



The Central Pine Barrens Joint Planning and Policy Commission
July 16, 2025
Adopted Decision to Approve
Venezia Square at Wading River
Compatible Growth Area Development of Regional Significance
Wading River, Town of Riverhead
Suffolk County Tax Map Numbers
600-73-1-1.004, 1.016, 1.017, 1.018 and 1.019

Present:

Ms. Juengst, for the Suffolk County Executive
Mr. Panico, Brookhaven Town Supervisor
Mr. Hubbard, Riverhead Town Supervisor
Ms. Moore, Southampton Town Supervisor

Timothy C. Hubbard
Member

Maria Z. Moore
Member

Daniel J. Panico
Member

Edward P. Romaine
Member

I. The Project, Application, and Project Site

Joseph Vento (the Applicant) owns 6.34-acres of property in Wading River, in the Town of Riverhead. The property is located in the Compatible Growth Area of the Central Pine Barrens as defined by the Long Island Pine Barrens Protection Act. The property is a collection of five (5) adjacent parcels. The parcels are located on the south side of New York State Route 25A, and is west of Wading River Road, in Wading River,

The Applicant provided a Site Plan of the proposal last dated August 15, 2024 prepared by Bohler, received on July 1, 2025. The Applicant proposes to clear 4.05 acres (64%) of the Project Site and to develop five, one-story buildings and related amenities on the Project Site. Access to the Project Site will be from State Route 25A. A new traffic signal will be constructed at Dogwood Path on the west side of the Project Site. Cross access driveways to the east and west are planned. An area of 36.2% (2.293 acres) will remain natural.

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The Project constitutes development pursuant to New York State Environmental Conservation Law (ECL) §57-0107(13)(b) and (c):

13. "Development" shall mean the performance of any building activity or mining operation, the making of any material change in the use or intensity of use of any structure or land and the creation or termination of rights of access or riparian rights. Without limitation, the following activities or uses shall be taken for the purposes of this article to involve development as defined in this subdivision:

(b) a material increase in the intensity of use of land or environmental impacts as a result thereof;

(c) commencement of mining, excavation or material alteration of grade or vegetation on a parcel of land excluding environmental restoration activities;

Development of Regional Significance

Pursuant to Section 57-0123.2(a) of the Act and Section 4.5.5.1 of the Central Pine Barrens Comprehensive Land Use Plan, the Project achieves a Development of Regional Significance since it meets the traffic threshold of a reduction in level of service by two levels or to LOS D or below. As a DRS the Commission reviews the project for conformance with the standards and guidelines outlined in Chapter 5 of the Plan and pursuant to the goals and objectives of the Act.

On February 8, 2023, the Applicant submitted an application to the Commission for a Development of Regional Significance. The contents of the application included an expanded Environmental Assessment Form (EAF), Simulation of Nitrogen in Recharge (SONIR) Microcomputer Model evaluating wastewater impacts, a Phase 1 Archaeological Survey, a Natural Heritage Program letter and Site Plan package. A revised Site Plan package was submitted on April 18, 2023.

The five buildings are proposed to contain 37,000 square feet (sf) of commercial uses in total. Presently, seven tenant spaces are proposed in the buildings. The proposed development of the Project Site is referred to as the Project.

Uses proposed for the site include retail, restaurant and a bank. Three retail uses including one 7,000 square feet and two at 10,000 square feet, totaling 27,000 sf, a restaurant use occupies 3,000 sf, two take out restaurant uses each contain 1,500 sf, and a bank contains 4,000 sf.

Other elements of the Project include lighting, landscaping, and signage. The Applicant proposes installing 74 lighting fixtures including light poles and wall fixtures (Lighting Plan dated April 18, 2023 prepared by Bohler).

