



**Office of the Town Clerk**  
*Diane M. Wilhelm, Town Clerk*

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Registrar of Vital Statistics

Records Management Officer

Marriage Officer

January 11, 2021

General Code Publishers  
781 Elmgrove Road  
Rochester, NY 14624  
Attn: Jan Medina

Dear Ms. Medina:

ENCLOSED HEREWITH please find the following resolution which was adopted by the Riverhead Town Board at a Regular Town Board meeting on January 5, 2021.

**#1- Resolution # 53 – Adopted 1/5/2021**

ADOPTS A LOCAL LAW TO AMENDING CHAPTER 301 ENTITLED “ZONING AND DEVELOPMENT” (ARTICLE XXXI-A RAILROAD AVENUE URBAN RENEWAL AREA OVERLAY DISTRICT)

If you have any questions, please call Carol Del Vecchio at 631-727-3200, Ext 262, or Diane Wilhelm at Ext. 260

Sincerely,

Diane M. Wilhelm  
Town Clerk  
DW:cd

**200 Howell Avenue ~ Riverhead, New York 11901~ (631)727-3200 Ext. 260 ~ Fax  
(631)208-4034**

01.05.2021

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution 2021-53**

**ADOPTS A LOCAL LAW AMENDING CHAPTER 301 ENTITLED "ZONING AND DEVELOPMENT" (ARTICLE XXXI-A RAILROAD AVENUE URBAN RENEWAL AREA OVERLAY DISTRICT)**

Councilwoman Kent offered the following resolution, which was seconded by Councilman Beyrodt Jr.

**WHEREAS**, in 1997 the Town of Riverhead adopted an Urban Renewal Area Plan for the Railroad Street Corridor” which plan was developed to “promote the safety, health, morals and welfare of the residents of the Town of Riverhead .... to correct such substandard, unsanitary, blighted, deteriorated or deteriorating conditions by replanning, clearing, reconstruction, redevelopment, restoration or conservation of such areas”, and

**WHEREAS**, in 2003, the Town of Riverhead adopted a Comprehensive Plan, which plan included recommendations for the Railroad Street Urban Renewal Area and adopted zoning use districts, including the Downtown Center 3 (DC-3) Zoning Use District designed to improve and attract investment and revitalization to the Railroad Street Urban Renewal Area, and

**WHEREAS**, the Brownfield Opportunity Area (BOA) Step II Nomination Study completed in 2016 identified this Railroad Avenue Urban Renewal Area as a “strategic site” where redevelopment opportunities exist, and

**WHEREAS**, in 2017 downtown Riverhead, including the Railroad Street Urban Renewal Area, was designated a federal Opportunity Zone for the stimulating economic development and job creation, by incentivizing long- term investments in low-income neighborhoods, and

**WHEREAS**, despite the implementation of some of the recommendations of the above plans and studies, and its designation as a federal Opportunity Zone, the Railroad Street Urban Renewal Area continues to see a lack of significant economic investment, continued blight, and economic distress, and

**WHEREAS**, in 2018 the Town received a grant from NYS Empire State Development for the creation of a Strategic Plan for Transit Oriented Development for the Railroad Avenue Urban Renewal Area for the purpose of creating recommendations to drive economic investment to the area, and

**WHEREAS**, the Town retained Nelson, Pope and Voorhis to assist in the creation of the Strategic Transit Oriented Plan and an attendant traffic report, and

**WHEREAS**, the plan and the report have reviewed by the Town Board and discussed at a public work session meeting held on March 12, 2020, and

**WHEREAS**, the Transit Oriented Development plan, its attendant traffic report and SEQRA determination were adopted by the Town Board October 20, 2020 pursuant to Town Board Resolution 551-2020, and

**WHEREAS**, following the adoption of the Transit Oriented Development Plan, on November 4, 2020, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 301 entitled "Zoning" ("Article XXXI-A Railroad Avenue Urban Renewal Area Overlay District) of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 17th day of November, 2020 at 2:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

**WHEREAS** the Planning Department has prepared a Full Environmental Assessment (FEAF) form Part I and Part II, and

**WHEREAS**, the Town Board has reviewed the proposed plan, the attendant traffic study and the FEAF Part I and Part II, and

**WHEREAS**, the Town Board classified the adoption of the proposed amendments to the Zoning Code as "Type I" action pursuant to 6 NYCRR Part 617.4(b)(2) as the proposed adoption of changes in the allowable uses within the zoning district affects land in excess of 25 acres, and

**WHEREAS**, the proposed action was circulated to all potential involved agencies and said 30 day period for comment has expired, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board determines that, based upon the FEAF and attendant traffic study, the amendment to Chapter 301 entitled "Zoning and Land Development" of the Riverhead Town Code (Article XXXI-A) Railroad Avenue Urban Renewal Area Overlay District is anticipated to have no significant adverse environmental impacts, and be it further

**RESOLVED** that the Town Board hereby adopts the attached Negative Declaration, and be it further

**RESOLVED**, that the Town Board hereby adopts the amendment to the Town of Riverhead Town Code entitled "Zoning and Development" (Article XXXI-A Riverhead Railroad Avenue Urban Renewal Area Overlay District) attached hereto, and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review Newspaper and to post same on the signboard at Town Hall; and be it further

**RESOLVED**, 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:** Catherine Kent, Councilwoman  
**SECONDER:** Frank Beyrodt Jr., Councilman  
**AYES:** Yvette Aguiar, Tim Hubbard, Catherine Kent, Frank Beyrodt Jr.

TOWN OF RIVERHEAD

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NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 301 entitled "Zoning and Development" ( Article XXXI-A Railroad Avenue Urban Renewal Area Overlay District) to the Riverhead Town Code at its regular meeting held on January 6, 2021

Be it enacted by the Town Board of the Town of Riverhead as follows:

Chapter 301

Article XXXI-A

**Railroad Avenue Urban Renewal Area Overlay District**

{Added \_\_\_\_\_ by L.L. No. \_\_\_\_\_}

**§ 301-151-A-1 Purpose and intent.**

The intent of the Railroad Avenue Urban Renewal Area Overlay District ("RRA-OD") is to allow, maintain, and foster a traditional downtown character to complement the character of Main Street, with transit oriented development, a pedestrian-friendly streetscape, active ground-floor uses, meaningful public spaces and uses, a twenty-four-hour presence from upper-story residential at an intensity similar to that of the DC-1 Main Street District where feasible and at a scale that is suitable for the property size.

The Town Board recognizes that although the adoption of the DC-1 District code provisions has resulted in investment in the downtown area, there has not been a comparable investment within the DC-3 District and even with the designation of an Opportunity Zone which defers and reduces taxes on capital gains in exchange for capital investment, redevelopment has not occurred. This overlay district is formed in recognition of the blighted conditions that exist in this area of the downtown and the unique obstacles which face the area and which have deterred redevelopment as documented in the 1990 Urban Renewal Plan, the 2003 Comprehensive Plan, and the 2015 Brownfield Opportunity Area Step II Nomination Study.

The Town Board sees this as a unique opportunity for revitalization to build upon the success of the downtown and which will create important synergies with key resources including the Suffolk County Supreme Court Complex, LIRR Station, Riverhead Public Library, Railroad Museum and Riverhead Historic Society Museum. By permitting a higher-intensity mix of uses, with ground-floor offices and retail and residential on upper floors for larger sites within the area, the Town seeks to activate this area of the downtown that has not experienced significant investment since the implementation of zoning district recommended by the 2003 Comprehensive Plan .

