

**APPENDIX F**

**SCPC CONFORMANCE ANALYSIS**

**ANALYSIS OF CONFORMANCE**  
**to the**  
**SUFFOLK COUNTY PLANNING COMMISSION**  
**POLICIES & GUIDELINES FOR THE REFERRAL OF PROPOSED MUNICIPAL**  
**SUBDIVISION AND ZONING ACTIONS**

*Prepared by:* Town of Babylon  
Dept. of Planning & Development  
200 East Sunrise Highway  
Lindenhurst, New York 11757  
Contact: Ann Marie Jones  
Phone: 957-7414

Nelson, Pope & Voorhis, LLC  
572 Walt Whitman Road  
Melville, New York 11747  
Contact: Charles J. Voorhis, AICP  
Phone: 427-5665

*Prepared for:* Suffolk County Planning Commission  
Suffolk County Planning Department  
H. Lee Dennison Building, 4<sup>th</sup> Floor  
P.O. Box 6100  
Hauppauge, New York 11788-0099

*Date:* May 9, 2011

## **Introduction**

New York State General Municipal law and the Laws of Suffolk County require local municipalities to refer certain planning and zoning actions to the [SCPC] for review prior to making a final determination. Actions that are subject to referral include the adoption or amendment of a comprehensive plan, zoning ordinance or local law, the issuance of a special use permit, approval of a site plan, the granting of area or use variances or other authorizations which a referring body may issue under the provisions of any zoning ordinance or local law such as moratoria and the adoption of urban renewal plans. Additional actions subject to referral include preliminary and final subdivisions and undeveloped plats.

These applications are required to be referred to the Commission if they are located within the Suffolk County Pine Barrens Zone, within one mile of a nuclear power plant or airport or within five hundred feet of:

- The boundary of any village or town;
- The boundary of any existing or proposed County, State or Federal park or other recreation area;
- The right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
- The existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;

- The existing or proposed boundary of any other County, State or Federally owned land held or to be held for governmental use;
- The Atlantic Ocean, Long Island Sound, any bay in Suffolk County or estuary of any of the foregoing bodies of water; or
- The boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the New York State Agricultural and Markets Law.

According to New York State law, the purpose of the referral process is to bring pertinent inter-community and county-wide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. The review of referral items may include, but is not limited to, inter-community and county-wide considerations with respect to the following:

- Compatibility of various land uses with one another;
- Traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities;
- Impact of proposed land uses on existing and proposed county or state institutional or other uses. Protection of community character as regards predominant land uses, population density, and the relation between residential and-nonresidential areas;
- Drainage;
- Community facilities;
- Official municipal and county development policies, as may be expressed through comprehensive plans, capital programs or regulatory measures; and
- Such other matters as may relate to the public convenience, to governmental efficiency, and to the achieving and maintaining of a satisfactory community environment.

Local municipalities are required by State and County law to refer applications to the [SCPC] when the jurisdictional requirements are met. The failure to refer an application to the [SCPC] may render the local municipal determination procedurally defective and may void the action despite its identified benefits or compliance with local standards.

The jurisdictional criteria capture a great number of local municipal zoning and planning actions that do not involve regional considerations and, as such, it is the intent of the [SCPC] to concentrate its efforts on those truly regionally significant applications which affect county or state land use considerations and/or multiple municipal jurisdictions.

While the local municipality typically exercises final jurisdiction over the application, the [SCPC] may recommend approval, approval with modification or disapproval of the local action. Pursuant to New York State law, in the event the County recommends a modification or disapproval of the local action, the referring body may not act contrary to the County's recommendation except by vote of a majority plus one of all the members. The over-ride must also state the reason(s) for taking action contrary to the [SCPC] recommendation.

There are two circumstances where the [SCPC] has final authority over an action. Pursuant to the Laws of Suffolk County, in the event there is an objection from an adjacent municipality to the amendment or adoption of a municipal zoning ordinance relating to any portion of the town or village within 500 feet of the municipal boundary, it shall not take effect until the ordinance or amendment has been submitted to and approved by the [SCPC].

