

B. Riverhead – RESTORE III – East Main Street Revitalization (W857)

July 15, 2010

General Project Plan

Grantee: Town of Riverhead (“Riverhead” or the “Town”)

Beneficiary Company: Atlantis Holdings, LLC (“Atlantis”)

ESD Investment: A grant of up to \$2,400,000 to be used for a portion of the cost of demolition and reconstruction costs.

Project Locations: 413 and 469 East Main Street, Riverhead, Suffolk County

NYS Empire Zone (or equivalent): Suffolk County Riverhead Empire Zone

Project Completion: May 2011

Grantee Contact: Mr. Chris Kempner, Director
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Project Team:

Project Management	Jessica Delmauro
Affirmative Action	Laverne Poole
Environmental	Soo Kang
Design & Construction	Joe Burkard

Project Description:

Background

The Town of Riverhead is located in eastern Suffolk County, Long Island, 75 miles east of Manhattan. Riverhead was established in 1792, when the New York State Legislature divided it from the extant Southold, New York and Legislature passed a bill splitting off this section under the name River Head, and later combined as Riverhead. By 1902, its approximate population was 2,500. Early settlers to the region were fisherman and farmers.

Today, Riverhead is the poorest town in Suffolk County. The Town of Riverhead has a population of approximately 33,000. Downtown Riverhead where the project is located has been severely blighted for over a decade. Historically, the East Main Street Urban Renewal Area served as a commercial downtown center for Riverhead residents. The decline of this area was a direct result of the development of larger commercial centers, such as shopping malls and large single-use retail stores. In 1993, the Town of Riverhead Community Development Agency prepared the East Main Street Urban Renewal Plan (the “Plan”), which was later updated in 2003, to rid its highly distressed urban center of many blighted, deteriorated, vacant and substandard structures and to focus on the revitalization of its urban

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center, and improvements to the downtown area. Some of these improvements include the development of new and attractive structures, elimination of blighted buildings, and several land use and zoning changes, including the development of the waterfront park and a key commercial anchor, the Atlantis Marine World Aquarium (the “Aquarium”). The redevelopment project will strategically advance the Town of Riverhead East Main Street Urban Renewal Plan Goals to “develop tourist and specialty shopping niches and a variety of tourist attractions.”

The Project

Atlantis Marine World Aquarium opened in June 2000 and was the first large-scale aquarium to open in New York State in more than 35 years. It is situated on 6.5 acres along the Peconic River, and is also home to The Riverhead Foundation for Marine Research and Preservation, New York's only authorized marine mammal and sea turtle rescue and rehabilitation center. The Town identified a need, consistent with the Plan, for the successful demolition and reconstruction of two vacant, underutilized buildings on the aquarium property, in order for the Aquarium to serve as the coastal waterfront gateway to Long Island’s East-End wine country and the Hamptons for visitors from the tri-state area and beyond. The Town lacked the financial resources to complete the reconstruction project. The Restore NY grant will help fill this financing gap, which will allow the project to go forward.

The \$19.775 million project involves the demolition of two vacant buildings; construction of a 66,082-square-foot, five-story, 100-room Hyatt Place Hotel and a 26,901-square-foot, two-story changing exhibit gallery and catering hall. The project started in March 2010 and will be completed in May 2011. Atlantis Holding, LLC will develop the project. The Town will contribute equity to complete the parking lot and streetscape improvements at the Project Location.

Financing Uses	Amount	Financing Sources	Amount	Percent
Construction/Renovation	\$16,963,409	ESD Grant	\$2,400,000	12%
Soft Costs	3,710,000	Town Equity	240,000	1%
		Atlantis Equity	1,533,409	7%
		Bethpage Federal Credit Union*	16,500,000	80%
Total Project Costs	\$20,673,409	Total Project Financing	\$20,673,409	100%

*300 basis points over prevailing 5 year FHLBNY rate. At the 5 year anniversary, rate will reset to the then 5 year FHLBNY +275 bps/10 yrs/1st on RE

Financial Terms and Conditions:

1. At the time of disbursement, the Town will reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The Town will be obligated to advise ESD of a materially adverse change in its

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financial condition prior to disbursement.

3. The Town will contribute at least a 10% match of the grant amount to the Project
4. Up to \$2,400,000 will be disbursed to Grantee during the course of the project no more frequently than quarterly, in compliance with ESD's Design and Construction requirements, assuming that all project approvals have been completed and funds are available. The final disbursement, which shall be at least 10% of the grant amount, shall be made to the Grantee upon project completion. Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenditures must be incurred on or after May 4, 2009 to be considered reimbursable project costs. Previously expended funds may be applied toward match requirements retroactive to June 23, 2006, when the Restore New York Legislation was enacted.
5. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$2,400,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Town and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.
6. If the Grantee is not the owner of the Project, then the Grantee shall prohibit, for five years from the date of the initial disbursement of Grant funds, any transfer of the Project in whole or in part, by sale, lease, or conveyance of any interest in or with respect to the Project except (a) transfers of minor interests in the Project site, such as utility easements and limited rights-of-way, and (b)(i) the arms-length basis sale or lease of individual condominium units in the ordinary course of business for a condominium development and (ii) the arms-length basis residential or commercial lease in the ordinary course of business for a commercial, residential, or mixed-use rental development. In the event that such a prohibited transfer occurs within such five-year period, the Grantee shall pay to ESD, promptly upon ESD's written demand therefore, the applicable amount indicated below.

The Recapture Amount is based on the time that has lapsed between when the Grant funds were disbursed and when the transfer occurred. The Recapture Amount shall be calculated by aggregating the Recapture Amount for each disbursement of the Grant, which in each instance shall be equal to:

- (i) 100% of the disbursed amount if the transfer occurred in the calendar year that the disbursement was made, or in the first full calendar year after the disbursement was made;
- (ii) 80% of the disbursed amount if the transfer occurred in the second full calendar year after the disbursement was made;
- (iii) 60% of the disbursed amount if the transfer occurred in the third full calendar year

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- after the disbursement was made;
- (iv) 40% of the disbursed amount if the transfer occurred in the fourth full calendar year after the disbursement was made;
 - (v) 20% of the disbursed amount if the transfer occurred in the fifth full calendar year after the disbursement was made.

Environmental Review:

ESD (the “Corporation”), pursuant to the State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617), ratifies and makes the following findings based on the Final Generic Environmental Impact Statement (“FGEIS”) filed on August 21, 2008 by the Town of Riverhead Community Development Agency, as lead agency, in connection with the East Main Street Urban Renewal Plan Update 2008 (the “proposed action”), which includes the East Main Street Revitalization project.

SEQRA requires the adoption of written findings, supported by a statement of relevant facts and conclusions considered, prior to agency decisions on actions that have been the subject of an FGEIS. The Findings Statement, attached as Exhibit A, contains the facts and conclusions in the Draft Generic Environmental Impact Statement (“DGEIS”) and FGEIS relied upon to support the Corporation’s decision on the action that is the subject of the requested authorization.

The findings that the Corporation hereby ratify and make are that:

- The Corporation has given consideration to the DGEIS and FGEIS;
- The requirements of the SEQRA process, including the implementing regulations of the New York State Department of Environmental Conservation, have been met;
- Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the proposed action is one that avoids or minimizes significant adverse environmental effects to the maximum extent practicable, including the effects disclosed in the relevant environmental impact statement;
- Consistent with social, economic and other essential considerations to the maximum extent practicable, any significant adverse environmental effects revealed in the environmental impact statement process as a result of the proposed action will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures which were identified as practicable;
- The proposed action is in compliance with Section 14.09 of the State Historic Preservation Act.

Therefore it is recommended that the Corporation ratify and adopt the SEQRA Findings Statement attached as Exhibit A.

Affirmative Action:

ESD’s Non-discrimination and Affirmative Action policy will apply. The grantee is encouraged to

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use its best efforts to achieve a Minority Business Enterprise participation goal of 10% and a Women Business Enterprise participation goal of 5% of the total dollar value of work performed pursuant to contracts or purchase orders entered into in connection with the demolition and construction work related to the project, and to include minorities and women in any job opportunities created by the project.