**§ 301-151-A-2 Applicability.**

This article shall be applicable to properties at least 20,000 square feet in size within the Railroad Avenue Urban Renewal Area. ~~The Overlay District does not replace the underlying DC-3 Zoning District for properties that do not meet the lot area threshold.~~ Utilization of the RRA-OD provisions is voluntary for applicants

Attachment: Notice of Adoption (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

meeting the lot area threshold.

The provisions of the Overlay District provide an alternative option for landowners in development of properties of at least 20,000 SF and provides means to achieve additional density through the provision of community benefits for properties over one acre.

Developments within the RRA-OD may incorporate one or more adjoining properties outside of the overlay district boundary to provide related site amenities and limited building encroachments as long as the total area of such parcels do not increase the property by more than 50%.

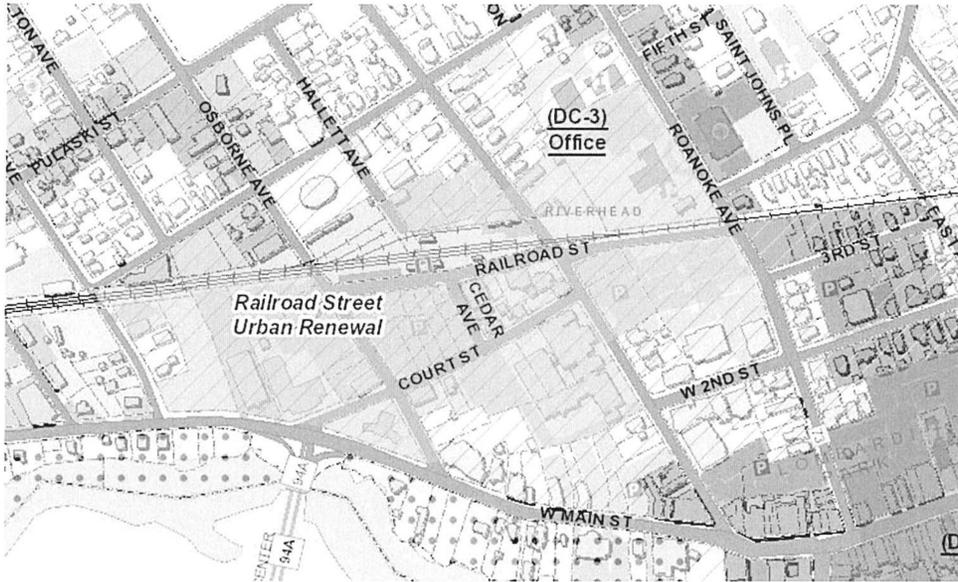
**§ 301-151-A-3 Definitions**

As used in this article, the following terms shall have the meanings indicated:

Food Hall: An establishment which contains three or more individual businesses in an area where food can be served and diners can enjoy flexible seating, entertainment, with up to 20% of the businesses dedicated to retail. A food hall includes shared entry ways and common flexible space to provide area for dining or entertainment (indoor and/or outdoor), shared restrooms, dumpsters, and facilities such as HVAC, storage areas, and loading dock; and may include shared food prep facilities

Grass-Pavers: A product used to create a stabilized but pervious area for parking using a plastic grid system(or similar product) when installed according to manufacturer’s instructions with stabilized base, allows grass to grow, protects roots and allows stormwater to recharge.

**§ 301-151-A-4 Railroad Avenue Urban Renewal Area Overlay District Map**



**§ 301-151-A-5 Uses**

In the Railroad Avenue Urban Renewal Area Overlay District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following specially permitted uses and their customary accessory uses:

- A. Permitted uses through Town Board approval
  - (1) Retail store.
  - (2) Banks.
  - (3) Personal services businesses, such as a beauty parlor, barber shop, health and fitness center, tailor, shoe repair, custom cleaning services.
  - (4) Indoor recreation up to 1,500 sf.
  - (5) Art galleries and studios.
  - (6) Restaurants, cafes, bakeries with retail sales on premises, banquet facilities, ice cream parlors.
  - (7) Marketplace including farmers market or food hall.
  - (8) Taverns.
  - (9) Offices and professional offices (excluding medical offices).
  - (10) Governmental offices or other public offices.
  - (11) Museums, libraries and other cultural attractions.
  - (12) Schools (including business and secretarial).
  - (13) Movie theater and multiplex cinema.
  - (14) Mixed use buildings (ground floor permitted uses with apartments on upper floors).
  - (15) Live-work space.
  - (16) Brew pubs and microbreweries.

- (17) Hotels, for properties at least 40,000 SF in size.
- (18) Mixed use incorporating community use on the ground floor and mixed use on upper floors.

B. Accessory uses

Accessory uses shall include those uses customarily incidental to any of the above ~~permitted uses or~~ specially permitted uses when located on the same lot. Specifically permitted ~~is are~~ the following accessory use:

- (1) Parking facilities.

C. Prohibited uses

- (1) Gas stations, car washes, and other automobile-oriented uses.
- (2) Drive-through windows for restaurants and banks less than 2,000 SF in size.
- (3) Adult uses as defined § 301-3(4).
- (4) Flea markets, with the exception of farmers markets.

**§ 301-151-A-6 Lot, Yard, Bulk and Height Requirements**

- A. New buildings shall comply with the lot, yard, bulk, and height requirements of the Railroad Avenue Urban Renewal Area Schedule of Dimensional Regulations.
- B. The maximum height for building elements facing West Main Street, Court Street, Griffing Avenue, height shall not exceed 60' measured horizontally from the property line.
- C. New development should be consistent with the recommendations of the Objective Design Standards for Private Development contained in the Downtown Riverhead Pattern Book, with the exception of maximum height which shall be dictated by Section 301 Attachment XX RRA-OD Schedule of Dimensional Regulations.
- D. Exemptions.
  - (1) Bay windows, awnings, unenclosed porches, and other front and side projections shall be exempt from the calculation of building area, so as to encourage a variety in façade design. However, such projections shall be required to meet the setback requirements of the Railroad Avenue Urban Renewal Area Schedule of Dimensional Regulations.

**ZONING AND LAND DEVELOPMENT**  
**301 Attachment XX**  
**Town of Riverhead**  
**Railroad Avenue Urban Renewal Area Overlay District Schedule of Dimensional Regulations**  
**[Added XXXX by L.L. No. XX-2020]**

Zoning Use District	Minimum Lot Area (square feet)	Minimum Lot Width at Front Street (feet)	Maximum Building Coverage	Maximum Height of Buildings (feet)	Floor Area Ratio (FAR)		Minimum Front Yard Depth (feet)	Side Yards, Interior Lots		Side Yards, Corner Lots		Minimum Rear Yard Depth (feet)
					Maximum FAR without Community Benefits	Maximum FAR with Provision of Community Benefits		Minimum Depth for Each (feet)	Minimum Combined Depth for 2 Sides (feet)	Minimum Depth Facing Side Street (feet)	Minimum Combined Depth for 2 Sides (feet)	
Railroad Avenue Urban Renewal Area Overlay	20,000 – 60,000	100'	60%	50	2.0	3.0	5	10	20	10	20	10
	Greater than 60,000	100'	80%	60' <sup>(1)</sup>	2.0	3.0 <sup>(1)</sup>	5	10	20	10	20	20

NOTES:  
<sup>1</sup> The Town Board has discretion to permit increased height for a mixed use that includes an arts use (museum or performing arts or similar) on the ground floor, as long as the height is less than considered a high rise per NYS Building Code.

**§ 301-151-A-7 Community Benefits**

A. The Town Board has identified appropriate community benefits by which the applicants that opt into the RRA-OD may increase density on site through parking reductions, additional gross floor area and/or increased height/number of stories as described in Table XX. The maximum FAR with the provision of community benefits is 3.0.

