

## TOWN OF RIVERHEAD

## Resolution 2018-807

**AUTHORIZES THE TOWN BOARD TO ADOPT A FINAL SCOPE OF ISSUES FOR  
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR METRO GROUP  
PROPERTIES, INC. SITE PLAN APPLICATION AT 203-213 E. MAIN ST.,  
RIVERHEAD, NY**

Councilwoman Giglio offered the following resolution,  
which was seconded by Councilman Hubbard

**WHEREAS**, the applicant submitted a site plan (hereinafter also referred to as “project” and “proposed action”) seeking to construct a 186,422 sq. ft. floor area, mixed use, five-story building with 170 apartments, three retail stores, and a mostly underground parking garage on a vacant 61,987 sq. ft. site composed of four parcels at 203-213 E. Main St. in the DC-1 Zoning District on the south side of E. Main St. west of McDermott Ave., known as Suffolk County Tax Map Nos. 0600-129-01-17, 18, 19, and 20 (See Town of Riverhead website-townofriverheadny.gov for a more complete description of the project); and

**WHEREAS**, the Town Board, by Resolution #229 adopted on April 3, 2018, pursuant to 6NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA) designated the proposed action as a Type I such that said Type I action required coordinated SEQRA review with all involved agencies; and

**WHEREAS**, the Town Board, by Resolution #229 adopted on April 3, 2018, requested Lead Agency status for the purpose of coordinating review with all involved agencies and directed the Planning Department to circulate a request for the Town Board of the Town of Riverhead to be the Lead Agency and dissemination of relevant information to involved agencies necessary for the project’s SEQRA review; and **WHEREAS**, the Town Board, by Resolution #336 adopted on May 1, 2018, assumed Lead Agency, issued a Positive Declaration requiring a Draft Environmental Impact Statement (DEIS); and directing applicant to prepare a draft scope for the purpose of identifying the environmental issues and methods of study to be addressed in the DEIS; and

**WHEREAS**, the Town Board received a Draft Scope for the DEIS on September 4, 2018 prepared by the applicant’s agents Nelson Pope and Voorhis, which was made available for public review at the Office of the Town Clerk, on the Town’s official website and the Riverhead Free Library; scheduled and held a Public Scoping Session on the DEIS at 2:00 pm on October 2, 2018 at the regularly scheduled Town Board Meeting; and a second Public Scoping Session was scheduled, and held this date October 16, 2018 at the 6:00 pm regularly scheduled Town Board Meeting (See Town of Riverhead website-townofriverheadny.gov for a more complete description of the project and dates for Public Scoping Sessions); and

**WHEREAS**, as stated at October 2, 2018 and October 16, 2018 Public Scoping Sessions, written comments delivered via email to [wilhelm@townofriverheadny.gov](mailto:wilhelm@townofriverheadny.gov) and to the Office of the Town Clerk at 200 Howell Avenue, Riverhead NY 11901 were accepted until 4:30 p.m. on October 25, 2018; and

**WHEREAS**, the Town Board, by Resolution #2018-799 scheduled a Special Town Board meeting for November 1, 2018 at 10:00 am at 200 Howell Avenue, Riverhead, NY 11901 for the purpose of adopting a Final Scoping Document on the DEIS; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby adopts the Final Scope identifying the environmental issues, and methodologies for analyses to be included in the DEIS for the application of 203-213 East Main Street. The application is for Site Plan approval for 203-213 East Main Street, Riverhead, NY described as SCTM # 600-129-1-Lots: 17, 18, 19 & 20 located on 1.42 Acres-Southside of East Main Street-West of McDermott Avenue proposed as a Mixed Use Development: 170 residential units; 3,442 SF of retail, within a five-story building; and be it further.

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution and a copy of the Final Scope to those on the list of all interested/involved agencies, Robert Muchnick, President, The Metro Group Properties, Inc., PO Box 10, Blue Point, NY 11715, Charles Voorhis, Nelson, Pope, & Voorhis, 572 Walt Whitman Road, Melville, NY 11747, and a copy to, Building & Planning Administrator, Jefferson Murphree, Office of Town Attorney, and be it further

**RESOLVED**, that the Town Clerk is hereby directed to post a copy of the Final Scope for the application of 203-213 East Main Street, Riverhead, NY on the Town's website; and be it further

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

#### **THE VOTE**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jodi Giglio, Councilwoman
<b>SECONDER:</b>	Tim Hubbard, Councilman
<b>AYES:</b>	Jens-Smith, Wooten, Giglio, Hubbard, Kent

## FISCAL IMPACT STATEMENT OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION

A. Type of Legislation    Resolution <input checked="" type="checkbox"/> Local Law		
B. Title of Proposed Legislation: Authorizes the Town Board to Adopt a Final Scope of Issues for the Draft Environmental Impact Statement for Metro Group Properties, Inc. Site Plan Application at 203-213 E. Main St., Riverhead, NY		
C. Purpose of Proposed Legislation:		
D. Will the Proposed Legislation Have a Fiscal Impact?    Yes _____ No <input checked="" type="checkbox"/>		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable:  (a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget (example: routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F,G and complete H,I and J;  <div style="text-align: center;">or</div> (b) The description/explanation of fiscal impact is set forth as follows:		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
G. Proposed Source of Funding Appropriation Account to be Charged:  Grant or other Revenue Source:  Appropriation Transfer (list account(s) and amount):		
H. Typed Name & Title of Preparer: Carissa Collins	I. Signature of Preparer  <div style="text-align: center;"><b>Carissa Collins</b>  <hr style="width: 100%; border: 0.5px solid black;"/>           Carissa Collins, Planning Board Clerk      11/1/2018</div>	J. Date
K. Accounting Staff Name & Title William Rothaar, Accounting Department	L. Signature of Accounting Staff  <div style="text-align: center;"><i>William Rothaar</i></div> William Rothaar	M. Date 10/31/18

**Final Scope: Draft Environmental Impact Statement  
203-213 East Main Street  
Site Plan  
Riverhead, NY  
SCTM # 600-129-1-Lots: 17, 18, 19 & 20  
Lead Agency: Riverhead Town Board  
Date: November 01, 2018**

Pursuant to the New York State Environmental Quality Review Act (SEQRA) the Riverhead Town Board, classified the action as Type 1 pursuant to 6NYCRR Part 617.4(b) (9). The Town Board was designated Lead Agency and issued a Positive Declaration of Significance by Resolution # 336, dated May 1, 2018, requiring preparation of a Draft Environmental Impact Statement (DEIS).

The applicant's agents, Nelson, Pope & Voorhis submitted a Draft Scope for the DEIS, dated August 30, 2018, received by the Town Planning Department on September 4, 2018. The Final Scope is compiled from the sponsor's Draft Scope dated August 30, 2018. The Draft Scope was made publically available by electronic means as posted on the Town of Riverhead official website, available in written form at the Town Clerk's Office, 200 Howell Avenue, Riverhead, NY and at the Riverhead Free Library, 330 Court Street, Riverhead, NY. Two public scoping sessions were conducted by the Lead Agency on October 2, 2018 and October 16, 2018.

Written comments to the Draft Scope were received by Town Clerk's Office and by email to [wilhelm@townofriverheadny.gov](mailto:wilhelm@townofriverheadny.gov) until 4:30 PM, October 22, 2018.

The Final Scope identifies the environmental issues, and methodologies for analyses to be included in the DEIS for the application of 203-213 East Main Street. The application is for Site Plan approval for 203-213 East Main Street, Riverhead, NY described as SCTM # 600-129-1-Lots: 17, 18, 19 & 20 located on 1.42 Acres-Southside of East Main Street-West of McDermott Avenue proposed as a Mixed Use Development: 170 residential units; 3,442 SF of retail, within a five-story building. The project Sponsor is Metro Group Properties, Inc.