In addition, when the [SCPC] is considering a zoning action and a state agency having a statutory responsibility involving air pollution, water pollution or estuarine values interposes an objection on the grounds that the action is likely to produce water pollution or air pollution or be destructive of estuarine values, the recommendation of the [SCPC] is final and binding on the local municipality. However, this provision is not applicable to any action which would change the district classification of, or the regulations applying to, real property lying within the Suffolk County Pine Barrens Zone.

The Suffolk County Planning Commission (SCPC) retains review status over the proposed project due to the subject site's location along a State-owned roadway (NYS Route 110). As a result, the SCPC is charged with the responsibility of reviewing the project in light of its Policies and Guidelines, as described below.

### **Description of the SCPC Policies and Guidelines**

The following guidelines provide an overview of the procedural aspects of the referral process along with a review of the policy considerations that guide the [SCPC] in the execution of its duties.

The following policies and guidelines are intended to articulate [SCPC] land use policies in order to better inform local municipalities and applicants, effectively guide regionally significant actions and better coordinate local responses. Central to [SCPC] policy is the promotion of sustainability. Sustainable development is defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Doing so must integrate and balance economic, environmental and social goals. The goal of the following section is to promote sustainable development in Suffolk County defined by the nexus of economic development, environmental health and social equity.

[SCPC] policy is also contained in myriad land use studies, research documents and comprehensive plan documents prepared by the Department of Planning on an annual basis. The following policies and guidelines should be considered a starting point for reference purposes. It is therefore also recommended that applicants and local municipalities consult the resources of the Suffolk County Planning Department for additional guidance or visit the County website at:

[www.suffolkcountyny.gov/departments/planning.aspx](http://www.suffolkcountyny.gov/departments/planning.aspx)

### **Conformance Analysis**

Following are the SCPC Policies, General Policy Goals, and Specific Policies (Guidelines) under which the SCPC reviews the applications that are under its jurisdiction per the NYS General Municipal Law. Immediately after each Guideline is a discussion of the proposed project's conformance to that Guideline.

#### ***Policy 4.1 Equity and Sustainability***

- A. *General Policy Goal: Appreciate that economic vitality, environmental quality, and social equity are mutually dependent and reinforcing. Utilize a concept of sustainability predicated on a commitment to social justice, equity, and fairness to guide County policy.*

*B. Specific Equity and Sustainability Policies:*

- *Promote equal access to economic, environmental and social opportunities.*

The proposed project facilitates economic opportunity by providing significant tax revenue and job creation. The mix of uses on the project site ensures that the project will generate a significant tax surplus to the school district after education of site generated school aged children, as well as ensuring that all taxing jurisdictions will receive significant revenue. Environmental opportunity is provided through improved environmental conditions on the site by removing a high volume of sanitary flow from a site that is not large enough to accommodate this flow without having adverse environmental impacts on groundwater, and connecting the use of the site to an existing sewage treatment facility. A mixed-use project with a variety of housing options (including affordable housing), on-site recreation and retail use ensures social opportunities by creating a new community which includes a place to live, work and recreate. The site design will ensure that a “sense-of-place” is established through architecture, landscaping, open gathering areas and mixed uses, and the project is walkable, both internally and through interconnection with the surrounding community, enhancing social connectivity. The project will promote social activity through the mix of uses and will assist with the relocation of existing site residents that would not have such opportunities if the owners chose to shut down the trailer park. In summary, the project is located on a site that fronts an established commercial and transportation corridor (NYS Route 110), and is surrounded by existing social and economic opportunities, which include retail, consumer services, employment and public transit services. In addition, it represents an attractive and timely re-development opportunity that would simultaneously improve a site that has long been a source of adverse environmental impact to groundwater resources. As such, the proposed project conforms to this Policy.

- *Promote equity in the distribution of societal burdens and potential land use impacts.*

The proposed project has been specifically designed to promote equity in four (4) ways: 1) it will remove an existing, long-term land use and environmental impact that has plagued the community, 2) it will provide a substantial number of affordable rental units and a significant amount of appropriate retail spaces, 3) it will create a community amenity on the subject site, and, 4) it will assist with the relocation of existing site residents that would not otherwise have such an opportunity. Thus, the proposal conforms to this Policy.

