support farm operations as an accessory use on farms are recommended to ensure that farming activities are adequately supported and permitted within the town. "

Pg. 3.6-39 "Farm Operations: Treating farms equally with respect to farm operations regulation ensures consistency and fairness across agricultural districts. This policy promotes uniformity in agricultural regulation and supports farming activities without creating disparities or undue burdens on farmers, thus maintaining agricultural productivity while preserving community integrity."

3.1.57. Comment "The RA-80 and the APZ are distinct zoning districts and should remain as such. Agricultural processing facilities permitted in the APZ should not be permitted in Residential Zones." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.57. Response Comment noted. Comment is on the Draft Comprehensive Plan.



For clarification, Farm Operations are allowed in all agricultural districts by New York Agriculture and Markets Law. However, Riverhead's code currently only mentioned Farm Operations under the APZ district. To conform Riverhead's local law with State Laws, the Comprehensive Plan recommends that Farm Operations be permitted as an accessory use to lands with principal agricultural use.

"Section 305-a of the Agricultural Districts Law protects farmers against local laws which unreasonably restrict farm operations located within an agricultural district." (Section 305-a of the Agricultural Districts Law protects farmers against local laws which unreasonably restrict farm operations located within an agricultural district.)

3.1.58. Comment "Moving on to other proposed changes in agricultural lands, page 243, that's section 3.6, page 39. There's a list there, of other agricultural uses and it says, these recommended zoning actions for agricultural lands aim to sustain agricultural activities, preserve rural character and manage environmental impacts through strategic policy interventions, all of which are not anticipated to result in a significant adverse impact on agricultural resources.

The first thing I want to say is that not having a not anticipated to have a significant adverse impact on agricultural resources is not the same as not having an impact on environmental resources or on the environment as a whole. And this is a DGEIS and it should be talking about that, not just whether it's going to impact that particular farm.

So this area addresses vertical farming on prime farm lands, renewable energy, a.k.a. solar on farms lands. Farm operations. Can someone explain to me what a farm operation is versus what farming is? I mean this most seriously. I don't know what the difference is between farming and farm operations. Does anybody know?" (Joan Cere, Jamesport Resident; Executive Committee Member, Greater Jamesport Civic Association. , Public Hearing, 05/29/2024)

3.1.58. Response As defined in Chapter 301 of Riverhead's Town Code, "Farm Operations" means "The buildings, structures and land uses associated with agricultural production and processing of agricultural products."

New York State uses the following definition: "'Farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section, "compost, mulch or other biomass crops" as defined in subdivision seventeen of this section and "commercial equine operation" as defined in subdivision eighteen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other." (SECTION 301, Definitions, Agriculture & Markets (AGM) CHAPTER 69, ARTICLE 25-AA)

## Industrial Zoning

3.1.59. Comment "INDUSTRIAL AREAS 3.1.2. - POTENTIAL IMPACTS

The Update states," Land use recommendations for Riverhead aim to strike a balance between limiting industrial growth and maintaining economic development opportunities. By reducing allowable density in industrial districts while providing flexibility for building Heights and incorporating opportunities for Transfer of Development Rights (TDRs), these

recommendations promote appropriately scaled and designed development that minimizes adverse impacts on surrounding residential areas.”

The mitigation measures would supposedly result in 167,000 square feet less development compared to the current regulations. The Update suggests that reducing density in industrial districts, increasing non-disturbance zones, strict regulations for outdoor storage, transitioning some industrial zones to light industrial, and reducing visual impacts will mitigate concerns about adverse impacts on the community.

In my opinion these mitigation measures are inadequate in several respects. Did BFJ determine how much industrial growth is actually needed? Did BFJ specifically recommend that distinctions among the different types of warehouses should determine permitted uses in the new zoning districts that they advocated? Did BFJ adequately address concerns about increased truck traffic and declining air quality? It is my belief BFJ’s recommendations did not do enough to address community concerns regarding adverse impacts that will result from industrial growth.” (Sid Bail, Wading River Civic, Written Letter, 06/04/2024)

3.1.59. Response

It is not within the scope of this DGEIS to determine the market-demand for specific types of industrial uses or the capacity of Riverhead to support them. Site specific projects will require site-plan review and SEQRA to determine adverse environmental impacts and appropriate mitigation measures.

It is the purpose of the DGEIS to study the incremental impacts of the future with action and future with no action scenarios. Per this analysis, there can be industrial growth in both scenarios, but a reduction in potential industrial square footage is anticipated in the future with action scenario, thus reducing the impacts on transportation, air quality, etc., from what is currently allowed.

Recommended industrial zoning that was studied as a part of the DGEIS build out analysis is considered in chapters 3.1-3.7. In particular, see section 3.4 Transportation and Mobility for the analysis of transportation impacts of the Proposed Action, and see section 3.7 Infrastructure and Utilities for the analysis of infrastructure and utility impacts of the Proposed Action. Chapter 4.0 explores other environmental impacts.

See 3.1.99. Response

3.1.60. Comment

“Section 1. Executive Summary - Zoning (p. 1-9) The DGEIS states, “Zoning recommendations for many of the industrial districts include a reduction in allowable density of development while providing flexibility for building heights, strengthening design standards, and incorporating opportunities for the purchase of TDRs. These recommendations are intended to provide for appropriately scaled and designed development in industrial areas aims, which minimize adverse impacts on surrounding residential areas.”

The DGEIS failed to explain how the proposed reduction in the Floor Area Ratio (FAR) was chosen and correlates to a level of reduction in the allowable density in industrial zones that would result in a demonstrable change in potential environmental impact.

The DGEIS failed to consider the relatively new types of warehouses now being proposed within the region and how this impacts what can and should be constructed within the Town of Riverhead. For instance, the Industrial Warehouse Market Analysis - Brookhaven (Camion Associates 2022, <https://brookhavenida.org/files/Industrial%20Warehouse%20Market%20Analysis%20->

Brookhaven%20%20IDA.pdf) has forewarned that the recent surge in demand may not be sustained into the future and there are real consequences of significant vacancies if all of the warehouses proposed are constructed.

**Recommendations**

- 1) The FEIS should include a discussion and supporting rationale of how the reduction in FAR was chosen.
- 2) An analysis of how many square feet of industrial development the hamlet of Calverton could reasonably accommodate was never addressed. The FEIS should include this because it is essential to understand if the proposed reduction in FAR truly provides an appropriate amount of density reduction.
- 3) We recommend that the FGEIS compare and discuss the regional demand for warehouse/fulfillment type industrial development and how this impacts what's proposed and projected for Riverhead." (Jenn Hartnagel, Director of Conservation Advocacy, Group for the East End, Written Letter, 06/10/2024)

**3.1.60. Response**

The FAR for industrial zones that is recommended in the Draft Comprehensive Plan and analyzed in the build out analysis in the DGEIS was determined through analysis of existing development patterns and proposed projects and was vetted through numerous conversations with the Comprehensive Plan Steering Committee, the Town Board, and Town Staff. Furthermore, recommendations were presented and discussed at the 2<sup>nd</sup> public workshop. The reduced FAR aims to balance the community's desire to reduce impacts of industrial development on residential neighborhoods while maintaining the economic development potential of industrial lands in the Town.

DGEIS Section 2.5.4.1. Proposed Zoning Changes, Pg. 2-12, explains the Draft Comprehensive Plan Update recommends lowering the current FAR of 0.4 to 0.25. This change would substantially reduce the amount of development a property owner could achieve on their property. The recommendation allows developers to recapture some of the lost FAR, up to 0.3 with the use of TDR credits. This provision also helps incentivize the preservation of farmland and open space in other sensitive areas of Town.

This recommendation is further outlined on pg. 2-26 of the DGEIS, section 2.6.4.3, Zoning Recommendation: Modification to Industrial Districts. Figure 2.7 Potential Development Sires in Industrially Zoned Areas illustrates land that could reasonably accommodate new development.

"The Plan considers zoning changes for two discreet areas, 1) the IND A and IND C areas in the core Calverton area, and 2) scattered IND A, IND B, and IND C sites (as shown in Figure 2-7). While the recommendations for these two areas differ slightly, the broad bulk recommendations are the same. The zoning changes would reduce the floor area ratio (FAR) in all industrially zoned parcels from 0.4 to 0.25. TDR credits could be used to increase the FAR to 0.3. While TDR credits could be used to achieve additional height, this provision is not expected to significantly alter the overall development potential and does not warrant detailed analysis within the context of this build-out assessment"

The DGEIS analyzes the effect of this reduction in FAR to determine whether the reduction will result in significant adverse environmental impacts. The DGEIS studies this quantitatively by estimating that this zoning change would result in a reduction of 166,968 sq. ft. of potential industrial/office development when compared to what could reasonably develop under current conditions over the next 10 years.

For analysis of impacts of the proposed reduction in allowable FAR in industrial zones, see:

- 3.1.2.1 Land Use (pg. 3.1-17) - for potential impacts on land use
- 3.1.2.2 Zoning (pg. 3.1-21) for potential impacts on zoning
- 3.2.2.3 Economic Conditions (pg. 3.2-30) for potential economic impacts
- 3.2.2.3 Economic Conditions (pg. 3.2-33) for potential fiscal impacts
- 3.3.2.2. Scenic Resources (pg. 3.3-17) for potential impacts on scenic and historic resources
- 3.4.2.1 Comprehensive Plan Policies (pg. 3.4-16) for potential impacts on transportation and mobility.
- 3.5.2.1. Community Facilities (pg. 3.5-19) for potential impacts on police, fire, and EMS
- 3.5.2.1. Community Facilities (pg. 3.5-21) for potential impacts on the school district
- 3.6.2.1. Natural Features and Environmental Resources (pg. 3.6-34) for potential impacts on natural features and environmental resources
- 3.6.2.2. Agriculture (pg. 3.6-38) for potential impacts on agriculture
- 3.7.2. Potential Impacts of Proposed Action (pg. 3.7-12) for potential impacts on sanitary waste, solid waste, and drinking water.

An analysis of market demand for warehouse and fulfillment type uses was not within the scope of this DGEIS. The only mention of warehouses in the Comprehensive Plan is a recommendation to define warehouse and distribution center uses in the Town Code. See 3.1.99. Response.

In the DGEIS, The Institute of Transportation Engineers (ITE) trip generation Land Use Code (LUC) 150 Warehousing was used to analyze potential impacts of changes to the industrial zoning on transportation and mobility in the New Calverton Industrial District (see pg. 3.4-15).

Any site-specific project for a warehouse or distribution center within the Town of Riverhead, would be subject to individual approvals processes, including special permit review, site plan review and site-specific review under SEQR.

3.1.61. Comment      "2.6.4.3. Zoning Recommendation: Modification to Industrial Districts (p.2-26) The DGEIS states, "While TDR credits could be used to achieve additional height, this provision is not expected to significantly alter the overall development potential and does not warrant detailed analysis within the context of this build-out assessment."

**Recommendations**

1) The FEIS should include a discussion of how "providing flexibility for building heights" actually reduces the environmental impacts of industrial development within these zoning districts. The DGEIS simply notes that a reduction in overall density automatically leads to a decrease in overall environmental impacts." (Jenn Hartnagel, Director of Conservation Advocacy, Group for the East End, Written Letter, 06/10/2024)

3.1.61. Response      The DGEIS explains how considering allowing some additional height in industrial districts with TDR would be mitigated through setbacks and a pyramid law, among other measures.

Section 3.1.2.2. Zoning (pg. 3.1-21) states:

"Building Height: The proposal to increase building heights in industrial areas aims to accommodate modern industries' evolving needs while maximizing land use efficiency. By allowing taller buildings, the town can attract a wider range of businesses, including those

requiring advanced manufacturing or research facilities. Implementing a pyramid height law and utilizing transfer of development rights (TDR) ensures that taller buildings are setback adequately to minimize visual impacts and maintain consistency with surrounding properties, and an increase in height would not affect the maximum building lot coverage, thus safeguarding the community's aesthetic values.

Visual impacts are further discussed in DGEIS Chapter 3.3.

3.1.62. Comment

"As a resident of Calverton, I kindly request the comments below be considered regarding the Comprehensive Plan Update. My thoughts and concerns focus specifically on the zoning of Industrial Development.

The Comp Plan Update misses the opportunity to effectively address Industrial Development in a way that will protect the valuable resource that is the farming community and open land. The community has expressed its wishes, we have pleaded to limit industrial development and to save our open land. Rather than protecting the area from overdevelopment, the Comprehensive Plan seems to encourage more industrial development.

The area along Middle Country Road, between Edwards Avenue and Middle Road, is proposed to become the "Calverton Industrial District" (CI), and is zoned Industrial A and Industrial C. Currently, this area is predominantly used as agricultural land, according to the "Existing Land Uses" map (Figure 3). It also includes sensitive land that is the "Pine Barrens Compatible Growth Area" and "Pine Barrens Core Area" (Figure 4: Existing Overlay Zoning). EPCAL: Industrial Development must be focused in Enterprise Park (EPCAL) as this is an existing industrial park. The warehousing and distribution centers associated with Industrial Development can be sustained in EPCAL, and they will not have direct impacts on neighborhoods, or local roads and infrastructure. Focusing industrial Development in EPCAL will reduce the industrial sprawl that is currently happening along Middle Country Road. (Map attached)

Understanding the cumulative impacts: The repercussions of the proposed "Calverton Industrial District" has not been fully examined. The Draft General Environmental Impact Statement (DGEIS) fails to address the cumulative impacts of future industrial developments. It is alarming that it does not propose to evaluate the combined effects of the following:

- Increased traffic and the pressures on the roads,
- Demands on the water and sewer systems, and utilities,
- Air pollution generated by diesel trucks,
- Light and noise pollution,
- Quality of life,
- Character of the area.

Currently, there are 1,623,000 square feet of proposed industrial developments along approximately a 1 mile stretch of Middle Country Road that the Town is reviewing. (Map attached). These proposals are currently on hold because of the moratorium on industrial developments. Yet, the cumulative effects of these developments on our roads, infrastructure, air and community character have not been addressed.

TDR's unfairly burden Calverton: The use of Transfer Development Rights (TDRs) is not effective or equitable. It may be a positive tool in preserving open space in one area, but the "Receiving Area", Calverton, will be negatively impacted with more development.

Furthermore, developers are encouraged to use TDR's which then permits them to override the recommended setbacks and the reduced Floor Area Ratio (FAR}. The plan's attempts at reducing the impacts of industrial buildings is negated and rendered meaningless." (Karen Kemp, Calverton Resident, Written Letter, 06/10/2024)

3.1.62. Response See 3.1.59. Response, 3.1.60. Response, and 3.1.63. Response regarding the analysis of proposed changes to industrial zoning districts.

3.1.63. Comment "The Calverton Industrial district. If adopted, this new district would reduce the allowable industrial build out of 7.42 million square feet by 166,968 square feet and utilize 17 TDRs. Calling that a significant reduction is quite startling. The proposed dimensional regulations address primarily the visual impacts and lot coverage and do incorporate TDRs, but do little else.

There was an expectation that the moratorium would have provided the planning consultants an opportunity to assess cumulative impacts to air quality, traffic congestion, water supply, etcetera from industrial development in the Calverton community, including from the projects that were actually listed in the local law establishing the moratorium. That certainly didn't happen and it's disturbing and if it's not going to happen now. When will we see that analysis?

The GEIS used a nine percent growth factor to project the industrial buildup over the next ten years. The GEIS must justify the basis for using this percentage." (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)

3.1.63. Response The DGEIS evaluates the incremental reduction in potential development square footage of the future with no action and future with action scenarios. Based on this incremental reduction in industrial square footage, the DGEIS analysis estimates a reduction in potential trip generation, which would also reduce potential impacts on air quality as well as on the demand for infrastructure. Draft Comprehensive Plan policies also aim to improve traffic, air quality, and infrastructure. For analysis of potential impacts, see list of references in the DGEIS under 3.1.60. Response.

See 3.9.4. Response regarding cumulative impacts.

The proposed recommendations and zoning changes discussed herein are not site specific. The adoption of the Proposed Action, in and of itself, would not result in any new development or construction. Any site-specific projects proposed within the Town of Riverhead, would be subject to individual approvals processes, including special permit review, site plan review and site-specific review under SEQ. R.

Under Section 2.6.3. of the DGEIS, pg. 2-22, the percentage of growth is explained.

"The build-out analysis incorporates growth projections provided by NYMTC (New York Metropolitan Transportation Council), specifically tailored to reflect the unique growth dynamics of the Town. According to NYMTC forecasts, the expected growth rates for the period of 2022 to 2035 are as follows:

- Households: 12% growth
- Employment: 9% growth

"These projections are derived from broader forecasts for Suffolk County, where the rate

of change in households is estimated at 5.56%, and the change in employment is projected at 4.5%. However, Riverhead's growth trajectory exceeds the county average, with NYMTC's preliminary data suggesting a more robust growth rate for households and employment. The build-out analysis employs the more conservative growth projections for Riverhead to ensure a prudent estimation of future development potential. The estimates are also conservative because the projected growth period is from 2022-2035, and we are already in 2024. The analysis also assumes a correlation between the growth in households and the corresponding increase in housing units, as well as a proportional relationship between employment growth and expansion in commercial development (measured in gross square feet)."

## Land Use Table

- 3.1.64. Comment "Page 65 – Section 3.1: Under Land Use, the DGEIS states that "most of the land use categories are not anticipated to change significantly." Regardless of whether the consultants think the changes would be "significant" the authors should include a chart that shows not only the existing land use, but the projected land use if the actions in the Comprehensive Plan Update are implemented." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)
- 3.1.64. Response The analysis in the DGEIS is based on a conceptual build-out and assumptions. Including "a chart that shows not only the existing land use, but the projected land use if the actions in the Comprehensive Plan Update are implemented," is not within the scope of this DGEIS. Projecting future land use is speculative in nature and is subject to error as several different land uses are allowed in different zoning districts.
- 3.1.65. Comment "One thing that wasn't mentioned is in the DEIS is a table on, I believe, it's 1.1. It's on the square footage of change with regard to development. And I would ask that we put in also another table, kind of one like this, and it's called a land use under the recommended plan, land uses (indicating). So down the left hand side would be all the different types of land uses and how much acreage there is devoted to it.
- So it's an inventory of the square footage I'm sorry, of the acreage in our Town and how it is now, what's proposed, and what the change is. That would show us what we have and maybe what we visually what we have and maybe what we would like to change. I can submit this in a letter to you." (Toqui Terchun, Greater Calverton Civic Association, Public Hearing, 05/29/2024)
- 3.1.65. Response See 3.1.64. Response
- 3.1.66. Comment "In addition, the example Land Uses table (individual inventory of types in acreage with categorical subtotals) attached is our suggestion to include in the Riverhead CPU. When mentioned at the hearing a very positive response was observed from the town board members. Let's see where the acreage exists as it's utilized today broken out into the various zones and with the proposed changes from the CPU." (Toqui S. Terchun, President; Merry Ritter; Janice Scherer; Karen Kemp, Greater Calverton Civic Association, Written Letter, 06/10/2024)
- 3.1.66. Response Comments noted. See 3.1.64. Response.



## RA-80 Sending and Receiving Areas

3.1.67. Comment "The RA-80 Zoning Use District was once the most coveted residential district. Because of recent zoning amendments it now permits residential, agricultural, commercial and industrial uses. Can it be all these things and remain true to the intent to "ensure the preservation of the historic integrity and rural character of the Sound Avenue corridor and to conserve wooded areas and other natural features"? Further having RA-80 the district mapped as a sending AND receiving area seems to defy logic because the intents are at cross-purposes." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.67. Response Comment noted. Comment is on the Draft Comprehensive Plan.

See Chapter 2 of this FGEIS for changes to the Draft Comprehensive Plan. Text has been revised to clarify how the RA80 zoning district could be a sending and receiving district under the proposed changes to the TDR program.

Pg. 203 – "*Single-Family Districts*

The Town should consider designating sending areas in all RB-80 and RA-80 districts (includes Laurel and Jamesport south of Main Road, Baiting Hollow, Northville, and Riverhead north of Sound Avenue, and in Wading River), as these areas have large tracts of agricultural lands that should be eligible for preservation through the TDR program.

Currently, areas in RA-80 north of Sound Avenue are ~~currently~~ only designated as receiving districts, meaning that property owners can buy additional development rights from farms in the APZ ~~sending area~~ to develop their property with bonuses. Properties in RA-80 have a 2-acre minimum lot size, however, with the use of TDR they can achieve a 1-acre minimum lot size. This transaction also results in the preservation of land in TDR sending areas.

However, there are many agricultural properties in RA-80 north of Sound Avenue that do not have the same ability to protect their farmland through the TDR program. ~~Currently property owners in RA 80 north of Sound Avenue cannot sell development rights through the TDR program to protect their farmland or open space. Because the area north of Sound Avenue has many agricultural properties, this~~ This Plan proposes to also designate the RA-80 zone north of Sound Avenue as a sending area, allowing owners of these properties to sell their development rights through the TDR program and preserve their lands. While these areas would also remain receiving districts, the sending district designation will provide the opportunity to preserve some land while allowing reasonable development on other lands at densities consistent with existing development patterns. Cluster regulations still apply to the RA-80 Zone which requires any new development to preserve 70% of farmland or open space.

Designating additional sending areas in residential districts that contain agricultural lands would provide flexibility for property owners and developers depending on their needs and the market demand."

3.1.68. Comment "RA 80, once the most coveted residential district, now permits residential, agricultural, commercial and industrial. Can it be all things and remain true to the intended the intent stated in the code? And I won't go into it, it's in the code. But having RA 80 mapped as a sending and a receiving area seems to defy logic because the intents themselves are at cross purposes.



The GEIS does not contain sufficient planning justification to support this conflicting destination, which seems to be driven by ad hoc opportunities for individual parcels. The GEIS actually disclosed that go development rights have already been sold from this area, which has not yet been legally established.

Designating RA 80 and RB 80 as sending districts would place 3,929 more TDR's in play in addition to what's available in the APZ. Understand I'm not against transfer and development rights program. It needed to be given a second look, but it really is not as much of a preservation tool as it is a growth tool for these reasons.

The GEIS indicates the proposed action has the potential to use only 173 of those 3,009 3,929 plus development rights. The GEIS should discuss how this significant increase in available TDRs put out on the market is not, in and of itself, a growth inducing impact. We'll soon hear an outcry to expand receiving areas to utilize more receiving TDRs to increase density elsewhere.

And, again, just to remind everybody, if you developed onsite in a two acre zone, you had to develop at one unit per acre. When you send, you're sending the ratio is one to one. So built into the TDR mechanism, the TDR formula, is already a growth inducing impact, all right? Okay." (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)

- 3.1.68. Response      The Draft Comprehensive Plan recommends designating the RA-80 and RB-80 zoning districts as sending areas, in addition to their status as receiving areas, under the TDR program. This zoning recommendation is factored into the build-out analysis and analyzed throughout the DGEIS. For example, see the following sections of the DGEIS for pertinent evaluation:
- 2.5.4.1. Proposed Zoning Changes (pg. 2-14),
  - 2.6.4.2. New TDR Sending Areas: RA-80 and RB-80 (pg. 2-25) – for build-out analysis of new RA-80 and RB-80 sending areas,
  - 3.2.2.1. Land Use (pg. 3.1.20) - for potential impacts on land use,
  - 3.2.2.2. Zoning (pg. 3.1-24) - for potential impacts on zoning,
  - 3.2.2.1. Demographics (pg. 3.2-19) - for potential impacts on population,
  - 3.2.2.2. Housing (pg. 3.2-23) - for potential impacts on housing,
  - 3.3.2.2. Scenic Resources (pg. 3.3-12) for potential impacts on scenic resources,
  - 3.5.2.1. Community Facilities (pg. 3.5-20) for potential impacts on community facilities, community services (e.g., Police, fire, EMS), and schools,
  - 3.6.2.2. Agriculture (pg. 3.6-38) for potential impact on agriculture.
- 3.1.69. Comment      "TDR Sending and Receiving Areas - Chapter 13 page 203: We support the addition of farmlands south of Main Rd. and north of Sound Ave. as TDR sending areas. However, the area north of Sound Ave. is recommended to become both a sending and a receiving district. We oppose having it designated as a receiving district." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)
- 3.1.69. Response      See 3.1.67. Response.
- 3.1.70. Comment      "Pg 40 – Section 2 – 14: RA 80 & RB 80 – As proposed, the RA-80 areas north of Sound Avenue would convert from TDR receiving areas to TDR receiving and sending areas. We oppose

having these areas classified as receiving areas in any context. These are valuable farmland, scenic and historic areas and should be classified within TDR exclusively as sending areas.” (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.1.70. Response See 3.1.67. Response.

3.1.71. Comment “I read that north of Sound Avenue will be a sending and a receiving area. For as little as I understand about that, does that mean that the Town can both protect property and develop more property in that same area because that doesn't seem to make sense?” (Cindy Clifford, Riverhead Resident, Public Hearing, 05/29/2024)

3.1.71. Response See 3.1.67. Response.

3.1.72. Comment “On page 40, the RA 80 and RB 80 draft included the draft included all RB 80 and RA 80 districts as sending and receiving for TDRs. Once again, we only support them as sending areas.” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.72. Response See 3.1.67. Response.

### **Renewable Energy and Solar**

3.1.73. Comment “The Town had an extended moratorium on ground based solar utilities. The Plan recommends that commercial solar operations should continue to be limited to industrially zoned lands. Yet the Plan also recommends that ground based commercial solar utilities be permitted as of right or by special permit on any agricultural operation in any zoning use District including the APZ, RA-80, RB-80 at a nameplate capacity beyond what NYS Department of Ag and Markets would allow as “on farm” equipment or 110% of the energy needs.

According to State guidance documents, a solar array which is not “on farm” equipment, is no longer an agricultural use. The recommendation is inconsistent with agricultural operations as defined by the State and this industrialization in the APZ and elsewhere undermines the considerable public investment in preservation of ag lands and rural and scenic corridors; it is not in the public’s interest.

Unfortunately, there is no empirical information on the energy demands of an average farm operation in Riverhead. The rule of thumb is 4-7 acres is needed to produce 1 MW of electricity. The recommendation to permit ground based solar utility installations on farm operations across the town comes with no upper limit. The only “threshold” is that it remains as an accessory use. What would define it as accessory: revenue, land mass? This recommendation is ill advised, internally inconsistent and undermines the stated intent of the relevant zoning use districts and land use policies. Are other towns being lobbied for vertical farming and solar arrays beyond Ag and Markets limits?” (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.73. Response Comment noted. Comment is on the Draft Comprehensive Plan recommendations regarding solar.

For clarification, the Draft Comprehensive Plan recommends that the Town consider allowing some solar on farms in other districts as an accessory use to the principal agricultural use, by special permit at the discretion of the Town Board, considering factors such as coverage,

appearance, whether development rights have been sold, and so forth. Renewable energy (beyond 110%) and vertical farming are examples of the types of projects that the Town could consider under a conditional use permit for agricultural uses. This section of the Draft Comprehensive Plan acknowledges that project would not be exempt from SEQR and should reference NYS Ag and Markets Law section 301.

See Draft Comprehensive Plan text below:

Pg. 101: "[...] Conditional use projects would not be exempt from SEQR."

"All sections of any conditional use permit for agricultural operations and buildings should reference NYS Dept. of Ag & Markets Law Section 301 for accepted agricultural definitions, practices, and rights of farmers. Any new conditional use permits should be developed with input from the Towns Agricultural Advisory Committee."

Pg. 183: "Revise solar regulations and incentives to ensure they are compatible with surroundings. Commercial solar operations, or solar farms, should continue to be limited to industrially zoned lands. Tightening special permit requirements for solar farms, including reducing allowed coverage and requiring additional buffers and landscaping."

Pg. 199: "For agricultural properties in other districts, New York State's current agricultural policies allow solar, limited to 110% of the anticipated annual electricity needs of the farm. It may be reasonable to provide some flexibility in allowing farmers to incorporate renewable energy facilities (i.e., solar or wind) beyond the 110% threshold provide solar as an accessory use to the primary agricultural use."

"This recommendation could be addressed with the creation of a special permit by the Town Board for solar or wind as an accessory use to the principal agricultural use. This mechanism would provide the Town Board with discretion to ensure that visual and other impacts are addressed. The Town Board may also consider whether development rights have been previously extinguished."

Pg. 209: "The Town should consider allowing for some commercial solar production on existing farms to provide farmers with an additional revenue source. This could be achieved with a special permit for solar as an accessory use, which would provide the Town Board with discretion to address visual and other impacts. Regulations would need safeguards in place, such as the maximum amount of solar that could be provided, to ensure that agricultural production remains the principal use of the site."

Adding additional solar, beyond 110% of on farm energy needs, to farmland could have the result of a conversion of agricultural land to a non-agricultural use, and a conversion penalty would likely be imposed. (See section 4.3.2 of <https://www.nyserda.ny.gov/-/media/Project/Nyserda/Files/Programs/NY-Sun/2023-Solar-Installations-in-Agricultural-Lands.pdf>). The conversion of a full property, or part of a property, would result in a non-agricultural assessment of the land, resulting in the loss of tax-benefits related to agriculture. Most farmland conversions result in the development of single-family homes, which cannot be returned to agricultural use, however, conversion for solar use can typically be reversed because it has less impact on the soils.

Regarding determining energy consumption on farms, "To ensure that electrical output from solar equipment does not exceed the 110% threshold, an initial energy assessment may be required to separate farm-related electricity consumption from other uses. If solar equipment is connected by remote net metering, combined multiple meters must

determine the on-farm equipment's electrical needs." (see section 4.2.1.1. of <https://www.nyserda.ny.gov/-/media/Project/Nyserda/Files/Programs/NY-Sun/2023-Solar-Installations-in-Agricultural-Lands.pdf>).

3.1.74. Comment The plan also recommends allowing solar on farmland beyond the currently allowed 110 percent of the farm's need for electricity. Vertical farming requires an awful lot of electricity, as you pointed out, Supervisor Hubbard. I think that alone, the demand from the vertical farming could fill our agricultural land with solar panels even if you kept the 110 percent limitation.

And allowing it in excess of 110 percent, I think I can't understand how this could not constitute a significant environmental impact. We will have vistas of solar panels, which are pretty ugly in my view." (Kathy McGraw, Northville Resident, Public Hearing, 05/29/2024)

3.1.74. Response See 3.1.73. Response and 3.1.89. Response.

### Short Term Rentals

3.1.75. Comment "Short-Term Rentals -Chapter 13 page 199: The Greater Jamesport Civic Association does not support reducing the minimum rental period to less than 28 days. As stated multiple times in chapter 3 of the plan, short-term rentals "contribute to a loss of year-round residences." Furthermore, short-term rentals are known to contribute to parking and noise problems and to have an overall negative impact on the neighborhood." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

3.1.75. Response The DGEIS and Comprehensive Plan have consistent language regarding short-term rentals. Neither document has recommended shortening the rental terms of short-term rentals, rather, the recommendations are general, and advise that the Town should monitor short-term rentals and review the short-term rental code to make sure that it is meeting the community's goals. Throughout the Draft Comprehensive Plan and DGEIS, impacts of short-term rentals on the housing stock and existing neighborhoods is acknowledged (see Draft CPU Pg. 28, 38, 42, 44, 65, 199; see DGEIS pg. 1-10, 1-11, 3.1-20, 3.1-23, 3.2-11-3.2-12, 3.2-29, 5-2).

See Chapter 2 of this FGEIS for revisions to the Draft Comprehensive Plan. Language in the Draft Comprehensive Plan has been revised based on comments received from the public and the Town Board to keep the existing code that prohibits rentals of 29-days or less townwide. Text about reviewing the short-term rental code and text about considering shorter term rentals in some locations was removed. Text was revised to correct the permitted rental period to 30 days (Code does not allow rental periods of 29 days or less).

Pg. 42 – ""**Short-Term Rentals**

Regionally, short-term rentals have contributed to significant loss of year-round residential properties. As noted, 61% of Riverhead's vacant units are held for seasonal, recreational, or occasional use. This is similar to the County as a whole, where 64% of vacant units are held for such purposes. However, in the towns of Southampton and Southold, a full 93% and 86%, respectively, of vacant units are for seasonal use. The implications are that the majority of potential new permanent residents on the East End will be competing for the limited amount of available housing--often in Riverhead and Brookhaven – which will likely drive up rents throughout the area.

New construction is not alleviating the pressure. Between 2000 and 2021, the number of housing units in Suffolk County increased by 56,000 units; of these, 30% were new renters while 12% were new units for seasonal use. In the same period in Riverhead, 1,396 net new units were constructed, of which 26% were new renters and 29% were for seasonal use.

Riverhead's 2016–2017 rental ordinance was amended to ban short-term rentals for 29 days or less. For rentals 30 days or more a rental permit from the Town is required. However, enforcement is difficult, with lesser stay rentals still occurring in Riverhead. ~~The Town has discussed possibly amending the code to allow them in certain areas, possibly with a separate permitting process, which would give a better idea of where they are located."~~

Pg. 44 – **"1.2. Monitor short-term rentals for their im-pact on Riverhead's housing stock.**

~~The Town is currently reviewing the short term rental code.~~ Short-term rentals have an impact on the availability of year-round housing throughout the region. While not as pervasive in Riverhead compared to other areas on the East End, there are hamlets in the community that have significant numbers of short-term rental listings. ~~The Town should continue to enforce the 30-day minimum rental period. The numbers and impacts of these units on neighborhoods should be quantified to determine if further regulation is required to maintain housing stock for full-time residents. There may be some areas where shorter term rentals are appropriate and can provide economic benefits by supporting local businesses, such as restaurants, shops, and attractions."~~

Pg. 65 – **"9.2. Regulate short-term rentals to balance the benefits of tourism with the impacts on residential areas.**

~~The Town is currently studying the short term rental code.~~ The code currently has a minimum rental period of ~~28~~ 30 days to limit the impacts of short-term rentals on the housing market and the associated noise and neighborhood impacts that can occur with these rentals. ~~On the other hand, allowing shorter term rentals in more popular areas such as near the downtown and beaches can boost and sustain local businesses, such as restaurants, shops, and attractions.~~ Balancing the economic benefits of tourism with the needs and concerns of permanent residents requires careful consideration and community engagement. Regulations for short-term rentals should also be regularly reviewed and adjusted as necessary to address changing market conditions and community priorities."

Pg. 199 – **"Short term rentals**

~~The Town is currently studying the short term rental code.~~ The code currently has a minimum rental period of ~~28~~ 30 days to limit the impacts of short-term rentals on the housing market and the associated noise and neighborhood impacts that can occur with these rentals. ~~On the other hand, allowing shorter term rentals can boost and sustain local businesses, such as restaurants, shops, and attractions.~~ Balancing the economic benefits of tourism with the needs and concerns of permanent residents requires careful consideration and community engagement. Regulations for short-term rentals should also be regularly reviewed and adjusted as necessary to address changing market conditions and community priorities."

3.1.76. Comment "Pg 121 – Short Term Rentals – Addressing the concerns of permanent residents regarding short-term rentals. While the town acknowledges the economic benefits of allowing short-term rentals in certain areas to sustain local businesses and tourism, potential impacts such

as increased traffic, noise, and safety issues must be carefully considered. The Comprehensive Plan and DGEIS use mixed signals regarding short-term rentals. We wish the Town to keep its 28-day rule.” (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.1.76. Response Comment noted. Comments are on Draft Comprehensive Plan.

See 3.1.75. Response.

3.1.77. Comment “Legal rentals should be a minimum of 7 days. It is unlikely that many families can afford or manage even 14 days. Some people need to rent to hold onto their home for future retirement. As long as codes are followed, such as noise, it would give families a chance for an affordable vacation and help those trying to maintain their home.” (Rev. Laurie Cline and Mr. Edward Cline, Jamesport Residents, Written Letter, 06/04/2024)

3.1.77. Response Comment noted. Comments are on Draft Comprehensive Plan.

See 3.1.75. Response.

3.1.78. Comment “We do not support the reduction of rental terms.” (Elaine and Mark McDuffee, Jamesport Residents, Written Letter, 06/10/2024)

3.1.78. Response Comment noted. Comments are on Draft Comprehensive Plan.

See 3.1.75. Response.

3.1.79. Comment “The other question that, obviously, has slipped in without a real policy community consensus discussion is this short term housing? I mean, our family has used Airbnb's all over the world and we love them and they're great.

But I know that our neighborhood, if there's short term housing, you know, where we are in Rolling Woods, there's going to be a lot of Airbnb's there. And as somebody at the last meeting said, the last hearing said, that that's going to have a consequence.

Now maybe you want to put that profit for the owners or the potential new owners of that property higher than the atmosphere and environment of the people who are already residents, but I think that should be discussed in and of itself, not entered into the comp plan.” (John McCullough, Rolling Woods / Roanoke Landing Resident, Public Hearing, 05/29/2024)

3.1.79. Response See 3.1.75. Response.

3.1.80. Comment “On page 121 for the short term rentals. Addressing the concerns of permanent residence regarding short term rentals. While the Town acknowledges the economic benefits of allowing short term rentals in certain areas to sustain local business and tourism and potential impacts but potential impacts, such as, increased traffic, noise, and safely issues must be carefully considered.

The Comprehensive Plan and DGIS use mixed signals when they are reporting on the short term rentals. We wish the Town, obviously, to keep the 28 day rental as we've spoken about before.” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.80. Response See 3.1.75. Response.

## Transfer of Development Rights (TDR) and Farm Preservation

3.1.81. Comment "After a thorough review of the DGEIS as well as the Comprehensive Plan Update (CPU), the Greater Jamesport Civic Association concludes that the intention of the revisions proposed to the TDR program are designed as a development tool, not a preservation tool. We understand that the TDR program must offer value to developers to use this tool, however as proposed in DGEIS and CPU, we believe the proposed TDR program is weighted toward developers, not toward the preservation of our precious and irreplaceable farmland and open spaces. The proposed TDR structure should be reconsidered with an eye toward more land preservation." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.1.81. Response Comment noted. The DGEIS and Draft Comprehensive Plan present TDR as one preservation tool of several. The recommended changes to the TDR program are a focus of the DGEIS because they would result in near-term changes to the Town Code. See DGEIS section 1.3, Description of the Proposed Action, on pg. 1-5.

On pg. 2-12 of the DGEIS, "The Town's TDR program is a land use planning tool designed to balance development needs with conservation goals." (pg. 2-12)

3.1.82. Comment "A final comment - CPF needs to return to its roots! The emphasis on the TDR program is noble but it comes at a price...increased development...the recommendations and potential results are out of balance. Riverhead was true to the initial premise upon which the CPF program was founded: farmland preservation was to be the number one priority for use of the funds, and we have been, from the beginning, purists. In light of the acknowledgement that "Riverhead is the county's primary hub for agricultural activity", and "Riverhead grapples with the vulnerability of its agricultural industry due to land depletion from suburban sprawl," there must be a more collective solution if this is indeed a regional concern. It's amazing how we continually hear about regional issues such as affordable housing and the Peconic Estuary and how important it is to work collectively to address them.

There are approximately 8,000 acres of farmland that are at risk in Riverhead. The Town has collected approximately \$94m in CPF funds in 25 years. That is less than what was collected in 1 year in Southampton whose total revenue has now reached over 1 billion dollars. The State continues to amend the legislation to broaden uses for the money which will be collected until 2050. We bonded \$72m dollars for farmland and open space and our debt is expected to be paid off in 2030. The Comp Plan sharpens our TDR tool trading increased density and development to protect less than 200 hundred acres of farmland when we have about 8,000 at risk. TDR is not a balanced, effective, sustainable solution.

Perhaps it's time for an update on the state of agriculture in the County of Suffolk. Indeed, a broader discussion might also be indicated: are State Ag and Markets laws and policies in harmony with State energy goals and policies? Riverhead shouldn't be the testing ground." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.82. Response Comment noted. Comment is on the Draft Comprehensive Plan.

The Draft Comprehensive Plan recognizes that TDR is one of several farmland preservation tools and under Chapter 5, *Goal 3. Safeguard agricultural land through diverse approaches to preservation*, recommendation 3.1. *Continue to plan for and coordinate efforts to permanently preserve farmland.* (pg.100), states (underline added for emphasis):

"The Town should consult the CPF Fund Plan adopted in 2021 to ensure that priority properties are preserved when funds are available. While CPF funding is not currently available, the Town should continue to identify grants and collaborate with county, state, and federal agencies, as well as non-profit organizations, to explore additional funding sources and partnership opportunities. The primary means of farmland preservation should continue to be PDR which keeps agricultural land and its soils in production."

A previous draft of the Comprehensive Plan (dated February 2024) did not mention partnering with neighboring East End towns to share CPF funds for common interests. Following comments received by the public (due March 15), the plan was revised. The Draft Comprehensive Plan (4/18/2024) has an additional recommendation, "5.9. Partner with East End Towns to share Community Preservation Funds (CPF) to protect critical environments of the Peconic Estuary."

3.1.83. Comment "Unfortunately, my takeaway, which I'm sure is mistaken, is that this is all about TDR's that can be used to build more. I just kept seeing TDR, TDR; we're going to do this and anyway, I know that the EIS explains that this is a new approach to TDR since they have seemed to worked so well in the past, but it seems like they're going to be used as a magic bullet to permit more density, which, as residents, is not what we're hoping for." (Cindy Clifford, Riverhead Resident, Public Hearing, 05/29/2024)

3.1.83. Response See 3.1.81. Response and 3.1.82. Response.

### United Riverhead Terminal

3.1.84. Comment "United Riverhead Terminal -The plan fails to include any guidance or recommendations regarding the United Riverhead Terminal fuel transfer and storage facility in Northville. This future of this facility including potential expansion and the impact on the community needs to be considered within the scope of the DGEIS and CPU." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

3.1.84. Response Neither the DGEIS nor Draft Comprehensive Plan mention the United Riverhead Terminal.

See Chapter 2 of this FGEIS for changes to the Draft Comprehensive Plan. The Comprehensive Plan language has been revised to acknowledge the existence of the United Riverhead Terminal in Northville as a non-conforming use.

Pg. 19: "**Northville**

Northville, formerly an incorporated village, is on the north shore of Long Island in the eastern portion of Riverhead. Primarily agricultural and single-family residential in nature, Northville is part of the larger wine region on Long Island, and there are several vineyards and wineries in the vicinity. The historic center is on Sound Avenue and includes historic houses and a church. **The United Riverhead Terminal in Northville is a petroleum bulk storage and distribution facility featuring a deep-water platform on the Long Island Sound. This industrial area is a pre-existing non-conforming use, meaning that it can continue its operations, but it is not permitted to expand within the existing residentially zoned district (RA-80).**"

Because the Draft Comprehensive Plan is not making recommendations about the United Riverhead Terminal, nor changes to its zoning, it is not further analyzed within the scope of



this DGEIS.

There are currently no applications under review by the Town for the expansion of the United Riverhead Terminal.

- 3.1.85. Comment "An item of great importance which was not discussed in either the DGEIS or the Comprehensive Plan is the United Riverhead Terminal located in Northville on the Long Island Sound and the impact it has and can have on our Town." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)
- 3.1.85. Response See 3.1.84. Response
- 3.1.86. Comment "Why are there no recommendations or guidance for the United Railroad Terminal?" (Rev. Laurie Cline and Mr. Edward Cline, Jamesport Residents, Written Letter, 06/04/2024)
- 3.1.86. Response See 3.1.84. Response
- 3.1.87. Comment "We do not support the expansion of the URT plant." (Elaine and Mark McDuffee, Jamesport Residents, Written Letter, 06/10/2024)
- 3.1.87. Response See 3.1.84. Response
- 3.1.88. Comment "So now I'll go into my Jamesport hat. So an item of great importance, which was not discussed in either the DGEIS or the Comprehensive Plan and is not listed there and it was brought up last week, was the United Riverhead Terminals location in Northville on the Long Island Sound and the impact it has and can have on our Town." (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)
- 3.1.88. Response See 3.1.84. Response

## Vertical Farming

- 3.1.89. Comment "Vertical farming requires significant energy and water resources. Renewable energy installations such as solar and wind detract from the rural character and scenic beauty of the area. And conditional use permits leave the community vulnerable to a host of unknown risks. Renewable energy recommendations such as solar farms, should not be permitted on prime farmland except when installed exclusively to power permitted farm operations." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)
- 3.1.89. Response Comment noted. Vertical farming technology, at present, typically consumes more energy than greenhouses to provide light and temperature control for crops. These factors may prevent farmers from engaging in this practice at all or on a large scale. In practice, Riverhead farmers who have implemented vertical farming technology have done so at a small scale within pre-existing barn or farm buildings, maintaining the rural appearance and most of their land for traditional farming. Future vertical farming projects on farms in Riverhead would likely be similarly small in scale. Allowing some flexibility in regard to farm technology would allow farmers to adapt to changing market and climate conditions. In addition, the Draft Comprehensive Plan recommends several controls to ensure that vertical farms have limited coverage, bulk, and design requirements, are accessory, and require a special permit (see

3.1.90. Response).

See 3.1.73. Response on renewable energy.

3.1.90. Comment "Vertical Farming in APZ Districts -Chapter 13 page 199: We do not support recommendations to permit vertical farming in the APZ or on any prime agricultural soils. Vertical farming requires substantial energy and water resources and detracts from the scenic agricultural landscape." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

3.1.90. Response Comment Noted. Comments are on the Draft Comprehensive Plan.

The Draft Comprehensive Plan acknowledges that prime agricultural soils should be taken into consideration when reviewing applications for vertical farm structures and suggests mitigation measures to ensure that vertical farms would not detract from the scenery. See pg. 100: "Concerns about vertical farming include the visual impact of these structures. The Town should consider clear guidance for the total size, setbacks, landscaping, etc. to minimize the visual impact of these structures. For example, a vertical farm would have to conform to bulk standards (i.e. FAR and setbacks). The Town could consider areas where they may or may not be permitted such as on prime agricultural soils. Additional standards could apply. Flexibility could be provided for the adaptive reuse of agricultural buildings such as when these facilities are integrated into existing farm infrastructure."

The Comprehensive Plan language has been revised to clarify the Town's approach to future proposals for vertical farming. See Chapter 2 of this FGEIS for changes to the Draft Comprehensive Plan.

Pg. 101 – "Vertical farming can complement traditional farming methods by allowing for year-round cultivation of crops and crop diversification. This can significantly increase a farm's overall productivity, providing a consistent supply of fresh produce and opening up new revenue streams and income opportunities for farmers, potentially increasing their economic stability. Vertical farming is different from traditional farming in many ways, for example, crops are grown in a substrate instead of soil and lighting, temperature, and watering are artificially controlled rather than depending on the natural weather.

~~"Traditional horizontal farming requires large expanses of land. Vertical farming allows farmers to produce more on a smaller footprint, making more efficient use of their available land resources. Concerns about vertical farming include the visual impact of these structures. The Town should consider clear guidance for the total size, setbacks, landscaping, screening, and design, etc., to minimize the visual impact of these structures. for example, a vertical farm would have to conform to bulk standards (i.e. FAR and setbacks).~~

"In residential zones, vertical farming could be limited to an accessory use to principal farming activities. For example, some flexibility could be provided for a hybrid model where plants are transferred from the vertical farming structure to the adjacent agricultural land. The Town could consider areas where vertical farming they may or may not be permitted such as on prime agricultural soils. Additional standards could apply. Flexibility could be provided for the adaptive reuse of agricultural buildings such as when these facilities are integrated into existing farm infrastructure.

"In industrially zoned areas, allowances for vertical farming structures may be slightly more permissive but must comply with underlying standards of each district. This topic is discussed further on page 199."

Pg. 199 – ~~"Traditional horizontal farming requires large expanses of land. Vertical farming allows farmers to produce more on a smaller footprint, making more efficient use of their available land resources.~~ One of the biggest concerns about vertical farming is the visual impact of these structures. The Town should consider clear guidance for the total size, setbacks, landscaping, ~~screening, and design, etc.,~~ to minimize the visual impact of these structures. ~~for example, a vertical farm would have to conform to bulk standards (i.e. FAR and setbacks).~~

"The Town would need to establish exactly how these would be regulated – potentially as an accessory use ~~for farm operations~~ when farming is the principal use. ~~For example, some flexibility could be provided for a hybrid model where plants are transferred from the vertical farming structure to the adjacent agricultural land.~~ The Town should consider areas where vertical farming ~~they~~ may or may not be permitted such as on prime agricultural soils. Additional standards could apply. Flexibility should be provided for the adaptive reuse of agricultural buildings such as when these facilities are integrated into existing farm infrastructure."

See 3.1.89. Response on vertical farms and energy consumption.

3.1.91. Comment "We submitted several comments earlier but forgot to include that we do not support vertical farming in the agricultural zone, particularly on land that is designated as prime soil." (Rev. Laurie Cline and Mr. Edward Cline , Jamesport Residents, Written Letter, 06/04/2024)

3.1.91. Response See 3.1.90. Response

3.1.92. Comment "The Plan contains language about urban farming a/k/a vertical farming and recommends promoting vertical farming as a sustainable land use in industrial districts and allowing it in any district where agriculture is the primary use and where development rights are intact. However, since this type of farm operation does not require the use of ag lands, the Town should be mindful that vertical farm operations are inconsistent with the Section 303-b of NYS Ag and Markets Law and its subsection on Ag Districts, and Section 274-1 of the Suffolk County Code which speak to the conservation and protection of agricultural land.

The State further acknowledges the importance of ag lands as "valued natural and ecological resources which provide for clean air sheds, as well as aesthetic purposes." Figure 3.6-10 on page 3.6.26 of the DGEIS shows the extent of Ag District #7 in the Town of Riverhead where urban farm operations would be inappropriate. The recommendation to promote them in any district where agriculture is the primary use is, therefore, ill-advised.

The recommendation also failed to mention the enormous energy requirements of vertical farms and provided no information on their impact on existing utilities serving the community due to increased energy demands." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.92. Response See 3.1.89. Response on Renewable Energy and vertical farming energy use.

See 3.1.90. Response on vertical farming.

See 3.8.1. Response on Energy Use and Conservation.

3.1.93. Comment      “The vertical farming question, obviously, is also we've heard aloft of discussion about it. I must say the language, even more in the DGEIS than in the comp plan, the language about Epcal is very good. I mean it's very open. It's very positive about considering all kinds of environmental factors and consequence for the Town factors.

But I would like to see some of these problems like vertical farming, there may be a lot of places on the Epcal land where vertical farming would be very intelligent and it would not have the sort of contamination of the land would not be in effect on the vertical farming while it would be of traditional farming.” (John McCullough, Rolling Woods / Roanoke Landing Resident, Public Hearing, 05/29/2024)

3.1.93. Response      Comment noted. Comment is on the Draft Comprehensive Plan. The Draft Comprehensive Plan recommends allowing vertical farming as a permitted use in all industrial districts, which includes EPCAL.

3.1.94. Comment      “On the vertical farming, I've been in contact with Joann and Bob for the last month or so. Many farmers have never heard of vertical farming and the and I have talked to at least a dozen other farmers, family included. They don't like to be told what you can and can't grow. They're farmers. They should be allowed, their land, to grow whatever they want. And I understand, Ken, I don't particularly like the container situation, but when you do vertical farming, it is less than a half a percent of what land it covers on a farm. I don't believe they should go on good farmland. That was never the intent of the program. The intent was to put it in buildings and urban farm.

But if someone wants to try it out here, I suggested to Joanne that if you're going to do trailers, enclose it in a nice rural looking barn. And if you can it's very tough to restrict a farmer on what he can grow, but you can put in building codes to say, listen if you're going to do that, put it in and I believe there is some vertical farming going on, but they're set in barns so you don't even see them.

So that's a consideration. Instead of, you know, fighting the farmer, try to work with them. And because you don't need a lot of it and it's so expensive that nobody is going to put a lot of money into it. So let it be enclosed in something nice. Just a thought. [...]

But with the vertical farming, I would love to sit down with any one of you guys and maybe we could go over it. Because some of the farmers have different views. You know, they don't necessarily like the vertical farming. They really don't know how it's going to work because all it is a hydroponics, there's no soil involved and then what do you do with the wastewater and everything else?

So it's something to consider. I don't think it should be discarded, but I think it could be worked with if it's done nicely. Because, Ken, it's not just north of Sound Avenue. I don't think I'd want to see those trailers anywhere, you know, whether it be south of Sound Avenue, Jamesport or anywhere.

If it's done nicely and, you know, go with the Architectural Review Board to have a building put up or something done around these trailers.

And I agree because the intent of vertical farming was to in inner cities or in buildings. But the problem is when have you 70 acres, it's not so much keeping it as farmland, it's getting the farmers. There's not a lot of farmers. There's not as many as there used to be.” (Ken Zilnicki, Riverhead Resident, Planning Board Member, Public Hearing, 05/29/2024)

- 3.1.94. Response See 3.1.90. Response.
- 3.1.95. Comment "On page 88 for agricultural land. The draft wants vertical farming in any district where agriculture is the primary use on farms with development rights intact. We do not believe vertical farming should be allowed on prime farming soil." (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)
- 3.1.95. Response See 3.1.90. Response.
- 3.1.96. Comment "Vertical farming is not farming. It's industrial." (Phil Barbato, Jamesport Resident, Public Hearing, 05/29/2024)
- 3.1.96. Response See 3.1.90. Response.
- 3.1.97. Comment "Pg -88 - Agricultural Land – The Draft wants Vertical Farming in any district where agriculture is the primary use on farms with development rights intact. We do not believe vertical farming should be allowed on prime farming soil. As indicated in the map on page 220 of the DGEIS, most of Riverhead is categorized as prime farmland, with some of it identified as having "statewide importance." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)
- 3.1.97. Response See 3.1.90. Response.
- 3.1.98. Comment "Another example is vertical farming. The plan want's it to be allowed on all agricultural land. Not just on APZ land, but all agricultural land including RA 80 land north of Sound Avenue. And I suspect this has to do with the farm operations thing that I spoke about during the comp plan.
- While vertical farming is unsightly, it requires tall and often unattractive buildings, it's nothing like the scenic beauty of cultivated land. I call that a significant environmental impact, visual." (Kathy McGraw, Northville Resident, Public Hearing, 05/29/2024)
- 3.1.98. Response See 3.1.90. Response.
- See 3.1.58. Response on farm operations definitions.

### Warehouses and Distribution Centers

- 3.1.99. Comment "Warehouse definitions based upon ITE manual should be incorporated into the Code with specific types of warehouses permitted in specific zoning use districts...warehouse is no longer one size fits all use." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)
- 3.1.99. Response Comment noted. Comment is on the Draft Comprehensive Plan.
- For clarification, A previous draft of the Comprehensive Plan (dated February 2024) did not mention defining warehouses and distribution centers. Following comments received by the public (due March 15, the plan was revised. The Draft Comprehensive Plan (4/18/2024) mentions defining warehouses and distributions centers as examples of land uses that are not currently addressed in the zoning code (pg. 207).
- See pg. 207 of the Draft Comprehensive Plan: "Warehouses and Distribution Centers – these uses have important differences that affect building design, transportation and truck traffic,

and employment and should be defined in the code. The Institute of Transportation Engineers provides definitions for Warehouses, types of High Cube Storage, and High Cube Fulfillment Centers that could guide the Town's zoning."

Actual changes to definitions in the code would be determined with subsequent zoning code modifications which would undergo further SEQR review.

3.1.100. Comment "I think also the issue of moving allowing distribution centers, which describes in terms of the footage and the height and but really create a very as people have said, a very different kind of consequence for the environment and for traffic. I don't think there's at least I've not heard, maybe I'm just talking to the wrong people, but I've not heard any kind of a consensus that we want that kind of distribution center development.

I mean, as Ms. Waski knows, I have particular concerns with something we've already slipped through on the HK Ventures projects, but I think there's these kinds of things ought to be taken out of the Comprehensive Plan and the DGEIS and debated in and of themselves." (John McCullough, Rolling Woods / Roanoke Landing Resident, Public Hearing, 05/29/2024)

3.1.100. Response Distribution centers are not mentioned in the DGEIS.

Distribution centers are only mentioned in the Draft Comprehensive Plan as an example of a use that should be defined in the code. The Comprehensive Plan does not discuss which zoning districts this use should or would be allowed or prohibited in.

See 3.1.99. Response

### Zoning Changes that Require Further Study

3.1.101. Comment "Pg 41 – Section 2 – 15: Hamlet Center –The DGEIS is recommending that hamlet specific studies be conducted first to identify specific changes. Therefore, the analysis of impacts would need to wait until a study is conducted and detailed zoning recommendations are proposed. What recommendations does BFJ Planning have now?" (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.1.101. Response This DGEIS evaluates impacts of short-term zoning recommendations. Future zoning changes would be evaluated under SEQRA at the appropriate time. See DGEIS pg. 2-10 Section 2.5.4 Land Use Approach for a description of proposed zoning changes and zoning changes that require further study. "Many of the zoning recommendations could be considered by the Town once this Comprehensive Plan is adopted. There are also recommendations that would require further study, discussion, and analysis. Figure 2-3 illustrates those zoning changes that could be implemented in the short term (red caption box), and those that require further study (blue caption box)."

See DGEIS pg. 2-15, Section 2.5.4.2 Zoning Changes that Require Further Study:

"The Comprehensive Plan also includes many other recommendations for zoning changes and regulatory amendments. Most of these are minor changes that would be of limited significance and are not expected to have significant impacts – and therefore do not warrant a detailed analysis within the context of this GEIS. Regardless, any future amendments to the Town Code would require future review under SEQR prior to

adoption."

And See Section 6.0 Subsequent SEQR Actions, pg. 6-1 of the DGEIS:

"The SEQR regulations, part 617.10(c), state that "Generic EISs and their findings should set forth specific conditions or criteria under which future actions would be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site-specific impacts, that were not adequately addressed or analyzed in the Generic EIS." Following the adoption of the Proposed Action, all actions or projects coming before the Town of Riverhead Town Board, Planning Board, and Zoning Board of Appeals of the Town of Riverhead for new development projects located within the Town would be required to follow the SEQR process." The Proposed Action studied in the DGEIS is adoption of the Comprehensive Plan Update, not adoption of any specific zoning text or map amendments or any site-specific project. It would be contrary to the intent of SEQR for the Town Board to adopt any zoning regulations based solely on this GEIS process. All future zoning text and map amendments brought before the Town Board would require review under SEQRA.

3.1.102. Comment "[...] The CPU recommends several uses and regulatory changes that are generally described but require additional study. Although they have not been sufficiently analyzed, the danger is that future consideration can revert to their mere mention in the Plan and check the box as being consistent with an adopted Comprehensive Plan." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.102. Response See 3.1.101. Response.

3.1.103. Comment "I want to thank you for having this separate public hearing on the GEIS. It is a standalone document and it really deserves focused attention.

But I just have to say that the process itself is not it's not like anything I've ever seen before and it's not people friendly. It's difficult to follow, even for those who may have a basic understanding of what's supposed to happen and how these documents actually relate to each other.

I've never encountered a hearing on an impact statement for an action or a document that is still a moving target. I count myself among those that are confused. Tonight I was prepared to talk about those actions in the GEIS, not any of the those things in the comp plan and I have a host of pages and pages, which you'll be receiving, on agritourism, vertical farming, battery energy storage, all of those things.

But I thought we were focusing on Generic Environmental Impact statement for those actions that are going to be recommended to be implemented without further study. And there's really only a handful of them, which is, in and of itself, a little disappointing considering the significant amount of time and energy that went into this document and we only have a few things that could actually be implemented in the near future.

I think that's pretty I'll say remarkable, but not necessarily in a positive way. The GEIS evaluates only a few comp plan recommendations that can be implemented without further study." (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)

3.1.103. Response See 3.1.101. Response.



- 3.1.104. Comment "The GEIS acknowledges that changes to existing districts and certain new districts require further study. We've heard just about the rest of what I was about to say other than the fact that I have a lot of information and comments on urban farming, also known as vertical farming, which demands, you know, the energy demands, the battery energy storage, agrivoltaics, conditional use permits, all of those things, which I will submit at another time. I didn't think it was appropriate at this particular hearing. And I thank you very much for your time and attention." (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)
- 3.1.104. Response See 3.1.101. Response.
- 3.1.105. Comment "Sure, the DGEIS says these and other zoning recommendations will require additional study to determine the scope and scale of any future potential zoning changes. And only when such changes are proposed would there then be additional studies and a SEQRA review to determine the environmental impact.
- And excuse me again, I may be missing something, but I thought that those were the purposes of the comp plan update and this DGEIS. Isn't that what we paid the consultants to do? I find it alarming that the GEIS lists eight zoning changes that will require further study and further SEQRA review. And those are the planned industrial park, hospital district, DC 1 district, hamlet centers, design guidelines for Route 58, nonconforming uses, golf cottages, and agritourism.
- As I've said, I don't pretend to have SEQRA expertise; I don't. But this DGEIS strikes me as nothing more than a kicking of the SEQRA can down the road. It is only when zoning changes are actually proposed and site specific development plans are presented that any real SEQRA review will be done.
- I have to say this really doesn't make sense to me and it frightens the bejeebers out of me because in recent history it's been a rare occasion that this Town has issued a positive declaration for a SEQRA review, yet it's pretty clear that this comp plan will have many adverse the potential for many adverse environmental impacts on our town's infrastructure, traffic, scenic resources, land and community character.
- And I'm not suggesting, Supervisor, that it would eliminate future SEQRA. I'm just saying that many of the recommendations in the comp plan, aside from a zoning change that is happening in the future, have impacts. I don't mean to say that it wouldn't require more." (Kathy McGraw, Northville Resident, Public Hearing, 05/29/2024)
- 3.1.105. Response See 3.1.101. Response.
- 3.1.106. Comment "Page 41, for the Hamlet Center, the draft is recommending that hamlet specific studies be conducted first to identify specific changes. Therefore, the analysis of the impacts would need to wait until a study is conducted and detailed zoning recommendations are proposed. So we would like to know what recommendations does BFJ planning for now for what is proposed?" (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)
- 3.1.106. Response See 3.1.101. Response.
- 3.1.107. Comment "Pg 41 – Section 2- 15: Non-Conforming Uses – The Comprehensive Plan Update addresses the need to adjust the zoning map in several areas to better align with existing uses and reduce non-conformity. It is acknowledged that zoning changes for these areas need further consideration by the Town and impacts would be considered once detailed



recommendations are proposed.