Design & Construction:

D&C staff will review the project budget, plans, and specifications and at its option, visit the East Main Street Revitalization site in Riverhead to monitor construction progress for the scoped work. There will be multiple progress payments, not less than quarterly and each requisition will be reviewed and recommended for payment only when D&C requirements have been satisfied.

The aforementioned project will be reviewed in conjunction with D&C requirements and forms.

Statutory Basis – Restore NY Communities:

Land Use Improvement Project Findings

1. The area in which the project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest sound growth and development of the municipality.
The project involves the demolition and reconstruction of two vacant, abandoned, surplus, or condemned commercial buildings, which have been deemed by the Town to arrest sound growth and development in the area.
2. The project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto.
The project involves the demolition and reconstruction of two vacant structures that the Town has included in its East Main Street Urban Renewal Plan, which focuses on the revitalization of Riverhead's urban center and downtown area.
3. The plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.
The Town published a property assessment list and held a public hearing on the project at the time of application. The Town will ensure compliance with all applicable local laws and regulations.
4. The requirements of Section 10(g) of the Act are satisfied.
There are no families or individuals displaced from the Project area.

Attachments

Resolutions

Exhibit A – Involved Agency Findings Statement

July 15, 2010

Riverhead (Suffolk County) – Riverhead – RESTORE III – East Main Street Revitalization
– Restore NY Communities 08-09 (Capital Grant) – Determination of No Significant Effect
on the Environment

RESOLVED, that based on the material submitted to the Directors with respect to the Riverhead – RESTORE III – East Main Street Revitalization Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *

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Riverhead (Suffolk County) – Riverhead – RESTORE III – East Main Street Revitalization;
Adoption of Findings Pursuant to the State Environmental Quality Review Act

RESOLVED, that with respect to the East Main Street Urban Renewal Plan Update 2008 (the “Project”), which includes the East Main Street Revitalization project, the Corporation hereby makes and adopts pursuant to the State Environmental Quality Review Act (“SEQRA”) the following findings and determinations, which findings and determinations are made after full consideration of the Findings Statement attached as Exhibit A hereto, which Exhibit A is hereby adopted by the Corporation and copies of which document are hereby filed with the records of the Corporation.

- The Corporation has given consideration to the Draft and Final Generic Environmental Impact Statement (“DGEIS” and “FGEIS”, respectively) prepared for the proposed East Main Street Urban Renewal Plan Update 2008;
- The requirements of the SEQRA process, including the implementing regulations of the New York State Department of Environmental Conservation, have been met;
- Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Project is one that avoids or minimizes adverse environmental effects to the maximum extent practicable, including the effects disclosed in the FGEIS and the Findings Statement;
- Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures described in the FGEIS and the Findings Statement; and
- The Project is in compliance with Section 14.09 of the State Historic Preservation Act;

and be it further

RESOLVED, that the Chairman and Chief Executive Officer or his designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to comply with the requirements of SEQRA in connection with the Project.

Exhibit A

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT CORPORATION

East Main Street Urban Renewal Plan Update 2008

INVOLVED AGENCY FINDINGS STATEMENT State Environmental Quality Review Act

July 15, 2010

The New York State Urban Development Corporation, doing business as the Empire State Development Corporation (ESDC), as an involved agency in the environmental review conducted pursuant to the State Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617), makes the following findings based on the Final Generic Environmental Impact Statement (FGEIS) filed on August 21, 2008.

Lead Agency: Town of Riverhead Community Development Agency

Name of Action: East Main Street Urban Renewal Plan Update 2008

SEQRA Classification: Type I Action

Location:

The focus of the URP Update is the East Main Street Urban Renewal Area (EMSURA) which is located in the Town of Riverhead in eastern Suffolk County along the Peconic River. Specifically, the EMSURA is bounded by East Second Street to the north, the Peconic River to the south, just east of the Peconic River Yacht Basin, and Peconic and Roanoke Avenues to the west.

Description of Action:

ESDC proposes to provide funding under the Restore New York program to the Town of Riverhead for a portion of the cost of demolition, reconstruction and expansion for the East Main Street Revitalization Atlantis Marine World Aquarium project, which were reviewed under the Town of Riverhead's *East Main Street Urban Renewal Plan Update 2008* (URP Update). The URP Update serves as an update to the 1993 *East Main Street Urban Renewal Plan* and addresses the existing issues that may hinder the ongoing redevelopment efforts by the Town and property owners, and seeks to foster redevelopment and eliminate the blight and substandard conditions that continue to exist. The proposed URP Update sets forth 60 recommendations that focus on a variety of topics including land use, traffic, infrastructure, and solid waste management; and provides a suggested timeline for the implementation of the recommendations in the report. The

URP Update has been studied in a Generic Environmental Impact Statement (GEIS); Draft and Final GEIS documents have been prepared and issued for review by the public.

FACTS AND CONCLUSIONS IN THE FGEIS RELIED UPON TO SUPPORT THE DECISION

PROJECT DESCRIPTION

The URP Update includes recommendations for the elimination of blight; encouragement of development pursuant to the *Town of Riverhead Comprehensive Plan 2003*; improvement of substandard properties, marginal land uses, and public facilities; promotion of tourist- and river related development; enhancement of cultural resources; and encouragement of private and public funding. The URP Update also summarizes the growth and overall evolution of the EMSURA as a focus of public policy. In addition, the URP Update provides numerous land use recommendations that consider the current and future needs and trends of the EMSURA and the Town, and methods to implement those recommendations.

RECOMMENDATIONS

The URP Update presents a “Statement of Proposed Land Uses,” which includes recommendations intended to eliminate the conditions of blight and deterioration in the EMSURA.

The following are the recommendations as stated in the URP Update:

1. Fill and redevelop existing vacancies with uses permitted under current zoning regulations. As applications for site plans, building permits, or certificates of occupancy for structure or uses are submitted, the CDA, consistent with Section 503(H) of the General Municipal Law, should ensure that the reuses are appropriate (e.g., uses near the waterfront should incorporate the scenic value and public space of the Peconic River and associated waterfront park as part of their overall design and use). Additionally, interaction between uses should encourage pedestrian walkability and promote shared public spaces. Buildings identified as vacant in this report should be given priority for all redevelopment projects.
2. Deteriorated and vacant structures that pose a risk to public safety and welfare, and impede economic viability should be considered for public and/or private acquisition and redevelopment. Redevelopment of these properties should be in conformance with zoning regulations and be considered for the highest and best use. Buildings identified as deteriorated in this report should be given priority for redevelopment projects.
3. Redevelop and rehabilitate dilapidated buildings using contemporary and environmentally friendly design in conformance with Chapter 73, “Landmarks Preservation,” of the *Code of the Town of Riverhead*, which gives the Town’s Landmark Preservation Commission the authority to oversee and provide input on alterations, demolition, construction, repairs, or relocation of structures within the historic district.
4. Preserve and maintain buildings, sites, and structures of historical, cultural, or architectural interest. New development and uses should be cognizant of historic structures and other significant cultural buildings.

