

DRAFT

Draft Staff Report Summary

November 18, 2020

- Application:** Lewis Road Subdivision Planned Development District
Assertion of Jurisdiction Application
- Project:** 118 seasonal single-family and 12 year-round workforce housing residences, 18-hole private golf course for residents, clubhouse, pools, other accessory uses, recreational amenities, and a Sewage Treatment Plant
- Project Site Area:** 608.45 acres, 176 tax parcels
468 acres in the CGA, 140 acres in the Core
- The Applicant defined areas of the Project Site with the names:
Hills South 340.91 acres; Hills North 86.92 acres
Kracke 61.26 acres; Parlato 120.40 acres
- Current Zoning:** Country Residence 200 (200,000 square foot acre minimum lot area)
- Clearing Limit:** 171.84 acres (28.24% of the Project Site)
- Open Space¹:** 437 acres including 297 acres in the CGA, 140 acres in the Core (Hills North, Hills South and Parlato, public and private open space)

A. Project Status

The Applicant submitted revised plans and a narrative on October 9, 2020 to address Plan Standards and Guidelines including those regulating unfragmented open space, clearing, and development of steep slopes. These plans include:

- Master Plan with Grading dated October 10, 2020
- Master Plan with Slope Analysis dated October 10, 2020
- Slope Map dated October 6, 2020
- Clearing Plan dated October 6, 2020

The submission states that no substantive changes to the plans have been made other than minor adjustments requested by Southampton Town to improve the golf course and overall design, to increase avoidance of steep slope areas, to ensure the acreage of clearing is consistent with the Vegetation Clearance Limit Standard, to verify fertilizer dependent acreage and to enhance contiguous open space to conform with the Unfragmented Open Space Standard. Revisions were

¹ The term open space is as used by the Applicant and its use does not imply that the open space meets the Plan's requirement

DRAFT

made to Applicant's June 30, 2020 Master Plan, July 1, 2020 Slope Map and July 1, 2020 Clearing Plan to:

- reduce impacts on steep slopes by utilizing natural topography and minimizing disturbance to existing grade
- consolidate areas of disturbance such as carry areas and drainage reserve areas, and
- maximize contiguous open space outside of development areas (i.e., improve unfragmented open space).

B. Assertion of Jurisdiction Project Timeline

The Commission asserted jurisdiction on The Hills at Southampton Planned Development District on October 21, 2015. The Hills is/was related to and/or a predecessor of the Lewis Road Project. The Commission on May 15, 2019 asserted its jurisdiction on the Lewis Road Project. Commission events in the Lewis Road assertion include:

- December 23, 2019 received application
- January 15, 2020 scheduled public hearing for February 19, 2020
- February 19, 2020 public hearing
- Meetings of March 18, April 15, and May 20, 2020 extensions of the decision deadline occurred and information was received during the pandemic*
- June 3, 2020 submission
- June 17, 2020 scheduled public hearing for July 15, 2020
- July 1, 2020 submission
- July 15, 2020 scheduled public hearing for August 19, 2020
- August 19, 2020 public hearing
- September 16, 2020 decision deadline; extension granted to January 20, 2021
- October 21, 2020 scheduled public hearing
- January 20, 2021 decision deadline

Six requests for extension of the decision deadline have been received from the Applicant with the last dated September 17, 2020.

C. State Environmental Quality Review Act (SEQRA)

- The Southampton Town Planning Board adopted a Findings Statement in support of the Lewis Road Project on October 24, 2019.
- The Commission is an Involved Agency and must prepare a Findings Statement

D. Conformance with Plan Standards and Guidelines

The Commission has transmitted five letters, staff reports, and resolutions on the Lewis Road Project (dated 6/19/19, 10/16/19, 6/17/20, 2/19/20, and 8/19/20) addressing the Project's conformance with the Plan.

As an Assertion Application, the Project is subject to conformance with Standards and Guidelines of the Plan. Conformance questions were noted in the August 19 Staff Report and during the hearing

Applicant's October 9th submission addresses the following Standards and Guidelines. Staff annotations are included for each Standard and Guideline addressed by the Applicant See also the attachment for a complete list of the Standards and Guidelines of the Plan and preliminary conclusions.

Guideline 5.3.3.5.2 Natural recharge and drainage

- Drainage Reserve Areas (DRAs) have been reduced and consolidated. A grading plan showing the DRAs that is consistent with other plans should be submitted.
- Provide area of each DRA and the total area.
- Prior plan area was 11.5 acres.

Guideline 5.3.3.5.3 Ponds

- Provide the area of each pond and the total area including the pond identified as #5 in the Master Plan with Grading and the unmarked pond to the east of it.
- Prior plan pond area was 3.3 acres.