**Table XX  
RRA-OD Community Benefits**

Community Benefit Category	Type/Maximum Density Increase/Parking Reduction	Requirement
Parking	20% total reduction in required off street parking requirement	Shared parking for complementary uses. Requires design and implementation of cross access. Certification that the peak parking of two or more uses occurs at different times provided by a licensed traffic engineer. Does not apply to municipally owned sites.
Parking	No off-street parking required for nonresidential uses.	Properties which opt into the Parking District through petition to the Town Board, where public parking lots within the Parking District are located within ¼ mile of at least one of the main building entrances.
Parking	Parking reduction for the number of stalls "parked" off site.	Parking Management Strategy demonstrating how parking needs will be met off site.
Parking	Reduction of up to 3 parking stalls for area to be used for green infrastructure	Construction and maintenance of a rain garden or bioswale designed to collect rain water of 200 square feet per parking stall reduction.
Promoting Multi modal transportation	5% reduction in required off street parking requirement	Provision of interior bicycle storage lockers for ½ of proposed residential units.
Recreation	Increase in the allowable gross floor area equivalent to the area of the dedicated park area minus 10%	Purchase of offsite Peconic River riverfront land within ½ mile of the subject property provided that it meets the criteria below: (1) Such riverfront property is to be used in a passive manner whether dedicated to the Town, conservation group, or maintained privately. (2) The property must remain accessible to the public in a parklike setting for the community (which may include outdoor art installation). (3) No structures other than a structure that is accessory to the use of the park/garden/art installation which does not exceed 10% of the site area or 1,200 SF whichever is smaller. (4) Covenants and restrictions be required to ensure that the riverfront property is maintained as a publicly accessible passive use park or similar in perpetuity.
Open Space or Farmland	3,000 SF floor area per 1 TDR credit purchased	Purchase of up to 5 TDR credits (maximum of 5 credits per project)

Community Benefit Category	Type/Maximum Density Increase/Parking Reduction	Requirement
Preservation		
Sustainability Elements	Additional 200 SF GFA for each 100 SF improved.	Design and implementation of green infrastructure for drainage (rain gardens) on or off site.
Sustainability Elements	Additional 50 SF GFA for each 1000 SF of green roof area.	Green roof
Sustainability Elements	.25 increase in FAR for Gold or Platinum LEED certification	USGBC Certified LEED buildings
Recreation	Additional 10% GFA for each 200 linear feet of easement dedicated.	Provision of public easement along the Peconic River (either through purchase or agreement with property owner)
Recreation	Additional 5% GFA for each 200 linear foot of easement improved for public access.	Improvement of public easement for public access to the riverfront.
Recreation/visual resources	5% increase in GFA per 0.5-acre property improved.	Permitting and implementation of physical improvements of private or public riverfront property to enhance public views of the Peconic River, incorporate green infrastructure and accessible pedestrian improvements through implementation of a boardwalk or path.

B. Additional Community Benefits Available for Properties Over 60,000 SF  
 Increased height and gross floor area may be provided with approval from the Town Board for development on properties over 60,000 SF in size with the provision of community benefits.

Properties over 60,000 SF in size may achieve parking reductions and increased density through community benefits outlined in the previous section and additional density increases as provided in Table XX. The maximum additional floor area achieved for properties over 60,000 SF through the application of community benefits is a Floor Area Ratio of 3.0.

**Table XX**  
**Additional Community Benefits Available for Properties Over 60,000 SF**

Community Benefit Category	Type/Maximum Density Increase	Requirement
Museum, performing arts	Increase in maximum building height for mixed use building <i>at discretion of the Town Board</i> (at a height less than defined as a high rise building per NYS Building Code).	Commitment to maintenance of the museum or other arts attraction which is accessible to the public for a reasonable period, but not less than 20 years.
Open Space or Farmland	3,000 SF floor area per 1 TDR credit purchased	Purchase of up to 10 TDR credits (maximum of 10 credits per project)

Community Benefit Category	Type/Maximum Density Increase	Requirement
Preservation		

**§ 301-151-A-8 Design Standards.**

- (1) The principal building entrance and front shall face the primary street frontage and sidewalk. For corner lots, both facades shall be coordinated and if necessary, the principal building entrance shall be designated by the Planning Board.
- (2) Facades of commercial buildings that face sidewalks or pedestrian walkways shall be broken up into bays of no more than 30 feet in width, through use of variations in façade plane, piers, or other architectural features complementary to the building style.
- (3) Signage in the Railroad Avenue Urban Renewal Area Overlay District shall be provided in accordance with Article XLVIII, Signs. All signs permitted in the Downtown Center (DC-3) District are permitted as set forth in §301-254 I.
- (4) Buffering and transitions.
  - (a) Trash and/or dumpster areas shall be screened by wood fences, equivalent no maintenance fence materials that appear to be wood, landscaping, or a combination thereof, pursuant to § 245-8.
  - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be provided between commercial businesses and adjoining residential uses and maintained as a condition of approval.
- (5) Deliveries and loading activities shall, to the extent possible, be restricted to the hours between 8:00 a.m. and 5:00 p.m. on weekdays.

**§ 301-151-A-9 Design Guidelines.**

The design guidelines listed in the provisions below are intended as a guide for improvements on participating developments on parcels within this overlay district.

- (1) Where feasible, openings or gates shall be incorporated into fencing between private and public properties to encourage pedestrian activity.
- (2) The intent is to create buildings that are lasting and that each building adds to the revitalization of the Urban Renewal Area. Accordingly, high quality materials are required (e.g. brick, granite, or other masonry matter, including architectural block or architectural precast concrete). Painted or natural utility concrete panels or masonry units, if used at all, must be confined to rear elevations and in loading dock areas and not visible from the public right of way, or other public gathering spaces.

**§ 301-151-A-10 Development Standards**

The development standards contained herein are required for parcels being redeveloped in accordance with this article or relief from the Zoning Board of Appeals is required.

- A. Pedestrian environment.
  - (1) Sidewalks at least 6' in width shall be constructed to achieve a walkable environment.
  - (2) Walkway pavement shall be a minimum of six feet wide and include pedestrian scale lighting at a height of 12 feet or less, spaced no further apart than 50 feet on center.
- B. Public space.
  - (1) Public space including alleys between buildings and walkways between building entrances and adjacent public properties shall be consistent with the Objective Design Standards for Private Development contained in the Riverhead Downtown Pattern Book.
  - (2) All properties greater than 60,000 SF shall incorporate activated public areas on the ground level.
- C. Parking.
  - (1) The number of off-street parking spaces in the Railroad Avenue Urban Renewal Area Overlay District shall be provided in accordance with § 301-231, with the exception that off street parking requirements for residential use shall be calculated in accordance with Table XX as recommended by the 2020 Riverhead Strategic Parking Plan and any Payment in Lieu of Parking requirement that may be adopted by the Town Board as also recommended by the 2020 Riverhead Strategic Parking Plan.