The Plan has singled out 4 non-conforming areas in the Town of Riverhead. There are hundreds. To now rezone properties in residential areas to marina or light industry could have a monumental impact on the residents in these areas. To change the zoning of a shopping center on a critical bend in the road and not look at surrounding parcels appears to be spot zoning. If the Plan is making specific recommendations in zones shouldn't the DGEIS say what the negative impact would be if the zones were changed?" (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.1.107. Response See 3.1.101. Response.

3.1.108. Comment " Non-conforming uses - identifying existing non-conforming uses/parcels in various nodes no matter how small, and recommending to rezone them as commercial does not guarantee that they will remain small commercial nodes: instead it invites commercial sprawl. There is a process in place to expand a non-conforming use if necessary. The parcels were rendered non-conforming as a result of a strategic planning process. What is the planning justification behind this recommendation?" (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.108. Response See 3.1.101. Response.

3.1.109. Comment "On page 41 was the nonconforming uses, which we brought up before. The Comprehensive Plan addresses the need to adjust the zoning map in several areas to better align with existing uses and reduce nonconformity.

It is acknowledged that zoning changes for these areas need further consideration by the Town and impacts would be considered once detailed recommendations are proposed. But the plan has singled out four nonconforming areas in the Town of Riverhead when there are hundreds. To now rezone properties in residential areas to marina or light industry could have a monumental impact on the residents in these areas.

To change the zoning of the shopping center on a critical bend in the road and not look at the surrounding parcels appears to be spot zoning. If the plan is making specific recommendations in zones, shouldn't the DGEIS say what the negative impacts would be if these zones were changed? And that doesn't seem to be addressed in there." (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.1.109. Response See 3.1.101. Response.

### **Other General Comments on the Draft Comprehensive Plan**

3.1.110. Comment "The Comprehensive Plan Update should include recommendations for the review and updating of the plan at specific intervals. It is impossible to predict how technology, demographics, residential and business needs, and our ecology will evolve over the coming years and thus impact future land use and infrastructure needs. Therefore, it is imperative that the Town commit to reviewing and adjusting the plan every set number of years. There should be public transparency in connection with the review process, and significant adjustments should be subject to community input before adoption." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

3.1.110. Response Comment noted. This comment is on the Comprehensive Plan Update and not the DGEIS. However, see Chapter 2 of this FGEIS for changes to the Draft Comprehensive Plan. Text was added acknowledging the suggested period of review for the Comprehensive Plan.

Pg. 8 – “This document is intended to capture the existing conditions and priorities as of the adoption date in 2024. It is recognized that this plan should be re-examined as needed as conditions change. Furthermore, it is recommended that the Plan be reevaluated every 10-years, to ensure that recommendations continue to reflect priorities in the Town.”

3.1.111. Comment “• Hamlet Study - Future Use Chapter 13 page 197: a study with zoning, future development, infrastructure and a pattern book for Aquebogue and Jamesport needs to be expedited.

• Minimum Square Footage -Chapter 13 page 199: We object to the recommendation to eliminate the 1,200-sq. ft. minimum home size. Riverhead currently has more affordable housing than any township on Long Island. We make a significant contribution toward housing, but the Town is not solely responsible for solving the housing problems on Long Island. Adding more, smaller houses will further burden our overcrowded schools, strain our infrastructure and add to traffic problems. In addition, small, inexpensively constructed homes may more easily become a blight on the community.

• Marketing Town of Riverhead -- Chapter 4 section 7.3 page 64: We oppose spending Town resources on actively marketing sites for development. The Town attracts developers but needs improved zoning and land use evaluation and regulatory capabilities to align future development with goals. Marketing the Town is neither necessary nor an appropriate use of funds.

• Non-conforming Uses -Future Uses Chapter 13 page 201-: Out of the hundreds of non-conforming uses in Riverhead, the plan singles out four locations or categories for rezoning, three of which are in the hamlets east of Route 105. These are:

- Marinas, of which there is one in Aquebogue and one in Jamesport;
- The area at the junction of Edgar Ave. and Hubbard Ave. in Aquebogue;
- The land surrounding the intersection of Tuthills Lane and Main Rd. in Aquebogue.

We oppose rezoning of these non-conforming use parcels in Aquebogue and Jamesport. Currently, the businesses on these parcels are good neighbors, readily accepted by the community. The recommended rezoning and the creation of overlay zones would open these parcels up for further development, for alternate business uses or accessory uses. These spot zoning recommendations are unnecessary and unwelcome.

Suffolk County Water Authority Main Extension - Chapter 11 section 2.6 page 172: The Greater Jamesport Civic Association opposes the current proposed Peconic Bay Blvd. route for the extension of the SCW A water main to Southold. The proposed route is too close to Peconic Bay and sensitive wetlands. We agree with the plan that the project should be reevaluated and we recommend the water main extension be moved to Main Rd.

The Town of Riverhead is at a critical juncture. Having fulfilled the goal in the 2003 Comprehensive Plan to build out the commercial corridor along Route 58 and the establishment of outlet center zoning, the Town is now experiencing the repercussions of changing consumer behavior toward online shopping, resulting in numerous retail vacancies

that the Town and developers struggle to repurpose, not to mention the increased traffic and loss of green space, which the Plan Update recommends the Town try to recover. This is just one example of the impact that a Comprehensive Plan has on the Town infrastructure and quality of life for its residents.

The Comprehensive Plan Update has the opportunity to not only preserve, but improve the scenic beauty, historic character, agricultural heritage, cultural activities, recreational opportunities and quality of life for its residents. We urge the planners and Town Board to weigh each element thoughtfully. A comprehensive plan can enhance our community or cause irreversible damage. Our communities' futures are in your hands." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

3.1.111. Response Comments noted. Comments are on the Comprehensive Plan.

3.1.112. Comment "Much has been written to you about the proposed Comprehensive Plan. I want to express my concerns on behalf of myself and others (who don't have a computer or not confident in the usage) the Environment Impact designation of Calverton.

If prudent steps aren't taken by the Town Board so many residents will lose their ability to live in Calverton. It's not just the cost of living but the noise, air quality and loss of open space.

Please see beyond taxes for the Township. No amount of financial gains can replicate the value of your Township residents." (Susan Vorndran, Resident, Written Letter, 06/07/2024)

3.1.112. Response Comment noted.

3.1.113. Comment "The RROD provides for 240 multifamily dwelling units which would require preserving only 10 acres of farmland. The particular recommendation together with other mechanisms introduced to address housing needs such as lifting the cap, changes to ADU requirements, etc., would result in significant growth with less than significant preservation." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.113. Response The RRA-OD district is already an eligible TDR receiving area (See Chapter 301, Part 2, Article XXXIA, <https://ecode360.com/37170415?highlight=rra-od&searchId=147973147988010>). While the RRA-OD district was adopted in 2021 and includes provisions for the use of TDR for community benefits, the TDR Map was never formally updated to be consistent with the adoption of RRA-OD. The Draft Comprehensive Plan recommends updating this on the TDR map to be consistent with the zoning text and includes an analysis of potential development in the RRA-OD district in the DGEIS.

3.1.114. Comment "General Comments - The Town should consider conservation subdivisions as another preservation tool not currently provided for in our Code. While it is true that a cluster subdivision is a type of conservation subdivision, a conservation subdivision as defined in the Southold Town Code (<https://ecode360.com/5160271#5160271>) affords a greater area of preservation via a reduction in density which affords the property owner additional financial benefits." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)

3.1.114. Response Comment noted. Comment is on the Draft Comprehensive Plan.

For clarification, In New York statutes, conservation subdivision is not specifically mentioned and would be achieved through the State's enabling legislation for cluster subdivision, which

the Town of Riverhead currently has in place. A "conservation subdivision" is a cluster subdivision in which the conservation of the natural environment or cultural resources is prioritized. More than half of the plat is set aside for open space (see <https://dos.ny.gov/system/files/documents/2021/12/subdivisionreviewinnys.pdf>).

Riverhead's cluster subdivision provisions prioritize resources, aim for 70% of land be preserved for agriculture or open space, and at minimum, more than half of the plat is set aside. Thus, Riverhead's cluster subdivision policy meets the definition of conservation subdivisions in New York but does not call them "conservation subdivisions."

- 3.1.115. Comment "Conditional Use Permits - As proposed, CUP's would only apply to agricultural uses and are justified as a way to stay abreast of sustainable technologies in the industry. Emerging technologies are not unique to the agriculture industry, (e.g. energy.) New uses or updated technology should go through proper review with established criteria; all new technology is not created equal. Instituting Conditional Use Permits for a select industry is arbitrary. As the Plan states, "the Town should continue to evaluate the appropriateness of technological advancements toward a sustainable future." This can be done without a conditional use permitting process." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)
- 3.1.115. Response Comment noted. Comment is on the Draft Comprehensive Plan.
- 3.1.116. Comment "Non-nuisance industry - the Town eliminated this definition because it proved to be a problematic catchall for otherwise undefined and non-specified uses. What is the basis for reinstating it?" (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)
- 3.1.116. Response Comment noted. Comment is on the Draft Comprehensive Plan.
- For clarification, the single mention of non-nuisance industry in the Draft Comprehensive Plan (pg. 207) is as an example of a term that could be defined in the code. Actual changes to definitions in the code would be determined with subsequent zoning code work (not the purpose of the Comprehensive Plan).
- 3.1.117. Comment "The pyramid law - has merit and could be incorporated into residential districts as a way to reduce the impact of structures (massing effect) which require area variances." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)
- 3.1.117. Response Comment noted. Comment is on the Draft Comprehensive Plan.
- 3.1.118. Comment "There are several zoning and regulatory changes proposed for development along our shorelines: the Bay, the Sound and the Peconic River. While each of these areas has unique challenges and face different threats, updating the goals and regulations holistically might have been a better approach; something akin to an LWRP." (Barbara Blass, Jamesport Resident, Written Letter, 06/08/2024)
- 3.1.118. Response Comment noted.
- 3.1.119. Comment "We are in agreement with and support the recommendations of the Executive Committee of the Greater Jamesport Civic Association with regard to the Comprehensive Plan Update and the DGEIS." (Elaine and Mark McDuffee, Jamesport Residents, Written Letter, 06/10/2024)
- 3.1.119. Response Comment noted.

- 3.1.120. Comment    “Conclusion: There are many positive goals and objectives outlined in the Comprehensive Plan. However, in our view, the DGEIS fails to uphold the narrative embedded within the Plan and ultimately falls woefully short of proposing code revisions or tangible policy suggestions that would provide demonstrable changes that result in action-oriented planning and zoning recommendations that would help the community’s vision come to fruition – to protect community character, the environment, and deal with the traffic issues.” (Jenn Hartnagel, Director of Conservation Advocacy, Group for the East End, Written Letter, 06/10/2024)
- 3.1.120. Response    Comment noted.
- 3.1.121. Comment    “Pine Barrens: Protecting our ground water is necessary. The "Pine Barrens Compatible Growth Area" and "Pine Barrens Core Area" (Figure 4: Existing Overlay Zoning} was designated in the previous Comprehensive Plan in 2003 and should now be assigned "Pine Barrens". It is imperative to take steps to ensure water quality for our future.
- Hamlet Center: The suggested location of the Calverton Hamlet Center is where 25A meets Middle Country Road. This is arbitrary and rather perplexing. Cars drive past fast here, where the speed limit is 55mph. There is a gas station here and nothing else. The Calverton Hamlet Center is more appropriately to be in the vicinity of the Post Office (a civic building} by Edwards Avenue and where there are already existing stores.
- The Comprehensive Plan Update is to be the guiding force for the future development in Riverhead. The goal of the plan should be for smart development, to control sprawl and to appropriately site new development, while also protecting the quality of life of the community.” (Karen Kemp, Calverton Resident, Written Letter, 06/10/2024)
- 3.1.121. Response    Comment noted. Comments are on the Draft Comprehensive Plan.
- 3.1.122. Comment    “I'm going first because I probably know about least about GEIS's of any of the other informed people who will talk to you tonight. I can say that this is a daunting document of 284 pages and especially for people like me who aren't trained in SEQRA. And I have to believe it probably makes your heads' spin once in a while as well.
- My comments tend to be general because I don't fully understand all the specifics in this document, but I'm struck by the fact that this DGI GG I can't even say it. EIS, can I use that? finds specifically, and I'm quoting now in the mitigation measures, no significant adverse impacts are anticipated from the plan's adoption and thus no site specific or neighborhood wide mitigation measures are necessary. All future development would require site specific review under SEQRA where mitigation measures might be identified and required.
- When I read that I said, can this really be true? And I didn't think so because the DGEIS says the plan's execution wouldn't alter the Town's current visual and aesthetic character directly. It serves as a guiding framework for future Town actions to protect scenic and historic resources.
- And I may be missing something here, but it seems to me this plan's adoption will in fact alter the Town's visual and aesthetic character. And just a few of the examples that I think would cause that to happen [...]” (Kathy McGraw, Northville Resident, Public Hearing, 05/29/2024)
- 3.1.122. Response    Section 3.3 Scenic and Historic Resources, beginning on pg. 3.3-15, provides a discussion of impacts of the Draft Comprehensive Plan scenic and historic resource recommendations and impacts of recommended rezoning areas on aesthetic resources.

The DGEIS acknowledges that there may be some visual and aesthetic impacts of development were the Comprehensive Plan adopted. These impacts are not significantly adverse, and recommendations and measures are provided to mitigate and minimize these impacts and address these concerns. For example, these include:

- Pyramid law in industrial districts requiring increased setbacks for taller buildings,
- Regulations to improve street frontage including non-disturbance buffers, screening, and landscaping,
- Design guidelines, including materials, dimensions, and compatibility with surroundings for areas,
- Concentrating development on smaller areas of land than current zoning permits, enabling the preservation of more open space and farmland.

3.1.123. Comment "I don't know how many hours each of you have spent going over this Environmental Impact Statement, but I really tried to get to the point where it's all clear to me and I haven't gotten there yet. I don't get it. And I think that if you look at how many people are not here tonight. You think Kathy and I probably aren't the only two who don't quite get it.

Maybe you all had the benefit of BFJ walking you through a detailed review step by step. It would be helpful to those of us who are struggling with the big picture to have something similar to that." (Cindy Clifford, Riverhead Resident, Public Hearing, 05/29/2024)

3.1.123. Response Comment noted.

3.1.124. Comment "And with respect to the text recommendations that they should be implemented now, to require cluster development in RA 80, RB 80 and the APZ district, please see sessions 301, 24, 32 and 40, which already include the requirement for clustering.

The proposed text change that the Planning Board should be, ", allowed to request a cluster development in RA 40 and RA 80. I'm sorry, this is an embarrassing text request and it's actually offensive. The Planning Board has full authority to request any layout they believe to be in the best interest of the community and represents the most orderly and appropriate development. This statement should be deleted from the GEIS completely." (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)

3.1.124. Response Comment noted. Comments are on the Draft Comprehensive Plan recommendations.

## 3.2. Land Use, Zoning and Public Policy

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3.2.1. Comment "Pg 87 – Housing Diversity – [DGEIS pg. 3.1-23] The Draft recommendations include removing minimum home size requirements. To remove the minimum size of a dwelling could result in tract housing that would not be consistent with our area and further stress demands on the school system and Town resources." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.2.1. Response Comment Noted. Comments are on the Draft Comprehensive Plan recommendation.

3.2.2. Comment "On page 87 [DGEIS pg. 3.1-23] for housing diversity. The draft recommends including

removing minimum home size requirements. To remove the minimum size of a dwelling could result in tract housing that would not be consistent with our area." (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.2.2. Response See 3.2.1. Response

### 3.3. Demographics, Housing, and Economic Conditions

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#### Additional Housing Units

3.3.1. Comment "We have added 929 Apartments (Pg 101). There is a list in the DGEIS (Pg 275) which lists well over 200 pending housing proposals and there are estimates of 267 Assisted Living Units (Pg 115) being added. There is still vacant land in Riverhead that would add more development. The Draft projected population seems low when all these projects are counted. Can it be reviewed?

Pg -111 – Population – The methodology that estimates more residents with TDR than without TDR in Action Scenarios needs to be explained." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.3.1. Response The comment "We have added 929 apartments (pg 101)" is inaccurate. The sum of 949 apartments listed on pg. 3.2-9 of the DGEIS includes units that are constructed or at various stages of review by the Town Board (not constructed).

The comment " There is a list in the DGEIS (Pg 275) which lists well over 200 pending housing proposals" refers to *Table 4-1. Pending Projects (Application Dates: 1/1/2021 - 3/13/2024)* on pg. 4-4 of the DGEIS. This table falls under section 4.3.2 Cumulative Impacts.

The NYSDEC SEQR Handbook states, "Cumulative impacts occur when multiple actions affect the same resource(s). These impacts can occur when the incremental or increased impacts of an action, or actions, are added to other past, present, and reasonably foreseeable future actions." And "Cumulative impacts must be assessed when actions are proposed, or can be foreseen as likely, to take place simultaneously or sequentially in a way that the combined impacts may be significant." (New York State Department of Conservation Division of Environmental Permits. The SEQR Handbook Fourth Addition, 2020. P. 120. Available from:

[https://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seqrhandbook.pdf](https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf).)

Accordingly, the discussion considers reasonably related projects that may impact the same environmental resources as the Comprehensive Plan and recommended rezonings. The DGEIS states that "All of these potential projects would undergo individual site-specific review by the Town, including review under SEQR."

The comment " there are estimates of 267 Assisted Living Units (Pg 115) being added," is inaccurate. The comment refers to pg. 3.2-23 of the DGEIS, in section 3.2.2.2 *Housing*. This section discusses potential impacts on housing of the Draft Comprehensive Plan policies on the recommended rezoning areas. While the zoning and TDR recommendations would make the addition of 267 assisted living units possible, the DGEIS analysis finds that this would result in a positive impact on housing in the community. Positive outcomes listed include providing housing for seniors who want to age in place, redemption of 123 TDR credits, which



would reduce single-family home development on farmland by 71 units, preserving farmland, and reducing suburban sprawl. In addition, individual projects would be evaluated for impacts in a site-specific manner as part of special permit review and site-specific review under SEQR, mitigating any potentially significant adverse environmental impacts.

The population projections provided on pages 3.2-1 and 3.2-2 of the DGEIS consider existing conditions in the No Action scenario and are based on data provided by the New York Metropolitan Transportation Council (NYMTC). This projection estimates the population of Riverhead in 2035 at 40,009 people.

Section 3.2.2.1, Demographics, on pg. 3.2-19 of the DGEIS, discusses population projections in the future with action scenario. With the Proposed Action, if TDRs are used, the DGEIS projects an additional 278 residents by 2035, and if TDRs are not used, an additional 116 residents. At an only 0.69% or 0.39% increase in population, the DGEIS does not find that this increase in population presents any significant adverse impacts. The DGEIS generally outlines positive impacts on housing supply, the natural environment, traffic, and other areas as these recommended zoning changes would reduce suburban sprawl and provide housing choice.

The methodology for projecting the population in the future with action scenario is described in Section 3.2.2.1, Demographics, on pg. 3.2-19 of the DGEIS. The DGEIS uses residential demographic multipliers from *Who Moves into New York Housing – 2015 Residential Demographic Multipliers*. By *Econsult Solutions*. These multipliers estimate 2.847 persons per household for single-family and townhomes and 2.238 persons per household for multifamily housing. Assisted living individual units typically accommodate one resident per unit, although there can be exceptions to accommodate couples or shared living arrangements. These multipliers indicate that the average household size of single-family units is larger than the household size multi-family or for assisted living units. Thus, in the future with Action scenario with TDR, the increase in multi-family or assisted living units and reduction in single-family homes will not result in a significant population increase.

See 3.1.34. Response on the proposed Assisted Living Overlay zone.

3.3.2. Comment      “We have added 929 apartments, that's on page 101, and there is a list in the draft, page 275, which lists well over 200 pending housing proposals, and there are estimates of 267 assisted living units on page 115 being added. There is still vacant land in Riverhead that would add more development. The draft projected population seems low when all of these projects are counted and we feel that this needs further review in the impact statement.” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

3.3.2. Response      See 3.3.1. Response

### Population Projections

3.3.3. Comment      “The DGEIS and the CPU update are not aligned. As just one example, on page 18 of the DGEIS, it projects a population increase of 278 residents by 2035 with TDR, whereas in chapter 3 of the Comprehensive Plan Update, the projected population is 40,009, an increase of approximately 3,500 residents from 2025. We suggest the authors of the two documents thoroughly review them to make sure the information is accurate and consistent, regardless of whether this delays the final plan.” (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)



3.3.3. Response

Language on pages 3.2-1 and 3.2-2 of the DGEIS regarding population and projections is correct. A population of 40,009 by 2035 is projected. The estimate of 278 additional residents in the future with action with TDR scenario, and the estimate of 116 residents in the future with action without TDR scenario are the incremental difference in population increase between the future with no action scenario. This DGEIS evaluates the population growth impacts of this incremental change.

DGEIS text was updated herein on the following pages to correctly reflect the population estimates in the future with action scenario (see page DGEIS 3.2-19)

Pg. 3.2-38:

“Table 3.2-11. Town of Riverhead Per Capita Costs

	<b>2022 Town of Riverhead Budget</b>
<b>Town of Riverhead</b>	<b>Municipal Costs</b>
General Fund	\$40,489,138
Highway Fund	\$6,354,801
Lighting District	\$1,177,264
Water District	\$1,409,360
Sewer Districts	\$520,477
Ambulance District	\$1,545,221
<b>Total:</b>	<b>\$51,496,261</b>
Percent of budget paid by residential tax levy	74%
2022 Riverhead Population	35,834
Per capita cost	\$1,063.44
Incremental population increase with TDR	278
Cost to Town from New Residents with TDR	<b>\$295,635.73</b>
Incremental population increase with <del>out</del> TDR	116
Cost to Town from New Residents with TDR	<b>\$123,358.79</b>

Source: Town of Riverhead 2022 Adopted Budget.”

Pg. 3.5-27: “This equates to an increase in population of approximately ~~145~~ 278 new residents by 2035 if all new development were to utilize TDR (worst case assumption).”

Pg. 3.5-27: “The minor increase in Town population (~~0.36%~~ 0.69%) that could occur by 2035 under the Future with Action condition is not anticipated to result in any significant adverse impacts to open space, parks or recreational facilities in the Town for the reasons outlined above.

The Draft Comprehensive Plan was revised to remove text that was left over from an earlier draft.

See Chapter 2 of this FGEIS for changes to the Draft Comprehensive Plan. A paragraph that was a carryover from the prior consultant’s work was removed. The correct, revised projection, as described in the Draft Comprehensive Plan Update, is 40,009 residents by 2035.

Pg. 33 – “**Projected Population Growth**”

The New York Metropolitan Transportation Council (NYMTC) projects population growth for the region, including Suffolk County. The most recent NYMTC forecasts to 2055, adopted in October 2020, were created with the full cooperation of the Suffolk County Department of Economic Development and Planning and reflect the significant

changes in land use throughout the County. Further, the forecasts consider all known development in the pipeline as of 2020 for the County, including Riverhead.

NYMTC's 2020 estimates show Suffolk County's population will grow 14% from 2010 to 2055 (see Chart 2). If Riverhead's population were to grow at the same rate from its 2010 population, the Town would expect to see a population of about 35,756 by 2035. In the 2020 Decennial Census, the County's actual population was somewhat higher (about 1.7% greater) than projected, while Riverhead's population was 6.6% greater than projected. As previously noted, Riverhead's population has recently grown faster than the County. If trends hold, these factors suggest a higher-than-projected long-term population. Therefore, as shown in Chart 2, NYMTC issued revised projections for Suffolk County and Riverhead which now project a population of 40,009 residents by 2035.

~~Riverhead could accommodate 41,064 people by 2040, considering a full residential build out scenario based on Riverhead's 2003 comprehensive plan. Any zoning changes on residential density could allow the Town to absorb a larger proportion of the County's growth or limit the Town's growth."~~

3.3.4. Comment "Population -- Chapter 3: We request closer review and clearer explanation of the population projections in the plan, which are included in Chapter 3. It appears that the projections are based on Suffolk County's projected growth data and data from the New York Metropolitan Transportation Council. However, the plan states that the population of Riverhead grew by 30% from 2000 to 2020 - much faster than projected and much faster than the population of Suffolk County. The Comprehensive Plan Update should base its population growth for the Town on Riverhead's recorded growth trends. It is important that the updated plan should include projected growth specific to our town, and tipping points in the population growth that would necessitate the expansion of the school system, the sewer system, water resources, emergency services and other infrastructure elements and community services." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 05/31/2024)

3.3.4. Response See 3.3.3. Response.

3.3.5. Comment "Pg – 93-94- Population –The Draft lists the Riverhead Population in 2020 as 35,902. The projection the Draft is using for 2035 is 40,009, an increase over 15 years of 4,107. The draft stated that in the past a higher-than-projected long-term population occurred. Could this also be the case with these population projections?" (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.3.5. Response See 3.3.3. Response.

3.3.6. Comment "It should emphasize that the population projections do not reflect a saturation population should the comp plan be implemented in its entirety. Saturation population is really very important, whether it's just a handful of recommendations or everything that is included in the comp plan. We've got to know. We have a carrying capacity. We have limited resources.

The population projections themselves are problematic due to the fact that different sources and time periods, which provide, in some cases, questionable conclusions. One date is said projected a population in 2035, which is actually less than our population was four years ago. The GEIS should use the same sources and project over the same time period to produce

meaningful comparisons.” (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)

- 3.3.6. Response See 3.3.3. Response.
- 3.3.7. Comment “On page 93 and 94, as far as population. The draft lists the Riverhead population in 2020 as 35,900 individuals. The projection the draft is using for the 2035 is 40,000 individuals, an increase over 15 years of only 4,100 people. The draft stated in the past a higher than projected long term population occurred. Could this be the case could this also be the case with these population projections? And we'd like to have them looked at a little bit more closely to make sure that they are on par.” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)
- 3.3.7. Response See 3.3.3. Response.
- 3.3.8. Comment “On page 111, the population. The pathology that estimates more residents with TDR than without TDR in action scenario needs to have a better explanation.” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)
- 3.3.8. Response See 3.3.3. Response.
- 3.3.9. Comment “All of the mechanisms introduced to promote a variety of housing options designed to meet community needs contribute to an open ended growth and development, which is a concern for a community of otherwise limited resources.” (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)
- 3.3.9. Response See 3.3.3 Response.
- 3.3.10. Comment “Pg 121 – Goal 7 – Riverhead seeks to actively market development and redevelopment sites aligned with the town’s vision for growth and prosperity. The Town attracts developers, but needs improved zoning and land use evaluation and regulatory capabilities to align future development with goals. Marketing the Town is neither necessary nor an appropriate use of funds.” (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)
- 3.3.10. Response Comment noted. Comment is on the Draft Comprehensive Plan.
- 3.3.11. Comment “On page 121, goal seven. Riverhead seeks to actively market, develop and redevelop sites aligned with the Town's vision for growth and prosperity. The Town attracts developers, but needs improved zoning and land use evaluation and regulatory capabilities to align future development with goals. Marketing in Town is neither necessary, nor an appropriate use of funds at this time.” (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)
- 3.3.11. Response Comment noted. Comment is on the Draft Comprehensive Plan.

### **3.4. Historic and Scenic Resources**

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There were no comments received on the Historic and Scenic Resources Chapter of the DGEIS.

### 3.5. Transportation and Mobility

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3.5.1. Comment      “Pg 156 – Existing Roadway Capacity – [DGEIS pg. 3.4-5] The determination that roadways have ample capacity pertains to planning-level analyses focused on determining whether there is adequate lane capacity to meet average annual traffic demand. These analyses do not account for daily peak hours or seasonal variations in demand.

The planners should come up with more specific recommendations and analysis of, for example, the potential impact of roundabouts at key intersections on Sound Avenue. To the person whose house burns down because the firemen can't get to the firehouse or to your house less than a mile away because of seasonal traffic, the determination that are roadways are ample will not be acceptable. If the police or ambulance can't answer calls from May thru November, the ample roadways will not be acceptable. If you can't get to work or appointments because of traffic, claiming that the capacity of roadways is ample will not be recognized. The DGEIS should have a better answer for our traffic problems.” (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.5.1. Response      See Section 3.4 Transportation and Mobility of the DGEIS. This section explores, existing conditions, the no action and future with action scenarios, potential impacts, and mitigation measures.

Section 3.4.1.2, Existing Roadway Capacity and Level of Service, on pg. 3-4.5 – 3-4-6, describes the traffic data that was analyzed to determine current roadway capacity and level of service as part of the Comprehensive Planning process. The text acknowledges that while the results of the analysis point to adequate capacity, there are exceptions. The text noted by the commenter, in its context reads:

“The determination that roadways have ample capacity pertains to planning-level analyses focused on determining whether there is adequate lane capacity to meet average annual traffic demand. These analyses do not account for daily peak hours or seasonal variations in demand. Consequently, positive results from the analyses do not rule out the potential need for local improvements in intersection capacity, traffic control. adjustments, or safety enhancements. However, they do provide assurance that extensive roadway widenings are not considered likely.

“Exceptions to this generalization exist, such as the section of NY25 between Wading River Road and Manor Lane, which would come under considerable demand pressure as the EPCAL property is built out. There is also recurring peak hour congestion at major intersection locations on CR58 from I-495 to the Roanoke Avenue traffic circle, which is due to the level of development in the surrounding area, the number of access points, traffic signal timing, and its role as one of three routes to the North Fork, including the Cross Sound Ferry terminal.”

Beginning on pg. 3-4.14, the DGEIS evaluates the incremental change of the recommended rezoning areas and notes whether the incremental change in traffic demand from the no action and with action scenario is expected to require additional roadway capacity. In some cases, the future with action scenario results in fewer daily trips than the future with no action scenario; in other cases, it results in a slight increase in trips that would likely not entail capacity improvements that would be different than those needed in the future with no action scenario.

Site specific studies, such as " the potential impact of roundabouts at key intersections on Sound Avenue," does not fall into the scope of the Comprehensive Plan or the DGEIS since no specific projects or plans are known at this time.

Site specific developments or projects would require SEQR compliance. See Section 6.0 Subsequent SEQR Actions, pg. 6-1 of the DGEIS,

"The SEQR regulations, part 617.10(c), state that "Generic EISs and their findings should set forth specific conditions or criteria under which future actions would be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site-specific impacts, that were not adequately addressed or analyzed in the Generic EIS." Following the adoption of the Proposed Action, all actions or projects coming before the Town of Riverhead Town Board, Planning Board, and Zoning Board of Appeals of the Town of Riverhead for new development projects located within the Town would be required to follow the SEQR process."

Pg. 6-1 of the DGEIS also states: "Based on the generic/area-wide analysis conducted in the DGEIS, the following site-specific studies may be required; many of these studies would also be required as part of site-specific review of future projects under existing zoning:[...]"

**"Police Protection:** The Police Department would have the opportunity to provide input on site-specific plans, thereby requiring any site-specific mitigation measures necessary."

**"Fire Protection:** The Fire Marshal's Office would have the opportunity to review future proposed site plans to ensure that firefighting needs, including provisions for emergency access, hydrant locations, sprinkler systems, fire alarms, and smoke and carbon monoxide detection, are properly addressed. [...]"

**"Traffic:** Future projects located in the Town may result in localized impacts at certain intersections. In addition, traffic and pedestrian safety issues may arise from the location of new vehicle ingress and egress points at new developments. These impacts and other traffic-related impacts may need to be assessed in a traffic impact study as part of future project approvals. A site-specific Environmental Assessment Form (EAF) shall be required of any development at these sites to assess specific localized traffic impacts."

3.5.2. Comment

"On page 156 [DGEIS pg. 3.4-5], existing roadway capacity. The determination that roadways are at ample capacity pertains to planning level analysis focused on determining whether there is adequate lane capacity to meet average and annual traffic demand. These analysis do not account for daily peak hours or seasonal variations in demand.

And one, just as a point out here. You know, it's this was something somebody had brought up. You know, to the person whose house burns down because the fireman can't get to the firehouse or to your house less than a mile away because of seasonal traffic, the determination that our roadways are ample and will not be and will not be acceptable. If the police or ambulance can't answer calls from May through November, the ample roadways will not be acceptable. If you can't get to work or appointments because of traffic, the capacity being ample roadways will not be recognized. The DGIS should have a better answer for our traffic problems, an analysis that includes not just annual counts, but also our seasonal counts if we're looking to bring in more tourism. So thank you very much." (Laura Jens Smith, Greater Jamesport Civic Association, Public Hearing, 05/29/2024)

- 3.5.2. Response See 3.5.1. Response to written comment.
- 3.5.3. Comment “The DGEIS fails to consider the negative impact of traffic on the community in terms of both quality of life and property values. The notion that these actions and the resulting traffic have no anticipated adverse environmental impact is wrong. In closing, we do NOT support the assessment of the DGEIS.” (Elaine and Mark McDuffee, Jamesport Residents, Written Letter, 06/10/2024)
- 3.5.3. Response Comment noted.
- See section 3.4 Transportation and Mobility of the DGEIS. This section explores, existing conditions, the no action and future with action scenarios, potential impacts, and mitigation measures. The DGEIS presents several goals and recommendations of the Draft Comprehensive Plan that would have a positive impact on the quality of life and/or property values. The purpose of the DGEIS is to identify significantly adverse environmental impacts and explore mitigation measures.
- 3.5.4. Comment “I think there will result massive traffic problems in Calverton. Yes, the plan recommends ways to minimize visual impacts of industrial buildings, but with the use of TDR's, it allows construction that can house logistic centers and cube warehouses that will clog our roads with truck traffic. I view that as a pretty adverse impact.” (Kathy McGraw, Northville Resident, Public Hearing, 05/29/2024)
- 3.5.4. Response The DGEIS analysis finds that the Proposed Action would result in less traffic than under existing zoning conditions in the New Calverton Industrial District (Currently zoned Industrial A and Industrial C). Pg. 3.4-16 of the DGEIS reads,
- “As part of the zoning changes recommended by the comprehensive plan the properties currently zoned IND A and IND C in Calverton would be added to a new zoning district, the New Calverton Industrial District (CI). This zoning district would reduce the amount of allowable FAR from 0.40 to 0.25. In addition, developments could achieve a FAR of 0.30 with the use of TDR credits. Trip generation estimates were performed for both scenarios. As this change represents a reduction in potential development density, this change would result in a reduction in potential trip generation when compared to the existing condition. This zoning district is largely served by NY25, which has been noted as requiring improvements resulting from development at EPCAL. Table 3.4-6 below illustrates the expected reduction in weekday trips compared to the existing conditions.
- “As shown in Table 3.4-7, the average peak parking demand under the proposed zoning is expected to generate fewer vehicles when compared to the existing zoning.
- “Insofar as the Future with Action Scenario would result in fewer vehicle trips than the Future without Action scenario, the Future with Action scenario has a beneficial impact when compared to the Future without Action scenario, and no mitigation is required. It is noted that the full development of the EPCAL property, regardless of which scenario is considered, would continue to require capacity improvements to accommodate future traffic.”

## 3.6. Community Facilities, Open Space, Parks, and Recreation

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- 3.6.1. Comment “The Riverhead Central School District 's primary concern with the DGEIS document is its

internal inconsistency in relation to its projection of the Comprehensive Plan's impact on student enrollment in the District.

For example, Goal 3 (3.5 - 18) discusses anticipated population growth and associated increased student enrollment based on projected new residential developments. However, elsewhere in the DGEIS, there are opposing statements that are projecting minimal population growth and minimal impact on student enrollment.

**Projecting increasing population growth and student enrollment:**

**Goal 3. Support expansion of school district facilities to accommodate growing demand.**

The recommendations in Goal 3 focus on addressing the increasing enrollment and facility needs within the Riverhead Central School District (CSD). Despite consistent growth in enrollment over the past two decades (although enrollment in the Riverhead CSD declined by 349 students between 2019 and 2022), critical aspects such as classroom space have not been expanded to meet rising demands, partly due to the closure of Mercy High School in 2018 and migration patterns. With anticipated population growth and new developments, proactive identification of new facilities is essential to accommodate the evolving needs of the community and provide an optimal learning environment for students. It is recognized that the school districts are separate entities to the Town of Riverhead, with their own capital budget processes. However, the Town call work with the school districts on joint planning efforts and can coordinate infrastructure investments and other land she plans to optimize resources and ensure that educational needs are met in a financially responsible manner. Implementing these recommendations would have positive impacts by ensuring that the school district can effectively respond to increased enrollment and provide equitable access to quality education for all students.

**Projecting minimal population and student enrollment increases:**

**In the Demographics section, the DGEIS states:**

The Draft 2024 Comprehensive Plan does not contain specific policies on demographics but discusses potential population changes due to recommended zoning alterations. The Future with Action scenario (Proposed Action) as presented in the Build-out, has the potential to result in an Increase of approximately 267 units of assisted living, 30 units of multifamily housing, 67 townhomes, and a reduction of approximately 87 single-family homes as compared to the Future without Action scenario. This would result in an incremental increase of approximately 278 additional residents in the Town by 2035, if all developments utilize TDR. If TDR is not used, the anticipated population increase is projected to be an incremental increase of only 116 residents. The NYMTC 2035 population projection for Riverhead is 40,009. The increase of 278 new residents by 2035 equates to a 0.69% increase in the Town's population, while an increase of 116 residents is only a 0.39% increase. This minor increase would not result in a significant adverse impact to the Town's demographics.

**In 1-13 of the DGEIS document, it states:**

While it is possible that these proposed changes could have a slight increase in enrollment if no TDR credits were used, the build-out would occur in a phased manner over ten years and be spread across the seven Riverhead CSD schools and would not



create a one-time or abrupt increase in the number of school aged children. This slow pace of increase allows the Riverhead CSD time to absorb the minimal number of additional school aged children that could be generated. Importantly, it is anticipated that the new development would also contribute between \$224,559 to \$697,548 in tax revenues to the Riverhead CSD. Considering the relatively small number of school children generated, the phased nature in which they would be expected to join the school system and the increased revenues accrued to the Riverhead CSD, no significant adverse impacts to schools are anticipated.

**In section 3.5 – 21 of the DGEIS document relating to the Riverhead Central School District, it states:**

**Residential Areas – Assisted Living, CRC, PRC, and RRA-OD**

The recommended rezoning area changes for the above identified zoning districts would result in an incremental reduction of 24 school children entering the Riverhead CSD as compared to the development under existing zoning (Without Action Scenario) if all future development were to utilize TDR to achieve increased density. See Table 3.5-4 below. Without the use of TDR, which is unlikely given the lower densities permitted without the use of TDR, development in the recommended rezoning areas has the potential to result in an incremental increase of an additional 25 school children entering the Riverhead CSD over the next ten years. These projections include all school age children, and although most are expected to attend Riverhead CSD, some may attend private school, and therefore this represents a conservative projection.

It is apparent from the above opposing statements, and from numerous additional contradictory statements and projections that can be found in the DGEIS document, that there is no clear understanding regarding what impact the Comprehensive Plan will eventually have on either population growth in the township or on the Plan's impact on potential student enrollment increases in the Riverhead Central School District.

Adding to this confusion and uncertainty regarding future student enrollment projections being posited by the DGEIS is the questionable accuracy of the multiplier formula (.09) being used when projecting future student enrollment from particular developments.

For example, as the chart below clearly illustrates, the number of students being generated by these recent developments in the Riverhead Central School District's catchment region has significantly exceeded the projections of the developers and the town. In each case, the enrollment that was projected for these developments using the .09 multiplier formula underestimated eventual student enrollment. We strongly suggest, based on this empirical and irrefutable data, that the multiplier formula used for projecting potential student enrollment from future residential developments in the Riverhead Central School District service area be reconsidered, with appropriate changes made based on this data.

STREET NAME	STREET NUMBER	STUDENTS GENERATED AS OF JANUARY 20, 2023	STUDENTS GENERATED AS OF FEBRUARY 8, 2024	PROJECTED STUDENTS	ADDITIONAL STUDENTS OVER PROJECTIONS
Woolworth Apartments	128	4	5	2	3



Riverview Lofts	221	6	9	14	-5
Shipyard Apartments	331	3	3	4	-1
Summer Wind	40	3	7	5	2
Peconic Crossing	11	18	25	4	21
TOTALS			49	29	20

**Opposition to the proposed DC1500 CAP increase:** The Comprehensive Plan provides the multiplier data for projected student enrollment (which we believe underestimates potential student enrollment increases - see above) for proposed new housing developments. Student enrollment increases from housing already proposed (see 3.2-9) is not included. The use of TDR increases housing density primarily at the elementary school near the downtown area. This elementary school is already at capacity. We oppose removing the 500 Cap on DC-1 density. Further data needs to be collected on actual student enrollment from multi-family dwellings versus the projected student enrollment provided by developers. As noted and clearly illustrated above, the District is experiencing more students, and as in the case of the Peconic Crossing development, significantly more students, than projected by the developers and the town.

**ADUs:** With regard to the proposed changes to the ADU regulations, the district's concern continues to be the increase in student population and safety. The multipliers used to predict the number of students generated from the ever-increasing number of apartments have consistently underestimated student population growth. There is no clear data indicating how many students are housed in ADU's or accurate predictors as to how the expansion of this type of housing, would impact the school district. Increasing accessory apartments in addition to the plethora of apartment complexes has the potential to overpopulate the schools.

It is, well-known that, for decades, the TOR Code Enforcement Department has been understaffed and has lacked the resources to address overcrowded and illegal housing which has contributed to student population growth and unsafe living conditions for individuals and families. Secondly, while the town has made some strides, it has not demonstrated the capacity to ensure the compliance and safety of the ADU's that currently exist. Lastly, while the goal of the proposed ADU expansion might be well intended to help young families and seniors, with their housing needs, the reality is that LLC's have been building and purchasing homes in our community to generate rental income. Loosening of ADU regulations might have the unintended consequence of overcrowded housing as the goal of LLC-owned properties is profit." (Riverhead Central School District, Written Letter, 06/10/2024)

3.6.1. Response

The statements quoted in the comment from the DGEIS are not contradictory. As quoted, the DGEIS estimates an incremental increase from the no action scenario, of 278 additional residents in the future with action with TDR scenario and estimates 116 additional residents in the future with action without TDR scenario. The DGEIS estimates an incremental reduction of 24 school children in the future with action with TDR scenario and an incremental increase of 25 school children in the future with action without TDR scenario, as compared to

the future no action scenario. The difference in the estimates of school children is due to the fact that most of the residential units in the future with action with TDR scenario would be assisted living or multi-family housing which generate fewer school children than townhomes or single-family homes. The future with action without TDR scenario generates more townhomes or single-family homes, resulting in more school children. It is also important to note that while there is an anticipated increase in school children, this would occur incrementally over time as development occurs, allowing the school district to gradually absorb new students.

Regulatory changes to the Accessory Apartment code were not evaluated in detail in the DGEIS. However, because ADUs are limited to one bedroom and require owner occupancy in Riverhead, and because they are not very common, it is unlikely that additional ADUs would have an adverse environmental impact in terms of school children generation. At such time that changes to the ADU regulations are proposed, additional analysis of school children and other environmental impacts would be required as part of SEQR review and project approvals by the Town Board.

See 3.3.3. Response on population projections.

See 3.1.10. Response on Accessory Dwelling Units (ADUs).

See 3.1.49. Response on the DC-1 500 unit cap.

### 3.7. Natural Features, Environmental Resources, and Agricultural Lands

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3.7.1. Comment "On page 243, section 3.6 – 39: "Other Proposed Zoning Changes on Agricultural Lands," the DGEIS states that recommended zoning actions to allow for vertical farming, renewable energy, farm operations, agritourism and conditional use permits will help to "preserve rural character" and "are not anticipated to result in significant adverse impact on agricultural resources." Not impacting agricultural resources is not the same as not having an environmental impact." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

3.7.1. Response See 3.1.73. Response on renewable energy  
See 3.1.90. Response on vertical farming.  
See 3.1.22. Response on agritourism.  
See 3.1.57. Response and 3.1.58. Response on farm operations.

3.7.2. Comment "So this section, again, talks about the other uses for farmland, renewable energy, farm operations, agritourism, and then it also mentions conditional use permits. Introducing conditional use permits offers flexibility to accommodate evolving agricultural demands and technologies while mitigating potential impacts. That's a bit of a scary one for me because I think of the special use permits that we've run into with other things in the Town and it's opened a bit of a Pandora's box.

But going back to my original statement is that I think that saying that these activities will preserve rural character, I think, is a misrepresentation of the truth. Further saying that these

activities are not anticipated to result in significant adverse impact on agricultural resources, again, is not the same as saying it will have no environmental impact. And, in fact, the significant amounts of energy and water required by vertical farming, for example, could have a significant negative impact even beyond the local community. Renewable energy on farms as accessory use should be more specifically defined. Does that mean a few solar panels to provide energy for the farming, or the farm operations as we have been learned, or does it mean several acres of wind or solar? So I think that should be more specifically defined.

And map on page 20 of the document there's a map showing that indicates, if I interpret this correctly, that most of Riverhead is categorized as a prime farmland, categorized by the State, with some of statewide importance. So we urge the Town to make every effort through the plan to preserve prime farmland and keep it in use for agricultural purposes, not as solar or vertical farming." (Joan Cere, Jamesport Resident; Executive Committee Member, Greater Jamesport Civic Association. , Public Hearing, 05/29/2024)

- 3.7.2. Response See 3.1.73. Response on renewable energy
- See 3.1.90. Response on vertical farming.
- See 3.1.22. Response on agritourism.
- See 3.1.57. Response and 3.1.58. Response on farm operations.

## **3.8. Infrastructure and Utilities**

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- 3.8.1. Comment "Page 256 – Section 3.7 – 12 – The DGEIS states that the build out proposed in the Comprehensive Plan Update would result in "no substantial expected impact on the demand for electricity or natural gas. Hence, a detailed analysis of such impact is not necessary for the scope of this document." We fail to understand how this statement can be true or accurate. The North Fork has already been subject to requests from PSEG to limit electric consumption on peak demand days in the summer. Building out new industrial, commercial, assisted living and residential development, not to mention the proposed energy-guzzling vertical farming, will surely increase demand for electric and gas. We urge the Town to require the consultants to undertake a thorough analysis of projected increases in energy demand. The Town must be prepared to align development with the utility company's ability to meet increased demand. Failing to prepare is preparing to fail." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

- 3.8.1. Response It is not within the scope of this DGEIS to undertake an analysis of projected increases in energy demand. The DGEIS is generic and town-wide and studies incremental changes between the no action and with action scenarios and discusses effects on energy use and conservation in a qualitative manner.

While it may be true that there is an increasing demand for electricity as we increase reliance on electric appliances and cars, the demand is not generated by adoption of the Comprehensive Plan. To the contrary, the Draft Comprehensive Plan makes several recommendations to respond to the use and conservation of energy. The DGEIS section 4.4, Effects on the Use and Conservation of Energy, outlines several of these recommended goals and policies, such as renewable energy, compact development (smart growth), alternative

transportation, and green building codes. Overall, the DGEIS finds a positive impact in terms of energy use and conservation. The result of the no action buildout scenario results in population growth and suburban sprawl primarily in single-family homes, requiring more car trips while the with action buildout scenario results in a slightly increased population growth (up to 0.69%, or 278 people) in more compact developments that are generally co-located with other services, reducing car trips, and using energy more efficiently in greener multi-family residential buildings.

See 3.1.89. Response on vertical farming and energy use.

3.8.2. Comment "In the utilities chapter of the document, the DGEIS evades the issue of increased energy electric demand by saying that the electric or energy resources are out of the Town's control. I think that failure to prepare for the eventuality that utilities may not be able to supply sufficient energy to support additional development in the Town is preparing to fail. And we see this in the summer with occasional brownouts, sometimes rolling blackouts. The comp plan and the DGEIS should include what the potential increase in energy demand could be and, at the appropriate time, the Town can consult with the energy providers for how to meet the demand. But to avoid the issue saying you don't generate the electricity, so it's not a concern, I think, is misplaced. It is a concern because you need to know if you can provide enough energy for the Town and its residents if you're going build it out." (Joan Cere, Jamesport Resident; Executive Committee Member, Greater Jamesport Civic Association., Public Hearing, 05/29/2024)

3.8.2. Response See 3.8.1. Response.

## 3.9. Other Environmental Impacts

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### Environmental Impacts

3.9.1. Comment "Based on available data, we do not agree that there are no anticipated environmental impacts." (Rev. Laurie Cline and Mr. Edward Cline , Jamesport Residents, Written Letter, 06/04/2024)

3.9.1. Response Comment Noted. For environmental impacts, see DGEIS pg. 1-8 - 1-17, Section 1.6, Potential Adverse Impacts of the Proposed Action, and see DGEIS pg. 4-1 - 4-7, Section 4, Other Environmental Impacts.

3.9.2. Comment "{...} on page 272, section 4, page 1, it says, therefore - the document says overall: Therefore, there are no anticipated adverse environmental impacts if the proposed Comprehensive Plan is implemented as drafted. And I think we've heard tonight points out that, yes, there are potential and significant adverse environmental impacts from what's proposed in the plan and these need to be addressed." (Joan Cere, Jamesport Resident; Executive Committee Member, Greater Jamesport Civic Association., Public Hearing, 05/29/2024)

3.9.2. Response See 3.9.1. Response.

3.9.3. Comment "Page 272, section 4-1: We disagree with the first sentence of this section, which reads, as follows: "Therefore, there are no anticipated adverse environmental impacts if the proposed Comprehensive Plan is implemented as drafted." As stated previously, recommendations for increased density in the PRC could directly threaten the natural habitats and waters of the Peconic River Estuary while also presenting challenges to flood water mitigation efforts in an

area identified as flood prone. Vertical farming on prime soil wastes a valuable natural resource, consumes significant energy and water resources and, along with solar or wind installations on prime farmland, destroys the area's rural character and would become a blight on the landscape. Expanding agritourism will increase traffic and turn more prime farmland into parking areas. Essentially, this DGEIS fails to acknowledge that there would be any environmental impacts from any of the proposed actions, and that is absurd." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)

- 3.9.3. Response See 3.9.1. Response on environmental impacts.
- See 3.1.42. Response on PRC recommendations.
- See 3.1.90. Response and on vertical farming and energy use and consumption.
- See 3.1.73. Response on renewable energy and solar.
- See 3.1.22. Response on Agritourism.

### Cumulative Impacts

- 3.9.4. Comment "Section 1.4. Potential Build-Out Scenario (p. 1-6) The DGEIS states, "The "Build Out Analysis" presents a reasonable worst-case estimate of the potential mix of residential units and commercial/industrial gross floor area expected to be developed in the Future with the Proposed Action (adoption of Comprehensive Plan Update) within the next 10 years."

The analysis utilizing this methodology is seriously flawed in the case of industrial development within the hamlet of Calverton, wherein the DGEIS failed to analyze what's actually been proposed to date and which already exceeds what can be built within the next 10 years, per the estimates included. In other words, the DGEIS estimates, and analysis are not grounded, over one million square feet have already been approved/proposed.

The SEQRA Handbook makes it clear that the "generic EIS should describe any potential that proposed actions may have for triggering further development. (p. 143). Further stating, "If such a triggering potential is identified, the anticipated pattern and sequence of actions resulting from the initial proposal should be assessed. The generic EIS should identify upper limits of acceptable growth inducement in order to provide guidance to the decision maker" (p. 143).

#### Recommendations

The FGEIS should include an analysis of the impacts of what is currently proposed in the way of industrial warehouse uses in the hamlet of Calverton." (Jenn Hartnagel Director of Conservation Advocacy, Group for the East End, Written Letter, 06/10/2024)

- 3.9.4. Response As stated on Pg. 2-16 of the DGEIS, "The build-out focuses on specific zoning changes proposed in Comprehensive Plan Chapter 13: Future Land Use Plan. It is important to note that this build-out analysis focuses on impacts from specific zoning changes that could be implemented after the completion of the Comprehensive Plan – without further study (see section above)."

Industrial development that has already occurred or has been approved before the adoption of zoning changes recommended in the Draft Comprehensive Plan would occur in both the

future No Action and future With Action scenario. In fact, the Proposed Action, as presented in this DGEIS, reduces the net industrial development compared with the No Action scenario. All potential projects would undergo individual site-specific review by the Town, including review under SEQRA.

Section 4.3 *Growth-Inducing, Cumulative, and Secondary Impacts* on pg. 4-2 of the DGEIS discusses the potential for the Proposed Action to trigger additional growth and cumulative impacts of reasonably related projects that may impact the same environmental resources as the Comprehensive Plan and recommended rezonings. This analysis finds that:

"Comprehensive Plan and recommended rezonings are growth-inducing actions however, these actions have been closely tailored in the existing context of the Town's strong residential character and are designed to induce growth in a targeted manner. Current zoning also allows for additional growth, but in a less targeted and controlled manner. Importantly, the recommendations are designed to protect Riverhead's established low density residential neighborhoods and agricultural lands through the expansion of the TDR program and the proposed adjustments to the TDR formula. These changes prioritize the preservation of the Town's sensitive lands and targets growth to more appropriate areas. Further, the zoning recommendations also decrease FAR in several of the Town's industrial areas, resulting in potential decreases in industrial square footage as compared to existing zoning."

An "analysis of the impacts of what is currently proposed in the way of industrial warehouse uses in the hamlet of Calverton" was not part of the scope for the DGEIS.

- 3.9.5. Comment "The GEIS fails to qualify qualitatively assess the potential of cumulative growth inducing impacts from implementation of the plan. I think I said that." (Barbara Blass, Jamesport Resident, Public Hearing, 05/29/2024)
- 3.9.5. Response See 3.9.4. Response
- 3.9.6. Comment "Further, in section 4.4 the DGEIS states that "the eventual construction associated with the proposed zoning recommendations is expected to generate an increase in energy use, due to the increased number of households in the area." The document goes on to say that this increase will be "balanced by an increase in conservation activities associated with the use of TDR." This does not make sense. TDR will simply relocate development, not eliminate it. Advances in technology have made it so that residents, businesses and industry are using more electrically-powered/charged devices than ever before. The GEIS needs to include an analysis of projected energy demand, not make unsubstantiated statements." (Laura Jens-Smith, President; Steve Green, Vice President; Catherine Welsh, Corresponding Secretary; Joan Cear, Recording Secretary; Patricia Carey, Treasurer, Greater Jamesport Civic Association, Written Letter, 06/03/2024)
- 3.9.6. Response See 3.8.1. Response.

### **3.10. Analysis of Alternatives**

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There were no comments received on the Alternatives Chapter of the DGEIS,

### **3.11. Subsequent SEQRA Actions**

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There were no comments received on the Subsequent SEQRA Actions Chapter of the DGEIS.





Town of

# RIVERHEAD

Comprehensive Plan Update

Final Generic Environmental  
Impact Statement

## Appendices





# **FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FGEIS)**

## **TOWN OF RIVERHEAD 2024 COMPREHENSIVE PLAN UPDATE**

**Town of Riverhead  
Suffolk County, New York**

### **Appendices**

- Appendix 1. SEQRA Positive Declaration for the Proposed Action and Notice of Scoping, Town Board Resolution, November 9, 2023
- Appendix 2. Adoption of Final Scope of DGEIS, Town Board Resolution, January 19, 2024
- Appendix 3. Acceptance of the DGEIS, Town Board Resolution, April 25, 2024
- Appendix 4. Public Hearing Transcript, May 29, 2024
- Appendix 5. Public Comment Letters on the DGEIS, April 26-June 10, 2024
- Appendix 6. Public Comment Letters on the Draft Comprehensive Plan (4/18/2024), April 26-June 10, 2024



**Appendix 1. SEQRA Positive Declaration for the  
Proposed Action and Notice of Scoping, Town Board  
Resolution, November 9, 2023**

11.09.2023

ADOPTED

## TOWN OF RIVERHEAD

## TB Resolution 2023-833

**ASSUMES LEAD AGENCY, ISSUES POSITIVE DECLARATION, ACCEPTS DRAFT SCOPE & SETS 30-DAY WRITTEN COMMENT PERIOD FOR PUBLIC COMMENTS ON THE DRAFT SCOPE FOR THE TOWN OF RIVERHEAD COMPREHENSIVE PLAN UPDATE**

Councilman Kern offered the following resolution,  
which was seconded by Councilman Hubbard

**WHEREAS**, the Town Board of the Town of Riverhead is in the process of updating its Comprehensive Plan and conducted related Zoning Text and Map Amendments; and

**WHEREAS**, the purpose of the Comprehensive Plan update is to provide a framework to guide land use and policy decisions in the Town. The vision for the Town of Riverhead is a sustainable community that balances economic growth, environmental stewardship, and quality of life for all residents. The Plan envisions a thriving downtown, support for the farming and agricultural sector, expanded tourism and economic development, a high quality of life, housing opportunities attainable for a range of income levels and ages, provision of quality essential services, and smart growth, and the preservation of the rural character. The plan's chapters include Introduction, Vision, and Goals; Demographic, Housing, and Economic Conditions; Land Use and Zoning; Economic Development; Transportation and Mobility; Community Facilities, Open Space, Parks, and Recreation; Natural Features, Environmental Resources, and Agricultural Lands; Infrastructure and Utilities; Scenic and Historic Resources; Sustainability and Resilience; Future Land Use Plan and Summary of Recommendations; and

**WHEREAS**, pursuant to 6 NYCRR Part 617.4 (1)., "The adoption of a municipality's land use plan," is considered to be a Type 1 action pursuant to SEQRA; and

**WHEREAS**, BJJ Planning, on behalf of the Town Board, has prepared Part 1, Part 2, Part 3 of the Full Environmental Assessment form (FEAF) dated September 19, 2023; and

**WHEREAS**, in anticipation of the Town Board's adoption of a Positive Declaration, BJJ Planning has prepared a Draft Scope for the preparation of a Generic Environmental Impact Statement (GEIS) for the proposed action; and

**WHEREAS**, the Town Board has not identified any other involved agencies for the proposed action, as such SEQRA regulations state that in cases in which there is only one involved agency, in this case the Riverhead Town Board, coordinated review is not required and said agency must assume the responsibilities of Lead Agency.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby assumes Lead Agency Status for the purposes of SEQRA review; and be it further

**RESOLVED**, that the Town Board, as Lead Agency declares that the proposed action may have a significant effect on the environment for the reasons outlined in Part 3 of the FEAF dated September 19, 2023; and be it further

**RESOLVED**, the Town Board, as Lead Agency, hereby issues a Positive Declaration, pursuant to 6 NYCRR Part 617, the implementing regulations pertaining to Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act), requiring the formal process, public input, and due deliberation attendant to the preparation of a Draft Generic Environmental Impact Statement pursuant to the State Environmental Quality Review Act; and be it further

**RESOLVED**, the requisite SEQRA Notice of Determination/Positive Declaration is to be filed with the New York State Department of Environmental Conservation Environmental News Bulletin (ENB) and all relevant information is to be filed with the Town Clerk; and

**BE IT FURHTER RESOLVED**, the Town Board, by date of this resolution, hereby accepts the Draft Scope submitted by BJF Planning with the Draft Scope annexed hereto; and be it further

**RESOLVED**, the Town Board authorizes the Town Clerk to send the attached *SEQRA POSITIVE DECLARARTION DETERMINATION OF SIGNIFICANCE AND NOTICE OF SCOPING*, to the Riverhead News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the Town's website and further directs BFJ Planning on Behalf of the Town Board to send said notice to the New York State Department of Environmental Conservation's Environmental News Bulletin (ENB); and be it further;

**RESOLVED**, the Draft Scope shall be made available for public consumption on the Town's Website, [townofriverheadny.gov](http://townofriverheadny.gov) ; and be it further

**RESOLVED**, in accordance with and pursuant to 6NYCRR Part 617, the Town Board hereby sets a thirty (30) day written comment period on the Draft Scope commencing on the date of this resolution and ending on December 9, 2023, with all written comments submitted either in person or via mail to Diane Wilhelm, Town Clerk, Town of Riverhead, 4 West 2<sup>nd</sup> Street, Riverhead NY 11901, or via email to [townclerk@townofriverheadny.gov](mailto:townclerk@townofriverheadny.gov) ; and be it further

**RESOLVED**, that the Town Clerk is hereby Authorized to forward a certified copy of this resolution to The Planning Department, The Town Attorney's Office & BFJ Planning at Noah Levine [N.Levine@bfjplanning.com](mailto:N.Levine@bfjplanning.com), Sarah Yackel [S.Yackel@bfjplanning.com](mailto:S.Yackel@bfjplanning.com) Emily Junker [e.junker@bfjplanning.com](mailto:e.junker@bfjplanning.com), Frank Fish [f.fish@bfjplanning.com](mailto:f.fish@bfjplanning.com); and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

### THE VOTE

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert Kern, Councilman
<b>SECONDER:</b>	Tim Hubbard, Councilman
<b>AYES:</b>	Aguiar, Hubbard, Beyrodt Jr., Rothwell, Kern

State of New York  
 County of Suffolk } ss:  
 Town of Riverhead

This is to certify that I, the undersigned, Town Clerk of the Town of Riverhead, County of Suffolk, State of New York, have compared the forgoing copy of a Resolution with the original now on file in this office and which was duly adopted on November 9, 2023 and that the same is a true and correct transcript of said Resolution and the of the whole thereof.



IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Town of Riverhead, on November 13, 2023

*Diane M. Wilhelm*, Town Clerk





**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Project :

Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

	<input type="checkbox"/> NO	<input type="checkbox"/> YES
<p><b>1. Impact on Land</b>                      Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)  <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i></p>		
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>
		<b>Moderate to large impact may occur</b>
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>

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**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: \_\_\_\_\_  
 \_\_\_\_\_

**4. Impact on groundwater**

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

NO

YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

*If "Yes", answer questions a - h. If "No", move on to Section 5.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**

The proposed action may result in development on lands subject to flooding.