5. The CDA and Town should review those structures that currently do not have a landmark designation but possess historic significance for potential inclusion into the Town's list of official designated landmarks.
6. Strengthen the tax base while promoting the integration of commercial and residential uses through development of multi-family residential units with ground floor commercial uses; providing a mix of uses that tie the residential and cultural components of the EMSURA, and encouraging meeting and gathering places to accommodate tourists and residents.
7. Provide multi-family residential developments that accommodate a mix of incomes. This could be accomplished through an incentive zoning program for affordable housing within multi-family developments.
8. Encourage personal service uses related to tourists and residents.
9. Support applications for commercial and recreation uses that are more directly related to the waterfront and incorporate site layout requirements, including minimum setback requirements from the waterfront so that public access is not inhibited.
10. Promote additional open space and community facilities for tourists and local residents. Public spaces should be strategically placed throughout the EMSURA to encourage pedestrian access, tourism, and improved scenic vistas. Additionally, within the western portion of the EMSURA, south of East Main Street across from Benjamin Street, the Town should encourage land or access easements that accommodate open areas allowing pedestrian access to the waterfront ensuring connectivity between East Main Street and the Peconic River.
11. Maintenance and enlargement of public space along the river corridor, south of East Main Street by reducing land dedicated to parking, should be considered a high priority; and the Town should seek public/private partnerships to make improvements and maintain view sheds. Further, development other than public open space should be discouraged within this area to eliminate a conflict of use.
12. Encourage more scenic vistas along the Peconic River corridor within the DC-2 zoning district. Development in this area should be limited to and reserved for public uses, including pedestrian oriented parks, courtyards, and strategic parking areas. All uses in this area should have streetlights, signs, and demonstrate a positive aesthetic quality.
13. Although current zoning permits a building height of no more than 60 feet or five stories, future development should consider the character of existing structures in conformance with existing heights on a block by block basis. Specifically, the buildings located on the east side of McDermott Avenue do not exceed two stories while buildings west of McDermott Avenue reach three stories in height. Future development should consider these existing building heights. Waterfront vistas or views from buildings on the north side of East Main Street should also be maintained and, where possible, enhanced by ensuring that building heights on the south side are restricted and do not block access or prohibit these views.
14. Provide outside courtyards at the rear entrance of buildings along East Main Street and allow outside merchandise displays within these courtyards. This dual-entrance design would connect commercial and retail uses to the waterfront and parking areas, encouraging better designs.
15. Ensure new development provides connectivity between the eastern and western portions of the EMSURA by way of walkways, building layouts, and greenways.
16. Encourage maritime uses, including retail, restaurants, boat and canoe rentals, and

commercial use of the Peconic River, in the portion of the EMSURA that is west of Atlantis Marine World Aquarium. This block could also include workforce housing for employees of maritime trade and a museum dedicated to the history of the waterfront.

17. Minimize the occurrence of alleyways and hidden spaces that pose a risk to public safety (e.g., alleyways could be reused as pedestrian access points to the waterfront). The Town should ensure that design standards address line of sight issues and encourage building clarity that identifies pedestrian access points by incorporating the use of lighting and signage that better identifies these spaces.
18. Improve the overall safety of the area by enhancing the design, layout, and lighting of alleys, streets, and parking areas as well as provide safe road crossings.
19. Implement beautification projects that address façade, landscape, and streetscape improvements as well as encourage an aesthetically pleasing and functional transition between public spaces and parking areas.
20. Establish additional parking areas within the eastern end of the EMSURA where a tourist information center, public amenities, and police substation could be developed.
21. All uses and development in the EMSURA should incorporate designs that consider pedestrian use and safety. Give priority to uses that create minimum conflicts between pedestrians and vehicles by creating a pedestrian-oriented street design, including roadway markings and signage, and provide pedestrian spaces, including benches and safe walkways.
22. Adopt and incorporate building design guidelines that reflect unity and coherence within the EMSURA and maintain the intended integrity of the downtown atmosphere. Standards would include signage, streetscape, and landscape regulations and should provide increased corner lot setbacks to increase vehicular visibility and eliminate and/or reduce gaps in building facades to reduce commercial inactivity.
23. Due to the important nature of encouraging redevelopment activities within the EMSURA, the Town should ensure that applications are responded to in a timely fashion and handled in such a way that avoids unnecessary delays. Specifically, applications that require more than one agency or commission involvement should be coordinated in advance. Advisory commissions and agencies (e.g., the Landmarks Commission) should accommodate and encourage pre-submission meetings prior to, or simultaneously with, building department application submissions.
24. Promote sustainable development in the downtown area to redevelop existing structures while conserving resources. Buildings should be constructed to provide a long life span and a flexible design to accommodate future uses. Multi-family residential developments of four units or less must be consistent with federal Energy Star standards. Further, green building designs should be promoted in conformance with the Leadership in Energy and Environmental Design (LEED) standards.

Infrastructure

25. Continue test well program and construct production wells to meet additional demand.
26. Increase connection fees to mitigate costs associated with supplying additional capacity.
27. Encourage or mandate water conservation throughout the water district.
28. In the event of development on the East First Street right-of-way, the existing 6-inch water main and existing 8-inch sewer line must be relocated.
29. Investigate existing flows and capacities of the sanitary sewer piping within the EMSURA

and of the DeFriest Pump Station to determine whether any upgrades are necessary to handle anticipated additional flows for the interim and long-term development scenarios. This effort should consist of the preparation of a “Map and Plan” similar to that which has been recently developed for the Howell Avenue Pump Station.

30. Encourage Suffolk County to implement measures to reduce sanitary flow from the County Center facilities through the installation of water saving devices, conservation measures, etc.
31. Conduct a thorough inventory to determine where/whether roof drains are connected to the sewer system, and require property owners to provide alternative means for handling flows from roof drains.
32. Explore the possibility of creating a storm drainage district to provide common storm drainage facilities located on public property.
33. Collect impact/mitigation fees to be utilized to handle excess runoff from on-site drainage facilities.
34. Encourage or mandate green stormwater management techniques such as roof gardens and the installation of cisterns.
35. Incorporate drainage improvements into any new parkland/green space provided by elimination of parking along the riverfront, maximizing pervious surfaces that allow percolation.
36. Investigate and inventory those existing facilities that direct stormwater flows to the drainage system, either directly piped or flowing across sidewalks, streets, and parking areas.
37. Initiate a program to encourage retrofitting properties with such conditions to contain some or all of their stormwater on-site.
38. Investigate the opportunity to upgrade or eliminate direct stormwater outfalls to the Peconic River during future development, similar to the ongoing Suffolk County project at Peconic Avenue.

Traffic, Transportation, and Pedestrian Access

39. The Suffolk County Department of Public Works (SCDPW) has indicated its intention to reconstruct the traffic circle and the intersection of CR94 at County Center Drive into modern two-lane roundabouts. The analyses conducted by SCDPW to evaluate the effectiveness of these improvements did not consider impacts due to redevelopment of the EMSURA. It is therefore recommended that the CDA work with the New York State Department of Transportation, the SCDPW, and the Town of Southampton to develop an improvement plan that will provide a roadway system capable of accommodating the traffic anticipated to be generated by the development envisioned in the EMSURA as well as any plans that the Town of Southampton has for the hamlet of Riverside, as envisioned in the newly released DEIS for the Riverside Planned Development District. To accommodate the traffic anticipated due the short-term phase 1 development in the EMSURA, the following low-cost, readily implemental measures should be considered for implementation, subject to Suffolk County and/or NYSDOT concurrence:
 - Change operation of Roanoke Avenue between Second Street and Main Street to provide one-way southbound operation and restripe to provide two southbound lanes;
 - Revise lane use at the intersection of Roanoke Avenue at Main Street to reflect the one-way operation. Two southbound lanes should be carried through the intersection and onto southbound Peconic Avenue. The rightmost lane should transition to a separate