**Table XX**  
**RRA-OD Required Parking for Residential Development**

Use	Minimum Parking Stalls Per Unit	Maximum Parking Stalls per unit
Studio/1 bedroom	0.50	1.00
2 bedroom	1.00	1.25

- (2) Off Street Parking Design
  - i. Off-street parking shall not be permitted in the front yard.
  - ii. Parking shall be sited to the rear of buildings, away from street frontages when possible, or to the side of buildings. In all cases, garages and parking areas shall be recessed at least five feet from the primary front facade plane of the main building, and at least 15 feet back from the front property line.
  - iii. Parking may also be located fully below buildings, partially below grade in a building, or at grade within a building, provided it is fully enclosed and no entry is provided facing a public street or front yard unless no other alternative exists. Structured parking that is partially below grade shall be screened from the street by steps, trellises, or screens. Where parking is provided on the ground floor, liner stores, which may consist of commercial uses or accessory uses/amenities to multifamily developments are required along the public streets. For block developments which front on more than 1 street, the requirement for liner stores shall apply along all but one of the streets. Access to parking for block developments shall be at the discretion of the approving agency.
  - iv. Curb cuts to parking lots shall be minimized by sharing driveways for access to adjacent parking lots.
  - v. In order to provide shade, parking lots with 21 or more spaces shall have "orchard" planting: one tree per 10 off-street spaces. Such trees shall be spread throughout the

- parking lot and along the perimeter.
- vi. Where parking lots cannot be located entirely in a rear yard, a vegetated buffer of at least 5' in width shall be provided.
- vii. To soften the appearance of parking lots and reduce the heat island effect, 10% of parking lot area shall consist of landscaped islands.
- viii. In order to provide area for stormwater recharge, at least one of the following management techniques shall be used in parking lots where underlying soils support infiltration of precipitation to the groundwater:
  1. Where sanding and salting are not used in the winter, low-traffic or seasonal parking overflow areas of the parking lot shall be surfaced with porous pavement, grass pave, or gravel.
  2. Landscaped areas of parking lots shall be planted, situated and graded in a manner to provide infiltration and detention of runoff from paved areas.

**§ 301-151-A-11 Compliance with the State Environmental Quality Review Act**

The adoption of this Article was analyzed pursuant to the State Environmental Quality Review Act through the preparation of a Full Environmental Assessment Form and analysis of development under a theoretical build condition scenario for properties within the RRA-OD meeting the minimum area requirements and which were considered more likely candidates for redevelopment. A traffic impact analysis was conducted to supplement the analysis completed for the Brownfield Opportunity Area Step II Nominations Study in 2015 to assess the impact of redevelopment within the RRA-OD on the intersections where an impact was anticipated under the full build out identified by the BOA – specifically the intersections of Center Street/Court Street at West Main and at Roanoke and Peconic Avenues at Main Street.

The negative declaration adopted by the Town Board was supported by a SEQR analysis which evaluated redevelopment of the following parcels applying the base GFA permitted under the code without the application of community benefits to increase density.

- 0600128000200010000
- 0600128000200014001
- 0600128000200015000
- 0600128000200021001
- 0600128000200022000
- 0600128000300001000
- 0600128000300002000
- 0600128000300003000
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- 0600128000300012002
- 0600128000300012003
- 0600128000300013000
- 0600128000300014000
- 0600128000300015000
- 0600128000300017001
- 0600128000300018000
- 0600128000300019000
- 0600128000300020000

The SEQR documents are on file with the Town Building Department for reference. Any applications that are consistent with the thresholds utilized in evaluation of the adoption of the Overlay District shall benefit from the adopted Negative Declaration.

Projects which exceed the base thresholds for redevelopment within the RRA-OD and/or provide community

benefits to increase density will be required to prepare a Full Environmental Assessment Form and a SEQR review will be conducted by the Town. Dependent upon the increase in traffic volume in comparison to the volumes evaluated for adoption of this Article, a Traffic Impact Study may be required to evaluate the need for traffic mitigation (which may include installation of a traffic signal, modified traffic signal timing, or lane reconfigurations/restriping) if demonstrated to improve level of service at area intersections.

State Environmental Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

Project Number

Date: December 14, 2020

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Riverhead as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

**Name of Action:**

Adoption of Railroad Avenue Urban Renewal Area Overlay District Zoning

**SEQR Status:** Type 1   
Unlisted

**Conditioned Negative Declaration:**  Yes  
 No

**Description of Action:**

The adoption of and overlay zoning district pursuant to the recommendations of a Strategic Plan for a Transit Oriented Development for the Railroad Avenue Urban Renewal Area to bring economic investment to this long blighted area that has seen little progress in revitalization since the adoption of the Railroad Street Urban Renewal Plan in 1997.

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Railroad Street, Downtown Center 3 Zoning Use District and Railroad Street Urban Renewal Area.

Attachment: negdec completed 1 for zoning adoption (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

**Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

The adoption of this zoning is consistent with the objectives of the 1997 Railroad Street Urban Renewal Plan and the Town of Riverhead Comprehensive Plan adopted 2003 and the generic EIS adopted therewith. Additionally, the Town conducted a traffic study in connection with this proposal in connection with the RR Avenue Strategic Transit Oriented Development Plan, October 2020. As a result of the previous SEQRA record and the adoption of the Strategic Transit Orient Development Plan and its attendant traffic study, no adverse environmental impacts are anticipated from this action,

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication In the ENB)

**For Further Information:**

Contact Person: Jefferson Murphree,AICP Building and Planning Administrator

Address: 200 Howell Avenue, Riverhead, NY 11901

Telephone Number: 631 727-3200

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:**

Chief Executive Officer , Town / City / Village of Town of Riverhead

Other involved agencies (If any)

none

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

Attachment: negdec completed 1 for zoning adoption (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

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

Agency Use Only	15-49-c
Project :	RR Ave Urban Rewewa Area Overlay Dist
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.

<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)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<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"/>	<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"/>	<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"/>	<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"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<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"/>

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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"/>

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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 hydrochloroflouorocarbons (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"/>

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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"/>

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**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"/>

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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"/>

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**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 checked="" 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 checked="" type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>Improvement of alternative transportation opportunities.</u>		<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"/>	
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.)  
*If "Yes", answer questions a - m. If "No", go to Section 17.*

NO       YES

	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.

NO

YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

	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.

NO

YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	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"/>

Attachment: FEAF Part II completed zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

15.49.d

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Railroad Avenue Urban Renewal Area Overlay District (RRA-OD) Zoning		
Project Location (describe, and attach a general location map): See Location Map.		
Brief Description of Proposed Action (include purpose or need): The proposed action is the adoption zoning for the Railroad Avenue Urban Renewal Area Overlay District (RRA-OD) and corresponding amendments to the zoning map . The Overlay District is applicable to properties at least 20,000 square feet in size within the Railroad Avenue Urban Renewal Area. The provisions of the Overlay District provide an alternative option for landowners in development of properties of at least 20,000 SF and provides means to achieve additional density through the provision of community benefits. The Overlay District does not replace the underlying DC-3 Zoning District for properties that do need meet the area threshold and there is no obligation for property owners to conform to the RRA-OD provisions.  The proposed action is solely the adoption of the Overlay District and modifications to the Zoning Map. Future developments will be require review under the SEQRA and submit a project specific EAF. See attachment which describes the theoretical build out under the RRA-OD without the provision of community benefits which was utilized in preparataion of this EAF and included preparation of a Traffic Impact Study.		
Name of Applicant/Sponsor: Town of Riverhead Town Board		Telephone: (631) 727-3200
		E-Mail:
Address: 200 Howell Avenue		
City/PO: Riverhead	State: New York	Zip Code: 11901
Project Contact (if not same as sponsor; give name and title/role): Dawn Thomas, Community Development Agency, Executive Director		Telephone: (631) 727-3200 x 287
		E-Mail: thomas@townofriverheadny.gov
Address: 200 Howell Avenue		
City/PO: Riverhead	State: New York	Zip Code: 11901
Property Owner (if not same as sponsor): Properties in Overlay District under various ownership		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board adoption of zoning code and map amendments	Pending
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Suffolk County Planning Commission; 239 m	Pending
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

NYS Heritage Areas: LI North Shore Heritage Area, Brownfield Opportunity Area Program, Urban Renewal Area

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Downtown Center 3 (DC-3) District
- b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No  
N/A - proposed action is adoption of Overlay District
- c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? (Adoption of Railroad Avenue Urban Renewal Area Overlay District)

C.4. Existing community services.