***Policy 4.2 Land Use***

*A. General Policy Goal: Promote sustainable land use and development throughout the county by encouraging density, transit, and mixed uses in downtowns, hamlet centers, and areas with adequate infrastructure.*

*B. Specific Land Use Policies:*

- *Promote redevelopment and infill development as an alternative to continued sprawl.*

The proposed project involves the re-development of a site that is intensively developed and, due to its lack of connection to public wastewater treatment, resulted in significant adverse impacts to groundwater quality. The proposed project will connect to the public sewer system, thereby significantly reducing anticipated nitrogen impact to groundwater as well as Great South Bay, the downgradient waters that receive groundwater outflow. The proposed project is strategically situated in an area that has infrastructure in the form of transportation corridors, bus routes, off-site amenities (retail shopping opportunities, parks) and as a result, the planned use will take advantage of this infrastructure. A bus stop will be provided on-site, and the mix of uses internal to the site use (diverse housing, recreation, retail) will promote internal interaction and the

placement of a new community within the existing sector of the Town such that it discourages sprawl and promotes smart development. The proposed project would conform to this Policy.

- *Encourage a mixture of land uses within communities and individual developments, particularly in hamlet centers and areas near transportation facilities.*

The project conforms to this Policy, as it is a mixed-use proposal, providing a substantial number of rental apartments and 45,500 SF of retail space for site and local residents. The site is currently occupied primarily by a mobile home park. The redevelopment of the site expands the ration and mix of uses to include an appropriate balance of housing, retail and recreation. The site is located near transportation facilities including Route 110, bus routes along Route 110, and connections to the Long Island Railroad.

- *Increases in density should be tied to the purchase and/or transfer of development rights or to a one-for-one density offset through upzoning of vacant privately owned land.*

The yield requested for the proposed project is not the result of a TDR or other density transfer; rather, it has been determined as a number of units adequate to offset the costs of land acquisition, demolition and removal of existing site improvements (including subsurface conditions associated with sanitary systems for 356 mobile homes), construction, and expenses to assist with the relocation of the site's existing residents. The policy indicates that increases in density "should" be tied to TDR; however, as noted, there are extenuating circumstances associated with the existing site conditions. More specifically, the mobile home park is under a consent order with the Suffolk County Department of Health Services (SCDHS) with respect to violations and the need to connect to public sewers. There are numerous building, fire code, health and safety issues and violations and no means to remove the existing residents, structures, or otherwise comply with environmental, health and safety requirements. The proposed project provides a means to redevelop the site in a positive way promoting affordable housing, mixed-use development, alternative transportation opportunities and a relocation package to assist existing site residents with a difficult transition. The ability to prepare and re-development the site, coupled with the relocation assistance adds cost to the project that would not otherwise be present absent the unique conditions associated with the site. It is expected that this policy anticipates that there may be occasions where density increases are appropriate absent TDR, particularly with regard to the language that TDR "should" be used. The Town and the applicant hope that the Suffolk County Planning Commission will find this to be one of those cases where the density proposed in connection with site re-development is justified.

### ***Policy 4.3 Housing***

A. *General Policy Goal: Encourage sustainable communities by shaping County development regulations, programs, and policies to create energy-efficient, well-designed housing that meets the diverse needs of current and future County residents*

B. *Specific Housing Policies:*

- *Encourage a diversity of housing types, equitably distributed across all communities, including the development of low and moderate income housing units.*

The proposed project is designed and intended to conform to this Policy. New Frontier will provide 500 of rental apartments including both 1 and 2-bedroom units, of which 20% (100 units of both 1 and 2-bedroom) will be "affordable" units, to be set aside for low and moderate income households. The nature of the project is such that the size and location of apartments not offered as affordable units, will still provide a cost effective housing alternative to single family

dwellings, larger condominium/townhouse units, and larger apartment units. The offering of housing for rent, that is sized and priced to meet housing needs in the area of North Amityville will ensure that a diversity of housing types is equitably distributed both within the development, and within the overall Town of Babylon.

- *Housing policies must balance increases in density, the availability of infrastructure and retail services to accommodate growth and environmental constraints to growth.*

The site has been evaluated and found to be able to accommodate the level of development proposed in connection with the New Frontier project. The project will provide needed 1 and 2-bedroom apartments (including 20% affordable), on a site that is currently occupied by 356 mobile homes and some limited commercial use. The site is proximate to Route 110 for automobile and bus transportation, and linkages are available to the LIRR. Services are available along Route 110 and/or through bus connections, and sewer, water, electric, gas and related infrastructure services are readily available to serve the site. The project conforms to this Policy, in that it will utilize a new connection to the public sanitary sewer system to dispose of all such wastewater. In this way, SCSC Article 6 will not be transgressed in consideration of the project's residential and retail space yields. In addition, the inclusion of an on-site commercial component, as well as the proximity of NYS Route 110, a major retail/commercial and transit corridor, would benefit the site's residents.