Standard 5.3.3.6.2 Unfragmented open space

The Project proposes three types of open space, one is north of Sunrise Highway and two are south of Sunrise Highway. The areas are as follows:

North of Sunrise Highway:

- Hills North (Contiguous block to be dedicated to Southampton Town)
- Parlato north of Sunrise Highway

South of Sunrise Highway:

- Parlato South of Sunrise Highway (to be dedicated to Southampton Town)
- Hills South, south of Sunrise Highway. This portion includes blocks of open space and corridors of trees

Each type and area of open space should be quantified.

DRAFT

The Master Plan with Grading dated October 10, 2020, identifies “open space all outside development” To determine whether these areas conform with the Standard, the Applicant must further distinguish and quantify them. The areas are:

- east and west of the access road and other facilities noted as 9 through 12 in the map key
 - in the area south of hole 10
 - in the area west of hole 11
 - in the area north of hole 12
 - in the area north of hole 12 and 14
 - in the polygon between holes 14, 15 and 16
 - on the east side of holes 17, 2, 3 and 4
 - south of hole 5a and the residences in that area
 - south of holes 6 and 7
 - west of holes 7, 8 and 9
- Applicant must quantify the amount of area identified in light blue color in the Plan titled “Master Plan with Grading,” which appears to show areas to remain natural within the development and will not be cleared but are not counted in the total open space.
 - Applicant must quantify the area identified in the key and in the legend in the Plan titled “Master Plan with Grading” that are consistent with the clearing and other plans.

Guideline 5.3.3.8.1 Clearing envelopes

- Regrading will occur on 6.72 acres of naturally vegetated steep slopes 10% grade and greater, as per Table 2, Summary of Existing Slope Values, dated October 9, 2020. This includes 4.43 acres on slopes 10 to 15% grade and 2.29 acres on slopes >15% grade.
- Prior plan regraded 17.31 acres of slopes 10% grade and greater including 11.08 acres on slopes 10 to 15% grade and 6.23 acres on slopes >15% grade.

Guideline 5.3.3.8.4 Erosion and sediment control plans

- 6.72 acres of development on steep slopes 10% grade and greater including 2.29 acres on slopes >15% grade.
- Town and DEC SWPPP pending.

Guideline 5.3.3.8.5 Placement of roadways

- Town and DEC SWPPP pending.
- 6.72 acres of development on slopes 10% grade and greater.

Guideline 5.3.3.11.1 Cultural resource consideration

- The site will be visible from public trails and public lands particularly where a limited narrow buffer remains on the east side of the site. Traveling north to south, east of hole 17, 2, 3, 4 and the housings and golf course facilities in the vicinity of holes 5 and 6, as well as on the west side, west of holes 10, 11 and 12 where the Project is expected to be visible from public view.
- Do the minimal buffers provide sufficient protection of the trails?

Guideline 5.3.3.11.3 Protection of scenic and recreational resources

- Minimal width buffers offer limited screening of the Project from Lewis Road on the west side of the Project Site in the vicinity of development of the facilities as per the Master Plan with Grading including the access road, facilities 9 through 12, holes 10 and 11 and on the east side adjacent to public lands and recreational trails where narrow strips of vegetation may remain including east of holes 17 and 2 through 4 and on the south side of holes 6 and 7.
- Do the minimal buffers adequately screen the Project?

Guideline 5.3.3.11.4 Roadside design and management

The Project will be visible from public view including where clearing will occur to develop the main access road from Lewis Road, in the area on the south side of holes 10 and 11 and on the west side of the facilities including the STP and infrastructure including roads where the Master Plan with Grading identifies facilities 9 through 12.

Attachment

Standards and Guidelines Review Summary

Yellow highlighted items are the same as in the August 19, 2020 Staff Report Project Summary that need the Commission’s determination of conformance.