- a. In what school district is the project site located? Riverhead School District
- b. What police or other public protection forces serve the project site?  
Riverhead Town Police
- c. Which fire protection and emergency medical services serve the project site?  
Riverhead Fire District, Riverhead Volunteer Ambulance Corps. Inc.
- d. What parks serve the project site?  
Grangabel Park, Peconic Riverfront Park

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Proposed action is adoption of zoning for the Overlay District to encourage new investment in the Railroad Ave Urban Renewal Area.
- b. a. Total acreage of the site of the proposed action? +/- 35 acres in Overlay District  
b. Total acreage to be physically disturbed? 0 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? N/A\* acres  
\*The Town owns some property within the RRA-OD; but no development is proposed at this time.
- c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_
- d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_
- e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
N/A - proposed action is the adoption of RRA-OD; no development is proposed.  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

f. Does the project include new residential uses?  Yes  No **15.49.d**

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

N/A - Any proposed developments resulting from the adoption of the RRA-OD would need to conduct additional SEQRA analyses.

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No

If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

N/A - Any proposed developments resulting from the adoption of the RRA-OD would need to conduct additional SEQRA analyses.

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No

If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No

(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No

If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:  
• acres of aquatic vegetation proposed to be removed: \_\_\_\_\_  
• expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_  
• purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_  
• proposed method of plant removal: \_\_\_\_\_  
• if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_  
v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day  
ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:  
• Name of district or service area: \_\_\_\_\_  
• Does the existing public water supply have capacity to serve the proposal?  Yes  No  
• Is the project site in the existing district?  Yes  No  
• Is expansion of the district needed?  Yes  No  
• Do existing lines serve the project site?  Yes  No  
iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:  
• Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
• Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If, Yes:  
• Applicant/sponsor for new district: \_\_\_\_\_  
• Date application submitted or anticipated: \_\_\_\_\_  
• Proposed source(s) of supply for new district: \_\_\_\_\_  
v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No  
If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day  
ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
If Yes:

• Name of wastewater treatment plant to be used: \_\_\_\_\_  
• Name of district: \_\_\_\_\_  
• Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No  
• Is the project site in the existing district?  Yes  No  
• Is expansion of the district needed?  Yes  No

N/A - Any proposed developments result from the adoption of the RRA-OD would need to conduct additional SEQRA analyses.

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

- Do existing sewer lines serve the project site?  Yes  No
  - Will a line extension within an existing district be necessary to serve the project?  Yes  No
- If Yes:
- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

\_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_

\_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

ii. Describe types of new point sources. \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

\_\_\_\_\_

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_

\_\_\_\_\_

- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

\_\_\_\_\_

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

\_\_\_\_\_

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No  
A Traffic Study of the potential 2022 build out scenario resulting from the rezoning determined that the RRA-OD will not result in significant traffic impacts within downtown Riverhead.

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No  
Estimated new energy demand resulting from developments in the RRA-OD will be determined during the environmental review for any new developments.

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

l. Hours of operation. Answer all items which apply. N/A - Proposed action is adoption of the RRA-OD.

- i. During Construction:
- Monday - Friday: \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

- ii. During Operations:
- Monday - Friday: \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
N/A - Proposed action is adoption of the RRA-OD. Additional environmental review will be conducted during any development applications.

If yes:  
i. Provide details including sources, time of day and duration:

\_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
Describe: \_\_\_\_\_

n. Will the proposed action have outdoor lighting?  Yes  No  
N/A - Proposed action is adoption of the RRA-OD. Additional environmental review will be conducted during any development applications.

If yes:  
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

\_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
Describe: \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

\_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s): \_\_\_\_\_

\_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
Estimated solid waste generation resulting from developments in the RRA-OD will be determined during environmental review for any new developments.

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

• Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

• Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

• Construction: \_\_\_\_\_

• Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

• Construction: \_\_\_\_\_

• Operation: \_\_\_\_\_

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No **15.49.d**

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban     Industrial     Commercial     Residential (suburban)     Rural (non-farm)  
 Forest     Agriculture     Aquatic     Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe:

Commercial and residential downtown near the Riverhead Train Station. The RRA-OD includes community facilities such as the Riverhead Library and Suffolk County Supreme Court.

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

\*No changes to the existing cover types are proposed as part of the action to adopt the RRA-OD. Any new development resulting from the RRA-OD

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

c. Is the project site presently used by members of the community for public recreation?  Yes  No

i. If Yes: explain: RRA-OD includes the Riverhead Library and Railroad Museum of Long Island.

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No

If Yes,

i. Identify Facilities:

Roanoke Avenue Elementary School, St. David's School, Pulaski Street School

e. Does the project site contain an existing dam?  Yes  No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_

iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No

If Yes:

i. Has the facility been formally closed?  Yes  No

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_

iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No

Yes – Spills Incidents database

Provide DEC ID number(s): See below for list.

Yes – Environmental Site Remediation database

Provide DEC ID number(s): \_\_\_\_\_

Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No

If yes, provide DEC ID number(s): \_\_\_\_\_

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

Spills 9825152, 9807129, 9707249, 0206408, 1502499, 9514852 have all been closed.

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 1,000 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Urban land - Ur	_____	72 %
Cut and fill land - CuB	_____	28 %
	_____	%

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ +/- 15 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: 28 % of site  
 Poorly Drained: \_\_\_\_\_ % of site

No drainage status for Ur - Urban Land available on Web Soil Survey.

f. Approximate proportion of proposed action site with slopes:  0-10%: 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

**h. Surface water features.**

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Peconic River Classification NYS DEC WSSR
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No

If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:

i. Name of aquifer: Nassau-Suffolk Sole Source Aquifer

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
common birds and mammals typical \_\_\_\_\_  
to suburban areas \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
Pitch Pine-Oak Forest, Coastal Plain Atlantic White Cedar Swamp, Red Maple-Blackgum Swamp

ii. Source(s) of description or evaluation: NYS DEC EAF Mapper

iii. Extent of community/habitat:

- Currently: \_\_\_\_\_ acres
- Following completion of project as proposed: \_\_\_\_\_ acres
- Gain or loss (indicate + or -): \_\_\_\_\_ acres

No changes would result from the adoption of RRA-OD. Site specific developments will conduct additional analyses.

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No

If Yes:

i. Species and listing (endangered or threatened): \_\_\_\_\_

Tiger Salamander, Banded Sunfish, Northern Long-eared Bat

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No

If Yes:

i. Species and listing: \_\_\_\_\_

Coastal Barrens Buckmoth

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No

If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No

If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No

i. If Yes: acreage(s) on project site? \_\_\_\_\_

ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No

If Yes:

i. Nature of the natural landmark:  Biological Community  Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No

If Yes:

i. CEA name: SGPA, Central Suffolk Pine Barrens, Aquifer Overlay District, Peconic Bay and Environs

ii. Basis for designation: Protect groundwater, benefit to human health & protect drinking water, Preserve water quality

iii. Designating agency and date: Long Island Regional Planning, Suffolk County, Town of Southampton

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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?

Yes  No

If Yes:

- i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District
- ii. Name: Eligible Properties: Riverhead LIRR Station, Suffolk County Courthouse Complex; Listed - Suffolk County Historical Society
- iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?

Yes  No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?

Yes  No

If Yes:

- i. Describe possible resource(s):
- ii. Basis for identification:

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?

Yes  No

If Yes:

- i. Identify resource: Peconic River Wild, Scenic Recreational River - NYS
- ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): river
- iii. Distance between project and resource: 0 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?

Yes  No

If Yes:

- i. Identify the name of the river and its designation: Peconic River
- ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?