- right turn lane at the traffic circle;
 - Provide one-way northbound operation on East Avenue between Second Street and Main Street. This will provide the northbound compliment to the southbound operation of Roanoke Avenue;
 - Prohibit parking on both sides of East Avenue, due to the narrow right-of-way, so that two travel lanes can be provided;
 - Revise the operation of the traffic signal at Roanoke Avenue at Main Street;
 - Provide a separate eastbound left turn lane on Main Street at East Avenue to accommodate the additional demand due to the one-way operation of Roanoke Avenue. Signalization of the intersection of East Avenue at Main Street should be considered, in consultation with NYSDOT; and
 - Install a traffic signal at the intersection of CR 94 at County Center Spur.
40. Revise the *Code of the Town of Riverhead* and/or to the Parking District guidelines to require that any development with a residential component of more than four units provide parking for those units on-site at a rate of at least one parking space per unit. Commercial components of mixed-use developments could be accommodated in the Town-owned parking provided by the Parking District.
 41. Upgrade all mid-block pedestrian crossing locations to provide signing requiring motorists to yield to pedestrians.
 42. Upgrade the pedestrian crossing at East Avenue and at Atlantis Marine World Aquarium to provide overhead signing requiring motorists to yield to pedestrians, contrasting pedestrian crosswalk material, and pavement markings, and pedestrian bumpouts to enhance pedestrian safety.
 43. Install full pedestrian signals at all existing and proposed signalized intersection locations. Pedestrian signals should be equipped with countdown timers for crossing arterials.
 44. Provide a mid-block pedestrian crossing between Grangebel Park on the west side of Peconic Avenue and Riverfront Park on the east side of Peconic Avenue with overhead signing requiring motorists to yield to pedestrians, contrasting pedestrian crosswalk material, and pavement markings.
 45. Encourage installation/maintenance of sidewalks with a comfortable, uniform, accessible cross-section with a minimum of street furniture on private development plans, and adopt such a policy when sidewalks are installed by the Town.
 46. Investigate funding sources for additional traffic calming measures within the EMSURA. In recent years, New York State Department of Transportation administered the Local Safe Streets and Traffic Calming Program, which provided funding to local governments to investigate and implement pedestrian safety improvements. This program was not funded for the current fiscal year, but is expected to be funded in the future.
 47. Monitor parking demand in the EMSURA as development proceeds, and provide additional off-street parking to accommodate demand. In order to make certain that sufficient parking is in place to accommodate demand, applicants should be required to provide parking demand analyses as part of their site plan packages, or the Town should perform parking demand analyses for each approved site plan, so as to anticipate the need for new parking sufficiently in advance.
 48. Work with Suffolk Transit to ensure they are kept abreast of increasing demand due to development in the EMSURA to make appropriate adjustments to routes and schedules as

needed.

49. Provide bus shelters at all bus stops within the EMSURA. Bus shelters should be provided with copies of schedules, at a minimum. Investigate funding sources and the availability of real time information technology to provide information on route conditions and delays.
50. Encourage private developers to provide incentives for patrons and employees to use public transportation to travel to and from the EMSURA. Movie and hotel discounts, free or discounted merchandise, shuttle service between the EMSURA and the LIRR station should be considered.
51. Engage the LIRR in discussion on the possibility of shuttle service between the LIRR station and the EMSURA, similar to the program on the South Fork. Funding opportunities should be examined also.

Solid Waste Management

52. Develop a comprehensive solid waste collection strategy that uses either the local Business Improvement District (BID), in which the EMSURA is located, or a similar approach for solid waste collection and disposal. To develop the most efficient and effective strategy, the Town or BID should work with landowners and/or tenants to assess the different comprehensive collection strategies and select the best plan or approach considering cost, traffic, visual quality, equity, needs, resources, as well as the potential for future growth.
53. All containers should be kept in good repair (e.g., painted to prevent rust and deterioration), be structurally sound, leak proof, easily accessed, and vermin proof.
54. Garbage and other waste materials should be completely contained within the container. No accumulation of garbage or waste materials should be permitted outside the confines of the container, and garbage should not accumulate so that the container cover cannot be firmly closed as to prevent animals from gaining access to the container.
55. Containers should be strategically located, angled, and screened, yet still allow for removal. Containers should be screened from public view with a solid enclosure or enclosure of dense vegetation on at least three sides to a height of the container. No container should be located in or on a public right-of-way.
56. Efforts should be taken to consolidate all containers within the area, with the assistance of the BID and/or a creation of a garbage district. Such consolidation may include requirements such as the installation one litter receptacle or receptacle area for several uses placed in an inconspicuous and safe location.
57. Garbage should be removed frequently to avoid unpleasant odors.
58. Deliveries, collection of refuse, and other activities should be confined to such hours and such type as will not create any unreasonable disturbance to neighboring residential areas.
59. Heighten code enforcement of mandatory recycling.
60. Require tonnage reports describing the quantity and types of refuse generated.

PURPOSE AND NEED

The EMSURA has and continues to suffer from a loss of patronage, the decline of economic activity, the presence of blight, and an increasing number of dilapidated and/or vacant structures. Although improvements to the area have occurred in the last several years, as indicated in the URP Update, the area continues to be in need of significant revitalization. In addition to these

issues, there has also been in the last few years, an increase in the number of applications for development projects proposed in the area.

The URP Update provides the Town with guiding principles that are intended to address the obstacles facing the EMSURA with consideration to the overall effects of the numerous development applications. Table 1 summarizes the development applications, which had been included in the Final Scope. The URP Update, in addition to evaluating existing issues, provides recommendations that address development in the EMSURA as a whole with the intent to improve the area as well as an approximate timeline that the recommendations should follow. The recommendations of the URP Update have been included as part of this report below. As a result, it is expected that the area's economic viability, patronage, pedestrian activity, and use of the waterfront would be improved. The URP Update would transform the EMSURA from a struggling and under-populated and patronized area plagued with blight and high rates of vacancy to a more active and thriving downtown.

Table 1
Proposed Applications

Proposed Project Name	Suffolk County Tax Lot(s)	Building Description	Use Description
Zenith Building	0600-129-4-5.2	14,900 square foot, 5-story building	9 units (3rd-5th floor) 5,960 square feet retail
Elizabeth Strebel	0600-128-6-78	1,835 square foot, 2-story building	1 residential unit 918 square feet retail
Viva L'Arte Center	0600-128-6-58.1	3,698 square foot, 2-story building	2 artists lofts 1,984 square feet commercial
209 East Avenue Building	0600-129-1-4	9,590 square foot, 5-story building	3 residential units 1,448 square feet office 1,448 square feet retail
54 East Main Retail and Apartment Building	0600-128-6-64	37,500 square foot, 5-story building	40 residential units 7,500 square feet commercial
Suffolk Performing Arts Theatre	0600-129-1-8.4	19,866 square foot, 4-story building	22 residential units 4,697 square feet theater
Atlantis Marine World Aquarium	0600-129-4-20, 21.1, and 21.2	290,250 square foot, 5-story building	120-room hotel with amenities
Riverhead Enterprises	0600-129-1-12, 13, and 14	140,565 square foot, 5-story, mixed-use building	116 units 28,113 square feet of commercial use on ground floor
Riverhead Enterprises	0600-129-1-17, 17, 19, and 20	202,505 square foot, multifamily residential building	165 condominium units
Apollo	0600-129-1-8.2, and 1.9 0600-128-6-66.4 (part of)	174,800 square foot, 4-story building	Commercial

Note: * Tax lot numbers are written in District-Section-Block-Lot format.

Source: Town of Riverhead.

PROCEDURAL BACKGROUND

SEQRA Process

Since the *1993 East Main Street Urban Renewal Plan*, the Town had been working on projects in and around the EMSURA to address issues that were identified at that time. In 2001, the area was rezoned to a newly adopted zoning district, namely Downtown Center (DC) and new issues became prevalent. This report was deemed necessary address anticipated growth and development.

Development applications presented an opportunity to improve the EMSURA and it was clear to the Town that the EMSURA would worsen or stay stagnant if redevelopment was not encouraged or facilitated.

Pursuant to SEQRA and its implementing procedures in 6 NYCRR 617, in 2006, a public scoping process was initiated by the issuance of a Draft Scope of issues for inclusion in the Draft Generic Environmental Impact Statement (DGEIS). A public meeting was held with respect to the Draft Scope in October of 2006, and written comments on the Draft Scope were accepted until October 25, 2006.

The DGEIS for the URP Update, which was prepared by the Town with the assistance of its consultants, was accepted by the Town as adequate for the purpose of public review and issued on June 4, 2008.

A SEQRA public hearing on the DGEIS was conducted by the Town of Riverhead Community Development Agency (CDA) on June 19, 2008. Simultaneously with that hearing, the Town of Riverhead Planning Board conducted a hearing on the Proposed URP Update pursuant to the New York State Urban Renewal Law. The public comment period on the DGEIS remained open until July 7, 2008 for the submission of written comments. The CDA held a second public hearing on the URP Update on July 15, 2008. Although there were no public comments presented at the June 19, 2008 SEQRA hearing, a total of 4 different speakers commented on the DGEIS URP Update. The URP Update public comment period remained open until July 25, 2008 for the receipt of written comments. Written comments were accepted on both documents till July 25, 2008.