NO

YES

(See Part 1. E.2)

*If "Yes", answer questions a - g. If "No", move on to Section 6.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: \_\_\_\_\_  
 \_\_\_\_\_

**6. Impacts on Air**

The proposed action may include a state regulated air emission source.  
 (See Part 1. D.2.f., D.2.h, D.2.g)  
 If “Yes”, answer questions a - f. If “No”, move on to Section 7.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in “a” through “c”, above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**7. Impact on Plants and Animals**

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)  
 If “Yes”, answer questions a - j. If “No”, move on to Section 8.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**8. Impact on Agricultural Resources**

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)  
If "Yes", answer questions a - h. If "No", move on to Section 9.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**9. Impact on Aesthetic Resources**

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

NO

YES

*If "Yes", answer questions a - g. If "No", go to Section 10.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**10. Impact on Historic and Archeological Resources**

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

NO

YES

*If "Yes", answer questions a - e. If "No", go to Section 11.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

**11. Impact on Open Space and Recreation**

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

NO

YES

(See Part 1. C.2.c, E.1.c., E.2.q.)

*If "Yes", answer questions a - e. If "No", go to Section 12.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**12. Impact on Critical Environmental Areas**

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

NO

YES

*If "Yes", answer questions a - c. If "No", go to Section 13.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>



**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.  NO  YES

(See Part 1. D.2.j)

*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.  NO  YES

(See Part 1. D.2.k)

*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES

(See Part 1. D.2.m., n., and o.)

*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

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d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**16. Impact on Human Health**

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)  NO  YES  
*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

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**17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans.  
 (See Part 1. C.1, C.2. and C.3.)  
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**

The proposed project is inconsistent with the existing community character.  
 (See Part 1. C.2, C.3, D.2, E.3)  
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:             Type 1                       Unlisted

Identify portions of EAF completed for this Project:    Part 1             Part 2             Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

*Sarah K. Yachal*

Date:

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Attachment: Riverhead EAF Part 3\_9\_19\_23 (2023-833 : Lead Agency, Issues Pos Dec, Accepts Draft Scope, Sets Written Comment on Draft

**TOWN OF RIVERHEAD  
TOWN BOARD**



**SEQRA POSITIVE DECLARATION**  
*DETERMINATION OF SIGNIFICANCE AND  
NOTICE OF SCOPING*

**DATE:** November 9, 2023

**LEAD AGENCY:** RIVERHEAD TOWN BOARD

**ADDRESS:** TOWN OF RIVERHEAD  
4 WEST 2<sup>ND</sup> STREET  
RIVERHEAD, NY 11901

THIS NOTICE IS ISSUED PURSUANT TO 6 NYCRR PART 617, THE IMPLEMENTING REGULATIONS PERTAINING TO ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW (STATE ENVIRONMENTAL QUALITY REVIEW ACT).

THE TOWN OF RIVERHEAD TOWN BOARD, AS LEAD AGENCY, HAS DETERMINED THAT THE PROPOSED ACTION DESCRIBED BELOW MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND THAT PREPARATION OF A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT WILL BE REQUIRED.

SCOPING OF THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT WILL BE CONDUCTED. A COPY OF THE DRAFT SCOPE IS AVAILABLE ON-LINE AT [WWW.TOWNOFRIVERHEADNY.GOV](http://WWW.TOWNOFRIVERHEADNY.GOV). WRITTEN COMMENTS ON THE DRAFT SCOPE ARE REQUESTED AND WILL BE ACCEPTED BY THE LEAD AGENCY UNTIL NOVEMBER XX, 2023. COMMENTS CAN BE SUBMITTED TO [TOWNCLERK@TOWNOFRIVERHEADNY.GOV](mailto:TOWNCLERK@TOWNOFRIVERHEADNY.GOV).

**PROJECT:** Town of Riverhead 2024 Comprehensive Plan and related Zoning Text and Map Amendments

**AGENCY:** Riverhead Town Board  
**ADDRESS:** 4 West 2<sup>nd</sup> Street  
Riverhead, NY 11901

**SEORA POSITIVE DECLARATION AND NOTICE OF SCOPING - PAGE 2****PROJECT:** Town of Riverhead 2024 Comprehensive Plan Update and Related Zoning Text and Map Amendments**SUFFOLK COUNTY TAX MAPP ARCEL #:** N/ A**LOCATION:** Throughout the Town of Riverhead, Suffolk County, New York.**DESCRIPTION OF PROPOSED ACTION:** Town Board's own motion to adopt the Town of Riverhead 2023 Comprehensive Plan Update and related Zoning Text and Map Amendments.**SEQRA CLASSIFICATION:** Type I Action**REASONS SUPPORTING THIS DETERMINATION**

the Proposed Action has the potential to result in one or more potentially significant adverse impacts in the following areas:

1. Land use and zoning changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in changes in the use, or intensity of use, of lands in the Town of Riverhead.
2. Land use changes resulting from the adoption of the Comprehensive Plan has the potential to result in changes in existing community or neighborhood character.
3. Land use and traffic pattern changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in changes in existing traffic volumes and levels of service.
4. Land use changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in the impairment of the character or quality of important aesthetic (i.e. visual) and historic resources.
5. Land use changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in an increase in the demand for community facilities and services (police, fire, emergency services, schools, open space, parks and recreation).
6. Land use changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in an increase in the demand for infrastructure capacity and utilities.
7. Land use changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in a change of use, or intensity of use, of lands including natural features, environmental resources and agricultural lands.

**SEORA POSITIVE DECLARATION AND NOTICE OF SCOPING - PAGE 3****PROJECT:** Town of Riverhead 2024 Comprehensive Plan Update and Related Zoning Text and Map Amendments

8. Practicable measures to mitigate or avoid the foregoing potential adverse environmental impacts must be identified, considered, and subjected to public review.

FOR FURTHER INFORMATION AND TO SUBMIT WRITTEN SCOPING COMMENTS CONTACT:

Diane Wilhelm  
Town Clerk  
Town of Riverhead  
4 West 2<sup>nd</sup> Street  
Riverhead, New York 11901  
(631) 727-3200 ext. 260  
[townclerk@townofriverheadny.gov](mailto:townclerk@townofriverheadny.gov)

BY ORDER OF: RIVERHEAD TOWN BOARD  
AS PER RESOLUTION DATED November 9, 2023



**Appendix 2. Adoption of Final Scope of DGEIS, Town  
Board Resolution, January 19, 2024**

01.17.2024

ADOPTED

**TOWN OF RIVERHEAD****TB Resolution 2024-106****ADOPTS FINAL SCOPE FOR THE TOWN OF RIVERHEAD COMPREHENSIVE  
PLAN UPDATE**

Councilman Rothwell offered the following resolution,  
which was seconded by Councilman Kern

**WHEREAS**, the Town Board of the Town of Riverhead is in the process of updating its Comprehensive Plan and conducted related Zoning Text and Map Amendments; and

**WHEREAS**, the purpose of the Comprehensive Plan update is to provide a framework to guide land use and policy decisions in the Town. The vision for the Town of Riverhead is a sustainable community that balances economic growth, environmental stewardship, and quality of life for all residents. The Plan envisions a thriving downtown, support for the farming and agricultural sector, expanded tourism and economic development, a high quality of life, housing opportunities attainable for a range of income levels and ages, provision of quality essential services, and smart growth, and the preservation of the rural character. The plan's chapters include Introduction, Vision, and Goals; Demographic, Housing, and Economic Conditions; Land Use and Zoning; Economic Development; Transportation and Mobility; Community Facilities, Open Space, Parks, and Recreation; Natural Features, Environmental Resources, and Agricultural Lands; Infrastructure and Utilities; Scenic and Historic Resources; Sustainability and Resilience; Future Land Use Plan and Summary of Recommendations; and

**WHEREAS**, pursuant to 6 NYCRR Part 617.4 (1), "The adoption of a municipality's land use plan," is considered to be a Type 1 action pursuant to SEQRA; and

**WHEREAS**, BJB Planning, on behalf of the Town Board, has prepared Part 1, Part 2, Part 3 of the Full Environmental Assessment form (FEAF) dated September 19, 2023; and

**WHEREAS**, by Resolution No. 2023-833, dated November 9, 2023, the Town Board of the Town of Riverhead assumed Lead Agency and issued a Positive Declaration, as the proposed action may have a significant effect on the environment for the reasons outlined in Part 3 of the FEAF dated September 19, 2023, accepted the Draft Scope status for the purposes of SEQRA review, and initiated the 30-day written comment period for public comments on the draft scope; and

**WHEREAS**, a Notice of Availability of Draft Scope was made available in the November 22, 2023 New York State Department of Environmental Conservation's Environmental News Bulletin; and

**WHEREAS**, the Town Board accepted written comments from the public on the Draft Scope until December 8, 2023; and

**WHEREAS**, all comments that have been received have been reviewed, analyzed, and assembled into a Final Scope, as deemed appropriate by the Town Board, as Lead Agency. Now, therefore be it

**RESOLVED**, that the Town Board, by date of this resolution, hereby finds the contents of the Final Scope submitted by BJF Planning, with the Final Scope annexed hereto, to be in an acceptable form to prepare a Draft Generic Environmental Impact Statement on; and be it further

**RESOLVED**, the Final Scope shall be made available for public consumption at the Riverhead Planning Department, the Riverhead Town Clerk’s Office, the Town’s Website ([www.townofriverheadny.gov](http://www.townofriverheadny.gov)) and the Town’s Comprehensive Plan Update Website ([www.townofriverheadcomprehensiveplanupdate.com](http://www.townofriverheadcomprehensiveplanupdate.com)) ; and be it further

**RESOLVED**, the Town Board directs BFJ Planning on behalf of the Town Board to notice the availability of the final scope in the New York State Department of Environmental Conservation’s Environmental News Bulletin (ENB); and be it further;

**RESOLVED**, that the Town Clerk is hereby Authorized to forward a certified copy of this resolution to The Planning Department, The Town Attorney’s Office BFJ Planning (Noah Levine [N.Levine@bfjplanning.com](mailto:N.Levine@bfjplanning.com) Sarah Yackel [S.Yackel@bfjplanning.com](mailto:S.Yackel@bfjplanning.com); Emily Junker [e.junker@bfjplanning.com](mailto:e.junker@bfjplanning.com); Frank Fish [f.fish@bfjplanning.com](mailto:f.fish@bfjplanning.com)); and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk

**THE VOTE**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kenneth Rothwell, Councilman  
**SECONDER:** Robert Kern, Councilman  
**AYES:** Hubbard, Rothwell, Kern, Merrifield, Waski

State of New York  
County of Suffolk } ss:  
Town of Riverhead

This is to certify that I, the undersigned, Town Clerk of the Town of Riverhead, County of Suffolk, State of New York, have compared the forgoing copy of a Resolution with the original now on file in this office and which was duly adopted on January 17, 2024 and that the same is a true and correct transcript of said Resolution and the of the whole thereof.





IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Town of Riverhead, on January 19, 2024

*James M. Wooten*

, Town Clerk

## FISCAL IMPACT STATEMENT OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION

A. Type of Legislation    Resolution <input checked="" type="checkbox"/> Local Law		
B. Title of Proposed Legislation: Adopts Final Scope for the Town of Riverhead Comprehensive Plan Update Adopts final Scope for the Town of Riverhead Comprehensive Plan Update		
C. Purpose of Proposed Legislation: Adopts final Scope for the Town of Riverhead Comprehensive Plan Update		
D. Will the Proposed Legislation Have a Fiscal Impact?    Yes _____ No <input checked="" type="checkbox"/>		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable:  (a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example:routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J;  <div style="text-align: center;">or</div> (b) The description/explanation of fiscal impact is set forth as follows:		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
<b>G. Proposed Source of Funding</b> Appropriation Account to be Charged:  Grant or other Revenue Source:  Appropriation Transfer (list account(s) and amount):		
<b>H. Typed Name &amp; Title of Preparer:</b> Matthew Charters	<b>I. Signature of Preparer</b>  <div style="text-align: center;">   <u>Matthew Charters</u> </div> <div style="text-align: right; margin-top: -10px;">1/17/2024</div>	<b>J. Date</b> 1/08/24
<b>K. Accounting Staff Name &amp; Title</b> William Rothaar, Accounting Department	<b>L. Signature of Accounting Staff</b>  <div style="text-align: center;">           William Rothaar       </div>	<b>M. Date</b> 1/16/24

TOWN OF RIVERHEAD  
TOWN BOARD



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**FINAL SCOPING OUTLINE OF ISSUES TO BE ADDRESSED IN A DRAFT GENERIC ENVIRONMENTAL  
IMPACT STATEMENT (DGEIS) FOR:  
ADOPTION OF TOWN OF RIVERHEAD 2024 COMPREHENSIVE PLAN UPDATE AND RELATED ZONING  
TEXT AND MAP AMENDMENTS  
December 21, 2023**

**Location:** Town of Riverhead, Suffolk County, New York (see attached location map)

**Classification of Action:** Type 1 Action

**Lead Agency:** Town of Riverhead Town Board  
Town of Riverhead  
4 West 2<sup>nd</sup> Street  
Riverhead, NY 11901

**Written Scoping Comments:** Written comments were accepted by the Lead Agency until December 8, 2023

Submit written comments to:  
[Townclerk@townofriverheadny.gov](mailto:Townclerk@townofriverheadny.gov)

**Purpose of Scoping:** see NYCRR 617.8 (a): “The primary goals of scoping are to focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or not significant. Scoping is required for all EISs (except for supplemental EISs), and may be initiated by the lead agency or the project sponsor.”

Attachment: Riverhead\_FINAL Scope\_122123\_cleancopy (002) (2024-106 : Adopts Final Scope for Comp Plan Update)

## A. INTRODUCTION

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The Town of Riverhead is proposing to adopt the 2024 Comprehensive Plan Update (“Comprehensive Plan”) and associated Zoning Text and Map Amendments (collectively, the “Proposed Action”) and has determined that a Draft Generic Environmental Impact Statement (DGEIS) will be prepared to assess the potential for significant adverse impacts associated with adoption. This Scope of Work document, has been prepared pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 NYCRR Part 617, to outline the environmental topics to be assessed and methodologies that will be utilized to prepare the DGEIS.

A Comprehensive Plan is a document that has as its purpose: “the control of land uses for the benefit of the whole community” (NY Town Law §272-a). The Town’s last Comprehensive Plan was adopted in 2003. The 2024 Comprehensive Plan is intended to provide a framework to guide land use and policy decisions in the Town. As the gateway to the East End of Long Island, Riverhead is known for its scenic beauty, historic character, agricultural activity, and diverse range of businesses, cultural activities, and outdoor recreation opportunities. The policies that comprise the Comprehensive Plan are anticipated to guide the development of the Town for the next 10-20 years. These policies and their implementation (proposed Zoning Text and Map Amendments), where applicable, will be the subject of the DGEIS.

### **Generic Environmental Impact Statement (GEIS)**

As stated in the SEQRA regulations, 6 NYCRR Section 617.10(a), a Generic EIS may be used to assess the environmental impacts of “an entire program or plan having area wide application...” As such, this Generic EIS will present a broader and more general set of analyses than a site or project-specific EIS. The Generic EIS will describe the Proposed Action and will include assessments of specific anticipated impacts if such details are available. In some cases, the analyses will be based on conceptual information due to the comprehensive and prospective nature of the Comprehensive Plan and zoning code and map amendments and its component parts. A GEIS of this nature is prepared when a proposed action represents a comprehensive program having wide application and defining a range of future projects in the affected area.

The steps in preparing the GEIS include:

- Scoping – a process to focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or not significant. Scoping requires that the that involved and interested agencies and the public have the opportunity to provide comments on the content and scope of the GEIS;
- Draft GEIS (DGEIS) – a document published by the Town Board for public and agency review and comment;
- Public review – of at least 30 days, during which any individual, group, or agency may comment on the DGEIS;

- Final GEIS (FGEIS) – a document that responds to relevant comments made during public review of the DGEIS; an
- Findings Statement – a document prepared after the Final GEIS has been filed, that considers the relevant environmental impacts presented in the GEIS, weighs and balances them with social, economic and other essential considerations, provides a rationale for the Town Board’s decision and certifies that the SEQR requirements have been met.

This Scoping Document is intended to inform involved and interested agencies and the public of the range of topics the lead agency intends to address in the DGEIS.

## **B. PURPOSE AND NEED**

As the gateway to the East End of Long Island, Riverhead is known for its scenic beauty, historic character, agricultural activity, and diverse range of businesses, cultural activities, and outdoor recreation opportunities. While the Town’s location presents many opportunities, it also has its challenges such as increased development pressures, traffic, and other environmental impacts. One of the long-term challenges for the community will be to manage growth effectively and balance the needs of residents, businesses, and the environment. The purpose of the Comprehensive Plan and related Zoning Text and Map Amendments is to provide a roadmap for future growth and development in the Town for the next 10-20 years.

## **C. VISION AND GOALS**

The Vision Statement in the 2024 Comprehensive Plan is as follows:

*“Our vision for the Town of Riverhead is a vibrant and sustainable community that balances economic growth, environmental stewardship, and quality of life for all residents. We envision a future where our downtown area is thriving with local businesses, cultural attractions, public art and recreational opportunities that cater to residents and visitors of all incomes, ages and abilities. We will continue to support farming and the agricultural sector, which provide economic opportunities and is central to the region’s economy, natural beauty, and rural charm. We will strive to improve economic opportunities for our residents, but plan for the impacts of expanding tourism and economic development to ensure that adverse impacts are minimized, and that the community remains enjoyable for both residents and visitors.*

*We are a welcoming and inclusive town and will work to enhance those attributes so that all residents can continue to thrive and enjoy a high quality of life. We will continue to work collaboratively with our community partners to provide housing opportunities that are attainable for a range of income levels, quality education, and essential services, while preserving our rural character and promoting smart growth.*

*We must also build a sustainable future which supports the long-term wellbeing of our environment and our residents. We strive to become a model for sustainable development by incorporating innovative technologies, green infrastructure, and community-driven initiatives that address our environmental, social, and economic needs.”*

In addition, each individual Plan Chapter contains its own vision and goals, as follows:

### **Chapter 3: Housing**

*“The vision for housing in Riverhead one that that supports a vibrant and diverse community where residents of all income levels can thrive and enjoy a high quality of life. As development pressures continue to increase, the Town should promote the preservation and development of housing young adults, first-time homebuyers, seasonal workers, senior citizens, and special needs populations. Any new workforce housing should be distributed throughout the Town, should be in locations accessible via transit, and should have a design and be of a quality and character that are indistinguishable from that of market-rate housing.”*

### **Chapter 4: Economic Development**

*“The Town is home to a diverse and dynamic economy, and it will continue to be a center for tourism, agriculture, business, shopping, recreation, and living on the East End. Riverhead should continue to pursue a diverse economic base by promoting office and industrial development, agriculture, retail development, and entrepreneurial and small-business activity in appropriate locations. As the Town continues to grow, we must address and carefully balance priorities such as expanding Riverhead’s economic base, promoting livable communities, preserving farmland and agricultural activity, and protecting natural, historic, and scenic resources. Development controls should be put in place to ensure any development is attractive and minimizes impacts on surrounding lands. ”*

#### **Downtown Area:**

*“Downtown Riverhead is the commercial and cultural hub of the Town. In recent years, the area has undergone a revitalization effort; several public and private projects on the horizon will help to transform the area by creating a welcoming and vibrant downtown that is connected to the waterfront and serves as a model for the region. Downtown Riverhead will be a place where people want to live, work, and play, and a source of pride for the entire community.”*

#### **Route 58:**

*“Route 58 is a major commercial corridor with a variety of regional and destination commercial establishments, largely found in shopping centers and strip style developments. While the corridor is an important economic driver for the Town, recent growth has led to concerns about traffic congestion, environmental impacts, aesthetics, and overall community character. There is a need to balance development with preservation and sustainability to ensure the area’s long-term success. This includes promoting better planning and site design standards and encouraging infill*



*development as opposed to sprawled growth on undeveloped lands. We will also promote alternative transportation options, such as walking, biking, and public transit, to reduce traffic congestion and improve safety.”*

**Industrial Areas:**

*“Industrial areas play an important role in the town's economy, providing space for businesses to grow and create jobs. The majority of industrial land is located in areas in and around the Enterprise Park at Calverton (EPCAL). The vision for these areas is to support a sustainable and vibrant economic hub that supports the needs of local businesses while preserving the town's natural resources and community character. It is critically important to balance the economic benefits of new industrial development with the potential impacts on traffic and the surrounding community. To address these concerns, The Town must carefully consider the location and scale of new industrial developments, proactively address necessary infrastructure improvements, and develop elevated planning and site design standards to ensure any new projects are compatible with the surrounding community and natural environment.”*

**Hamlet Centers:**

*“Riverhead has several smaller hamlet centers, each with its own distinct character, identity, and history. The vision for these centers is one that supports vibrant, livable communities where residents can access essential goods and services, socialize, and enjoy a high quality of life. Through careful planning and collaboration with property owners and community stakeholders, we can create hamlet centers that incorporate mixed-use buildings that are dynamic and open spaces that are walkable and welcoming. Planning should be done on a hamlet-specific basis, recognizing that each center is unique. “*

**Tourism:**

*“Riverhead is often referred to as the gateway to the East End of Long Island, a region known for its scenic beauty, agricultural heritage, and world-renowned wineries. Strengthening Riverhead’s tourism industry will help to create new jobs and revenue streams, while also showcasing the best of what the region has to offer. The Town should continue to develop and market attractions to capture more of the people that travel to and through Riverhead.”*

**Chapter 5: Transportation and Mobility**

*“Riverhead should prioritize safe, efficient, and sustainable transportation options that connect residents and visitors to key destinations throughout the town. To achieve this vision, the town should improve roadways to both reduce congestion and improve safety for all users, including pedestrians, bicyclists, motorists, and people of all ages and abilities. Road improvements should be undertaken in a manner that is sensitive to the Town's residential neighborhoods and its historic, scenic, and natural resources.*

*The Town should promote the use of alternative modes of transportation, such as walking, biking, and public transit. Downtown and other hamlet centers should be accessible via bus, bike and on foot. This could include the development new bike and pedestrian paths and promoting the use of public transit options. Promoting cleaner transportation options will also help to make Riverhead more sustainable by reducing the environmental impact of automobiles such as greenhouse gas emissions.”*

## **Chapter 6: Community Facilities, Parks, and Recreation**

### **Community Facilities:**

*“Because community facilities protect public safety and enhance the quality of life in Riverhead, they should be improved and/or expanded to meet growing needs. At the same time, the Town should seek opportunities for the efficient and multiple use of facilities, in order to limit increases in costs. New facilities should be conveniently sited in or near residential neighborhoods and hamlet centers, where they can be easily accessed by residents and contribute to the sense of community.”*

### **Parks and Recreation:**

*“Parks and recreational facilities provide Riverhead residents and outdoor enthusiasts regionwide with opportunities to exercise, engage in team sports, and to access and experience the natural environment. Parks also provide balance to the built-up areas of the Town, adding to the visual character and quality of life in the community and enhancing property values. The Town should expand and improve parks in all parts of Riverhead and should establish a greenway system that links these parks together. This includes improved access to waterfront areas for recreational purposes, including the Peconic River, Flanders Bay, the Great Peconic Bay, and Long Island Sound.”*

## **Chapter 7: Natural Resources and Agricultural Lands**

### **Natural Resources**

*“The natural resources present in Riverhead today — including stream corridors and wetlands, bluffs, beaches, the Central Pine Barrens region, habitat for flora and fauna, and the aquifer that provides high quality water to the Town — are integral to Riverhead’s long-term health, safety, and well-being, as well as its identity and economic vitality. As such, the ecological integrity of Riverhead’s natural resources must be maintained and protected.”*

### **Agricultural Lands**

*“Riverhead's agricultural industry will continue to play a leading role in the Town's economy and shape the Town's character and way of life. The Town will work with farmers and landowners to support farm business and promote farmland preservation, and the Town will strive do so in a manner that respects private property rights, protects landowner equity, and ensures flexibility and choice in the use of farm property.”*

## **Chapter 8: Infrastructure and Utilities**

*“Utility infrastructure is critical to the health, safety, and welfare of the community. Water, sewer, electric, natural gas, and telecommunications facilities are relied upon by residents and businesses for day-to-date activity and contribute to the Town's economic wellbeing. Utilities should continue to be expanded to meet Riverhead's growing needs. At the same time, the Town should strive to limit any potential negative impacts from new infrastructure on the natural environment or Riverhead's historic or scenic resources.”*

## **Chapter 9: Scenic and Historic Resources**

*“Riverhead has a distinctive scenic and historic character, comprised of farmland, open space, historic hamlet centers including downtown Riverhead, historic structures and sites, and unique natural resource areas such as the Pine Barrens. These resources play an important role in defining the town's identity and attracting visitors to the area. By preserving these resources, Riverhead can ensure that future generations can enjoy the same cultural heritage and natural beauty that makes the town unique.”*

## **Chapter 10: Sustainability and Resilience**

*“The Town of Riverhead is committed to building a sustainable future that protects the environment, supports economic prosperity, and enhances the quality of life for all residents. By embracing innovative solutions and community collaboration, we will create a community that is resilient, vibrant, and environmentally responsible. Some of the key priorities to address include:*

- *Environmental stewardship: The town prioritizes protecting the environment by promoting energy efficiency, reducing greenhouse gas emissions, and preserving natural resources and wildlife habitats.*
- *Sustainable transportation: The town promotes sustainable transportation options, including public transportation, biking, and walking, to reduce traffic congestion and air pollution.*
- *Economic sustainability: The town supports economic sustainability by promoting local businesses, creating green jobs, and investing in renewable energy and sustainable development.*
- *Community education and engagement: The town educates and engages the community on sustainable practices and encourages residents to participate in local sustainability initiatives.*
- *Waste reduction: The town prioritizes reducing waste by promoting recycling, composting, and reducing the use of single-use plastics.*

*By prioritizing these key areas, the Town of Riverhead can build a sustainable community that balances economic growth with environmental protection and social well-being, creating a better future for all residents.”*

## D. DESCRIPTION OF THE PROPOSED ACTION

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In the development of the Comprehensive Plan, the Town has embraced the vision and goals set forth in Section C above, and the Plan thus contains a series of recommendations at the end of each section that the Town intends to pursue in order to achieve these goals. As part of these recommendations, the Town has also devoted considerable attention to how specific policies of the Plan might be implemented through zoning changes. These zoning changes are expected to be adopted in phases after the adoption of the Comprehensive Plan. Developments inspired by these zoning changes are expected to shape new development in the Town over the next 10-20 years into the future.

In order to analyze how these development related changes may impact the Town's environment, the DGEIS will include identification of a conceptual "Build Out Scenario" which will be the basis for analysis of potential zoning text and map amendments throughout the DGEIS – See Build Out Methodology in Section H below. The Build Out Scenario will present a conceptual estimate of the potential mix of residential units and commercial/ industrial gross floor area expected to be developed in the Future with the Proposed Action within the next 10 years. While this view of the future will be only a projection of what could occur, these estimates will facilitate reasonably conservative and meaningful analyses of how changes in cumulative development could impact the Town's environment and appropriate measures to mitigate any related impacts. An overview of areas where the Comprehensive Plan polices are likely to result in zoning changes is provided below.

In accordance with the State Environmental Quality Review Act (SEQR) and its implementing regulations (6 NYCRR Part 617) the Town Board of the Town of Riverhead (Town Board), acting as lead agency, is preparing a Generic Environmental Impact Statement (GEIS) to evaluate the areas of potential impact of the preparation and implementation of the Comprehensive Plan Update and associated Zoning Text and Map Amendments (collectively, the "Proposed Action") that implement certain of the land use and zoning recommendations contained in the Comprehensive Plan Update.

It is important to note that the Land Use and Zoning recommendations presented below, are based on the draft goals and recommendations presented to the Steering Committee and at the Public Workshop on December 13<sup>th</sup>, 2023 and as refined by Town staff and consultants. The Comprehensive Plan is still in the process of being prepared and reviewed by the Plan Steering Committee, Town Board and public. Proposed recommendations presented herein are subject to change as recommendations are refined based on Town and public input. The DGEIS will analyze the proposed Comprehensive Plan recommendations as developed and refined through the public process.

## Land Use and Zoning Approach

### ***Transfer of Development Right (TDR) Recommendations:***

Transfer of Development Rights (TDR) is a valuable tool used to manage land use and promote sustainable development in both urban and rural areas. In a rural town like Riverhead, TDR can be particularly useful for preserving farmland, natural resources, and open spaces while allowing for controlled growth in designated areas. While use of this tool has widespread support within the community, the market dynamics are not in place to support a successful program. Recommendations below seek to make this program more successful by improving the value of TDR credits through revisions of the transfer formula and by opening new receiving areas where some increased development can be accommodated.

### ***Adjust transfer formula***

The transfer formula quantifies how development units in the sending district are realized in the receiving district. The current transfer formula is a one-to-one basis, meaning that 1 TDR credit is equal to one residential unit in a receiving district regardless of unit size or type. The TDR Toolbox developed by NYSERDA recommends a more dynamic approach. If the transfer occurs from a low-density area to a higher-density area, there may be a need to establish a transfer formula that equates the development right from one single-family home to more than one multifamily unit because the proportional infrastructure cost impacts of a multifamily unit are lower than for a single-family dwelling in a low-density area.

Market conditions play a significant role in the success of TDR programs. If there is not enough demand for TDR credits, the existing TDR ratio may need to be adjusted to maintain to make the TDR financially feasible and to adequately compensate the property owner in the sending district for selling their development rights. The TDR Toolbox suggests that the transfer formula could be based on the average sizes of single-family homes compared with the average sizes of apartment units or comparative traffic generation rates. Sanitary sewer demand is also another metric to consider.

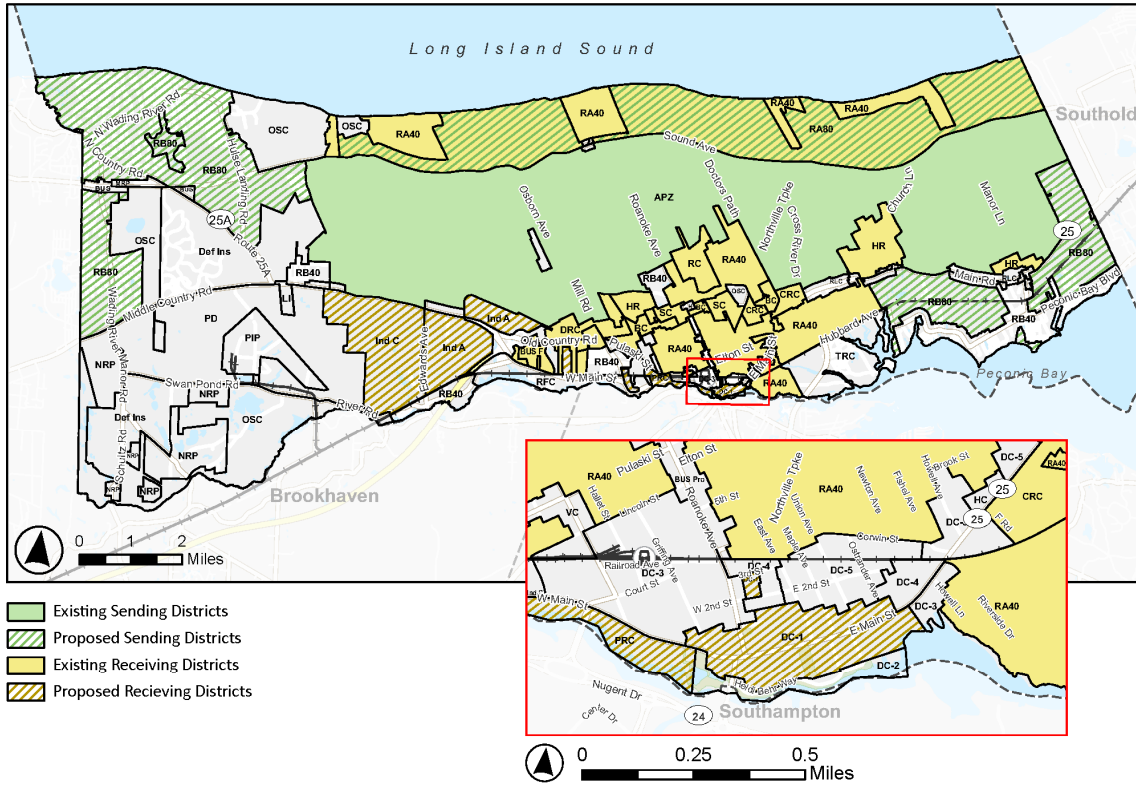
The Comprehensive Plan has proposed a transfer formula that considers both wastewater flow and traffic generation. The formulas below are preliminary and are still under evaluation.

	Existing			Proposed
Land Use	Max Density without TDR*	Max Density with TDR*	Existing Ratio (Preservation Credit/DU)	Potential Ratio (based on estimated wastewater flow and traffic generation)
Single Family			1/1	1:1 Unit
Attached (< 600 GFA)			1/1	1:2 Unit
Attached (600-1,200 GFA)				1:1.5 Units
DC-1 Multifamily				1:4 bedrooms
Age restricted Living (<600 GFA)	2 DU/Acre	4 DU/Acre	1/1	1:4 Units
Age restricted Living (600-1,200 GFA)	2 DU/Acre	4 DU/Acre	1/1	1:3 Units
Assisted Living, Nursing Home, and Continuing Care	TBD	TBD	1/1	3,000 SF/ credit
Commercial	1,500 SF/1 Credit not to exceed 0.3 FAR			Increase to: <ul style="list-style-type: none"> <li>• Commercial – 3,000 SF/credit</li> <li>• Hotel – 3 keys/credit</li> <li>• Office – 4,000 SF/credit</li> <li>• Industrial – 5,000 SF/credit</li> </ul>
Planned Recreational Park	1,500 SF/1 Credit not to exceed 0.15 FAR			

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### Proposed Sending and Receiving Districts

Meetings were held with the TDR Committee to identify changes to the TDR sending and receiving areas. The map below shows the proposed changes, which aim to direct growth away from areas with unique natural value to areas that can better manage urban growth and density. By designating specific zones for more intense development, Riverhead can ensure that growth occurs in a planned and controlled manner, preventing urban sprawl and preserving open space.



Proposed TDR Sending and Receiving Areas  
Figure 6

RIVERHEAD COMPREHENSIVE MASTER PLAN UPDATE

#### Single Family Districts:

Consider sending areas in all RB-80 and RA-80 districts (includes Laurel and Jamesport south of Main Road, north of Sound Avenue, and in Wading River). Areas in RA-80 north of Sound Ave are currently a receiving district and is proposed to be both a sending and receiving districts. This would provide flexibility for property owners and developers. It means that a property owner in a sending district can sell their development rights to a developer in a receiving district or vice versa, depending on their needs and the market demand.

#### Industrial areas in Calverton (IND A, IND C)

This Plan contemplates a slight reduction in Floor Area Ratio (FAR\_ for these areas with an allowance for a slight increase with TDR credits. While the precise FAR is still to be determined, it could potentially be a



reduction to 0.25 FAR as a base density with an increase to 0.3 with TDR. TDR credits would also be required to achieve a 2<sup>nd</sup> story of development and/or heights over 30 feet to a maximum of 40 feet. Buildings over 30 feet would need to be set back further from the property line.

#### ***Industrial areas in other parts of Riverhead***

This Plan contemplates a slight reduction in allowable density. While the precise FAR is still to be determined, it could potentially be a reduction to 0.25 FAR as a base density with an increase to 0.3 with TDR. TDR credits would also be required to achieve a 2<sup>nd</sup> story of development and/or heights over 30 feet to a maximum of 40 feet.

#### ***Downtown Area***

Consider allowing buildings to exceed the 500-unit cap only if TDR credits are provided for additional housing units. The housing units achieved with TDR must be for homeownership opportunities only or for age-restricted living.

#### ***Assisted Living Overlay Zone***

Consider permitting assisted living in new overlay zone bounded by Route 25, Middle Road, Northville Turnpike, and Osborne Avenue. All assisted living units would require the use of TDR credits. Bulk regulations would be determined by FAR in underlying district. It may be reasonable to permit a slight increase in FAR for assisted living given that the BC and SC districts both have an FAR of 0.2, which may not be large enough to allow for a reasonably sized assisted living facility. The proposed area for this district also has sewer infrastructure which can support higher population density and building intensity. The allowable building coverage should not exceed 30% even with the use of TDR. This would help to encourage a compact development with a mix of 1-, 2-, and 3-story buildings, with more land utilized for setbacks and open space. These facilities also have a much lower parking demand per square foot compared to commercial, which helps to fostering a more sustainable and walkable urban environment.

#### ***Hospital District***

This plan supports Peconic Bay Medical Center’s long-term plans to expand its existing campus with wellness related retail and supportive housing on adjacent sites. The H District’s 1.5 FAR would not be appropriate for these expanded areas. However, the expanded campus could provide for a slight increase in permitted density (FAR) from current zoning with the use of TDR. The allowable FAR increase could be similar to what would be permitted in the Assisted Living Overlay Zone. However, any potential zoning changes would need to consider specific plans by Peconic Bay Medical Center once they are developed. Potential impacts would therefore be determined at a later point when specific zoning changes are proposed.

#### ***CRC Zone***

The CRC Zone is intended to allow for a variety of housing types; however, the existing zoning standards only permit one dwelling unit per acre (single-family). It would be reasonable to accommodate slightly higher densities in this area – given their proximity to the urban core. While the precise density is still to be determined, it is reasonable to allow for a maximum density of 4 units per acre with the use of TDR,



provided that infrastructure is in place. This would allow for the development of townhouses and garden apartments. The MFP district could be looked at as a comp for allowable development types and densities.

***Peconic River Community (PRC) Districts:***

The PRC Zone is intended to allow for “an array of residential, commercial and recreational uses.” However, no residential uses are specifically provided for in the zoning. This Plan recommends allowing for residential uses with the use of TDR, up to a maximum density of 4 units per acre provided that infrastructure is in place. This would allow for the development of “missing” middle-housing typologies such as townhouses and garden apartments. The MFP district could be looked at as a comp for allowable development types and densities. It is recommended that design guidance be put in place to push buildings away from the Peconic River and ensure that riparian areas are maintained. It is acknowledged that development in this district is further controlled by DEC.

***Planned Industrial Park (PIP):***

Many property owners in the PIP district have expressed interest in expanding their businesses within the existing district. As discussed later in the scope, the Town should revisit regulations within the comprehensive development plan (CDP) to determine whether PIP could become a receiving district. The Town would need to work with NYSDEC to determine whether the existing CDP can be changed to allow a small FAR increase with the use of TDR credits. Since this potential zoning change needs to be studied further, the GEIS will look at this change qualitatively instead of quantitatively.

**ZONING RECOMMENDATIONS**

The zoning approach map shown on the following page provides a high-level overview of the land use approach and potential zoning designations for different parts of the Town. Each of the identified areas is described in this section below.

***Industrial Areas***

***Create a new Calverton Industrial District (CI) for IND A and IND C areas in Calverton.***

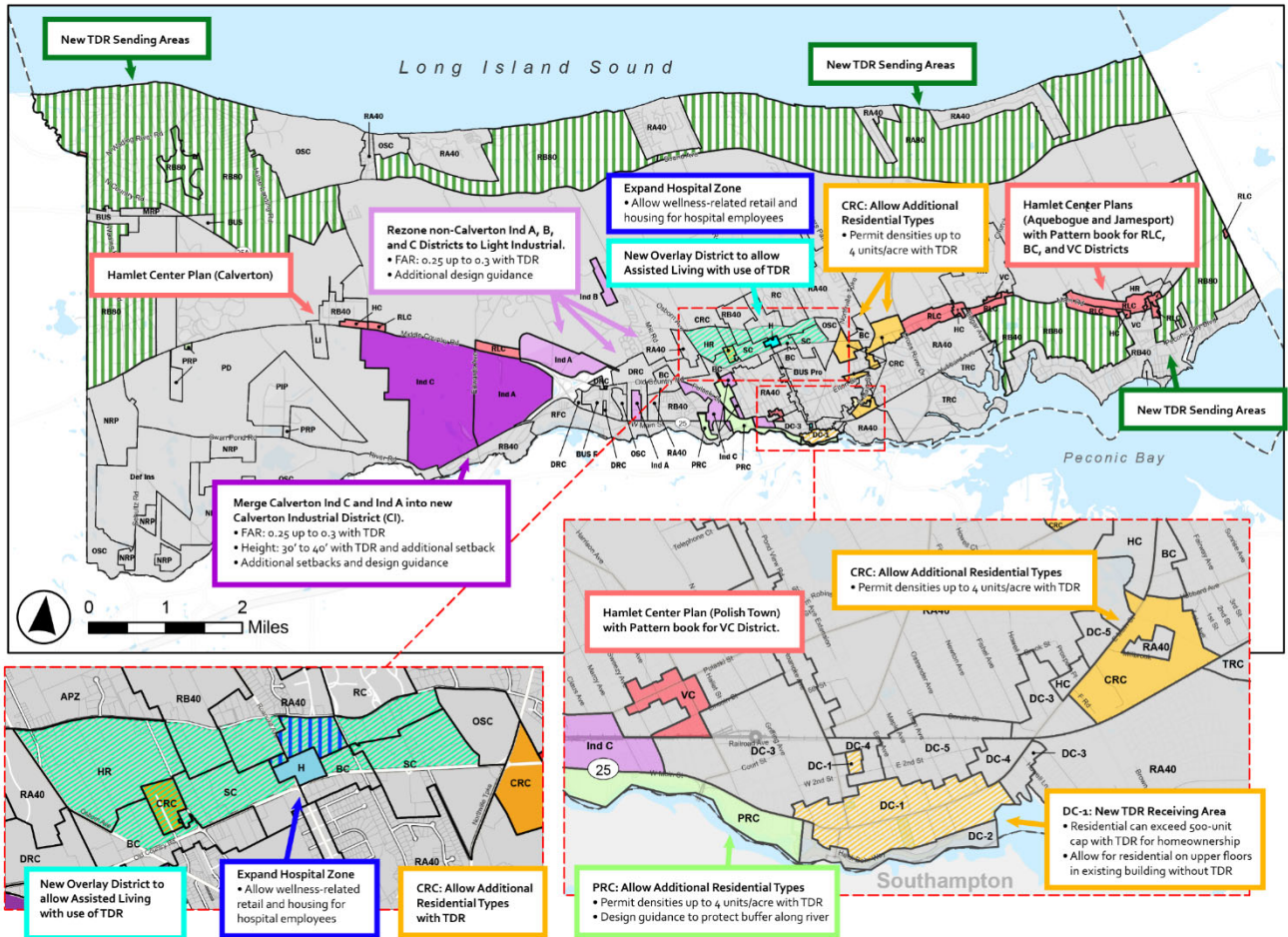
Many residents expressed concern about the impacts from industrial development in the Industrially zoned areas of Calverton (IND A and IND C). It is also important to recognize that Riverhead’s industrially zoned areas provide job opportunities and a source of tax revenue which supports public services, infrastructure development, and quality-of-life amenities that benefit both industrial and residential residents.

The zoning approach for this area is to create a new zoning district which is essentially a combination of the IND A and IND C districts. The new district would allow uses in IND C but not heavy industrial uses allowed in IND A. It would keep the larger front yard setback of 100 feet to help protect the rural appearance and to minimize views of development from adjacent roads. Proposed dimensional regulations are provided in the table below:

**Proposed Dimensional Regulations in CI**

	IND A	IND C	CI (Proposed)
Min Lot Area (sf)	80,000	80,000	80,000
Min Lot Width	200	300	300
Max Building Coverage	40%	40%	30%
Max FAR	0.4	0.4	0.25 (0.3 with TDR)*
Impervious Coverage	70%	60%	60%
Yards (Front/Side/Rear)	100/50/75	30/30/50	100/30/50
Max Height	30 feet	30 feet	30 feet (40' with TDR*)

\* - Additional setbacks would apply



RIVERHEAD COMPREHENSIVE MASTER PLAN UPDATE

Zoning Approach

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The new zoning district would have a reduced FAR from 0.4 which is currently permitted. FAR is anticipated to be reduced to 0.25 with the potential to increase to 0.3 with the use of TDR credits. Reducing the FAR would help to encourage more efficient and compact developments with more land utilized for setbacks and open space. It would also help to mitigate negative impacts such as traffic, noise, and pollution. TDR bonuses density should not be permitted if a user is not identified in the land use approval process (i.e. a spec building).

### Building height

Many industrial uses require building heights that are larger than 30 feet, which is what is currently permitted. This height is less than the 35 feet that is permitted in residential areas. Many modern industries are evolving and require innovative spaces. Allowing for slightly taller buildings can attract a wider range of businesses, including those that require more vertical space for advanced manufacturing, research and development, or storage facilities. Permitting taller buildings also encourages a more efficient use of available space, accommodating a greater number of businesses and activities without expanding the footprint of the area. The Town may consider increasing building heights to 40 feet provided that TDRs are used to achieve the extra height and that buildings are set back further from the street in order to reduce visual impacts. A pyramid height law is proposed to limit the scale of a building as it approaches property lines. For example, with a pyramid slope of 0.3, a 40-foot-tall building would need to be set back 133 feet.

Regarding the utilization of Transfer of Development Rights (TDRs) to achieve additional height, a solution could involve establishing a uniform floor height for all structures within the receiving district. For instance, a standardized floor measurement of 30 feet could be applied, particularly for single-story buildings. Any floor area exceeding this 30-foot threshold would necessitate additional TDR credits. This approach ensures clarity, fairness, and a consistent method for computing and transferring development rights to the receiving district. Alternatively, the town could adopt a volumetric calculation to ascertain the TDR credits needed for space above 30 feet. For example, one metric might entail assigning one credit for every 100,000 cubic feet extending beyond 30 feet in height. However, implementing this metric poses challenges, particularly in accurately determining the cubic space of a building.

### Non-disturbance buffer

It is recommended that this district include a non-disturbance buffer. This would be a 50-foot transition yard from the property line that is landscaped with the exception of signs, lighting, a driveway, and sidewalks. Parking areas should not be located within this transition yard.

### Outdoor storage

Outdoor storage is not currently permitted in Industrial A or C areas. It would be reasonable to allow these uses in CI provided that proper screening is provided to mitigate visual impacts and ensure storage areas are visually appealing. The Town should develop clear and specific zoning regulations that outline the types of outdoor storage allowed, the materials that can be stored, and the requirements for screening.

Regulations can define the conditions under which outdoor storage is permitted to prevent misuse or excessive clutter.

**Scattered IND A, IND B, and IND C sites not in Calverton**

In response to the evolving urban landscape and the need to balance industrial activities with the character of urbanized areas, it is proposed to rezone industrial parcels in more urbanized areas as Light Industrial (LI). This existing district allows for indoor industrial or office operations and encourages harmonious building design within previously zoned industrial areas. LI Guidelines should be strengthened to provide design guidance on elements that harmonize with the urban environment, such as facades, materials, and landscaping to limit visual impact from roads.

The zoning change to LI would reduce the baseline zoning from 0.4 to 0.25 – the same reduction as what is proposed in the Calverton core area. With the use of TDR credits and a 30% building coverage maximum, a 1-story building could achieve 0.3 FAR or a 2-story building could achieve 0.6 FAR. A 2-story building would still be less bulky and would cover less land than what is currently permitted in IND A and IND C. Allowing for 2-story buildings with TDR promotes more efficient and compact developments with more land utilized for setbacks and open space. Proposed dimensional regulations are provided in the table below:

**Dimensional Regulations in IND A, IND C, and LI (Proposed)**

	IND A	IND C	LI
<b>Min Lot Area (sf)</b>	80,000	80,000	80,000
<b>Min Lot Width</b>	200	300	100
<b>Max Building Coverage</b>	40%	40%	25% (30% with TDR)
<b>Max FAR</b>	0.4	0.4	0.25 (0.6 with TDR)
<b>Impervious Coverage</b>	70%	60%	60%
<b>Yards (Front/Side/Rear)</b>	100/50/75	30/30/50	50/20/50
<b>Max Height</b>	30 feet	30 feet	35/2 stories

Performance Standards in LI

Performance standards in LI could be strengthened to ensure that industrial activities are conducted in a manner that is safe, environmentally responsible, and compatible with surrounding land uses. This could provide specific guidance for topics such as noise control, buffers from sensitive areas, odors and emission

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control, waste management, traffic management, site design, site maintenance, safety measures, energy efficiency, stormwater management.

There are other elements of the LI district that seem to apply to specific areas in Town. The LI district should be reviewed to ensure it isn't unnecessarily restrictive with regard to where LI can be placed.

### ***Downtown: DC-1 District***

#### *Development Cap and TDR*

The DC-1 district has a 500-unit development cap, which was implemented to maintain controlled growth. This zoning recommendation seeks to offer a mechanism for exceeding the cap through the responsible use of Transfer of Development Rights (TDR) while requiring that the additional units only be for homeownership or age-restricted opportunities. This recommendation addresses housing needs, encourages housing stability, and support controlled growth simultaneously.

It is also recommended that buildings be permitted to exceed the cap when redeveloping existing upper floors of historic buildings for housing. TDRs would not be required in this instance, to promote the preservation and rehabilitation of existing historic buildings.

#### *Pattern Book*

The Town has developed a pattern book for the downtown area. This tool should be adopted into the zoning code to ensure that new developments adhere the guidelines.

### ***Route 58:***

#### *Design guidelines*

The Route 58 commercial corridor plays a crucial role in shaping Riverhead's image and serves as a gateway for residents and visitors alike. Design guidelines will provide a clear and cohesive vision for the corridor's development, promoting a harmonious and attractive streetscape that aligns with our community's character and values. The guidelines would promote the use of landscaping to soften the built environment, enhance walkability, and contribute to a more inviting atmosphere. They would also address parking lot design to minimize the visual impact of large parking areas.

#### *Parking Requirements*

Several areas within the Route 58 commercial corridor have a surplus of parking spaces compared to actual demand. This results in vast expanses of underutilized asphalt, which not only disrupts the visual appeal of the corridor but also poses environmental challenges. Parking requirements appear to be high and should be revisited using empirical data rather than assumptions. Town can also allow for more flexibility in meeting parking requirements, including the ability to share parking facilities among businesses. Business should also be permitted to reduce their required amount, provided a lesser need is demonstrated with a parking study which assesses the actual parking need for their proposed use.

## ***Hamlet Centers***

### *RLC Districts*

It is recommended that these districts incorporate design guidelines to ensure that commercial uses are harmonious and contextual with the surrounding rural and single-family character. This would include guidelines that specify architectural styles, materials, and building heights that resonate with the rural setting. It may also include standards for signage, landscaping, and building/parking placement.

### *HC and VC Districts*

The Comprehensive Plan recommends in HC and VC, the implementation of square footage limits for individual commercial uses as well as limits on the number of commercial uses that can be located on one lot. The purpose of these changes is to limit strip commercial uses and ensure that the scale of any new development is compatible with the surrounding rural context. Banquet facilities are another use that could be removed from these districts. Design guidance should also be provided to ensure that new development is compatible with the surrounding residential context. This could include vegetated buffers (at least 25 feet) where HC and VC districts abut residential districts.

### *Hamlet Studies*

It is recommended that the Town work with residents in several hamlet areas such as Aquebogue, Jamesport, Calverton, and Polish Town, to develop a hamlet study with design guidelines or a pattern book for new development. These guidelines will serve as a valuable tool to guide and regulate development, ensuring that it aligns with our community's unique character, vision, and values. By providing clear and specific guidance for architectural design, landscaping, and urban planning, these resources will promote aesthetically pleasing, sustainable, and context-sensitive development that enhances the overall quality of life for our residents and visitors.

## ***BUS F - Destination Retail***

The BUS F district includes Tanger Outlets at Riverhead, and another adjacent property. Tanger Outlets is a popular shopping destination for the wider region and is an important economic driver for the Town. It is understood that the retail industry is subject to changing market trends, first and foremost being competition from online retail. Retailers often need to innovate and diversify their offerings to stay competitive. It is important to provide some flexibility in the zoning code to enable businesses to experiment with new concepts, such as pop-up shops, restaurants, experiential retail, or mixed-use developments that include office spaces. This flexibility should be extended to the vacant parcel between Tanger I and Tanger II campuses, so as to reduce barriers to the creation of a more unified shopping center with complementary adjacent uses. The Town may also consider rezoning the non Tanger-owned parcel as BC or DRC.

In providing zoning flexibility in BUS F, Riverhead should strike a balance between supporting adaptation and ensuring that any changes align with broader land use goals and do not compromise public health, safety, or welfare. This typically involves engaging with property owners, businesses, and the community



to create zoning regulations that encourage innovation and revitalization while maintaining a well-planned and cohesive urban environment.

### ***Hospital District and Assisted Living:***

#### *Hospital District*

It is recommended that the existing hospital zone be expanded to encompass adjacent properties owned by the Peconic Bay Medical Center. The Hospital District should also be amended to permit a wider variety of wellness related uses such as fitness centers, wellness related retail, health foods, physician offices, childcare, etc. The district should also provide for housing for hospital staff. The H District's 1.5 FAR would not be appropriate for these expanded areas. However, the expanded campus could provide for a slight increase in permitted density (FAR) from current zoning with the use of TDR. This could include a mix of 1-,2-, and 3-story buildings in a campus like environment that are built close together, so they are easier to access for pedestrians. These recommendations align with Peconic Bay Medical Center's expressed long-term plans and the Town's desire to support this essential institution and promote accessibility to quality healthcare services. However, specific plans for Peconic Bay Medical Center have not been presented to the Town. It is anticipated that any zoning changes would be developed at a later point once plans are proposed for the Town to review. Since potential zoning changes are unknown, the GEIS will look at this change qualitatively instead of quantitatively.

#### *Assisted Living and Continuing Care*

Riverhead has an aging population and needs to address the evolving needs of seniors. Assisted living facilities and continuing care retirement communities (CCRCs) provide specialized care and support services for seniors, allowing them to age in place with dignity and comfort. As discussed in the TDR Recommendations, these uses are proposed to be allowed in parts of Route 58 near the Peconic Bay Medical Center. The existing FAR of 0.2 in this area is not sufficient to provide for this development type. A slight increase in FAR with use of TDR may be appropriate in areas that are sewerred, however building coverage should be capped at 30%. This zoning change would provide for a mix of 1-,2-, and 3-story buildings in a compact campus like environment that are built close together, so they are easier to access for pedestrians. Residential density for these facilities should be capped at 15 beds per acre, provided sewer infrastructure is in place. There may be other locations in the Town where assisted living and CCRCs should be allowed by special permit. For example, it may be appropriate to allow these uses by special permit within HC or RLC districts. Lower densities would be appropriate in areas without sewer infrastructure. Assisted living and CCRC facilities should also be a defined use in the zoning code.

#### *Planned Industrial Park (PIP):*

This district was planned to be developed in a campus-like planned development as defined in a comprehensive development plan (CDP). This industrial district has been successful and there is a high demand for additional space to allow existing tenants to expand. It is recommended that the Town revisit the CDP with NYS DEC to determine whether FAR could be increased from the baseline with the use of TDR. This change would require further study and conversations with DEC. Since potential zoning changes are unknown, the GEIS will look at this change qualitatively instead of quantitatively.

**Residential Districts**

Minimum Home Size in Residential Districts

Some residential zones have a 1,200 square foot minimum size. Building code standards already ensure the safety, structural integrity, and habitability of residential structures, making additional minimum size requirements redundant. Eliminating such restrictions allows for greater flexibility in housing design, promotes innovation, and facilitates the development of diverse and affordable housing options that better meet the evolving needs of our community.

Short term rentals

The Town currently has a minimum rental period of 28 days in order to limit the impact of short-term rentals (i.e. AirBnB) on the housing market and the associated noise and neighborhood impacts that can occur with these rentals. However, the Town may consider allowing shorter-term rentals in more touristy areas such as near the downtown and beaches. Allowing shorter-term rentals in these areas can boost and sustain local businesses, such as restaurants, shops, and attractions.

Balancing the economic benefits of tourism with the needs and concerns of permanent residents requires careful consideration and community engagement. Regulations related to short-term rentals should also be regularly reviewed and adjusted as necessary to address changing market conditions and community priorities.

Enterprise Park at Calverton (EPCAL) In light of the recent unsuccessful development proposal at the Enterprise Park at Calverton (EPCAL), it is recommended that the Town revisit zoning regulations for the Planned Development (PD) district. The existing district is fairly liberal with regard to land uses and it may be appropriate to limit some activities which the community did not support such as a cargo airport. Recognizing the community's desire for a collaborative planning approach, a comprehensive study involving residents, NYSDEC, and other stakeholders should be initiated. This study would formulate a collective vision, identify desirable economically viable uses, explore subdivision plans, and address environmental considerations. This approach would also enhance eligibility for grant funding. Since potential zoning changes are unknown, and any potential future development is speculative, the GEIS cannot assess potential changes at this site.

**Farm Operations and Agritourism**

Vertical Farming In Industrial zones

Vertical farming should be a permitted use in all industrial districts. Vertical farming allows for the cultivation of crops in a vertically stacked system, reducing the footprint needed for agriculture. Allowing vertical farming in industrial zones can diversify land use, promoting mixed-use development that combines industrial, agricultural, and commercial activities. This can contribute to more vibrant and resilient urban areas.

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Industrial zones often have vacant or underutilized buildings and spaces. Permitting vertical farming can encourage the adaptive reuse of these structures, revitalizing blighted areas and putting vacant industrial properties to productive use.

#### Vertical Farming In APZ Districts

Allowing vertical farming on a farm can offer several advantages and align with modern agricultural practices and the need to support the agriculture industry. Vertical farming can complement traditional farming methods by allowing for year-round cultivation of crops and also crop diversification. This can significantly increase a farm's overall productivity, providing a consistent supply of fresh produce. Diversifying a farm's production through vertical farming can open up new revenue streams and income opportunities for farmers, potentially increasing their economic stability.

Traditional horizontal farming requires large expanses of land. Vertical farming allows farmers to produce more on a smaller footprint, making more efficient use of their available land resources. One of the biggest concerns about vertical farming is the visual impact of these structures. The Town should consider clear guidance for the total size, setbacks, landscaping, etc. that would be required. For example, a vertical farm would have to conform to bulk standards (i.e. FAR and setbacks). Additional standards could apply. Flexibility should be provided for the adaptive reuse of agricultural buildings such as when these facilities are integrated into existing farm infrastructure.

#### Regulation of Farm Activities

The RA-80 district and APZ district are very similar with regard to permitted farming operations. However, there is one difference. APZ allows for "Farm Operations" with a special permit, however, this use is not provided for in RA-80. It is recommended that farms on both sides of Sound Avenue be treated the same with regard to the regulation of farm operations. Therefore, the Town may consider allowing farm operations as an accessory use only on parcels with frontage on sound Ave

#### Agritourism

It is important for the Town to address and balance the benefits of agritourism with the potential impacts on agricultural operations, public safety, and the surrounding community. This could include limiting agritourism events with a permitting process or imposing size restrictions. The permitting process can help to identify traffic and safety concerns and provide a funding mechanism for traffic control when needed.

In addition to permitting for events, the Town should develop more transparent regulations that address event space. Limiting the capacity of these spaces can help manage traffic and mitigate safety risks. When developing such regulations, it's important to engage with stakeholders, including farmers, residents, and event organizers, to strike a balance that allows agritourism to thrive while addressing local concerns and maintaining the integrity of agricultural operations and rural communities.

**Marinas**

Some marinas along the Peconic Bay are in residentially zoned areas which do not list marinas as a permitted use. It is important to support these non-conforming use, which are important stakeholders in the local economy. It is recommended that the Town work with property owners to help them establish conformity should they wish to do so. This could be an overlay zone or a floating zone which property owners would have to opt-in to.

**Tree Preservation Ordinance**

Tree Removal Permit: In cases where development plans require the removal of trees (particularly in setback areas), tree preservation ordinances often require property owners or developers to obtain a tree removal permit. The ordinance would require documentation of mature trees within any yard setback (i.e. a caliper width greater than 10”). This documentation would occur during approval process for new structure or an application for a demolition permit. To mitigate the loss of trees, tree preservation ordinances may require property owners or developers to replace trees that are removed. Replacement requirements can include planting new trees on-site or contributing to a tree fund that supports tree planting efforts elsewhere in the community.

**Wetlands Inventory**

The Town’s wetland inventory was last updated in the 1970s and needs to be redone. Wetland inventories provide accurate and up-to-date information about the location, extent, and type of wetlands in a given area. This inventory is important for several reasons as it contributes to effective wetland management, conservation, and land use planning. It also allows for the assessment of changes in wetland conditions over time. This information is valuable for understanding trends related to wetland loss, degradation, or restoration efforts. Regularly revisiting and maintaining this inventory ensures that it remains a valuable resource for both conservation efforts and responsible development practices.

**Solar Facilities**

There has been some discussion about how much solar should be allowed on any given property (where allowed). Existing zoning regulations are designed to accommodate a range of land uses while considering factors like land use compatibility, aesthetics, setbacks, and environmental impact. Limiting solar facilities to established setbacks and coverage areas (defined as the maximum impervious coverage area) in districts where solar is permitted, can provide a level of predictability and conformity with established development patterns. It also ensures that solar projects are subject to the same zoning standards as other land uses, promoting uniformity and clarity in the regulatory framework.

## **General Zoning Clean-up**

### Provide a Use Schedule

It is recommended that the zoning code incorporate clear and comprehensive list of permissible land uses for each zoning district. This table would provide clarity and consistency, helping property owners, developers, and the public understand what types of activities are allowed in different areas, promoting predictability in land use decisions. The zoning use table could include groups based in use intensity to categorize and regulate different types of land uses according to their impact on the environment, infrastructure, and surrounding areas. These use groups help ensure that land uses are appropriately situated within different zoning districts, promoting compatibility and efficient land use.

### Define Land Uses which are not addressed

It is recognized that there are some uses which are not specifically defined in the zoning code. This can lead to issues having to do with clarity and consistency of the zoning code. Having specific definitions provides land use boards and Town staff a reference point which to measure compliance and to establish consistency.