- *Housing policies should address special needs populations and include as a goal the establishment of policies to end homelessness.*

The project will provide diverse housing opportunities to the lower income population by providing both 1 and 2-bedroom rental units including 20 percent affordable housing. The existing Frontier trailer park cannot continue due to environmental, health, fire and safety violations. The proposed project assists with the relocation of the population currently residing on the site through a relocation package and transitioning of the re-development of the site. This measure ensures that the existing population has the greatest potential for continued housing, whereas, if the project were not proposed as envisioned, this population would have a greater potential of homelessness. In summary, the project will provide a substantial number of affordable and smaller, lower-cost rental units, so that the needs of special populations will be addressed. In this way, the proposed project conforms with this Policy.

#### ***Policy 4.4 Energy Efficiency***

A. *General Policy Goal: Encourage the design and construction of energy efficient buildings to reduce air, water and land pollution and environmental impacts from energy production and consumption.*

B. *Specific Energy Efficiency Policies:*

- *All new residential, commercial and industrial building should be designed and constructed to reduce energy consumption and improve environmental quality.*

The proposed project will include water- and energy-saving building materials, plumbing and electrical fixtures, appliances and mechanical systems. All construction will conform to NYS Building standards and requirement, which include energy and water-conserving elements. The developer/operator recognizes the value of sustainable construction and will seek to incorporate all reasonable energy conserving measures in order to improve environmental quality associated with this project. Thus, the project conforms to this Policy.

#### ***Policy 4.5 Public Safety***

A. *General Policy Goal: New buildings and developments should incorporate general design elements that promote public safety.*

B. *Specific Public Safety Policies:*

- *New residential, commercial and industrial buildings and developments must incorporate design elements that calm traffic, deter criminal activity, and increase public safety.*

The project design conforms to this Policy, in that the internal roadway has traffic calming characteristics (e.g., continuous curves, on-street head-in parking, narrow roadway and signage), and site design has security features (e.g., security lighting). It is noted that additional such features (e.g., speed bumps, fire and security alarm systems, etc.) may be incorporated into the project during the Town's site plan review stage. The proposed project will be designed such that open spaces do not include "hidden" areas, and lighting will be provided to ensure that the on-site environmental is visible and safe. The project is inter-connected with the existing surrounding communities to provide activity within the site, and on-site security can be employed if found to be necessary. The project is designed to enhance traffic calming and safety, and therefore conforms with this policy.

#### ***Policy 4.6 Economic Development***

A. *General Policy Goal: Support a sustainable economic growth by supporting a broad range of industries and economic opportunities—from local entrepreneurs to national firms—that are linked to transit, housing, and services. Economic opportunity must be equitably distributed among the entire range of potential workers.*

B. *Specific Economic Development Policies:*

- *Encourage the creation of a range of employment opportunities for a variety of ages, education levels, and skill levels.*

The New Frontier project will include retail space that will provide service business jobs to be filled by a variety of ages, education and skill levels. Management personnel will be needed, as well as clerks, stocking assistance, maintenance and related job types. The proposed project conforms to this Policy, as it will provide for an estimated 280 FTE temporary construction-phase jobs and 75 FTE permanent jobs in the project's retail component.

- *Support local businesses and small entrepreneurial firms while recognizing the importance of national and multinational firms located in the County*

The project conforms to this Policy in three ways: 1) the 500 residences proposed will provide an estimated 1,109 residents that would increase the customer bases for all existing local businesses, 2) construction would utilize eligible local material suppliers, thereby increasing the profit potential of these businesses, and 3) the inclusion of a significant amount of new retail/commercial space on-site would represent an opportunity for local economic growth. If retail space within the complex is attractive to national retailers, the space will be made available for such uses. It is expected that a mix of local, regional and potentially national store types will occupy the retail portions of the site. As a result, the proposed project conforms with this policy.