A 10 foot tall and 8 foot wide monument sign with seven tenant plaques is proposed at the entrance to the site. The sign palette contains natural colors and materials without interior illumination. (Sign Plan dated May 12, 2023 prepared by Bohler and also received on July 2 and 11, 2025)

The Project Site is in Groundwater Management Zone III. An Innovative Alternative Onsite Wastewater Treatment System will be constructed as per the Sanitary Plan drawings dated April 2023, prepared by Bohler. Stormwater runoff will be managed on site as per the Stormwater Pollution Prevention Plan and Erosion Control Plans shown in Sheets C-5 and C-6 prepared by Bohler last dated August 15, 2024. The SWPPP is a

requirement to manage stormwater and implement erosion controls during construction. Reinforcing silt fencing will be installed.

Natural areas on the Project Site will be protected when the Project is completed by split rail fencing or other barrier or installation to hinder access to them.

Traffic impacts associated with the Project will be of regional significance and exceed the Development of Regional Significance thresholds established in Section 4.5.5.1 of the Central Pine Barrens Comprehensive Land Use Plan (the “Plan”). The impacts are identified in the Traffic Impact Study prepared by Schneider Engineering dated January 9, 2023. As a DRS, the Applicant must demonstrate that the Project conforms with the Plan’s Standards and Guidelines.

On February 8, 2023, the Applicant, through their agent, Charles Voorhis, of Nelson Pope & Voorhis submitted a Development of Regional Significance (DRS) application (the Application) for the Project to the Central Pine Barrens Joint Planning and Policy Commission (the Commission).

II. The Long Island Pine Barrens Protection Act of 1993, the Commission, Development and the Central Pine Barrens Comprehensive Land Use Plan

The Commission was created by the Long Island Pine Barrens Protection Act (the “Act”) adopted in 1993 and codified in Article 57 of the Environmental Conservation Law (ECL). The Act empowered the Commission to, among other things, oversee land use activities within the specially designated Central Pine Barrens Area. Section §57-0107(13) of the ECL defines development to be the “performance of any building activity, . . . , the making of any material change in the use or intensity of use of any . . . land and the creation . . . of rights of access.”

ECL Section §57-0123(3)(a) provides that, “[s]ubsequent to the adoption of the land use plan, the provisions of any other law, ordinance, rule or regulation to the contrary notwithstanding, no application for development within the Central Pine Barrens area shall be approved by . . . the [C]ommission . . . unless such approval or grant conforms to the provisions of such land use plan; provided, however, that the [C]ommission by majority vote is hereby authorized to waive strict compliance with such plan or with any element or standard contained therein, for an application for development of any person, upon finding that such waiver is necessary to alleviate hardship for proposed development in the core preservation area according to the conditions and finding of extraordinary hardship . . . pursuant to subdivision ten of section 57-0121 of this title, and every application is consistent with the purposes and provisions of this article and would not result in substantial impairment of the resources of the Central Pine Barrens.”

III. The Public Process, Testimony, and Supplemental Materials to the Application

The Application included a review of conformance with the Central Pine Barrens Comprehensive Land Use Plan Standards and Guidelines, site plan drawings, a signage plan and a slope analysis.

On March 15, 2023, the Commission scheduled a public hearing on the Application which was held on April 19, 2023. At the hearing, a Commission Staff Report with Exhibits was introduced into the record. On behalf of the Applicant, Mr. Voorhis, under sworn testimony, provided responses to the staff report concerns and discussed that plans were revised to alleviate some concerns regarding clearing, cross access, signage, drainage and other items outlined in the Staff Report.

Two members of the public spoke. Nina Leonhardt of the Long Island Pine Barrens Society commented on reviewing revised plans and on traffic concerns and particulate matter in the atmosphere from additional traffic. Sidney Bail of the Wading River Civic Association commented on tree preservation, drainage concerns, community character and cross access.

At the conclusion of the Voorhis presentation, the hearing was closed with the written comment period held open for 15 days. No written comments were received. A stenographic transcript was made of the hearing and provided to Commission members.