The site is currently vacant; it had previously been developed with a one-story brick structure most recently occupied by a Sears retail store. However, the structure was vacant for over 10 years before it was demolished in 2016, and the site was re-graded; it is presently a fenced, sloping, open and un-vegetated parcel of land.

The applicant, Metro Group Properties, Inc., seeks Riverhead Town Board approval to construct a single five-story mixed-use structure featuring first-floor retail spaces (at-grade with East Main Street) and five floors of apartments (170 units). The proposed building has 3,442 square feet (SF) of retail space at-grade with and fronting East Main Street (the "Ground" level), and 170 rental apartment units on the "Garden" level and floors two through five. The units will be comprised of 32 studios, 85 one-bedroom apartments and 53 two-bedroom units. A "Cellar" level will contain 88 parking spaces and various mechanical, maintenance and storage spaces.

The Applicant has not determined whether to set aside some or all of the 170 residences as "affordable" units, which are units restricted to occupancy by tenants meeting certain Town-

specified income standards. If no affordable units are proposed, all 170 apartments would be rented at market rates. In order to provide a thorough analysis of potential impacts mandated by the New York State Environmental Quality Review Act (SEQRA), the document will address the potential impacts for both an all-affordable unit scenario and an all market-rate unit scenario.

It is noteworthy that new affordable development similar to or complementary to that of the proposed project is trending and on-going in the vicinity. The Town of Riverhead Planning Department has estimated that inclusive of the proposed 203-213 project, the area of downtown Riverhead between Griffing Avenue to McDermott Avenue would contain more than 400 affordable apartment dwellings. Much of this development has occurred during the past five years. The Town had estimated a build out of residential dwellings within the downtown area of 500 units.

The DEIS must be developed to assess the use, and intensity of the use in light of the existing affordable and market value residential rental apartments located within the DC-1 zoning use district. The discussion is a critical component of the EIS with respect to the needs and purpose of the project, the local community characteristics, visual impacts, impacts to cultural and historic districts and its structures, traffic, parking, school district, flooding, public access and parkland. The Riverhead downtown area is designated an urban renewal area and brownfield area. The development goals are described in the 2008 Update to the Town's East Main Street Urban Renewal Plan (EMSURP), the 2003 Town Comprehensive Plan, and the Town of Riverhead Peconic River/Route 25 Corridor Step II Brownfields Opportunity Area plan. The Town through its Community Development Agency has continuously set forth programs to revitalize the downtown without exacerbating the limitations of its infrastructure and community's identity.

In September 2017, the Riverhead Town Board approved development of an all-affordable housing project on the property immediately abutting the subject site to the east. This project, known as Riverview Lofts, includes ground floor commercial spaces (retail and restaurants) and 118 affordable rental apartments on floors 2 through 5. Other nearby recent and current affordable development projects are listed below.

Summerwind, at 40 Peconic Avenue: 52 Units

Peconic Crossing, at 11 West Main Street: 45 Units

Woolworth Apartments, at 128 East Main Street: 19 Units

Riverpoint Apartments, at 821 East Main Street: 134 Units

Riverview Lofts, East Main Street/McDermott Avenue: 118 Units (under construction)

A mixed-use development of the type proposed at 203-213 East Main Street must be consistent with the Town's goals as recommendations in the 2008 Update to the Town's East Main Street Urban Renewal Plan (EMSURP), the 2003 Town Comprehensive Plan, and the Town of Riverhead Peconic River/Route 25 Corridor Step II Brownfields Opportunity Area plan.

The DEIS must address consistency with the Town of Riverhead Zoning Code designation for the subject site, which is DC-1, and conform to all of the applicable height, bulk and setback requirements of that district. However, the intensity of the proposed development should address whether it is justified in light of similar uses within the zoning district. The DEIS must evaluate the proposed apartment sizes and develop a comparison with market rate apartment size(s) in Riverhead and surrounding areas for a competitive assessment. This shall be included in the market study/economic analyses section of the DEIS.

The following list of the potentially adverse impact categories of the proposed project (to be addressed in the DEIS) has been taken from the Positive Declaration.

#### Cultural Resources

The site is opposite the Methodist Episcopal Church and Doroszka House, directly adjacent to the East End Arts Council House and its open space art park and designated in the East Main Street Urban Renewal Plan Update 2008 as historically significant resources. The five-story structure will alter the surrounding area's view sheds, streetscapes and community character. The site is located within the Long Island North Shore Heritage Area, Peconic River/NYS Route 25 Corridor-Brownfield Opportunity Area; East Main Street Urban Renewal Area (EMSURA); Downtown Parking District; and Business Improvement District.

#### Public Access/Recreational Uses

The riverfront access may be impacted due to a loss of available parking/access for visitors from outside the immediate area of Main Street.

#### Conformance to East Main Street Urban Renewal Plan Update 2008 (EMSURP) and Comprehensive Plan Recommendations

The proposed architectural drawings show apartment units sized from 400 SF to 865 SF. The plans depict units that are in question as to whether or not the units meet the Town's interpretation as first floor units, First floor apartments are prohibited in the DC-1 zoning use district.

#### Traffic Generation

The proposed action is expected to generate an increase in traffic during the AM and PM peak hours. Signalized intersections may be adversely impacted.

#### School-Age Children

The proposed action has potential to increase student enrollment in local public Riverhead schools. There are no descriptions of school bus stops and access to the site if students require transportation. The activity of school buses is expected to influence traffic congestions during peak hours.

#### Parking

A second multi-family mixed retail use (Riverview Lofts, five-story, 15,908 SF of mixed commercial uses with 118 dwellings) is approved east of the subject site. Each will impact overall infrastructure and community services and must be assessed for combined environmental impacts. These two projects represent 288 residential dwelling units, and 19,708 SF of mixed commercial uses.

If the Riverhead Code Parking Schedules is applied, the estimated spaces required are: 203-213 Project

1.5 spaces per unit x 170 units = 255 parking stalls and 1 space per 250 SF of retail = 15 spaces:  
Total of 270 spaces

#### Power and Utilities Including Gas, Electric, Water and Sewers

Water and sanitary uses require an evaluation to determine if adequate capacity and connections are available.

**Public & Municipal Services**

Police, fire and emergency services will experience additional demands.

**Governor’s Office of Storm Recovery and the Management of Stormwater**

Project location is in a floodway and prone to periodic flooding; Governor’s Office of Storm Recovery (GOSR) will be required to review the application for resiliency. All stormwater control methods and SWIPP requirements shall include engineered designs for the evaluation of detention times and the potential for runoff overflowing beyond the site. Compliance with Town of Riverhead stormwater control regulations shall be demonstrated by the design.

**Construction**

The proposed development proposes to use pilings to construct the proposed development and driving numerous pilings has the potential for severe noise and vibration impacts on the surrounding downtown that may cause damage to surrounding buildings and structures, including historically important churches and homes.

The information prepared in conformance with the Final Scope and the SEQRA process is intended to provide comprehensive input in the decision-making process of involved agencies in preparing their findings and issuing decisions on their respective permits. The document must be concise but thorough, well-documented, accurate and consistent. Figures and tables may serve to support of the discussions and analyses contained in the document. Technical information will be summarized in the body of the DEIS and attached in their entirety in an appendix. All statements shall be supported by references.