- *Provide job assistance and education programs to better match jobseekers and employers, particularly those in the most economically vulnerable groups.*

The proposed project is privately proposed and therefore not able to directly provide educational programs to match jobseekers and employers. However, the developer/operator would expect to coordinate with existing services that assist jobseekers in finding employment. Available jobs will be made known through local career services in order to provide job assistance and educational programs.

#### ***Policy 4.7 Transportation***

A. *General Policy Goal: Expand sustainable transportation options—for commercial, commuter and recreational travel—by providing greater public transit alternatives and creating a diverse, multi-modal transportation system that links jobs, housing, shopping, and recreation and reduces dependence on single-occupant motor vehicles.*

B. *Specific Transportation Policies:*

- *Transportation management solutions are preferred to the continued expansion of infrastructure capacity*

The project provides on-site employment and housing, thus helping to reduce vehicle usage for those who wish to reside and work on site. The project is conveniently located on Route 110, providing auto and well as bus connection services, with linkages to the LIRR. The site is currently occupied by 356 mobile homes and a very small amount of retail and as a result, represents an incremental increase above an existing level of transportation activity. The project has been designed by qualified, licensed professional engineers, including traffic engineers, so that the project's passive traffic controls would render maximum effectiveness in addressing potential traffic impacts. It is noted that the project does not require extensive traffic improvements to increase road capacity, rather, only striping and signal timing mitigation is needed to ensure that level of service is maintained to be satisfactory. As noted, the project includes a bus stop (with passenger shelter) so that a major public transit opportunity would be provided. Further, the entire project design will be subject to the review and approval of both Town and NYSDOT traffic engineers. These factors would combine to assure that traffic management aspects are maximized, and that the maximum level of conformance to this Policy is achieved.

- *Infrastructure expansion, when appropriate, should be targeted to downtown centers, transportation nodes and designated growth zones.*

The proposed project does not require expansion of infrastructure. As noted above, the traffic analysis does not indicate the need for any off-site roadway or traffic improvements. The site does lie on an existing transportation corridor.

- *Promote inter-agency and inter-municipal cooperation including the development of uniform design standards.*

The Town of Babylon has actively participated in the design of the proposed project. The Town retained a consultant to assist with planning design, linkages to the community and overall project design. The Town and the applicant completed a number of iterations of the plan to evolve the site design to what is currently proposed. From a transportation standpoint, the project provides on-site jobs and housing such that it will help to minimize off-site vehicle trips. The project is located along Route 110, a transportation corridor and a bus stop will be installed to service the site. The existing bus service was a consideration of the design as a means to reduce dependency

on the automobile. The cooperative effort and resultant design ensure conformance with this policy.

- *Encourage cumulative traffic impact analysis.*

A cumulative traffic impact study should be performed where it is warranted based on a combination of proposed projects that, when considered together, warrant this form of analysis. There are no other large scale projects pending in the area of the subject site. The DEIS and Traffic Impact Study for the New Frontier Town does consider three (3) small projects that were identified for the purpose of cumulative traffic impact analysis. The project conforms to this Policy, as it has been the subject of a professionally-prepared TIS, which includes a detailed cumulative traffic impact analysis.

- *Promote the development of alternative funding mechanisms.*

This Policy does not apply to the proposed project, as it is a private development proposal that is being privately financed.

- *Improve access management standards.*

The proposed project site plan was developed cooperatively between the Town and the applicant, with assistance from a Town-retained consultant for access and design. The intent was to inter-connect the proposed project with the surrounding community for optimum access management. This is achieved in the pending site plan thus ensuring that the project conforms to appropriate access management standards. Consequently, the proposed project conforms with this Policy.

- *Promote connectivity between developments in order to improve both pedestrian and vehicular access and circulation consistent with smart growth principles.*

The project's internal roadway has been designed to promote connectivity to adjacent developments via its two access points onto Geraldine Avenue to the east, which then gives access to Tyrconnell Street, Benburb Street, Offaly Street, Glenmalure Street and The Boulevard. Pedestrian access and connectivity is promoted by incorporating sidewalks into the internal project, and along roads which ensure integration of sidewalks to surrounding neighborhoods. The project itself is designed based on smart growth principles in order to provide multi-modal transportation opportunities (car, bus, walking, links to train station), as well as a mix of uses that promotes internal activities involving residency, employment and recreation. In this way, the project conforms to this Policy.