The FGEIS, which was prepared by the Town with the assistance of its independent consultants, was accepted as adequate in scope and content by the Town and issued on August 21, 2008. The FGEIS contains responses to comments made at the public hearing and sent in written form. The CDA adopted the lead agency Statement of Findings in October 2008.

No-Action Alternative

As required by SEQRA, the FGEIS assessed No Action as an alternative to the URP Update. This alternative assumed that no actions would be taken by the CDA or Town and assumed that development of pending projects, reuse, and development of existing lots would occur consistent

with current zoning.

In the No-Action Alternative, development would not occur in conformance with existing local and regional public policy. Development would occur in a manner that would be inconsistent with the goals and objectives of the Town and regional plans due to the fact the development would be limited by the constraints that currently exist and would continue to exist in the future. These constraints are a high number of vacancies, underutilized waterfront, low density development, lack of adequate infrastructure to accommodate future growth, and transportation related issues.

Build-Out Study

The analysis presented in the DGEIS was based on a build-out study that calculated the type and amount of development that may occur by the year 2022. The build-out calculations followed current zoning requirements. The build-out study concluded that a certain level of development with specific uses would exist by 2012, 2017, and 2022. The heights, square feet, and use of the forecasted development served as the basis of the analysis which was then superimposed with the recommendations of the URP Update.

The projected growth was analyzed for three development scenarios: short term, which encompasses a level of development that may occur within the next 5 years (2007-2012); interim, which includes development that may occur between 5 and 10 years into the future (2012-2017); and long term, which includes development that may occur between 10 and 15 years into the future (2017-2022).

The short-term development scenario includes a level of development that was expected to occur approximately within the next five years (2007-2012). That level of development was determined for the purpose of potential impact evaluation based on the following assumptions that were made with respect to each Superblock during the short-term scenario:

- All currently vacant buildings and structures will be occupied. Their uses will be identical to prior uses, as recorded by the Town's Assessor and property records. The use of this assumption to calculate a level of short-term development does not mean that only "reuse" development is addressed by the GEIS analysis of the short-term scenario. As long as the cumulative impacts of a proposed project do not exceed the maximum short-term phase impacts evaluated in the GEIS, the analysis would constitute the necessary SEQRA review of that project even if it is not a renewed use of an existing vacancy; and
- All specifically identified, pending, and approved projects as they are described in this chapter would be implemented.
- Calculations indicated that approximately 366 residential units will be developed as a result of the projects. This is 73 percent of the total number of housing units permitted in the DC-1 zone within the EMSURA (500 units).

Analysis presented in Chapter 6, "Infrastructure," and Chapter 11, "Transportation and Parking," divided the short-term scenario in two consecutive phases. Phase I measured all pending or proposed projects (see Table 1). Phase 2 measured the cumulative effects of Phase I and all infill

of vacant existing buildings. The Phase 2 analysis will therefore reflect the cumulative impacts of pending and proposed projects and the in-fill of vacant existing buildings, which is estimated to occur by the end of the short-term scenario.

The level of development that was calculated to occur in the short-term scenario would encompass 164 percent more development than the existing condition. This considerable level of development is significant and as indicated by the Town, would most likely not be completed by the end of 2012. Of the three scenarios this scenario assumes the largest increase in development and consists predominantly of the development of proposed projects (see Table 1). However, the analysis presented in the DGEIS evaluates the effects of these projects should they be constructed in such a small frame of time (2012).

Interim Development Scenario

The interim scenario encompassed a level of development that assumed all underdeveloped parcels would begin to redevelop according to the current zoning district. The level of development expected to occur during this scenario would most likely not occur by 2017. It was assumed that the EMSURA would have approximately 2,092,238 square feet of development or 68 percent over the short-term 2012 scenario.

Long-Term Development Scenario

The long-term development scenario, including development that may occur between 10 and 15 years into the future (2017-2022), permits 80 percent lot coverage. It is assumed that 100 more residential units would be developed in the entire EMSURA during this phase. The methodology of assigning new square footage to land uses mimics the methodology used in the interim development scenario.

The build-out study assumed an extreme scenario of development. The EMSURA is a downtown area located within a suburban setting in eastern Long Island. The level of development calculated to occur would most likely not occur within the development scenarios time frame.

PROBABLE IMPACTS OF THE PROPOSED ACTION

The DGEIS/FGEIS identified environmental issues as fully described in the DGEIS and FGEIS and summarized below.

LAND USE, ZONING AND PUBLIC POLICY

LAND USE

The URP Update puts forth recommendations that, if adopted, would promote new development and thus new land uses in the EMSURA, which would include a mix of commercial, residential, cultural, and tourism type uses. As demonstrated in the DGEIS, development as it is permitted under current zoning would potentially result in a more densely developed area. However, as indicated in the FGEIS, the DGEIS analysis assumed a worst case scenario that would require

significant robust improvements in the area within a short period of time.

Overall the URP Update would decrease vacancy rates. In addition, new development would include the highest and best land use as well as environmentally sensitive building design for all new buildings. If implemented the URP Update would facilitate development of more mixed uses (commercial and residential) and multifamily residential units. The increase in these uses would help to re-establish the area as a vibrant downtown, which is characteristic of the area's historical development.

The URP Update would result in the preservation of additional buildings that contribute to the historical significance of the area. An increase in the number of designated historical uses would have a positive impact on preserving the historical integrity of the EMSURA, promoting cultural and tourist uses.

The URP Update seeks to implement recommendations that would phase out nonconforming uses; redevelop and reuse vacant and/or deteriorated buildings; promote development of additional cultural and recreation uses such as open space, public spaces, and historic sites; encourage mixed-use, multifamily structures; and expand new commercial development such as maritime uses.

With regard to land uses immediately adjacent to the EMSURA (predominantly single-family residential and commercial uses), it is expected that the increase in height and density of buildings as well as the improvement of their overall condition would benefit the surrounding area by improving property values and increasing diversity of uses consistent with a vibrant downtown community. Further, the improved mix and variety of uses would allow residents to shop and work downtown, versus driving to various destinations outside of the EMSURA.

ZONING

The recommendations proposed in the URP Update would encourage a review of the existing zoning and potentially result in need to modify the extent and building heights of the existing DC-1 zoning district. The URP Update is expected to improve the health, safety, and general welfare of the Town of Riverhead and increase property values. In fact, consistent with the goals of DC-1 and DC-2, the URP Update would improve the overall economic viability, character, and vibrancy of the area. Further, the URP Update would not alter the zoning designation of the area surrounding the EMSURA, including the Residence A-40 Zoning District to the north and Industrial C zoning district to the west.

PUBLIC POLICY

The URP Update if adopted would promote development that enhances public use of the waterfront by, attract visitors and tourists to the area, incorporates the Peconic River waterfront, supports the environmental and development goals of the region, and promotes connectivity between buildings and/or uses. By resulting in such improvements, the URP Update would be in compliance with the policies set forth in the various regional and local planning reports.

POPULATION AND HOUSING

The URP Update would encourage the development of residential structures as permitted by the DC-1 zoning district, causing an increase in the number of residents in the area. The development of residential units would cause an increase in the overall population within the EMSURA.

The URP Update would increase the small housing stock by promoting the development of 500 multifamily units. The URP Update recommends the phasing out of non-conforming uses in the EMSURA, including single-family homes. It is expected that this housing would be replaced with multifamily units, including town homes, condominiums, and apartments, as permitted by the DC-1 zoning district. It is expected that the URP Update would improve the EMSURA's economic viability and likely increase home value within and surrounding the EMSURA. It is also expected that the EMSURA would offer existing and future residents with increased housing options, which would attract a demographically diverse population.