In order to develop the site as proposed, the following permits or approvals are required:

<b>Applicable Board/Agency</b>	<b>Permit/Approval Type</b>
Town Board	Site Plan approval**
Town Building Department	Building Permit 239f review (to SCDPW*)
Town Fire Marshal	Site Plan review
Town Highway Superintendent	Highway Work Permit
Town ARB*	Site Plan review
Town LPC*	Site Plan review
Town Conservation Advisory Council	Site Plan review
RSD	Sanitary Sewer System Connection approval
RWD	Water Supply System Connection approval
SCDHS	Sanitary Sewer System review Water Supply System review
SCPC*	Referral
GOSR	Resiliency Review
NYSDOT*	Highway Work Permit
NYSDEC	SWPPP approval
	SPDES Permit

\* SCDPW - Suffolk County Department of Public Works; ARB - Architectural Review Board; LPC - Landmarks Preservation Commission; SCPC - Suffolk County Planning Commission; NYSDOT - NYS Department of Transportation.

\*\* A Town Board Special Permit is required if lot coverage exceeds 80 percent

## **2.0 Organization and Overall Content of the DEIS Document**

The DEIS must conform to the basic content requirements as contained in Title 6, New York Code of Rules & Regulations (6 NYCRR) Part 617.9 (b) (3). The outline of the DEIS includes the following sections:

### **Coversheet/Title Page**

### **Table of Contents**

#### **Summary**

- Introduction
- Description of the Proposed Project
- Anticipated Impacts
- Proposed Mitigation
- Alternatives Considered
- Permits and Approvals Required

#### **1.0 Description of the Proposed Project**

- 1.1 Introduction
- 1.2 Project Background
- 1.3 Project Location and Existing Site Conditions
  - 1.3.1 Project Location
  - 1.3.2 Existing Site Conditions
- 1.4 Project Design and Layout
  - 1.4.1 Overall Site Layout
  - 1.4.2 Grading Program and Drainage System
  - 1.4.3 Vehicle Access and Parking
  - 1.4.4 Water Supply and Sanitary Wastewater Disposal Systems
  - 1.4.5 Lighting and Landscaping
- 1.5 Construction Schedule & Operations
  - 1.5.1 Construction Schedule
  - 1.5.2 Construction-Related Operations
  - 1.5.3 Erosion Control during Construction
- 1.6 Permits and Approvals Required

#### **2.0 Natural Environmental Resources**

- 2.1 Surface Water and Groundwater
  - 2.1.1 Existing Conditions
  - 2.1.2 Anticipated Impacts
  - 2.1.3 Proposed Mitigation
- 2.2 Soils
  - 2.2.1 Existing Conditions
  - 2.2.2 Anticipated Impacts
  - 2.2.3 Proposed Mitigation

**3.0 Human Environmental Resources**

- 3.1 Land Use, Zoning and Plans
  - 3.1.1 Existing Conditions
  - 3.1.2 Anticipated Impacts
  - 3.1.3 Proposed Mitigation
- 3.2 Community Services
  - 3.2.1 Existing Conditions
  - 3.2.2 Anticipated Impacts
  - 3.2.3 Proposed Mitigation
- 3.3 Transportation
  - 3.3.1 Existing Conditions
  - 3.3.2 Anticipated Impacts
  - 3.3.3 Proposed Mitigation
- 3.4 Cultural Resources
  - 3.4.1 Existing Conditions
  - 3.4.2 Anticipated Impacts
  - 3.4.3 Proposed Mitigation
- 3.5 Visual Resources
  - 3.5.1 Existing Conditions
  - 3.5.2 Anticipated Impacts
  - 3.5.3 Proposed Mitigation

**4.0 Other Required Sections**

- 4.1 Construction-Related Impacts
- 4.2 Cumulative Impacts
  - 4.2.1 Brief Description of the Riverview Lofts Project
  - 4.2.2 Surface Water and Groundwater
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  - 4.2.4 Land Use, Zoning and Plans
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  - 4.2.7 Cultural Resources
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  - 4.2.9 Construction
  - 4.2.10 Conclusions
- 4.3 Adverse Impacts that Cannot Be Avoided
- 4.4 Irreversible and Irretrievable Commitment of Resources
- 4.5 Effects on the Use and Conservation of Energy Resources
- 4.6 Growth-Inducing Aspects

**5.0 Alternatives Considered**

- 5.1 Discussions of Alternatives
  - 5.1.1 Alternative 1: No Action
  - 5.1.2 Alternative 2: Hotel Development
  - 5.1.3 Alternative 3: Mixed-Use Development, Parking per Town Standards
  - 5.1.4 Alternative 4: Townhouse Development
  - 5.1.5 Alternative 5: Mixed-Use Development, Parking per Changes in Town Parking Standards

- 5.2 Comparison of Impacts vs. the Proposed Project
  - 5.2.1 Surface Water and Groundwater
  - 5.2.2 Soils
  - 5.2.3 Land Use, Zoning & Plans
  - 5.2.4 Community Services
  - 5.2.5 Transportation
  - 5.2.6 Cultural Resources
  - 5.2.7 Visual Resources

## 6.0 References

## 7.0 Figures, Plans and Appendices

As required under SEQRA, the DEIS should include *“a statement and evaluation of potential significant adverse impacts at a level of detail that reflects the severity of the impacts and the reasonable likelihood of their occurrence.”*

Included in this evaluation will be reasonably related short-term and long-term impacts, with other required sections identified in this scoping document. This section further describes the level of analysis and the type of analysis expected with respect to the key environmental impacts of the project as outlined in the Positive Declaration.

The information contained in the DEIS shall be supported by specific reference materials, documents and studies, with footnotes citing the sources and where appropriate, page numbers. The Town of Riverhead has prepared several studies of this area including but not limited to the Town of Riverhead Comprehensive Plan, Town of Riverhead Peconic River/Route 25 Corridor Step II Brownfields Opportunity Area and East Main Street Urban Renewal Area Plan Update, 2008 (EMSURA), 2008. There are 60 recommendations in the EMSURA report. The DEIS must provide a matrix of these studies' recommendations and goals including the 60 EMSURA recommendations along with statements regarding the project's compliance or noncompliance with each recommendation or if the recommendation is unattainable (i.e. municipal actions and approvals which are beyond the sponsor's scope to implement as a mitigating measure). Each alternative to the proposed action must be assessed in this matrix type of evaluation for comparative assessment.

## Description of the Proposed Project

### 1. Introduction

2. The street address of the site, and a list of the tax lot numbers of the site shall be provided.
3. The objectives of the project sponsor will be included and discussed.
4. Include justification of proposed project in terms of Town goals for the site, including the objectives outlined in any applicable Town planning documents. The references and documents cited shall be cited in the DEIS.
5. Public need for the proposed project will be discussed. The discussion on public need shall include specifics as to the sources that support the need for the project and how the public is benefited by the proposed development. Stated benefits generated by the project shall be quantifiable in terms of social and economic terms.
6. Provide an assessment of how the proposed project, including its proposed Community Benefits, meet zoning goals as implemented by the Town.
7. Include a discussion of the economic benefits expected. These shall be in terms that can be justified and quantified.
8. Include a discussion of the Community Benefits expected to accrue from the proposed project

that are supported by specific needs of the community. The benefits shall be quantifiable.

9. A complete Socio-Economic Impact analysis will be prepared to examine tax revenue benefits and direct, indirect and induced economic benefits of construction and operation jobs (i.e., economic “ripple” effect).