## **E. INVOLVED AND INTERESTED AGENCIES**

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### **INVOLVED AGENCIES**

Under SEQR, the lead agency is responsible for coordinating the SEQR review process, as well as discretionary decision making regarding the Proposed Action. For the DGEIS, the Town of Riverhead Town is the lead agency and sole involved agency. As lead agency, the Town Board is responsible for preparing a determination of significance, determining the scope and adequacy of the DGEIS, coordinating the preparation of the final GEIS, and preparing SEQR findings. The lead agency and the involved agencies have authority to fund, approve, or directly undertake some aspect of the Proposed Action. For this Proposed Action, there are no other involved agencies besides the Town Board.

- Town of Riverhead Town Board (Lead Agency)

### **INTERESTED AGENCIES**

Unlike an involved agency, interested agencies do not have the authority to fund, approve, or directly undertake some aspect of the Proposed Action. Instead, interested agencies may contribute relevant scoping topics, submit written comments during the DGEIS comment period, and comment on the DGEIS at public hearings. For this DGEIS, interested agencies include the following:

- Town of Riverhead, Planning Board, Joann Waski, Chair
- Town of Riverhead Industrial Development Agency
- Town of Riverhead Departments
- Suffolk County Department of Planning, Lisa Broughton, Director of Water Quality and Energy
- Suffolk County Department of Health Services, Gregson H. Pigott, MD, MPH Commissioner

- Suffolk County Planning Commission (239-m Review)
- New York State Department of Environmental Conservation

## **F. REQUIRED APPROVALS AND REVIEWS**

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The DGEIS will identify and discuss all required approvals and reviews needed to adopt and implement the Proposed Action. The Proposed Action will require the following approval and review:

### *TOWN OF RIVERHEAD BOARD OF TRUSTEES*

- Adoption of the Comprehensive Plan Update; and
- Adoption of Zoning Text and Map Amendments.

## **G. POTENTIALLY SIGNIFICANT IMPACTS TO BE ADDRESSED IN THE DGEIS (BASED ON EAF PARTS 2 AND 3)**

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The Town Board adopted a Positive Declaration on October 17, 2023 based on an Environmental Assessment Form (EAF) Parts 1, 2 and 3. Many of the proposed recommendations in the Comprehensive Plan, as implemented through the proposed Zoning Text and Map Amendments, are protective of the environment and seek to control future growth and density. However, certain of the above described zoning and land use changes have the potential to increase density in certain, limited, areas of the Town. Therefore, the Positive Declaration adopted by the Town Board acting as SEQRA Lead Agency indicates the Proposed Action could result in potentially significant adverse impacts once implemented and the DGEIS will focus on these issues which include the following:

- Land use and zoning changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in changes in the use, or intensity of use, of lands in the Town of Riverhead.
- Land use changes resulting from the adoption of the Comprehensive Plan has the potential to result in changes in existing community or neighborhood character.
- Land use and traffic pattern changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in changes in existing traffic volumes and levels of service.
- Land use changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in the impairment of the character or quality of important aesthetic (i.e. visual) and historic resources.
- Land use changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in an increase in the demand for community facilities and services (police, fire, emergency services, schools, open space, parks and recreation).

- Land use changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in an increase in the demand for infrastructure capacity and utilities.
- Land use changes resulting from the adoption of the Comprehensive Plan and Zoning Text and Map Amendments have the potential to result in a change of use, or intensity of use, of lands including natural features, environmental resources and agricultural lands.

## H. SCOPE OF THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS)

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The DGEIS preparation will utilize data collected for the Comprehensive Plan preparation to form the foundation of the existing conditions assessments and will reference the Comprehensive Plan for detailed discussions of the policies and programs proposed. In each of the DGEIS analysis chapters, where potential significant adverse impacts are identified, a mitigation section that includes discussion of appropriate measures to manage and mitigate the potential impact will be provided.

The DGEIS assessment framework will include examination of existing conditions, Future without the Proposed Action where relevant, Future with the Proposed Action and mitigation measures where warranted for technical areas identified in the Positive Declaration. In order to analyze how the development related recommendations proposed in the Comprehensive Plan may impact the Town's environment, the DGEIS will include identification of a conceptual "Build Out Scenario" which will be the basis for analysis of potential zoning text and map amendments throughout the DGEIS. The methodologies presented here are based on local, state, and federal regulatory requirements and tailored to the policies that comprise the Comprehensive Plan. This scope anticipates a high level yet comprehensive assessment of the policy framework and goals that the Comprehensive Plan identifies and of the proposed Zoning Text and Map Amendments discussed.

In accordance with 6 NYCRR, Part 617.10(c), the DGEIS will also include identification of conditions or criteria under which future actions will be undertaken or approved including requirements for subsequent SEQR compliance.

The DGEIS will contain the elements required in SEQR 617.9(b) and the following information:

### **BUILD-OUT METHODOLOGY**

As mentioned above, the DGEIS will analyze how the development related recommendations proposed in the Comprehensive Plan may impact the Town's environment. In order to conduct such an analysis, the DGEIS will include identification of a conceptual "Build Out Scenario" which will be the basis for analysis of potential zoning text and map amendments throughout the DGEIS. The Build Out Scenario will present a reasonable worst-case estimate of the potential mix of residential units and commercial/ industrial gross floor area expected to be developed in the Future with the Proposed Action (adoption of Comprehensive Plan Update and Zoning Map and Text Amendments) within the next 10 years. While this view of the future will be only a projection of what could occur, these estimates will facilitate reasonably conservative and meaningful analyses of how changes in cumulative development could impact the Town's environment and appropriate measures to mitigate any related impacts.

Specifically, the Build Out Scenario will look at the maximum development that could reasonably be accommodated under adoption of the zoning recommendations contained in the Comprehensive Plan Update. There would be three main future development scenarios presented and analyzed:

1: No Build Scenario (Existing Conditions)

2: Future Without Action

3: Future With Action

- Reasonable (25%) Build-out of Soft Sites
- Reasonable (25%) Build-out of Soft Sites + TDR

The Build Out Scenarios (Future Without Action and Future With Action) will be based on an identification of vacant and underutilized (soft-sites) parcels and land in the Town. This analysis would consider the following:

- Identify all parcels that are permanently preserved.
- Identify all vacant parcels which are above min-lot size.
  - Subtract wetlands, steep slopes, other environmental features
- Identify all agricultural parcels (for presumed subdivision)
- Identify underbuilt properties that could be subdivided
  - Properties > 3 acres on 1-acre zoning
  - Properties > 5 acres on 2-acre zoning
- Identify any underutilized parcels
  - Reference Improvement to Land Value Ratio (using Urban Footprint)
  - Review FAR of properties in Commercial and Industrial Districts.
  - Windshield survey/discussions with Town staff.
- Identify development projects in the pipeline.

The DGEIS will analyze the increment between what is projected to occur in the future (10 years) under the Future Without Action Scenario and the Future With Action Scenario. A 25% build-out of soft sites is a conservative number to use a starting point. However, a more refined approach with a different factor for residential, commercial, and industrial uses may be utilized. For example, while 25% is a reasonable build-out assumption for residential uses, it may be a high assumption for commercial and industrial uses. The reasonable build-out assumption will take into consideration historical market trends.

According to the SEQR Handbook (2020)<sup>1</sup>, “[t]he SEQR review should consider the relative impacts based on the proposed changes. In other words, the analysis should compare the relative impacts of land use and development based on the existing zoning with those of the proposed zoning.” The analysis will be based on an conceptual build-out and the assumptions used with be clearly enumerated; however, it is important to note that SEQR does not require a lead agency to “speculate” about any specific future projects when analyzing potential zoning changes where none are known.

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<sup>1</sup> [https://extapps.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seqrhandbook.pdf](https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf)

**DGEIS SCOPE OUTLINE**

**COVER SHEET**

The Cover Sheet will identify:

- (1) The report as a Draft GEIS
- (2) The Proposed Action and its location
- (3) The name, address and telephone number of the Lead Agency and contact person
- (4) The name, address and telephone number of the preparer of the DGEIS
- (5) The date of DGEIS submission and acceptance
- (6) Public hearing date and DGEIS comment period
- (7) Website where DGEIS and FGEIS will be posted, as required under state law

Following the cover sheet, a list (name, address and telephone numbers) of all sub-consultants involved in the project and a list of all interested and involved parties will be provided.

TABLE OF CONTENTS, indicating the chapters of the DGEIS and page numbers, as well as lists of exhibits, tables and appendices (if any).

**1.0 EXECUTIVE SUMMARY**

- Brief description of the Proposed Action and how the action relates to future development actions and build-out under the proposed zoning recommendations/amendments;
- Brief description of the Town (“Study Area”), and a discussion of how conditions affect and relate to the Proposed Action;
- Brief summary of the potential alternatives to the Proposed Action;
- Discussion of the potential adverse impacts of the Proposed Action;
- Brief summary of the identified mitigation measures and strategies to be performed as part of the Proposed Action in order to limit adverse environmental impact;
- List of all involved and interested agencies; and
- List of the permits, approvals and reviews required to implement the Proposed Action.

**2.0 PROPOSED ACTION**

- 2.1 Project Location and Environmental Setting
- 2.2 Project History
- 2.3 Purpose and Need/Vision and Goals
- 2.4 Public Involvement
- 2.5 Description of the Proposed Action (Comprehensive Plan and Zoning Text and Map Amendments)
- 2.6 Potential Build out Scenarios (following methodology developed above)
- 2.6 Involved and Interested Agencies

Attachment: Riverhead\_FINAL Scope\_122123\_cleancopy (002) (2024-106 : Adopts Final Scope for Comp Plan Update)



## 2.7 Required Reviews and Approvals

### **3.0 ENVIRONMENTAL SETTING, POTENTIAL IMPACTS, AND MITIGATION**

The analysis of potential impacts will include findings from analyses included in the Comprehensive Plan Update. Given the generic nature of the EIS, these analyses will be conducted on a qualitative basis, unless quantitative data is readily available.

#### **3.1 Land Use, Zoning and Public Policy**

##### ***3.1.1 Existing Conditions***

###### ***Land use***

Provide a description of the existing land use conditions identified in the Comprehensive Plan including Town-wide land uses based on character of use noting any existing trends in the pattern of use. Utilize maps, tables, and air and ground photos as appropriate.

###### ***Zoning***

Provide a description of the zoning patterns in the Town; note general districts/uses permitted and describe existing overlay districts. Utilize maps, tables, etc. as appropriate in support.

###### ***Public Policy***

Provide a summary of existing public policy related to Town land use and zoning and discuss relevant land use plans and/or studies for the Town or areas within the Town, along with the applicable recommendations of each.

##### ***3.1.2 Potential Impacts***

###### ***Land use***

Based on the Comprehensive Plan recommendations, Zoning Amendments and Build Out Scenarios, describe changes in pattern, scale and density; discuss general compatibility and conflicts of permissible uses; utilize figures, tables, etc. as appropriate.

###### ***Zoning***

Analyze proposed Zoning Amendments recommended under the Comprehensive Plan. Provide an analysis of the impacts of the proposed Zoning Amendments in relation to surrounding zoning districts, uses, and area and bulk standards. Estimate a reasonable build-out projection for the areas subject to potential future zoning changes. Provide an analysis of estimated population projection in the next 10 years.

**3.1.3 Mitigation Measures**

To be determined, if necessary.

**3.2 Demographics, Housing and Economic Conditions**

*3.2.1 Existing Conditions*

The DGEIS will review socioeconomic characteristics (population demographics, housing, etc.) of the Town of Riverhead utilizing US Census data. The DGEIS will analyze how the Comprehensive Plan policies could change socioeconomic conditions in the Town where new demographics, housing types and mixes, and different types of economic activities are anticipated. The current fiscal conditions in the Town will be discussed, including a description of the current municipal expenditures on public services, and tax revenues from different land uses based on property assessments. The DGEIS will also describe current market trends.

*3.2.2 Potential Impacts*

Utilizing current trends and conditions, the DGEIS will qualitatively assess the Build Out Scenarios for what future socioeconomic conditions could be like in the Future with and without the Proposed Action. The estimated annual revenues and costs associated with changes to land use under the Proposed Action will be discussed in this section. The DGEIS will project real property taxes accruing to each taxing jurisdiction from the realization of each of the Build-Out Scenarios and provide a comparison.

*3.2.3 Mitigation Measures*

To be determined, if necessary.

**3.3 Scenic and Historic Resources**

*3.3.1 Existing Conditions*

The DGEIS will describe existing scenic and historic resources within the Town of Riverhead. The visual resources assessment will also include an inventory of scenic and aesthetic resource types consistent with the New York State Department of Environmental Conservation policy “Assessing and Mitigating Visual Impacts” (NYSDEC 2000) within the Town. Visual resources that will be considered include, for example, important public view corridors, and important natural or built features including cultural resources. An inventory of historic resources and districts, in table and map form, will also be provided. For areas that are subject to potential zoning changes that could impact streetscape design elements, photographic documentation depicting existing conditions will be provided.

The DGEIS will also identify the location and types of historic and cultural resources including those officially designated by the Town of Riverhead, and the State and National Registers of Historic Places Programs. Areas identified will include historic districts, buildings, sites, and already recognized areas of

Attachment: Riverhead\_FINAL Scope\_122123\_cleancopy (002) (2024-106 : Adopts Final Scope for Comp Plan Update)

potential archaeological significance. Any proposed changes to Downtown and how they affect identified historic resources and districts will be discussed.

### **3.3.2 Potential Impacts**

The potential for policies recommended in the Comprehensive Plan to alter, influence, preserve and enhance the scenic and historic character of identified resources will be assessed. For areas subject to potential zoning changes, the identified streetscape design elements will be contrasted with descriptions and illustrative renderings of future conditions with new developments in place and the changes assessed for their visual significance. Renderings or massing diagrams will be prepared where changes in the built environment that are most pronounced. The renderings and massing diagrams may be location-specific or representative of typical types of future development that would be permitted under future zoning changes.

Where applicable, for areas where zoning amendments would spur new development with any known historic resources or districts present, consultation with the State Office of Parks, Recreation and Historic Preservation will occur to ascertain potential impact, and whether mitigative measures will be necessary to protect any given resource or potentially sensitive areas.

#### *3.3.3 Mitigation Measures*

To be determined, if necessary.

### **3.4 Transportation and Mobility**

#### **3.4.1 Existing Conditions**

Provide a description of the existing road network in the Town, sensitive intersections, and parking conditions. Provide summary of crash data obtained from NYSDOT. Identify and describe public transit options, including LIRR ridership. Describe and evaluate pedestrian and bicycling conditions. Summarize LKMA traffic study.

#### **3.4.2 Potential Impacts**

Describe proposed changes in traffic circulation, and proposed pedestrian and bicycle accommodations as recommended in the Comprehensive Plan. Discuss the potential impacts of the Zoning Amendments and the related build out scenario on transportation resources and traffic in the potentially affected intersections. Discussion of potential changes in demand for public transportation services as a result of the proposed Zoning Amendments. Discussion of changes to parking conditions.

#### **3.4.3 Mitigation Measures**

To be determined, if necessary.

### **3.5 Community Facilities, Open Space, Parks, and Recreation**

#### **3.5.1 Existing Conditions**

The DGEIS will review existing community facilities including police, fire, schools, library, emergency services, Town open space and parks and recreation and analyze future needs that could be realized with the implementation of the Comprehensive Plan.

#### **3.5.2 Potential Impacts**

The DGEIS will analyze potential changes in demand on community facilities that could be brought about by population and commercial/ industrial growth, as applicable based on the build out scenario. Analyses to determine the potential need for new school seats and consistency of the potential for new densities will be presented. If impacts are identified, a qualitative discussion of potential costs, where applicable would be provided and the tax benefits of any future development (as outlined in the socioeconomics chapter) would be described.

#### **3.5.3 Mitigation Measures**

To be determined, if necessary.

### **3.6 Natural Features, Environmental Resources and Agricultural Lands**

#### **3.6.1 Existing Conditions**

Utilizing publicly available Geographic Information System (GIS) data from sources such as the New York State GIS Clearinghouse, Suffolk County and the Town of Riverhead, the DGEIS will include mapping relevant natural resource characteristics including general information on land including soil, geology, and topography, water resources including surface water, wetlands, and groundwater and wildlife and vegetation. Agricultural lands will also be described and mapped.

#### **3.6.2 Potential Impacts**

The above identified features will be discussed within the context of the potential for the Proposed Action to alter, protect, enhance or otherwise influence the condition of these resources within the Town of Riverhead. The Comprehensive Plan policies are not expected to directly alter development policies protecting existing natural resources nor present the potential for significant adverse impacts directly to natural resources, and therefore this assessment is expected to be focus on characterization of the Town's natural resource context and resources through mapping and description. The potential for the proposed changes to the Town's TDR program and any potential for impacts to agricultural lands resulting from any future change will also be discussed.

### **3.6.3 Mitigation Measures**

To be determined, if necessary.

## **3.7 Infrastructure and Utilities**

### **3.7.1 Existing Conditions**

#### **Water**

- Describe existing infrastructure conditions and capacity; identify location of water infrastructure with maps. Coordinate information needs with the Town Water Department, Sewer District, Sanitation Department, and Town Engineering Department.

#### **Sewer**

- Describe existing infrastructure conditions and capacity; identify location of sewer infrastructure with maps.

#### **Stormwater and Floodplain Management**

- Describe existing stormwater infrastructure; identify areas included in 100-year and 500-year floodplain.

#### **Sea Level Rise**

- Identify any area that may be subjected to sea level rise.

#### **Utilities**

- Describe existing electricity service and Identify existing issues in the electricity supply (brownouts, outages, etc.); describe location and condition of TV cable, internet, and telephone wires. Contact PSEG.

### **3.7.2 Potential Impacts**

Describe status of infrastructure and identify potential impacts due to capacity and/or aging infrastructure (whether it is possible to assess age/condition). For each area where zoning may change and density may increase, the DGEIS will assess the compatibility of proposed development density with applicable regulations and discuss if recommendations for constructing sewers in order to support the Proposed Action is warranted. The following analysis will require coordination with the Town Water Department, Sewer District, Sanitation Department, and Town Engineering Department to identify any needed improvements.

#### **Water**

- Describe status of infrastructure and identify potential impacts due to capacity and/or aging infrastructure (whether it is possible to assess age/condition).

**Sewer**

- Describe status of infrastructure and identify potential impacts due to capacity and/or aging infrastructure (if condition is readily accessible).

**Stormwater and Floodplain**

- Qualitatively describe stormwater runoff increase due to proposed zoning changes; identify potential impacts in low-lying areas. In any area where zoning changes are proposed to increase impervious surface cover, the DGEIS will provide a qualitative comparison of stormwater impacts and discuss any increases in runoff and measures to mitigate, if necessary.

**Sea Level Rise**

- Identify any area that may be subject to sea level rise based on Suffolk County Surging Seas Risk Zone Map (NOAA Data).

Utilities

- Describe potential impacts to utility service providers due to any projected increase in demand.

**3.7.3 Mitigation Measures**

To be determined, if necessary.

**4.0 OTHER ENVIRONMENTAL IMPACTS**

**4.1 *Unavoidable Adverse Environmental Impacts***

This section of the DGEIS will discuss adverse environmental impacts that cannot be avoided or adequately mitigated if the Proposed Action is implemented.

**4.2 *Irreversible and Irretrievable Commitment of Resources***

This section of the DGEIS will discuss any irreversible and irretrievable commitments of environmental resources that would be associated with the implementation of the Proposed Action.

**4.3 *Growth-Inducing, Cumulative and Secondary Impacts***

This section of the DGEIS will discuss the potential for growth inducing impacts to occur as a result of the Proposed Action. Growth related to potential zoning changes that would be facilitated as a result of the adoption of the Proposed Action would be discussed throughout the DGEIS. This section will also include discussion of the potential for cumulative impacts with projects in the Town not directly associated with the Comprehensive Plan adoption that might impact similar environmental resources. Pending development projects in the approvals pipeline will be included in table format.

**4.4 Effects on the Use and Conservation of Energy**

The DGEIS qualitative discussions around Green House Gas (GHG) and energy usage are expected to focus on discussing key principles of the Sustainability and Resilience chapter of the Comprehensive Plan addressing potential initiatives such as reducing energy consumption, increasing the use of renewable energy in Town facilities and increasing prevalence of non-automobile modes of transportation in the Town of Riverhead.

**5.0 ANALYSIS OF ALTERNATIVES**

**5.1 No-Action Alternative: Build-out under Existing Comprehensive Plan and current Zoning Code**

6 NYCRR Part 617 requires review of alternatives to a Proposed Action including the “No Action” alternative be included in an EIS. This section of the DGEIS will include a discussion of potential outcomes associated with the Town choosing not to pursue the Comprehensive Plan update and related Zoning Text and Map Amendments.

**6.0 SUBSEQUENT SEQR ACTIONS**

In accordance with 6 NYCRR, Part 617.10(c), the DGEIS will also include identification of conditions or criteria under which future actions will be undertaken or approved including requirements for subsequent SEQRA compliance. These conditions and criteria would identify, for example, residential unit yield and commercial/industrial square footage of developments associated with potential rezoning of particular areas throughout the Town and potential environmental impacts and mitigation measures associated with those projections.

Attachment: Riverhead\_FINAL Scope\_122123\_cleancopy (002) (2024-106 : Adopts Final Scope for Comp Plan Update)

## I. ISSUES NOT INCLUDED IN THE SCOPE

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- Air Quality and Noise - The Proposed Action does not require federal or state air quality permits, nor would it result in any significant increases in air pollution emissions. Similarly, no significant changes in noise levels are anticipated due to the Proposed Action.
- Hazardous Materials – The Comprehensive Plan does not identify any future site-specific developments. Typically an assessment of hazardous materials occurs at a site specific level, not on a generic, area-wide level. The need for future analysis of hazardous materials, if necessary, would be identified in the Future Actions section of the DGEIS.

Two comment letters were received on the Draft Scoping document. Both provided comments on the content of the draft Comprehensive Plan recommendations and not on the actual scope of environmental issues to be studied in the DGEIS. The comments submitted will be considered by the Steering Committee, Town, and consultant staff, as part of the review of comments on the draft Comprehensive Plan.

## GEIS APPENDICES

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- a) EAF Part I, II, and III and Positive declaration
- b) Scoping Document
- c) Correspondence
- d) Traffic data

## J. EXTENT AND QUALITY OF INFORMATION NEEDED FOR THE PREPARER TO ADEQUATELY ADDRESS EACH IMPACT

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Consistent with 6 NYCRR Part 617.8 (e)(3), each draft scope of work must include a section that outlines the extent and quality of information needed to adequately prepare the DGEIS, including identification of relevant existing information, required new information, and the required methodologies for obtaining new information. Following is a preliminary listing of data sources and tools to be utilized to adequately assess DGEIS sections. It is anticipated that this list will continue to expand as the preparation of the DGEIS continues.

### Land Use, Zoning, and Public Policy

- Town of Riverhead Draft Comprehensive Plan Update (2023)
- Town of Riverhead Comprehensive Plan Update (2003)
- Town of Riverhead Zoning Code and Zoning Map
- Historic Preservation Design Guidelines
- Riverhead Downtown Revitalization Initiative Plan (2022)
- Downtown Riverhead Pattern Book (2021)
- Peconic Estuary Partnership 2020 Comprehensive Conservation and Management Plan (2020)
- Town of Riverhead Transit Oriented Development (TOD) Plan for the Railroad Avenue Urban Renewal Area
- Riverhead Parking Plan Preliminary Recommendations (2019)
- Peconic River/Route 25 Corridor BOA Study (2016)



- Suffolk County Comprehensive Master Plan 2035

**Demographic, Housing and Economic Conditions**

- United States Census Data (2020)
- Current Town Budget
- Proposed Town Budget for the next fiscal year
- Build-out analysis
- Fiscal Impact Analysis (taxes)

**Transportation and Mobility**

- LKMA Traffic Study
- Traffic count data

**Scenic and Cultural Resources**

- Land Use Data from Suffolk County, NY
- New York State Department of Environmental Conservation Wild, Scenic and Recreational Rivers
- New York State Department of Environmental Conservation (NYSDEC) policy “Assessing and Mitigating Visual Impacts” (NYSDEC 2000)
- Site and area inspections and photographs
- NYS Cultural Resource Information System
- NYS Historic Preservation Office (SHPO) archaeological site inventory
- Town of Riverhead Landmarks Preservation Committee
- Historic Preservation Design Guidelines
- Historic District Maps

**Community Facilities, Open Space, Parks and Recreation**

- Town of Riverhead, County, State and Federal Parkland mapping inventories
- Community facilities identification of all services providers
  - Schools
  - Police;
  - Fire;
  - Emergency Services;
  - Sanitation;
  - Parks and recreational facilities; and;
  - Libraries Facilities

**Natural Features, Environmental Resources, and Agricultural Lands**

- Publicly available Geographic Information System (GIS) data from United States Geological Survey (USGS), New York State GIS Clearinghouse, Suffolk County and the Town of Riverhead, information on soil, geology, and topography, water resources including surface water, wetlands, groundwater, wildlife and vegetation including for example, the New York State Department of Environmental Conservation Environmental Resource Mapper, and the New York Nature Explorer where warranted.
- Consultation with New York State Department of Agriculture and Markets

**Infrastructure and Utilities**

- Relevant local and County regulations

- Existing water district mapping and infrastructure
- NYSDEC Stormwater Management Design Manual and Standards and Specifications for Erosion and Sediment Control
- MS4 SMWP
- Information on utility providers including PSEG Long Island, National Grid and Verizon
- Suffolk County Surging Seas Risk Zone Map

**Appendix 3. Acceptance of the DGEIS, Town Board  
Resolution, April 25, 2024**

04.25.2024

ADOPTED

## TOWN OF RIVERHEAD

## TB Resolution 2024-376

**ACCEPTS DGEIS FOR THE 2024 TOWN OF RIVERHEAD COMPREHENSIVE PLAN UPDATE, ISSUES NOTICE OF COMPLETION OF DGEIS, AND SCHEDULES PUBLIC HEARINGS FOR THE DGEIS AND DRAFT COMPREHENSIVE PLAN**

Councilman Rothwell offered the following resolution,  
which was seconded by Councilman Kern

**WHEREAS**, the Town Board of the Town of Riverhead is in the process of updating its Comprehensive Plan; and

**WHEREAS**, the purpose of the Comprehensive Plan update is to provide a framework to guide land use and policy decisions in the Town. The vision for the Town of Riverhead is a sustainable community that balances economic growth, environmental stewardship, and quality of life for all residents. The Plan envisions a thriving downtown, support for the farming and agricultural sector, expanded tourism and economic development, a high quality of life, housing opportunities attainable for a range of income levels and ages, provision of quality essential services, and smart growth, and the preservation of the rural character. The plan's chapters include Introduction, Vision, and Goals; Demographic, Housing, and Economic Conditions; Land Use and Zoning; Economic Development; Transportation and Mobility; Community Facilities, Open Space, Parks, and Recreation; Natural Features, Environmental Resources, and Agricultural Lands; Infrastructure and Utilities; Scenic and Historic Resources; Sustainability and Resilience; Future Land Use Plan and Summary of Recommendations; and

**WHEREAS**, pursuant to 6 NYCRR Part 617.4 (1), "The adoption of a municipality's land use plan," is considered to be a Type 1 action pursuant to the New York State Environmental Quality Review Act ("SEQRA"; 6 NYCRR Part 617); and

**WHEREAS**, BJB Planning, on behalf of the Town Board, prepared Part 1, Part 2, and Part 3 of the Full Environmental Assessment form (FEAF) dated September 19, 2023; and

**WHEREAS**, by Resolution No. 2023-833, dated November 9, 2023, the Town Board of the Town of Riverhead assumed Lead Agency and issued a Positive Declaration, as the proposed action may have the potential to result in a significant effect on the environment for the reasons outlined in Part 3 of the FEAF dated September 19, 2023, accepted the Draft Scope status for the purposes of SEQRA review, and initiated the 30-day written comment period for public comments on the draft scope; and

**WHEREAS**, a Notice of Availability of Draft Scope was published in the November 22, 2023 New York State Department of Environmental Conservation's Environmental Notice Bulletin; and

**WHEREAS**, the Town Board accepted written comments from the public on the Draft Scope until December 8, 2023 with all comments reviewed, analyzed and assembled into a Final Scope, as deemed appropriate by the Town Board, as Lead agency; and

**WHEREAS**, on December 13, 2023 the Comprehensive Plan Steering Committee held a public hearing for the purposes of ensuring full citizen participation in the preparation of the Comprehensive Plan Update; and

**WHEREAS**, the Town Board, by Resolution No. 2024-106, dated January 17, 2024, found the Final Scope submitted the BFJ Planning to be in an acceptable form to prepare a Draft Generic Environmental Impact Statement (“DGEIS”); made the Final Scope available for public consumption on the Town’s Website, and the Town’s Comprehensive Plan Update website; and

**WHEREAS**, the availability of the Final Scope was noticed in the January 31, 2024 New York State Department of Environmental Conservation’s Environmental Notice Bulletin; and

**WHEREAS**, BFJ Planning, on behalf of the Riverhead Town Board has prepared and submitted a DGEIS dated April 18, 2024 to the Riverhead Town Board for review; and

**WHEREAS**, BFJ Planning has prepared a Draft Comprehensive Plan Update dated April 18, 2024, which incorporated the comments and recommendations of the CPU Steering Committee Town Planning Staff, and the Public, which has been submitted to the Town Board; and

**WHEREAS**, the Town Board has reviewed both the DGEIS dated April 18, 2024, and the Draft Comprehensive Plan update dated April 18, 2024.

**NOW, THEREFORE, BE IT RESOLVED**, that The Town Board of the Town of Riverhead as lead agency pursuant SEQRA, has determined that the DGEIS dated April 18, 2024 is complete with respect to its scope and content for the purpose of commencing public review pursuant to Part 617.9(a)(2); and be it further

**RESOLVED**, that a public hearing on the DGEIS and a public hearing on the Draft Comprehensive Plan Update shall be held on May 20, 2024 at 6:00pm at Riverhead Town Hall, 4 W Second Street, Riverhead, as specified in the attached public notice(s); and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to publish the attached notice(s) of public hearing once in the May 2, 2024 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose; and be it further

**RESOLVED**, that BFJ Planning, on behalf of the Town Board shall file, publish, and circulate the attached “*Notice of Completion and Notice of SEQRA Public Hearing*” in accordance with the requirements of Part 617.9 and 617.12; and be it further

**RESOLVED**, the DGEIS and Draft Comprehensive Plan Update shall be made available for public consumption at the Riverhead Planning Department, the Riverhead Town Clerk’s Office, the Town’s Website [www.townofriverheadny.gov](http://www.townofriverheadny.gov) and the Town’s Comprehensive Plan Update Website [www.townofriverheadcomprehensiveplanupdate.com](http://www.townofriverheadcomprehensiveplanupdate.com) ; and be it further

**RESOLVED**, that the Town Clerk is hereby Authorized to forward a certified copy of this resolution to The Planning Department, The Town Attorney’s Office, BFJ Planning (Noah Levine [N.Levine@bfjplanning.com](mailto:N.Levine@bfjplanning.com) Sarah Yackel [S.Yackel@bfjplanning.com](mailto:S.Yackel@bfjplanning.com); Emily Junker [e.junker@bfjplanning.com](mailto:e.junker@bfjplanning.com); and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk

**THE VOTE**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kenneth Rothwell, Councilman  
**SECONDER:** Robert Kern, Councilman  
**AYES:** Hubbard, Rothwell, Kern, Merrifield, Waski

State of New York  
County of Suffolk } ss:  
Town of Riverhead

This is to certify that I, the undersigned, Town Clerk of the Town of Riverhead, County of Suffolk, State of New York, have compared the forgoing copy of a Resolution with the original now on file in this office and which was duly adopted on April 25, 2024 and that the same is a true and correct transcript of said Resolution and the of the whole thereof.



IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Town of Riverhead, on April 25, 2024

*James M. Wooten*

, Town Clerk

## FISCAL IMPACT STATEMENT OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION

A. Type of Legislation    Resolution <input checked="" type="checkbox"/> Local Law		
B. Title of Proposed Legislation: Accepts DGEIS for the 2024 Town of Riverhead Comprehensive Plan Update, Issues Notice of Completion of DGEIS, and Schedules Public Hearings for the DGEIS and Draft Comprehensive Plan Accepts DGEIS for the 2024 Town of Riverhead Comprehensive Plan Update, Issues Notice of Completion of DGEIS, and Schedules Public Hearings for the DGEIS and Draft Comprehensive Plan		
C. Purpose of Proposed Legislation: Adopts final Scope for the Town of Riverhead Comprehensive Plan Update		
D. Will the Proposed Legislation Have a Fiscal Impact?    Yes _____ No <input checked="" type="checkbox"/>		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable:  (a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example:routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J;  <div style="text-align: center;">or</div> (b) The description/explanation of fiscal impact is set forth as follows:		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
<b>G. Proposed Source of Funding</b> Appropriation Account to be Charged:  Grant or other Revenue Source:  Appropriation Transfer (list account(s) and amount):		
H. Typed Name & Title of Preparer: Matthew Charters	I. Signature of Preparer  <div style="text-align: center;"><b>Matthew Charters</b>  <small>Matthew Charters</small> _____  <small>4/25/2024</small></div>	J. Date 4/19/24
K. Accounting Staff Name & Title	L. Signature of Accounting Staff	M. Date

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing on the Draft Comprehensive Plan Update for the Town of Riverhead will be held before the Town Board of the Town of Riverhead at 4 West 2<sup>nd</sup> Street, Riverhead, New York, on the 20<sup>th</sup> day of May, 2024, at 6:00 p.m.

Dated: May 2, 2024  
Riverhead, New York

BY THE ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
JAMES M. WOOTEN, Town Clerk

Attachment: Notice of Public Hearing - Comprehensive Plan RUN ON MAY 2ND- DUE TO BE SUBMITTED TO TNR ON APRIL 25TH (2024-376 :



**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing on the Draft Generic Environmental Impact Statement (DGEIS) for the Town of Riverhead Comprehensive Plan Update will be held before the Town Board of the Town of Riverhead at 4 West 2<sup>nd</sup> Street, Riverhead, New York, on the 20<sup>th</sup> day of May, 2024, at 6:00 p.m. pursuant to 6 CRR-NY 617.9 (a)(4)(ii).

Dated: May 2, 2024  
Riverhead, New York

BY THE ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
JAMES M. WOOTEN, Town Clerk

Attachment: Notice of Public Hearing DGEIS COMP PLAN RUN ON MAY 2ND- DUE TO BE SUBMITTED TO TNR ON APRIL 25TH (2024-376 :



## **Appendix 4. Public Hearing Transcript, May 29, 2024**

**Commenters at the Public Hearing on May 29, 2024**

	Speaker	Speaker Affiliation	Comment Number
1	Kathy McGraw	Northville Resident	3.1.6 3.1.16 3.1.26 3.1.51 3.1.74 3.1.98 3.1.105 3.1.122 3.5.4
2	Cindy Clifford	Riverhead Resident	3.1.4 3.1.50 3.1.71 3.1.83 3.1.123
3	Laura Jens Smith	Greater Jamesport Civic Association	3.1.2 3.1.19 3.1.20 3.1.28 3.1.34 3.1.38 3.1.72 3.1.80 3.1.88 3.1.95 3.1.106 3.1.109 3.2.2 3.3.2 3.3.7 3.3.8 3.3.11 3.5.2
4	Joan Cere	Jamesport Resident, Greater Jamesport Civic Association.	3.1.24 3.1.48 3.1.58 3.7.2 3.8.2 3.9.2
5	Phil Barbato	Jamesport Resident	3.1.30 3.1.31 3.1.96
6	Barbara Blass	Jamesport Resident	3.1.21 3.1.42 3.1.47 3.1.53 3.1.63 3.1.68 3.1.103 3.1.104 3.1.124 3.3.6

***Commenters at the Public Hearing on May 29, 2024***

	Speaker	Speaker Affiliation	Comment Number
			3-3-9 3-9-5
7	John McCullough	Rolling Woods / Roanoke Landing Resident	3-1-3 3-1-5 3-1-17 3-1-25 3-1-43 3-1-79 3-1-93 3-1-100
8	Ken Zilnicki	Riverhead Resident, Planning Board Member	3-1-18 3-1-27 3-1-94
9	Mike Foley	Reeves Park Resident	3-1-29
10	Toqui Terchun	Greater Calverton Civic Association	3-1-65

TOWN OF RIVERHEAD

COUNTY OF SUFFOLK: STATE OF NEW YORK

-----X

RIVERHEAD PLANNING BOARD

Special Meeting

-----X

Held In-Person & Via Zoom

4 West Second Street

Riverhead, New York 11901

May 29, 2024

B E F O R E:

TIMOTHY HUBBARD - SUPERVISOR

JOAN WASKI - COUNCILWOMAN

BOB KERN - COUNCILMAN

KENNETH T. ROTHWELL - COUNCILMAN

DENISE MERRIFIELD - COUNCILWOMAN

\*\*\*\*\*

JAMES WOOTEN - TOWN CLERK

ERIK HOWARD, ESQ. - TOWN ATTORNEY

ALL OTHER INTERESTED PARTIES

SUPERVISOR HUBBARD: Good evening, everybody. Today is Wednesday, May 29, 2024. We are here for a Special Town Board meeting to discuss the Draft Generic Environmental Impact statement.

Hello, folks. I'd appreciate, since we're live on TV, if we can quite down a little bit.

Can we all rise for the pledge of Allegiance, please? Erik Howard, would you lead us in the pledge?

TOWN ATTORNEY HOWARD: Sure.

(Whereupon the Pledge of Allegiance was recited.)

SUPERVISOR HUBBARD: Thank you, Erik. Okay, good evening, everybody. Prior to opening the public hearing tonight on the DGEIS for the Comprehensive Plan update, we need to clarify the record regarding the public hearing for the Draft Comprehensive Plan which was held on Monday, May 20, 2024.

After reviewing the record from the May 20th public hearing on the draft plan and in an effort to clear up a technicality, I'd like to make a motion to officially close the public hearing on the draft plan and remind everybody that it will remain open for written comment until the close of business on June 10, 2024.

This will mean the draft plan will have been open for public review for 46 days, which is more than adequate for interested parties to review the plan and offer comments.

With that being said, I will entertain a motion to close the public hearing on the draft Comprehensive Plan with the written comment period remaining open until the close of business on Monday, June 10, 2024. Can I have a motion to close?

COUNCILMAN KERN: So moved.

COUNCILMAN ROTHWELL: Second.

SUPERVISOR HUBBARD: All in favor?

(Chorus of "ayes".)

SUPERVISOR HUBBARD: All opposed?

(No response.)

SUPERVISOR HUBBARD: Okay. The Draft Comprehensive Plan is now closed and we will now open the meeting for the Draft Generic Environmental Impact Statement. Okay.

Sarah, one second I just want to address a couple of things. I see we have people in the room, I believe, from the school district. Just so you know, comments tonight regarding the charter school won't be allowed only because the comments are on the draft environmental statement. Nothing in that statement regards the charter school.

But I will also tell you in an announcement, I have conferred with my Board members, and we are all in favor of removing the language out of the Comprehensive Plan that would allow the charter school to go on industrial land.

(Applause.)

SUPERVISOR HUBBARD: We heard you loud and clear. We agree with a lot of the points and there is land available in the Town where if the charter school should choose to build a school, that it would be zoned appropriately for that.

We're not going to give away industrial land for a use of a charter school. So that's the support of the entire Board, so I just wanted to let you know.

(Applause.)

SUPERVISOR HUBBARD: With that, Sarah, I will turn it over to you. Thank you.

MS. YACKEL: Thank you, Supervisor Hubbard and members of the Board. My name is Sarah Yackel. I'm principal of BFJ Planning, the planning consultants who've prepared the draft comprehensive plan update with all of you and many people in this room.

And also we prepared the document that is the subject of the public hearing tonight, which is the Draft Generic Environmental Impact Statement. I know that that's a lot of letters. Unfortunately, that happens with the State Environmental Quality Review Act.

I do have a brief presentation to just sort of walk you through where we are in the process, the next steps, a little bit about the Draft Generic Environmental Impact Statement and then the next document that will come before you, which is the Final Generic Environmental Impact Statement. Next slide, please.

As I said, we're going to cover just quick on the Comprehensive Plan update, the SEQRA process, and then tonight's proceeding, and then we'll get underway with the public hearing. Next slide, please.

So you just closed the Comprehensive Plan update hearing. It is still open for written comments, but I just wanted to make the point that the document that is up online and was the subject of that public hearing, is what we are calling, for purposes of the environmental review, the proposed action.

So the document that is analyzed in the environmental impact statement is that draft Comprehensive Plan. There are no zoning text amendments or zoning changes that are before the Board currently. So it is just the land use approach where it may discuss zoning. That is what we have analyzed in the EIS. Next slide, please.

So just quick walking you through the SEQRA timeline, we were before you in April where you reviewed the Draft Generic Environmental Impact Statement and accepted it as complete for public review. That public review period began on April 26th.



We are now here on May 29th for -- with a special meeting and this public hearing. And as the supervisor said, the comment period, as with the Comprehensive Plan update, will remain open until June 10th close of business.

Following that, we will have our work cut out for us responding to all the comments that we receive tonight and I will discuss a little bit about that process in a moment.

And we will prepare what's called the Final Generic Environmental Impact Statement, which will come to you sometime probably late July, early August. From there, you will have another round of review and acceptance of that document. And following that, we will prepare what's called the findings statement.

That findings statement just walks through how the Board has met its obligations under SEQRA with respect to the environmental review.

And once you've adopted that document, you are then in a position to be able to adopt the Comprehensive Plan. I would imagine that at the same time that you receive the final EIS, you will also be receiving a redline version of the Comprehensive Plan update reflecting any changes, including the one you just mentioned, just so you have that and the public can see that as well.

So what is a Generic Environmental Impact Statement? A GEIS is really used to consider broad-based actions the agencies may approve, fund or directly undertake. Members of the public and the Board may be more familiar with a standard EIS where you have a project, something that is a specific site that you're analyzing.

In this case there are no shovel-in-the-ground impacts. Nothing is being constructed as a result of the adoption of a Comprehensive Plan. It's really used to examine the environmental impacts of a plan having wide application or restricting the range of future alternatives.

So both the actions here, a comp plan, and then in the future, if you choose to adopt zoning, are both generic actions.

In the GEIS there's no need to speculate about specific projects if none are known. And so you will see, for those of you who have read the document, and I know the Board, that you will see that there are no specific projects identified unless they have already been presented to either the Planning Board or the Town Board.

The table of contents of the document. There are six chapters, which includes -- and these six chapters are mandated by state law -- the executive summary, the proposed action, the environmental setting, potential mitigation.

Under that Chapter 3, there are seven subchapters -- and these were all outlined in the scoping document that you adopted back in the fall -- which are land use and zoning and public policy. These mimic the chapters of the Comprehensive Plan, so I won't go through them.

And there are other environmental impacts, which is a category that is also mandated by state law. There's an analysis of alternatives. State law requires that you consider a no-action alternative. So what is the outcome if this document isn't adopted?

And then finally, because this is generic, a subsequent SEQRA action chapter is also required and that chapter lays out, sort of, next steps for any projects that may move forward or recommend -- implementation of recommendations from the plan.

So the public comment period. The state law requires a 30-day minimum comment period on a Draft Generic Environmental Impact Statement and I will note that a public hearing is not required by state law. The Comprehensive Plan DGEIS public comment period was open or will be open for 46 days. It opened on April 26th and will close on June 10th and you are also holding a public hearing.

A final GEIS, which is the document that will come after the close of the comment period, must respond to all substantive environmental comments made on the DGEIS. On the next slide I'll walk you through what that means.

A substantive comment pertains to impacts, alternatives and mitigation presented in the DGEIS. So comments that would ultimately get responded to in that FEIS have to pertain to the analysis contained in that draft document.

Substantive comments can also raise important new environmental issues not previously addressed. And it is important to note the general statements of objection or support for the Comprehensive Plan should be noted in the comment summary, but do not need a response.

So for many of the comments we may receive or have received, we may summarize those comments and then the response would be comment noted. Next slide please.

So tonight's proceedings, as we said, this is the DGEIS public hearing. We are asking folks to limit their comments to three minutes and, you know, it would be great to get written comments of any comments made tonight.

Again, the DGEIS comments should relate to the contents of the DGEIS, not the Comprehensive Plan. And the comment -- again, the comment period will be open until the close of business on June 10th. Next slide.

And finally, comments should be submitted -- written comments should be submitted to the Town Clerk at the address here or at James Wooten's e-mail address, which is [wooten@townofriverheadny.gov](mailto:wooten@townofriverheadny.gov). All right, thank you.

SUPERVISOR HUBBARD: Sarah, the one thing I just want to clarify is that you said a three-minute time period. There is no time period tonight.

MS. YACKEL: Okay. Thanks.

COUNCILMAN ROTHWELL: I have some questions for you if I can. Chip, are you able to go back to the slide that just shows like the calendar timeframe? If you can for me because I just want to clarify. It's one of the first slides.

MS. YACKEL: I think we may have missed a slide as well.

COUNCILMAN ROTHWELL: My question is, so when we had the initial hearing for the Comprehensive -- Draft Comprehensive Plan and we're hearing comments tonight, I think all of us on the Board have been making continuous comments.

The Supervisor explained to us that we're going to have like a work session, but I just want to clarify, like, so when we make changes -- I'll use the example of removing the line regarding the industrial zoning and so forth. How does it work when a change is made? Okay, does it mean it goes to another whole public hearing or is it kind of like -- to what extent? Just to clarify for the public because we're listening, we're all making notes here and we all want to sit down at a roundtable and kind of make those changes. And just how does that come about into the timeframe if you don't mind?

MS. YACKEL: Yes. So following that June 10th close of comment period, we will presumably -- I think Noah heads up -- Noah Levine heads a Comprehensive Plan update process. He will probably meet with you at a work session and walk you through any proposed changes to the plan. They will be things that were said at the public hearing.

The only thing that would necessitate reopening the public hearing is if something new has been proposed. If you are tweaking language, clarifying language, removing language, that is all fine. If you were to all of a sudden include a new recommendation, that's what would necessitate reopening the public hearing.

Hand-in-hand with that, the Final Environmental Impact Statement -- I think there was a slide that may have gotten skipped. If you if go there. Next one.

So I just want to cover this quickly. The final GEIS, which is coming post this meeting in the June 10th deadline, includes what the contents of that document are. It's not what -- it's not like a Draft Comprehensive Plan to a Final Comprehensive Plan. It is a completely separate document just called the final EIS. That can be confusing.

So what you will be receiving is a document where the draft EIS is incorporated by reference. And it will be three chapters. The first is just summary chapter. The second is a chapter, which is any changes to proposed actions. So that's a chapter that would summarize any revisions that are made to the Comprehensive Plan that comes out of this hearing process and Noah's follow-up meetings with you.

And then the third chapter is a response to comments. So copies are a summary of all substantive comments received indicating their source and the Lead Agency's response to those comments.

So ultimately we would be preparing responses to any of those substantive comments and they will be categorized either by the commenter or the topic area.

COUNCILMAN ROTHWELL: Thank you for clarifying. So we're taking things in, we're making notes and so forth, and --

MS. YACKEL: Right, and presumably that work session and those meetings to get to a revised plan will happen later in June, early July, so that we then can finalize that, the FEIS. Because we need to know what those change are to be able to finalize the environmental documents.

COUNCILMAN ROTHWELL: Got it. Thank you very much.

MS. YACKEL: You're welcome. Thank you.

SUPERVISOR HUBBARD: Okay, I'd like to open it to the floor to anybody who has any comments on tonight's DGEIS meeting.

MS. MCGRAW: Good evening. Kathy McGraw from Northville. I'm going first because I probably know about least about GEIS's of any of the other informed people who will talk to you tonight. I can say that this is a daunting document of 284 pages and especially for people like me who aren't trained in SEQRA. And I have to believe it probably makes your heads' spin once in a while as well.

My comments tend to be general because I don't fully understand all the specifics in this document, but I'm struck by the fact that this DGI -- GG -- I can't even say it. EIS, can I use that?

SUPERVISOR HUBBARD: Yes.

MS. MCGRAW: -- finds specifically, and I'm quoting now in the mitigation measures, no significant adverse impacts are anticipated from the plan's adoption and thus no site-specific or neighborhood-wide mitigation measures are necessary. All future development would require site-specific review under SEQRA where mitigation measures might be identified and required.

When I read that I said, can this really be true? And I didn't think so because the DGEIS says the plan's execution wouldn't alter the Town's current visual and aesthetic character directly. It serves as a guiding framework for future Town actions to protect scenic and historic resources.

And I may be missing something here, but it seems to me this plan's adoption will in fact alter the Town's visual and aesthetic character. And just a few of the examples that I think would cause that to happen:

I think there will result massive traffic problems in Calverton. Yes, the plan recommends ways to minimize visual impacts of industrial buildings, but with the use of TDR's, it allows construction that can house logistic centers and cube warehouses that will clog our roads with truck traffic. I view that as a pretty adverse impact.

Another example, housing. The GEIS says there are no significant impacts in the plan. I question that because they recommend lifting the DC-1 500 housing unit limit. I think that would have a

definite visual impact and on the infrastructure. There will be impact on the infrastructure, schools, and traffic from that.

There's also a recommendation of eliminating the three-year occupational requirement for accessory dwellings and also increasing the size of those dwellings. Right now there's a limit of 650 square feet. The change would allow up to 40 percent of the primary residence.

Now, as I read this, it says, to me, that every house in Riverhead will now be eligible for construction of a dwelling apartment, an accessory dwelling apartment. There is a limitation of one bedroom, but, you know, you build an accessory that's 40 percent of a new house and it's a pretty big accessory and it will have family rooms, studies, and only one thing that's called a bedroom. It could easily be reused. And I do believe that a proliferation of these dwellings will inevitably impact on traffic, schools, and infrastructure.

Another example is vertical farming. The plan wants it to be allowed on all agricultural land. Not just on APZ land, but all agricultural land including RA-80 land north of Sound Avenue. And I suspect this has to do with the farm operations thing that I spoke about during the comp plan.

While vertical farming is unsightly, it requires tall and often unattractive buildings, it's nothing like the scenic beauty of cultivated land. I call that a significant environmental impact, visual.

The plan also recommends allowing solar on farmland beyond the currently allowed 110 percent of the farm's need for electricity. Vertical farming requires an awful lot of electricity, as you pointed out, Supervisor Hubbard. I think that alone, the demand from the vertical farming could fill our agricultural land with solar panels even if you kept the 110 percent limitation.

And allowing it in excess of 110 percent, I think -- I can't understand how this could not constitute a significant environmental impact. We will have vistas of solar panels, which are pretty ugly in my view.

And then agritourism results -- results? Resorts, sorry. The plan recommends them and I don't understand how such resorts would not have a significant impact on our scenic and historic resources. Namely, on our vistas, the historic Sound Avenue corridor, the Long Island Sound and its bluffs.

Sure, the DGEIS says these and other zoning recommendations will require additional study to determine the scope and scale of any future potential zoning changes. And only when such changes are proposed would there then be additional studies and a SEQRA review to determine the environmental impact.

And excuse me again, I may be missing something, but I thought that those were the purposes of the comp plan update and this DGEIS. Isn't that what we paid the consultants to do? I find it alarming that the GEIS lists eight zoning changes that will require further study and further SEQRA review. And those are the planned industrial park, hospital district, DC-1 district, hamlet centers, design guidelines for Route 58, nonconforming uses, golf cottages, and agritourism.

As I've said, I don't pretend to have SEQRA expertise; I don't. But this DGEIS strikes me as nothing more than a kicking of the SEQRA can down the road. It is only when zoning changes are actually proposed and site-specific development plans are presented that any real SEQRA review will be done.

I have to say this really doesn't make sense to me and it frightens the bejeebers out of me because in recent history it's been a rare occasion that this Town has issued a positive declaration for a SEQRA review, yet it's pretty clear that this comp plan will have many adverse -- the potential for many adverse environmental impacts on our town's infrastructure, traffic, scenic resources, land and community character.

Thank you very much. I appreciate your attention.

(Applause.)

SUPERVISOR HUBBARD: Thank you, Kathy.

I'm just a little bit confused about that statement because we want SEQRA to be able to be continued to be used on projects in the future; do we not?

SENIOR PLANNER CHARTERS: It has to be.

SUPERVISOR HUBBARD: It has to be, I understand that, but you wouldn't want the comp plan to alleviate any necessity for a SEQRA study.

SENIOR PLANNER CHARTERS: That's correct.

SUPERVISOR HUBBARD: It would be harmful.

SENIOR PLANNER CHARTERS: Correct, and you can't speculate on a protect that doesn't exist yet or on a zone change, so you'd have to analyze it when it happened.

SUPERVISOR HUBBARD: Okay.

MS. MCGRAW: And I'm not suggesting, Supervisor, that it would eliminate future SEQRA. I'm just saying that many of the recommendations in the comp plan, aside from a zoning change that is happening in the future, have impacts. I don't mean to say that it wouldn't require more.

SUPERVISOR HUBBARD: Okay.

MS. CLIFFORD: Cindy Clifford. I kind of want to second what Kathy just said about her lack of understanding. I don't know how many hours each of you have spent going over this Environmental Impact Statement, but I really tried to get to the point where it's all clear to me and I haven't gotten there yet. I don't get it. And I think that if you look at how many people are not here tonight. You think -- Kathy and I probably aren't the only two who don't quite get it.

Maybe you all had the benefit of BFJ walking you through a detailed review step by step. It would be helpful to those of us who are struggling with the big picture to have something similar to that.

Unfortunately, my takeaway, which I'm sure is mistaken, is that this is all about TDR's that can be used to build more. I just kept seeing TDR, TDR; we're going to do this and -- anyway, I know that the EIS explains that this is a new approach to TDR since they have seemed to worked so well in the past, but it seems like they're going to be used as a magic bullet to permit more density, which, as residents, is not what we're hoping for.

I read that north of Sound Avenue will be a sending and a receiving area. For as little as I understand about that, does that mean that the Town can both protect property and develop more property in that same area because that doesn't seem to make sense?

And, again, I could be misreading, but I think that this TDR can be used in tandem with lifting the 500-unit cap of apartments downtown, permitting more units elsewhere.

I used to have an office in the Science Center's original 11 West Main building, which they sold to the Conifer organization, who were going to bring artist residents and workforce housing to benefit Main Street. The apartments happened, but the artist and workforce housing did not.

Now the sciences center, once touted as a perfect town square centerpiece, made a series of design changes to suit the greater project, had necessary permits long delaying the start of the old Sweezy building renovation and they're being threatened with imminent domain.

Is it a concern that a children's science center is no longer wanted or is a greater concern that there might be a plan down the road to swap out some TDRs and put another Main Street apartment building in that space?

I have a lot of respect for the goal of this comp plan, I really do. And I've spend a lot of hours trying to take it all in and understand what we're looking at and what we're getting and what, if anything, we might be sacrificing, but the environmental impacts are as important as the comp plan itself in moving forward.

I would request on behalf of anyone else in Riverhead who might need more clarification to be clear on what we're agreeing to, that the Board seriously consider hosting at least one information session that would spell out exactly what this all means for our future. Again, it's most important to get it right and then call it done. Thank you.

(Applause.)

MS. JENS-SMITH: Hi, Laura Jens-Smith with the Greater Jamesport Civic Association. And I also have thank my Board, who are here tonight, who did a lot of work on this because it's quite a lengthy document.

Before I start, I just wanted to ask two questions. I know you had asked about the Draft Environmental Impact Statement and the final and the comp plan and the update.

So my question is, you're going to put out a final update to the Comprehensive Plan and is the public then going to have a comment time -- an opportunity to comment on that final before this

draft, the Final Environmental Impact goes through? Timeline, how is this all working if we don't get a public comment period?

SUPERVISOR HUBBARD: I believe the redline version is going to come out and comments can still be taken on the redline version before it is finalized; is that incorrect?

MS. JENS-SMITH: Before June 10th?

SUPERVISOR HUBBARD: No, I didn't say before June 10th.

SENIOR PLANNER CHARTERS: It would be after that. I mean, it would be publically available. It would be up to the Board if they want to open it up for public comment again.

MS. JENS-SMITH: So it would be -- so there's a potential for an opportunity to have another public hearing based on the final comp plan for the public?

SUPERVISOR HUBBARD: Yes.

MS. JENS-SMITH: And then for this, for the Environmental Impact Statement, where does that then fall in that? That would come -- follow after that?

SUPERVISOR HUBBARD: Yes, it would --

SENIOR PLANNER CHARTERS: No. It would be before that.

MS. JENS-SMITH: How could you not have a --

SUPERVISOR HUBBARD: Matt, could you maybe come up to the microphone, or Sarah?

COUNCILMAN ROTHWELL: Sarah was also saying earlier, if we decided to make a significant change, then we would initiate another public hearing. If this is just simple, you know, spelling and correction errors, small things or small things to remove it, then, in that sense, then we can full steam ahead, but --

SENIOR PLANNER CHARTERS: Correct.

COUNCILMAN ROTHWELL: -- if it's significant, if I were to propose something completely different that's never been discussed, we would need to go back to public hearing and give our residents an opportunity to comment on that. So that was kind of one of the things I was trying to point out earlier, that we're listening, we're taking notes and we may choose to make changes. If they're insignificant, we move forward. If they are significant, we may need to have another public hearing.

MS. JENS-SMITH: I think a lot of people, you know, when they came and spoke, there were some pretty significant topics at the last public hearing. So I'm assuming you're going to discuss those and come to some sort of conclusion --

COUNCILMAN ROTHWELL: Absolutely.

MS. JENS-SMITH: -- pro or against, right? You know, but the document with any changes would now be an update.



COUNCILMAN ROTHWELL: There are going to be changes to this.

MS. JENS-SMITH: Okay.

COUNCILMAN ROTHWELL: And then we'll leave it up to the planning and the legal department to determine whether or not they're significant enough to warrant a new secondary public hearing.

TOWN ATTORNEY HOWARD: Right. Yes, Councilman, so if it's a removal from what's already been -- what there's already been a public hearing on, then you don't need to do another public hearing because you're just removing what people wanted to have removed, right?

MS. JENS-SMITH: Correct.

TOWN ATTORNEY HOWARD: If you're adding something significant to do it, then, yes, you would reopen it. So if there's a brand new recommendation that no one -- that hasn't been part of any of the public engagement process, then that would trigger the reopening of the public hearing. But you wouldn't need to have a further public hearing on the final document if it simply removed things that people wanted to have removed.

MS. YACKEL: Right. You want to have the public hearing and public comment essentially closed on the plan prior to accepting the final EIS. The worst thing that you could do in terms of the process is accept that final EIS document, adopt findings, and then make a significant change in the Comprehensive Plan because then that would reopen the SEQRA process.

So those two things need to happen in tandem. The other thing is SEQRA does not -- it probably technically allows, but it does not require or even mention a public hearing on a final EIS. That really is your document for making your decision.

And the timing of that, to the commenter's question, you would receive that final document and that revised draft plan, I would anticipate, later in the summer, you know, potentially late July, early August, into September. So there will be adequate time prior to the ultimate adoption.

SUPERVISOR HUBBARD: Okay.

MS. JENS-SMITH: Thank you. That clarifies.

So just a couple of things, just with Kathy McGraw, she was saying about housing and the significant impact. I think in there, one thing that wasn't mentioned was that there is a statement in there about adding optional potential housing on Route 58, which would also have a significant impact in the numbers and I did not see any of that in the Draft Environmental Impact Statement to analyze that.

So now I'll go into my Jamesport hat. So an item of great importance, which was not discussed in either the DGEIS or the Comprehensive Plan and is not listed there and it was brought up last week, was the United Riverhead Terminals location in Northville on the Long Island Sound and the impact it has and can have on our Town.

On page 40, the RA-80 and RB-80 draft included -- the draft included all RB-80 and RA-80 districts as sending and receiving for TDRs. Once again, we only support them as sending areas.

Page 41, for the Hamlet Center, the draft is recommending that hamlet-specific studies be conducted first to identify specific changes. Therefore, the analysis of the impacts would need to wait until a study is conducted and detailed zoning recommendations are proposed. So we would like to know what recommendations does BFJ planning for now for what is proposed?

On page 41 was the nonconforming uses, which we brought up before. The Comprehensive Plan addresses the need to adjust the zoning map in several areas to better align with existing uses and reduce nonconformity.

It is acknowledged that zoning changes for these areas need further consideration by the Town and impacts would be considered once detailed recommendations are proposed. But the plan has singled out four nonconforming areas in the Town of Riverhead when there are hundreds. To now rezone properties in residential areas to marina or light industry could have a monumental impact on the residents in these areas.

To change the zoning of the shopping center on a critical bend in the road and not look at the surrounding parcels appears to be spot zoning. If the plan is making specific recommendations in zones, shouldn't the DGEIS say what the negative impacts would be if these zones were changed? And that doesn't seem to be addressed in there.

On page 41 for agritourism, the draft recommends allowing agritourism resort facilities with the use of TDR credits in appropriate locations subject to design, development, and environmental standards.

The placement of agritourism resorts facility needs to balance the support of agricultural with the preservation of natural recourse sources. Agritourism defined should be aligned with regulatory guidelines established by the New York State Department of Ag and Market. That's Ag and Market Law number 300.

That considers agritourism activities for the intention of directly marketing the farm's products and which, when special events are conducted, state the farm must ensure that profits from admission, faculty rentals or venders fees do not exceed income from the sales of the farm produce.

On page 86 and 70 -- I'm sorry, 86 and 87, assisted living. It is recommended that assisting living facilities be allowed with special permit use in other areas to be evaluated by the Town Board on a site-specific manner. We feel there needs to be an infrastructure in place for assisted living, not placed in zones within inadequate roads or storage.

On page 87 for housing diversity. The draft recommends including removing minimum home size requirements. To remove the minimum size of a dwelling could result in tract housing that would not be consistent with our area.