EMERGENCY SERVICES AND COMMUNITY FACILITIES

An analysis of local emergency services includes the local police, fire, and ambulance providers and their ability to service the growth anticipated to occur. It is expected that these services may need to be modified in order to accommodate the growth.

If housing in the EMSURA is built according to current zoning limits, the area would see an increase in the number of students by 125 over a 15-year period. Compared to Riverhead Central School District's projected growth rate, the URP Update would increase the number of students by 7 percent over the 1,779 district projection. However, the URP Update would provide an increase in revenue that may be generated according to current assessment standards. It is estimated that by the long-term scenario the projected tax revenue increase would be 362 percent more than the 2006 tax generated. In 2006, Riverhead Central School District collected approximately \$486,757. In 2022, the EMSURA would generate approximately \$2,251,884 in revenue for the school district.

The URP Update would not have a significant adverse impact on library services, as the increase in demand for library services would be offset by the increase in the tax revenue generated from the EMSURA.

The URP Update recommends that the Town encourage the development of parks and recreation types of uses within the EMSURA. If implemented, the URP Update would increase the amount of space dedicated to parks and open space. The URP Update also recommends the acquisition of a parcel for the expansion of the existing waterfront park.

The URP Update, if approved, would increase the overall population of the EMSURA, which would potentially increase the demand for recreational uses and open space. However, the parks are not currently heavily utilized and have capacity to accommodate an increase in visitors. Commercial recreation and cultural uses should also increase as a result of the URP Update. By adding to the inventory of existing commercial recreation uses, the URP Update would enhance

the recreation component of the EMSURA.

ECONOMIC AND FISCAL CONDITIONS

The URP Update would result in a decrease in vacancy rates, new development, an increase in full-time employment, and an increase in the overall household median income. It is anticipated that the redevelopment of the EMSURA would result in a gain in patronage and tourists that would also have an impact on revenue generated in the retail sectors.

While it is impossible to realistically project future property tax revenues, it is anticipated that the property taxes generated by the URP Update would increase substantially over those currently collected.

Overall, the URP Update, if implemented, could dramatically improve the economic conditions of the EMSURA and surrounding area. An increased number of jobs would be made possible as a result of new and better development, as well as on- and off-site spending by new residents. New residents, employees, and tourists in the area would also contribute to the increase in sales tax, which would serve as a significant economic benefit.

INFRASTRUCTURE

WATER SUPPLY

There would be sufficient water pressure to support the proposed development within the EMSURA. In addition, although it was found that there would be ample flow available for firefighting needs, it is likely that the applicable building and fire codes for these projects would require the installation of fire sprinkler systems for the protection of lives and property. Such systems would need to be designed based upon current hydrant flow test data as well as various other parameters in accordance with the codes and other applicable standards. The Riverhead Water District presently charges a water hook up fee pursuant to Section 105 of the Riverhead Town Code in order to finance improvements to the district made necessary by increased demand for potable water.

SANITARY

The URP Update in the short-term scenario would result in additional wastewater flow of approximately 145,000 gpd. Based on the stated maximum flow of the AWTF under the existing State Pollutant Discharge Elimination System (SPDES) permit of 1,200,000 gpd (1.2 mgd), the short-term development scenario would utilize roughly 38 percent of the plant's remaining available permitted capacity, assuming no additional growth takes place in the balance of the district.

Under the existing SDPES permit, the AWTF has sufficient capacity to accommodate the additional flows estimated under the short-term development scenario. An underlying assumption is that there is no limit placed on how much of the plant's permitted excess capacity is available for development within the EMSURA.

Independent of the capacity of the DeFriest Sewage Pumping Station, a review of the plant's condition by H2M Group in May 2008 determined that the pumping station "has not been upgraded for some time but currently is functioning reliably". Should that condition change in the future and the station require major upgrades or rebuilding existing Riverhead Sewer District procedures and regulations would need to be followed. The Riverhead Sewer District presently charges a densification fee as set forth by resolution of the Riverhead Town Board from time to time in order to finance improvements to the district made necessary by increased sewage flow.

The AWTF would theoretically accommodate the short-term flows under the existing SDPES permit. Under the interim scenario and full development of the EMSURA combined with full development of the rest of the sewer district would result in increased flow to just below the rated capacity of the AWTF, and it is within the margin of error for the methodology. However, the total flow at assumed full build-out would be approximately 17 percent above the flow permitted under the existing SDPES permit.

In the event that the Town was unable to obtain a SPDES permit modification, flow at a future point in time to the AWTF would need to be reduced to accommodate proposed development within the EMSURA and the Town in general, or the amount of development-producing flows would need to be limited.

The recommendations in the URP Update set forth several methods that would accomplish reducing current flow. The effluent diversion program currently being explored by the Town is a key component in meeting the total maximum daily load (TMDL) levels for nitrogen at both the current and permitted flows. During the critical warmer months, for any flow greater than the current flow, the corresponding improvement in effluent quality in conjunction with effluent diversion would be necessary. It should be noted that if a SPDES permit modification was obtained to increase the flow from the currently permitted flow, a nitrogen concentration less than the practical load reduction would need to be achieved in order to meet the TMDL during the warmer months.

The plant is presently operating at its organic capacity. In other words, given the characteristics of the influent entering the plant, the nitrogen concentration of the effluent is as low as possible given the equipment and technology utilized at the plant. Therefore, the current average daily nitrogen concentration of 10.7 mg/L and corresponding nitrogen load could not be reduced without additional measures being taken.

DRAINAGE

Much of the existing drainage facilities throughout the EMSURA pre-date the requirements for storage of a 2-inch rainfall, however, new development projects would be required to meet the current standards. The 2-inch rainfall requirement conflicts with the DC-1 zoning, which at present permits 100 percent lot coverage, leaving essentially no opportunity to install any conventional drainage structures to handle the runoff from the site. Anticipated redevelopment of properties within the EMSURA presents the opportunity to increase the ability to reduce runoff below present levels, and to handle more of the runoff by replacing existing inefficient structures, installing additional structures, and utilizing the latest stormwater management practices to more

closely meet current requirements.

NATURAL RESOURCES

The URP Update would not have an adverse impact on the flora, fauna, and marine life within the EMSURA since these natural resources occur only in a very limited extent. As a result of the URP Update, open space could increase overall, potentially increasing the quantity and diversity of these resources.

The URP Update would prevent development of other areas in the Town, or possibly allow for preservation of green areas while enabling appropriate development. Additionally, the URP Update recommends that buildings follow Leadership in Energy and Environmental Design (LEED) standards and green building design. Buildings constructed according to LEED standards promote a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality. The URP Update is expected to increase the amount of pedestrian activity in the EMSURA, potentially reducing vehicle miles traveled.

SOILS, GEOLOGY, AND WATER RESOURCES

The study area is already developed, so it is highly unlikely that implementation of the URP Update would result in a significant adverse impact to soils.

The established system of recharge of stormwater and treatment of wastewater within the EMSURA will not be significantly altered, and therefore protection of the underground aquifer system will be maintained. Due to the developed nature of the EMSURA, steep slopes do not occur in this area.

Overall any changes to existing grades, soil, and stormwater that would occur as a result of development would be evaluated on a site by site basis through the site plan review process. With regards to groundwater, the URP Update encourages the development of public spaces such as courtyards and parks, also decreasing total impervious coverage in the area. The natural filtration process would be enhanced by increasing the total area of pervious surface and implementing resource management techniques previously identified. This would have an overall beneficial impact on the groundwater.

Due to the fact the region's groundwater serves as the water supply, water usage increases created by the URP Update, or development resulting from the URP Update, was evaluated. Overall, the development resulting from the URP Update would by 2022 require an additional 292,600 gpd. This amount would not have a significant adverse impact on the groundwater since it would not create a significant burden on the groundwater supply.

VISUAL RESOURCES

If adopted, the URP Update would improve the overall visual quality of the EMSURA and therefore would have a significant positive impact on the visual resources. The URP Update sets forth recommendations that improve the street views, waterfront access and view, and building layout in the EMSURA.