Yes  No

\*N/A - Proposed action is adoption of zoning overlay district.

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_

Attachment: Completed FEAF Part 1 zoning (2021-53 : Adopts a Local Law Amending Chapter 301 Entitled "Zoning")

TOWN OF RIVERHEAD

NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 301 entitled "Zoning and Development" ( Article XXXI-A Railroad Avenue Urban Renewal Area Overlay District) to the Riverhead Town Code at its regular meeting held on January 6, 2021

Be it enacted by the Town Board of the Town of Riverhead as follows:

Chapter 301

Article XXXI-A

**Railroad Avenue Urban Renewal Area Overlay District**

**§ 301-151-A-1 Purpose and intent.**

The intent of the Railroad Avenue Urban Renewal Area Overlay District ("RRA-OD") is to allow, maintain, and foster a traditional downtown character to complement the character of Main Street, with transit oriented development, a pedestrian-friendly streetscape, active ground-floor uses, meaningful public spaces and uses, a twenty-four-hour presence from upper-story residential at an intensity similar to that of the DC-1 Main Street District where feasible and at a scale that is suitable for the property size.

The Town Board recognizes that although the adoption of the DC-1 District code provisions has resulted in investment in the downtown area, there has not been a comparable investment within the DC-3 District and even with the designation of an Opportunity Zone which defers and reduces taxes on capital gains in exchange for capital investment, redevelopment has not occurred. This overlay district is formed in recognition of the blighted conditions that exist in this area of the downtown and the unique obstacles which face the area and which have deterred redevelopment as documented in the 1990 Urban Renewal Plan, the 2003 Comprehensive Plan, and the 2015 Brownfield Opportunity Area Step II Nomination Study.

The Town Board sees this as a unique opportunity for revitalization to build upon the success of the downtown and which will create important synergies with key resources including the Suffolk County Supreme Court Complex, LIRR Station, Riverhead Public Library, Railroad Museum and Riverhead Historic Society Museum. By permitting a higher-intensity mix of uses, with ground-floor offices and retail and residential on upper floors for larger sites within the area, the Town seeks to activate this area of the downtown that has not experienced significant investment since the implementation of zoning district recommended by the 2003 Comprehensive Plan .

**§ 301-151-A-2 Applicability.**

This article shall be applicable to properties at least 20,000 square feet in size within the Railroad Avenue Urban Renewal Area. Utilization of the RRA-OD provisions is voluntary for applicants meeting the lot area threshold.

The provisions of the Overlay District provide an alternative option for landowners in development of

properties of at least 20,000 SF and provides means to achieve additional density through the provision of community benefits for properties over one acre.

Developments within the RRA-OD may incorporate one or more adjoining properties outside of the overlay district boundary to provide related site amenities and limited building encroachments as long as the total area of such parcels do not increase the property by more than 50%.

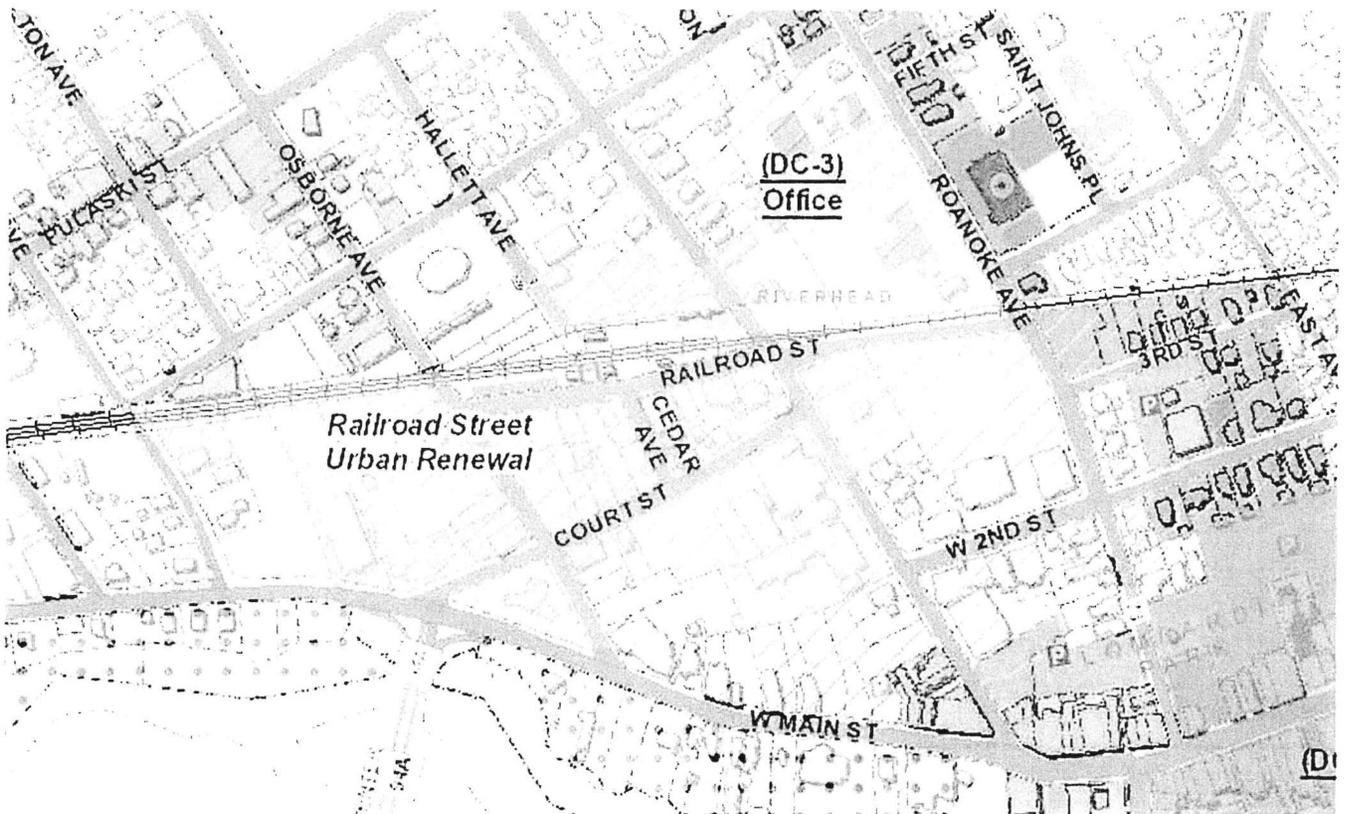
**§ 301-151-A-3 Definitions**

As used in this article, the following terms shall have the meanings indicated:

**Food Hall:** An establishment which contains three or more individual businesses in an area where food can be served and diners can enjoy flexible seating, entertainment, with up to 20% of the businesses dedicated to retail. A food hall includes shared entry ways and common flexible space to provide area for dining or entertainment (indoor and/or outdoor), shared restrooms, dumpsters, and facilities such as HVAC, storage areas, and loading dock; and may include shared food prep facilities

**Grass-Pavers:** A product used to create a stabilized but pervious area for parking using a plastic grid system(or similar product) when installed according to manufacturer’s instructions with stabilized base, allows grass to grow, protects roots and allows stormwater to recharge.