**10. Project Background**

11. There will be a brief description of the site and application history; this should include a discussion of the previous use of the site, its current use and condition. The applicant shall provide a detailed description of the site’s past historical significance and cultural values. Please identify any past recommendations regarding the past building’s preservation efforts prior to its demolition, as well as all documentation. The historical/cultural significance of the former “Sears Building” must be discussed in detail within the DEIS sections on Cultural Resources and how the former building configured into the Town’s Downtown Historic District. Provide impact(s) generated by its demolition in terms of cultural resources and community character.
12. Any Environmental Assessment Forms (EAF) prepared for the subject site will be summarized and attached or excerpts attached to establish background conditions.

**13. Permits and Approvals Required**

14. Provide brief narrative of remaining SEQRA review steps.
15. Identify the anticipated government and agency permits and approvals
16. Provide a list of all potential public funding requested for the project: include the agency, status of application(s), modifications to the projected as originally proposed that may be necessary to meet agency funding requirements, and amount (US Dollar) anticipated.

**17. Project Location and Existing Site Conditions**

18. Using appropriate mapping and/or tables describe location of site, in terms adjacent/nearby significant properties, zoning, planning and service districts. This section of the DEIS shall identify the cultural/historical structures and resources within 1000 foot radius of the site.
19. The existing conditions of the site in terms of a site survey, vegetative cover and any ESAs will be provided as an overall background of existing site conditions.
20. Any Phase I and/or Phase II Environmental Site Assessments (ESAs) that were prepared for the subject site will be summarized and attached or excerpts attached to establish background conditions.

**21. Project Design and Layout**

22. Provide a table summarizing the various significant site quantities to be discussed in the DEIS.
23. Include a brief description of the overall project layout; describe basis for site yield, location/distribution of proposed structure on the site, services, utilities, access points, parking, loss of parking, etc.
24. Discuss the sizes, numbers, bedroom counts, etc. of the residential units. The Lead Agency questions the concept of the “Garden” apartments and how the proposed location is not on the building’s first floor. The DEIS shall address this concern in a comprehensive discussion with supporting illustrations in an effort to clarify that a +/- five-foot elevation change (as described by the applicant) can justify a “second floor” concept and remain in compliance with Town Code. Irrespective of any previous interpretations, this Code compliance question shall be adequately addressed in the DEIS. According to the Town of Riverhead Chief Building Inspector, apartments are permitted on upper floors in DC-1 per §301-141 A(12) and specifically prohibited under §301-141 D(3). The garden level design concept conforms to these requirements as it is interpreted that the garden level is an upper floor and not the ground floor. The definition of a story in §301-3 defines ground level and differentiates stories:  
“The ground or first story is the lowest story of a building above the level of the ground in

front of the building and shall include the area on more than one level, provided each of the levels is separated by not more than eight risers.”

By elevating the garden level above the Main Street ground floor by more than 8 risers (56” for a max 7” commercial riser), it qualifies as an upper story. Building height may also be unaffected by this concept, as the zoning dimensional chart limits building height to 60 feet in DC-1. But the garden apartment level design concept does not circumvent the (N2) note in the height chart: “(N2) Not to exceed five stories.” If the garden apartment is an upper floor, then it cannot be the first floor as well; i.e. a design with five floors of apartments is problematic because the lowest story of apartments is the second building story, making the fifth story of apartments a non-permitted sixth story. As with one building, which helps define the grade plane and overall allowed height of the building, the Main Street ground floor cannot be discounted as a floor.

25. With respect to SCDOHS Article 12, describe where and how storage of potentially hazardous/toxic materials, if any, will occur, with descriptions of containment, and other protection measures, to ensure protection of groundwater and other natural and public health conditions. The sponsor shall explain why there is a need to discuss hazardous/toxic materials storage pursuant to Article 12. The DEIS must address emergency response procedures for hazardous/toxic material storage facilities, identify the storage facility(s) on the site plans and discuss compliance with all regulatory requirements including: NYSDEC, NFPA, special training for on onsite employees engaged in hazardous/toxic materials, and how the public health and in particular the residents of the facility and its employees shall be protected.
26. The Town of Riverhead Architectural Review Board and Landmarks Preservation Commission have provided the applicant with initial comments. These reviews were conducted prior to the designation of the Town Board as Lead Agency, and prior to the SEQRA Positive Declaration of Significance. The DEIS must address the visual impacts of the building’s proposed architecture, assess the potential impact of the design on the community character, street scape and traditional Main Street cultural and historic resources. The mass of the building and location has potential to impact existing cultural and historic resources that are iconic within the Downtown landscape. The DEIS must address this contrast and the cumulative impacts associated with the adjacent Riverview Lofts building. The relatively small lot size, building mass, and height, setbacks, landscaping and overall architectural designs of these two developments together with their specific “central” location on Main Street have potential to be the most dominant structures in Downtown Riverhead. The DEIS must include detailed and accurate photo-simulations of the existing and proposed developments to evaluate the potential impacts.
27. The applicability of, and the project’s conformance to, the Long Island Workforce Housing Act with respect to affordable housing requirements shall be addressed. This section of the DEIS shall include an inventory of workforce/affordable type residential housing units currently located within Riverhead; the number of units concentrated in the downtown zoning use districts; and the proposed number of future units (based on Planning Department resources).
28. The DC-1 Zoning Use District was limited to 500 dwelling units as proposed under the Town Code. This number of units was not specific to the quantity dedicated for workforce housing. The DEIS shall address the number of existing affordable housing units within the DC-1 district and the number of market rate units.
29. The sponsor is encouraged to utilize the information from the Town of Riverhead Assessor to confirm the actual quantity of market and affordable units.
30. An assessment shall be conducted to examine the total number of housing units and the number of units determined to meet the description of affordable/workforce and market value

units. The assessment shall include a complete description each affordable housing unit's governing entity (s) that determines the allowable threshold of the occupant's income requirements; what the income thresholds are; and how record keeping is maintained and oversight of these existing programs are administered. The Lead Agency requires this information in the form of a comparative economic analysis, as well as a planning analysis to evaluate the sponsor's proposal to build either a mix of affordable units or 100% affordable/workforce units; to evaluate the "trend" in workforce housing described in the sponsor's Draft Scope for the DEIS; and to evaluate the number of "transitional residents" who, when they exceed the imposed income thresholds, what alternative housing may or may not be available within Riverhead, and if disposal incomes are available (due to exceeding the income thresholds) within Riverhead. What are potential impacts to the local economy? The Lead Agency requires the DEIS assess the intensity of use in light of the existing affordable rental apartments located within the DC-1 and adjoining zoning use districts. The discussion is a critical component of the DEIS. The DEIS must evaluate the proposed apartment sizes and develop a comparison with market rate apartment size(s) in Riverhead and surrounding areas for a competitive assessment. This shall be included in the market study/economic analyses section of the DEIS.

31. The DEIS must adequately describe the commercial/retail use of the first floor and assess all relevant impacts potentially generated by the variation of permitted use(s): parking, traffic, solid waste, hours of operation, economics, utility and infrastructure, public needs and benefits. The DEIS shall address an alternative use of the first floor commercial space that is facing the riverfront and provide a consistency analysis for conformance with the Landmarks Preservation Guide Book.
32. The DEIS shall provide a detailed description of the project's landscaping and public spaces, including the identification of any restrictions for public access to the site, to its access points that adjoin public roadways, sidewalks, parking lots, and parks. All measures to control or restrict the public's access to and/or through the site (signage, security personnel, gates, fencing etc.) shall be described.
33. The DEIS must include alternatives to the building's exterior colors, building materials, and architectural features. The Lead Agency has received public and Planning Board comments regarding the building's proposed design aspects relevant to how more modern styled elements contrast with traditional designs that are compatible with historical buildings in the immediate vicinity of the site. The mass and size of the building, together with its location on Main Street and within the historic district requires a comprehensive assessment of alternative designs. This assessment shall include designs contemplated for the alternative structures evaluated in the Alternative Section of the DEIS. The proposed landscaping of the site must be included within this section of the DEIS evaluations. The DEIS shall address and provide a design evaluation and consistency analysis to address conformance with the Landmarks Preservation Guide Book.
34. The DEIS shall include and assessment of noise impacts generated by mechanical equipment.