CULTURAL RESOURCES

The EMSURA, in addition to being located in a historic district, contains several designated as well as unofficial places of historical significance. The URP Update recommends that the Town protect and enhance these resources by restricting development close to historic sites and furthering the goals of the Town's Landmarks Commission by continuing the current advisory role of the Landmarks Commission in reviewing development applications. With regards to archeological resources, the build-out of the EMSURA would increase the developed footprint on some lots and the few vacant lots that do exist. Significant disturbance of previously virgin property is highly unlikely. In those instances, a Phase I Survey would be required, which would identify any potentially significant archaeological resources. Applicants for projects that involve permits, approvals, or funding by federal or State agencies must consult with the State regarding potential impacts to cultural resources and mitigation measures.

ESDC's proposed action has been reviewed by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) in accordance with Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. In a letter dated November 5, 2009, OPRHP determined that the Atlantic Marine World hotel and expansion project under the Restore New York program will have no impact on cultural resources in or eligible for inclusion in the State and National Registers of Historic Places.

TRANSPORTATION AND PARKING

TRANSPORTATION

The recommendations discussed above and set forth in the URP Update are expected to provide adequate parking to accommodate demand commensurate with construction of the known projects (short-term phase 1), and the pedestrian and public transportation improvements will foster increased use of public transportation and encourage more pedestrian activity. However, the roadway improvements recommended above would not be sufficient to accommodate the traffic demand beyond that generated by the known projects (short-term phase 1), nor would the existing parking supply be adequate to meet the estimated demand. In addition, the roadway improvements do little to address the traffic circle south of the Peconic River, where congested conditions would continue to prevail.

Development that generates additional traffic demand beyond that envisioned in the short-term phase 1 scenario will require improvements to the roadway system of a considerably more robust nature. The intersection of Main Street at Roanoke Avenue / Peconic Avenue processes all of the traffic destined to the EMSURA that arrives via the traffic circle, essentially that traffic

originating south and east of the traffic circle on the south side of the Peconic River, as well as the traffic that arrives and departs to and from the west via Main Street, and to and from the north via Roanoke Avenue. The offset configuration of the intersection limits the effectiveness of traditional intersection improvement strategies, such as the addition of turning lanes and revisions to traffic signal operations. The improvements discussed above provide some relief at this location, and the added capacity should allow for significant development in the near future. However, because of its important role, and the unorthodox configuration, included among the more robust strategies investigated in the GEIS are the realignment of the northbound and southbound approaches to the intersection of Roanoke Avenue / Peconic Avenue at Main Street. Such realignment, intended to eliminate the offset between the approaches and the resultant inefficiencies in the operation of the traffic signal at this location, would require the acquisition of private property either in the northwest or southeast quadrants of the intersection, depending on the ultimate alignment.

The addition of the short-term phase 2 traffic will require coordination of multiple agencies to implement long term measures of a significantly more robust nature. These mitigation measures would be needed to provide improved operating conditions. A series of potential improvements intended to provide the capacity necessary to accommodate longer-term growth in and around the EMSURA was examined in the GEIS. With these mitigation measures in place, the otherwise significant deterioration in operating conditions on the network, particularly during the Saturday midday peak hour, could be better accommodated.

However, it is recognized that there are other strategies that would alleviate congestion at this location that have not been examined in detail by this study. Among those strategies would be the diversion of some of the traffic utilizing this intersection to enter the downtown area to alternate routes. Diversion of traffic is complicated by the presence of the Peconic River, and the availability of only two bridges in reasonable proximity to the downtown area, the Peconic Avenue Bridge and the Court Street/County Center Spur Bridge. A good deal of the traffic destined to and from the County Center, and the court houses north and west of the EMSURA already utilizes the Court Street bridge, limiting its availability as an alternate route to the EMSURA.

Therefore, a strategy that envisioned significant diversion of traffic away from the Peconic Avenue bridge would need to consider construction of another bridge over the Peconic River into the downtown area. Construction of such a bridge is likely to have significant beneficial impact on accessibility and mobility within the EMSURA, and would also provide relief to the operation of the traffic circle by diverting traffic away from Peconic Avenue. However, it would also have major economic, environmental and design considerations, which would likely dwarf those impacts of the improvement strategies that have been considered.

Further note that, even if the bridge congestion were to be alleviated, Main Street could not accommodate the addition of the large amounts of traffic projected under these longer term scenarios under its current configuration, and would have to be widened to provide at least two lanes in each direction with turning lanes at major intersections. While this configuration could be achieved through some combination of the elimination of on street parking and pavement

widening, the elimination of parking is not conducive to attracting commerce to Main Street, and the four-lane configuration is not in keeping with a walkable, pedestrian-friendly downtown business district, especially one in which a mix of commercial and a significant number of residential properties is envisioned. In addition, many of the buildings along Main Street are built down to the property line, and any widening could require acquisition and demolition of the buildings, or a narrowing of the existing sidewalks.

Since the hypothetical additional roadway improvements of the nature discussed above would result in a roadway network not appropriate to a thriving downtown business district, and the impediments to their implementation make it extremely unlikely that they would ever come about; no additional traffic simulations have been performed to evaluate their effect on the network.

PARKING

As indicated in the FGEIS, the parking demand analysis conducted to estimate the potential increase in parking demand in the EMSURA as a result of the development scenarios examined in the DGEIS has been revised. The revisions reflect the significant reduction in the scope of the Apollo project proposed on the north side of Main Street between Roanoke Avenue and East Avenue, the changes to the site plan for the proposed hotel/conference venue associated with Atlantis Marine World, and the impact of the recommendation that larger residential developments within the EMSURA be required to provide dedicated parking for residents. Note also that the Atlantis Marine World project includes an approximately 100-room hotel, and will be providing a separate off-street parking facility for exclusive use by Atlantis Marine World as a valet parking lot to accommodate the hotel parking demand. The revised analysis examines the impact on parking conditions in the absence of the large 1,100+ space parking structure included in the original analysis performed for the DGEIS. The results of these analyses indicate that short-term Phase 1 additional parking demand has been reduced from 1,827 spaces to 1,142 spaces during weekday peak demand, and from 1,725 to 1,055 spaces during projected weekend peak demand. Corresponding projected parking deficits have been reduced from 898 to 213 on a weekday, and from 796 to 126 on a weekend. Similarly, the revised estimated parking deficit for the short-term phase 2 scenario, which envisions full occupancy of all existing vacant properties in the EMSURA, is reduced to 527 spaces on a peak weekday and 390 spaces on a peak weekend.

In light of the results of this analysis, it is concluded that there is sufficient available off-street parking within and in the immediate vicinity of the EMSURA to accommodate a significant amount of new development in the immediate future. Should applications for development within the EMSURA be submitted, or should increased activity in the EMSURA result in a significant decrease in the amount of vacant or underutilized properties such that parking demand at the level projected for the short-term phase 1 scenario seems likely to emerge, an additional 100 to 200 spaces will be required to accommodate demand. Similarly, should such new development rise to the levels projected for full build-out of phase 2 of the short-term scenario, then 400 to 500 additional parking spaces will be needed to accommodate demand. The largest parking lot maintained by the Town is located along the Peconic River waterfront, between the rear of existing properties facing Main Street, and the riverfront park recently rehabilitated by the

Town. While providing sufficient convenient parking is important to the viability of the businesses in the EMSURA, of equal importance is the enhanced use of the major asset presented by the Peconic Riverfront. It is the stated desire of the Town to reduce the use of riverfront property as off-street parking, to increase the amount of public space and enhance the aesthetics of the riverfront by eliminating some of the parking located there. Any reduction in the number of spaces provided in the riverfront parking facilities would increase the projected parking deficit accordingly.