On May 12, 2023, Voorhis submitted supplemental and revised materials identifying Project revisions made to improve the Project's conformance with the Plan and to support consistency with the character and the preservation of resources of the Central Pine Barrens. The improvements to protect the resource included consolidating the westerly open space buffer to eliminate the cross access in that location and placing the monument sign at the entrance to the site rather than in the center on the roadside to avoid interrupting the front yard buffer and to protect the roadside character. Stormwater and erosion control plans and other site details were also provided.

On May 24, 2023 the Applicant provided a copy of a Department of Environmental Conservation Department (DEC) May 22, 2023 letter regarding New York State endangered species located in the vicinity of the Project Site. Due to the documented summer occurrence of the Endangered Northern Long-eared Bat, within 1.5 miles of the project location, no tree cutting activities are permitted to be conducted at the Project Site between the dates of March 1 and November 30 of any calendar year. While a documented Eastern Tiger Salamander (a New York endangered species) breeding pond is in the vicinity of the Project Site, it is more than 1,000 feet from the site and therefore no special measures were required on the Project Site to protect the features of the breeding pond.

IV. State Environmental Quality Review Act (SEQRA) and Other Agency Jurisdictions

The proposal is classified as an Unlisted Action in the State Environmental Quality Review Act (SEQRA) regulations. The Commission performed an uncoordinated review

of the Project. The Applicant provided to the Commission and Environmental Assessment Form (EAF) Part I. The Commission caused an Environmental Assessment Form Part 2 and 3 to be prepared.

The EAF Part I identified that the Project would cause traffic impacts and contains mitigation measures to improve traffic conditions. The measures included a new traffic signal at Dogwood Path and signal timing changes to improve traffic patterns along NYS Route 25A and Wading River Manor Road.

The Project requires additional permits or approvals from other involved agencies including the New York State Department of Transportation (NYSDOT), Suffolk County Department of Health Services, New York State Department of Environmental Conservation, and the Town of Riverhead. Additional SEQRA review may be required because the Commission did not perform a coordinated review.

On June 16, 2023, after classifying the Project as a Type I action, pursuant to 6 NYCRR 617.4(a)(2) and Section 225-11B(5) of the Town Code, Riverhead Town Planning Board coordinated Lead Agency status for the project, and the Commission deferred Lead Agency to the Planning Board. The Town assumed Lead Agency status on July 3, 2025, and on that date the Town of Riverhead Planning Board prepared a Part 3 Narrative “Evaluation and Importance of Project Impacts and Determination of Significance” and adopted a Negative Declaration for the Project (Resolution Number 2025-068).

V. The Project Site and the Study Area

The Commission’s Staff Report described the Project Site and defined a Study Area that extends one half mile from the site in all directions. The Study Area describes the land use pattern in the vicinity of the Project Site.

The natural pine barrens ecosystem on the Project Site is classified as a successional field ecological community. Prior to 1984, the Project Site was used as a farm. The farming operations appear to have ceased around 1984. Subsequently, the Project Site has undergone successional growth, and currently it contains a dense habitat of pitch pine, cedar and other native and non-native vegetation.

The Project Site is in a densely developed commercial corridor with land uses including retail, gas station, medical offices and other commercial establishments on the north and south sides of Route 25A.

Residential neighborhoods are located to the north and south of the Project Site beyond the commercial corridor. Southeast of the site is actively cultivated farmland in the CGA. Portion of the Core Preservation Area are located to the east of the site including Camp Wauwepex and Deep Pond, a Nassau County Boy Scout Camp.

No archaeological and historic resources listed in or eligible for the New York State and National Registers of Historic Places will be impacted by the Project. (New York State

Office of Parks, Recreation and Historic Preservation correspondence dated February 15, 2017 and confirmed on March 17, 2023).