On page 87 for housing diversity. To allow the elimination of a Certificate of Occupancy for three years before granting an accessory apartment use and allowing the square footage to go from 650 square feet to 40 percent of the main residence, what does the DGEIS say about the dramatic change that these rules would have on density and residential neighborhoods with regard to the size of houses and the new demand to have additional parking even though the plan is suggesting to reduce that parking?

On page 88 for agricultural land. The draft wants vertical farming in any district where agriculture is the primary use on farms with development rights intact. We do not believe vertical farming should be allowed on prime farming soil.

On page 93 and 94, as far as population. The draft lists the Riverhead population in 2020 as 35,900 individuals. The projection the draft is using for the 2035 is 40,000 individuals, an increase over 15 years of only 4,100 people. The draft stated in the past a higher than projected long term population occurred. Could this be the case -- could this also be the case with these population projections? And we'd like to have them looked at a little bit more closely to make sure that they are on par.

We have added 929 apartments, that's on page 101, and there is a list in the draft, page 275, which lists well over 200 pending housing proposals, and there are estimates of 267 assisted living units on page 115 being added. There is still vacant land in Riverhead that would add more development. The draft projected population seems low when all of these projects are counted and we feel that this needs further review in the impact statement.

On page 111, the population. The pathology that estimates more residents with TDR than without TDR in action scenario needs to have a better explanation.

On page 121 for the short term rentals. Addressing the concerns of permanent residence regarding short term rentals. While the Town acknowledges the economic benefits of allowing short term rentals in certain areas to sustain local business and tourism and potential impacts -- but potential impacts, such as, increased traffic, noise, and safety issues must be carefully considered.

The Comprehensive Plan and DGIS use mixed signals when they are reporting on the short term rentals. We wish the Town, obviously, to keep the 28-day rental as we've spoken about before.

COUNCILWOMAN WASKI: Laura, what page was that on?

MS. JENS-SMITH: That's on Page 121. I can give you guys a copy of this.

COUNCILMAN ROTHWELL: I was going to ask you when you concluded. We're not writing as fast as you're speaking.

MS. JENS-SMITH: Yeah, sorry.

COUNCILMAN ROTHWELL: I know you sent comments in before, but when you conclude after tonight, can you send all these comments in written format to the Town Clerk and then he'll distribute to all of us?

MS. JENS-SMITH: Absolutely.

SUPERVISOR HUBBARD: That goes for anybody tonight who speaks too if you want to do that.

COUNCILWOMAN MERRIFIELD: And there's also a transcript.

COUNCILMAN ROTHWELL: I can't write as fast as you're talking.

MS. JENS-SMITH: No, that's okay. I speak fast.

On page 121, goal seven. Riverhead seeks to actively market, develop and redevelop sites aligned with the Town's vision for growth and prosperity. The Town attracts developers, but needs improved zoning and land use evaluation and regulatory capabilities to align future development with goals. Marketing in Town is neither necessary, nor an appropriate use of funds at this time.

On page 156, existing roadway capacity. The determination that roadways are at ample capacity pertains to planning level analysis focused on determining whether there is adequate lane capacity to meet average and annual traffic demand. These analysis do not account for daily peak hours or seasonal variations in demand.

And one, just as a point out here. You know, it's -- this was something somebody had brought up. You know, to the person whose house burns down because the fireman can't get to the firehouse or to your house less than a mile away because of seasonal traffic, the determination that our roadways are ample and will not be -- and will not be acceptable.

If the police or ambulance can't answer calls from May through November, the ample roadways will not be acceptable. If you can't get to work or appointments because of traffic, the capacity being ample roadways will not be recognized. The DGIS should have a better answer for our traffic problems, an analysis that includes not just annual counts, but also our seasonal counts if we're looking to bring in more tourism. So thank you very much.

SUPERVISOR HUBBARD: Thank you.

(Applause.)

COUNCILMAN ROTHWELL: If you stand up, you have to come to the podium.

AUDIENCE MEMBER: No.

(Laughter.)

SUPERVISOR HUBBARD: Do we have anybody else present?

MS. CERE: Yes, sure. Good evening, Joan Cere. I'm from Jamesport and I am a colleague of Laura Jens-Smith on the executive committee of the Greater Jamesport Civic Association. Thank you for the opportunity speak tonight. A few things that Laura Jens-Smith didn't cover because I didn't get my notes to her in time.

On page 242, agritourism Section 3.6, Page 38. We support creating clear definitions and implementing regulations for agritourism including size restrictions and a permitting process and recommend that the New York State Ag and Markets Law be followed.

However, we do not support the recommendation to permit tourist lodging on farmland and, more specifically, for example, the proposed agritourism resort that was proposed on Long Island Sound is actually proposed to be located in an area that is designated a New York Natural Heritage area according to the DGEIS. And a New York Natural Heritage area according to the document says that under the Environmental Conservation Law, the New York Natural Heritage Areas Program defines significant natural communities as locations with rare or high quality wetlands, forests, grasslands, ponds, streams, and other types of habitats, echo systems, and ecological areas.

So we urge caution with the planners recommendation to ensure agritourism definitions are flexible enough to accommodate a diverse range without compromising environmental integrity. Clearly there is a risk of compromising environmental integrity.

With regard to the PRC, the Peconic Riverfront proposed development, we're looking at page 17 of the document. That's Section 1, page 9. It says here that the proposed action seeks to enhance the TDR program by updating the transfer formula and identifying new receiving areas designated in RB-80 and RA-80 as sending district -- anyway, to steer growth to less sensitive zones. This includes diversifying housing in the CRC and PRC districts through TDRs.

While we support the development of an effective TDR program to preserve farmland and open space, the Peconic Riverfront is not a less sensitive area. On Page 31, Section 1, page 13 the DGEIS, in fact, calls the PRC a sensitive area.

The PRC recommendations are for up to eight units per acre with TDR. It says that that's unlikely because it's not connected to the sewer, which is a concern about doing any multi-family build out in an area that is along the river without a sewer.

So I'm failing to see how development of this area in excess of what it's currently zoned for, even with TDR, is preserving an environmentally sensitive riparian area that the DGEIS states, in numerous places, is to be preserved.

That's discussed also in the Peconic Estuary Comprehensive Conservation Management Plan on page 208, which says to conserve and protect habitats. And on the same page it says the Peconic Estuary faces challenges from increased development and land use changes leading to water quality degradation and habitat loss, especially in the system's western end near Riverhead.

So we have a conflict in the DGIS and the recommendations in the Comprehensive Plan saying let's build out this PRC area and then everything in the DGIS says let's protect it, let's protect it. So we've got, I think a significant conflict there that needs to be resolved in my opinion.

Furthermore, under the Section 3.7, infrastructure and utilities, flood risk management, page 251, it states that areas along the Peconic River especially at risk of flood events. And again, if we're proposing higher density residential in the PRC, so another conflict. We're saying let's protect it;

we're saying there's a flooding problem, oh, but by the way, let's put up to eight units per acre. So that seems like a conflict.

Moving on to other proposed changes in agricultural lands, page 243, that's section 3.6, page 39. There's a list there, of other agricultural uses and it says, these recommended zoning actions for agricultural lands aim to sustain agricultural activities, preserve rural character and manage environmental impacts through strategic policy interventions, all of which are not anticipated to result in a significant adverse impact on agricultural resources.

The first thing I want to say is that not having a -- not anticipated to have a significant adverse impact on agricultural resources is not the same as not having an impact on environmental resources or on the environment as a whole. And this is a DGEIS and it should be talking about that, not just whether it's going to impact that particular farm.

So this area addresses vertical farming on prime farm lands, renewable energy, a.k.a. solar on farms lands. Farm operations. Can someone explain to me what a farm operation is versus what farming is? I mean this most seriously. I don't know what the difference is between farming and farm operations. Does anybody know? Sarah, can you explain that?

SENIOR PLANNER CHARTERS: Yes. So it's a New York State Ag and Markets definition.

COUNCILMAN KERN: Matt, you may want to come up here.

MS. CERE: You can come here. I'm happy to share.

SENIOR PLANNER CHARTERS: Yes. I'm going to read you the definition of the Town code. Bear with me.

PLANNER TROJANOWSKI: It's in 301-3. []

SENIOR PLANNER CHARTERS: That's where I'm going. Thank you for being so patient. Okay, so farm operations as defined in 301-3, the building, structures and land uses associated with agricultural production and processing of agricultural products and so where you do your processing. Growing and processing are different in Ag and Markets Law and they're different in the Town code. So that's the definition.

MS. CERE: Okay, thank you. That's helpful to know. Thank you, that's helpful.

So this section, again, talks about the other uses for farmland, renewable energy, farm operations, agritourism, and then it also mentions conditional use permits. Introducing conditional use permits offers flexibility to accommodate evolving agricultural demands and technologies while mitigating potential impacts. That's a bit of a scary one for me because I think of the special use permits that we've run into with other things in the Town and it's opened a bit of a Pandora's box.

But going back to my original statement is that I think that saying that these activities will preserve rural character, I think, is a misrepresentation of the truth. Further saying that these activities are

not anticipated to result in significant adverse impact on agricultural resources, again, is not the same as saying it will have no environmental impact.

And, in fact, the significant amounts of energy and water required by vertical farming, for example, could have a significant negative impact even beyond the local community. Renewable energy on farms as accessory use should be more specifically defined. Does that mean a few solar panels to provide energy for the farming, or the farm operations as we have been learned, or does it mean several acres of wind or solar? So I think that should be more specifically defined.

And map -- on page 20 of the document there's a map showing -- that indicates, if I interpret this correctly, that most of Riverhead is categorized as a prime farmland, categorized by the State, with some of statewide importance. So we urge the Town to make every effort through the plan to preserve prime farmland and keep it in use for agricultural purposes, not as solar or vertical farming.

In the utilities chapter of the document, the DGEIS evades the issue of increased energy electric demand by saying that the electric or energy resources are out of the Town's control. I think that failure to prepare for the eventuality that utilities may not be able to supply sufficient energy to support additional development in the Town is preparing to fail.

And we see this in the summer with occasional brownouts, sometimes rolling blackouts. The comp plan and the DGEIS should include what the potential increase in energy demand could be and, at the appropriate time, the Town can consult with the energy providers for how to meet the demand. But to avoid the issue saying you don't generate the electricity, so it's not a concern, I think, is misplaced. It is a concern because you need to know if you can provide enough energy for the Town and its residents if you're going build it out.

And then, in conclusion, on page 272, section 4, page 1, it says, therefore -- the document says overall: Therefore there are no anticipated adverse environmental impacts if the proposed Comprehensive Plan is implemented as drafted. And I think we've heard tonight points out that, yes, there are potential and significant adverse environmental impacts from what's proposed in the plan and these need to be addressed. Thank you very much.

(Applause.)

SUPERVISOR HUBBARD: Joan, would you be so kind as to send that to us also?

MS. CERE: I beg your pardon?

SUPERVISOR HUBBARD: Would you be so kind as to send that in to us also?

MS. CERE: Absolutely.

SUPERVISOR HUBBARD: Thank you.

MS. CERE: Thank you.

SUPERVISOR HUBBARD: Hi, Phil.

MR. BARBATO: Good afternoon, Phil Barbato, Jamesport. Just one quick one on the agritourism point. If the plan could require that the agricultural land that's been set aside within that development could be permanently preserved, either through purchase by the Town or the county or donation by the owner. That should be a requirement because it's too wishy-washy now. Oh, yeah, we're going to have some agricultural land there. Ten years down the road, if they start nipping away at that and building some more tourism stuff, how are we going to enforce that? I think it should be permanently preserved if it's going to be used for agricultural.

COUNCILMAN ROTHWELL: Phil, that was written into the agritourism code. So it was specifically listed in there that it would be 70 percent preservation tool and a 30 percent development. The thing that we disagreed with the farmers, I'll tell you, is that many people are talking about vertical farming and agritourism and seem to be putting it together.

But we refuse to only separate from the Ag and Markets rule in terms of that. I won't support vertical farming along Sound Avenue along the corridor. In the definition it says agritourism preserves the role, character of agricultural communities. You're not going to get that by stacking three Maersk containers on top of each other and telling me that's preserving our agricultural heritage.

That's where we disagreed with the farming community is that I want to keep the rural character of that farming process, that soil work. And it does -- the agritourism code that was originally presented for a public hearing stated that 70 percent of it would be put into reserve.

The only thing that we disagreed with the farmers is that you wanted to be able to put vertical farming on Sound Avenue and I said that's going to destroy the look of the Sound Avenue historic corridor by stacking Maersk containers three or four high on there. I simply wouldn't support that and I believe the majority of this Board won't support that because we want to protect the integrity, the aesthetics, and the view of the Sound Avenue. It's a historic corridor. It doesn't belong to look like a seaport and so that's where we disagreed.

I think everybody keeps tying in vertical farming with agritourism, but that's -- the code that was presented to the public did not allow vertical farming with the agritourism code along the Sound Avenue corridor.

MR. BARBATO: Thank you. As a farmer, I completely agree with you.

COUNCILMAN ROTHWELL: Well, thank you, Phil. I wish you would have come to some of the meetings and expressed that out loud.

MR. BARBATO: I did. I did. Maybe you didn't hear me.

COUNCILMAN ROTHWELL: Thank you.

MR. BARBATO: Vertical farming is not farming. It's industrial.

COUNCILMAN ROTHWELL: Exactly, and there's a place for it. And I can 100 percent support the farmers, but there's a place for it and I just -- I don't think shipping containers stacked high on Sound Avenue works for me. It doesn't. That's not the legacy this Town is looking to do.



MR. BARBATO: All right, but on the point for agritourism, how will that agricultural land be permanently preserved? Is it in the contract somewhere or is it going to be --

COUNCILMAN ROTHWELL: It's upon granting the zoning use of it for the property.

MR. BARBATO: So it's a zoning code enforcement that would be necessary?

COUNCILMAN ROTHWELL: Based on the issuance of a building permit? Go ahead, Matt.

SENIOR PLANNER CHARTERS: I don't want to digress too far from the DGEIS, but I'll answer your question. So a required purchase of development rights for, as you said, 70 percent preservation and they're required, either the owner or whoever they're going to lease the land too, to have an active agricultural production.

70 percent of that 70 percent had to be in field crops and then a portion could be buildings or what have you. It could be -- a small portion could be Sound Avenue, but -- it could be, sorry, vertical farming, but 70 percent had to be in field crops. So TDRs essentially, PDRs. But not really related to the DGEIS.

COUNCILWOMAN MERRIFIELD: Matt, did you just say vertical farming? Could you just clarify that?

SENIOR PLANNER CHARTERS: Correct. So that was in the draft.

COUNCILWOMAN MERRIFIELD: Okay.

SENIOR PLANNER CHARTERS: I don't really want to -- we're a little far from what we're supposed to be covering, but 70 percent had to be preserved. Of that 70 percent, you had to be in field crops. The remaining you could be in other forms of agriculture, which does include vertical farming. However, there's was a provision that it couldn't be visible from Sound Avenue, but it's -- we'd have to address that if that ever came up for a public hearing again, if we ever got an application. It's a future action.

COUNCILMAN ROTHWELL: And it doesn't, on a small scale like that, by limiting to 30 percent, it was deemed that it wouldn't be a choice of production up there because you would need -- you know, you need closer to the 100 acres to be successful in vertical farming. You need the sheer size, the magnitude of it in order to be successful.

SENIOR PLANNER CHARTERS: It's a future action I would say.

AUDIENCE MEMBER: Really?

SENIOR PLANNER CHARTERS: It's not something that's addressed in the DGEIS.

COUNCILMAN KERN: Can I just add to this, that the person that owns the land has the ability to lease to a farmer that's not doing vertical farming.

SENIOR PLANNER CHARTERS: Correct.

COUNCILMAN KERN: Because you can't ask for follow Ag and Market's 301 code and then say except. So the people that somebody is building a hotel and they want to lease to a farmer, they say, yeah, we're fine with an orchard. You can't do vertical farming. They own the land. They can dictate to the farmer. The farmer doesn't own the land.

SENIOR PLANNER CHARTERS: I don't want to go too deep into -- it's a separate conversation for a separate time for separate public hearing.

COUNCILMAN ROTHWELL: But it's our job to project the area that it doesn't happen.

SENIOR PLANNER CHARTERS: Correct.

COUNCILMAN ROTHWELL: And that's what we're trying to do. That's our job is to make sure that it's not allowable and it doesn't happen.

SENIOR PLANNER CHARTERS: I hope I answered everyone's question.

COUNCILMAN ROTHWELL: Sorry.

SENIOR PLANNER CHARTERS: That's okay.

MR. BARBATO: I guess my only point was, if it's enforcement of Town code, it's a lot more difficult. If it's preserved farmland and the county has purchased the right to develop it --

SENIOR PLANNER CHARTERS: That's what it is, yes.

MR. BARBATO: -- or the Town has purchased the right to develop it, that's a lot easier to enforce.

SENIOR PLANNER CHARTERS: That's what it is.

COUNCILMAN ROTHWELL: That's exactly what it is.

COUNCILMAN KERNS: That's what it is.

SENIOR PLANNER CHARTERS: That's exactly what I just said.

MR. BARBATO: That's not what I just heard, I'm sorry. Thank you.

MS. MCGRAW: Kathy McGraw again. Just a quick question, Mr. Rothwell. The comp plan recommends allowing farm operations and vertical farming on all agricultural land, not just the APZ. They recommend a change to allow it in the RA-80 zone north of Sound Avenue. Are you all prepared to reject that in the comp plan? Because it's there. Is it not?

COUNCILWOMAN MERRIFIELD: Yes, it's there.

MS. MCGRAW: It is. It is clearly in there.

COUNCILMAN ROTHWELL: And on our last Comprehensive Plan discussion, I've already put notes that I do not support vertical farming and I intend to address it in our revisions.

MS. MCGRAW: Okay. I just --

COUNCILMAN ROTHWELL: So yes, we've been making notes. You are you correct, it's there, but I don't support it, but I'm one person on the Board.

MS. MCGRAW: Okay. I just wanted -- you said we are not going to support that, but I didn't understand that to be the case. Thank you.

COUNCILMAN ROTHWELL: We got the draft just like you and there are going to be changes to this.

MS. MCGRAW: Thank you.

COUNCILWOMAN WASKI: I absolutely do not support vertical farming on Sound Avenue.

COUNCILMAN ROTHWELL: Stay tuned.

SUPERVISOR HUBBARD: Neither do I.

COUNCILMAN ROTHWELL: You got the draft when we got the draft and we're making notes and there will be changes. I do not support it.

That was one of the things too, Kathy, that I wanted to discuss earlier, the timeframe. So we understand that we're not just listening, there has to be an incorporation of changes and updates as we go along.

MS. BLASS: Good evening, Supervisor, members of the Board, ladies and gentlemen. My name is Barbara Blass. I live in Jamesport. I want to thank you for having this separate public hearing on the GEIS. It is a standalone document and it really deserves focused attention.

But I just have to say that the process itself is not -- it's not like anything I've ever seen before and it's not people friendly. It's difficult to follow, even for those who may have a basic understanding of what's supposed to happen and how these documents actually relate to each other.

I've never encountered a hearing on an impact statement for an action or a document that is still a moving target. I count myself among those that are confused. Tonight I was prepared to talk about those actions in the GEIS, not any of the those things in the comp plan and I have a host of pages and pages, which you'll be receiving, on agritourism, vertical farming, battery energy storage, all of those things.

But I thought we were focusing on Generic Environmental Impact statement for those actions that are going to be recommended to be implemented without further study. And there's really only a handful of them, which is, in and of itself, a little disappointing considering the significant amount of time and energy that went into this document and we only have a few things that could actually be implemented in the near future.

I think that's pretty -- I'll say remarkable, but not necessarily in a positive way. The GEIS evaluates only a few comp plan recommendations that can be implemented without further study. It should emphasize that the population projections do not reflect a saturation population should the comp plan be implemented in its entirety.

Saturation population is really very important, whether it's just a handful of recommendations or everything that is included in the comp plan. We've got to know. We have a carrying capacity. We have limited resources.

The population projections themselves are problematic due to the fact that different sources and time periods, which provide, in some cases, questionable conclusions. One date is said -- projected a population in 2035, which is actually less than our population was four years ago. The GEIS should use the same sources and project over the same time period to produce meaningful comparisons.

One affordable housing demand analysis concluded that 3 to 500 units of newly designated affordable's would be required to meet the communities needs. And using a different data source, that changed to 900 new income restricted affordable's over the planning period. There's -- something needs to be looked at a little bit differently here.

The GEIS fails to qualify -- qualitatively assess the potential of cumulative growth-inducing impacts from implementation of the plan. I think I said that.

When will this actually occur? I'm going to speak a little more about the accessory apartments because there's another aspect. The code currently permits them in ten zoning use districts. There's a recommendation to remove the C/O, we've talked about that, on accessory or principal structure for the three-year requirement. And it does mean that every new single family residence in any one of the ten zoning use districts could be constructed with an accessory unit.

A standard yield map, something that Councilwoman Waski, I'm sure is familiar with, a standard yield map in a subdivision would look no different, but each single family residence depicted on that map could provide an additional living area for rent. The recommendation clearly has growth-inducing impacts, which should be evaluated. Analyzing such recommendations as a separate action sometime in the future is a problem.

All of the mechanisms introduced to promote a variety of housing options designed to meet community needs contribute to an open-ended growth and development, which is a concern for a community of otherwise limited resources.

CRC zoning use district. It is recommend as a -- this is one that's supposed to be implemented without further analysis. CRC zoning use district as a TDR receiving area proposes density from 4 to 12 units per acre with necessary infrastructure, which does not currently exist.

TDR guidance documents, as well as the state statute, says that the governor -- the governing body--shall find that the receiving areas contain adequate resources and services. The Town cannot make such a finding in this case and I object to the mapping and destination of the CRC district as a receiving area as a result of that.

The PRC district is similarly situated in the sense that it is also intended to be designated and mapped as a receiving area with a density of up to eight units per achor with TDRs. Again, this area

is not currently adjacent to a sewer infrastructure and unlikely to achieve that density given Suffolk County Health Department standards.

Again, this area should not be designated and mapped as a receiving area since the municipal services are not adequate to support the increased development. There is no such thing as a conditional receiving district.

Further, given the lack of sewer infrastructure in this particular area and the proximity to the Peconic, the GEIS should assess potential impact to the river by calculating the total load and travel time for nutrients from wastewater discharge to reach the river.

RA-80, once the most coveted residential district, now permits residential, agricultural, commercial and industrial. Can it be all things and remain true to the intended -- the intent stated in the code? And I won't go into it, it's in the code. But having RA-80 mapped as a sending and a receiving area seems to defy logic because the intents themselves are at cross purposes.

The GEIS does not contain sufficient planning justification to support this conflicting destination, which seems to be driven by ad hoc opportunities for individual parcels. The GEIS actually disclosed that 90 development rights have already been sold from this area, which has not yet been legally established.

Designating RA-80 and RB-80 as sending districts would place 3,929 more TDR's in play in addition to what's available in the APZ. Understand I'm not against transfer and development rights program. It needed to be given a second look, but it really is not as much of a preservation tool as it is a growth tool for these reasons.

The GEIS indicates the proposed action has the potential to use only 173 of those 3,009 -- 3,929 plus development rights. The GEIS should discuss how this significant increase in available TDRs put out on the market is not, in and of itself, a growth-inducing impact. We'll soon hear an outcry to expand receiving areas to utilize more receiving TDRs to increase density elsewhere.

And, again, just to remind everybody, if you developed onsite in a two-acre zone, you had to develop at one unit per acre. When you send, you're sending -- the ratio is one to one. So built into the TDR mechanism, the TDR formula, is already a growth-inducing impact, all right? Okay.

The Calverton Industrial district. If adopted, this new district would reduce the allowable industrial build out of 7.42 million square feet by 166,968 square feet and utilize 17 TDRs. Calling that a significant reduction is quite startling. The proposed dimensional regulations address primarily the visual impacts and lot coverage and do incorporate TDRs, but do little else.

There was an expectation that the moratorium would have provided the planning consultants an opportunity to assess cumulative impacts to air quality, traffic congestion, water supply, etcetera from industrial development in the Calverton community, including from the projects that were actually listed in the local law establishing the moratorium. That certainly didn't happen and it's disturbing and if it's not going to happen now. When will we see that analysis?

The GEIS used a nine percent growth factor to project the industrial buildup over the next ten years. The GEIS must justify the basis for using this percentage.

And with respect to the text recommendations that they should be implemented now, to require cluster development in RA-80, RB-80 and the APZ district, please see sessions 301, 24, 32 and 40, which already include the requirement for clustering.

The proposed text change that the Planning Board should be, quote, allowed to request a cluster development in RA-40 and RA-80. I'm sorry, this is an embarrassing text request and it's actually offensive. The Planning Board has full authority to request any layout they believe to be in the best interest of the community and represents the most orderly and appropriate development. This statement should be deleted from the GEIS completely.

The GEIS acknowledges that changes to existing districts and certain new districts require further study. We've heard just about the rest of what I was about to say other than the fact that I have a lot of information and comments on urban farming, also known as vertical farming, which demands, you know, the energy demands, the battery energy storage, agrivoltaics, conditional use permits, all of those things, which I will submit at another time. I didn't think it was appropriate at this particular hearing. And I thank you very much for your time and attention.

SUPERVISOR HUBBARD: Thank you.

(Applause.)

SUPERVISOR HUBBARD: Do we have anybody else from the audience?

MR. MCCULLOUGH: John McCullough from Rolling Woods or Roanoke Landing, however you want to characterize it as part of Riverhead. I have a question about process or comment about process and a question. We started out with a very participatory grassroots involvement in the hamlets and the development and I remember all of the little tags and there was a similar process here with people putting tags on things.

We're now in a stage where we have a final document that we almost need to go back to -- we're getting some here or last week and here, we're getting some grassroots reaction to the final document, but I wonder whether there's a way that both of these documents ought to go for much more discussion in communities before you get to the point of a final document, that that's what the participatory piece would be.

I think you've got -- as I said, you had this process of creating things for the planners, for the consultants. And I don't know, maybe I wasn't at all of them and I didn't hear everything, but what's come up last week and today are very controversial areas.

I think you've responded quite well to the organized controversy around the school question and the industrial areas, but it's clear that injected into this Comprehensive Plan now and the GEIS now are things that are by no means a consensus in the community.

It may be a consensus among staff of the Town or among Board members, but the issue of the agritourism of the agricultural development and tourism merged together, I think it's not clear to me whether that started out as an agricultural development tool or protection of land tool or it started out as a developer in Connecticut wanting to do a project and then finding the language that would make it more acceptable.

And I think that sort of deep question about whether the Town really wants that, needs to be separated rather than injected in.

I think similarly the issue of housing. Both the increase in the number of apartments is a separate topic. It's not something that ought to just suddenly appear because, again, I don't remember a discussion of increasing the number of apartments in all of these preparatory meetings.

The other -- this accessory housing, I think people can have feelings in positively and negatively about it. Obviously there's a need for housing, but the accessory housing does become a rezoning.

You know, if there was a clear decision on the part of Riverhead, there's a lot of other rural areas, that it was going to protect itself by having one acre or two-acre minimums for property and then all of a sudden you have accessory housing in them, well, then it's not the same kind of zoning anymore.

And I don't know if that's really been thought out as a question of our goals and policy or, again, having it appear within the context of the DGEIS and the Comprehensive Plan, I don't think is adequate to that.

I think also the issue of moving -- allowing distribution centers, which describes in terms of the footage and the height and -- but really create a very -- as people have said, a very different kind of consequence for the environment and for traffic.

I don't think there's -- at least I've not heard, maybe I'm just talking to the wrong people, but I've not heard any kind of a consensus that we want that kind of distribution center development.

I mean, as Ms. Waski knows, I have particular concerns with something we've already slipped through on the HK Ventures projects, but I think there's -- these kinds of things ought to be taken out of the Comprehensive Plan and the DGEIS and debated in and of themselves.

The vertical farming question, obviously, is also -- we've heard aloft of discussion about it. I must say the language, even more in the DGEIS than in the comp plan, the language about Epcal is very good. I mean it's very open. It's very positive about considering all kinds of environmental factors and consequence for the Town factors.

But I would like to see some of these problems like vertical farming, there may be a lot of places on the Epcal land where vertical farming would be very intelligent and it would not have the sort of contamination of the land would not be in effect on the vertical farming while it would be of traditional farming.

Similarly, the question of the charter school, that that, if we include in Epcal the concept of not-for-profit, educational, and cultural institution, it seems to me, as I've stayed in previous meetings, that Epcal ought to be the place that you should look to for the charter school.

The other question that, obviously, has slipped in without a real policy community consensus discussion is this short term housing? I mean, our family has used Airbnb's all over the world and we love them and they're great.

But I know that our neighborhood, if there's short term housing, you know, where we are in Rolling Woods, there's going to be a lot of Airbnb's there. And as somebody at the last meeting said, the last hearing said, that that's going to have a consequence.

Now maybe you want to put that profit for the owners or the potential new owners of that property higher than the atmosphere and environment of the people who are already residents, but I think that should be discussed in and of itself, not entered into the comp plan.

COUNCILMAN ROTHWELL: I'm certain that you will hear about the short term rentals in our work session study because, I think, again, it's something that was put in there and, again, does not carry overall support from this Board.

But then again, these are idea that have been shared over years, you know? And so we got it when everybody else got it. We read it when you read it. And then we will have a work session, as the supervisor mentioned earlier, to kind of, for us sitting up here as a panel of the Board, to discuss our concerns with it as well. But that is certainly on the topic of I do not support short term rentals. I don't do it, but --

MR. MCCULLOUGH: There are times when we are in complete agreement, Mr. Rothwell.

COUNCILMAN ROTHWELL: Strange, isn't it?

MR. MCCULLOUGH: It is. Finally, again, on process, because it was a little confusing at the beginning. This document will now be modified based on reactions. It's a little fuzzy to me what the difference is between substantive point and a comment. Is what I just said substantive or is it just a generalized comment, which doesn't have to be responded to?

It's been said that if things are taken out, then, yeah, obviously there's not a reason to have a hearing again about them. But if things stay in, if things like the farm issues, vertical whatever these issues, if these stay in, is there going to be another opportunity where you can get reaction?

In other words, you have now the draft, you'll have your final, and you'll be doing -- you will be doing some kind of hearing. If by then, opinion has emerged -- I mean, I think we have to thank Kathy and Barbara in particular for having both the intellectual weight and the energy to dig deeper than any of the rest of us have.

Maybe you have all done that already or the professional staff have done that already, but I suspect that over the next several weeks, not just June 10th, but over the next month or two, there's going to be continuing discussion of these things and when you're really -- when you're back at the point of



having the document to approve that's going to have a 20-year impact on the Town, I would hope that there is, at that point, a hearing where you can hear from people, this point, which we objected to two months ago, we object to it and there's now 100 people objecting to it.

I mean, I think you need to be that sort of openness of the final process of things -- not additional things, but things that have been maintained from the version we're now looking at if there's reconsideration of them that comes from the community and from the civics. Any rate, that's --

COUNCILMAN ROTHWELL: But also, John, that large-scale project -- I mean, we've been updating our code, you know, over the last few years, but things that are going to require special permits, it's like you still always have the opportunity for public hearings on an individual project.

You know, an individual project that may be at hand to discuss your open concerns. They still have to go through their individual SEQRA. And so you still always have an opportunity. This isn't like this closed the door and like everything that's slightly mentioned in here just goes forward.

You still will always have, you know, on those regulations, by special permits, you'll still have that opportunity, you'll always have your public hearings, you'll always have a chance to speak forward, they'll always have to go through the SEQRA hearings and so forth to review it.

A lot of stuff that's in here is conceptual ideas, but it doesn't mean that that's going to be acted upon or it's not a God-given right because it's written in here and put in stone.

MR. MCCULLOUGH: I agree with that and certainly we used to hear that logic about Epcal too. The point that I would make is that if it doesn't have broad community support, it shouldn't be in. Because at a certain point, whether it's you or a different set of people and whether they're economic interests behind it, like, frankly, this resort area, the fact -- somebody is going to say well, this is already in the comprehensive plan and it's essentially now been approved.

So you're right that there are other guardrails or are other points where objection can be made, but I think the first guardrail is to take it out now and have it be debated separately. Thank you.

(Applause.)

SUPERVISOR HUBBARD: One thing I just want to add and it hasn't been mentioned and it should have been. Our planning staff is available Monday through Friday, 8:30 to 4:30 for anybody that has any questions.

These documents are very complex and they are more than willing to help you with any questions, anything you don't understand. I use them all the time, but they're available to the public. Call, ask them. They would love nothing more.

And we had this discussion today. They wish more people would call them and ask them questions because they could help solve some of the conundrums that we get up here at the microphone, but they're available and they're there for that. So please take advantage of that.

MR. MCCULLOUGH: I think that's great, Mr. Hubbard, but there is a certain shyness for many people. I mean, not everybody that's prepared to even come in to the office.

SUPERVISOR HUBBARD: Well, that's what I'm saying. It's easier to make a phone call than coming up to a microphone.

MR. MCCULLOUGH: Well, I'm suggesting -- you're actually triggering another idea, which is, if you take these two documents and you say, at lunchtime on this date, we're going to talk about this section and people who have questions can come and ask us those questions. And then three days later or four days later, we're going to do this section. And, again, people with questions can come and ask them. And sort of walk through these documents.

I think you're right, that part of the conundrums or the nervousness is simple comprehension and understanding it. And if your staff are prepared to do it, you have beautiful facilities here and there isn't much food immediately available, but that could -- think about that one.

(Laughter.)

SENIOR PLANNER CHARTERS: You could bring the food, John.

MS. THOMAS: It's only 350 steps from downtown.

MR. MCCULLOUGH: So it's a bring your own. A brown bag event, a brown bag event. But any rate, I think that would be very good, so thank you very much.

SUPERVISOR HUBBARD: Thank you.

(Applause.)

COUNCILMAN ROTHWELL: It's more than just me that wants a soda machine, Supervisor.

MR. ZILNICKI: Ken Zilnicki from Riverhead, also a member of the Planning Board and I want to thank you guys for letting me serve the Town of Riverhead, somewhat semiretired.

And I just want to make a point, Jim, that you said. The Planning Board is some of the best people I've ever worked with. They are spectacular; they are hardworking and they wonder why I'm in their room so often.

But just a couple of things. I'm from a farm family and we've been out here since my grandfather came in 1918. And some of the questions you guys have on farming, some are good, some are, you know, I wonder about.

One of the things on the hotel that wants to go up on the Sound, what a lot of people don't realize is that the two development just to the west of that, Willow Ponds and Soundview Meadows, were farms. My family farmed them. Now they're houses and condos.

And I don't think anyone ever wanted to deny these people, you know, a nice place to live, but they did take over approximately 70 acres each parcel. So about 140 acres of farmland.

The hotel that wants to go in, the whole front area, about 70 or 80 acres, are in the county program, so will have to remain forever; development rights have been sold. There's only 18 acres on the Sound. I'm neither for or against it because I -- we're not that quite involved as the planning members yet, but I think it's something to look into because if the person put up condos instead of a hotel, it would be much worse for the school system. Where a hotel you come there for a couple of days, you go home.

And I understand the traffic, but that hotel will never have the traffic as one weekend during pumpkin season at Harbes and all the other farms, and everyone enjoys that. Just consideration, something to look into.

On the vertical farming, I've been in contact with Joann and Bob for the last month or so. Many farmers have never heard of vertical farming and the -- and I have talked to at least a dozen other farmers, family included. They don't like to be told what you can and can't grow. They're farmers. They should be allowed, their land, to grow whatever they want.

And I understand, Ken, I don't particularly like the container situation, but when you do vertical farming, it is less than a half a percent of what land it covers on a farm. I don't believe they should go on good farmland. That was never the intent of the program. The intent was to put it in buildings and urban farm.

COUNCILMAN ROTHWELL: Correct.

MR. ZILNICKI: But if someone wants to try it out here, I suggested to Joanne that if you're going to do trailers, enclose it in a nice rural looking barn. And if you can -- it's very tough to restrict a farmer on what he can grow, but you can put in building codes to say, listen if you're going to do that, put it in -- and I believe there is some vertical farming going on, but they're set in barns so you don't even see them.

So that's a consideration. Instead of, you know, fighting the farmer, try to work with them. And because you don't need a lot of it and it's so expensive that nobody is going to put a lot of money into it. So let it be enclosed in something nice. Just a thought.

And the one question I have on the accessory apartments. Now 40 percent is the -- of the existing house or you can add on 40 percent? How does that work?

SENIOR PLANNER TROJANOWSKI: Do you want me to get up and speak?

MR. ZILNICKI: If you don't mind.

PLANNER TROJANOWSKI: Sure, no problem. Hello, everyone. For the record, Heather Trojanowski, planner for the Town.

So the existing accessory apartment code, which is in Chapter 105, it's 40 percent of the entire square footage of the dwelling. And the current square footages are limited from 300 to 650 square feet, but at the same time, can't exceed the 40 percent, if that clarifies.

MR. ZILNICKI: Of the existing home?

PLANNER TROJANOWSKI: Correct.

MR. ZILNICKI: Okay. So and even in the new comp plan, you want to do --

PLANNER TROJANOWSKI: So if someone wanted to do an addition to their principal dwelling right now, the total square footage of that, the accessory apartment can't exceed 40 percent of it, if that makes sense.

MR. ZILNICKI: Oh, okay. But with the vertical farming, I would love to sit down with any one of you guys and maybe we could go over it. Because some of the farmers have different views. You know, they don't necessarily like the vertical farming. They really don't know how it's going to work because all it is a hydroponics, there's no soil involved and then what do you do with the wastewater and everything else?

So it's something to consider. I don't think it should be discarded, but I think it could be worked with if it's done nicely. Because, Ken, it's not just north of Sound Avenue. I don't think I'd want to see those trailers anywhere, you know, whether it be south of Sound Avenue, Jamesport or anywhere.

If it's done nicely and, you know, go with the Architectural Review Board to have a building put up or something done around these trailers.

COUNCILMAN ROTHWELL: Just to clarify one of your comments, when you say that don't argue with the farmers, we've never argued with the farmers. I've done nothing but support the farmers.

MR. ZILNICKI: No, I'm --

COUNCILMAN ROTHWELL: Let me speak.

MR. ZILNICKI: Okay.

COUNCILMAN ROTHWELL: So when it came time to that particular program and agritourism and north of Sound Avenue, the idea was to twist the hand of the developer and say, you must now engage with the farmer. And so if you want to work on your 30 acres, you need to put a farmer to use on the other 70 acres.

And because it was the historic corridor, we said it's about preserving the agricultural heritage and the aesthetics of Sound Avenue corridor. And that's why we said -- it was two things that were concerns. We didn't want containers stacked up in vertical farming and that was what was prevented -- that's what was presented to the farm preservation group, Agricultural Farm and Preservation Group.

And then the second thing was mulching, that we didn't want large mulching operations where they're bringing in like large tree stumps, large things and grinding it up.

Those are definitely farming techniques and you can do them right now on your own current farming property.

MR. ZILNICKI: Right.

COUNCILMAN ROTHWELL: But, we weren't looking to take a historic corridor and go, hum, this is a good place to start vertical farming here. I believe that that is a definite use, but maybe go over to the industrial use area where you're sitting on sand and maybe -- I'm totally against sand mining, but stack the vertical farm as much as you want on top of sand that we never intend to mine, but don't take one of the area's most richest soil and stack containers on top of it.

But the man standing in the back, Mr. Carpenter, said on behalf of the farmland preservation and the bureau that he speaks for said that the farmers will come out against you if you try to do this. And I had the hardest time comprehending why, that this was a gift.

This was saying that this is not your farm. We're not -- none of this legislation in any way affected an individual farmer and currently any farming rights whatsoever. It was the complete opposite. It was making a developer have to come to you and say, in order for me to do this project, I need the help of farmer. I need to engage with you. Will you come and work my land? I will give you 70 acres.

One of the hardest things about farming, from what I've heard, is people say, I simply can't afford to expand my farm because I can't afford to buy more land. That's the most cost effective thing. But when a developer goes, I got 70 acres. I can't operate without you, I thought that was pretty incredible gift and I was waiting to engage in local farmers to expand farming operations.

My only thing is that -- was that I just don't want shipping containers stacked up on Sound Avenue. I made that as clear as I can.

MR. ZILNICKI: And I agree because the intent of vertical farming was to -- in inner cities or in buildings. But the problem is when have you 70 acres, it's not so much keeping it as farmland, it's getting the farmers. There's not a lot of farmers. There's not as many as there used to be.

COUNCILMAN ROTHWELL: But there are many that did come out that spoke very positive and wanted that and we're looking forward to engage in a project like this. But it was very clear by Mr. Carpenter that he was not going to support it and I just wasn't prepared to go down that road.

MR. ZILNICKI: Okay. All right, thank you. Thank you very much.

COUNCILMAN KERN: So, Ken, as you know it, when the development rights are sold on a piece of land, you get ten percent lot coverage, whether it's greenhouses, vertical farm. You know, you cannot -- it's not like you can do 70 acres of vertical farming, number one.

MR. ZILNICKI: Right, it's -- right.

COUNCILMAN KERN: You know, I mean, so I think there's a lot -- number one.

Number 2, if you own the hotel, you make the decision on what kind of farming you want on that land, right?

COUNCILMAN ROTHWELL: Correct, but you have no control of what happens directly next door or on either side of you. So are you asking somebody to complete a project or invest \$100 million and

then find out right next door there's just a row of shipping containers from the water to Sound Avenue? You can't. You've got to be fair and you've got to look at the plan as a whole.

You know, it's not spot zoning. It's a whole -- it was intended over a project or an area to preserve agricultural heritage.

MR. ZILNICKI: So you just want to keep it off of the north side of Sound Avenue?

COUNCILMAN ROTHWELL: I don't want to see -- there are preexisting farms that have a right to do anything you want, but in terms of trying to make an incentive for vertical farming, I don't think it fit in the historic corridor, creating incentive for that.

SUPERVISOR HUBBARD: Okay, we're blowing off the DGEIS a little bit.

COUNCILMAN ROTHWELL: Sorry.

SUPERVISOR HUBBARD: We've gotten off track.

MR. ZILNICKI: I know. Thank you for your time.

COUNCILMAN ROTHWELL: But I'll chat any time you want.

(Applause.)

MS. JENS-SMITH: Hi. I just have a question because it was a question about the accessory apartments. So currently the code for accessory apartments is that the maximum they can be is 650 square feet for an accessory apartment or 40 percent. So it could be 40 percent if it's less, but the max is 650 unless you're preexisting --

PLANNER TROJANOWSKI: Correct.

MS. JENS-SMITH: -- then you could go up to 850, but I mean, the intention of this code is for further build out and the new --

TOWN ATTORNEY HOWARD: There's no code. There's no code. It's just --

MS. JENS-SMITH: It's the accessory apartment.

TOWN ATTORNEY HOWARD: It's just a concept. Oh, the --

MS. JENS-SMITH: I'm reading the code that we have now, which was what we were just asking, right?

TOWN ATTORNEY HOWARD: Right.

SUPERVISOR HUBBARD: 300 --

MS. JENS-SMITH: It was unclear, that's what I'm trying to find out. So currently you can not build an accessory apartment at 40 percent of your house size, correct?

SUPERVISOR HUBBARD: Correct.

MS. JENS-SMITH: And what's in the comp plan would allow that moving forward for accessory apartments, right? Is that correct that --

SUPERVISOR HUBBARD: 300 to 650 is what the current code is.

MS. JENS-SMITH: Right.

SUPERVISOR HUBBARD: With the comp plan, it's 300 to 650 or 40 percent or less, correct?

MS. JENS-SMITH: Of the full -- so if you have a 10,000 square foot house, you could build 4,500 whatever the 40 percent of -- which would not be a permissible -- the most you could build right now would be is 650?

SUPERVISOR HUBBARD: Correct.

MS. JENS-SMITH: Okay, I just wanted to clarify that.

SUPERVISOR HUBBARD: Correct.

Do we have anybody online? We have one person. Let's take that person online, on Zoom. No, we have nobody on Zoom. Okay, thank you.

Mr. Foley?

MR. FOLEY: Good evening, Mike Foley, Reeves Park. Ken and I have had a handful of conversations about a hotel development under the term of agritourism. And there was some very interesting concepts that we were going to be teaching people farming; that the people who were going to be there were really intending to learn more about that, get a farming experience. And all that sounds good.

When we're talking about agritourism and there's a possibility of catering, I think that changes the complexion and the definition of agritourism. And my concern is that if we allow catering halls on farmlands under the guise of it being a hotel, but all of a sudden they can put in a wedding reception or something else, it can very rapidly get out of control.

So I would ask, we talk about exclusions when we're talking about the DGEIS. And Ken is talking about excluding vertical farming north of Sound Avenue. Of course I agree with that wholeheartedly. What about excluding catering halls on any development, any project? I think if I remember, Dawn had mentioned that there was seven, I think, lots of 100 acres or more. It might have been Annmarie that mentioned that.

So we're talking conceptually of possibly having seven of these agritourism development complexes. If we excluded the term catering halls so that there was no way of getting accessory use to accessory use and having these things creep into something that nobody wants.

I think that's the problem here. I think sometimes if we don't exclude things right away, people can come in for a special permit. But if there's an exclusion, there will be no catering halls on any of

these things, there will be no vertical farming on any of these things, it wouldn't even come up for a special permit. So I think that has value to take a hard look at that.

And if we really want to have agritourism, I think we have to define agritourism does not mean catering halls under any circumstances. Thanks.

COUNCILMAN ROTHWELL: Mike, we tried to address that, Mike, by limiting the capacity size, the square footage size. Because it was about defining what a catering hall is. A catering hall could accommodate 20 people. You know, like so initially, what is the definition of a catering hall? You mentioned about, well, how about no weddings, but what's the definition of wedding? If two couples -- you know, a wedding is where you say your vows. If you say your vows in church and then you're just going to a reception later on and we won't call it a wedding reception, we'll just call it a gathering, a celebration of life, there's things like that.

So we really were trying to figure out this way on words to limit -- I think the goal was not so much if we have somebody that gets married and they go to a restaurant with ten of their friends because that's what they're looking for to celebrate their wedding day, is that a wedding and saying that you can't go to that restaurant and you can't do that because it's really a wedding?

So what we tried to do is work it on square footage. So we reduced the overall capacity, the size of any facility and the maximum allowable people to gather. So that was our way of -- and we kept tightening that code on restrictions and I'll gladly go over that with you anytime. I think we did talk about it at some length.

Because it was just the terminology. I think if you just said, you can't have a wedding, it's really not a legal term of like, well, what is that? Well, we didn't have a wedding. We got married two hours ago and now were just having a party.

MR. FOLEY: You know, trying to parse it is not something that I'm here to do tonight. I think the concept of catering, everybody understand what a catering hall is. If we have 20 rooms in a hotel that 20 couples are in and they're getting married on the beach, would that constitute a reception? Not in my mind. If they're using a hotel to sleep over and do all that and they're not closing a restaurant to put as something and they have a piece of a room.

Something that we were concerned about the Cider house doing when they opened up that 6,000 square foot side thing. Right now nothing bad that I've seen has happened there and I'm hopeful that that continues.

But to try and cut it off before it can become an abusive thing, that all of a sudden land is used for something we never wanted, none of us ever wanted it to be, I think it's something to take a look at. Thanks again, thank you.

COUNCILMAN ROTHWELL: Thank you.

SUPERVISOR HUBBARD: Thank you. Nobody online?

Okay, anybody else?



MS. BLASS: Yes.

COUNCILMAN ROTHWELL: There's no running in Town Hall.

SUPERVISOR HUBBARD: What did you forget, Barbara?

MS. BLASS: I was under the speed limit I thought. I don't run fast any longer.

Just a quick comment, as long as we're straying from the --

SUPERVISOR HUBBARD: We're really not. I was just going to say we're really straying, but go ahead quickly, quickly.

MS. BLASS: Well, allow me to stray for just a quick minute and I'm not sure -- I have to say, I'm not sure if this stayed in the redline version of the comp plan, but I took this -- this comment actually went directly to BFJ early on when the draft CPO came out.

Most of us in the room will remember the discussions under the battery energy storage systems, the public hearings.

COUNCILMAN KERN: Barbara, get into the mic.

MS. BLASS: The very extensive concerns over a period of time we had. And the Town -- and we went pretty -- we went into depth in reviewing the EAFs, all of the -- the narrative, everything.

Okay, so what am I getting at? I'm getting at the fact that when you spoke about the Town having done some additional zoning prior to the plan update, that was one of them. Battery energy storage systems are now in the code and we actually paid \$10,000 additional money to the consultants to write that code and they ended up, you know, it was given a negative declaration under SEQRA.

Here's what is the excerpt from the document right now. Battery energy storage, quote:

Riverhead must persist in efforts to guarantee the compatibility of proposed battery energy storage facilities with the surrounding land uses, minimizing visual and groundwater impacts and addressing emergency and fire safety concerns.

I find that ironic that the same consultants wrote that, wrote the neg dec and those were the comments that came out of the community passionately. So I just thought that was an interesting and ironic comment to be included. Thank you.

(Applause.)

SUPERVISOR HUBBARD: All right, I wish to thank everybody for coming tonight.

COUNCILMAN KERN: Oh, wait.

SUPERVISOR HUBBARD: Well, we're moving a little slow back there; let's go.

MS. TERCHUN: Just checking to see if there was anyone else who wanted to speak before me.

Hi, good evening. Toqui Terchun with Greater Calverton Civic Association. Many of our speakers tonight have spoken at a granular level in detail about the concerns I would bring to you, so I won't repeat them. I'll put ditto marks on quite a lot of them and I think you know what they are.

One thing that wasn't mentioned is in the DEIS is a table on, I believe, it's 1.1. It's on the square footage of change with regard to development. And I would ask that we put in also another table, kind of one like this, and it's called a land use under the recommended plan, land uses (indicating). So down the left-hand side would be all the different types of land uses and how much acreage there is devoted to it.

So it's an inventory of the square footage -- I'm sorry, of the acreage in our Town and how it is now, what's proposed, and what the change is. That would show us what we have and maybe what we -- visually what we have and maybe what we would like to change. I can submit this in a letter to you.

Our Civic has different residents who have written detailed letters already and they're being resubmitted and I'll make sure that this comes along with it then. Thanks very much.

(Applause.)

SUPERVISOR HUBBARD: Thank you, Toqui.

TOWN CLERK WOOTEN: That's a great idea.

SUPERVISOR HUBBARD: Do we have anybody else?

(No response.)

SUPERVISOR HUBBARD: And nobody on Zoom.

(No response.)

SUPERVISOR HUBBARD: Thank you all for coming out tonight. Thank you for the comments. If you can send your comments in because a lot of discussed tonight, we would appreciate seeing it in black and white. It helps us digest it better also. And thanks again for caring and coming out.

TOWN CLERK WOOTEN: We appreciate it.

PLANNER TROJANOWSKI: Motion to close.

SUPERVISOR HUBBARD: I make a motion to close the DGEIS meeting.

COUNCILMAN ROTHWELL: Second.

SUPERVISOR HUBBARD: It will remain open for written comment until June 10th. We'll close the open comment period.

Do I have a motion?

COUNCILMAN KERN: So moved.

SUPERVISOR HUBBARD: Second?

COUNCILWOMAN MERRIFIELD: Second.

SUPERVISOR HUBBARD: All in favor?

(Chorus of "ayes".)

SUPERVISOR HUBBARD: All opposed?

(No response.)

SUPERVISOR HUBBARD: Thank you, all.

(Whereupon, the meeting was concluded at 7:51 p.m.)

CERTIFICATION

I, REBECCA WOOD, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify:

THAT the above and foregoing contains a true and correct transcription of the proceedings.

I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

THAT I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of June, 2024.

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REBECCA WOOD



**Appendix 5. Public Comment Letters on the DGEIS,  
April 26-June 10, 2024**

<b>Written Comments Received on the DGEIS</b>				
	Letter Author	Author Affiliation	Date of Letter	Comment Number
1	Meredith Ritter	Calverton Resident	5/27/2024	3.1.54
2	Judith Jakobsen, Executive Director	Pine Barrens Commission	5/29/2024	3.1.1
3	Laura Jens-Smith, President Steve Green, Vice President Catherine Welsh, Corresponding Secretary Joan Cear, Recording Secretary Patricia Carey, Treasurer	Greater Jamesport Civic Association	5/31/2024 6/3/2024	3.1.7 3.1.11 3.1.22 3.1.32 3.1.35 3.1.39 3.1.41 3.1.44 3.1.56 3.1.64 3.1.69 3.1.70 3.1.75 3.1.76 3.1.81 3.1.84 3.1.85 3.1.89 3.1.90 3.1.97 3.1.101 3.1.107 3.1.110 3.1.111 3.2.1 3.3.1 3.3.3 3.3.4 3.3.5 3.3.10 3.5.1 3.7.1 3.8.1 3.9.3 3.9.6
4	Rev. Laurie Cline and Mr. Edward Cline	Jamesport Residents	6/4/2024	3.1.12 3.1.23 3.1.36 3.1.77 3.1.86 3.1.91 3.9.1
5	Sid Bail	Wading River Civic	6/4/2024	3.1.59



<b>Written Comments Received on the DGEIS</b>				
	Letter Author	Author Affiliation	Date of Letter	Comment Number
6	Pilar Moya-Mancera, Executive Director	Housing Help Inc.	6/6/2024	3.1.13
7	Susan Vorndran	Resident (Calverton)	6/7/2024	3.1.112
8	Barbara Blass	Jamesport Resident	6/8/2024	3.1.8 3.1.10 3.1.40 3.1.45 3.1.49 3.1.52 3.1.57 3.1.67 3.1.73 3.1.82 3.1.92 3.1.99 3.1.102 3.1.108 3.1.113 3.1.114 3.1.115 3.1.116 3.1.117 3.1.118
9	Toqui S. Terchun, President Merry Ritter Janice Scherer Karen Kemp	Greater Calverton Civic Association	6/10/2024	3.1.9 3.1.66
10	Elaine and Mark McDuffee	Jamesport Residents	6/10/2024	3.1.14 3.1.37 3.1.78 3.1.87 3.1.119 3-5-3
11	Jenn Hartnagel Director of Conservation Advocacy   Group for the East End	Group for the East End	6/10/2024	3.1.33 3.1.54 3.1.60 3.1.61 3.1.120 3-9-4
12	Karen Kemp	Calverton Resident	6/10/2024	3.1.62 3.1.121
13		Riverhead Central School District	6/10/2024	3.1.15 3.6.1
14	Stephen Baxter Jr.		6/10/2024	3.1.46

**Vanessa LeCann**

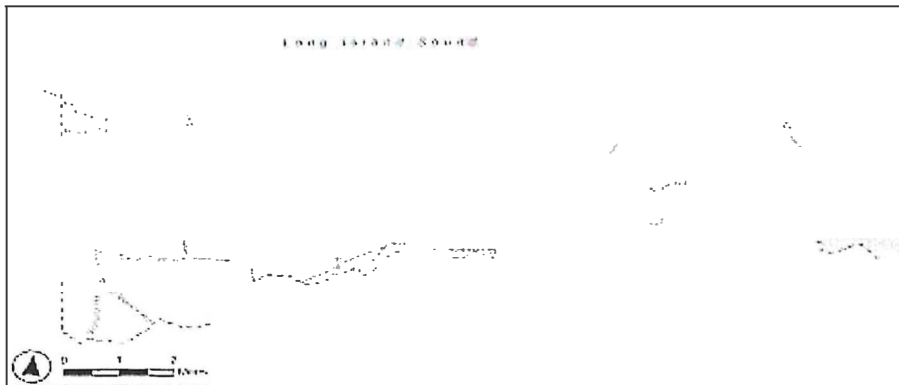
**From:** Rittz123 <rittz123@optonline.net>  
**Sent:** Monday, May 27, 2024 10:11 PM  
**To:** Town Clerk  
**Cc:** Tim Hubbard; Andrew Waski; Kenneth Rothwell; Robert Kern; Denise Merrifield  
**Subject:** Comp Plan/ DGEIS

Some people who received this message don't often get email from rittz123@optonline.net. [Learn why this is important](#)

Having reviewed various sections of the Comprehensive Plan Draft Document (red line) and DGEIS, I find that there is too much information for any one person to absorb and assess. It has taken years of intensive investigation and evaluation by teams of experts to finalize the plan that will shape the future of Riverhead, and I am just one resident who can only comment on what is most important to me.

I reside in Foxwood Village on Middle Road and have enjoyed the beauty and serenity of my home for over 13 years. I've seen many changes around me and I've noticed the population increase, commercial development, and added housing which have taken a toll on the area, creating traffic, noise, pollution, and other unpleasant changes. Most memorable to my community was the arrival of Costco and the destruction of the beautiful green space that bordered our neighborhood. Currently, there are two properties for sale on both sides of Foxwood Village and an Industrial Zone at the end of Middle Road. We do not want to be surrounded by pavement and buildings. We need zoning that will protect us and our lifestyle, and we need it now. The Comprehensive Plan has offered some suggestions that can guide zoning changes that will protect Calverton from over development.

On pg 44 in Chapter 3, Environmental Justice Areas are finally noted! According to the DEC, an environmental justice area is determined by census data which identifies communities where a certain percentage of residents are living below the federal poverty level and/or a certain percentage of the population identifies as a minority. On March 27, 2023, the NYS Climate Justice Working Group finalized these criteria for identifying an Environmental Justice Community. Calverton meets these criteria.



FILED IN OFFICE OF  
TOWN CLERK  
2024 MAY 28 3

Communication Meredith Ritter - Comprehensive Plan DGEIS (Correspondence)

The DEC describes Environmental Justice as “meaningful treatment of all people, regardless of race, income, national origin or color, with respect to the development, implementation and enforcement of environmental laws, regulations and policies.” The Office of Environmental Justice works to address environmental issues and concerns that affect primarily low income and minority communities through grant opportunities, enforcement of environmental laws and regulations, consultations, guidance and enhanced public participation.

Calverton, as an Environmental Justice community, has more than its share of industrial development. There are several solar energy farms situated on or near Edwards Ave. They may contribute clean energy, but they are covering rich farmland and, after construction is complete, employ only a handful of workers. Another solar farm is planned on Youngs Ave as well. HK Ventures will eventually complete its 412,000 foot warehouse project on Middle Country Road. This will add to the buildings already established or under development in the 493 acres in Epcal known as the Planned Industrial Park. Eventually, the town will decide what should be done with the acreage made available by the failure of the sale to CAT. There’s little doubt that there will be more warehouses and manufacturing sites built there as well.

Breezy Hill Asphalt & Concrete Crushing & Screening Facility is quietly tucked away at 1792 Middle Rd. This enterprise is located at the dead end of Middle Road, and occupies about 6.7 acres. Their business has been cited by the DEC for operating a solid waste facility without a permit, and other violations. These actions took place several years ago, but it is interesting to note that Breezy Hill is selling 24.6 acres of Industrial Zoned land adjoining their remaining 17.6 acres. This property adjoins the area that Northpointe Riverhead wants to build their 612,000 sq ft logistics center.



Breezy Hill and proposed development site of Northpointe Logistics.

There are also two other large properties on Middle Country Road that are zoned for Industrial Development. The total acreage of the OSTAD Project is about 130.91 acres. The large property next to it is unknown to me, but it is zoned industrial. In one Newsday article (Jan 14, 2024) an estimated 12 million square feet of industrial development could be accomplished if zoning remains unchecked. Most of the proposed development is in Calverton.

Having reviewed this information, it has become clear to me that any industrial zoning in Calverton outside of Epcal violates the principles of Economic Justice. Keep in mind that the southern area of Calverton is buried in commercial development and more is being planned (Chick Fil A et al). How much more should one community tolerate? We are constantly reminded that the town needs more tax resources. Why should Calverton bear that burden alone?

We know that the air quality of our area is poor. Clearing trees and green spaces will make it worse. The toxic waste within EPCAL threatens our water; more construction will add yet another stressor to the aquifer. Our roads are inadequate for constant use by oversized trucks. Riverhead is not prepared for this kind of rapid development. Riverhead must be proactive rather than reacting to situations as they arise.

Eliminate Industrial Zones outside of EPCAL. Change building codes to demand green construction; solar roofing, permeable surfaces, etc. Repair or rebuild roads and seek other transportation improvements. Create a North Fork Alliance and work with Southold Township to resolve shared problems. Plan for severe weather events and other possible disasters such as electrical grid failure or even another epidemic. The moratorium on Industrial Development expires on July 23, 2024. Are we ready for that? Applications will flood Town Hall soon. How will you respond to them without completed plans?

There are so many issues that must be addressed. I don't underestimate the tremendous responsibility you bear. All I can ask is that you proceed with extreme caution as you introduce changes. Some things cannot be undone. Please keep the public informed and involved. We will participate and assist in any way possible.

Respectfully,  
Meredith Ritter  
1407 Middle Rd.  
Unit 2  
Calverton, NY 11933



May 29, 2024

James Wooten  
Town Clerk  
Town of Riverhead  
4 West 2nd Street  
Riverhead, NY 11901

RE: Draft Environmental Impact Statement for the  
Riverhead Town Comprehensive Plan

Dear Mr. Wooten:

The May 8, 2024 Environmental Notice Bulletin announced that Riverhead Town has accepted as complete the Draft Generic Environmental Impact Statement (DGEIS) for the Riverhead Town Comprehensive Land Use Plan Update. The deadline to submit comments is May 30, 2024.

The Central Pine Barrens Commission meets once per month. The next Commission meeting is June 26, 2024. The DGEIS covers aspects and information related to the Central Pine Barrens. With approximately 10,000 acres of land in Riverhead Town that is in the Central Pine Barrens Core Preservation Area and Compatible Growth Area, the Commission may submit comments on the DGEIS and therefore respectfully asks the town to please leave the written comment period open until June 27 to give the Commission time if they choose to send comments.

Thank you for your consideration. If you have any questions, please do not hesitate to contact me at (631) 218-1192.