**§ 301-151-A-4 Railroad Avenue Urban Renewal Area Overlay District Map**



### § 301-151-A-5 Uses

In the Railroad Avenue Urban Renewal Area Overlay District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following specially permitted uses and their customary accessory uses:

#### A. Permitted uses through Town Board approval

- (1) Retail store.
- (2) Banks.
- (3) Personal services businesses, such as a beauty parlor, barber shop, health and fitness center, tailor, shoe repair, custom cleaning services.
- (4) Indoor recreation up to 1,500 sf.
- (5) Art galleries and studios.
- (6) Restaurants, cafes, bakeries with retail sales on premises, banquet facilities, ice cream parlors.
- (7) Marketplace including farmers market or food hall.
- (8) Taverns.
- (9) Offices and professional offices (excluding medical offices).
- (10) Governmental offices or other public offices.
- (11) Museums, libraries and other cultural attractions.
- (12) Schools (including business and secretarial).
- (13) Movie theater and multiplex cinema.
- (14) Mixed use buildings (ground floor permitted uses with apartments on upper floors).
- (15) Live-work space.
- (16) Brew pubs and microbreweries.
- (17) Hotels, for properties at least 40,000 SF in size.
- (18) Mixed use incorporating community use on the ground floor and mixed use on upper floors.

#### B. Accessory uses

Accessory uses shall include those uses customarily incidental to any of the above specially permitted uses when located on the same lot. Specifically permitted is the following accessory use:

- (1) Parking facilities.

#### C. Prohibited uses

- (1) Gas stations, car washes, and other automobile-oriented uses.
- (2) Drive-through windows for restaurants and banks less than 2,000 SF in size.
- (3) Adult uses as defined § 301-3(4).
- (4) Flea markets, with the exception of farmers markets.

**§ 301-151-A-6 Lot, Yard, Bulk and Height Requirements**

- A. New buildings shall comply with the lot, yard, bulk, and height requirements of the Railroad Avenue Urban Renewal Area Schedule of Dimensional Regulations.
- B. The maximum height for building elements facing West Main Street, Court Street, Griffing Avenue, height shall not exceed 60' measured horizontally from the property line.
- C. New development should be consistent with the recommendations of the Objective Design Standards for Private Development contained in the Downtown Riverhead Pattern Book, with the exception of maximum height which shall be dictated by Section 301 Attachment XX RRA-OD Schedule of Dimensional Regulations.
- D. Exemptions.
  - (1) Bay windows, awnings; unenclosed porches, and other front and side projections shall be exempt from the calculation of building area, so as to encourage a variety in façade design. However, such projections shall be required to meet the setback requirements of the Railroad Avenue Urban Renewal Area Schedule of Dimensional Regulations.

ZONING AND LAND DEVELOPMENT  
 301 Attachment XX  
 Town of Riverhead  
**Railroad Avenue Urban Renewal Area Overlay District Schedule of Dimensional Regulations**  
 [Added XXXX by L.L. No. XX-2020]

Zoning Use District	Minimum Lot Area (square feet)	Minimum Lot Width at Front Street (feet)	Maximum Building Coverage	Maximum Height of Buildings (feet)	Floor Area Ratio (FAR)		Minimum Front Yard Depth (feet)	Side Yards, Interior Lots		Side Yards, Corner Lots		Minimum Rear Yard Depth (feet)
					Maximum FAR without Community Benefits	Maximum FAR with Provision of Community Benefits		Minimum Depth for Each (feet)	Minimum Combined Depth for 2 Sides (feet)	Minimum Depth Facing Side Street (feet)	Minimum Combined Depth for 2 Sides (feet)	
Railroad Avenue Urban Renewal Area Overlay	20,000 – 60,000	100'	60%	50	2.0	3.0	5	10	10	10	20	10
	Greater than 60,000	100'	80%	60' <sup>(1)</sup>	2.0	3.0 <sup>(1)</sup>	5	10	10	10	20	20

**NOTES:**

- 1. The Town Board has discretion to permit increased height for a mixed use that includes an arts use (museum or performing arts or similar) on the ground floor, as long as the height is less than considered a high rise per NYS Building Code.

**§ 301-151-A-7 Community Benefits**

A. The Town Board has identified appropriate community benefits by which the applicants that opt into the RRA-OD may increase density on site through parking reductions, additional gross floor area and/or increased height/number of stories as described in Table XX. The maximum FAR with the provision of community benefits is 3.0.

**Table XX  
RRA-OD Community Benefits**

<b>Community Benefit Category</b>	<b>Type/Maximum Density Increase/Parking Reduction</b>	<b>Requirement</b>
Parking	20% total reduction in required off street parking requirement	Shared parking for complementary uses. Requires design and implementation of cross access. Certification that the peak parking of two or more uses occurs at different times provided by a licensed traffic engineer. Does not apply to municipally owned sites.
Parking	No off-street parking required for nonresidential uses.	Properties which opt into the Parking District through petition to the Town Board, where public parking lots within the Parking District are located within ¼ mile of at least one of the main building entrances.
Parking	Parking reduction for the number of stalls “parked” off site.	Parking Management Strategy demonstrating how parking needs will be met off site.
Parking	Reduction of up to 3 parking stalls for area to be used for green infrastructure	Construction and maintenance of a rain garden or bioswale designed to collect rain water of 200 square feet per parking stall reduction.
Promoting Multi modal transportation	5% reduction in required off street parking requirement	Provision of interior bicycle storage lockers for ½ of proposed residential units.
Recreation	Increase in the allowable gross floor area equivalent to the area of the dedicated park area minus 10%	Purchase of offsite Peconic River riverfront land within ½ mile of the subject property provided that it meets the criteria below: (1) Such riverfront property is to be used in a passive manner whether dedicated to the Town, conservation group, or maintained privately. (2) The property must remain accessible to the public in a parklike setting for the community (which may include outdoor art installation). (3) No structures other than a structure that is accessory to the use of the park/garden/art installation which does not exceed 10% of the site area or 1,200 SF whichever is smaller. (4) Covenants and restrictions be required to ensure that the riverfront property is maintained as a publicly accessible passive use park or similar in perpetuity.
Open Space or Farmland	3,000 SF floor area per 1 TDR credit purchased	Purchase of up to 5 TDR credits (maximum of 5 credits per project)

Community Benefit Category	Type/Maximum Density Increase/Parking Reduction	Requirement
Preservation		
Sustainability Elements	Additional 200 SF GFA for each 100 SF improved.	Design and implementation of green infrastructure for drainage (rain gardens) on or off site.
Sustainability Elements	Additional 50 SF GFA for each 1000 SF of green roof area.	Green roof
Sustainability Elements	.25 increase in FAR for Gold or Platinum LEED certification	USGBC Certified LEED buildings
Recreation	Additional 10% GFA for each 200 linear feet of easement dedicated.	Provision of public easement along the Peconic River (either through purchase or agreement with property owner)
Recreation	Additional 5% GFA for each 200 linear foot of easement improved for public access.	Improvement of public easement for public access to the riverfront.
Recreation/visual resources	5% increase in GFA per 0.5-acre property improved.	Permitting and implementation of physical improvements of private or public riverfront property to enhance public views of the Peconic River, incorporate green infrastructure and accessible pedestrian improvements through implementation of a boardwalk or path.

- B. Additional Community Benefits Available for Properties Over 60,000 SF  
Increased height and gross floor area may be provided with approval from the Town Board for development on properties over 60,000 SF in size with the provision of community benefits.

Properties over 60,000 SF in size may achieve parking reductions and increased density through community benefits outlined in the previous section and additional density increases as provided in Table XX. The maximum additional floor area achieved for properties over 60,000 SF through the application of community benefits is a Floor Area Ratio of 3.0.