VI. Development of Regional Significance Review and Plan Conformance

Summary

Chapter 4 of the Plan outlines the review process for development that meets the thresholds constituting a DRS. The Commission's review is limited to compliance with the Standards and Guidelines set forth in Volume 1, Chapter 5 of the Plan. The Application demonstrates conformance with the Plan's Standards and Guidelines.

Standards and Guidelines that are Not Applicable

Not all Standards and Guidelines apply to the Project either because the Project does not include a facility or structure that will cause an impact, the resource is not present, or the activity is not occurring. Specifically, no sewage treatment plant is proposed (S5.3.3.1.2); freshwater wetland habitat is not present and the Project Site is not within the jurisdiction of the Wild, Scenic and Recreational Rivers Act (S 5.3.3.4.1, S5.3.3.4.2, S 5.3.3.4.3 and G 5.3.3.4.4); no ponds are proposed (G 5.3.3.5.3); the vegetation clearing limit is met (S 5.3.3.6.1); open space is unfragmented to the maximum extent practicable (S5 .3.3.6.2); the Project maximizes the clustering technique (G 5.3.3.9.2); no land dedications will occur therefore no receiving entity is identified, and covenants or easements will be recorded to protect natural areas (G 5.3.3.9.3).

Standards and Guidelines to which the Project Conforms

A summary of the Project's conformance with Standards and Guidelines is provided including details where relevant and applicable to explain the conclusions related to conformity. It is noted where conformance is deferred to other agencies such as the Suffolk County Department of Health Services or the DEC. These agencies regulate protection of public health, groundwater and other natural resources. Since the proposed land use is commercial, the regulations that pertain to the management and storage of chemicals and hazardous materials and control of stormwater runoff to minimize water pollution may apply and the Applicant may need to obtain the necessary agency permits or seek a hardship waiver(s).

The Project conforms with the standards of the Suffolk County Department of Health (S5.3.3.1.1). According to the Sanitary Details plan C-9 prepared by Bohler last dated April 18, the density computations per tenant are: 90 gallons per day (gpd) for two, 1,500 square foot (sf) for two take our restaurants, 760 gpd for a 3,000 sf restaurant, 240 gpd for a 4,000 square foot bank, 210 gpd for a 7,000 sf retail use and 600 gpd for two, 10,000 sf retail uses. The Applicant proposes to utilize the project site's maximum allowable flow of 1,900 gpd. An Innovative/Alternative Onsite Wastewater Treatment System (I/A OWTS) will be installed. The proposal conforms with Guideline 5.3.3.1.3

because it meets or falls below the nitrate-nitrogen goal of 2.5 ppm. The concentration of nitrogen in recharge is 2.20 mg/l, therefore the project conforms with this Guideline.

The project will conform with County Code Articles 7 and 12 requirements for the storage of hazardous materials to protect water resources. (S 5.3.3.2.1). Public supply wells are at least one mile from the site and the installation of the IAOWTS will conform to County standards for discharges to groundwater (S5.3.3.3.1). No impacts will occur to private wells (G5.3.3.3.2).

Stormwater will be controlled on site. The Stormwater Pollution Prevention Plan and Erosion Control and Grading and Drainage Plans illustrate the drainage and runoff plans to recharge stormwater on the project site in accordance with the Standard 5.3.3.5.1 and Guideline 5.3.3.5.2. No ponds or recharge basins are proposed (G 5.3.3.5.3 and 5.3.3.5.4). Soil erosion and stormwater runoff control during construction will utilize silt fencing and other SWPPP requirements (5.3.3.5.5)

According to the Site Plan prepared by Bohler, Sheet C-3, last dated June 30, 2023, the Project conforms with the Vegetation Clearance Limit (S 5.3.3.6.1). An area of 176,372 square feet (4.05 acres), 64% of the Project Site, will be cleared which is below the maximum amount of clearing authorized by the Standard. An area of 99,877 square feet (2.29 acres), 36% of the project site, will remain as natural open space.