Sincerely,

Judith Jakobsen  
Executive Director

624 Old Riverhead Road  
Westhampton Beach, NY  
11978

cc: Sarah Yackel, BFJ Planning (via email: [s.yackel@bfjplanning.com](mailto:s.yackel@bfjplanning.com))

Phone (631) 288-1079  
Fax (631) 288-1367  
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Greater  
Jamesport  
Civic  
Association

Jamesport-South Jamesport Civic Association, Inc., Est. 1948

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President – Laura Jens-Smith  
Vice President – Steve Green  
Treasurer -- Patricia Carey  
Corresponding Secretary - Catherine Welsh  
Recording Secretary – Joan Cear

Town of Riverhead  
4 West Second Street  
Riverhead, NY 11901  
[Compplan@townofriverheadny.gov](mailto:Compplan@townofriverheadny.gov)

May 31, 2024

Cc: BFJ Planning/Noah Levine  
Riverhead Town Clerk, James Wooten  
Riverhead Town Supervisor, Tim Hubbard  
Riverhead Town Council Members: Ken Rothwell, Robert Kern, Denise Merrifield, Joanne Waski  
Riverhead Planning Dept.

Ref: Comments on the Comprehensive Plan Update 2024

To whom it may concern:

The Greater Jamesport Civic Association is comprised of more than 170 residents and businesses located within the area from County Road 105 east to Laurel Lane in the Town of Riverhead. We consider this geographic area to be among the few remaining parts of the Town that is still recognized and appreciated for its scenic beauty, historic character, agricultural activities, and recreational opportunities. These attributes factor significantly in attracting tourists and vacationers to the Town. We feel strongly that the Town must facilitate prudent growth management to maintain a balance between economic opportunity and preserving the area's rich history, strong rural and agricultural heritage and the precious natural environment of our North Fork communities. While tourism dollars from our area are a valuable contributor to the Town, excessive expansion of tourism-related initiatives, commercial and residential development would lead to the area's downfall.

We submit the following comments on behalf of our membership and request that BFJ Consulting, Town Planners and others involved in the Comprehensive Plan Update



(CPU) process give them serious and respectful consideration. Should you have questions about any of our input, please do not hesitate to email the Civic Association at: [gjamepsortcivic@gmail.com](mailto:gjamepsortcivic@gmail.com).

General Comments/Concerns:

- The comments submitted by our Civic Association and other organizations on the DGEIS scoping document (December 2023) and the draft Comprehensive Plan Update (Feb. - March 2024) are neither included among the documents featured on the CPU website under Public Outreach nor are they included in the DGEIS appendices. These comments are of great importance and should be given equal, if not greater, consideration than the original comments submitted by each organization and should be included in the online documents and the DGEIS appendices.
- The DGEIS and the CPU update are not aligned. As just one example, on page 18 of the DGEIS, it projects a population increase of 278 residents by 2035 with TDR, whereas in chapter 3 of the Comprehensive Plan Update, the projected population is 40,009, an increase of approximately 3,500 residents from 2025. We suggest the authors of the two documents thoroughly review them to make sure the information is accurate and consistent, regardless of whether this delays the final plan.
- United Riverhead Terminal – The plan fails to include any guidance or recommendations regarding the United Riverhead Terminal fuel transfer and storage facility in Northville. This future of this facility including potential expansion and the impact on the community needs to be considered within the scope of the DGEIS and CPU.
- The Comprehensive Plan Update should include recommendations for the review and updating of the plan at specific intervals. It is impossible to predict how technology, demographics, residential and business needs, and our ecology will evolve over the coming years and thus impact future land use and infrastructure needs. Therefore, it is imperative that the Town commit to reviewing and adjusting the plan every set number of years. There should be public transparency in connection with the review process, and significant adjustments should be subject to community input before adoption.

**Specific Comments on the Comprehensive Plan Update –**

- Population -- Chapter 3: We request closer review and clearer explanation of the population projections in the plan, which are included in Chapter 3. It appears that the projections are based on Suffolk County's projected growth data and data from the New York Metropolitan Transportation Council. However, the plan states that the population of Riverhead grew by 30% from 2000 to 2020 – much faster than projected and much faster than the population of Suffolk County. The Comprehensive Plan Update should base its population growth for the Town on Riverhead's recorded growth trends. It is important that the updated plan should include projected growth specific to our town, and tipping points in the population growth that would necessitate the expansion of the school system, the sewer system, water resources, emergency services and other infrastructure elements and community services.
- Hamlet Study - Future Use Chapter 13 page 197: a study with zoning, future development, infrastructure and a pattern book for Aquebogue and Jamesport needs to be expedited.
- Accessory Apartments - Chapter 13 page 207: We support efforts to enable homeowners to establish accessory dwelling units (ADUs) on their properties provided one of the units is owner occupied, that the units comply with safety codes and that the Town monitors and regulates the units. However, we object to lifting the 350-sq. ft. minimum and the 650-sq. ft. maximum size restrictions. Changing the code to allow all units to be up to 40% of the square footage of the main dwelling could result in excessively large, “one-bedroom” ADUs, as homeowners are now generally building much bigger residences. The Town should set a specific square footage cap on the size of ADUs. Regarding the CO requirements, we understand the reasoning to lift the three-year CO requirement, but we also understand the intention of the current code – to reduce an influx of new ADUs. We recommend a three-year minimum CO on the main residence. We do not support eliminating the two-car parking requirement. That should remain, as most two-person residences have two cars.
- Short-Term Rentals –Chapter 13 page 199: The Greater Jamesport Civic Association does not support reducing the minimum rental period to less than 28 days. As stated multiple times in chapter 3 of the plan, short-term rentals “contribute to a loss of



year-round residences.” Furthermore, short-term rentals are known to contribute to parking and noise problems and to have an overall negative impact on the neighborhood.

- Minimum Square Footage –Chapter 13 page 199: We object to the recommendation to eliminate the 1,200-sq. ft. minimum home size. Riverhead currently has more affordable housing than any township on Long Island. We make a significant contribution toward housing, but the Town is not solely responsible for solving the housing problems on Long Island. Adding more, smaller houses will further burden our overcrowded schools, strain our infrastructure and add to traffic problems. In addition, small, inexpensively constructed homes may more easily become a blight on the community.
- Vertical Farming in APZ Districts –Chapter 13 page 199: We do not support recommendations to permit vertical farming in the APZ or on any prime agricultural soils. Vertical farming requires substantial energy and water resources and detracts from the scenic agricultural landscape.
- TDR Sending and Receiving Areas – Chapter 13 page 203: We support the addition of farmlands south of Main Rd. and north of Sound Ave. as TDR sending areas. However, the area north of Sound Ave. is recommended to become both a sending and a receiving district. We oppose having it designated as a receiving district.
- Agritourism and Agritourism Resorts – Chapter 13 page 201: The Civic Association supports recommendations to more strictly regulate agritourism activities and to align local agritourism with NYS Dept of Ag and Markets (Agriculture and Markets Law §300) regulating the amount of revenue a farm can earn through agritourism. We do not support zoning revisions to permit agritourism resorts. Keep agricultural lands for farming – not for spas, restaurants and other amenities at these tourist playgrounds.
- Marketing Town of Riverhead -- Chapter 4 section 7.3 page 64: We oppose spending Town resources on actively marketing sites for development. The Town attracts developers, but needs improved zoning and land use evaluation and regulatory

capabilities to align future development with goals. Marketing the Town is neither necessary nor an appropriate use of funds.

- Assisted Living – Future Land Use Chapter 13, page 204: The Civic Association recognizes the Town’s desire to address the housing needs of its aging population. We support the development of assisted living housing in areas served by the sewer district and that have easy access to ambulance service. Locating assisted living facilities in hamlet center (HC) and rural corridor (RLC) is opposed, as these areas do not have sewer service and the limited access via two-lane, country roads that are frequently congested, makes ambulance access difficult at times.
- Non-conforming Uses – Future Uses Chapter 13 page 201-: Out of the hundreds of non-conforming uses in Riverhead, the plan singles out four locations or categories for rezoning, three of which are in the hamlets east of Route 105. These are:
  - Marinas, of which there is one in Aquebogue and one in Jamesport;
  - The area at the junction of Edgar Ave. and Hubbard Ave. in Aquebogue;
  - The land surrounding the intersection of Tuthills Lane and Main Rd. in Aquebogue.

We oppose rezoning of these non-conforming use parcels in Aquebogue and Jamesport. Currently, the businesses on these parcels are good neighbors, readily accepted by the community. The recommended rezoning and the creation of overlay zones would open these parcels up for further development, for alternate business uses or accessory uses. These spot zoning recommendations are unnecessary and unwelcome.

- Suffolk County Water Authority Main Extension – Chapter 11 section 2.6 page 172: The Greater Jamesport Civic Association opposes the current proposed Peconic Bay Blvd. route for the extension of the SCWA water main to Southold. The proposed route is too close to Peconic Bay and sensitive wetlands. We agree with the plan that the project should be reevaluated and we recommend the water main extension be moved to Main Rd.

The Town of Riverhead is at a critical juncture. Having fulfilled the goal in the 2003 Comprehensive Plan to build out the commercial corridor along Route 58 and the

establishment of outlet center zoning, the Town is now experiencing the repercussions of changing consumer behavior toward online shopping, resulting in numerous retail vacancies that the Town and developers struggle to repurpose, not to mention the increased traffic and loss of green space, which the Plan Update recommends the Town try to recover. This is just one example of the impact that a Comprehensive Plan has on the Town infrastructure and quality of life for its residents.

The Comprehensive Plan Update has the opportunity to not only preserve, but improve the scenic beauty, historic character, agricultural heritage, cultural activities, recreational opportunities and quality of life for its residents. We urge the planners and Town Board to weigh each element thoughtfully. A comprehensive plan can enhance our community or cause irreversible damage. Our communities' futures are in your hands.

Respectfully submitted by the Greater Jamesport Civic Association,  
Laura Jens-Smith, President  
Steve Green, Vice President  
Patricia Carey, Treasurer  
Catherine Welsh, Corresponding Secretary  
Joan Cear, Recording Secretary



Jamesport-South Jamesport Civic Association, Inc., Est. 1948

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Vice President – Steve Green  
Treasurer – Patricia Carey  
Corresponding Secretary - Catherine Welsh  
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Town of Riverhead  
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June 3, 2024

Cc: BFJ Planning/Noah Levine  
Riverhead Town Clerk, James Wooten  
Riverhead Town Supervisor, Tim Hubbard  
Riverhead Town Council Members: Ken Rothwell, Robert Kern, Denise Merrifield, Joanne Waski  
Riverhead Planning Dept.

Ref: DGEIS on the Comprehensive Plan Update 2024

To whom it may concern:

On behalf of our community, the Greater Jamesport Civic Association respectfully submits the following comments on the DGEIS for the Comprehensive Plan Update. Please note that these written comments include but are not limited to, the verbal comments made at the May 29, 2024 public hearing by Laura Jens-Smith and Joan Cear, members of the Civic Association's Executive Committee.

- An item of great importance which was not discussed in either the DGEIS or the Comprehensive Plan is the United Riverhead Terminal located in Northville on the Long Island Sound and the impact it has and can have on our Town.
- After a thorough review of the DGEIS as well as the Comprehensive Plan Update (CPU), the Greater Jamesport Civic Association concludes that the intention of the revisions proposed to the TDR program are designed as a development tool, not a preservation tool. We understand that the TDR program must offer value to developers to use this tool, however as proposed in DGEIS and CPU, we believe the proposed TDR program is weighted toward developers, not toward the preservation of our precious and irreplaceable farmland and open spaces. The

proposed TDR structure should be reconsidered with an eye toward more land preservation.

- Page 65 – Section 3.1: Under Land Use, the DGEIS states that “most of the land use categories are not anticipated to change significantly.” Regardless of whether the consultants think the changes would be “significant” the authors should include a chart that shows not only the existing land use, but the projected land use if the actions in the Comprehensive Plan Update are implemented.
- Pg 40 – Section 2 – 14: RA 80 & RB 80 – As proposed, the RA-80 areas north of Sound Avenue would convert from TDR receiving areas to TDR receiving and sending areas. We oppose having these areas classified as receiving areas in any context. These are valuable farmland, scenic and historic areas and should be classified within TDR exclusively as sending areas.
- Pg. 40 – Section 2- 14: PRC Zoning and TDR Map Change: In the PRC, “The plan proposes to allow residential uses at 4 units per acre, bonusable to 8 units per acre, provided the infrastructure is in place.” However, this section of the DGEIS acknowledges that the PRC zones are not adjacent to sewer infrastructure.
  - On page 17, Section 1-19, the DGEIS states that the Comprehensive Plan Update (CPU) seeks to enhance the TDR program by updating the transfer formula by designating new sending districts to conserve nearly 2,000 acres and “steer growth to less sensitive areas,” among them, the PRC. However, on page 31, section 1-13, the DGEIS calls the Peconic River area a ”sensitive area.”
  - Proposing increased densities within the PRC district is in conflict with the Peconic Estuary Comprehensive Conservation Management Plan (CCMP) discussed on page 208, section 3.6 – 4 of the DGEIS, which states that “the Peconic Estuary faces challenges from increased development and land use changes, leading to water quality degradation and habitat loss, especially in the system’s western end near Riverhead.” Further along on this page, the DGEIS states that “The CCMP includes several recommendations relevant to this comprehensive planning effort...” among these is to help local communities “conserve and protect habitats.” A higher density build-out of the PRC will neither conserve nor protect habitats and is more likely to result in increased effluence of pollutants into the Peconic River.

- Further, in the next section, 3.7 on page 251, under Infrastructure and Utilities, Flood Risk Management it states that “areas along the Peconic River and Bay are especially at risk of flood events.” Yet the plan proposes higher density residential in the PRC. This makes no sense. On page 253 of the DGEIS it states “The rise in sea level will most impact low-lying areas in Riverhead that are already subject to flooding.” So why would the Comprehensive Plan Update propose higher density residential in an area prone to flood events?
- On page 255, section 3.7 -11 the DGEIS states that utilizing nature-based solutions like preserving wetlands and riparian buffers are one way to help mitigate the effects of flooding, sea level rise and storm surge in Riverhead. It does not propose building multi-family housing as a way to solve flooding problems. For so many reasons, the proposal to increase densities within the PRC has a potential negative impact.
- Pg 41 – Section 2 – 15: Hamlet Center –The DGEIS is recommending that hamlet specific studies be conducted first to identify specific changes. Therefore, the analysis of impacts would need to wait until a study is conducted and detailed zoning recommendations are proposed. What recommendations does BFJ Planning have now?
- Pg 41 – Section 2- 15: Non-Conforming Uses – The Comprehensive Plan Update addresses the need to adjust the zoning map in several areas to better align with existing uses and reduce non-conformity. It is acknowledged that zoning changes for these areas need further consideration by the Town and impacts would be considered once detailed recommendations are proposed.

The Plan has singled out 4 non-conforming areas in the Town of Riverhead. There are hundreds. To now rezone properties in residential areas to marina or light industry could have a monumental impact on the residents in these areas. To change the zoning of a shopping center on a critical bend in the road and not look at surrounding parcels appears to be spot zoning. If the Plan is making specific recommendations in zones shouldn't the DGEIS say what the negative impact would be if the zones were changed?

- Agritourism – Page 41: The Draft recommends allowing agritourism resort facilities, with the use of TDR credits, in appropriate locations, subject to design, development, and environmental standards. The placement of agritourism resort facilities needs to balance the support of agriculture with the preservation of our natural resources. Agritourism definitions should be aligned with regulatory guidelines established by the NYS Dept of Ag and Markets (Agriculture and Markets Law §300) that consider agritourism activities for the intention of directly marketing the farm’s products, and which, when special events are conducted, state the farm must ensure that profits from admissions, facility rentals, or vendor fees do not exceed income from sale of farm produce.
- Agritourism – Page 242, section 3.6 – 38: The Civic Association supports creating clear definitions and implementing regulations for agritourism including size restrictions and a permitting process, all of which should align with NYS Dept of Ag and Markets (Agriculture and Markets Law §300). We urge caution with the planner’s recommendation to “ensure that such definitions are flexible enough to accommodate the diverse range of agritourism without compromising environmental integrity” and to allow “conditional use permits.” Agritourism in the area has already impacted our environment through increased noise, traffic, and therein, residents’ access to essential and emergency services. In addition, we do not support the recommendation to permit tourist lodging on farmland. For example, an agritourism resort proposed for a location on Sound Avenue, would, in fact, be located in an area that the DGEIS shows is a New York Natural Heritage area (Page 216 – section 3.6 page 12).
- On page 243, section 3.6 – 39: “Other Proposed Zoning Changes on Agricultural Lands,” the DGEIS states that recommended zoning actions to allow for vertical farming, renewable energy, farm operations, agritourism and conditional use permits will help to “preserve rural character” and “are not anticipated to result in significant adverse impact on agricultural resources.” Not impacting agricultural resources is not the same as not having an environmental impact. Vertical farming requires significant energy and water resources. Renewable energy installations such as solar and wind detract from the rural character and scenic beauty of the area. And conditional use permits leave the community vulnerable to a host of unknown risks. Renewable energy recommendations such as solar farms, should not be permitted on prime farmland except when installed exclusively to power permitted farm operations.

- Pg -88 - Agricultural Land – The Draft wants Vertical Farming in any district where agriculture is the primary use on farms with development rights intact. We do not believe vertical farming should be allowed on prime farming soil.
  - As indicated in the map on page 220 of the DGEIS, most of Riverhead is categorized as prime farmland, with some of it identified as having “statewide importance.”
- Pg 86-87 – Assisted Living – It is recommended that assisted living facilities be allowed with special permit use in other areas such as hamlet center (HC) and rural corridor (RLC), to be evaluated by the town board in a site-specific manner. HC and RLC are not appropriate locations, as they lack access to the sewer system and have inadequate roads. There needs to be infrastructure in place for assisted living facilities, which HC and RLC zones do not have.
- Pg 87 – Housing Diversity – The Draft recommendations include removing minimum home size requirements. To remove the minimum size of a dwelling could result in tract housing that would not be consistent with our area and further stress demands on the school system and Town resources.
- Pg 87 – Housing Diversity – To allow the elimination of a certificate of occupancy for 3 years before granting an accessory apartment use and allowing the square footage to go from 650 sq ft to 40% of the main residence. What does the DGEIS say about the dramatic change these new rules would have on density and residential neighborhoods with the size of houses and the new demand to have additional parking even though the plan is suggesting reduced parking?
- Page 91 – Section 3.1 – 27 – Battery Energy Storage Facilities – The DGEIS fails to thoroughly address the potential environmental impact of BESS facilities, including, but not limited to, the potential hazards from fire or explosion. The Comprehensive Plan Update and the GEIS must be more specific about zoning for BESS and potential environmental impacts.
- Pg – 93-94- Population –The Draft lists the Riverhead Population in 2020 as 35,902. The projection the Draft is using for 2035 is 40,009, an increase over 15 years of 4,107. The draft stated that in the past a higher-than-projected long-term population occurred. Could this also be the case with these population projections?



We have added 929 Apartments (Pg 101). There is a list in the DGEIS (Pg 275) which lists well over 200 pending housing proposals and there are estimates of 267 Assisted Living Units (Pg 115) being added. There is still vacant land in Riverhead that would add more development. The Draft projected population seems low when all these projects are counted. Can it be reviewed?

- Pg -111 – Population – The methodology that estimates more residents with TDR than without TDR in Action Scenarios needs to be explained.
- Pg 121 – Short Term Rentals – Addressing the concerns of permanent residents regarding short-term rentals. While the town acknowledges the economic benefits of allowing short-term rentals in certain areas to sustain local businesses and tourism, potential impacts such as increased traffic, noise, and safety issues must be carefully considered. The Comprehensive Plan and DGEIS use mixed signals regarding short-term rentals. We wish the Town to keep its 28-day rule.
- Pg 121 – Goal 7 – Riverhead seeks to actively market development and redevelopment sites aligned with the town’s vision for growth and prosperity. The Town attracts developers, but needs improved zoning and land use evaluation and regulatory capabilities to align future development with goals. Marketing the Town is neither necessary nor an appropriate use of funds.
- Pg 156 – Existing Roadway Capacity – The determination that roadways have ample capacity pertains to planning-level analyses focused on determining whether there is adequate lane capacity to meet average annual traffic demand. These analyses do not account for daily peak hours or seasonal variations in demand. The planners should come up with more specific recommendations and analysis of, for example, the potential impact of roundabouts at key intersections on Sound Avenue. To the person whose house burns down because the firemen can’t get to the firehouse or to your house less than a mile away because of seasonal traffic, the determination that are roadways are ample will not be acceptable. If the police or ambulance can’t answer calls from May thru November, the ample roadways will not be acceptable. If you can’t get to work or appointments because of traffic, claiming that the capacity of roadways is ample will not be recognized. The DGEIS should have a better answer for our traffic problems.

- Page 256 – Section 3.7 – 12 – The DGEIS states that the build out proposed in the Comprehensive Plan Update would result in “no substantial expected impact on the demand for electricity or natural gas. Hence, a detailed analysis of such impact is not necessary for the scope of this document.” We fail to understand how this statement can be true or accurate. The North Fork has already been subject to requests from PSEG to limit electric consumption on peak demand days in the summer. Building out new industrial, commercial, assisted living and residential development, not to mention the proposed energy-guzzling vertical farming, will surely increase demand for electric and gas. We urge the Town to require the consultants to undertake a thorough analysis of projected increases in energy demand. The Town must be prepared to align development with the utility company’s ability to meet increased demand. Failing to prepare is preparing to fail.
- Further, in section 4.4 the DGEIS states that “the eventual construction associated with the proposed zoning recommendations is expected to generate an increase in energy use, due to the increased number of households in the area.” The document goes on to say that this increase will be “balanced by an increase in conservation activities associated with the use of TDR.” This does not make sense. TDR will simply relocate development, not eliminate it. Advances in technology have made it so that residents, businesses and industry are using more electrically-powered/charged devices than ever before. The GEIS needs to include an analysis of projected energy demand, not make unsubstantiated statements.
- Page 272, section 4-1: We disagree with the first sentence of this section, which reads, as follows: “Therefore, there are no anticipated adverse environmental impacts if the proposed Comprehensive Plan is implemented as drafted.” As stated previously, recommendations for increased density in the PRC could directly threaten the natural habitats and waters of the Peconic River Estuary while also presenting challenges to flood water mitigation efforts in an area identified as flood prone. Vertical farming on prime soil wastes a valuable natural resource, consumes significant energy and water resources and, along with solar or wind installations on prime farmland, destroys the area’s rural character and would become a blight on the landscape. Expanding agritourism will increase traffic and turn more prime farmland into parking areas. Essentially, this DGEIS fails to acknowledge

that there would be any environmental impacts from any of the proposed actions, and that is absurd.

- Page 281 – Section 5.0 – 2: There is a recommendation “to harmonize regulations for farm operations in the RA-80 and APZ districts by permitting farm activities on parcels with Sound Avenue frontage (which) ensures fairness and consistency for farmers across zoning areas, promoting equitable treatment and operational predictability.” This statement needs further clarification as to why the RA-80 and APZ parcels on Sound Avenue would be singled out for farm operation utilization, and not include other RA-80 and APZ parcels located on other roadways in the town.

Respectfully submitted on behalf of the Greater Jamesport Civic Association and its members,

Laura Jens-Smith, President  
Steve Green, Vice President  
Catherine Welsh, Corresponding Secretary  
Joan Cear, Recording Secretary  
Patricia Carey, Treasurer

**From:** [wrcivic@optonline.net](mailto:wrcivic@optonline.net) <[wrcivic@optonline.net](mailto:wrcivic@optonline.net)>

**Sent:** Tuesday, June 4, 2024 5:03 PM

**To:** James Wooten <[wooten@townofriverheadny.gov](mailto:wooten@townofriverheadny.gov)>; Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>

**Subject:** Comments Attached GEIS Comp Plan

#### INDUSTRIAL AREAS 3.1.2. - POTENTIAL IMPACTS

The Update states, " Land use recommendations for Riverhead aim to strike a balance between limiting industrial growth and maintaining economic development opportunities. By reducing allowable density in industrial districts while providing flexibility for building Heights and incorporating opportunities for Transfer of Development Rights (TDRs), these recommendations promote appropriately scaled and designed development that minimizes adverse impacts on surrounding residential areas."

The mitigation measures would supposedly result in 167,000 square feet less development compared to the current regulations. The Update suggests that reducing density in industrial districts, increasing non-disturbance zones, strict regulations for outdoor storage, transitioning some industrial zones to light industrial, and reducing visual impacts will mitigate concerns about adverse impacts on the community.

In my opinion these mitigation measures are inadequate in several respects. Did BFJ determine how much industrial growth is actually needed? Did BFJ specifically recommend that distinctions among the different types of warehouses should determine permitted uses in the new zoning districts that they advocated? Did BFJ adequately address concerns about increased truck traffic and declining air quality? It is my belief BFJ's recommendations did not do enough to address community concerns regarding adverse impacts that will result from industrial growth.

Submitted by- Sid Bail, Wading River, NY

**From:** Rev. Laurie Cline <[revlcline52@gmail.com](mailto:revlcline52@gmail.com)>  
**Sent:** Tuesday, June 4, 2024 2:35:16 PM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Subject:** comment

Some people who received this message don't often get email from [revlcline52@gmail.com](mailto:revlcline52@gmail.com). [Learn why this is important](#)

We submitted several comments earlier but forgot to include that we do not support vertical farming in the agricultural zone, particularly on land that is designated as prime soil.

Rev. Laurie and Mr. Edward Cline 4 Lorraine CT Jamesport

**From:** Rev. Laurie Cline <[revlcline52@gmail.com](mailto:revlcline52@gmail.com)>  
**Sent:** Tuesday, June 4, 2024 10:14 AM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Subject:** comments on the proposed Comprehensive Plan

Some people who received this message don't often get email from [revlcline52@gmail.com](mailto:revlcline52@gmail.com). [Learn why this is important](#)

- 1 - Why are there no recommendations or guidance for the United Railroad Terminal?
- 2 - Legal rentals should be a minimum of 7 days. It is unlikely that many families can afford or manage even 14 days. Some people need to rent to hold onto their home for future retirement. As long as codes are followed, such as noise, it would give families a chance for an affordable vacation and help those trying to maintain their home.
- 3 - Allowing accessory units would help with housing for dependent family members but 40% of existing housing when the house is large seems excessive. It should be a sliding scale depending on the size of the existing house.
- 5- Any agritourism should conform to the New York State Department of Agriculture and Markets laws/guidelines.
- 6 - We do not agree with zoning changes permitting assisted living facilities in the rural corridor or hamlet centers of Aquebogue and Jamesport. Keep them in more commercial areas west of route 105.
- 7 - Based on available data, we do not agree that there are no anticipated environmental impacts.

Thank you for your consideration of our comments,  
Mr. Edward Cline and Rev. Laurie Cline, 4 Lorraine Court Jamesport NY



# Housing Help Inc.

Pilar Moya-Mancera  
Executive Director

Not-for-Profit Housing and Financial Counseling

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91 Broadway, Suite 10 | Greenlawn, NY 11740 | (631) 754-0373 | [www.housinghelpinc.org](http://www.housinghelpinc.org)

June 6, 2024

Supervisor Tim Hubbard and Council Members  
Town of Riverhead  
4 West Second Street  
Riverhead, NY 11901

## **RE: Follow-Up to Riverhead Comprehensive Plan Sessions**

Dear Supervisor Hubbard and Town Council Members,

We watched the Public Hearing for the Draft Generic Environmental Impact Statement on May 29, 2024, and wanted to submit our comments regarding Accessory Dwelling Units.

Regarding the sections:

### **3.2.2.2. Housing**

**Goal 2.** *Encourage more diverse housing types to accommodate a wide range of income levels and to address evolving housing needs.*

*Moreover, revisions to standards for ADUs are proposed to reduce barriers to new housing, such as eliminating the requirement for a three-year certificate of occupancy for accessory buildings to receive an ADU permit. These measures collectively aim to foster a more flexible and sustainable housing landscape in Riverhead. These initiatives require further study as policy details are determined in the future. Potential impacts to community services, infrastructure, transportation and historic character would need to be assessed prior to any future policy changes.*

and

### **Other Regulatory Changes**

- *Accessory Dwelling Units (ADUs): Modifying size restrictions and certain requirements to make the process less burdensome on applicants while maintaining regulatory intent. Aligning regulations with current needs and standards ensures compliance without adverse effects on the community. Individual project evaluations guarantee compatibility and safety*

We fully support this assessment and urge the Town of Riverhead to maintain its position on ADUs. Research conducted nationwide over the past five years shows that a less restrictive ADU initiative is necessary for any significant success in the development and positive impact of ADUs.

While some residents are concerned about the potential "density" that ADUs might bring to their community, a gradual and restrictive policy usually leads to minimal ADU adoption. In contrast, a less restrictive policy can lead to greater adoption and can be made more restrictive if necessary, in the future.

A study on the influence of accessory dwelling unit (ADU) policy on the contributing factors to ADU development in the city of Los Angeles confirms that local governments' ADU ordinances can help expand the accessibility to ADUs in various geographical contexts, which in turn could increase housing stock and offer a wider range of housing options within communities.

The study, [The influence of accessory dwelling unit \(ADU\) policy on the contributing factors to ADU development: an assessment of the city of Los Angeles](#), confirms *“that local governments’ ADU ordinances can contribute to expanding the accessibility to ADUs in broad geographical contexts. Therefore, ADUs could help increase housing stock and offer a wider range of housing options within communities.”*

Locally, the Towns of Southampton, East Hampton, and Southold show that restrictive policies result in few ADUs or Accessory Apartments in those towns.

We urge the Town of Riverhead to develop an intentional, less-restrictive ADU policy that aligns with the ideals included in the Master Plan and revisit the policy on an annual basis to determine if adjustments are necessary.

We are ready to assist you with implementing a successful ADU initiative in the Town of Riverhead and welcome further discussions on the matter.

Thank you for your attention and cooperation.

Sincerely,

*Pilar Moya-Mancera*

Executive Director

---

**From:** Susan Vorndran <[sbvandjtv2338@gmail.com](mailto:sbvandjtv2338@gmail.com)>  
**Sent:** Friday, June 7, 2024 10:44 AM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Subject:** Comp Plam

Some people who received this message don't often get email from [sbvandjtv2338@gmail.com](mailto:sbvandjtv2338@gmail.com). [Learn why this is important](#)

Dear Supervisor and Town Board Members:

Much has been written to you about the proposed Comprehensive Plan. I want to express my concerns on behalf of myself and others (who don't have a computer or not confident in the usage) the Environment Impact designation of Calverton.

If prudent steps aren't taken by the Town Board so many residents will lose their ability to live in Calverton. It's not just the cost of living but the noise, air quality and loss of open space.

Please see beyond taxes for the Township. No amount of financial gains can replicate the value of your Township residents.

Thank you for your attention to this matter. Susan B. Vorndran



Barbara Blass

Written Comments on CPU and DGEIS submitted via email to Riverhead Town Clerk, 06/08/2024.

I want to commend all those who have contributed time and effort in preparing the Draft Comprehensive Plan Update (CPU) and its Draft Generic Environmental Impact Statement (DGEIS). I understand first-hand, having been the Chair of the Planning Board in 1997 when the Town Board authorized the Planning Board to undertake the prior CPU and worked through its adoption and implementation as a Town Board member. After the adoption of the Plan in 2003, Bob Shapiro from APPS, the lead consulting firm, gave me a book, titled "Rural by Design" and said this is what we did! That "we" referred to the residents of Riverhead as that Plan was a bottom-up community driven endeavor. I am not certain that all the goals in this CPU are reflective of the community at large.

I submitted comments to the Town Board on the CPU listed as "communications" on the Town Board meeting agenda of April 16, 2024 and ask that those comments be incorporated into this hearing record with an acknowledgement that some comments may be duplicative.

General observation is that while the 2003 CPU was preservation centric with specific development and population controls mindful of our carrying capacity, this CPU contains policies promoting growth and development primarily; in some cases, without the necessary resources to support that growth. However, there is a considerable amount of updated information and thorough references which makes the CPU a valuable resource for decision makers and residents.

The CPU recommends several uses and regulatory changes that are generally described but require additional study. Although they have not been sufficiently analyzed, the danger is that future consideration can revert to their mere mention in the Plan and check the box as being consistent with an adopted Comprehensive Plan.

The Plan recommends changes to Accessory Dwelling Units (ADU's) Code requirements. The recommendation to remove the requirement for a 3 year CO on the principal or the accessory structure would allow every new single family residence in any of 10 zoning districts to build an accessory unit. The Plan incorrectly states that there is an amnesty period for the first 250 owners of preexisting ADU's to legalize their units with a waived fee. The Code actually states, "the article shall sunset upon the issuance of the 250th accessory apartment permit, **excluding accessory apartment permits issued to applicants seeking to legalize a preexisting accessory apartment under the amnesty provision...**" The Code no longer has an amnesty provision which could be reinstated. However, the Town should determine how many accessory apartment permits have been issued and whether the 250 limit should remain or otherwise impose a saturation limit within a specific geographic radius or zoning district.

There is considerable information on local and regional housing. Despite being the workforce housing alternative for the East End and despite being able to meet affordable housing needs through 2040 and despite having 380 more income restricted housing units than the rest of the East End combined, the Plan concludes that **Riverhead would benefit** from an additional 800-900 new income restricted affordable units for workforce populations. The Plan also states the 2-3 bedroom units are in greatest demand. Does Riverhead have the necessary resources to carry such growth? The Plan recommended reassessment of Downtown CAP once development in the pipeline, (see page 18) is complete. We would then have 929 new dwelling units and use 10 TDR's ( 10 acres preserved) at most. Did this recommendation come from the community?

New development in DC-1 designed for home ownership will be eligible for density bonus if TDR's are used. Is there an enforceable legal mechanism to ensure that a condominium owner won't rent their unit?

The Plan recommends CRC Zoning District as a TDR Receiving area and proposes density of anywhere from 4-12 units/acre with the necessary infrastructure which currently does not exist. The designation and mapping CRC as a Receiving Area must be reconsidered.

Similarly, the PRC District is proposed to be a receiving area with a density up to 8 units per acre with TDR's but necessary infrastructure currently does not exist. The designation and mapping PRC as a Receiving Area must be reconsidered.

The RROD provides for 240 multifamily dwelling units which would require preserving only 10 acres of farmland. The particular recommendation together with other mechanisms introduced to address housing needs such as lifting the cap, changes to ADU requirements, etc., would result in significant growth with less than significant preservation.

The RA-80 Zoning Use District was once the most coveted residential district. Because of recent zoning amendments it now permits residential, agricultural, commercial and industrial uses. Can it be all these things and remain true to the intent to "ensure the preservation of the historic integrity and rural character of the Sound Avenue corridor and to conserve wooded areas and other natural features"? Further having RA-80 the district mapped as a sending AND receiving area seems to defy logic because the intents are at cross-purposes.

The Plan contains language about urban farming a/k/a vertical farming and recommends promoting vertical farming as a sustainable land use in industrial districts and allowing it in any district where agriculture is the primary use and where development rights are intact. However, since this type of farm operation does not require the use of ag lands, the Town should be mindful that vertical farm

operations are **inconsistent** with the Section 303-b of NYS Ag and Markets Law and its subsection on Ag Districts, and Section 274-1 of the Suffolk County Code which speak to the conservation and protection of agricultural land. The State further acknowledges the importance of ag lands as “valued natural and ecological resources which provide for clean air sheds, as well as aesthetic purposes.” Figure 3.6-10 on page 3.6.26 of the DGEIS shows the extent of Ag District #7 in the Town of Riverhead where urban farm operations would be inappropriate. The recommendation to promote them in any district where agriculture is the primary use is, therefore, ill-advised. The recommendation also failed to mention the enormous energy requirements of vertical farms and provided no information on their impact on existing utilities serving the community due to increased energy demands.

The Town had an extended moratorium on ground based solar utilities. The Plan recommends that commercial solar operations should continue to be limited to industrially zoned lands. Yet the Plan also recommends that ground based commercial solar utilities be permitted as of right or by special permit on any agricultural operation in any zoning use District including the APZ, RA-80, RB-80 at a nameplate capacity **beyond** what NYS Department of Ag and Markets would allow as “on farm” equipment or 110% of the energy needs.

According to State guidance documents, a solar array which is not “on farm” equipment, is **no longer an agricultural use**. The recommendation is inconsistent with agricultural operations as defined by the State and this industrialization in the APZ and elsewhere undermines the considerable public investment in preservation of ag lands and rural and scenic corridors; it is not in the public’s interest.

Unfortunately, there is no empirical information on the energy demands of an average farm operation in Riverhead. The rule of thumb is 4-7 acres is needed to produce 1 MW of electricity. The recommendation to permit ground based solar utility installations on farm operations across the town comes with no upper limit. The only “threshold” is that it remains as an accessory use. What would define it as accessory: revenue, land mass? This recommendation is ill advised, internally inconsistent and undermines the stated intent of the relevant zoning use districts and land use policies. Are other towns being lobbied for vertical farming and solar arrays beyond Ag and Markets limits?

On Battery Energy Storage Systems (BESS) the GEIS state, “Riverhead must persist in efforts to guarantee the compatibility of proposed battery storage facilities with the surrounding land uses, minimizing visual and groundwater impacts, and addressing emergency and fire safety concerns.” The legislation was adopted with a Negative Declaration indicating that there were no potential significant impacts that couldn’t be mitigated. The residents documented these very concerns

during the public hearings on the BESS legislation highlighting the 11 impacts identified in Part 2 of the LEAF. Question #4 is noteworthy: The proposed action may result in new or additional use of groundwater or have the potential to introduce contaminants to groundwater or aquifer. Answer **NO!**

(See documentation submitted to the Town here:

<https://docs.google.com/document/d/1MXYhz4kgaKZismr9cCfLrQjvatTN-iFy2O4QAA3NVWY/edit>).

This Code was nevertheless adopted with a Neg Dec without regard for obvious concerns, and unfortunately remains on our books as is. While the State may provide additional safety guidance which the Town will likely adopt, in my opinion, the Local Law should be repealed and codified only after proper planning and analysis.

General Comments - The Town should consider **conservation subdivisions** as another preservation tool not currently provided for in our Code. While it is true that a cluster subdivision is a type of conservation subdivision, a conservation subdivision as defined in the Southold Town Code (<https://ecode360.com/5160271#5160271>) affords a greater area of preservation via a reduction in density which affords the property owner additional financial benefits.

**Conditional Use Permits** - As proposed, CUP's would only apply to agricultural uses and are justified as a way to stay abreast of sustainable technologies in the industry. Emerging technologies are not unique to the agriculture industry, (e.g. energy.) New uses or updated technology should go through proper review with established criteria; all new technology is not created equal. Instituting Conditional Use Permits for a select industry is arbitrary. As the Plan states, "the Town should continue to evaluate the appropriateness of technological advancements toward a sustainable future." This can be done without a conditional use permitting process.

**Non-nuisance industry** - the Town eliminated this definition because it proved to be a problematic catchall for otherwise undefined and non-specified uses. What is the basis for reinstating it?

The **pyramid law** - has merit and could be incorporated into residential districts as a way to reduce the impact of structures (massing effect) which require area variances.

**Warehouse** definitions based upon ITE manual should be incorporated into the Code with specific types of warehouses permitted in specific zoning use districts...warehouse is no longer one size fits all use.

The RA-80 and the APZ are distinct zoning districts and should remain as such. Agricultural processing facilities permitted in the APZ should not be permitted in Residential Zones.

**Non-conforming uses** - identifying existing non-conforming uses/parcels in various nodes no matter how small, and recommending to rezone them as commercial does not guarantee that they will remain small commercial nodes: instead it invites commercial sprawl. There is a process in place to expand a non-conforming use if necessary. The parcels were rendered non-conforming as a result of a strategic planning process. What is the planning justification behind this recommendation?

There are several zoning and regulatory changes proposed for development along our shorelines: the Bay, the Sound and the Peconic River. While each of these areas has unique challenges and face different threats, updating the goals and regulations holistically might have been a better approach; something akin to an LWRP.

A final comment - CPF needs to return to its roots! The emphasis on the TDR program is noble but it comes at a price...increased development...the recommendations and potential results are out of balance. Riverhead was true to the initial premise upon which the CPF program was founded: farmland preservation was to be the number one priority for use of the funds, and we have been, from the beginning, purists. In light of the acknowledgement that “Riverhead is the **county’s primary hub** for agricultural activity”, and “Riverhead grapples with the vulnerability of its agricultural industry due to land depletion from suburban sprawl,” there must be a more collective solution if this is indeed a **regional** concern. It’s amazing how we continually hear about regional issues such as affordable housing and the Peconic Estuary and how important it is to work collectively to address them.

There are approximately 8,000 acres of farmland that are at risk in Riverhead. The Town has collected approximately \$94m in CPF funds in **25 years**. That is **less than what was collected in 1 year in Southampton whose total revenue has now reached over 1 billion dollars**. The State continues to amend the legislation to broaden uses for the money which will be collected until 2050. We bonded \$72m dollars for farmland and open space and our debt is expected to be paid off in 2030. The Comp Plan sharpens our TDR tool trading increased density and development to protect less than 200 hundred acres of farmland when we have about 8,000 at risk. TDR is not a balanced, effective, sustainable solution.

Perhaps it’s time for an update on the state of agriculture in the County of Suffolk. Indeed, a broader discussion might also be indicated: are State Ag and Markets laws and policies in harmony with State energy goals and policies? Riverhead shouldn’t be the testing ground.

---

**From:** Calverton Civic <[gcca1992@gmail.com](mailto:gcca1992@gmail.com)>

**Sent:** Monday, June 10, 2024 3:38 PM

**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>; Town Clerk <[townclerk@townofriverheadny.gov](mailto:townclerk@townofriverheadny.gov)>

**Subject:** Public hearings comments on draft CPU & GEIS documents due June 10, 2024

To: Town of Riverhead & BFJ

RE: GCCA Comments on CompPlanUpdate (CPU) draft document

Date: June 10, 2024

For the purposes of the current public hearings on the Comprehensive Plan Update (CPU) we are re-submitting our letter of response from several months ago to be sure it's included in the public record, along with several other letters sent directly from residents.

In addition, the example Land Uses table (individual inventory of types in acreage with categorical subtotals) attached is our suggestion to include in the Riverhead CPU. When mentioned at the hearing a very positive response was observed from the town board members. Let's see where the acreage exists as it's utilized today broken out into the various zones and with the proposed changes from the CPU.

Sincerely,

Toqui S. Terchun

President, Greater Calverton Civic Association

“Get to know your neighbor, get to know your town”

Inline image

*Have now*  
*is change*

TABLE 2-1

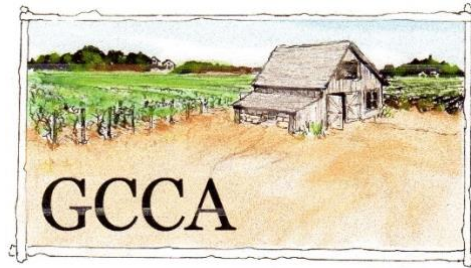
### Land Uses Under the Recommended Plan

Land Use	Total (No Action)	Total with Recommended Plan	Net Change (acres)	Percent Total of Study Area (with plan)
Low Density Residential (Single-Family)	1,265.4	1,528.9	+263.5	40.4
Low Density Residential and Wooded (>20 acres)	32.4	--	-32.4	--
Medium Density Residential	8.4	8.4	--	0.2
High Density Residential	11.6	11.6	--	0.3
High Density Residential (Mobile Homes)	15.6	15.6	--	0.4
<b>Subtotal Residential</b>	<b>1,333.4</b>	<b>1,564.5</b>	<b>+231.1</b>	<b>41.4</b>
Agricultural	132.3	--	-132.3	--
Agricultural Preservation	195.1	321.2	+126.1	8.5
<b>Subtotal Agricultural</b>	<b>327.4</b>	<b>321.2</b>	<b>-6.2</b>	<b>8.5</b>
Golf Course	--	124.3	+124.3	3.3
Public Recreation and Open Space	798.2	1,122.0	+323.8	29.7
Cemetery	22.1	22.1	--	0.6
Resort/Recreation	--	203.5	203.5	5.4
<b>Subtotal Open Space/Preserved/Recreation</b>	<b>820.3</b>	<b>1,471.9</b>	<b>+651.6</b>	<b>38.9</b>
Industrial	1.2	28.2	+27.0	0.7
Sand Mining	203.5	--	-203.5	--
<b>Subtotal Industrial</b>	<b>204.7</b>	<b>28.2</b>	<b>-176.5</b>	<b>0.7</b>
Transportation (Streets, Rail, Right-of-Way)	260.2	262.8	+2.6	7.0
Utilities	27.9	27.9	--	0.7
SCWA Well Field	14.7	19.3	+4.6	0.5
<b>Subtotal Utilities</b>	<b>302.8</b>	<b>310.0</b>	<b>+7.2</b>	<b>8.2</b>
Neighborhood Business	29.7	27.4	-2.3	0.7
Neighborhood Office/Business with Residential (Second Story)	1.3	10.8	+9.5	0.3
Waterfront Business	--	2.7	-2.7	0.1
Marina	11.7	4.6	-7.1	0.1
Clubhouse/Restaurant/Banquet Facility	--	12.8	+12.8	0.3
Community Facilities	24.6	26.6	+2.0	0.7
Vacant	724.8	--	-724.8	--
<b>Total Land Area</b>	<b>3,780.7</b>	<b>3,780.7</b>	<b>--</b>	<b>--</b>
Surface Waters	263.3	263.3	--	--
<b>Total Study Area</b>	<b>4,044</b>	<b>4,044</b>	<b>--</b>	<b>--</b>

Sources: Town of Southampton Geographic Information Systems, June 2006 and AKRF, February 2008

## Executive Board

President: Toqui Terchun  
V. President: Bill Ceberek  
Secretary: Karen Kemp  
Treasurer: Kathleen Madonia



## Trustees

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Janice Scherer        Merry Ritter  
Greg Fischer           Steve Mandresh  
                                 Joseph Graziano

To: BFJ  
RE: GCCA Comments on CompPlanUpdate draft document  
Date: March 15, 2024

In preparing for future development in Riverhead, the Town must recognize the value of the agricultural community and protect it. Many people continue to make their home here, and thousands of people continue to visit each year because of this unique quality on Long Island. Zoning so much land for industrial development will negatively impact this valuable resource. In 2023, Forbes designated Riverhead as one of the 50 best places to visit: one of only 11 places in the US. Riverhead, "The Gateway to the East End" could become a thriving tourist attraction with the development of equestrian centers, an outdoor theater, golf courses, parks, botanical gardens, and other family friendly recreational facilities.

Please re-evaluate the following:

Language such as "urban areas," "urbanizing" and "Calverton Industrial District" are incongruous to the meaning of the area and should not be used to describe the rural Hamlet of Calverton.

The future land use section does not effectively discuss growth management. TDRs are a good tool. However, there is a negative side effect: open space in one area is preserved to the detriment of another area. Please address better growth management in the "Receiving Areas." Industrial zones outside of EPCAL have been proposed as receiving areas for TDRs. All zoning for these areas must be carefully written to prevent abuse of the TDR benefit. Builders will beg for variances and special permits along with TDRs to expand their development. Building in Industrial zones must be limited to GREEN building only with particular focus on circular economy, net zero emissions and tax abatements clawed back from any builder who does not comply.

Industrial Development must be focused in the area at Enterprise Park (EPCAL) as this is an existing Industrial Park and does not have an impact on residential neighborhoods, or local roads and infrastructure. The Comprehensive Plan of 2003 designated their Industrial A as "Light Industrial," Industrial B as "General Industry," and even proposed a new Industrial Recreational zone to encourage more development of tourist attractions and community improvements. They had the foresight to know that major industrial development belonged only in EPCAL.

To be effective, the zoning for Industrial Development must require: comprehensive traffic studies that encompass surrounding neighborhoods and peripheral roads; building height & massing studies to understand the views from neighboring lots and the roads; a buffer greater than the minimum 50 feet; restrict outdoor storage as it creates a tendency to have more 'use' outside vs. inside a building.

Food production should be encouraged in Industrial zoned areas and is seen as warehousing. Food production in APZ districts negatively impacts the open space and character in the rural corridor and amounts to more warehousing. This will turn farmland into quasi-industrial zones.



The community wishes to reduce the amount of industrial development and associated warehouses and other such uses and preserve open space in our Hamlet of Calverton.

The Comprehensive Plan Update is to be the guiding force for future development in Riverhead. The goal of the new plan should be for smart development, to control sprawl and to appropriately site new development, while also protecting the quality of life of the community.

Respectfully,  
Greater Calverton Civic Association  
Toqui Terchun  
Merry Ritter  
Janice Scherer  
Karen Kemp

---

**From:** Elaine McDuffee <[ecorwith@icloud.com](mailto:ecorwith@icloud.com)>  
**Sent:** Monday, June 10, 2024 4:01 PM  
**To:** Elaine McDuffee <[ecorwith@icloud.com](mailto:ecorwith@icloud.com)>  
**Subject:** Riverhead Comprehensive Plan Update Comments

To Whom It May Concern:

> We are in agreement with and support the recommendations of the Executive Committee of the Greater Jamesport Civic Association with regard to the Comprehensive Plan Update and the DGEIS.

>

> Specifically:

> 1. We do not support the expansion of the URT plant.

> 2. We do not support the reduction of rental terms.

> 3. We do not support the addition of assisted living facilities along the rural corridor in Jamesport, Aquebogue or Laurel.

> 4. We do not support ADUs.

>

> The DGEIS fails to consider the negative impact of traffic on the community in terms of both quality of life and property values.

> The notion that these actions and the resulting traffic have no anticipated adverse environmental impact is wrong.

> In closing, we do NOT support the assessment of the DGEIS.

>

> Sincerely,

> Elaine & Mark McDuffee,

> Jamesport



# Group FOR THE East End

Robert S. DeLuca  
PRESIDENT

## BOARD OF DIRECTORS

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Bridgehampton, NY 11932

631.765.6450  
GroupfortheEastEnd.org

June 10, 2024

Supervisor Tim Hubbard &  
Members of the Town Board  
Town Riverhead  
4 West Second Street  
Riverhead, NY 11901

## **Re: Riverhead Comprehensive Plan Draft Generic Environmental Impact Statement Comments**

Dear Supervisor Hubbard and Members of the Town Board,

On behalf of Group for the East End, please accept the following comments regarding the Draft Generic Environmental Impact Statement (DGEIS).

For the record, Group for the East End, founded in 1972, is a professionally staffed, not-for-profit environmental advocacy and education organization. We represent the community conservation and planning interests of several thousand member households, businesses, and organizations across the five towns of Eastern Long Island.

### **Summary Statement**

After careful review of the DGEIS we believe that there are several areas and issues that require additional analysis and rationale if the intent is to protect community character and public health and reduce environmental impact while fostering responsible economic growth. Particularly the proposed changes to the Floor Area Ratio within industrial districts, the discussion and analysis of Environmental Justice Areas and their relationship to the industrial density proposed, as well as the proposal for an agritourism zone warrant further consideration.

Please see below for specific examples and discussion points.

### **Section 1.4. Potential Build-Out Scenario (p. 1-6)**

The DGEIS states, *“The “Build Out Analysis” presents a reasonable worst-case estimate of the potential mix of residential units and commercial/industrial gross floor area expected to be developed in the Future with the Proposed Action (adoption of Comprehensive Plan Update) within the next 10 years.”*

The analysis utilizing this methodology is seriously flawed in the case of industrial development within the hamlet of Calverton, wherein the DGEIS failed to analyze what’s actually been proposed to date and which already exceeds what can be built within the next 10 years, per the estimates included. In other



Protecting the nature of the place you love

words, the DGEIS estimates, and analysis are not grounded, over one million square feet have already been approved/proposed.

The SEQRA Handbook makes it clear that the *“generic EIS should describe any potential that proposed actions may have for triggering further development... (p. 143). Further stating, “If such a triggering potential is identified, the anticipated pattern and sequence of actions resulting from the initial proposal should be assessed. The generic EIS should identify upper limits of acceptable growth inducement in order to provide guidance to the decision maker” (p. 143).*

#### Recommendations

The FGEIS should include an analysis of the impacts of what is currently proposed in the way of industrial warehouse uses in the hamlet of Calverton.

#### **Section 1. Executive Summary - Zoning (p. 1-9)**

The DGEIS states, *“Zoning recommendations for many of the industrial districts include a reduction in allowable density of development while providing flexibility for building heights, strengthening design standards, and incorporating opportunities for the purchase of TDRs. These recommendations are intended to provide for appropriately scaled and designed development in industrial areas aims, which minimize adverse impacts on surrounding residential areas.”*

The DGEIS failed to explain how the proposed reduction in the Floor Area Ratio (FAR) was chosen and correlates to a level of reduction in the allowable density in industrial zones that would result in a demonstrable change in potential environmental impact.

The DGEIS failed to consider the relatively new types of warehouses now being proposed within the region and how this impacts what can and should be constructed within the Town of Riverhead. For instance, the *Industrial Warehouse Market Analysis - Brookhaven* (Camion Associates 2022, <https://brookhavenida.org/files/Industrial%20Warehouse%20Market%20Analysis%20-%20Brookhaven%20%20IDA.pdf>) has forewarned that the recent surge in demand may not be sustained into the future and there are real consequences of significant vacancies if all of the warehouses proposed are constructed.

#### Recommendations

1) The FEIS should include a discussion and supporting rationale of how the reduction in FAR was chosen.

2) An analysis of how many square feet of industrial development the hamlet of Calverton could reasonably accommodate was never addressed. The FEIS should include this because it is essential to understand if the proposed reduction in FAR truly provides an appropriate amount of density reduction.

3) We recommend that the FGEIS compare and discuss the regional demand for warehouse/fulfillment type industrial development and how this impacts what's proposed and projected for Riverhead.

#### **2.6.4.3. Zoning Recommendation: Modification to Industrial Districts (p.2-26)**

The DGEIS states, *"While TDR credits could be used to achieve additional height, this provision is not expected to significantly alter the overall development potential and does not warrant detailed analysis within the context of this build-out assessment."*

#### Recommendations

1) The FEIS should include a discussion of how "providing flexibility for building heights" actually reduces the environmental impacts of industrial development within these zoning districts. The DGEIS simply notes that a reduction in overall density automatically leads to a decrease in overall environmental impacts.

#### **2.5.4.2. Zoning Changes That Require Further Study (p.2-15)**

The DGEIS states, *"Agritourism: The Plan recommends allowing agritourism resort facilities, with the use of TDR credits, in appropriate locations, subject to design, development, and environmental standards."*

The impacts of the proposed changes to the zoning code to create an agritourism resort floating zone have not been analyzed.

#### Recommendations

There are several suggestions throughout the final draft of the Comprehensive Plan that recommend further scrutiny surrounding the agritourism use in order to minimize impacts. The suggestion to create an entirely new floating zone, which could theoretically create several large-scale resorts in sensitive environmental areas on agricultural land is counterproductive to these suggestions. We respectfully recommend deleting the suggestion for a new "agritourism resort" floating zone from the Comprehensive Plan. In our view, there are more appropriate and meaningful farmland preservation tools.

#### **Potential Environmental Justice Areas (p. 3.2-5)**

The DGEIS discussed the definition of an environmental justice area and states, *"Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies."*

Much of Calverton is defined as an Environmental Justice Area. The DGEIS did not provide a discussion or analysis of how the proposed reduction in industrial development density would impact this area other than to say that because of

the slight decrease in density, a positive benefit would result. This is unacceptable.

#### Recommendations

The FGEIS should further explore how the proposed changes in FAR within the industrial districts that also contain Environmental Justice Areas mitigate the “negative environmental consequences resulting from industrial, municipal, and commercial operations...” of the vast amount of industrial space allowed per code as proposed within the Comprehensive Plan and DGEIS.

#### **Conclusion**

There are many positive goals and objectives outlined in the Comprehensive Plan. However, in our view, the DGEIS fails to uphold the narrative embedded within the Plan and ultimately falls woefully short of proposing code revisions or tangible policy suggestions that would provide demonstrable changes that result in action-oriented planning and zoning recommendations that would help the community’s vision come to fruition – to protect community character, the environment, and deal with the traffic issues.

Thank you for taking the time to review our comments and recommendations. Please contact me should you have any questions or concerns. I can be reached at [jhartnagel@eastendenvironment.org](mailto:jhartnagel@eastendenvironment.org) .

Sincerely,



Jenn Hartnagel  
Director of Conservation Advocacy

**Vanessa LeCann**

---

**From:** karen kemp <karenekemp@hotmail.com>  
**Sent:** Monday, June 10, 2024 2:43 PM  
**To:** Town Clerk; Tim Hubbard; Kenneth Rothwell; Robert Kern; Joann Waski; Denise Merrifield; N.Levine@bfjplanning.com  
**Subject:** Comprehensive Plan Update

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JAMES H. WOOTEN  
TOWN CLERK  
2024 JUN 10 P 2:51

Some people who received this message don't often get email from karenekemp@hotmail.com. [Learn why this is important](#)

Dear Mr Wooten, Town Clerk,

Please put on record my letter below regarding the Comprehensive Plan Update. Thank you.

Dear Members of the Town Board,

As a resident of Calverton, I kindly request the comments below be considered regarding the Comprehensive Plan Update. My thoughts and concerns focus specifically on the zoning of Industrial Development.

The Comp Plan Update misses the opportunity to effectively address Industrial Development in a way that will protect the valuable resource that is the farming community and open land. The community has expressed its wishes, we have pleaded to limit industrial development and to save our open land. Rather than protecting the area from overdevelopment, the Comprehensive Plan seems to encourage more industrial development.

The area along Middle Country Road, between Edwards Avenue and Middle Road, is proposed to become the "Calverton Industrial District" (CI), and is zoned Industrial A and Industrial C. Currently, this area is predominantly used as agricultural land, according to the "Existing Land Uses" map (Figure 3). It also includes sensitive land that is the "Pine Barrens Compatible Growth Area" and "Pine Barrens Core Area" (Figure 4: Existing Overlay Zoning).

**EPCAL:** Industrial Development must be focused in Enterprise Park (EPCAL) as this is an existing industrial park. The warehousing and distribution centers associated with Industrial Development can be sustained in EPCAL, and they will not have direct impacts on neighborhoods, or local roads and infrastructure. Focusing industrial Development in EPCAL will reduce the industrial sprawl that is currently happening along Middle Country Road. (Map attached)

**Understanding the cumulative impacts:** The repercussions of the proposed "Calverton Industrial District" has not been fully examined. The Draft General Environmental Impact Statement (DGEIS) fails to address the cumulative impacts of future industrial developments. It is alarming that it does not propose to evaluate the combined effects of the following:

- Increased traffic and the pressures on the roads,
- Demands on the water and sewer systems, and utilities,
- Air pollution generated by diesel trucks,
- Light and noise pollution,
- Quality of life,
- Character of the area.

Currently, there are 1,623,000 square feet of proposed industrial developments along approximately a 1 mile stretch of Middle Country Road that the Town is reviewing. (Map attached). These proposals are currently on hold because of the moratorium on industrial developments. Yet, the cumulative effects of these developments on our roads, infrastructure, air and community character have not been addressed.

**TDR's unfairly burden Calverton:** The use of Transfer Development Rights (TDRs) is not effective or equitable. It may be a positive tool in preserving open space in one area, but the "Receiving Area", Calverton, will be negatively impacted with more development.

Furthermore, developers are encouraged to use TDR's which then permits them to override the recommended setbacks and the reduced Floor Area Ratio (FAR). The plan's attempts at reducing the impacts of industrial buildings is negated and rendered meaningless.

**Pine Barrens:** Protecting our ground water is necessary. The "Pine Barrens Compatible Growth Area" and "Pine Barrens Core Area" (Figure 4: Existing Overlay Zoning) was designated in the previous Comprehensive Plan in 2003 and should now be assigned "Pine Barrens". It is imperative to take steps to ensure water quality for our future.

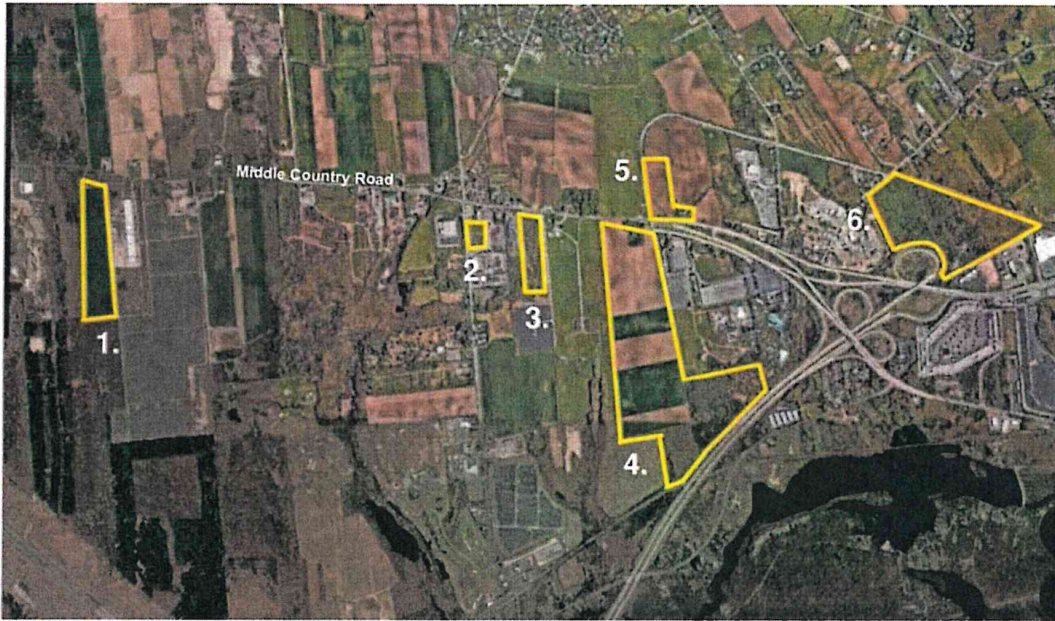
**Hamlet Center:** The suggested location of the Calverton Hamlet Center is where 25A meets Middle Country Road. This is arbitrary and rather perplexing. Cars drive past fast here, where the speed limit is 55 mph. There is a gas station here and nothing else. The Calverton Hamlet Center is more appropriately to be in the vicinity of the Post Office (a civic building) by Edwards Avenue and where there are already existing stores.

