

ARTICLE XXXVI Industrial Receiving District [Added 5-7-1996]

§ 108-181. Findings and purpose.

- A. It is the purpose of this Article to establish the Industrial Receiving District in order to establish receiving sites for both Pine Barrens credits and other identified development credits which may be transferred pursuant to the procedure set forth herein, Chapter 95A of the Town Code and § 261-a of the Town Law of the State of New York.
- B. It is the further intent of this Article to set forth the procedure upon which the Town Board may establish an Industrial Receiving District, such district to be established on a floating zone basis with the necessary controls and provisions necessary to accomplish the aforementioned purpose.
- C. It is the purpose of the Industrial Receiving District legislation to provide for more desirable development and more efficient use of real property than is achievable under existing zoning and environmental regulation consistent with the recommendations of the Central Pine Barrens Comprehensive Land Use Plan and the Town of Riverhead Master Plan.
- D. The Riverhead Town Board and the Riverhead Planning Board are hereby authorized to increase the intensity of lands proposed for development and are further authorized to consider and approve the transfer of Pine Barrens credits under this section.

§ 108-182. Definitions.

The terms and words used in this Article shall be ascribed the meanings and uses generally attributable to them in the other sections of this chapter unless otherwise interpreted or defined.

§ 108-183. Procedure.

The Town Board may amend the Zoning Use District Map of the Town to provide for an Industrial Receiving District upon its own motion or upon the petition of a property owner pursuant to the provisions of this Article, Chapter 95A of the Town Code and Article 16 of Town Law of the State of New York. The procedure for the establishment of an Industrial Receiving District shall be in accordance with the procedure for zoning amendment pursuant to Article XVIII of this chapter.

§ 108-184. Criteria for establishing an Industrial Receiving District.

- A. An Industrial Receiving District may be authorized where the Town Board finds that the receiving area contains adequate transportation, water supply, waste disposal and fire protection and that there will be no significant environmentally damaging consequences due to increased development intensity, pursuant to § 261-a of the Town Law of the State of New York.
- B. An Industrial Receiving District shall be established in accordance with the recommendations of either the Central Pine Barrens Comprehensive Land Use Plan or the Master Plan of the Town of Riverhead and amendments thereto.
- C. A generic environmental impact statement pursuant to Article 8 of the New York State Environmental Conservation Law shall be prepared prior to the establishment of such district.
- D. The Industrial Receiving District shall be created consistent with a comprehensive plan pursuant to § 263 of the Town Law of New York State.
- E. Where the transfer of development rights affects two or more school districts, the sending area shall not unreasonably transfer the tax burden among the taxpayers of the Receiving District.

F. The report and recommendation of the Planning Board shall be required.

§ 108-185. Development standards.

Upon the establishment of an Industrial Receiving District by the Town Board, a property owner may apply to the Planning Board for approval in accordance with the applicable provisions of the Zoning Ordinance. The transfer or redemption of Pine Barrens credits shall allow the property owner to increase the "as of right" building intensity without further zoning approvals. Development of an Industrial Receiving District shall be in accordance with the following standards:

- A. No land clearing, construction or development shall occur on any real property within the Industrial Receiving District prior to the approval of a site plan approved by the Planning Board in accordance with this Article and pursuant to § 108-100 of this chapter.
- B. Approval of the site plan shall be conditioned upon the maximum allowable sanitary discharge level acceptable to the Suffolk County Department of Health Services pursuant to Article 6 of the Suffolk County Sanitary Code.
- C. Approval of the site plan shall be conditioned upon the landowner providing the necessary legal instruments (i.e., conservation easement, deed, covenants and title certification) to affect the redemption of Pine Barrens credits.
- D. The maximum allowable sanitary discharge at the site upon the use of Pine Barrens credits may not exceed that discharge provided by Article 6 of the Suffolk County Sanitary Code.
- E. Public water must be provided to the development site within the Industrial Receiving District and, where applicable, public water shall be available down gradient of the development project in the Receiving District.
- F. All principal and accessory uses provided as permitted or special permit uses in the underlying industrial zoning use district shall be permitted in the industrial receiving area. There shall be no residence or dwelling as a principal use within the Industrial Receiving District.

§ 108-186. Industrial Receiving District classification.

The areas described shall be the Industrial Receiving District in accordance with the recommendations of the Central Pine Barrens Comprehensive Land Use Plan.

- A. Beginning on the south side of Middle Country Road (known as State Road 25) in the Hamlet of Calverton at a point located at the southeast corner of the intersection of Edwards Ave. and Middle Country Rd.

Running thence in an easterly direction on the south side of Middle Country to a point located at the easterly property line of 0600-117-2-11.

Running thence in a southeast direction along the property line south of Splish Splash Drive, continue running southeast along property to a point located at the northeast corner of Parcel 0600-118-1-3.1.1.