The Project reduces unfragmented open space to the maximum extent practicable. No open space connectivity opportunity exists adjacent to the Project Site to which open space on the Project Site could be connected. The Project will conform with the fertilizer-dependent vegetation limit (S 5.3.3.6.3). An estimated 13.2% of the site will be planted in a native grass and wildflower seed mix achieving near zero percent fertilizer dependent vegetation.

The Landscaping Plan, sheet C-10, lists the proposed plantings which require revision to substitute native species for non-native species listed on the Plan. Transplanting may be occur where feasible (S 5.3.3.6.4).

Conformance with the temporal clearing restrictions of the DEC imposed to protect the breeding habitat of the Northern Long-eared Bat will ensure conformance with Standard S 5.3.3.7.1.

The Project conforms with Guidelines in Section 5.3.3.8 Soils. The clearing envelope, shown in the Site Plan drawings prepared by Bohler, will be delineated prior to site disturbance and construction (5.3.3.8.1). Stabilization and erosion control is managed in the SWPPP (G 5.3.3.8.2 and G 5.3.3.8.4). The slope analysis plan prepared by Bohler dated March 22, 2023 identifies the site is generally flat with 0 to 10% topography in all but the road frontage area where there is a depression in the front yard setback. The Grading and Drainage Plan identifies regrading of the road frontage area and dedication to NYSDOT (G 5.3.3.8.3 and G 5.3.3.8.5). No retaining walls are proposed (G 5.3.3.8.6).

The Applicant proposes to protect open space by granting a conservation easement (S 5.3.3.9.1) to the Commission over 2.29 acres of the Project Site. Clustering is used to the maximum extent to cluster the development and to cluster open space to minimize fragmented habitat (G 5.3.3.9.2). Conservation easements will be filed to protect open space prior to site disturbance (G 5.3.3.9.3). No impact will occur on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places (New York State Historic Preservation Office correspondence dated February 15, 2017) (Guidelines 5.3.3.11.1 and 11.2). Roadside character will be retained by the buffer on the roadside frontage except where two curb cuts are proposed (Guidelines 5.3.3.11.2 and 11.3). Signage was redesigned in the Bohler plan dated May 12, 2023 to be consistent with the character of the Central Pine Barrens (G 5.3.3.11.4) and reduce roadside and viewshed impacts.

The Suffolk County Sanitary Code requires that the uses on the Project Site conform to its provisions (S 5.3.3.12.1).

VII. SEQRA Determination and Conditions

The Town of Riverhead issued a Negative Declaration for the Project on July 3, 2025.

The Commission determines that the Project as depicted in the Site Plan Sheet C-3 last dated August 15, 2024, stamp received on July 1, 2025, prepared by Bohler conforms with the Central Pine Barrens Comprehensive Land Use Plan Standards and Guidelines, does not require any relief from the Commission standards. The applicant has proposed the following measures which are adopted by the Commission to ensure compliance with the standards and guidelines.

A. General conditions

1. Prior to site disturbance and development
 - a. Obtain other approval and permits including:
 - i. NYS Department of Transportation Region 10 for new curb cuts on Route 25A.
 - ii. Suffolk County Department of Health Services for the Innovative Alternative Onsite Wastewater Treatment System and other Sanitary Code requirements.
 - b. Stormwater Pollution Prevention Plan
 - i. Complete requirements for the SWPPP and submit proof of approval or permit. Obtain approval(s) from Riverhead Town and DEC for stormwater control and management.
 - ii. Delineate the clearing limits with snow fencing and/or other material required for SWPPP conformance.
 - iii. Install and maintain snow fencing along the clearing limits/natural area to protect the area to remain natural during construction.