### **Topographic Features and Drainage**

1. The grading program and associated areas disturbed shall be discussed along with areas to be cleared, estimates of volumes of soil excavated, cut/filled, removed from site and maximum depths of cut/fill.
2. Site drainage and proposed drainage system and provide capacity and function information must be provided.
3. The location of the project is within an area of Riverhead, which experiences frequent

- flood events. The DEIS must discuss compliance with Town Code Article LVI Site Plan Review, pertaining to on site containment of storm water runoff, control of stormwater and potential use of rain garden technology to minimize urban sediments and pollutant discharge to surface and groundwater. Site stormwater storage and tidal flood events are compounded by a high groundwater table. These conditions must be addressed.
4. The DEIS must adequately discuss quantitative stormwater control mechanisms as well as qualitative pollutant controls and the effectiveness of each with respect to pre and post construction conditions.
  5. The DEIS shall address the potential for dewatering as may be necessary for subsurface utility connections (water, sewer, gas, electric, etc.). The DEIS shall describe dewatering permit/approval requirements and probable discharge locations for dewatering activities.
  6. The DEIS shall assess dewatering impacts on the Peconic River and its uses for recreation.
  7. If applicable, the DEIS shall identify and describe the proposed action's direct and indirect effects associated with occupying or modifying the 100-year floodplain.
  8. The DEIS shall address the grading between the subject site and the Riverview Lofts site and evaluate how the grading plans for each project are compatible or what adjustments are needed. Engineering plans and the DEIS discussion shall be detailed and consistent.
  9. The DEIS shall address the zero lot line with the Riverview Lofts project and describe impacts and mitigation with regard to natural light, air circulation, window designs, architectural designs, etc.

### **Traffic & Transportation**

1. The vehicle access points and internal circulation will be described, any off-site road improvements discussed; discuss internal roadway maintenance responsibilities and processes, including potential for emergency access. The DEIS shall provide a Traffic Impact Analysis including: trip generation, distribution analysis, accident analysis and signal timing/levels of service (LOS) at signalized and un-signalized intersections and projected changes to the LOS generated by the project, and for the following intersections:
  - East Main/McDermott Avenue
  - East Main/Roanoke Avenue
  - East Main/Peconic Drive
  - Peconic Drive/Heidi Behr Way
  - East Main/Griffing Avenue
  - East Main/East Avenue
  - East Main/Maple Avenue
  - East Main/Ostrander
  - East Main/Un-named Access to Heidi Behr Way
  - All proposed locations for ingress/egress with East Main Street
  - The aforementioned streets are within the boundary of the Downtown Parking District.
2. The traffic impact study (TIS) analyses shall address AM/PM weekday and weekend trip generation, and school bus/pick up-drop off schedules for all school aged children. The DEIS must use actual counts from existing multi-family dwellings located within the vicinity of the Main Street Area including Riverpoint located at 821 East Main Street, Summer Wind and Peconic Crossing.
3. The traffic assessment shall address the restrictions of curb cut with East Main Street where there shall be no ingress/egress to the site from East Main Street.
4. Construction Generated Traffic: The DEIS must include a detailed discussion of Maintenance

and Protection of Traffic during the construction activity. The discussion is to include discussion of traffic and parking for construction workers, commercial vehicles and impact assessments on the local traffic patterns and parking conditions, as well as mitigation as may be required.

5. Parking conditions, adequacy and availability of the mixed use commercial/retail residential project shall be discussed based on permitted uses(s).
6. A transportation analysis shall include a demand of bus and rail service.
7. The DEIS and TIS shall include traffic generation assessments and impact analyses from other area wide development projects that are anticipated in the future. A list of said developments shall be provided to the preparers by the Town of Riverhead Planning Department.
8. Proposed mitigation measures. Mitigation shall be specific and quantifiable.

### **Parking**

1. The subject site slopes down towards the south from East Main Street, to the Peconic River. Vehicle access to the Cellar parking level beneath the building is proposed via Heidi Behr Way, on the south. These spaces will be available to the project's residents on a monthly basis; patrons of the project's retail spaces will require parking elsewhere, in the nearby public parking lots. The DEIS shall identify all locations proposed for parking and quantify the number of parking spaces required and expected duration of the residential and commercial parking needs.
2. The DEIS shall provide the parking schedule requirements as if the project was located outside the designated Parking District whereby a theoretical number of parking spaces can be compared to the number proposed (88 spaces) and potential need for parking spaces within the Downtown Parking District. A Table is recommended. Please clarify the public's accessibility to these spaces. Can any vehicle park in these stalls for any length of time or are there restrictions to the "Cellar" parking?
3. The Parking District includes lots labeled as Q, R, S, and T that are in close proximity to the site. Twenty-seven (27) parking spaces are identified as "Lot R" in the Downtown Riverhead Parking District. The quantity of parking spaces is a limiting factor. Adding the number of spaces potentially needed for the Riverview Loft project and 203-213 East Main Street, the DEIS must determine impacts and mitigation measures to the Parking District. If parking is proposed outside the District it must be based on 1.5 spaces per apartment dwelling unit and the proposed commercial/retail parking calculations shall conform to the Town Code. Transit, pedestrian and bike friendly Transportation are goals for the Downtown redevelopment plans. The DEIS must describe how the project will meet these goals.
4. As noted, the Parking Schedule requires One and one-half (1.5) spaces be provided per unit based on the proposed action use as Multiple Dwellings. The parking calculations must be based on this formula. The commercial/retail parking requirements shall also be calculated as per Town Code and based upon the specific permitted use(s).
5. The DEIS shall describe all fees for parking within the proposed 88 parking stalls.

### **Water Sewer Solid Waste and Utility Services**

1. Include a description of water supply, and proposed wastewater handling and corresponding use of water supply and sanitary design flow. The DEIS shall address the cumulative impact potential from sanitary flows and water demands that have potential to generate impacts on the Town's infrastructure.
2. Conformance to applicable SCDOHS regulations regarding water use and wastewater treatments shall be discussed.