#### ***Policy 4.8 Environment***

A. *General Policy Goal: Protect, preserve, and restore critical natural resources to maintain a healthy and diverse ecosystem for present and future generations. Promote biodiversity limit greenhouse gases, and improve water and air quality by requiring energy efficiency in design, construction, land use, and industry.*

B. *Specific Environmental Policies:*

- *Promote development where it is warranted in downtowns, hamlet centers, adjacent to transportation and retail services and discourage development where it is not warranted within coastal zones, environmentally sensitive areas such as the Pine Barrens, unique ecological habitats and designated open spaces.*

The proposed project conforms to this Policy in that it is located on a previously-developed site that has been designated by the Town and community as needful of re-development. Further, the

site is located within an already developed community and is situated on a regional commercial and transportation corridor. The site is not within the Pine Barrens, or a coastal zone, and does not exhibit any natural ecological habitats or existing community open space. As a result, the proposed project is consistent with this policy.

- *Preserve the region's natural resources including, but not limited to, groundwater, surface waters, tidal and fresh water wetlands, dunes, steep slopes, bluffs and Pine Barren regions.*

The project has been designed to address Town and community concerns regarding the long-standing adverse groundwater impact that has been occurring on the site. The existing trailer park is not connected to the public sanitary sewer system, and so has resulted in a significant level of nitrogen contamination to groundwater. The proposed project will connect to this system, and thereby will result in a significant reduction in the amount of this contamination reaching groundwater beneath the site. There are no other significant natural resources present on the site. In consideration of these factors, the project conforms to this Policy.

- *Preserve open space, farmland and environmentally sensitive land through acquisition, transfer of development rights (TDR), purchase of development rights (PDR) and clustering.*

The proposed project is not an important open space resource, farmland, or environmental sensitive area, and therefore, TDR, purchase and/or clustering techniques are not needed. The site is occupied by 356 mobile homes and some limited retail, and as a result is appropriate for re-development in a manner that provides community benefit by increasing land use compatibility and improving environmental quality.

- *The preservation of agricultural uses through the purchase of development rights and other related preservation tools should be tied to the establishment of best management practices" in order to reduce the potential for impacts related to fertilizer, herbicide and pesticide use.*

The proposed project site does not involve agricultural use, therefore the intent of this Policy would not be applicable to the proposed project.

- *Development densities should be limited by environmental capacities. Growth must occur sustainably in order to protect or environmental resources for the future.*

The proposed project conforms to this Policy. In consideration of the site's condition and location, there are few if any environmental resources on the site, so that its environmental capacity has little if any significance with respect to its yield. Further, the major environmental resource associated with this site, groundwater quality, has been seriously impacted by the site's current occupant. The project has been designed to address this impact, and would conform to SCSC Article 6, which would be the primary development control for this particular property.

- *Promote access to the coastal zone and the preservation of water dependent uses.*

This Policy does not apply, as the subject site is not located in or near any coastal zone or water-dependent uses.

- *Promote environmental stewardship through education.*

This Policy does not apply, as the subject site has no significant surface environmental resources (such as open spaces or natural vegetation) that would justify establishment of an educational program. The project is an example of how beneficial re-development can be employed to eliminate a detrimental environmental condition such as groundwater contamination from the existing use, to be replaced with a mixed-use project providing housing, employment and recreational use in an attractive setting based on smart growth principles.

- *Promote pollution prevention over remediation.*

The site is not pristine or undeveloped land, rather, it is the site of a large number of residential trailers that have already caused groundwater impacts from sanitary wastewater. As a result, it is too late for prevention; however, the project is a form of mitigation to reverse the groundwater impact that has occurred through connection of the proposed project to sanitary waste treatment. Since a major project goal is to re-develop the site so as to remove the source of this long-term environmental impact, this project conforms to the spirit and intent of this Policy.

- *Promote environmental remediation and enhancement in addition to mitigation associated with development proposals.*

The project conforms to this Policy, as an underlying principle is to re-develop the site so as to remove the source of a long-term environmental impact (to groundwater quality from the recharge of sanitary wastewater through on-site septic systems).