The Comprehensive Plan Update is to be the guiding force for the future development in Riverhead. The goal of the plan should be for smart development, to control sprawl and to appropriately site new development, while also protecting the quality of life of the community.

Respectfully,

Karen Kemp





**PROPOSED INDUSTRIAL DEVELOPMENTS IN CALVERTON:**

1. HK Ventures - 4285 Middle Country Rd - 423,000 sq ft
2. EP Equity Holdings - 582 Edwards Ave - 28,000 sq ft
3. PODS Storage Expansion - 3651 Middle Country Rd - 45,000 sq ft
4. Ostad Industrial Subdivision - 3511 Middle Country Rd - 410,000 sq ft
5. U-Haul Warehouse & Storage - East side Manor Rd - 117,000 sq ft
6. Riverhead Logisitics Center - 1743 Middle Rd - 600,000 sq ft

## Comments on the Comprehensive Plan:

On page 162 of the Comprehensive Plan, remove paragraph 3.1 titled: *Work with the school districts to identify appropriate sites for new schools and expansions.*

### Rationale:

Page 157 of the Comprehensive Plan, in regard to the strategic plans of the several school districts in the township, states: “*Riverhead CSD, Shoreham-Wading River CSD, and Mattituck-Cutchogue UFSD have 5-year strategic or facilities plans that include goals for capital improvements. However, these plans do not indicate anticipated expansions of new facilities within the Town of Riverhead.*”

The Riverhead Central School District has consistently made it clear that any anticipated expansion will be on property currently owned by the District. As noted in the appendices to the DGEIS, the District did not respond to an email from the Town regarding this matter and has never indicated directly or indirectly to the Town any need for additional land purchases in the Town of Riverhead.

## Comments on the DGEIS:

The Riverhead Central School District’s primary concern with the DGEIS document is its internal inconsistency in relation to its projection of the Comprehensive Plan’s impact on student enrollment in the District.

For example, Goal 3 (3.5 – 18) discusses anticipated population growth and associated increased student enrollment based on projected new residential developments. However, elsewhere in the DGEIS, there are opposing statements that are projecting minimal population growth and minimal impact on student enrollment.

## Projecting increasing population growth and student enrollment:

**Goal 3. Support expansion of school district facilities to accommodate growing demand.**

*The recommendations in Goal 3 focus on addressing the **increasing enrollment** and facility needs within the Riverhead Central School District (CSD). Despite consistent growth in enrollment over the past two decades (although enrollment in the Riverhead CSD declined by 349 students between 2019 and 2022), critical aspects such as classroom space have not been expanded to meet rising demands, partly due to the closure of Mercy High School in 2018 and migration patterns. **With anticipated population growth and new developments**, proactive identification of new facilities is essential to accommodate the evolving needs of the community and provide*

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FEDERAL OFFICE OF  
JAMES MOOTEN  
TOWN CLERK

Communication: Letter from RCSD BOE - Comments on the Comprehensive Plan (Correspondence)



an optimal learning environment for students. It is recognized that the school districts are separate entities to the Town of Riverhead, with their own capital budget processes. However, the Town can work with the school districts on joint planning efforts and can coordinate infrastructure investments and other land use plans to optimize resources and ensure that educational needs are met in a financially responsible manner. Implementing these recommendations would have positive impacts by ensuring that the school district can effectively respond to increased enrollment and provide equitable access to quality education for all students.

## **Projecting minimal population and student enrollment increases:**

### ***In the Demographics section, the DGEIS states:***

*The Draft 2024 Comprehensive Plan does not contain specific policies on demographics but discusses potential population changes due to recommended zoning alterations. The Future with Action scenario (Proposed Action) as presented in the Build-out, has the potential to result in an increase of approximately 267 units of assisted living, 30 units of multifamily housing, 67 townhomes, and a reduction of approximately 87 single-family homes as compared to the Future without Action scenario. This would result in an incremental increase of approximately 278 additional residents in the Town by 2035, if all developments utilize TDR. If TDR is not used, the anticipated population increase is projected to be an incremental increase of only 116 residents. The NYMTC 2035 population projection for Riverhead is 40,009. **The increase of 278 new residents by 2035 equates to a 0.69% increase in the Town's population, while an increase of 116 residents is only a 0.39% increase. This minor increase would not result in a significant adverse impact to the Town's demographics.***

### ***In 1-13 of the DGEIS document, it states:***

*While it is possible that these proposed changes could have a slight increase in enrollment if no TDR credits were used, the build-out would occur in a phased manner over ten years and be spread across the seven Riverhead CSD schools and **would not create a one-time or abrupt increase in the number of school aged children. This slow pace of increase allows the Riverhead CSD time to absorb the minimal number of additional school aged children that could be generated.** Importantly, it is anticipated that the new development would also contribute between \$224,559 to \$697,548 in tax revenues to the Riverhead CSD. Considering the **relatively small number of school children generated**, the phased nature in which they would be expected to join the school system and the increased revenues accrued to the Riverhead CSD, **no significant adverse impacts** to schools are anticipated*

**In sections 3.5 – 21 of the DGEIS document relating to the Riverhead Central School District, it states:**

***Residential Areas – Assisted Living, CRC, PRC, and RRA-OD***

*The recommended rezoning area changes for the above identified zoning districts would result in an **incremental reduction of 24 school children** entering the Riverhead CSD as compared to development under existing zoning (Without Action Scenario) if all future development were to utilize TDR to achieve increased density. See Table 3.5-4 below. Without the use of TDR, which is unlikely given the lower densities permitted without the use of TDR, development in the recommended rezoning areas has the potential to result in an **incremental increase of an additional 25 school children entering the Riverhead CSD over the next ten years**. These projections include all school age children, and although most are expected to attend Riverhead CSD, some may attend private school, and therefore this represents a conservative projection.*

It is apparent from the above opposing statements, and from numerous additional contradictory statements and projections that can be found in the DGEIS document, that there is no clear understanding regarding what impact the Comprehensive Plan will eventually have on either population growth in the township or on the Plan’s impact on potential student enrollment increases in the Riverhead Central School District.

Adding to this confusion and uncertainty regarding future student enrollment projections being posited by the DGEIS is the questionable accuracy of the multiplier formula (.09) being used when projecting future student enrollment from particular developments.

For example, as the chart below clearly illustrates, the number of students being generated by these recent developments in the Riverhead Central School District’s catchment region has significantly exceeded the projections of the developers and the town. In each case, the enrollment that was projected for these developments using the .09 multiplier formula underestimated eventual student enrollment. We strongly suggest, based on this empirical and irrefutable data, that the multiplier formula used for projecting potential student enrollment from future residential developments in the Riverhead Central School District service area be reconsidered, with appropriate changes made based on this data.

STREET NAME	STREET NUMBER	STUDENTS GENERATED AS OF JANUARY 20, 2023	STUDENTS GENERATED AS OF FEBRUARY 8, 2024	PROJECTED STUDENTS	ADDITIONAL STUDENTS OVER PROJECTIONS
Woolworth Apartments	128	4	5	2	3
Riverview Lofts	221	6	9	14	-5
Shipyards Apartments	331	3	3	4	-1
Summer Wind	40	3	7	5	2
Peconic Crossing	11	18	25	4	21
<b>TOTALS</b>			<b>49</b>	<b>29</b>	<b>20</b>



## **Opposition to the proposed DC1 500 CAP increase:**

The Comprehensive Plan provides the multiplier data for projected student enrollment (which we believe underestimates potential student enrollment increases – see above) for proposed new housing developments. Student enrollment increases from housing already proposed (see 3.2-9) is not included. The use of TDR increases housing density primarily at the elementary school near the downtown area. This elementary school is already at capacity. We **oppose** removing the 500 Cap on DC-1 density. Further data needs to be collected on actual student enrollment from multi-family dwellings versus the projected student enrollment provided by developers. As noted and clearly illustrated above, the District is experiencing more students, and as in the case of the Peconic Crossing development, significantly more students, than projected by the developers and the town.

## **ADUs**

With regard to the proposed changes to the ADU regulations, the district's concern continues to be the increase in student population and safety. The multipliers used to predict the number of students generated from the ever-increasing number of apartments have consistently underestimated student population growth. There is no clear data indicating how many students are housed in ADU's or accurate predictors as to how the expansion of this type of housing would impact the school district. Increasing accessory apartments in addition to the plethora of apartment complexes has the potential to overpopulate the schools.

It is well-known that, for decades, the TOR Code Enforcement Department has been understaffed and has lacked the resources to address overcrowded and illegal housing which has contributed to student population growth and unsafe living conditions for individuals and families. Secondly, while the town has made some strides, it has not demonstrated the capacity to ensure the compliance and safety of the ADU's that currently exist. Lastly, while the goal of the proposed ADU expansion might be well-intended to help young families and seniors with their housing needs, the reality is that LLC's have been building and purchasing homes in our community to generate rental income. Loosening of ADU regulations might have the unintended consequence of overcrowded housing as the goal of LLC-owned properties is profit.

**Vanessa LeCann**

---

**From:** Stephen Baxter Jr. <stephenbaxterjr@gmail.com>  
**Sent:** Monday, June 10, 2024 5:46 PM  
**To:** Town Clerk  
**Subject:** Riverhead Code Comments

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK

2024 JUN 11 A 8:48

[Some people who received this message don't often get email from stephenbaxterjr@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Steering Committee,

These comments are in reference to the DGEIS prepared in connection with the Town's adoption of its updated comprehensive plan. The DGEIS suggests limits on residential units in CRC Zoning District to 4 units as-of-right and up to 12 units per acre with use of TDR's. I foresee this working against the town's goal to promote the availability of quality affordable housing.

In order to provide quality affordable housing, you must start with affordable development. There is more to developing a quality entry-level community than just the cost of the right parcel of land. The planning, design, approvals, permits and the installation of necessary infrastructure (sewer, water, gas, electric, cable, drainage, lighting, roadways, curbing, sidewalks) are necessary and very costly before the construction of any buildings in the development. These development costs are all part of the project and are spread across the price of owning or occupying each approved dwelling unit. Higher unit counts create affordability.

I believe the unit count per acre in the CRC Zoning District needs to start at 16 units per acre in order to fulfill the Town's goal of creating quality affordable workforce housing.

Higher unit counts equate to smaller unit sizes as a result of FAR limitations. Higher unit counts also reduce the per unit cost to the buyer.

If new development projects are not financially viable for developers then new affordable housing options will not exist.

I agree that TDR's are a good tool to preserve desirable land and clustered development can balance the demands of today's population while protecting open space for future generations. But I don't feel the Town's current or proposed TDR program aligns with the Town's goals.

I don't believe TDR's should affect or control the availability of affordable homeownership opportunities. The cost of purchasing TDR's to gain density has the potential to increase the cost to develop, that cost is ultimately passed along to home buyers and will increase prices.

Using TDR's to gain density for rental apartments, commercial and or industrial properties makes sense to me but not when the goal is to create affordable for sale residential units.

I believe a tremendous amount of thought needs to go into the TDR program to fully understand the benefit and detriment it has on the town's future.

Communication: Letter from Stephen Baxter - Riverhead Code Comments (Correspondence)

Smart and practical zoning and codes should dictate the future of the town. Promoting large scale preservation, congregating smart development where it makes sense and creating new tax revenue all while limiting new tax burdens is a sustainable path for Riverhead's future.

Sincerely,

Stephen Baxter Jr.





**Appendix 6. Public Comment Letters on the Draft  
Comprehensive Plan (4/18/2024), April 26-June 10,  
2024**

Kimberly A. Judd  
Attorney at Law, P.C.  
737 Roanoke Avenue, Riverhead, N.Y. 11901  
(631)727-3017, (631)727-3018 Fax

FILED IN OFFICE OF  
JAMES M. WOOTEN  
TOWN CLERK

2024 MAY 20 A 8:47

May 16, 2024

Town Clerk of the Town of Riverhead  
4 West 2nd Street  
Riverhead, NY 11901

**Re: Updated of Town Comprehensive Plan- Destination Retail Center (DRC)  
Public Hearing May 20, 2024**

Dear Town Board Members:

I represent SL Gateway LLC and UB Riverhead I, LLC, owner of property located at 1842 - 1890 Old Country Road & UB Riverhead II, LLC & SL Gateway II LLC, the owners of property located at 1820 - 1832 Old Country Road.

I attended the Comprehensive Plan Update Community/Topic meeting for the Route 58 area at Riley Ave. School on April 14, 2022.

At that time, I advised those in attendance that these properties are presently zoned Destination Retail Center (DRC) and that the Town should consider re-zoning the 3-pockets of DRC properties for the following reasons:

- the DRC zoning designation was adopted by the Town Board in 1986 for uses and building sizes that are now outdated and no longer in demand. The COVID-19 pandemic damaged large retail businesses nationwide and in Riverhead with the closures of Big Lots, Bed Bath & Beyond and the Christmas Tree Store (forthcoming). My clients follow business trends nationwide- as an update to my presentation in 2022, in 2023 there was an 80% surge in store closures from the previous year, reasons varying from online competition, bankruptcy, underperformance, rising theft, and over expansion. With higher rents in the Riverhead area and rising inflation, there will likely be more store closures. The forecast does not look promising. Many large retail stores announcing nationwide closures in 2024 include TJ Maxx/Marshalls, Gap/Banana Republic, Rite Aid, Walgreens, CVS, and Bath & Body Works.
- We strongly urge the Town to take proactive measures to ensure against empty big box stores by allowing smaller sized stores with more flexible uses, such as including more professional office, personal service and restaurant uses, similar to the Business Commercial and Shopping Center Zoning Districts that predominantly exist along Route 58.

Communication: Letter from Kimberly A. Judd (Correspondence)

Page 2

Updated Comprehensive Plan- May 20, 2024

SL Gateway LLC and UB Riverhead I & II LLC

Destination Retail Center (DRC)

- We note that the Town Board recently took proactive measures for Tanger Outlet by allowing more flexible uses within the Business F zoning district and encourage the same measures should be extended to DRC areas.
- Specifically, the DRC amendments of 1986 rezoned properties that had previously been zoned Industrial and Business CR (Rural Neighborhood Business). Our study of market trends show that the uses permitted in DRC- large retail stores, hotels, car dealerships, banks, warehouse clubs, wholesale clubs, drive-through windows for banks and pharmacies and fueling facilities, are uses no longer in high demand along the Rt. 58 corridor.
- Further, the bulk requirements of DRC require a minimum floor area of 10,000 ft.<sup>2</sup> for a new building and a minimum size retail store of 3,500 ft.<sup>2</sup>. As stated above, buildings of these large sizes are no longer in demand.
- At that meeting in 2022, I requested that the Town Board consider rezoning the DRC properties by absorbing them into the surrounding Business Commercial (BC) zoning corridor.
- There are only three pockets of DRC along Route 58 or Old Country Road. The first is my clients properties as outlined above, the southside of Route 58 in a slim corridor on the west side of Kroemer Ave., a slim corridor where Carl's Equipment is located, and on the south side of Rt. 58, where the Riverhead Raceway is located, and the Costco properties. The rest of Route 58 is zoned mostly Business Commercial or Shopping Center.
- Currently, the DRC properties encompass Walmart, Bobs Furniture, PBMC Urgent Care, Applebee's, Verizon, Costco, Millbrook Community Mobile Home Park located on Mill Road, Riverhead Centre (Home Depot, DSW, Barnes & Noble, ShopRite and Best Buy Plaza stores), M&T Bank, Chase Bank, the vacant building on the corner of Kroemer Ave/Rt. 58 and Carl's Equipment.
- As evidence of the necessity for the rezoning of the DRC properties, I presented 2 use variances granted by the Zoning Board of Appeals in 2020. During the public hearings on these two applications, the property owner's agents presented evidence that they were unable to attract the retail uses enumerated in the DRC regulations. The Zoning Board granted the two separate use variances, one for Aspen Dental, and the other for European Wax Center.
- We request a reduction of the building sizes to eliminate the 10,000 square-foot requirement for a new building and allowing a 1,500 square-foot building instead of 3,500 square feet, would be consistent with the Zoning Board's use variance allowing the European Wax Center at approximately 1,500 ft.<sup>2</sup>.
- We request rezoning the DRC properties to Business Center would allow for personal services, consistent with the Zoning Board's use variances allowing the European Wax Center and Aspen Dental. Further, professional offices are permitted in Business Center, which merges with the growth of PBMC/Northwell and other professional offices that are not currently permitted in DRC.

FILED IN OFFICE OF  
JAMES W. WICKEN  
TOWN CLERK

2024 MAY 20 P 3: 14

To: Supervisor Hubbard, Councilman Kern, Councilman Rothwell, Councilwoman Waski and Councilwoman Merrifield,

I have reviewed the Comprehensive Plan Draft released by your office on February 9, 2024. Needless to say, it is a thorough document that addresses multiple topics that will impact the future development of Riverhead and the quality of life enjoyed by its residents in the years ahead. However, I have chosen to comment only on Chapter 13: Future Land Use, as it will have a direct and immediate impact on the Hamlet of Calverton, where I currently reside.

Since the new Comprehensive Plan is an update of the 2003 plan, I looked to the past to better understand present recommendations. The planners of 2003 had already seen significant development and were aware of the impact of allowing "too much, too fast." Sweezy's had just closed down, leaving the downtown area a ghost town. Tanger opened in 1994 and Kmart in 1995. Walmart took over the Caldor space in 1999, Home Depot opened in 2002, and Target was about to open in 2003. Clearly, Riverhead was growing fast, and the planners seemed to understand the dangers of overdevelopment. Their vision for industrial development was to protect the rural character of Riverhead while allowing light industrial building. In fact, their Industrial A was "Light Industrial", Industrial B was "General Industry", and a new "Industrial Recreational" zone was suggested. Other Industrial development was to be confined to "Enterprise Park." They seemed to encourage more efforts towards attracting tourism to the area rather than industry. In the 2003 plan, there seems to be an emphasis on protecting farmland and open spaces. In fact, the Industrial zones outside of EPCAL were to be located north and west of the terminus of the LIE. The zone located at Manor and Middle Roads does not meet that description. In fact, the Manor/Middle road zone seems to be an error as it adjoins a rural corridor and an agricultural protection zone and does not offer direct access to the LIE.

Even though commercial development has continued to grow at a rapid pace, the current zoning and planning seems to encourage industrial growth rather than preservation of our green spaces. Since the 2003 plan, five hotels opened, Costco arrived, Walmart moved to bigger and better space, and numerous other new stores were built. However, our taxes continued to rise in spite of this considerable development. Meanwhile, wineries, breweries, pumpkin patches and cider houses draw thousands to our town, adding to the income for agricultural enterprises. In 2023, Forbes Magazine declared Riverhead as one of the 50 top places to travel; one of only 11 places in the entire US to be selected that year. Why, then, are we not racing to develop more tourist-friendly businesses? Nobody gets in their car to go see some warehouses. Riverhead

Communication Meredith Ritter Comprehensive Plan Draft (Correspondence)



should change all areas outside of EPCAL that are currently designated as industrial zones to protected areas, but if there must be industrial development, then recreational or educational projects should be the only consideration. We must also be wary of "Agri-resort" proposals since these will open the proverbial Pandora's Box.

Industrial zones outside of the EPCAL property cause concern even though there are suggestions in the Comprehensive Plan to minimize negative impacts by downsizing the allowable zoning parameters. Chapter 13 of the plan cites TDRs as a means of expanding development in receiving areas which will most likely include industrial zones. If the Industrial A,C (proposed CI zone), and LI remain, the limits to expansion afforded by TDRs must be carefully defined. Restrictions must be "carved in stone" so that variances and/or special permits are not an option in these zones. If developers see a potential for unlimited growth via TDRs, they will most definitely seize the opportunity to build the massive warehouses that we are trying to avoid. This language may already be included in the zoning process, but it is necessary to emphasize the importance of precise zoning and careful regulation.

The planners of 2003 could not see the future, and neither can we. However, we can use what we have learned from the past to protect the next generation of Riverhead residents from experiencing any number of preventable issues. A global view would be the most wise perspective in this case. Disasters such as drought, floods, fires, crop failure, war, and epidemics do happen and are happening around the world. We have to respect nature and protect all natural resources by planning for a green Riverhead. We must avoid overdevelopment and we must provide safe and suitable shelter for all who choose to live here. Planners must put structures in place that will allow us to use new energy resources safely, and they must develop constructive ways to manage waste. They must look toward the future and focus their efforts on creating workforce housing and ensuring that schools have sufficient funding. They must maintain our health care facilities, which provide employment opportunities for our residents in addition to excellent care, and they must devise ways to attract innovative and creative companies who will be willing to offer internships to our young people and pave their way towards lucrative careers. Finally, if the Town Board continues the IDA, then they must urge its members to make sure developers meet high standards with regard to protecting our environment, including green building, and to deny tax relief to any developers who do not meet those standards.

The Comprehensive Plan must look far into the future, even if that future seems impossible. think we all have learned that nothing is impossible, and that we cannot ignore events, whether global or local,that might harm our beautiful East End. As you continue the work of planning for our future, please remember the Green Amendment passed by NY voters in 2021, which states that "Each person shall have a right to clean air and water, and a healthful environment."

Respectfully,

Meredith Ritter

1407 Middle Road, Unit 2

FILED IN OFFICE OF  
JAMES J. WOOTEN  
TOWN CLERK

May 20th, 2024

2024 MAY 20 P 2:36

Riverhead Town Council  
4 West Second Street  
Riverhead, NY 11901  
[townclerk@townofriverheadny.gov](mailto:townclerk@townofriverheadny.gov)

Greetings Council Members,

Please accept this letter into record as public comment on behalf of the Riverhead Charter School (RCS) Board of Trustees in reference to the public hearing on the towns comprehensive plan. While representation from RCS will not be present at the hearing, we are desirous of the opportunity to share our viewpoints about the impact the plan will have on future growth for our school community.

We anticipate that there will be public comment that is not complimentary to who we are as an organization and attempts to delegitimize us as a public school serving the Riverhead community. Please allow us to clarify that according to New York State education law Charter schools are defined as "independent and autonomous public schools" and are authorized as such by the New York State Charter Schools act of 1998. This is an important distinction to make as you will hear a counter narrative that we are a private school, and this is a fallacy. The same education act also dictates that a charter school shall be "deemed a nonpublic school for the purposes of local zoning and land use regulations", however amendment to this law in 2010 states that charters granted after this date would be considered a public school for purposes of land use in local zoning laws. The charter for RCS predates this language as we have been in existence since 2001. Therefore, we are unfortunately not subject to the same rights of land use as public schools are within the current confines of Riverhead zoning laws. This has proven detrimental to our ability to acquire land over the past several years and is not a factor that we can influence.

Our main campus on Middle Country Road rests on industrial zoned land and when we have inquired with prior town attorneys and planning board members about how this precedent was set, we have been unable to gain understanding. Again, having been in existence since 2001 it is difficult to find answers about the approval processes historically applied. Our request for all schools to be an allowable use in industrial zones is in alignment with our current campus as well as the need for future growth opportunities. The current zoning laws restrict nonpublic schools to only 9 of the 37 zoning districts, we are requesting the addition of 1 district - Industrial. This distinction will allow us to consider properties that are contiguous with or near to our main campus in Calverton, a long-term solution that we have been unable to pursue previously.

A recently organized group by the name of Riverhead Allies for Public Education has been very vocal on social media, mass mailings, and a paid for advertising truck, that the inclusion of industrial zoning in school land use would remove these lands from the tax rolls and result in a tax burden for Riverhead taxpayers. That is certainly a polarizing statement for residents to take into consideration. However, their message is very purposeful as it directly targets the construction of a charter school specifically. It is a single sided argument that does not take into consideration that this zoning change is not for our school alone but instead will allow growth for private and parochial schools as well.

Communication Riverhead Charter School Board of Trustees (Correspondence)

RCS is seeking to purchase one parcel of land for our high school as our current lease on Sound Avenue is a temporary solution. The advertisement campaign mentioned previously is misleading as it implies that this change to zoning would remove all industrial lands from the tax rolls, which is not the case at all. Further, if RCS were to purchase land and develop within any other zoning district allowable such as commercial/residential, rural corridor or business center would the same logic not apply as schools are rightfully exempt from real estate taxes? What would the argument be then? To argue that any school would be a drain on a community, financial or otherwise, is incongruent with what community-based education stands for. It is unfair to liken any school to a revenue generating entity for the purposes of tax revenue and land use. The Mercy high school property was tax exempt property for over 40-years without objection and has now been returned to revenue generating when it was purchased by Peconic Bay Medical Center.

We are proud to be a part of the Riverhead community for 23-years and in service to the 600 students and families residing in our town that currently choose RCS. Our desire for growth is to be able to continue to serve this community for decades to come as we have in decades past. Just as the Riverhead Central School District has acknowledged their struggles with adequate space to house increasing enrollment, the same holds true for us. While we can, and have, restricted our enrollment over the past several years in acknowledgement of this, that is not sustainable in a future state as the Riverhead community grows, and we are a large part of that academic community.

There will be today and in days to come continued statements from certain individuals and groups that are anti-charter for varied reasons. This is not new dialogue as we have been subjected to this since the inception of RCS. What we are hopeful for is that this does not distract from the matter at hand - zoning redistricting and allowable land use. Those that seek to staunch the successes and growth of our school community may wish you to believe otherwise. We desire nothing more than to be a partner with all academic and community-based organizations within our community, not be competitors. We believe that we all serve a purpose and have a place within The Town of Riverhead.

Thank you for your consideration,  
The Riverhead Charter School Board of Trustees

CC: RCS Board of Trustees  
Tim Hubbard  
Ken Rothwell  
Bob Kern  
Denise Merrifield  
Joann Waski

**Vanessa LeCann**

**From:** Kevin Ocker <keocker@aol.com>  
**Sent:** Sunday, May 26, 2024 1:53 PM  
**To:** Town Clerk  
**Subject:** Agrotourism

[Some people who received this message don't often get email from keocker@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Please do not approve the development of parcels north of sound Avenue under the theory of Agrotourism, we do not support growth of this nature .

Kevin and Kathy Ocker  
47 Pier Avenue  
Riverhead N Y

Sent from my iPhone

2024 MAY 28 A 10:46  
OFFICE OF  
TOWN CLERK



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**From:** The Matweys <[brodwey@optonline.net](mailto:brodwey@optonline.net)>  
**Sent:** Wednesday, May 29, 2024 2:32 PM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Cc:** Town Clerk <[townclerk@townofriverheadny.gov](mailto:townclerk@townofriverheadny.gov)>  
**Subject:** Comprehensive Plan Comments

[Some people who received this message don't often get email from [brodwey@optonline.net](mailto:brodwey@optonline.net). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To Whom it May Concern

The town of Riverhead belongs to We, the People who reside here, not developers or the town board alone. We were warned about how this town board would sell our town out to the highest bidders who helped line their election coffers, but I had hoped those warnings were exaggerated. Sadly, it appears they were not.

Listening to Tim Hubbard say he was beholden to the charter school and would help them find a new location and then potentially vote to change zoning laws to allow private schools on industrially zoned land was a punch in the gut to the taxpayers, our public schools, our teachers, and our children! You must vote against this!

Then seeing that you want to lift the cap on residential units downtown, allow vertical farming, encourage vacation rentals near our beaches (and a resort, which you present as "agro-tourism), eliminate the 3 year CO for ADUs, and continue to swindle us with "warehouses" (11 million square feet of them) makes me sure that you are not here serving us, the people you are supposed to represent, but are instead representing developers who will buy up and spit out our town. You must vote against these plans as well!

Each time I drive by the monstrous apartment building near the library, I weep for what you have

allowed to happen to our town. But now, I am asking, even begging you, not to allow the changes I mentioned above so that we can keep our town and its character: that is why we all moved here and that is what will keep us here. Please do some soul-searching and listening to your constituents this time around-this is a very long term plan that will negatively impact this town forever!

Respectfully,

Allyson Matwey  
Wading River

2024 MAY 30 P 4: 17

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**From:** Gary Scirica <retpd@icloud.com>  
**Sent:** Thursday, May 30, 2024 12:17:32 PM  
**To:** James Wooten <wooten@townofriverheadny.gov>  
**Subject:** Comprehensive plan comments

I am opposed to the following items

1) Lifting the 500-unit cap on residential units in the Downtown DC-1 District.

More apartments are not needed.

2) Eliminating the need to have a certificate of occupancy for three years before an owner can add an accessory apartment to a residence,

3) allowing an increase in size for the accessory apartment from no more than 650 sq ft to up to 40% of the size of the principal building.

This means accessory apartments can be built whenever and wherever a new house is built—a developer's dream. Sales prices will soar. Density could change dramatically in residential zones.

4- permitting short-term rentals near beaches.

5 Allowing "vertical farming" on farmland as well as in industrial zones.

Vertical farming involves tall buildings and high electrical usage. Farmers are currently allowed to install as much solar as needed to supply up to 110% of their electrical demand for their operations. The draft plan also suggests allowing solar energy production beyond the 110% threshold “as an accessory use to the primary agricultural use,” which “supports the financial stability of farmers and fosters the integration of renewable energy.

6) Lastly, the plan recommends mitigating the visual impacts of industrial buildings in the Calverton industrial zone by various means such as increasing setbacks and reducing the Floor Area Ratio. But it recommends using the transfer of development rights (TDRs) to allow developers to buy development rights to increase density by increasing the allowable height of buildings. I am opposed to warehousing and allowing TDR credits to be used.

7) I am opposed to allowing 10 + million square feet of warehouse there is no need for that amount of warehousing including 24 hour trucking thru the town of riverhead.

Gary Scirica  
21 Palane South  
Baiting Hollow, NY 11933

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**From:** Jeanne Fallot <[jeanne.fallot.11@gmail.com](mailto:jeanne.fallot.11@gmail.com)>  
**Sent:** Thursday, May 30, 2024 11:35 AM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Subject:** Re: Community input for Comprehensive Plan Update

Jeanne Fallot  
118 Northern Parkway  
Riverhead, NY 11901  
May 30, 2024

Re: Comprehensive Plan update  
Dear Riverhead Town Board,

This letter is in regard to the Updated Comprehensive Plan. I am not sure if this is the forum to address the following issues, however the methods and implementation of addressing any issue should be included to ensure that plans will be carried out. Otherwise, it's all just talk.

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- **Zoning and Town Code should be amended in regard to medical offices.**
- As of now, parking for these offices is commensurate with the size of the building and not the size of the medical practice. This situation has greatly impacted my neighborhood and is creating a traffic and safety issue on Northern Parkway in Riverhead. Parking
- for these establishments currently does not address the number of medical staff and patients. It's not the cars that are the patients, it is the number of people attending to these patients.

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- Regarding the environment of Riverhead:

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With increasing development, especially on Route 58, **stormwater runoff and a high ground water table has created increased flooding in basements and on streets.** (This has been indicated by an engineer that came to look at my property)

The town should work in coordination with the County and State to mitigate drainage and groundwater flow. This could possibly be accomplished with rain gardens and permeable parking lots.

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- Lastly,
- **Town services such as Code enforcement, Highway and Sanitation**
- **departments should increase to be commensurate with the building and population growth.**
- These services are essential to maintain a healthy, clean town. There is currently a need for more Code Enforcement officers and Highway department personnel.

- 

Studies have shown that trash receptacles in high pedestrian areas reduce street and sidewalk litter. This would be especially effective in the radius of the schools. Trash receptacles could be emptied with additional Town Staff.

This is a photo of the storm drain near Dunkin Donuts.



I am not exactly sure where this litter is going, but I suspect the Peconic Bay. Perhaps businesses that receive tax benefits should be required to contribute to the cleanliness of the town in some way. Unless efforts are made toward this end of keeping the town clean, improvements to downtown especially will be for naught. More code enforcement is needed now to address businesses and landlords who do not keep their properties clean or enclose their dumpsters. These items are already in the Town code and are not being enforced. Owners of these properties should be held accountable.

Thank you,

Jeanne Fallot  
[jeanne.fallot.11@gmail.com](mailto:jeanne.fallot.11@gmail.com)  
631-745-2592



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May 31, 2024

Town of Riverhead,  
4 West Second Street  
Riverhead, NY 11901

Dear Supervisor Hubbard and members of the Town Board,

The Long Island Housing Coalition is a new organization chaired by ERASE Racism, a regional civil rights organization based on Long Island. Our goal is to work with communities, local, state and federal governments, non-profit agencies and companies active on Long Island in order to support the development of affordable housing and to work to alleviate the ongoing housing crisis.

We appreciate the work the Town of Riverhead has done over the past few years on the Comprehensive Plan Update. This process has been ongoing for a number of years, and has been carried out in a transparent way. From the meetings last year at the Suffolk Theatre to the step-by-step work done by the Town planners we find the work done by the Town of Riverhead to be an exemplary model of the work that municipalities can do to update their zoning or master plans.

At our May 28<sup>th</sup> meeting, the Long Island Housing Coalition reviewed the housing portion of the proposed Comprehensive Plan Update and has some feedback we would like to offer to the Town regarding the plan:

- **DC-1 Zoning:** As the Town is approaching the 500-unit cap provided in the DC-1 zoning district, we agree with the recommendation in the draft Plan to reassess the cap, as development pressures still exist and there is strong opportunity for Federal Opportunity Zone, State Environmental Justice, and grant funds from Suffolk County, New York State, and HUD which can be utilized for further redevelopment of areas in Riverhead's downtown corridor.
- **Adaptive Reuse:** The Housing Coalition finds that the redevelopment of upper floors for historic buildings should be permitted, as this will help promote preservation and rehabilitation of these buildings while ensuring that these properties are being utilized. This sort of reuse has seen success on Long Island already, in Central Islip the Belmont at Eastview has redeveloped a dozen former Central Islip Psychiatric Center buildings into residential housing, reestablishing active use of these buildings and their connection to the community.
- **Minimum Home Size in Residential Districts:** We support the proposal to eliminate the minimum home size requirement of 1,200 square feet. Lifting these restrictions would permit more flexibility and distinct housing options that can more effectively cater to needs while complementing the Town's proposal for Accessory Dwelling Units.
- **Accessory Dwelling Units (ADUs):** The Comprehensive Plan Update's proposal for ADUs is to be commended, ADUs are an environmentally and fiscally responsible way to add housing without





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higher-density. ADUs can also assist homeowners struggling to keep up with their mortgage or tax payments. We applaud the overall proposal to revise standards for ADUs by reducing the three-year certificate of occupancy provision. In addition, the proposal to reopen an amnesty program for illegal accessory apartments would take these illegal accessory apartments out of the shadows, allowing for full Town Code compliance. The minimum floor area changes would also make it easier for homeowners to be able to convert areas of their property into an ADU. Finally, the off-street parking requirements reduction would take up less space that could be utilized for an ADU and may offset any burden from any additional cars being on the road.

- **Affordable Housing Fund:** A formal establishment of an affordable housing fund as recommended on page 47, possibly financed after 2030 by CPF funding; could help support first-time homebuyers.
- **TDRs and other proposed Zoning changes:** We agree with the recommendations made in the Comprehensive Plan Update starting on page 203. The “sending and receiving” districts as proposed would direct growth away from lower density farmland, natural areas, and single-family residential neighborhoods. In particular the proposed TDR credits for areas like the Railroad Avenue Urban Renewal Area, the CRC Zone, and the Peconic River Community (PRC) Zone would support the development of diverse forms of housing such as townhouses or condominiums.
- **Affordable Housing Definitions:** The Long Island Housing Coalition does believe the definition of affordable as stated on page 42 should be amended to clearly state that affordable housing developments based on 80% or below the Nassau-Suffolk AMI would be preferable to developments which have a portion of units at 130% AMI. This would help ensure that more of the affordable housing which becomes available in the Town would be obtainable by a larger percentage of residents, particularly teachers, police officers, nurses or others whose starting salary starts at a lower rate compared to the Town’s median income of \$88,097, let alone compared to the AMI of \$107,800 for the Nassau and Suffolk County area as determined by HUD.

Once again, thank you and all of the staff at the Town who have been working on the Comprehensive Plan Update over the years. Should you have any questions regarding the Long Island Housing Coalition or any of our comments on the Comprehensive Plan Update please do not hesitate to reach out.

Sincerely,

A handwritten signature in black ink, appearing to read "Derek Stein", written in a cursive style.

---

Derek Stein, Senior Housing Policy Associate  
ERASE Racism NY / Long Island Housing Coalition



**Vanessa LeCann**

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**From:** judgekk <judgekk@aol.com>  
**Sent:** Sunday, June 2, 2024 2:06 PM  
**To:** Town Clerk  
**Subject:** Comments on the Comprehensive Plan Update following the public hearing held on May 20, 2024

FILED IN OFFICE OF  
JAMES J. WOOTEN  
TOWN CLERK  
2024 JUN - 3 A 10:30

I offer the following comments:

The comp plan update is somewhat disappointing as it recommends countless studies going forward. I thought the purpose of a comp plan was to reach consensus as to what the residents of the Town want the Town to become over the next 10 years and ways for the Town to achieve those goals. I expected the consultants to articulate those goals and make recommendations for ways to achieve them along studies necessary to bring the recommendations to fruition. It seems to me the last part of this is missing from this plan.

For example in the chapter on economic development the plan says it emphasizes responsible industrial development by , among other things, scaling back allowable density in industrial areas. Yet, their recommendations for the Calverton Industrial zone do not accomplish that goal. They will only reduce the current 12 million sq ft of buildable industrial space in Calverton by a piddling 166,000 sq ft if TDR's are used. The warehouses may look a bit better but they will have the same impact on the surrounding area. The plan is also not helpful in assessing the traffic impacts from such development and ways for handling it.

A few other points.

1) On the DC-1 housing cap, there is a recommendation to lift the cap for building that is dedicated to home ownership. Ok, I assume that would allow building building condominiums. But what would keep those units from being rented by their owners?

2) As for accessory dwelling units, eliminating the need for 3 years of occupancy before an owner can add an accessory apartment, and allowing an increase in size for the accessory apartment from no more than 650 sq ft to up to 40% of the size of the principal building could have unintended consequences (or more likely they are intended consequences from a developer's point of view). Specifically, this would allow accessory apartments to be built whenever and wherever a new house is built as a part of that new house—a developer's dream. Sales prices would soar. Density, however, could change dramatically in residential zones.

3) As for decreasing the period for short-term rentals near beaches and downtown— Potential landlords might like the idea but I question that any resident of this Town wants any such charge. There have been countless complaints about parties and disruptions to neighborhoods where properties have been illegally rented for days or even for a week at a time. Residents of this Town live downtown and near beaches, they do not want their peace disrupted by tourists who come and go for a good time and who contribute nothing other than the potential for disruption to the neighborhoods where these rentals occur. The residents don't want rentals of less than 28 days.

4) No residents of Riverhead in the 3 years this comp plan update was being worked on prior to last fall ever offered up the idea of having "agritourism" resorts north of Sound Avenue on the bluffs of the Long Island Sound on residentially zoned land. This brain child was a well-kept secret between a developer in Westchester who

hatched the plan and the Town Board and employees who were secretly working with the developer to allow such resorts by changing the TDR program and introducing a new zoning code for for areas zoned RA-80 north of Sound Avenue. This deep dark secret only came to light when a reporter was looking into large campaign contributions prior to the elections last fall. One such contribution came from the very Westchester developer who was secretly working with the Town to get such resorts approved. The reporter went to the developer's website where the developer was touting the resort it was planning to build on the bluffs of the Long Island Sound in Riverhead! The cat was then out of the bag. I dare say this concept was never something the residents of this Town wanted or envisioned in the comp plan update. I am sure such resorts never came up at any hamlet or public meetings prior to the December 2023 public meeting which introduced the consultants' preliminary recommendations regarding "agritourism" resorts. This was never part of the residents' vision for Riverhead. And it was viewed dimly by members of the public in attendance at that meeting.

These resorts have nothing to do with "agritourism" as that term is defined and generally understood. They are wolves in sheep's clothing called "agritourism". They will not be "farm experiences" but instead luxurious hotels with pools, spas, restaurants, tennis and pickleball courts as well as parties and weddings for those staying there along with their invited guests. They are completely at odds with the comp plan's goals of preserving our scenic Sound bluffs and the historic Sound Avenue corridor. They have no place in the land and it's landscape that is currently zoned RA-80.

As the comp plan specifically states about the goals therein—they are "designed not only to foster growth but also to **prioritize the enhancement of residential quality of life while safeguarding Riverhead's distinctive character.**" Unless those are just empty words, the recommendation for agritourism resorts should be dropped from the comp plan update.

5) And finally, I am very much confused by the plan's recommendation to allow "farm operations" as an accessory use on all agricultural land in the Town. Currently, according to the plan such operations are only permitted in the APZ zone. For example, they are not permitted on the agricultural land north of Sound Avenue. The plan is silent as to the meaning of "farm operations" and I am at a complete loss to understand the reason for this recommendation. I suspect it is in someway related to allowing Vertical farming on all agricultural land. It is incumbent on the consultants to explain the reason for this recommendation or it should be omitted. The Town Code defines "farm operations" as "meaning the land used in agricultural production and farming practices conducted on such land, and farm building and farm equipment involved in the processing of aforementioned agricultural products." I take this to mean that not only vertical farming would be allowed north of Sound Ave but also the products hydroponically grown could be processed there as well. This would have the potential for a very real significant negative impact from an environmental viewpoint.

Kathleen McGraw  
Northville  
Sent from my iPad

## Comment regarding CPU - Zoning Map Sheet 4 of 4

Moira Mastro <mastrom1@mac.com>

Mon 6/3/2024 9:00 AM

To:Comprehensive Plan 2023 <compplan@townofriverheadny.gov>

Some people who received this message don't often get email from mastrom1@mac.com. [Learn why this is important](#)

Good morning,

My comment is small in comparison to the enormity of content in the Plan. I hope it's an easy fix.

We live at 1423 Peconic Bay Boulevard in the Township of Riverhead. In looking at the Zoning Map Sheet 4 of 4 our home is approximately 6 parcels east of Williamson Lane placing us in Laurel. Yet, there are times when this area is considered Jamesport and times when it is also considered Riverhead. Local maps, school maps, tax maps and gps all differ.

Is it possible to align the GPS/maps in this small area along Peconic Bay Boulevard to agree to their proper hamlet? I've lived in and around this area since 1971. I think it's probably Laurel.

Thank you to all the many people and organizations who have taken the time to comprehensively plan for the Town of Riverhead. I commend the effort and appreciate all that's being done to protect our wonderful town and the North Fork.

Sincerely and once again, many thanks,

Moira (and Tom) Mastro

[mastrom1@mac.com](mailto:mastrom1@mac.com)

516-993-4934

**From:** Geralyn Ganzekaufer <[geriganz@yahoo.com](mailto:geriganz@yahoo.com)>

**Sent:** Monday, June 3, 2024 5:22 PM

**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>; James Wooten <[wooten@townofriverheadny.gov](mailto:wooten@townofriverheadny.gov)>

**Subject:** TORHNY Comprehensive Plan

[Some people who received this message don't often get email from [geriganz@yahoo.com](mailto:geriganz@yahoo.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To whom it may concern,

I wholeheartedly agree with the proposal on page 203 of the TORHNY Comprehensive Plan Update. We should most certainly designate RA-80 and RB-80 as sending rather than receiving areas. Our town should continue to make every effort to preserve agricultural land in order to maintain the beauty of this historic area, to continue to attract visitors which are a vital part of our economy, and to preserve our aquifer system. Once the land has been developed, it is forever lost. I support any effort to preserve and expand undeveloped area.

Respectfully,  
Geri Ganzekaufer  
8 Oak Street  
Wading River, NY 11792  
(516) 319-4891

**Vanessa LeCann**

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**From:** James Wooten  
**Sent:** Monday, June 3, 2024 8:32 AM  
**To:** Vanessa LeCann  
**Subject:** Fwd: Town Planning.

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK

2024 JUN -3 A 10: 03

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**From:** Wildjones826 <wildjones826@gmail.com>  
**Sent:** Friday, May 31, 2024 10:50:12 PM  
**To:** James Wooten <wooten@townofriverheadny.gov>  
**Subject:** Town Planning.

You don't often get email from wildjones826@gmail.com. [Learn why this is important](#)

Sent from my iPad

**From:** Wildjones826 <wildjones826@gmail.com>  
**Date:** May 29, 2024 at 9:13:03 AM EDT  
**To:** townclerk@townofriverheadny.com  
**Subject:** Town Planning.

To the Town of Riverhead Board ;

Too many questions while reading the opus. My main concern is the lack of clarity. What is to be done with EPCAL ? It seems the answer is bidding is open ?

Nothing addresses the environmental concerns surrounding this property as presented by the US Navy studying the area. Thorough environmental impact must be done on this entire area. Addressing the underground " plume" and what happens if you disturb it. Let's be responsible citizens.

No Airports. That should be clear and it is NOT clear. Reopening any of the runways would be disastrous to the area. As a resident of Calverton I vehemently oppose any airport use of EPCAL. The property should continue to be developed as a recreational area. This deserves a plan, not the haphazard approach to the area that has been utilized. Apply to the State to develop it into real Native Parkland.

This is my main concern. Considering the history of Riverhead, the lack of cohesive planning is concerning. Revitalization of the beautiful Peconic River in downtown should be a priority. Yet, a big housing unit sandwiched into what we were told was our River Park, is being considered. Where will they park ? The River Park is basically a paved parking lot. The Town of Riverhead seems to ignore the beauty surrounding it and paves over it whenever presented with development, no matter where. The Peconic River Park should be well funded and extended and developed as a cultural meeting place, more attractions and more access to the river views.

Big warehouses, & battery storage units should not be integrated into farmland or residential or recreational areas. Traffic studies must be done thoroughly.

Riverhead has such great destinations. The downtown area looks fabulous, thanks to the Civic leadership. We appreciate the Town Board hearing our concerns and listening to our passionate views of preserving the quality of living in Riverhead.

Communication: Letter from Sara Jones - Town Planning (Correspondence)

Sara Jones  
703 Fresh Pond Ave #251  
Calverton, NY 11933



**Edward P. Romaine**  
SUFFOLK COUNTY EXECUTIVE

Department of Economic Development and Planning  
Division of Planning and Environment

Sarah Lansdale  
Commissioner

Joseph Sanzano  
Director

**STAFF REPORT**  
**SECTIONS A14-14 THRU A14-24 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE**

**Applicant:** Town of Riverhead – 2024 Comprehensive Plan Update  
**Municipality:** Town of Riverhead  
**Location:** Town wide – Town of Riverhead, Suffolk County

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**Received:** 04/29/2024  
**File Number:** RH-24-03  
**T.P.I.N.:**  
**Jurisdiction:** Adoption of Comprehensive Plan Updates

**PROPOSAL DETAILS**

**OVERVIEW –** The Riverhead Town Board has referred a Draft of the Town of Riverhead Comprehensive Plan Update to the Suffolk County Planning Commission. The Comprehensive Plan Update, the first update since the adoption of the previous plan in 2003, Through a community-led effort that began 2020, is intended to provide a clear vision for Riverhead’s future, offering a framework for decision-making. The Comp Plan promotes coordinated development, steering away from haphazard growth that may lead to sprawl, congestion, and other issues, and will assist in managing growth effectively and balance the needs of residents, business, and the environment.

The Comp Plan Update document that focuses on immediate and long-term actions for growth and development, as well as protection and enhancement of communities within the Town. The Comprehensive Plan Update also provides for a legal basis for zoning changes in accordance with the Plan Update and outlines a new strategy to guide the transfer of development rights program within the Town of Riverhead.

The entire Town of Riverhead’s Draft Comprehensive Plan Update document can be found at the following link: <https://townofriverheadcomprehensiveplanupdate.com/>

The preparation of this document included a robust public outreach process. In addition, the process of developing the Comp Plan Update considered other planning initiatives undertaken by the Town, County, State and other groups and agencies.

Many factors including demographic change, new legislation, development trends, and technological advancement have affected how people live, work, travel, and play in the community. As the proposed Comprehensive Plan Update provides a new vision which reflects these realities and plans for the Town’s future growth and development”.

The Comprehensive Plan Update itself contains the following 13 chapters:

Chapter 1: INTRODUCTION – VISION GOALS

- Encapsulates the desired future of the community, outlining the key values, priorities, and objectives that residents, businesses, and stakeholders aim to achieve collaboratively.

Chapter 2: DEVELOPMENT PATTERNS – LAND USE AND ZONING

- Provides a general overview of the historical development patterns and existing land uses that have shaped Riverhead.

Chapter 3: DEMOGRAPHICS AND HOUSING

- Recommends more diverse housing types to accommodate a wide range of income levels and to address evolving housing needs (affordable and inclusive housing policies).

Chapter 4: ECONOMIC DEVELOPMENT

- Promotes economic development opportunities in Riverhead, including the Enterprise Park (EPCAL), Route 58 corridor; Downtown and other hamlet centers, promotes harmonious blend of tourism and rural charm, as well as employment opportunities; cultivates sustainable economic growth while upholding the residents' quality of life.

Chapter 5: TRANSPORTATION AND MOBILITY

- Proposes methods to alleviate congestion, elevate safety, and improve mobility on current infrastructure without excessive expansion; Preserve and enhance historic and scenic corridors while improving traffic flow and safety. Foster increased use of public transportation. Encourage safe and accessible pedestrian and bicycle transportation.

Chapter 6: AGRICULTURAL LANDS

- Promotes Riverhead's agricultural industry and products; Cultivate agricultural resilience and innovation for a sustainable future; Offers methods to improve the marketplace for the Transfer of Development Rights (TDR) program; Supports agritourism while protecting the community.

Chapter 7: NATURAL RESOURCES AND ENVIRONMENT

- Protect and preserve ecological integrity of the Pine Barrens, protect and restore environmentally sensitive lands, wetlands, bluffs and marine habitats. Encourage eco-friendly landscaping.

Chapter 8: OPEN SPACE, PARKS AND RECREATION

- Expands recreational opportunities; Activate the Peconic riverfront for recreation; And encourages open space preservation and public access opportunities for new development.

Chapter 9: SCENIC AND HISTORIC RESOURCES

- Protect scenic resources and views, and ensure that design of new development is compatible with its surroundings and scenic and historic resources.

Chapter 10: COMMUNITY FACILITIES

- Strengthen the Town's capacity to address diverse community health and service needs. Continue to protect groundwater through modern wastewater treatment strategies.

Chapter 11: INFRASTRUCTURE AND UTILITIES

- Continue to meet emerging solid waste management challenges. Improve the efficiency of the existing Town water supply system. Continue to protect groundwater through modern wastewater treatment strategies. Coordinate with electric, natural gas, cellular telephone/Wi-Fi, cable tv, and internet service providers to ensure quality and availability of service. And address localized roadway flooding issues.

Chapter 12: SUSTAINABILITY AND RESILIENCE

- Embrace renewable energy sources; Promote sustainable building practices; Reduce greenhouse gas emissions; Reduce waste and promote circular economy waste management practices. Promote a green economy and green finance, technology, and jobs. Offers mitigations to address the effects of flooding, sea level rise, and storm surge.

Chapter 13: FUTURE LAND USE

- s a "To Do" list, by outlining specific tasks related to land use and zoning.

The Comprehensive Plan Update is built on prior planning efforts and a thorough analysis of existing conditions and future opportunities.

The key tool to implement land use changes is the zoning code and map (regulations that control land use within a specific area).





It is important to note that the proposed Draft Comprehensive Plan Update of Riverhead is intended to be a 'guidance document' for future amendments to the Town's Zone Code and Zoning Map, and no changes would happen automatically without further actions by the Town or an applicant.

Also the Transfer of Development Rights is a valuable tool used to manage land use and promote sustainable development. In a rural town like Riverhead, TDR can be particularly useful for preserving farmland, natural resources, and open spaces while allowing for controlled growth in designated areas. Although use of this tool has widespread support within the community, the market dynamics are not in place to support its success. Recommendations below seek to make this program work better by increasing the value of TDR credits through revisions of the transfer formula and by opening new receiving areas where some additional development can be accommodated.

The Comprehensive Plan Update proposes modifying the 'sending' and 'receiving' areas of its Transfer of Development Rights program: Meetings were held with the TDR Committee to identify additions to the TDR sending and receiving areas. The maps below show the existing TDR sending and receiving areas and the proposed areas, inclusive of pre-existing areas. The proposed areas aim to direct growth away from areas with unique natural value and to areas that can better manage growth and density. By designating specific zones for more intense development, Riverhead can ensure that growth occurs in a planned and controlled manner, preventing sprawl and preserving open space.



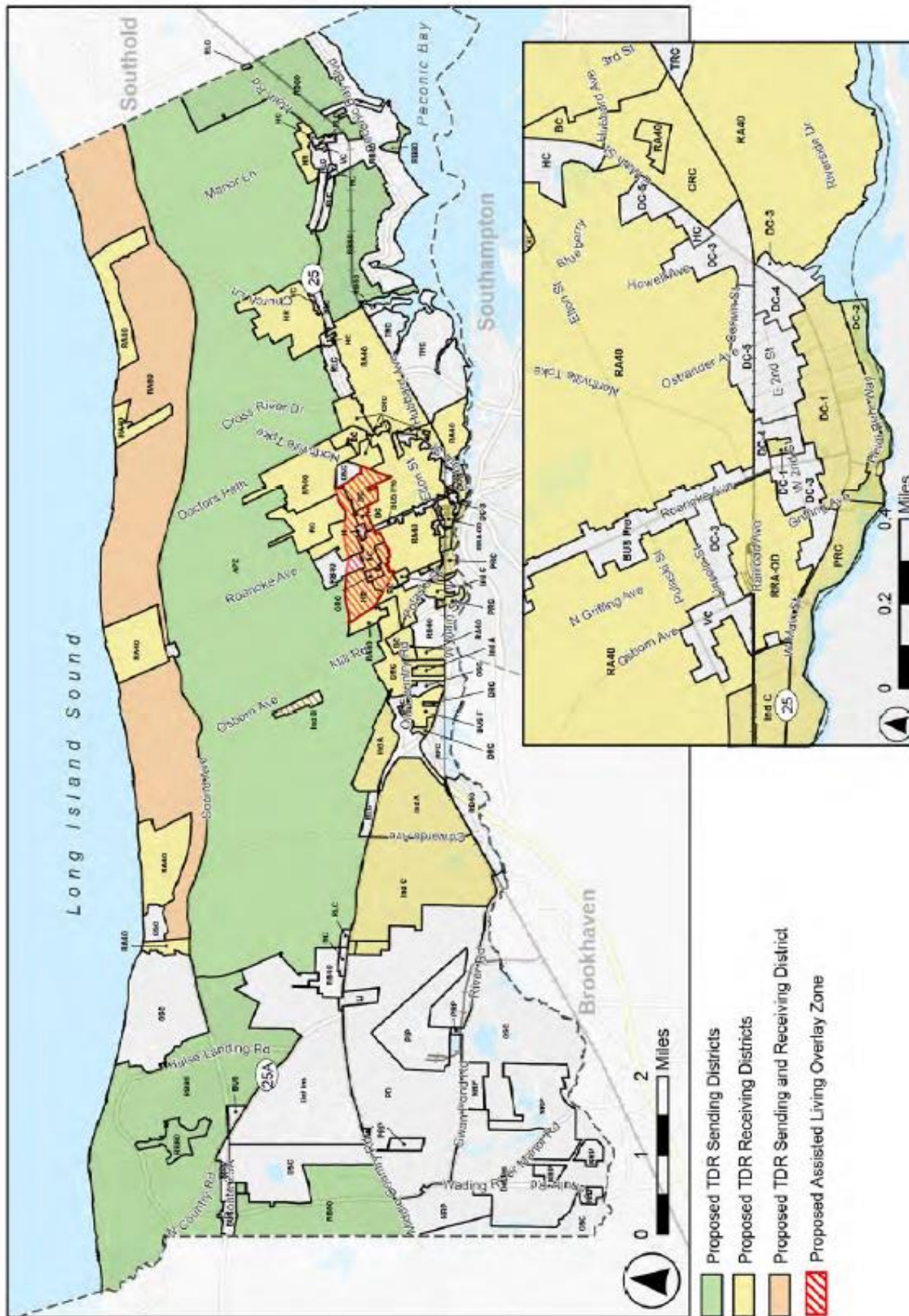


FIGURE 40: PROPOSED TDR

	Existing Ratio (Unit per TDR Credit)	Proposed Ratio (Unit per TDR Credit)
Single Family	1 Unit per TDR Credit	1 Unit per TDR Credit
Attached (< 600 GFA)	1 Unit per TDR Credit	3 Units per TDR Credit
Attached (600-1,200 GFA)	1 Unit per TDR Credit	2 Units per TDR Credit
DC-1 Multifamily	N/A	4 bedrooms per TDR Credit
Age restricted Living (<600 GFA)	1 Unit per TDR Credit	4 Units per TDR Credit
Age restricted Living (600-1,200 GFA)	1 Unit per TDR Credit	3 Units per TDR Credit
Assisted Living, Nursing Home, and Continuing Care	1 Unit per TDR Credit	3,000 SF per TDR Credit
Planned Recreational Park	1,500 SF per TDR Credit	3,000 SF per TDR Credit
Commercial	1,500 SF per TDR Credit	<ul style="list-style-type: none"> <li>• Commercial – 3,000 SF/credit</li> <li>• Hotel – 3 keys/credit</li> <li>• Office – 4,000 SF/credit</li> <li>• Industrial – 5,000 SF/credit</li> </ul>

**Table 16: Proposed Transfer Formula for TDR Credits**

## STAFF ANALYSIS

**GENERAL MUNICIPAL LAW CONSIDERATIONS** - New York State General Municipal Law, Section 239-I provides for the Suffolk County Planning Commission to consider inter-community issues. Included are such issues as compatibility of land uses, community character, public convenience and maintaining a satisfactory community environment.

The Town of Riverhead’s Comprehensive Plan Update fosters the compatibility of land uses within the Town and emphasizes the continuance of the existing community character and community environment. The Plan is to improve the quality of life of its residents by proposing an environment that is reflective of the community’s wishes, including:

- Developing/enhancing a “sense of place” in order to provide a strong community identity,
- Managing and modernizing infrastructure,
- Enhancing the environment and cultural resources through protection, preservation, and management,
- Improving the local economy in terms of business activities, taxes, employment, and property values so as to provide an attractive, affordable and livable community,
- Providing for needs of all segments of the population,
- Providing for existing and future trends in land use, communication technology, transportation, and related fields to remain competitive and economically viable.

The Plan will help shape the physical, social, environmental, and economic future of the Town, providing a framework for preserving the Town’s character, ensuring diversity, supporting investment, and promoting desired change. This Comprehensive Plan Update will guide planning and decision making across the many aspects of the community which impact quality of life, including land use, transportation infrastructure, natural resources, parks and open space, community facilities, and economic growth. This Comprehensive Plan Update seeks to build on the community’s assets, identifying strategies to address ongoing issues and opportunities, while positioning the Town of Riverhead to continue to be a desirable place to live, work, and visit for the next 5 years, 10 years and beyond.

Furthermore, the Draft Comprehensive Plan Update gives the community the basis for establishing land use policy and adopting amendments to the Town’s zoning code and map.

## **SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS -**

The Suffolk County Planning Commission has identified six general Critical County Wide Priorities that include:

1. Environmental Protection
2. Energy Efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted December 6, 2023). Below are items for consideration regarding the above policies:

Suffolk County Planning Commission Guidebook has a continuous underlying theme emphasized in section 4.7 under Specific Environmental Policies which indicates as a guiding principal to “Promote development where it is deemed appropriate in downtowns, hamlet centers, adjacent to transportation and retail services and discourage development where it is deemed inappropriate within coastal zones, environmentally sensitive areas such as unique ecological habitats and designated open spaces”.

Suffolk County Planning Commission staff recognize that the proposed Town of Riverhead’s Comprehensive Plan Update includes discussion on all six of the Suffolk County Planning Commission’s “critical County-wide priorities”, and it is the belief of the SCPC staff that the Riverhead Draft Comprehensive Plan Update respects the spirit and intent of the Commission Guidebook.

While the Town has been in the process of updating its Comprehensive Plan over the years, the Draft Comp Plan Update has maintained the following:

That Natural and Cultural Resources can define a community, how they are managed will also define the quality of life in the community.

Economic Development will focus on promoting business and industrial development that provides a healthy economic environment, employment, and enhanced economic tax base. In the short term: The Draft Plan Update incentivizes a revised the Town’s transfer of development rights program by increasing the permitted density per TDR (density bonus with added units/height) in identified ‘receiving’ areas to where it would like new and additional development of certain type to happen, i.e. existing downtowns, business corridors, hamlet centers, residential overlays, adding hospitals and assisted living zoned districts (new). Another example: The Town contains the Enterprise Park at Calverton (EPAL) Industrial Park and the Update suggest that ‘in light’ of several unfulfilled development proposal at EPCAL, the Town should revisit zoning regulations for the Park. This would be considered a more long term planning initiative recommended in the Plan Update.

Some of the pending changes in land use within the Town of Riverhead focus more on amendments to the existing Zoning Ordinance. Specifically, adjustments to Transfer of Development rights formula which quantifies how development units in the sending district are realized in the receiving district. The current transfer formula is a one-to-one basis, meaning that one TDR credit is equal to one residential unit in a receiving district regardless of unit size or type. A TDR credit is equal to 1 acre of land preserved. The TDR Toolbox developed by NYSERDA recommends a more dynamic approach. The Draft Comp Plan Update includes the TDR Toolbox suggests that the transfer formula could be based on the average sizes of single-family homes versus the average sizes of apartment units, or comparative traffic generation rates. Sanitary sewer demand is another metric to consider.

The Community Facilities component will address a wide spectrum of public areas and services from Parks, Education, Public Safety, Health, Cultural, Government and Utilities (including sewage treatment which is also an issue of Economic Development).

In 2020, Riverhead's population was 35,902 people. This represents growth of 30% between 2000-2020, much greater rate than Suffolk County (8%). However, the rate of growth for both geographies slowed after 2010, with estimates suggesting that the population has stabilized, or potentially begun to decline slightly, in both the Town and County. The data may partially reflect trends from the COVID pandemic, where there was a population shift from more dense urban areas to more rural areas. However, during the pandemic, many part-time owners became permanent residents. Continued monitoring and assessment is needed to better understand how much of the recent growth will be sustained.