**Table XX  
Additional Community Benefits Available for Properties Over 60,000 SF**

Community Benefit Category	Type/Maximum Density Increase	Requirement
Museum, performing arts	Increase in maximum building height for mixed use building <i>at discretion of the Town Board</i> (at a height less than defined as a high rise building per NYS Building Code).	Commitment to maintenance of the museum or other arts attraction which is accessible to the public for a reasonable period, but not less than 20 years.
Open Space or Farmland	3,000 SF floor area per 1 TDR credit purchased	Purchase of up to 10 TDR credits (maximum of 10 credits per project)

Community Benefit Category	Type/Maximum Density Increase	Requirement
Preservation		

**§ 301-151-A-8 Design Standards.**

- (1) The principal building entrance and front shall face the primary street frontage and sidewalk. For corner lots, both facades shall be coordinated and if necessary, the principal building entrance shall be designated by the Planning Board.
- (2) Facades of commercial buildings that face sidewalks or pedestrian walkways shall be broken up into bays of no more than 30 feet in width, through use of variations in façade plane, piers, or other architectural features complementary to the building style.
- (3) Signage in the Railroad Avenue Urban Renewal Area Overlay District shall be provided in accordance with Article XLVIII, Signs. All signs permitted in the Downtown Center (DC-3) District are permitted as set forth in §301-254 I.
- (4) Buffering and transitions.
  - (a) Trash and/or dumpster areas shall be screened by wood fences, equivalent no maintenance fence materials that appear to be wood, landscaping, or a combination thereof, pursuant to § 245-8.
  - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be provided between commercial businesses and adjoining residential uses and maintained as a condition of approval.
- (5) Deliveries and loading activities shall, to the extent possible, be restricted to the hours between 8:00 a.m. and 5:00 p.m. on weekdays.

**§ 301-151-A-9 Design Guidelines.**

The design guidelines listed in the provisions below are intended as a guide for improvements on participating developments on parcels within this overlay district.

- (1) Where feasible, openings or gates shall be incorporated into fencing between private and public properties to encourage pedestrian activity.
- (2) The intent is to create buildings that are lasting and that each building adds to the revitalization of the Urban Renewal Area. Accordingly, high quality materials are required (e.g. brick, granite, or other masonry matter, including architectural block or architectural precast concrete). Painted or natural utility concrete panels or masonry units, if used at all, must be confined to rear elevations and in loading dock areas and not visible from the public right of way, or other public gathering spaces.

**§ 301-151-A-10 Development Standards**

The development standards contained herein are required for parcels being redeveloped in accordance with this article or relief from the Zoning Board of Appeals is required.

- A. Pedestrian environment.
  - (1) Sidewalks at least 6' in width shall be constructed to achieve a walkable environment.
  - (2) Walkway pavement shall be a minimum of six feet wide and include pedestrian scale lighting at a height of 12 feet or less, spaced no further apart than 50 feet on center.
- B. Public space.
  - (1) Public space including alleys between buildings and walkways between building entrances and adjacent public properties shall be consistent with the Objective Design Standards for Private Development contained in the Riverhead Downtown Pattern Book.
  - (2) All properties greater than 60,000 SF shall incorporate activated public areas on the ground level.
- C. Parking.
  - (1) The number of off-street parking spaces in the Railroad Avenue Urban Renewal Area Overlay District shall be provided in accordance with § 301-231, with the exception that off street parking requirements for residential use shall be calculated in accordance with Table XX as recommended by the 2020 Riverhead Strategic Parking Plan and any Payment in Lieu of Parking requirement that may be adopted by the Town Board as also recommended by the 2020 Riverhead Strategic Parking Plan.

**Table XX**  
**RRA-OD Required Parking for Residential Development**

Use	Minimum Parking Stalls Per Unit	Maximum Parking Stalls per unit
Studio/1 bedroom	0.50	1.00
2 bedroom	1.00	1.25

- (2) Off Street Parking Design
  - i. Off-street parking shall not be permitted in the front yard.
  - ii. Parking shall be sited to the rear of buildings, away from street frontages when possible, or to the side of buildings. In all cases, garages and parking areas shall be recessed at least five feet from the primary front facade plane of the main building, and at least 15 feet back from the front property line.
  - iii. Parking may also be located fully below buildings, partially below grade in a building, or at grade within a building, provided it is fully enclosed and no entry is provided facing a public street or front yard unless no other alternative exists. Structured parking that is partially below grade shall be screened from the street by steps, trellises, or screens. Where parking is provided on the ground floor, liner stores, which may consist of commercial uses or accessory uses/amenities to multifamily developments are required along the public streets. For block developments which front on more than 1 street, the requirement for liner stores shall apply along all but one of the streets. Access to parking for block developments shall be at the discretion of the approving agency.
  - iv. Curb cuts to parking lots shall be minimized by sharing driveways for access to adjacent parking lots.
  - v. In order to provide shade, parking lots with 21 or more spaces shall have "orchard" planting: one tree per 10 off-street spaces. Such trees shall be spread throughout the

- parking lot and along the perimeter.
- vi. Where parking lots cannot be located entirely in a rear yard, a vegetated buffer of at least 5' in width shall be provided.
- vii. To soften the appearance of parking lots and reduce the heat island effect, 10% of parking lot area shall consist of landscaped islands.
- viii. In order to provide area for stormwater recharge, at least one of the following management techniques shall be used in parking lots where underlying soils support infiltration of precipitation to the groundwater:
  1. Where sanding and salting are not used in the winter, low-traffic or seasonal parking overflow areas of the parking lot shall be surfaced with porous pavement, grass pave, or gravel.
  2. Landscaped areas of parking lots shall be planted, situated and graded in a manner to provide infiltration and detention of runoff from paved areas.

**§ 301-151-A-11 Compliance with the State Environmental Quality Review Act**

The adoption of this Article was analyzed pursuant to the State Environmental Quality Review Act through the preparation of a Full Environmental Assessment Form and analysis of development under a theoretical build condition scenario for properties within the RRA-OD meeting the minimum area requirements and which were considered more likely candidates for redevelopment. A traffic impact analysis was conducted to supplement the analysis completed for the Brownfield Opportunity Area Step II Nominations Study in 2015 to assess the impact of redevelopment within the RRA-OD on the intersections where an impact was anticipated under the full build out identified by the BOA – specifically the intersections of Center Street/Court Street at West Main and at Roanoke and Peconic Avenues at Main Street.

The negative declaration adopted by the Town Board was supported by a SEQR analysis which evaluated redevelopment of the following parcels applying the base GFA permitted under the code without the application of community benefits to increase density.

- |                       |                       |
|-----------------------|-----------------------|
| - 0600128000200010000 | - 0600128000300009000 |
| - 0600128000200014001 | - 0600128000300010000 |
| - 0600128000200015000 | - 0600128000300011000 |
| - 0600128000200021001 | - 0600128000300012001 |
| - 0600128000200022000 | - 0600128000300012002 |
| - 0600128000300001000 | - 0600128000300012003 |
| - 0600128000300002000 | - 0600128000300013000 |
| - 0600128000300003000 | - 0600128000300014000 |
| - 0600128000300004000 | - 0600128000300015000 |
| - 0600128000300005000 | - 0600128000300017001 |
| - 0600128000300006000 | - 0600128000300018000 |
| - 0600128000300007000 | - 0600128000300019000 |
| - 0600128000300008000 | - 0600128000300020000 |

The SEQR documents are on file with the Town Building Department for reference. Any applications that are consistent with the thresholds utilized in evaluation of the adoption of the Overlay District shall benefit from the adopted Negative Declaration.

Projects which exceed the base thresholds for redevelopment within the RRA-OD and/or provide community

benefits to increase density will be required to prepare a Full Environmental Assessment Form and a SEQR review will be conducted by the Town. Dependent upon the increase in traffic volume in comparison to the volumes evaluated for adoption of this Article, a Traffic Impact Study may be required to evaluate the need for traffic mitigation (which may include installation of a traffic signal, modified traffic signal timing, or lane reconfigurations/restriping) if demonstrated to improve level of service at area intersections.