#### ***Policy 4.9 Design***

A. *General Policy Goal: Encourage high-quality and innovative design which incorporates universal design principles to positively shape the built environment for living, working, and playing. Sustainable design, which incorporates universal design principles, ensures that the built environment facilitates function, creates an identity of place, provides equal access to all members of society and strengthens a sense of community.*

B. *Specific Design Policies:*

- *Encourage flexibility of design in order to promote a mixture of uses in order to minimize traffic, encourage pedestrian activity and create a sense of place.*

The project incorporates flexible design principles including phasing (establishing the retail component first, then following with four residential phases), locating the recreational area in the center of the site (for ease of access for all site residents), installing sidewalks throughout (to enable safe and convenient access for all residents), and use of a cohesive, consistent architectural theme that complements the area aesthetic. The project requires flexibility of design in order to achieve the desired outcome. Traffic is minimized through on-site housing, employment and recreation, as well as convenient bus access and pedestrian activity. The site design will ensure that a “sense-of-place” is established through architecture, landscaping, open gathering areas and mixed uses, and the project is walkable, both internally and through interconnection with the surrounding community. As a result, the project conforms to this Policy.

- *Utilize green infrastructure to minimize community and environmental impacts and reduce both private and public development costs.*

Construction of the project will include use of water- and energy-conserving fixtures, materials and mechanical systems, and will connect to the public sanitary sewer system, which will significantly reduce the level of nitrogen recharged on-site (which currently adversely impacts groundwater quality beneath the site). In addition, the applicant will consider use of innovative stormwater system designs and features; these will be reviewed in more detail during preparation and Town review of the site plan should the rezone application be approved. The developer/operator recognizes the value of sustainable construction and will seek to incorporate all reasonable energy conserving measures in order to reduce costs of operation. In consideration of these factors, the project conforms to this Policy.

- *Promote energy efficient site plan and subdivision design which encourages compact development and clustering to minimize energy use, encourage open space preservation and the efficient use of infrastructure.*

The project conforms to this Policy, as it has been designed in a compact manner, which would encourage an increased amount of walking for the site's residents (in lieu of internal vehicle trips). There is no natural vegetation on the site, so the compact design of the project would not represent an opportunity to preserve such a resource; however, the project includes three substantial open space areas, which represents a benefit for the site's residents. Finally, as noted above, the project will efficiently utilize the available infrastructure to reduce potential environmental impacts and reduce energy and water consumptions.

- *Incorporate "universal design" features into building codes in order to ensure that buildings in Suffolk County are equally accessible to all members of the community.*

The project will conform to the requirements of the Americans with Disabilities Act (ADA). The project will conform to all applicable Town, County and State requirements for accessibility for residents and commercial patrons. Such features may include, but not be limited to, elevators, wide doorways and low thresholds, plumbing fixtures in both bathrooms and kitchens, signage, parking spaces, sidewalk widths and ramps, etc. In this way, the project conforms to this Policy.

#### ***Policy 4.10 Cooperation***

A. *General Policy Goal: The sustainability of the County is inextricably tied to its broader regional, national, and global context. The County recognizes the importance and need for cooperation and coordination among and between County agencies, local municipalities, and neighboring jurisdictions including New York City.*

B. *Specific Cooperation Policies:*

- *Promote regionalization.*

This Policy recommends that County agencies take action to promote consistency with planning actions taken by other County agencies, as well as with those of other tiers of government (e.g., New York State, Towns, Villages, regional entities and New York City). The Town is available to seek cooperative planning initiatives in conjunction with County agencies. This project is an example of cooperation to address the SCDHS Consent Order in a manner that ensures future groundwater protection through the phased re-development of the site in a manner that is sensitive to the existing occupancy of the site by 356 mobile homes.

- *Encourage the use of inter-municipal agreements and inter-agency and inter-governmental cooperation.*

This Policy recommends that County agencies take actions to foster the use of agreements between municipalities to support consistent land use review in order to achieve sustainable development, and to encourage cooperation between and amongst agencies and governments to achieve this goal. The Town is available to seek cooperative planning initiatives in conjunction with County agencies. This project is an example of cooperation to address the SCDHS Consent Order in a manner that ensures future groundwater protection through the phased re-development of the site in a manner that is sensitive to the existing occupancy of the site by 356 mobile homes.

To summarize the above analysis, the proposed project conforms to the applicable Policies, either directly or in spirit and intent.