The average household size in Riverhead is 2.5, smaller than Suffolk County's 3.0; the average household size of both remained stable between 2000 and 2021. Riverhead has a higher percentage of nonfamily households than surrounding communities. In 2021, non-family households comprised about 35% of all households in the Town of Riverhead, compared with about 27% for the County.

A significant area of the Town of Riverhead contains a population that met the criteria to be designated as a Potential Environmental Justice Area (PEJA), and therefore during the environmental permitting and SEQRA process of proposed projects within the PEJAs, there will be enhanced public participation requirements, additional requirements for projects that will have at least one significant adverse environmental impact, and dispute resolution opportunities. The purpose of this policy is to promote environmental justice, which New York State Department of Environmental Conservation defines as, "the fair treatment and meaningful involvement of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies."

The proposed Draft Comprehensive Plan Update offers recommendations a variety of Town-wide zoning issues and land use concerns from wetlands inventory to potential battery storage facilities.

With the continuing development in its Downtown, the Draft Comp Plan Update should include a section that encourages (incentivizes) business owners and applicants to explore techniques to reduce parking demand; particularly for employers, employees and residents within the commercial business districts. Techniques may include, but are not limited to promotion of and priority to car sharing and ridesharing, parking cash-out programs, unbundled parking costs from rent, provision of free or discounted transit passes, provision of bicycle parking facilities, etc. The Suffolk County Planning Commission has produced a draft "model code" and report on such Parking Stall Demand Reduction (PSDR) techniques and has recommended that no building or structure should be constructed, used or occupied without the adoption of PSDR techniques through covenants and restrictions on land use and development approvals issued by municipal planning boards.

It is the belief of SCPC staff that more attention can be made toward Universal Design and on site public safety. The Town of Riverhead's Draft Comprehensive Plan Update would be strengthened by inclusion of such considerations. The Suffolk County Planning Commission has published guidelines on Universal Design and Public Safety that can be found at the Suffolk County Planning Commission website. Incorporation of appropriate elements contained therein could make the Draft Comp Plan Update be more comprehensive and strengthened by inclusion of such considerations.

## **STAFF RECOMMENDATION**

**Approval** of the Town of Riverhead's Comprehensive Plan Update with the following comments.

1. The Town of Riverhead has made significant progress in the development and completion of the Comprehensive Plan Update. The Draft Comprehensive Plan Update will be a guiding document, intended to direct planning efforts and economic development in the Town for the foreseeable future. Essentially, comprehensive plans are 'living' documents that can be revisited and amended as time passes by the Town Board as needed to fit trends or changes in circumstances.

2. Future implementation actions may require referral to the Suffolk County Planning Commission for review and action pursuant to New York State General Municipal Law (Section 239) and the Suffolk County Administrative Code (Article XIV). The Suffolk County Planning Commission reserves the right to comment on the specifics of any such referral. Approval of the Town of Riverhead Draft Comprehensive Plan Update does not constitute acceptancy of any other zoning actions associated therewith before any other local regulatory board.
3. The Town should contact the Suffolk County Department of Economic Development and Planning's Transit Oriented Development and Downtown Revitalization Unit for strategies in redesigning streetscapes in downtowns and TOD districts as well as the Suffolk County Department Public Works and NYS Department of Transportation for access and road improvement considerations at the earliest stages of the development process.
4. The Town should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to public safety and universal design and incorporate where practical, applicable elements contained therein.
5. The proposed Town of Riverhead Draft Comprehensive Plan Update should include a section that encourages (incentivizes) business owners and applicants to explore techniques to reduce parking demand; particularly for employers, employees and residents within the commercial business districts. Techniques may include, but are not limited to promotion of and priority to car sharing and ridesharing, parking cash-out programs, unbundled parking costs from rent, provision of free or discounted transit passes, provision of bicycle parking facilities, etc. The Suffolk County Planning Commission has produced a draft "model code" and report on such Parking Stall Demand Reduction (PSDR) techniques and has recommended that no building or structure should be constructed, used or occupied without the adoption of PSDR techniques conditioned through covenants and restrictions on land use and development approvals issued by municipal planning boards. A link to the SCPC Parking Stall Demand Reduction Model Code is below:

<https://www.suffolkcountyny.gov/Departments/Economic-Development-and-Planning/Planning-and-Environment/Regulatory-Review/Suffolk-County-Planning-Commission>



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**From:** [cawalsh28@verizon.net](mailto:cawalsh28@verizon.net) <[cawalsh28@verizon.net](mailto:cawalsh28@verizon.net)>

**Sent:** Friday, June 7, 2024 4:17 PM

**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>

**Cc:** Tim Hubbard <[hubbard@townofriverheadny.gov](mailto:hubbard@townofriverheadny.gov)>; Joann Waski <[jwaski@townofriverheadny.gov](mailto:jwaski@townofriverheadny.gov)>

**Subject:** CPU comments

Some people who received this message don't often get email from [cawalsh28@verizon.net](mailto:cawalsh28@verizon.net). [Learn why this is important](#)

I am submitting comments that are directed at the proposed change to the Town Code regarding short term rentals.

I live in South Jamesport, which is considered a "beachside community" and not only have witnessed the effect of home rentals in my neighborhood but have also heard of similar situations in other communities like ours.

A two week short term rental minimum would only serve to incentivize home purchasers to rent the property, or purchase solely for that purpose. Those buyers are not vested in the community and the 28 day minimum deters investment purchasing.

The resultant effects of shorter term rentals can be poorly or not maintained properties and renters causing serious quality of life issues for the full time residents. Related issues in neighborhoods already include excessive noise, inadequate disposal of garbage, increased traffic and speeding, large numbers of vehicles parked on streets, pollution of our beaches and the total disregard of neighbors and their properties.

A shorter term rental home also could, in theory, devalue surrounding properties. Our neighborhood is a quiet, family oriented area with many homes staying in families for generations. Allowing it to degenerate into short term AirBnBs or VRBOs would only result in the loss of full time residents who have a vested interest in maintaining our great quality of life. I also believe any increase of "tourism" spending for a few months could not replace the year round spending at local businesses, restaurants, farm stands, etc. that we full time residents support, and would not financially benefit the Town.

I encourage you to review this proposal with the interest of the existing residents first in mind.

Thank you for your time and attention to this matter.

Cheryl Walsh  
98 Point St.  
South Jamesport

[Sent from AOL on Android](#)



## Ag Resorts

John Rooney <jpr3261761@aol.com>

Fri 6/7/2024 9:46 PM

To: Town Clerk <townclerk@townofriverheadny.gov>

[Some people who received this message don't often get email from jpr3261761@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Our region needs traditional food farming for our future, not phony "ag resorts", which will inevitably generate traffic and more urbanization. We must preserve our entire Peconic bioregion. We must not destroy the peaceful rural way of life we all live here for. Do not let developers chip away for their individual profit. John P Rooney.

Sent from my iPhone

**Vanessa LeCann**

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**From:** Rhonda Greenstein <rhondaesq@gmail.com>  
**Sent:** Friday, June 7, 2024 12:32 PM  
**To:** Town Clerk  
**Subject:** Ag resorts in Riverhead

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK

2024 JUN -7 P 4: 12

[Some people who received this message don't often get email from rhondaesq@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Vehemently oppose the proposal for development of ag resorts in Riverhead north of sound. The unspoiled nature of the community is precisely the reason that we spent so much money investing in a new home here. Kindly lodge our opposition at the Town board meeting.

Thank you  
Rhonda Greenstein and Spencer Kravitz  
312 Sandpiper Dr., Riverhead, 11901  
Sent from my iPhone

Communication: Letter from Rhonda Greenstein & Spencer Kravitz Ag Resorts in Riverhead (Correspondence)

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**From:** Deborah Sellers <[dassel167@gmail.com](mailto:dassel167@gmail.com)>  
**Sent:** Saturday, June 8, 2024 11:55 PM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Subject:** Agritourism

Some people who received this message don't often get email from [dassel167@gmail.com](mailto:dassel167@gmail.com). [Learn why this is important](#)

Dear Members of Town board Riverhead,  
I have been a resident of Reeves Park Riverhead since 1956. At that time we had a name Reeves Park- over the years that was lost to a variety of names including Calverton, Baiting Hollow. We've seen Farms shrink for a variety of reasons and we've seen malls and big box stores change the face of Riverhead forever. Now we're seeing an attempt to further increase traffic congestion and the relaxing water sites and increase use of water. Remember when we had Non Potable water ? It was a hard battle to get water from the reservoir to our homes. We have loved the treed areas along the roads but more and more they are obscured by cars and trucks and new developments.  
I miss the quiet of walking and biking without the fear of a spear passing over the double lines!! And hearing the sound of emergency vehicles because of an accident many causing severe injuries or death. We have empty stores and yet new construction rather than "re-purposing.  
It's time to Re-Claim the peace, quiet and Nature that brought people who appreciate the country  
No Agriculture tourism if You Give an inch they'll take a mile!!  
Country Lover,  
Deborah Sellers  
Park Road Reeves Park

null

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**From:** [mrweiser@optonline.net](mailto:mrweiser@optonline.net) <[mrweiser@optonline.net](mailto:mrweiser@optonline.net)>  
**Sent:** Saturday, June 8, 2024 4:40 PM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Subject:** Resorts North of Sound Ave

Some people who received this message don't often get email from [mrweiser@optonline.net](mailto:mrweiser@optonline.net). [Learn why this is important](#)

We oppose any commercial building (restaurants, resorts etc.,) north of Sound Ave.  
Please remember that this area is deemed an historic corridor.

Thank you,  
The Noone Family  
87 Park Road Riverhead

---

**From:** Jennifer agneta <[jagneta@gmail.com](mailto:jagneta@gmail.com)>  
**Sent:** Saturday, June 8, 2024 2:30 PM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Subject:** Comprehensive Plan comment

Some people who received this message don't often get email from [jagneta@gmail.com](mailto:jagneta@gmail.com). [Learn why this is important](#)

Hello,

I am a concerned homeowner in the Reeves Park community of the Baiting Hollow hamlet.

I oppose the proposed Riverhead Comprehensive Plan draft which would allow a zoning code change north of Sound Avenue. As drafted, this would enable the development of agri-tourism inns and resorts on certain lands north of Sound Avenue.

This proposed development could turn the rural North Fork of Riverhead into a tourist destination. This would be in contradiction of the concept and spirit of maintaining a Rural Corridor along Sound Ave--something which was legislated by the Town Board and the State Legislature in 1975.

Do not allow this zoning code change to occur, I am sure it is not what the residents of Riverhead want.

I would also like to add a suggestion for the town to incorporate an occupancy capacity to help stop and/or avert potential overcrowding situations. As it stands, according to the sitting code enforcement department, there are no limits to the number of people living in a single family home as long as there is only one kitchen. This is a problem for many reasons but mostly it is unsafe and unfair to the immediate neighbors.

Thank you for your attention.

Signed,  
Jennifer Agneta

---

**From:** Hello, Jeannie <[jmer6@aol.com](mailto:jmer6@aol.com)>  
**Sent:** Saturday, June 8, 2024 1:27 PM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Subject:** Proposed Zoning Change -- North of Sound Avenue

Some people who received this message don't often get email from [jmer6@aol.com](mailto:jmer6@aol.com). [Learn why this is important](#)

Hello. My husband and I are homeowners in the Reeves Park community of the Baiting Hollow hamlet since 1988.

I oppose the proposed Riverhead Comprehensive Plan draft which would allow a zoning code change north of Sound Avenue. As drafted, this would enable the development of agri-tourism inns and resorts on certain lands north of Sound Avenue.

This proposed development could turn the rural North Fork of Riverhead into a tourist destination. This would be in contradiction of the concept and spirit of maintaining a Rural Corridor along Sound Ave--something which was legislated by the Town Board and the State Legislature in 1975.

Do not allow this zoning code change to occur, I am sure it is not what the residents of Riverhead want.

Signed,  
Jeannie Merwin

**Vanessa LeCann**

---

**From:** Virginia Healy <fides@optonline.net>  
**Sent:** Saturday, June 8, 2024 4:44 PM  
**To:** Town Clerk  
**Subject:** Comprehensive Plan

FILED IN OFFICE OF  
JAMES H. VOOTEN  
TOWN CLERK  
2024 JUN 10 A 9:05

To: Riverhead Town Board

1. We are not in favor of changing the short term rental code near downtown or our beaches. We are already experiencing the deleterious effects illegal short term rentals have in our neighborhood. Homes that could be providing year round living for a family either renting or buying are now occupied by transients. The noise and insecurity of what each week will bring is not conducive to our quality of life in our neighborhoods. We have witnessed what short term rentals have done to the east end. The more homes reduced to short term rental profit making entities only drives up the costs of housing for others. We want to encourage new permanent homebuyers in our community, future volunteers to our fire department and EMS, school, sports programs and civic association etc.
2. We are not in favor of increasing density downtown DC1 by lifting the 500 unit cap. (even with TDR)
3. We are not in favor of residential use In Peconic River Community (PRC) district with TDR. (environmental impact on this area)
4. We are not in favor of changing any of the ADU code. No mitigating data was given in the DGEIS of the impact to density in neighborhoods or schools.
5. We have concerns about the impact of resorts and spas along the Sound and at this time do not support this zoning change.
6. We are opposed to large( mega) warehouses in the Calverton Industrial zones.

Thank you,  
Virginia Healy  
Kenneth Healy

Communication: Letter from Virginia Healy & Kenneth Healy - Comprehensive Plan (Correspondence)

FILED IN OFFICE OF  
JAMES H. WOOTE  
TOWN CLERK

2024 8/12/24 9:55

Tim Hubbard, Supervisor & Planning Board  
Town of Riverhead  
4 West 2nd Street  
Riverhead, NY 11901

Dear Mr. Hubbard and Planning Board,

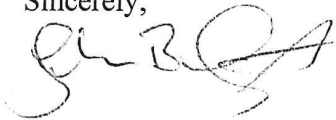
As residents of Soundview Meadows, (at 2 Mallard Court) we are writing to sincerely and strongly register our concern regarding the proposed 100-room hotel on Sound Avenue, and respectfully ask that the Planning Board drops the hotel proposal from consideration.

Sound Ave, designated a "Scenic Historic Corridor" in 1975, is meant for limited agricultural development. Changing the zoning for this hotel sets a precedent for future projects, undermining this designation.

Increased traffic and noise from the hotel will significantly impact our neighborhood, less than half a mile away. Willow Pond and the Town of Southold also oppose this proposal.

We urge the Town of Riverhead to preserve the historic and rural character of Sound Ave by denying the zoning change for this and similar projects. As you stated in 2021, "it is very important to keep Sound Avenue historic and as rural as we can."

Sincerely,



*Maureen E. Benfield*

John & Maureen Benfield  
2 Mallard Ct,  
Riverhead, NY 11901



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**From:** c w <[cmwbeach91@yahoo.com](mailto:cmwbeach91@yahoo.com)>

**Sent:** Sunday, June 9, 2024 12:02 PM

**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>; Town Clerk <[townclerk@townofriverheadny.gov](mailto:townclerk@townofriverheadny.gov)>

**Cc:** [gcca1992@gmail.com](mailto:gcca1992@gmail.com) <[gcca1992@gmail.com](mailto:gcca1992@gmail.com)>

**Subject:** Comprehensive Plan

[Some people who received this message don't often get email from [cmwbeach91@yahoo.com](mailto:cmwbeach91@yahoo.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

As the Draft Comprehensive Plan (Comp Plan), a herculean effort, is nearing approval, I have several concerns. Firstly, the basics. What are the consultants using as a definition of a Comp Plan? In researching New York Town Law 272-A1 (b) "...to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens". (f) "...to give due consideration to the needs of the people of the region of which the town is a part." I am hard-pressed to see that these directives are present throughout the draft, especially with respect to the hamlet of Calverton.

-Agri-tourism: I urge the consultants and Town Board to familiarize themselves with the National Agriculture Law Center's "Agritourism-An Overview". It would appear that commercial resorts on residentially zoned land would not meet their definition. Most importantly, these venues would not be open to the general public, a key element of agritourism. What will they farm and what will be the benefit to farmers? Who are they kidding?

-Vertical Farming: should not be permitted on prime farmland; nor should the ever growing solar "farms" needed to power this initiative.

-The use of Transfer of Development Rights (TDRs) in the Calverton industrial zone to increase density of allowable building heights is a non-starter.

-Industrial development: Warehouses, BESS facilities etc. As we anticipate more development, especially in Calverton, a weight limit must be put on Town roads. Twomey Ave. is currently a short cut for many huge trucks. This issue may have been overlooked.

-Housing: I do not believe that more apartment buildings are needed in downtown Riverhead.

With respect to accessory apartments a CO of three years should be maintained.

Short term rentals. Riverhead currently has a pretty stringent (as compared to our surrounding towns) regulations regarding these rentals. Check with Southampton etc. Is that our goal to become the Hamptons?

It's interesting that the Town Board is always talking about increasing the tax base. When Supervisor Hubbard was Councilman Hubbard, I recall him answering a question about the tax base saying and I paraphrase, that we thought with the development of Rt. 58 that would solve that issue. It seems that as more development occurs so do issues, with infrastructure, empty stores, water usage, increasing police, code enforcers, outreach for volunteer fire fighters, more school buses on the road and so forth. A catch 22? When do we decide to get off the hamster wheel? When do we decide we deserve a town for the residents, who pay taxes here, and not prospective developers? The Comp Plan uses such terms as "sustainable". I would suggest that not much is sustainable which means to me, that whatever it is, will pay for itself. Hence, circle back to the "tax base".

In a Newsday Article of February 2, 2023 "Town Among World Travel Destinations" Best Places to Travel in 2023, was the Town of Riverhead. Many attractions were enumerated such as, pumpkin picking, sunflower mazes, fresh farm produce stands and the like. I would hazard that most residents, like me, are here for the bucolic, quiet environment.

Will Riverhead be one of the best places to travel, in the future? Will warehouse development, vertical farming, apartment buildings, truck traffic and exhaust, sound and light pollution, poor roads, enhance the "look" of Riverhead.

Will the Town ensure that the Comp plan will "...regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens." "...to give due consideration to the needs of the people of the region of which the town is a part"? I truly hope so. Once our beautiful Town is scarred there is no remedy that will reclaim it.

Sincerely,

Catherine Wheeler  
46 Nicholas Way, Calverton, NY

**Vanessa LeCann**

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**From:** raetarantino@aol.com  
**Sent:** Sunday, June 9, 2024 9:49 AM  
**To:** Town Clerk  
**Subject:** Comprehensive Plan Update

FILED IN OFFICE OF  
JAMES M. WOOTEN  
TOWN CLERK  
2024 JUN 10 A 9:05

As residents of Wading River within the confines of the Town of Riverhead, we want to express our opposition to the Comprehensive Plan update regarding short-term rentals, especially near the beaches.

Many, if not most, of the areas near the beach are private beaches owned by individuals or neighborhood associations. These areas are not patrolled by police or under lifeguard supervision. By allowing short-term rentals, residents are exposed to a never-ending rotation of strangers literally right next door.

When a beach is owned by an association, all of the association members are open to a very real liability risk if short-term renters are utilizing their property. Most, if not all, Homeowners Insurance Policies do not provide coverage if the property is used for short-term rentals. Yes, insurance is available from organizations such as AirBNB; however, such policies would not cover the association that actually owns the beach as there is no agreement between the association and AirBNB. Would the Town additionally insure, indemnify, and hold harmless the associations as the Town directly encouraged the change in Code that created said liability exposure?

The Town does little to enforce the codes already on the books regarding short-term rentals that exist and are openly and publicly advertised. Corporations and LLCs are purchasing properties in areas near beaches with the specific intention of turning them into short-term rentals. The Town should be investigating and collecting per diem fines for the violators, not turning a blind eye to them. It is well known that the most prolific of the violators issue fraudulent receipts to show long-term rental periods when the Town suspects a violation.

While keeping on the subject of our north shore, we would also like to voice our objection to changes to allow for large-scale "agrotourism" along the Sound Avenue corridor. The traffic that already exists on Sound Avenue at certain times of the year would only increase and ultimately have the negative effect of detracting tourists.

Please remember this is OUR town, and we want our voices heard.

Respectfully,

Rachel Tarantino-Abad and Frank Abad

Communication: Letter from Rachel Tarantino- Abad & Frank Abad (Correspondence)

## Master Plan

Thomas Mc Swane <tmcswane@gmail.com>

Sun 6/9/2024 8:24 PM

To:Town Clerk <townclerk@townofriverheadny.gov>

Some people who received this message don't often get email from tmcswane@gmail.com. [Learn why this is important](#)

Dear Supervisor and Town Board Members,

We believe that battery storage facilities (BESS) should not be allowed near homes. More research is needed regarding potential adverse effects and risks. I do not think we can trust the state to tell us the truth about their safety.

We also believe population density and development needs to be guarded in order to reduce injury to our drinking water supply, coastal waters and the general environment and natural beauty of our home...Riverhead!

Thank you,

Thomas & Nancy McSwane

35 Industrial Blvd

Riverhead NY 11901

631.284.3584

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**From:** Brian Volkman <[sundayrecordsriverheadny@gmail.com](mailto:sundayrecordsriverheadny@gmail.com)>  
**Sent:** Monday, June 10, 2024 11:53 AM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>; Town Clerk <[townclerk@townofriverheadny.gov](mailto:townclerk@townofriverheadny.gov)>  
**Subject:** draft Comprehensive Plan Update comments

Some people who received this message don't often get email from [sundayrecordsriverheadny@gmail.com](mailto:sundayrecordsriverheadny@gmail.com).  
[Learn why this is important](#)

To the Riverhead Town Clerk's Office -

I own the building at 125 Roanoke Avenue, which is located in the "DC-1" zoning section of downtown Riverhead. It is also located within the Riverhead Parking District No. 1. and the Business Improvement District. The building has two one-bedroom apartments on the second-level, and I operate a retail record store (Sunday Records) on the ground floor.

I read the draft Comprehensive Plan Update, and I have the following comments:

### Chapter 3 - Demographics & Housing

- **1.2 - Short-term rentals** - I do not anticipate using my building for short-term rentals, but I agree that "there may be some areas where shorter term rentals are appropriate and can provide economic benefits by supporting local businesses, such as restaurants, shops, and attractions."
- **2.3 Evaluate the 500-Unit cap for the DC-1 District.** I believe the recommendation to "evaluate the 500 unit cap" is premature. As shown in the table on page 39, just 54% of the 500 units within the cap have been constructed. Another 40% have received some form of approval or preliminary approval. And, another project that would exceed the existing cap is under review. I believe that the town should allow time for existing projects within the 500-unit cap to be completed and fully absorbed into the Town's infrastructure before the Town considers increasing the cap. I would favor evaluating the 500 unit cap four years after the last unit within the 500 unit cap is completed. That time would allow the Town and its residents to learn the effects of the new development. An evaluation now, or immediately upon completion of the current pipeline, would be based on incomplete information.
- **2.4 Adaptive reuse in DC-1.** I agree that some flexibility is warranted for redeveloping existing upper floors of historic buildings, although I believe that new residential units in historic buildings should count toward the overall cap (which is presently 500 units).
- **3.3 Revise the 500 unit cap** - As noted above, I believe that this recommendation is premature. I also note that this recommendation contradicts 2.3 in that 2.3 suggests the town should "assess the cap once development in the pipeline is complete" while this recommendation (3.3) would forgo the assessment and proceed directly to increasing or eliminating the cap for non-rental units. I believe that the cap should continue to apply to all residential units, not just rental units.

## Chapter 4 - Economic Development

- **3.2 - Underutilized and blighted properties.** This recommendation refers to “exploring development opportunities on Town-owned parking lots.” Given the plans to significantly increase downtown residential units, to grow downtown businesses, and attract visitors to the downtown area, I believe that Town-owned parking lots should be used exclusively for parking and not for other “development opportunities.” As an owner of a property located within the Parking District, I pay a tax so that the Town will maintain adequate parking in the Downtown area, and I expect that those funds will be used to support parking and not for other purposes. I am concerned that the current development, and plans for future development, may lead to inadequate parking.
- **3.6 - Implement flood mitigation strategies** - I agree with this recommendation, and I think it deserves more than just a passing mention. I note that the proposed Town Square site is often underwater for an extended time following heavy rain.
- **7.1 - Continue to work with the BID.** This recommendation advocates appealing to the State Assembly to increase the BID assessment rate (which is presently 2%). As a member of the BID, I would not support this proposal at this time.

Thank you for considering my comments,

Brian Volkman  
125 Roanoke Avenue.

---

**From:** Sally Macken <[landmarkgalsal@yahoo.com](mailto:landmarkgalsal@yahoo.com)>

**Sent:** Monday, June 10, 2024 2:41 PM

**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>; Town Clerk <[townclerk@townofriverheadny.gov](mailto:townclerk@townofriverheadny.gov)>

**Cc:** Calverton Civic <[gcca1992@gmail.com](mailto:gcca1992@gmail.com)>

**Subject:** Comprehensive Plan Update comments for Town of Riverhead Board

Some people who received this message don't often get email from [landmarkgalsal@yahoo.com](mailto:landmarkgalsal@yahoo.com). [Learn why this is important](#)

Dear members of the Board,

I am writing today to voice my concerns regarding some parts of the Comprehensive Plan that has been proposed for the Town of Riverhead. I am not spending hours identifying specific sections and chapters; that is the job of those tasked with its creation and passage.

Suffice to say, I have attended many hours of meetings and discussion about this comp plan for our future. It worries me that the Board has not heard the residents of this community. Apparently, the developers are much louder in their pitch for random businesses and the zoning changes for those businesses along our historic and scenic corridor. Apparently money talks louder. It is short sided at best.

I implore the Board to hear the residents who pay your salary and are asking you to preserve our wonderfully rural Sound Avenue. The zoning changes and Transfer of Development Rights changes as proposed in the Comp Plan do not conform to the lifestyle, wants and needs of those of us who moved here years ago or grew up here.

We have but one swing at this bat!! Please get it right!! Do not allow developers to destroy our bucolic community with a blatant money grab pitch for some "agritourism" business. That is a euphemism for development that works only for the developers!! We will forever destroy our farms and North Shore beaches with no hope for recovery.

Allowing the zoning changes identified in the comp plan as a boon to farmers is a net zero gain. Please do more research without the input of the developers whose interests are served by these changes. It is the responsible thing to do.

Save our Sound Avenue!!

Sincerely,

Sally E Macken  
Coach Realtors  
At Mt Sinai  
354 Route 25A  
Mt. Sinai, NY 11766  
631-331-3600 (office)  
917-848-6076 (cell)  
[landmarkgalsal@yahoo.com](mailto:landmarkgalsal@yahoo.com)  
[smacken@coachrealtors.com](mailto:smacken@coachrealtors.com)  
<http://www.coachrealtors.com>

Member National Association of Realtors  
Member Long Island Board of Realtors  
Member New York State Association of Realtors



From: ALLAN LABBE ajl139@msn.com  
Subject: Fwd: Hotel plans for Sound Ave.  
Date: Jun 9, 2024 at 4:37:12 PM

FILED IN OFFICE OF  
JAMES M. WOOTEN  
TOWN CLERK

Bcc: ajl139@msn.com

2024 JUN 10 A 9:56

Sent from my iPad

Begin forwarded message:

**From:** ALLAN LABBE <[ajl139@msn.com](mailto:ajl139@msn.com)>

**Date:** June 9, 2024 at 4:29:43 PM EDT

**Subject:** Hotel plans for Sound Ave.

I've been living at SoundView Meadow Estates as the first residents to move in back in Nov. 2002 after residing in Manorville for 28 1/2 years. We love it here but during the summer and especially the Fall, the summer visitors make it very hard to get out of my development. I refereed Varsity Soccer for 35 years all over Suffolk county and one Saturday I left my house at Noon to referee a game in Mattituck which is normally a 15 minute ride. I wasn't able to get to the Mattituck HS till 2:15 for a 2 pm game and the School Superintendent called me to ask why I wasn't there yet. It's because of traffic from visitors for the wineries, apple and pumpkin picking and the summer and fall people who love to visit here but always go back home. If you allow a hotel on Sound Ave. your residential taxpayers will be locked into their home areas and not be able to service our Riverhead businesses. We don't mind outsiders spending money here in Riverhead however a hotel which will probably not have to pay taxes for a few years will disrupt the traffic flow much worse then we already have to encounter to our destinations. I implore the Planning Board to deny the approval

of any commercial businesses on Sound Ave for the sake of your taxpayers and the residents who love Nature's beauty of driving and using the beaches on and off Sound Ave. Thank you.

Respectfully yours,

A handwritten signature in black ink that reads "Allan J Labbe". The signature is written in a cursive style with a horizontal line at the end.

Allan J Labbe'

Sent from my iPad

**Vanessa LeCann**

---

**From:** Judy Jens <jensj2501@aol.com>  
**Sent:** Monday, June 10, 2024 9:13 AM  
**To:** Town Clerk  
**Subject:** Comment

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK

2024 JUN 10 A 9:24

Some people who received this message don't often get email from jensj2501@aol.com. [Learn why this is important](#)

Please reconsider what you are doing regarding adding legislation for agritourism. The traffic situation in Riverhead is getting beyond terrible. Living in Riverhead is not pleasant anymore. I work on Osborn Ave, it is like being in Manhattan, The traffic and noise level is horrendous. We need to stop destroying the peaceful beauty of living on the east end not contribute to it. Please the TB needs to say no to the destruction of the beauty of Riverhead. It is not a necessity to keep adding development.

[Sent from the all new AOL app for iOS](#)

**Vanessa LeCann**

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**From:** Nancy Taylor <nantaylor565@gmail.com>  
**Sent:** Monday, June 10, 2024 2:04 PM  
**To:** Town Clerk  
**Subject:** Comp Plan

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK

2024 JUN 10 P 2:06

Some people who received this message don't often get email from nantaylor565@gmail.com. [Learn why this is important](#)

Good afternoon,

We moved to Riverhead less than two years ago and love where we live, but do have the following concerns:

- 1) **Public Safety.** We are not seeing where general public safety is addressed in the comp plan. We do not feel safe. We live right off Route 58 and have been solicited for money in every parking lot on this road. One bank we know of escorts customers to their cars because they don't feel safe in the parking lot where people are loitering. Going out at night alone is avoided as much as possible. We would like to know what plans are in place to address this issue.
- 2) **BESS.** We would like answers as to where it is going.
- 3) **Please consider banning gas powered blowers and weed wackers/trimmers.** Some states have banned the commercial sale of all gas-powered lawn equipment. Other cities and towns have limited its use, as you know. It's not just the pollution, but the noise from Wednesday through Saturday is almost unbearable. We have had many virtual meetings from our home with the windows closed and still have to be muted, just to avoid disrupting the meeting with the ongoing loud noise. We were well aware of the racetrack nearby when we moved in, but at least it's usually only on Saturdays. Landscapers work daily. There's too much noise pollution!
- 4) **Code Enforcement for illegal/over capacity housing.** Going forward, what is the plan to combat this ongoing issue?
- 5) **Left turn green lights.** The volume of traffic has never been heavier than it is right now. If you do not have a left green arrow, you are taking your life in your hands. On Route 58 going east to turn into Walgreens. No green arrow. On West Main Street going east to turn left to get to the library. No green arrow. We are seeing more and more people running red lights to get across the road. Perhaps the highway department could do a study. Speaking of roads, they are in bad shape. Any funding for repavement and left arrow signals? I realize it depends on who maintains the roads. Let us know and we will gladly request a study.

We appreciate all the Town Board is doing to keep us safe, limit building and maintain the character of what we all like about Riverhead. This is our home.

Thank you.  
Mark Woolley  
Nancy Taylor

Communication: Letter from Mark Woolley & Nancy Taylor - Comprehensive Plan (Correspondence)



• June 8, 2024

Tim Hubbard, Supervisor and Planning Board  
Town of Riverhead  
4 West 2<sup>nd</sup> Street  
Riverhead, NY 11901

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK

2024 JUN 10 A 9:55

Dear Mr. Hubbard and Planning Board,

We are writing to inform you that we are opposed to the proposed hotel on Sound Avenue and do not want the Town of Riverhead to grant a zoning change to this or any other proposal. As residents of Soundview Meadows for 20 years we have seen traffic increase. This will exacerbate the already heavy traffic on Sound Avenue. Only Limited

agricultural development is supposed to take place along this historic corridor.

Sincerely,

*Anthony Simonetti*  
*Andrea Simonetti*

Anthony and Andrea Simonetti

152 Sandpiper Drive

Riverhead, NY 11901

**Vanessa LeCann**

---

**From:** krissch@aol.com  
**Sent:** Monday, June 10, 2024 12:41 PM  
**To:** Town Clerk  
**Subject:** Comp plan

FILED IN OFFICE OF  
JAMES N. WOOTEN  
TOWN CLERK

2024 JUN 10 P 12: 55

Some people who received this message don't often get email from krissch@aol.com. [Learn why this is important](#)

We should not allow any huge distribution warehouses in Riverhead/Calverton. They might be appropriate within the EPCAL property. Problems with water pollution from runoff, traffic, esthetics, and air pollution would probably offset any tax advantages, especially with IDA tax give aways. The question of environmental justice for the residents of Calverton looms large.

As to agrotourism, how could you possibly control catering events at a 100 room hotel? What kind of sewage system would protect the Sound from pollution? What would be the effects of erosion of the cliffs in the area? Traffic problems would be a given. I am unconvinced that a 100 room hotel is compatible with agrotourism. The scale makes that seem like the "deep sea port" that let to extensive sand mining of the land which is now the Hallockville State Park Preserve.

Respectfully,  
Christine Schmitt  
1407 Middle Road, #292  
Calverton, NY 11933

Communication: Letter from Christine Schmitt - Comprehensive Plan (Correspondence)

**Robert Pavone**  
**112 Sandpiper Drive**  
**RIVERHEAD, NY 11901**

FILED IN OFFICE OF  
JAMES M. WOOTEN  
TOWN CLERK

2024 JUN 10 A 9:56

June 9, 2024

Tim Hubbard, Supervisor & Planning Board  
Town of Riverhead  
4 West 2<sup>nd</sup> Street  
Riverhead, NY 11901

RE: Proposed North Fork Luxury Resort and Spa on Sound Ave

Dear Mr. Hubbard and Planning Board:

I am writing to express my opposition to the hotel proposal on Sount Avenue. **Sound Avenue was designated a "Scenic Historic Corridor" in 1975 by the Town Board and the State Legislature**, as reported in the New York Times, July 6<sup>th</sup>, 1976. Is the State Legislature aware that the town is considering to overturn this designation? Sound Avenue was declared to remain a two-lane roadway at the same time.

The Riverhead Town defines the current parcel of property (Residence A-80 (RA-80) Zoning Use District) as the following:

**The intent of the Residence A-80 (RA-80) Zoning Use District is to allow for low density residential development and medium density residential development with Transfer of Development Rights (TDR), to allow for the preservation of appropriate agricultural parcels, to ensure the preservation of the historic integrity and rural character of the Sound Avenue corridor and to conserve wooded areas and other natural features.**

The New York State Agriculture and Markets define "agricultural tourism" as

**"Activities conducted by a farmer on-farm for the enjoyment and/or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding and awareness of farming and farm life" in the".**

How will a zoning change to allow a "luxury beach resort and spa" on the 105 acre parcel that is currently a dormant farm (as reported by RiverheadLocal, December 1, 2023) meet the definition specified by the New York State Legislature? Will the new owners develop the 70% of the "dormant farm" to an active farm with

Communication: Letter from Robert Pavone - Proposed North Fork Luxury Resort & Spa on Sound Ave (Correspondence)

product to be purchased by visitors to the farm? Or, is it the attempt by the Town to forget that the property is currently a farm and just allow a **luxury beach resort and spa** to be built regardless of how this will affect the current historical character of Sound Avenue.

Just east of the property is the Granttham Preserve and Trail. How will the proposed resort effect this property that is protected under the Peconic Land Trust? From the resort proposal, the first phase is to be a 100 room resort and spa on the current 105 acres, then a phase two, with the purchase of an additional 50 acres and an additional 30 rooms and out buildings. Will the Town just grant the resort owners the right to build out the phase two proposal and rezone the protected land?

Mr. Hubbard, it was reported in RiverheadLocal, December 1, 2023 that you received a \$1,275 campaign contribution from the developer of the resort, Alfred Weissman Real Estate. If this is true, is this why you have been so vocal and supportive of this zoning change?

I strongly urge the Town of Riverhead **Not to Grant** a zoning change to this property, and any other proposal, which would impact and change the character of Sound Ave.

Sincerely,



Robert Pavone





# Sendlewski Architects PC

## Architecture & Planning

Martin F. Sendlewski, AIA

Jeffrey M. Sendlewski, RA, LEED AP

June 10, 2024

Town of Riverhead Town Board  
6 West Second Street  
Riverhead, NY 11901

Re: Master Plan Comments  
Downtown DC Zones

Dear Board Members,

Please consider the following comments regarding the downtown DC zones in the finalization of the master plan, comprehensive plan update (CPU):

1. The CPU specifically notes that further study of the DC zones is warranted. This supplemental evaluation is recommended as part of the final update, is extremely important and needs to be done.
2. The 500 unit cap in DC-1 should be analyzed and changed based on the supplemental evaluation which also needs to take into account the 400+ units that will be constructed as part of the adjacent TOD and include a coordinated parking plan, which is also in progress at this time.
3. The use of TDR credits for additional units should be rejected unless it also applies to the TOD area. Either way this is a bad idea. The TDR should not be used to burden future development downtown unfairly if not also applied to the TOD.
4. In the DC-3 area, include second floor apartments above businesses. This is limited and gets more residential units disbursed throughout the area and improves the DC-3 zone being part of the "community".

Sincerely,

**mfs**

Martin F Sendlewski, AIA

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK  
2024 JUN 10 A 8:41

Communication: Letter from Martin Sendlewski - Master Plan Comments (Correspondence)

**Rita Pavone**  
**112 Sandpiper Drive**  
**RIVERHEAD, NY 11901**

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK

2024 JUN 10 A 9:56

June 9, 2024

Tim Hubbard, Supervisor & Planning Board  
Town of Riverhead  
4 West 2<sup>nd</sup> Street  
Riverhead, NY 11901

RE: Proposed hotel on Sound Ave

Dear Mr. Hubbard and Planning Board:

I am writing to express my opposition to the hotel proposal on Sound Avenue. **Sound Ave was designated a "Scenic Historic Corridor" in 1975 by the Town Board and the State Legislature.** Is the State Legislature aware that you might be planning to overturn this designation?

There would be a significant increase in traffic that would add to the already heavy traffic on Sound Avenue, especially during the summer and fall. It is difficult to make a left turn out of our community now, the last thing we need is more traffic. We are also concerned about the noise from the hotel, especially if they are permitted to hold outdoor events.

I strongly urge the Town of Riverhead not to grant a zoning change to this, and any other proposal, which would impact and change the character of Sound Ave. **As you said in 2021 when you were a Councilman: "You have to look at each situation individually. But to me, at the end of the day, it is very important to keep Sound Avenue historic and as rural as we can."**

Sincerely,

  
Rita Pavone

Communication: Letter from Rita Pavone - Proposed Hotel on Sound Ave (Correspondence)

Janet and Edward O'Neill  
5 Wigeon Court  
Riverhead, New York 11901

631-984-1924  
[janetoneill@optonline.net](mailto:janetoneill@optonline.net)

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK

2024 JUN 10 A 9:55

June 10, 2024

Tim Hubbard, Riverhead Town Supervisor  
Riverhead Town Board  
Riverhead Town Planning Board  
4 West 2nd Street  
Riverhead, NY 11901

Re: Proposed Agri-Tourism code change

As long-time residents of the Town of Riverhead, we would like to share our thoughts and concerns regarding the proposed Agri-Tourism code changes.

The big issue here is that our beautiful Sound Avenue Corridor is an old, crowned farm road which is unable to support the current volume and any additional stress including a natural weather event or any unanticipated security episode.

For those you that do not live off Sound Avenue - we encourage you to spend a nice weekend afternoon up by Northville Turnpike and Sound Avenue or any of the farm road intersections. You can conduct all the traffic analysis that you want but seeing is believing.

This is the perfect storm. The growing population combined with all the parties which use Sound Avenue (bicyclists, fishermen, boaters, campers, equestrians, golfers, contractors, fuel trucks, educators, emergency vehicles, farmers) have contributed to unsafe and unsecure traffic issues. Simply put - when you cannot make a left turn onto eastbound Sound Avenue - there is a problem.

It is easy to see that until we collectively address the real issues with traffic flow and the inadequate, ancient roadways we will find ourselves mired in conflict and traffic congestion.

Hopefully with some patience and proper planning this can be resolved.

Sincerely,



Janet and Edward O'Neill

Communication: Letter from Janet & Edward O'Neill - Proposed Agri-Tourism Code Change (Correspondence)

**FW: Correspondence from Gina Hubbard**

Carol Delvecchio <delvecchioc@townofriverheadny.gov>

Mon 6/10/2024 8:34 AM

To:Vanessa LeCann <lecann@townofriverheadny.gov>;James Wooten <wooten@townofriverheadny.gov>

June 8, 2024

Dear Town Board Members:

I would like to register my opposition to the proposed changes that would allow "agri-tourism resorts" to be built along Sound Avenue. Once that door is opened, it will never be closed. This will turn into the same situation we have in the downtown area with apartment building after apartment building being built. Our beautiful Sound Avenue corridor will never be the same once you allow this to start. My fear is also that once you allow these resorts to be built, other ancillary businesses will end up being approved. This is a Pandora's Box that once opened, cannot be closed.

I am a Town of Riverhead taxpayer and would like my concerns to go on record that I am in extreme opposition to these changes. It appears that the majority of Riverhead residents are in opposition as well and I would hope that you will take into consideration our feelings on this matter. We are the people who elected you into office to represent us and I hope that you will honor and seriously contemplate our thoughts on this. This is OUR Town and we live here because we love it's quaint, rural character and hope it will stay this way.

Sincerely,

Gina Hubbard

1850 Osborn Avenue

Riverhead

Sent from my Galaxy

Sent from my iPhone

FILED IN OFFICE OF  
JAMES WOOTEN  
TOWN CLERK  
2024 JUN 10 AM 12:03

Communication: Letter from Gina Hubbard - Ag Resorts (Correspondence)



**Vanessa LeCann**

FILED IN OFFICE OF  
JAMES H. HOOTEN  
TOWN CLERK

**From:** Laurie Downs <lauski56@gmail.com>  
**Sent:** Monday, June 10, 2024 9:28 AM  
**To:** Town Clerk  
**Subject:** Agri tourism comment

2024 JUN 10 A 9:32

Some people who received this message don't often get email from lauski56@gmail.com. [Learn why this is important](#)

Riverhead Town Board members,

Don't any of you check and go back and look at what other boards have done? North of Sound Ave (Historic Corridor) was to continue to be preserved to stay historic, and the Southside was for development.

Please continue to preserve our History. To listen to a developer on changing zoning is not your job. You don't work for developers you work for the People of Riverhead. I'd like to know who was out seeking this developer. It's not like it didn't happen before.

So Please do the right thing for the residents and Riverhead and turn this down ..Keep Riverhead Historic!!

Laurie Downs  
Riverhead

Communication: Letter from Laurie Downs - Agri Tourism (Correspondence)

Tim Hubbard, Supervisor and Planning Board  
Town of Riverhead  
4 West 2<sup>nd</sup> Street  
Riverhead, NY 11901

FILED IN OFFICE OF  
JAMES M. WOOTEN  
TOWN CLERK  
2024 JUN 10 A 9:56

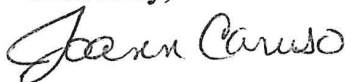
Dear Mr. Hubbard and Planning Board,

As a resident of the Soundview Meadow development on Sound Avenue I find the proposal to change the zoning in order to allow a tourism resort to be built in this historic corridor outrageous. Sound Avenue was designated a “Scenic Historic Corridor” in 1975 by the Town Board and the State Legislature and that is exactly how it should remain. That is the beauty of living here in this location.

Allowing such a change would destroy our quality of life. Again, there is a reason why we live in this location. Quality of life. An already heavily congested Sound Avenue would become even more difficult to navigate causing tempers to flare and possible road rage events as well noise, more pollution and sadly accidents. The constant noise that would echo daily during construction of this proposed resort would be literally unbearable not to mention the danger of trucks and equipment being hauled down Sound Avenue and our local roads for this to be built. Yet again causing a quality of life issue. Once this resort and other structures were built there would then be constant noise echoing from events and the activity this project would create once completed. Not to mention taking away the safety we feel being here in this beautiful location.

Our homes are our sanctuaries, our safe place where we spend time with loved ones and enjoy the peace and beauty of this location here on Sound Avenue. A place where we can quietly sit in our yards, or inside our homes with windows open enjoying the beautiful breezes and calm quiet. You will completely destroy our peaceful existence by allowing such a project to move forward. To impact the peaceful existence of those of us who live here is in a negative way is not something that should be allowed for any reason. Please leave this peaceful location peaceful and safe for those of us who live here.

Sincerely,



Joann Caruso

Communication: Letter from Joann Caruso - Tourism Resort (Correspondence)

## **Mark Terry, AICP American Institute Certified Planner**

My comments are as follows on the Town of Riverhead Comprehensive Plan Update. The proposal to include the Agritourism Resort use in the Town of Riverhead Comprehensive Plan Update should be struck in all references and sections from the plan. This proposal is so far from good planning on a road and area with much needed assessment it is a wonder it made it this far. Intensifying and amending a residential zone to allow a commercial use in moderate to high value environmental and ecological areas with limited infrastructure in the name of preservation is contrary to good planning. A commercial use of 150 or more rooms with all amenities and a associated "agritourism" use would be expected to have much more large I environmental, community character and community service impacts than a 50 unit residential subdivision.

A commercial use will change the historic and pastoral character of Sound Avenue forever and make all efforts to continue save it naught. It is one of the Towns greatest assets.

The development fear the Town Board repeats is misplaced. The Town Boards down speak of residential subdivisions as a negative growth use in this area is misinformed vs large commercial development use under any guise. Sound Avenue is not designed to handle the traffic volume or safety requirements for very large commercial uses.

A residential subdivision would require 70 percent of the land, including farmland to be preserved under the current Town Code. The Agritourism Resort proposal would also save 70 percent but the trade off would be a gross intensity of build out on a parcel with potentially more water use, vehicles and traffic, truck deliveries, solid waste, sanitary waste, noise, clearing of habitats, beach right disputes, and more police and fire protection ... the list goes on.

The rush to save farmland as if a super developer will land in Riverhead is an unwarranted fear and frankly a scare tactic that should not be used. As time progresses, some land will be developed and some preserved. With good planning and land use tools the Town should grow to meet goals. Tools like the NYS Environmental Protection Act SEQ RA applied correctly will help shape our future. Grant funding from many sources is available to purchase farmland. Apply for more.

A Moratorium is also a much better tool forward than this pay to pave proposal. If the Town is concerned about uncontrolled growth and design: Change the code. Put a moratorium on all development at risk areas, to pause and assess Sound Avenue, develop better code and design and achieve greater public benefit.

It is clear that this use was not developed or forwarded by the residents of Riverhead whom cherish the Towns beautiful character, their quality of life, pay taxes and vote.

This proposal is clearly not for the residents of Riverhead and that is very unsettling. This proposal in OUR Comprehensive Plan Update is not the way. This plan is for the people and by the people and special interest zoning changes never have a place in any plan.

We challenge the Town Board to reconsider this proposal and plan for the residents and visitors of Riverhead; ... after all it is us ... who we are planning for. My comments:

1. Strike all references to the agritourism resort in the Comprehensive Plan Update.

2. How many large agritourism resorts can there be: 5, 10 15 ... ? How many rooms can there be in each development. .. is there a cap.
3. What is the spatial distribution of the use if all eligible parcels were developed?
4. How will left hand turns be addressed. A center turning lane is expected. The rural character of Sound Avenue will change with more traffic and necessary controls. Are more traffic signals or a road widening planned? Will taxpayers pay for improvements?
5. Was traffic choke points studied on Sound Avenue. When will a comprehensive traffic study be conducted?
6. 150 unit large resort with all amenities is expected to have greater traffic impacts than a residential subdivision on a two lane road. There is no way to assess the trip generation now and use it as a qualifier for this use inclusion.
7. Residential subdivisions also are required to preserve 70 percent as open space which could be farmland. The difference is that a large agritourism resort would be expected to have more large adverse environmental impacts due to a intensification of development on the 30 percent.
8. Is there a cap on the number of agritourism resorts in Town?
9. Why wasn't Wading River, Aquebogue or Jamesport included in the proposal to save farmland there off NYS 25?
10. How much tax base will such a use contribute to the local schools and emergency services?
11. Will tax abatements be sought through the I DA?
12. When was this use added to the Comprehensive Plan?
- 13 Was a hard look under SEQRA applied to the Comprehensive Plan Update with this use?
14. How will the Town address pedestrians and bicyclist safety on Sound Avenue originated from the so called Agritourism Resort? Will the road be widened eroding its rural character?
15. Will the public beach in front of these large resorts that one can drive on now be closed off to vehicles?
16. How will the Town address emergency vehicles ability to adequately travel on Sound Avenue responding?
17. How will the Town improve traffic congestion conditions on Sound Avenue for emergency service workers and commuters sitting in traffic trying to commute to work?
18. How will the Town Board address the impact on the Town of Southold tourist economy when traffic cannot travel east due to congestion? This is already occurring.
19. Did the Town project the before and after build out trip generation for these types of uses?
20. How will the additional traffic impact the Cross Sound Ferry operations?

Mark Terry, AICP American Institute Certified Planner



Steven A Martocello  
3001 Holding, LLC  
P.O. 336  
Mount Sinai, NY 11766

June 10<sup>th</sup>, 2024

Town of Riverhead Planning Department  
4 W 2<sup>nd</sup> Street  
Riverhead, NY 11901

Re: Comments on Draft Comprehensive Plan Update #2

My name is Steven A Martocello, I am the owner of a ~4.5 Acre parcel of land located on Edwards Ave in Calverton (SCTM#: 0600-117.000-0002-003.001). This is my second letter regarding the proposed zoning changes described in The Town Draft Comprehensive Plan Update (CPU) which includes the **potential re-zoning of the Industrial A and Industrial C areas of Calverton to a new zoning district, i.e. Calverton Industrial District (CI)**. As stated in my previous letter I have many concerns about the impact that these zoning changes will have on existing properties that currently fall within the Industrial A and Industrial C Districts.

If the Town of Riverhead is intent on moving forward with this new CI District, then I would propose that the new district be scaled according to parcel size. Scaling the new zoning with parcel size allows the smaller parcels in this district to remain economically viable with minimal impact to achieving the Town of Riverhead's stated goals. The below lays out the significant burden that the proposed zoning changes will have on smaller landowners.

This change of zoning disproportionately affects smaller landowners, specifically landowners that are 10 Acres or less. These smaller parcels already face significant challenges in economic viability. The newly proposed CI District would significantly decrease these parcels yield, specifically with FAR, Non-Disturbance Buffers, Minimum Lot Width at Street Front, and Setbacks. As stated before, outside of the constraints required from the existing zoning, many other factors govern the viability of these parcels including Suffolk County Article 6 sanitary density regulations, interaction with the NYSDEC regulations, geographic features such as High Water Table areas and the Pine Barron Compatibility Growth Area.

The proposed CI District reduces the as-of-right FAR from 0.40 to 0.25, a 37.5% reduction. Although it allows the 0.25 FAR to increase to 0.30 (but only for a second story) if the landowner elects to purchase additional development rights. This removes the landowners' existing as-of-right to build and then replaces it with an additional financial burden, further hindering the landowners' ability to put forward a viable use for the property.

I believe that this wide sweeping zoning change is unnecessary to accomplish the Town of Riverhead's stated goals. The negative impact of creating a more restrictive zoning would make

many of these smaller parcels effectively unviable. This would have smaller landowners suffer a disproportionate amount of the cost and financial burden of this zoning change without any significant benefit towards accomplishing the Town of Riverheads stated goals. Most of these landowners have owned these parcels for many years. Owning these parcels meant investing in the health and viability of the Town of Riverhead over the long term, in many cases decades. My parcel has been owned by my family for more than 34 years.

Additionally, this new zoning district would instantaneously have the effect of changing many of these smaller parcels from Conforming to Non-Conforming, which would create an additional burden on landowners as they seek viable and productive uses for their properties. One specific area of Non-Conformance is Minimum Lot Width, which for Industrial A properties would be increased 50% from 200ft to 300ft.

With the above stated, we would be more than happy to meet with the Town of Riverhead Planning Department to discuss how scaling this newly proposed CI Industrial District allows for a fair, well balanced and sustainable approach to accomplishing the overall community vision for the future of the Town of Riverhead.

Please feel free to reach out with any questions or for further discussion.

Thank you.

*Steven A Martocello*

Steven A Martocello  
Principal  
3001 Holding, LLC  
(631) 585-3860  
alex@theubigroup.com

CC: Alexander J Martocello

**Vanessa LeCann**

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**From:** Steven ENGELMANN <steven.engelmann@cvegroupp.com>  
**Sent:** Monday, June 10, 2024 5:08 PM  
**To:** James Wooten; Vanessa LeCann  
**Subject:** Comments for the New Comprehensive Development Plan

FILED IN OFFICE OF  
JAMES H. WOOTEN  
TOWN CLERK

2024 JUN 11 A 8:48

Town Clerk and the Town Council,

My name is Steven Engelmann with CVE, we are a community solar developer in the area, currently building a solar and battery storage facility in Riverhead. This project will be sited at the Youngs Ave Landfill and will help to reduce the cost of energy for several town facilities as well as many LMI residents of the community. This will have a direct community impact making Long Island more affordable by reducing the electrical costs and providing significant tax dollars to the town.

Upon reading the online new comprehensive plan I noticed it included limitations on solar and battery energy storage in the form of lot coverage. As it stands, industrial is the only zone that allows for solar in Riverhead. Battery storage is allowed in 4 different zones, to meet the electrical grid demands in that location. The new comp plan suggests a new zoning of CI for all industrial parcels. It goes on to further state a reduction of the FAR for those properties from the current .4 to .25 lot coverage. If you read further, it suggests that all types of development must adhere to the new .25 FAR which includes Solar and BESS. If that was enacted, that would essentially end all renewable energy development in the town of Riverhead.

The suggested CI code allows for a height of 30' with the ability to increase to 40' in height. Battery energy storage systems and solar development are unable to utilize this height allowance because the systems cannot be stacked. Therefore, they cannot take of the vertical height allowance of typical commercial development. As per your code both solar and BESS are limited to a 10' height. The average height of one-story development is 10'. As per the code, typical development can go up 3-4 times the amount of the .25 lot coverage. In keeping with "conformity" we feel the existing 75% lot coverage for solar and BESS is justified.  $3 \text{ (stories)} \times .25 = 75\%$  (lot coverage). Your existing code that supersedes the underlying FAR zoning should remain as it is precise and uniform.

In addition, the comprehensive plan shows the impacts of development i.e. – water usage, waste, municipal services, etc. Not one of these stated impacts are a consequence of solar and or battery storage development. May I also add, there is no traffic impact, no noise impact, therefore solar and battery storage are a nominal form of development, different than other more impactful forms of development.

Lastly, I don't believe the comprehensive planning firm accounted for the fact that parking facilities are not needed for solar and BESS projects. These types of projects are 'outside the box' forms of development. There is no need to account for parking at these facilities nor is there any need for outdoor storage. The final footprint of solar development is exactly as is planned, nothing additional will impact the site. The footprint of solar and nor battery storage will not change and there is no need for outdoor storage units, so the final development footprint is exactly what was designed. This again shows these types of projects as different forms of development than other forms of commercial development that the comprehensive plan is addressing.

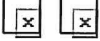
Please put this on record for the comments for the comprehensive town plan and to the town board.

Communication: Letter from Steven Engelmann - Comments for the New Comprehensive Development Plan (Correspondence)



Steven Engelmann  
Senior Business Developer

[cvenorthamerica.com](http://cvenorthamerica.com)



Direct: 631 445 4145  
[steven.engelmann@cvegroup.com](mailto:steven.engelmann@cvegroup.com)

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**From:** Chris <[nofowine9@gmail.com](mailto:nofowine9@gmail.com)>  
**Sent:** Monday, June 10, 2024 9:13 PM  
**To:** Comprehensive Plan 2023 <[compplan@townofriverheadny.gov](mailto:compplan@townofriverheadny.gov)>  
**Subject:** Draft Riverhead Comprehensive Plan Update

Some people who received this message don't often get email from [nofowine9@gmail.com](mailto:nofowine9@gmail.com). [Learn why this is important](#)

Hello,

I wanted to provide comment on the comprehensive Plan and Environmental impact study, specifically surrounding short term rentals. We agree that decreasing the rental term is needed for short term rentals in Riverhead however we do not believe it goes far enough. Riverhead and the east end are a great tourist destination from beaches to wine country. It is a great place for couples, friends as well as families. The east end has a shortage of places to stay, especially for families with more than 2 children. There is a shortage of hotel rooms, as well as other formats. For a family or group of friends to enjoy the east end, it is definitely preferable to have a house rental where they can spend a day at the beach, Harbes farm, Greenport, or wineries and come back to cook dinner using fresh vegetables from the farm stands and relax in the yard. This really can be best accomplished in a short-term rental. However, the current rules in place essentially forbid short term rentals. The new proposal does not go far enough to reduce the number of night requirements and will do little in changing the legal landscape surrounding short term rentals.

During the summer months families or friends might spend 4-5 nights on the east end, a long weekend, or almost a week. In the spring and fall, weekends are definitely a preferred timeframe. People come out to spend a wedding at the Vineyards, or to enjoy wine country from Friday to Sunday. Very few have the ability

to spend a week out on the north fork, never mind two weeks. As an owner, I have a very hard time spending two weeks straight at my house with the commitments of my family and job. We purchased our home to eventually retire in the NOFO community but are enjoying the time we can as much as possible now.

I understand that there can be concerns surrounding short term rentals having an impact on the quality of life of the North Fork, from noise to parking to prices. I think quality of life is important to a community. The majority of visitors are respectful of their surroundings if the short-term rental hosts are vetting appropriately.

The North fork is a wonderful place full of many unique restaurants, farm stands, shops and activities. These businesses rely not only on residents but tourists to survive. Currently, short term rentals are occurring and these tourists are helping support these businesses. With short term rentals at 14-29 days, tourism is stifled and local businesses suffer. While I understand some residents are happy to not have the hustle and bustle of having visitors on the roads, in the houses, or at the restaurants, it is important to all the businesses that make the North Fork a great place to be that need the revenue from the tourists to exist in their current form.

I recommend a minimum rental be set to no more than 2 nights to accommodate weekenders during the spring and fall and 4 nights during the summer season. Putting a reasonable timeframe in place can help allow these short-term rentals to be regulated and monitored effectively, while boosting the local economy.

Thank you

**EPCAL WATCH  
COALITION**

FILED IN OFFICE OF  
JAMES M. WOOTEN  
TOWN CLERK

2024 JUN 11 A 8:47

64 JEAN COURT RIVERHEAD, NEW YORK 11901 917-859-9025

June 10, 2024

**Comments on the Draft Comprehensive Plan**

The language about EPCAL is generally open and positive in spirit. There are a few points that are worth considering for the final version that emerge from the seven year effort by the civic organization EPCAL Watch to challenge the misguided contract between the Town Board and Calverton Aviation and Technology.

Chapter 4, Goal 1 says, "Certain intensive uses such as an air cargo terminal should be eliminated." That should be amended to read, "**Most people who live near EPCAL and the broad community engaged by the proposal to create an air cargo port believe that all aviation uses should be prohibited**".

Goal 1 also states "Riverhead's substantial industrially zoned areas offer great opportunities for economic development. Enterprise Park (EPCAL) is uniquely suited for office, industrial, and commercial recreation development," That should be expanded to include "**not for profit educational, health and cultural institutions that serve populations east and west of us as well as in Riverhead**".

In addition Goal 1 needs to include, "**A commission should be established that truly reflects the ethnic, racial, gender and economic diversity of Riverhead to organize a transparent public process that hears and reads what all sectors of the community want to see at EPCAL. Based on these citizen contributions and the advice of objective development experts, priorities and parameters must be set, requests for proposals can be formulated and criteria established for citizens, the Commission and the Town Board to evaluate independent and solicited proposals.**"

As a personal not organizational view, I believe discussion of the future of EPCAL should include two potential uses that have broader social significance.

Our desperate need to create sources of renewable energy should lead to open minded consideration of wind turbines that permit ground use for traditional or new forms of agriculture.

Communication: Letter from John McAuliff - Comments on the Draft Comprehensive Plan (Correspondence)



There should also be discussion with the Shinnecock Nation of possible sale or lease of part of EPCAL for environmentally responsible licensed gaming facilities. We share an historic obligation to indigenous populations whose lands were taken illegitimately by our ancestors. Tribal lands in Southampton are not adequate for their Federally authorized facility. Riverhead may be able to assist while generating substantial employment and tax revenue.

Of concern to me as an active observer of local governance, but not on behalf of EPCAL Watch, is that a number of controversial recommendations are made in the comprehensive plan that do not seem to have emerged organically in the several year process. They should be removed from the comp plan and be debated substantively on their own merits. Examples are agricultural resorts, shorter term airbnb style rentals in residential areas, piercing the cap on downtown apartments, accessory residences, building heights designed for distribution warehouses and potential use of TDRs to avoid otherwise desired constraints and objectives.

I recognize that my personal suggestions of wind turbines and gaming facilities are also controversial and am not suggesting anything more than their consideration in an appropriate open process about the future of EPCAL.

Sincerely,

A handwritten signature in black ink that reads "John McAuliff". The signature is written in a cursive, slightly slanted style.

John McAuliff

Coordinator

[jmcauliff@gmail.com](mailto:jmcauliff@gmail.com)