3. Utilities and services must be described along with the intended future connection. The DEIS shall include a detailed evaluation of locating utilities below ground along East Main Street and along the Town Riverfront properties to the south.
4. The placement of subsurface utilities shall address resiliency of subsurface utility locations. In addition to describing utilities, PSEG Long Island comments included an analysis of impacts of any necessary utility upgrades to support the project in the “Power and Utilities, Including Gas, Electric, Water and Sewers” section of the DEIS. In particular the DEIS shall address significant increases in pole heights which may result in visual impacts, (i.e. pole height increase of more than 10 feet), extent of ground disturbance and proximity to natural resources as well as utility conflicts.
5. The DEIS must address utility availability and the peak demands expected by the proposed action. Riverhead has experienced limitations on available public water, sanitary discharges within the Town’s sewer district and limits on available natural gas.
6. Solid Waste shall be a discussion in the DEIS and include the volume/tonnage expected to be generated by 170 residential units and the quantity generated by the commercial use(s). The storage area(s) and containers for each waste stream shall be identified as well as the solid waste storage areas and frequency of collection. The Lead Agency has environmental and public health concerns over concentrating a substantial quantity of residential and commercial generated solid waste within the 1.42 acre site. How and where will the solid waste be collected and transported and what is the frequency of collection? What collection vehicle is sized for this operation?
7. The Town lighting requirements and proposed lighting shall be provided, including a description of fixture shielding and other measures to prevent sky glow and light pollution. The DEIS shall describe compliance with the Town’s Dark Sky Code.
8. A proposed landscaping plan including irrigation demand shall be provided for the project site.
9. The DEIS shall describe the connections, locations (subsurface and overhead) and demands for cable and internet services.
10. The DEIS shall address the irrigation supply for the landscaping (Riverhead Water District connection or private on-site water supply well), and methods of water conservation to minimize and or avoid potential impacts to municipal water supply and peak demand periods.
11. The DEIS shall describe management, monitoring and maintenance of sanitary system(s), landscaping, solid waste management, site maintenance, etc.
12. The DEIS shall describe the peak utility (water, sewer, power, etc.) demands and availability for each of the commercial/retail space(s).

### **Community Services: Emergency Response Scenarios**

1. The DEIS needs to address emergency response concerns with respect to fire service and catastrophic events. The DEIS must address a redundant fire event that occurs at 203-213 East Main Street and Riverview Lofts.
2. The DEIS shall adequately evaluate the proposed building materials of wood versus steel for construction, fire safety and structural integrity including compliance with standards for resiliency acceptable to the GOSR.
3. The DEIS must address an emergency event generated by a major storm event (hurricane) and provide for an orderly evacuation of the facility to an approved shelter, with the removal of the resident’s motor vehicles and medications and relocation to an appropriate location.
4. The DEIS must address potential for restrictions to access for emergency response vehicles,

- especially for the separation space between 203-213 East Main and the Riverview Lofts site.
5. The access to the roof's peak, via the southerly location, may exceed 60 feet of building height. Emergency response scenarios shall address this concern for the building height with respect to available personnel training and existing emergency equipment together with response time.
  6. The DEIS shall provide a detailed discussion of the access for emergency vehicles and the proposed pedestrian walkways with removable locking bollards.  
As per the Riverhead Fire Marshal the following shall be addressed in the DEIS:
  7. All plans and construction must conform to the International Building Code and Fire Code with New York State Supplements.
  8. With respect to the proposed construction of a five-story building mixed use building with parking, there are design criteria required by the Building Code that may dictate heights, areas, fire protective services, and methods of construction. A comprehensive code analysis should be completed as early as possible, specifically with respect to Chapters 5 through 7 of the IBC 2015.
  9. Grade plane appears to be established at 9' above sea level. Proposed building height of 65' 7 ½" exceeds the maximum allowable height of 60'. Buildings with an occupied floor of 75 feet in height are considered to be "High Rise". This is measured from the lowest level of fire department vehicle access.
  10. There needs to be a discussion with regard to a Garden Level/Apartments as this is considered a story. This building would be considered a 6 story building.
  11. Buildings four stories or more in height shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed where the progress of construction is not more than 40 feet (12 192 mm) in height above the lowest level of fire department access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairs. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.
  12. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway (Appendix D)
  13. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. (Appendix D)
  14. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. (Appendix D)
  15. Where required by the code enforcement official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2. (Appendix D)
  16. Fire Marshal permits are required for construction, fire alarm & sprinkler installations. A Class 1 Standpipe installation will be required.

17. Fire Service Main(s) shall be shown on a separate plan indicating all Sprinkler risers, hydrant locations, and Stand pipe riser locations.

### **Community Services: Riverhead Central School District**

1. Provide projected number of residents and school-age children.
2. The DEIS shall provide a detailed discussion on the school age children expected by using Riverhead Central School District and Riverhead Charter School generated information, and conduct an actual “headcount” of students generated at the following multi-family dwellings:
  - a. Summer Wind
  - b. Peconic Crossing
  - c. Woolworth Apartments
  - d. Riverpoint Apartments
3. The DEIS shall provide an identification of all informational sources used to project potential of student generation. The School District shall also provide transportation routes within the vicinity of the project whereby school bus trips can be calculated to assess traffic impacts.
4. The DEIS shall include information on school aged children as may impact the Riverhead Central School District generated by the proposed redevelopment of Riverside Revitalization Action Plan proposed by the Town of Southampton.
5. The DEIS must address potential impacts by school age children for future development projects within the vicinity of Main Street. These projects will be provided by the Riverhead Planning Department.

### **Construction Schedule and Operations**

1. The anticipated construction process, methods, sequence and schedule, insofar as information in this regard is available must be discussed. Is the project to be phased in? If so what are the phase descriptions and dates?
2. Due to construction limitations, there are potentials for use of piles and pile caps. The DEIS shall identify potential impacts generated by friction pile driving, vibration impacts on nearby structures both of cultural/historic significance and non-historic, alternative construction methods, dewatering requirements including, pump types, estimated volume of water, pumping methods, discharge point(s), number of days/hours of operation for all dewatering processes and a list of approvals and permits required.
3. Describe potential construction equipment storage/staging sites, delivery truck routes, hours of operations, workers’ parking areas.
4. Discuss amount of soil material to be removed from site, if any, number of truck trips, length of time that this process would be on-going, and associated truck routes.
5. Describe the measures taken to prevent/mitigate soil erosion during construction, the pertinent regulations and required plans and permits in this regard, and other actions taken to protect natural and sensitive areas.
6. A discussion of conformance to NYSDEC SPDES stormwater and erosion control regulations for construction and post-construction conditions will be provided.

### ***Construction-Related Impacts***

Describe the impacts related to construction activities, including: dust, erosion and sedimentation, noise and vibrations from foundation pile driving (particularly on nearby churches and historic structures), locations of staging areas, parking areas, operation areas, duration, hours, and related mitigation measures to reduce construction impacts.

1. There is a substantial public concern regarding potential pile installation, noise and vibration of the pile driving equipment and potential impact on existing structures including but not limited to fragile historic buildings and aging infrastructure. The DEIS shall address methods and equipment of pile driving, impact potential, mitigation and protection of existing structures. Alternative methods for construction of building foundations shall also be evaluated. Disputes have emerged regarding possible damage to existing structures generated by pile driving activities. The DEIS must include a status of each structure that has claimed damage and cannot assume that no additional or cumulative structural damage is foreseeable because of the current condition of surrounding area structures. The DEIS must expand upon methods to monitor and protect nearby structures from damage.
2. During construction there are potentials for traffic impacts, access along Mc Dermott to Heide Behr Way and the River Walk Park, existing parking area use by construction worker vehicles, and conflicts with existing business operations on Main Street. Please describe what temporary control methods may be necessary to mitigate these impacts during construction, implementation and duration, and responsible parties needed for enforcement (self-imposed/voluntary and Town).
3. During construction activities the DEIS shall address potential to generate air borne dust and particulates, and propose methods of monitoring the site and methods to control dust and debris.
4. The DEIS shall describe the use of the exiting bulkhead for all construction related activities (dewatering, etc.).