Running thence in a southerly direction along property line approx. 1,405 feet to the southeast corner of parcel 0600-118-1-3.1 at this point proceed southwest along the north side of the Long Island Expressway property line to a point located at the southwest corner of the parcel 0600-138-1-23.1. Continue running in a southwest direction along the north property line of the Long Island Railroad to a point located at the southwest corner of parcel 0600-137-1-8 intersecting Edwards Avenue.

Running thence in a northerly direction along the east side of Edwards Avenue to a point

approx. 3,100 feet.

Running thence in a westerly direction crossing over Edwards Ave. following the south property line of parcel 0600-117-1-8.4 for approx. 2,095 feet, continue in a westerly direction along the south property line of parcel 0600-116-2-7.4 for approx. 1,687 feet to a paper street known as Peconic Ave.

Running thence cross over Peconic Ave. and to the southeast corner of parcel 0600-116-1-7.1.

Running thence in a westerly direction along property line 1,721 feet, then north on said property line for approx. 500 feet then east on property line approx. 266' then north along property line approx. 1,656 feet.

Running thence in a westerly direction along property line approx. 1,629 feet (southern property lines of parcels 0600-116-1-1, 2, 3.1).

Running thence in a northerly direction approx. 504 feet. At this point.

Running thence west 325 feet to a point.

Running thence north approx. 1,958 feet to a point south side of Middle Country Road.

Running thence in an easterly direction on the south side of Middle Country Road to the point of beginning.

- B. Beginning at point of intersect on the southerly side of Port Jefferson-Riverhead Road (N.Y.S. Rte. 25A) and westerly side of Wading River - Manorville Road, otherwise known as the northeast corner of said property District: 0600 Section: 073 Block: 01 Lot: 1.12. **[Added 2-1-2000]**

Thence running in a westerly direction along the southerly side of Port Jefferson - Riverhead Road (N.Y.S. Rte. 25A), 1,468 feet to a point located at the northwest corner of said property District: 0600 Section: 073 Block: 01 Lot: 1.2 (Alexander - Tuthill Funeral Home).

Thence running in a southerly direction along the westerly property line 508 feet to the southwest corner of said property District: 0600 Section: 073 Block: 01 Lot: 1.12 (Alexander - Tuthill Funeral Home) also known as the Riverhead - Brookhaven Town Line.

Thence running in an easterly direction 1,493 feet to the southeast corner of said property District: 0600 Section: 073 Block: 01 Lot: 1.14.

Thence running in a northerly direction along the westerly side of Wading River - Manorville Road 513 feet to place or point of beginning.

- C. Beginning at a point on the easterly side of Wading River - Manorville Road the southeast corner of said property District: 0600 Section: 075 Block: 03 Lot: 18.3 known as the United States Postal Service. **[Added 2-1-2000]**

Thence running in a northerly direction 470 feet along the easterly side of Wading River - Manorville Road.

Thence running in an northeasterly direction 42 feet to a point located on the southerly side of Port Jefferson - Riverhead Road (N.Y.S. Rte. 25A)

Thence running in an easterly direction 2,045 feet along the southerly side of Port Jefferson - Riverhead Road (N.Y.S. Rte. 25A) to a point located at the northeast corner of said property District: 0600 Section: 075 Block: 3 Lot: 04.

Thence running along the easterly property line of said property District: 0600 Section: 075 Block: 03 Lot: 04 in a southerly direction 500 feet.

Thence running in a westerly direction in an imaginary line to a point located at the southeast corner of said property District: 0600 Section: 075, Block: 03 Lot: 3.6 and continuing in a westerly direction along the southerly property lines of said parcels, District: 0600 Section: 075 Block: 03 Lots: 3.6, 3.3, and 18.3 for 2,052 feet to place or point of

beginning.

- D. Beginning at a point of terminus on the southerly side of Old Country Road (C.R. 58) and westerly side of Kromer Ave, known as the northeast corner of said property now or formerly owned by Ehrler, Barclay (District: 0600 Section: 119 Block: 01 Lot: 36. **[Added 2-1-2000]**

Thence running in a westerly direction along the southerly side of Old Country Road (C.R. 58) 291 feet.

Thence running in a southerly direction 2,554 feet along the westerly property line of the following parcels, District: 0600 Section: 119 Block: 01 Lots: 36, 35.4, 35.3 to a point located at the southeast corner of parcel now or formerly owned by Kromer Ave. Associates Inc. (District: 0600 Section: 19 Block: 01 Lot: 35.3).

Thence running in a easterly direction along the northerly property line of the Long Island Railroad 335 feet to a point located at the southeast corner of parcel now or formerly owned by Kromer Ave. Associates, Inc. (District: 0600 Section: 119 Block 01 Lot: 35.3).

Thence running in a northerly direction along the westerly side of Kromer Ave. 2,588 feet (The easterly property lines of the following parcels District: 0600 Section: 119 Block: 01 Lots: 35.3, 35.5, 35.4, and 36) to point or place of beginning.