If needed, new off-street parking spaces can be provided in a number of ways: additional at grade parking facilities could be provided, on-site parking could be required by the Town as a condition of site plan approval, or a smaller parking structure could be constructed. Further, the Riverhead Parking District should develop a parking impact fee schedule which would provide funds to provide additional surface and/or structured parking. In addition, there is a significant existing parking supply outside the EMSURA that could be utilized to offset increased demand in the EMSURA, through the provision of a shuttle service that circulates among the various parking lots and the EMSURA. Several parking facilities serve the courts north of the EMSURA. It should be noted, however, that although a significant amount of parking is available at these facilities on weekends, few vacant spaces are available in many of these parking facilities outside the EMSURA on weekdays, due to the nature of existing parking demand. In addition, construction of eight new courtrooms in the court complex northwest of the EMSURA is underway. Upon completion, these new courtrooms will generate additional parking demand. Based on the results of the parking demand survey conducted for this study, approximately 70 parking spaces were available in the existing off-street parking facilities located in the immediate vicinity of the court complex. In the event that parking demand at the court facilities increase to the point that it exceeds this existing spare capacity, additional parking might need to be provided in order to prevent court related parking demand from impacting on the parking available to the EMSURA. It is recommended that parking demand at the court complex be monitored to determine the potential impact on the parking scenario in the EMSURA.

The revised results of the parking demand analysis for the interim scenario indicate that, although projected deficits are reduced, the parking demand generated by the large amount of new commercial space envisioned in the interim scenario still results in deficits of 2813 spaces during the weekday and 3060 spaces on Saturday. Note that the previously discussed reduction of parking along the riverfront would further increase the parking deficit.

Obviously, absent significant addition parking construction, the parking demand generated by the long-term scenario would also be beyond the capacity of the supply in the EMSURA. Utilizing the methodology in the Urban Land Institute (ULI) "Shared Parking" report, over 740,000 square feet of at-grade parking or more than 17 acres would be required to provide enough parking to meet the interim demand, and an additional 6 acres would be needed to meet the long-term parking demand. Note that the entire EMSURA is only 41 acres in size. Therefore, meeting the parking demand through the addition of at-grade parking is not logical.

As previously discussed, there is a significant amount of public parking located outside the EMSURA that is underutilized on weekends, evenings and other times when courts are not in

session. This parking supply could be utilized to offset demand generated by redevelopment of the EMSURA during those time periods. Due to the proximity to the courts, train station, and riverfront, these locations are also considered more desirable locations for a potential future parking structure. However, since this parking supply is outside the maximum acceptable walking distance recommended by ULI, a shuttle service would be needed to encourage maximum usage of this available and potential future parking supply.

PUBLIC TRANSPORTATION

Development of the EMSURA as envisioned in this study is expected to increase travel demand in general considerably, and it is desirable that as much of this demand as possible be accommodated on public transportation. However, the nature of the trip type generated would continue to be ill-served by the existing LIRR service. The Long Island Rail Road has long been reluctant to increase service, citing lack of demand, and indeed Metropolitan Transit Authority points to the ample capacity available on the existing trains. Prior studies conducted in the area as well as other communities on the eastern end of Long Island have recommended that shuttle type service be offered by the LIRR, making numerous shorter distance round trips between destinations within the region. However, until recently, LIRR has been reluctant to provide this service, even on trial basis, citing scarce funds and the need to focus on the New York City commute, which provides an overwhelming majority of income through train fares.

Ridership on all the Suffolk Transit bus routes serving the EMSURA and its vicinity has increased significantly in recent years. Much of the increase is thought to originate in the growth in the immigrant population attracted to the east end of Long Island by the availability of employment in the service industries, such as landscaping, nurseries, wineries, vineyards, hotels and restaurants. The trip-types associated with this sector of the economy tend to be well served by buses, insofar as the trips are usually short, have varying start and end points, and occur at varying times on the day. One of the desired results of development in the EMSURA is an increase in employment opportunities within the EMSURA, a proportion of which is likely to be in those economic sectors that have been found to generate demand for public transportation. While it is desirable and likely that some of these new employees will live in the residential development being encouraged in the EMSURA, and would thus be able to walk to work, it is also likely that many will not, and will contribute to the rising demand for bus service on those routes serving the EMSURA.

PEDESTRIANS

The recommendations in the URP Update foster an enhanced pedestrian environment within the EMSURA that facilitates a safe movement of pedestrians among the parks, stores, residences, and remote parking facilities, and to encourage patrons, employees, residents and visitors to the many attractions envisioned in the plan to walk rather than drive to or among such attractions. The Town of Riverhead has applied to the Suffolk County Department of Public Works to allow the installation of a mid-block pedestrian crossing between Grangebel Park on the west side of Peconic Avenue and Riverfront Park on the east side of Peconic Avenue. This mid-block crossing is recommended with a crosswalk made of contrasting materials, and mast arm mounted overhead signs instructing motorists to yield for pedestrians.

In recent years, NYSDOT administered the Local Safe Streets and Traffic Calming Program, which provides funding to local governments to investigate and implement pedestrian safety improvements. The Town of Riverhead has used this program to finance pedestrian safety and traffic calming improvements at the intersection of Middle Road at Osborne Avenue. While this program was not funded for the current fiscal year, it is expected that funds would be available in the future.

SOLID WASTE MANAGEMENT

It is expected that the increase in development would not have an impact on the existing solid waste system due to the fact that regulations intended to manage solid waste in the EMSURA and Town-wide are in place and all new development must be in conformance to the established ordinances. Further, the commercial and multifamily uses would utilize and pay for private carters.

The URP Update makes certain recommendations intended to improve the existing system by creating additional requirements pertaining to container location and maintenance, litter, reporting, code enforcement, and screening. The URP Update also recommends that existing uses develop a system where dumpsters may be consolidated and pickup times would be better coordinated to meet demand in an efficient manner.

Based on the recommendations, solid waste management within the EMSURA should improve overall. The growth would be mitigated with the implementation of such recommendations. For example, although the growth would create more solid waste in the EMSURA, the improvements to management and enforcement of recycling would offset the impacts caused by the increase.

CONCLUSION

Based on information, evaluation and conclusions in the GEIS and this Findings Statement, site specific application for site plan approval within the EMSURA will not require supplemental SEQRA analysis for the impacts evaluated in this report, including for so long as the cumulative level of prospective EMSURA development and redevelopment does not exceed the short-term phase 1 development scenario parameters, including projected traffic generation, parking demand, water usage and sanitary waste generation. The development of the EMSURA analyzed in the SEQRA process was based on the existing zoning and the EMSURA was assumed to be built to the maximum extent permitted by 2022. This long-term scenario assumes an extreme case and will most likely not occur due to the robust nature of mitigation and improvements that would be needed to support the significant increase in development. It is more likely that the level of development assumed in the short-term scenario will occur, and that such development can take place with no significant impacts on the environment. The EMSURA will be able to support and accommodate the development assumed in the short-term scenario, and in particular, the pending and proposed projects and in-fill analyzed in phase I of the short-term scenario, which includes the East Main Street Revitalization and Atlantis Marine World Redevelopment project that is the subject of ESDC funding, without significant impacts or the need for major changes in infrastructure or mitigation measures.

CERTIFICATION OF FINDINGS

Having considered the Draft and Final Generic Environmental Impact Statements, including the comments received on the DGEIS and the FGEIS, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, ESDC finds and certifies that:

1. The requirements of Article 8 of the New York State Conservation Law and the implementing regulations of the New York State Department of Environmental Conservation, 6 NYCRR Part 617, have been met;
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives thereto, the proposed action will minimize or avoid, to the maximum extent practicable, the adverse environmental effects including the effects disclosed in the FGEIS and set forth in this Findings Statement;
3. Consistent with the social, economic and other essential considerations described above, the incorporation in the development of this facility of the mitigation measures described in the DGEIS, FGEIS and in this Findings Statement, will minimize or avoid the adverse environmental impacts associated with the development of the project which were identified in the DGEIS, FGEIS and in this Findings Statement; and
4. The project is in compliance with Section 14.09 of the State Historic Preservation Act.

Agency: NYS Urban Development Corporation d/b/a
Empire State Development Corporation

Signature of Responsible Officer: _____

Name of Responsible Officer: Rachel Shatz

Title of Responsible Officer: Vice President, Planning & Environmental Review

Date: July 15, 2010