#### **Natural Environmental Resources**

##### ***Water Resources***

1. The existing drainage conditions on the site must be described.
2. Any existing surface water bodies on the site and tributary to it shall be identified and located.
3. Any FEMA Flood Hazard Zones on the site will be identified, mapped and described.
4. Any known areas that have experienced localized flooding shall be documented on plans and in the DEIS and include elevations, historical flooding information, pictures if available and proposed mitigation to address flood prone areas that may be exacerbated by the project.
5. Any existing impacts on surface water quality from the project sites shall be identified and discussed.
6. The elevation of the water table beneath the site shall be determined by use of on-site soil borings, if available.
7. The expected direction of groundwater flow based on hydrologic interpolation must be identified.
8. Any existing impacts on groundwater quality from the project site must be identified and discussed.
9. The anticipated impact of the project with respect to groundwater quality shall be fully examined in terms of sanitary discharge compliance, wastewater treatment system operation and conformance to regulatory requirements.
10. Any anticipated impacts on surface water quality including discharges from flooded areas from the project must be identified and discussed.
11. Post-development stormwater management conditions will be evaluated. This evaluation will include: estimates of stormwater volumes to be generated, details of the proposed collection and management systems, system capacity, future maintenance practices for stormwater collection and leaching structures and analysis of how the proposed stormwater management system will comply with applicable regulatory requirements, including the NYSDEC SPDES General Permit Phase II storm water regulations.

12. A discussion of the potential for flooding within the subject site and onto adjacent properties shall be provided. Mitigating measures to address potential flooding shall be presented for the proposed project and each alternative except the No Build.
13. Mitigation measures which may reduce potential water quality impacts shall be identified.
14. The Peconic River is a navigable waterway and a significant natural resource. The NYS Department of State, Coastal Zone Management Consistency Statement should be addressed in the DEIS, as well as other state and federal regulatory agencies that may be interested or involved agencies depending upon site de-watering, and potential discharges. How will the public's recreational use of the River and its access be impacted?

#### *Soils*

15. The topography of the site shall be determined using topographic survey information; high and low points identified, and a slope analysis presented and discussed.
16. Soil borings, if available, shall be described to determine subsurface soil quality and depth to groundwater for high and low points. Soils, groundwater elevations, surface topography area wide drainage conditions, Peconic River tidal conditions during storm events, astronomical high tide events and existing infrastructure significantly affect the subsurface conditions. The DEIS must identify and clarify these inter-related environmental conditions and how these generate impacts from the proposed project.
17. Mitigation in terms of erosion control and retention of soils, shall be identified.

### **Human Resources**

#### *Land Use, Zoning and Plans*

1. This section must depict and describe the existing land use and zoning of the subject site and in the surrounding area.
2. The DEIS shall address the density of residential development for the project and for projects within the DC-1 zoning district. The project as proposed is located on 1.42 acres of land. The number of residential dwellings is 170 units, thus equating the density to just under 120 units per acre. The DEIS must address this intensity of use for the proposed action and evaluate the density for the alternative uses described in the Alternative Section of the DEIS.
3. The DEIS shall provide a full discussion and description of the how the building height is compliant with Town Code and justify whether the "parking-cellar" is a "floor" or that a maximum building height is not exceeded by the proposed development.
4. Analyses of land use and zoning patterns shall be conducted for the relationship among the site, immediately adjoining properties and the surrounding neighborhood. The DEIS shall address the Community Character along Main Street and a description of the "neighborhood."
5. The zoning regulations applicable to the project site in its existing condition shall be provided. The Town is currently considering alternative zoning and or amendments to the code in response to efforts for downtown revitalization. The DEIS shall identify these proposed Code amendments and how the project does or does not conform.
6. Land use plans applicable to the project site shall be outlined, and the recommendations pertinent to the proposed project or project site presented. The DEIS must assess the compatibility of the project with area land uses, the impacts of the proposed project on land use and zoning patterns, and conformance to zoning regulations.
7. The conformance of the project with the applicable recommendations of the land use plans shall be evaluated and discussed. As example, and stated previously, the EMSURA study

included 60 recommendations and each must be evaluated in the DEIS. Generalized statements offered in the DEIS are not considered an acceptable response to the Lead Agency's Scope. If the lot coverage exceeds 80 percent, the application shall require a Special Permit from the Town Board. The DEIS must list the Special Permit criteria and identify how the project complies, conflicts or is not applicable to each of the Special Permit conditions.

8. GOSR will review the application for resiliency. Stormwater controls that incorporate detention times and potential for runoff overflowing beyond the site must be assessed. Measures which may be used to mitigate potential impacts to land use, zoning or recommendations of land use plans shall be provided.

***Community Services***

9. The existing tax revenue of the site shall be established, from Town tax bills; the distribution of taxes to taxing jurisdiction shall be presented and discussed.
10. The roster of community services analyzed in the DEIS include:
  - o Public schools;
  - o Police protection;
  - o Fire protection and ambulance services;
  - o Public water supply;
  - o Sanitary wastewater treatment and disposal;
  - o Solid waste;
  - o Energy suppliers; and
  - o Recreational facilities.
11. Waste Collection and frequency of service for 170 dwelling units and commercial space- how will these be segregated- and where will these receptacles be located? How will use of Town operated downtown waste baskets not be filled by the residential influx- address this as a community service impact.
12. The DEIS shall fully describe all loading and deliveries to the site, control methods to avoid pedestrians and unwanted access and a description of the vehicle types that may provide deliveries.
13. The above-listed community services available to and/or utilized on the site shall be described.
14. The existing and anticipated demands on each of the above services from the proposed project must be described qualitatively (and quantitatively, where possible).
15. The anticipated tax revenues generated by the project must be estimated, for both the affordable housing scenario and market rate scenario, and commercial uses(s) and the impacts to each taxing jurisdiction discussed.
16. The impact analysis contained in the DEIS must include consultations with service providers regarding existing demand for services and capacity.
17. A description of any school bus routes and stops in the vicinity, and a discussion of any potential impact on access to and/or safety at these school bus stops from interactions with construction traffic and/or post-construction, peak hours is to be provided.
18. Previous studies for the downtown region identified that a grocery store would provide a number of community benefits including but not limited to local resident shopping needs, access by pedestrian and bike friendly pathways, provide an "anchor" store that could support a universal need, and offer a form of retail diversity. The DEIS shall address the cumulative impacts of the Riverview Lofts, Summer Wind, Peconic Crossing, Woolworth Apartments, Riverpoint and 203-213 East Main Street residential needs for general food shopping, that would necessitate vehicular transportation to major grocery retailers located

on County Road 58. From the concept of reducing traffic impacts while encouraging a pedestrian friendly downtown it is impossible to ignore that a full service, high quality grocery store is not a potential need in support of what could be some 400 residential dwelling units in a concentrated area of downtown. The DEIS shall address this issue within the community characteristics, traffic, infrastructure and land use sections and identify previous Town land use studies and recommendations that discussed downtown grocery stores and community needs.

19. Mitigation measures that will or may be provided will be described and discussed for each of the above services.

### **Cultural Resources**

1. There are significant historical and cultural structures within 1000 feet of the site – these include but are not limited to:
  - o East End Arts Council-Artist house and art/community landscapes
  - o Doroska House and landscapes
  - o United Methodist Church
  - o Suffolk Theater
2. The potential presence and, if determined to be present, the nature and extent, of historic and/or pre-historic resources of the site will be determined by reference to materials of the NYS Historic Preservation Office and local historic district resources, and documented with an appropriate map.
3. Any anticipated impacts of the proposed project on cultural and historic resources must be determined and proposed mitigation measures described.
4. Detailed evaluation of the existing cultural buildings within 1000 feet of the site shall include measurement and investigation into records of damage reportedly associated with the recent pile driving and construction activity. Note: it was predicted in the VDEIS for Riverview Lofts that geotechnical studies supported that no damage would occur- if these prior assessments are cited as a reference to the DEIS, describe what is the suspected source of the reported damage and how this impact can be mitigated or avoided by the project sponsor.
5. A detailed maintenance and physical protection plan to preserve the aesthetics, building materials, landscapes and special features of sensitive structures with cultural significance, that are located in proximity of the proposed construction activities shall be provided.
6. The DEIS must explain, how through project pre construction planning and coordination, communication with the Town of Riverhead, and nearby property owners, and physical methods to be employed, will serve to preserve and protect existing structures, especially structures constructed prior to enactment of current building standards. Pile driving vibration monitoring programs may provide a tool for measuring impacts to newer structures. The DEIS shall provide any recommendations to vibration monitoring methods developed for the older structures and their soil/stone foundations, and subsurface conditions that may influence vibration impacts (soil characteristics, old underground utilities, buried fill, etc., that may extend beyond the subject site boundaries). Pile types shall be adequately described and potential impacts from each pile type and methods of installation shall be evaluated as to the potential impacts and the mitigation as required.