- c. Conform with DEC limitations concerning tree disturbance to protect the habitat of the State and Federal listed Endangered Northern Long-eared Bat.
- 2. Protection of natural vegetation and clearing
 - a. No more than 64% or 4.05 acres of natural area on the Project Site may be cleared.
 - b. A minimum of 2.29 acres of existing natural vegetation must remain as natural open space.
- 3. Cross access. The Site Plan illustrates future cross access driveways to the east and west. If one or more cross access roads affects the clearing limit, it must be removed. If it is factored into the clearing limit, it can be developed without returning to the Commission. Keep the tall healthy pitch pine in the western buffer when developing the cross access.
- 4. Post Construction
 - a. Upon reasonable notice to the Applicant or its successor the commission or its agent may inspect the open space. Notice requirement is suspended in case of emergency.
 - b. Notify this office once construction is complete.
 - c. Remove snow fencing after construction.
 - d. Install permanent split rail fencing on the inner and outer open space limits when construction is complete.
 - e. Prior to issuance of certificate(s) of occupancy, notify this office for an inspection of permanent fencing.
 - f. No disturbance may occur in the open space including staging or storing materials or excavated soil or other structures or facilities.
- 5. Conservation Easement
 - a. Record a conservation easement to protect open space and in conformance with the requirements in this decision, prior to site disturbance and no later than one year after this decision.
 - b. Open space must be protected during and after construction.
 - c. Prior to recording of the easement, no activity may occur on the project site other than surveying and the installation of snow fencing and erosion control measures prior to recording of the easement. Activity should not involve cutting of trees or material disturbance.
 - d. Notify this office after recording the conservation easement and 72 hours prior to site disturbance to inspect the clearing limits. If acceptable, sign off will be provided.
 - e. Prepare a draft conservation easement subject to Commission review and approval to protect the total area of 2.29 acres of the natural habitat as open space.
 - f. Add this resolution as an exhibit to the easement that will be recorded on the Office of the Suffolk County Clerk.

- g. Submit proof of recording to the Commission prior to site disturbance other than delineating the clearing limit or test holes/borings that do not cause material alteration of grade or vegetation.
 - h. As a cluster site plan no additional density or development may be generated by the open space area.
- 6. Lighting. Install lighting as per the plan prepared by Bohler dated April 18, 2023. Install only fixtures that are downward facing, shielded and dark skies compliant to minimize excess nighttime lighting and energy consumption.
- 7. Signage. Install the single monument sign illustrated in the plan prepared by Bohler dated May 12, 2023 stamp received on May 12, 2023 and July 2 and 11, 2025.
- 8. Landscaping Plan last dated August 15, 2024 prepared by Bohler (Sheet C-10)
 - a. Revise the landscaping plan to remove non native species including ornamental grasses, creeping juniper and spreading yew. Add native trees and shrubs and pollinator species. Utilize Long Island genotypes where available.
 - b. Submit the revised landscaping plan to the Commission for review and approval prior to site disturbance.
 - c. No more than 13.2% fertilizer dependent vegetation shall be installed on the project site.
- 9. The provisions of this determination shall expire five (5) years from the date of this Resolution and no elements of the Project may be commenced on the Project Site thereafter without further Commission Action.
- 10. Any modifications to the Project must be reviewed by the Commission to determine continued conformance with this determination.
- 11. Notify the Commission office at least 48 hours in advance of commencing activity on site related to disturbance to any vegetation. Surveying activity that does not require material disturbance to vegetation is excluded from consultation.

Failure by the Applicant or its successors or assigns to fully comply with the foregoing conditions will constitute a violation of this decision.

Motion to Approve July 16, 2025

Venezia Square at Wading River Compatible Growth Area Development of Regional Significance

Motion By: Ms. Moore

Seconded: Mr. Panico

Vote:

Yes: 3

Opposed: 1 (Ms. Juengst)

Abstain: 0

Absent: 0

Copies of This Decision Will be Sent To:

New York State Department of Environmental Conservation, Division of Environmental Permits, Region 1

New York State Department of Transportation Region 10

Suffolk County Planning Commission

Suffolk County Department of Health Services

Town of Riverhead

Applicant/Attorney/Owner