- E. Beginning at a point of intersect on the southerly side of Old Country Road (C.R. 58) and the easterly side of Kromer Ave, known as the northwest corner of said property now or formerly owned by Preuss, Carl & Angela (District: 0600 Section: 119 Block: 01 Lot: 40). **[Added 2-1-2000]**

Thence running in an easterly direction along the southerly side of Old Country Road (C.R. 58) 1,045 feet to the northeast corner of said property now or formerly owned by World Life Entertainment Inc. (District: 0600 Section: 119 Block: 01 Lot: 24).

Thence running in a southerly direction 2,642 feet along the easterly property line of parcel District: 0600 Section: 119 Block: 01 Lot: 24 to the northern property line of the Long Island Railroad.

Thence running in a westerly direction 1,046 feet along the northerly property line of the Long Island Railroad to the southwest corner of said property now or formerly owned by Paraco Gas Corp. (District: 0600 Section: 119 Block: 01 Lot: 31.2).

Thence running in a northerly direction 2,597 feet along the easterly side of Kromer Ave. (The westerly property lines of the following parcels District: 0600 Section 119 Block: 01 Lots: 31.2, 32.1, 32.2, 30, 29, 28.6, 28.5, 28.4, 28.2, 27.1, 26.1, and 40) to point or place of beginning.

- F. Beginning at a point of intersect on the easterly side of Kromer Ave. and the northerly of West Main Street (S.R. 25) known as the southeast corner of property now or formerly owned by 1993 Roanoke Apts. Corp., % Soundview Prop. Mgmt. (District: 0600 Section: 119 Block: 02 Lot: 4.1). **[Added 2-1-2000]**

Thence running in a northerly direction along the easterly side of Kromer Ave. 99 feet to the southern property line of the Long Island Railroad.

Thence running in an easterly direction 1,008 feet along the southern property line of the Long Island Railroad to the northeast corner of said property now or formerly by Mondello, Nicholas and Hoffman, Greg (District: 0600 Section: 119 Block: 02 Lot: 7.1).

Thence running in a southerly direction 190 feet along the property line of said parcel District: 0600 Section: 119 Block: 02 Lot: 7.1 to the northerly side of West Main Street (S.R. 25).

Thence running in a westerly direction 1,426 feet along the northern side of West Main Street (S.R. 25), (the southern property lines of the following parcels District: 0600 Section: 119 Block: 02 Lots: 7.1, 5, 4.1) to the point or place of beginning.

- G. Beginning at a point of intersect on the northerly side of West Main Street (S.R. 25) and the

westerly side of Kromer Ave. known as the southeast corner of said property now or formerly owned by Isler, Frank and Semaschuk, Walter (District: 0600 Section: 119 Block: 02 Lot: 02). **[Added 2-1-2000]**

Thence running in a northerly direction 93 feet along the westerly side of Kromer Ave. to the southerly property line of the Long Island Railroad.

Thence running in a westerly direction 335 feet along the southern property line of the Long Island Railroad to the northwest corner of said property now or formerly owned by Gedo, Inge (District: 0600 Section: 119 Block: 02 Lot: 01).

Thence running in a southerly direction 27 feet along the western property line of parcel District: 0600 Section: 119 Block: 02 Lot: 01 to the northern side of West Main Street (S.R. 25).

Thence running in an easterly direction 357 feet along the northern side of West Main Street (S.R. 25), (the southern property lines of the following parcels District: 0600 Section: 119 Block: 02 Lots: 1 and 2) to the point or place of beginning.

- H. Beginning at a point on the northerly side of New York State Route 25A at the South West corner of parcel 0600-075-01-4.5 a distance of 2,076.0 feet more or less, east from the intersection of New York State Route 25A and Wading River Manorville Road. **[Added 6-20-2000]**

Running thence from said point of beginning North 02 degrees 52 minutes 00 seconds West 500 feet (westerly property line of 0600-01-75-4.5);

Thence North 87 degrees 08 minutes 00 seconds East 1,494.0 feet (along the northerly property line of parcels 0600-01-4.5 and 4.1).

Thence North 02 degrees, 52 minutes, 00 seconds West 332 feet (westerly property line of 0600-75-01-7).

Thence South 64 degrees, 40 minutes, 40 seconds East 216 feet (along the southerly side of Parker Road).

Thence South 02 degrees, 52 minutes, 00 seconds West 350 feet (easterly property line of 0600-75-01-7).

Thence North 87 degrees, 08 minutes, 00 seconds East 500 feet (northerly property line of 0600-75-01-8.1).

Thence North 02 degrees, 52 minutes, 00 seconds West 143 feet (westerly property line of 0600-75-01-9).

Thence South 52 degrees, 30 minutes, 30 seconds East 200 feet (southerly side of Parker Road).

Thence South 62 degrees, 04 minutes, 00 seconds East 273 feet (southerly side of Parker Road).

Thence South 02 degrees, 49 minutes, 20 seconds West 266 feet to New York State Route 25A (easterly property line of 0600-75-01-9).

Thence South 87 degrees, 08 minutes, 00 seconds West 2,611 feet more or less along the northerly side of New York State Route 25A (along the southerly property line of parcels 0600-01-75-9, 8.1, 7, 4.1 and 4.5) to the point of beginning.