### **Visual Resources**

1. The general visual character of the existing site and vicinity may be depicted by ground and aerial photography using a key map for locations of all ground photography. Computer-

simulated images of the proposed building may be provided as general reference. These photographs may be used as a basis for a text description of the site's general appearance and character within the overall community.

2. Any anticipated impacts of the proposed project on visual resources shall be determined and described to fully disclose the change of visual character of the site.
3. Visual impact assessment methods shall include a comprehensive assessment using photo-simulation engineering. These methods use architectural and engineering designs, site lighting, building details (lintels, doors, windows, awnings shutters, hardware etc.), building materials, colors, and landscape plans to depict the pre and post construction visual impacts from specific visual vantage points. This technology extends beyond an architectural rendering. The visual impacts must include the Riverview Lofts project as the two projects represent an irrevocable alteration on the visual conditions associated with the more commonly found two and three story structures on Main Street. Visual impact assessments must evaluate the potential for reduction of sunlight which currently illuminates the vicinity. Examples of the technology shall be provided by the Town's Planning Department
4. Visual impact assessments must include viewpoints by vessels traveling along, and at dockage on the Peconic River. The recreational use and the Town's maritime heritage along this segment of the River has been a key component for tourism. The DEIS must assess impacts generated by the potential visual impact on a non-maritime structure in close proximity to this resource.
5. Alternative building design features (building materials, colors and architectural styles) and landscaping shall be assessed in this section of the DEIS and utilize photo-simulation technologies for an accurate depiction of the structure(s) and streetscape. This evaluation shall include visual impact assessments of the alternatives proposed in the Alternatives Section of the DEIS.
6. ***Recreational Facilities***
7. The population growth generated by the Riverview Loft and 203-213 East Main Street apartments will impact public parks and recreational activities. The River Walk park area and Main Street use for special events (Alive at Five, local street fairs, parades, etc.) increase public access, exposure and use of these local recreational facilities. During these events, parking, and access will potentially impact event patrons, event vendors, residents of the River Lofts, and commercial space users of the River Loft. The DEIS must assess use of the park/recreational sites, provide mitigation for impacts to parks.
8. The DEIS shall calculate the Town's anticipated "Recreation Fees" applicable to residential development.
9. The DEIS shall detail what impacts and mitigation may be needed for special event (Alive at Five, street fairs, parades, etc.) conditions with respect to the site's accessibility, security, parking, and public access.

### **Other Required Sections**

In addition to the key resources identified in the Positive Declaration, SEQRA identifies other required sections for a complete DEIS as included in 6 NYCRR Part 617.9 (b)(3). The following Other Required Sections and evaluations will be provided in the DEIS.

### ***Cumulative Impacts***

Note other pending projects in the vicinity, determine potential for impacts due to implementation of proposed project in combination with others and discuss/analyze impacts. Other projects must

address proposed development in Southampton Town where the former “Peconic Paddler” site is contemplated for hotel use. Impacts such as parking, utilities and traffic need to be assessed. The Traffic Impact Study shall include area-wide projects that are proposed or anticipated based on information available from the Town of Riverhead Planning Department.

***Adverse Impacts That Cannot Be Avoided***

Provide a full listing of those adverse environmental impacts described/discussed previously that are anticipated to occur, which cannot be completely mitigated.

***Irreversible and Irretrievable Commitment of Resources***

Provide a discussion of natural and human resources which will be committed to and/or consumed by the proposed project.

***Effects on the Use and Conservation of Energy Resources***

Provide a description of planned and/or potential energy-conserving measures, which may include use of energy-efficient devices. Include a general discussion related to the potential for energy efficient buildings and site to be constructed to LEED® certification or equivalent.

***Growth-Inducing Aspects***

Provide a comprehensive discussion of aspects of the proposed project that will or may trigger or contribute to future growth in the area. Similar projects appear to have generated a greater intensity of this type of land use. The DEIS shall discuss this “trend” in detail.

**Alternatives Action Assessment**

SEQRA requires a description and evaluation of the range of reasonable alternatives to a proposed action that are feasible, considering the objectives and capabilities of the project sponsor. Alternative technologies should be considered, where appropriate. As noted in SEQRA, “*The description and evaluation of each alternative will be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed.*” The following alternatives are required for the DEIS:

- Alternative 1: No Action - assumes that the site remains unchanged from its current use and condition; no re-development occurs.
- Alternative 2: Hotel Development - assumes re-development of the site under its existing zoning, with a structure similar to the proposed project, of a hotel having 3,442 SF of Ground level administrative/maintenance/mechanical spaces and 100 rooms on the Garden level and floors 2 through 5. A special permit for this use will be required from the Town Board.
- Alternative 3: Mixed-Use Development, Parking per Town Parking Standards - assumes a mixed- use residential project in a single, building that is not more than three stories high that reflects EMSURP recommendations regarding conformance to the building heights in the vicinity to the east and the west, and maintenance of vistas southward from the buildings on the north side of East Main Street; assumes parking per current Town standards.
- Alternative 4: Townhouse Development - assumes townhouse development conforming to the DC- 1 zoning district.
- Alternative 5: Mixed-Use Development, Parking per Changes in Town Parking Standards -

assumes a mixed residential and commercial project similar to the proposed project, with parking provided to meet the number of spaces required by the anticipated changes in the Town Code parking standards.

- Alternative “Mixed Use” scenarios shall identify the permitted commercial/retail specific use(s) whereby and adequate and reasonable evaluation of impacts can be assessed by the Lead Agency.

### **Issues Deemed Not Relevant, Not Environmentally Significant or Adequately Addressed in Prior Environmental Review**

The intent of the DEIS is to disclose and analyze all potential significant adverse environmental impacts associated with the proposed project. The Final Scope has been the subject of a Draft Scope submitted by the applicant and public scoping process in conformance with SEQRA Part 617.8, with the issuance of this Final Scope by the Lead Agency.

The Lead Agency seeks to include issues identified during the scoping process that are relevant to the preparation of the DEIS for the proposed project. The Final Scope identifies those issues as outlined in the Draft Scope and amended to include relevant public comments.

This document is intended to fulfill the Lead Agency requirements for a Final Scope for a DEIS in accordance with 6 NYCRR Part 617.8. The document assists the Lead Agency in evaluating the DEIS for content and adequacy for public review and assists the applicant in understanding the extent and quality of information needed to evaluate the proposed project and allow the Lead Agency and involved agencies to obtain the information necessary to reach an informed decision on the proposed project.

A minimum of seven (7) copies of the DEIS together with the sponsor’s appendices and attachments shall be submitted to the Lead Agency for determination of adequacy and compliance with the Final Scope.

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