Comprehensive Land Use Plan Standard or Guideline	Review
Standard 5.3.3.1.1 Suffolk County Sanitary Code Article 6 compliance	Pending Suffolk County Department of Health Services (SCDHS) approval.
Standard 5.3.3.1.2 Sewage treatment plant discharge	Pending SCDHS approval. See SCDHS “Notice of Incomplete Application – Sewage Treatment Plan (STP)” dated 12/20/19, ref # C09-19-0017.
Guideline 5.3.3.1.3 Nitrate-nitrogen goal	Does the Commission have any questions on conformance with this Guidelines or require any additional information to determine conformance?
Standard 5.3.3.2.1 Significant discharges and public supply well locations	Existing water supply well fields at Spinney Road and Malloy Drive. New four acre public water supply well field will be built on Parlato.
Guideline 5.3.3.3.2 Private well protection	Pending NYSDEC approval of private wells. See NYSDEC Request for Additional Information dated 1/9/20.
Standard 5.3.3.4.1 through 5.3.3.4.4 Wetlands	Not applicable, no freshwater wetland habitat present
Standard 5.3.3.5.1 Stormwater Runoff	Town and DEC Stormwater Pollution Prevention Plan (SWPPP) pending. See Town Engineer Checklist and comments dated 1/22/20.
Guideline 5.3.3.5.2 Natural recharge and drainage	Drainage Reserve Areas (DRAs) reduced and consolidated. Need area of each DRA and total area. Prior plan total DRA was 11.5 acres.
Guideline 5.3.3.5.3 Ponds	Provide area of each pond and total area of ponds. Prior plan total pond area was 3.3 acres.
Guideline 5.3.3.5.4 Natural topography in lieu of recharge basins	Town and DEC SWPPP pending.
Guideline 5.3.3.5.5 Soil erosion and stormwater runoff	Town and DEC SWPPP pending.
Standard 5.3.3.6.1 Vegetation Clearance Limits	Conforms with Plan limit of 171.93 acres (28.24%). Clarify proposed clearing/development amount: 161.81 acres, as per narrative dated 10/9/20, or 171.84 acres, as per Clearing Plan dated 10/6/20. Town clearing limit is stricter at 152 acres or 25%. Does the Applicant seek a Town clearing limit waiver? If the project can achieve a 25% limit, identify where additional natural vegetation will be protected to achieve conformance with the Town code standard for clearing.
Standard 5.3.3.6.2 Unfragmented open space	The Project proposes three types of open space: North of Sunrise Highway: <ul style="list-style-type: none">• Hills North (Contiguous block to be dedicated to Southampton Town)• Parlato, north of Sunrise Highway Two types south of Sunrise Highway:

DRAFT

	<ul style="list-style-type: none"> • Parlato, south of Sunrise Highway (to be dedicated to Southampton Town) • Hills South, south of Sunrise Highway. This portion includes blocks of open space and corridors of trees. <p>Areas of open space should be distinguished and quantified.</p>
Standard 5.3.3.6.3 Fertilizer-dependent vegetation limit	Conforms with 15% maximum limit.
Standard 5.3.3.6.4 Native Plantings	Development design shall consider native planting suggestions.
Standard 5.3.3.7.1 Special species and ecological communities	Avoid clearing from March 1 to November 30 to protect habitat of Federal and State-listed Threatened species Northern Long Eared Bat.
Guideline 5.3.3.8.1 Clearing envelopes	145.18 acres will be developed on vegetated slopes less than 10% grade, as per Table 2 in the October 9 th submission. 6.72 acres of development on naturally vegetated steep slopes 10% grade and greater, as per Table 2 in the October 9 th submission. This represents 1.1% of the 608.45-acre Project Site. Prior plan impacted 17.31 acres of steep slopes 10% grade and greater
Guideline 5.3.3.8.2 Stabilization and erosion control	Town and DEC SWPPP pending.
Guideline 5.3.3.8.3 Slope analysis	Plan submitted showing slopes 0-10%,10-15% and 15+%.
Guideline 5.3.3.8.4 Erosion and sediment control plans	Town and DEC SWPPP pending. 6.72 acres of development on slopes 10% grade and greater.
Guideline 5.3.3.8.5 Placement of roadways	6.72 acres of development on slopes 10% grade and greater Town and DEC SWPPP pending.
Guideline 5.3.3.8.6 Retaining walls and control structures	Retaining walls may be necessary, cannot be confirmed unless and until the Town approves the SWPPP. Retaining wall details to come.
Standard 5.3.3.9.1 Receiving entity for open space dedications	Private covenants on 241 acres (Hills South and Kracke). Dedications on 206 acres (Hills North and Parlato).
Guideline 5.3.3.9.2 Clustering	Is the Project clustered to the maximum extent?
Guideline 5.3.3.10.1 Best Management Practices	No agricultural use(s), not applicable.
Guideline 5.3.3.11.1 Cultural resource consideration	Do the minimal buffers provide sufficient protection of the trails?
Guideline 5.3.3.11.2 Inclusion of cultural resources in applications	Southampton Town finds no impact.
Guideline 5.3.3.11.3 Protection of scenic and recreational resources	Do the minimal buffers adequately screen the Project?
Guideline 5.3.3.11.4 Roadside design and management	The Project will be visible from public view. Applicant states the Project is consistent with character of area.
Standard 5.3.3.12.1 Commercial and industrial compliance with Suffolk County Sanitary Code	SCDHS pending. See SCDHS checklist dated 12/20/19.