

OFFICE LOCATION:
Town Hall Annex
54375 State Route 25
(cor. Main Rd. & Youngs Ave.)
Southold, NY 11971



MAILING ADDRESS:
P.O. Box 1179
Southold, NY 11971
Telephone: 631 765-1938

LOCAL WATERFRONT REVITALIZATION PROGRAM
TOWN OF SOUTHOLD

MEMORANDUM

To: Supervisor Scott Russell
Town of Southold Town Board
Elizabeth Neville, Town Clerk

From: Mark Terry, AICP
Assistant Town Planning Director
LWRP Coordinator

Date: November 5, 2020

Re: Local Waterfront Revitalization Coastal Consistency Review for
Change of Zone of Walsh Park Benevolent Corp.
SCTM#1000-9-10-10

The proposed action involves a request to change the zone of a 3.82 acre parcel (SCTM#1000-9-10-10) from the Residential 40 (R-40) Zoning District to the Hamlet Density (HD) Zoning District for the purpose of developing 4 units of year-round, affordable housing. The proposal includes subdividing the parcel into 4 lots where lot 1 would equal 13,362 sq. ft., Lot 2 10,350 sq. ft., Lot 3 40,026 sq. ft. and Lot 4 102,788 sq. ft.

The proposed action has been reviewed to Chapter 268, Waterfront Consistency Review of the Town of Southold Town Code and the Local Waterfront Revitalization Program (LWRP) Policy Standards. Based upon the information provided on the LWRP Consistency Assessment Form submitted to this department, the proposed action to change the parcel zoning from Residential-40 to Hamlet Density Zoning District is **CONSISTENT** with the LWRP, provided that the below recommendations are considered.

Policy 1. Foster a pattern of development in the Town of Southold that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location, and minimizes adverse effects of development.

The applicant has agreed to voluntarily reduce density if the change of zone is applied to the parcel from 8 to 4 residential units.

The parcel is split zoned R-40 and HD. Of the 3.82 acres, 2.87 acres are located within the R-40 Zoning District and .95 acres within the HD Zoning District.

The purpose of the R-40 Zoning District is:

To provide areas for residential development where existing neighborhood characteristics, water supply and environmental conditions permit full development densities of approximately one dwelling per acre and where open space and agricultural preservation are not predominate objectives.

The parcel is located within a residential neighborhood and is accessible to public water supply. The current density on the parcel is 0.64 acres per unit and is not a target for agricultural or open space preservation. The number of units have been reduced to 4 on a 2.86 acre parcel with a calculated density of .72 acres per unit.

The purpose of the HD Zoning District is:

To permit a mix of housing types and level of residential density appropriate to the areas in and around the major hamlet centers, particularly Mattituck, Cutchogue, Southold, Orient and the Village of Greenport.

The property is improved with four residential structures containing six dwelling units built during the construction of Fort H. G. Wright. The surrounded area is a mix of community services, residential and transportation uses. The proposal will add attainable housing to the mix of housing types in the area. The applicant, Walsh Park Benevolent Corporation (Walsh Park) was founded in 1987 as a not-for-profit corporation to create and maintain a supply of affordable year-round housing. The rents for the housing units are set at a 10%-35% discount to the HUD Fair Market Rents Index for affordable housing units in Norwich/New London, CT and are adjusted annually. Furthermore, Walsh Park requires tenants to become contributing members of the community by becoming volunteer firefighters, emergency medical technicians, and crossing guards, among other crucial volunteer activities.

The purpose of the HD zone establishes a nexus with hamlet centers. The Fishers Island Hamlet Center is a small area comprised of several commercial buildings anchored by a "Village Green". Due to the geography of the island, ownership, historic use and build out, including the re-use of existing buildings; other commercial areas have developed in numerous locations throughout the island. Consequently, the build out of the commercial areas are spread out across the island. The 4 dwelling units would not be located within a hamlet center.

The proposal supports the creation of a mix of housing types and would make efficient use of existing infrastructure, however, it does not fully support the creation of density in or around the hamlet center due to the unique build out of Fishers Island. The residential use proposed is not in conflict with the existing residential use character that currently occurs on and around the parcel. Taking these attributes into context while weighing the need for attainable housing, it is my recommendation that the proposal meets this policy.

The below policies pertain to a possible future subdivision of the parcel.

Policy 2. Preserve Historic Resources of the Town of Southold

2.1 Maximize preservation and retention of historic resources.

Policy 2.2. Protect and preserve archaeological resources

The NYSDEC EAF Mapper was consulted and the parcel contains properties eligible for listing on the National or State Register of Historic Places identified as Fort H.G. Wright Residences, Officers Club and Quarters. The parcel has also been identified as an area sensitive for archeological sites on the New York State Historic Preservation Office (SHPO) inventory. Due to the inclusion of the parcel within Fort H. G. Wright it is recommended that the applicant contact the New York State Office of Parks Recreation and Historic Preservation to determine if cultural resource surveys are recommended.

Policy 3. Enhance visual quality and protect scenic resources throughout the Town of Southold.

E. Preserve existing vegetation and establish new indigenous vegetation to enhance scenic quality:

It is recommended that the existing vegetation along Winthrop Drive and Equestrian Avenue is preserved and included within a vegetated buffer. Individual trees on the parcel should also be preserved to the greatest extent practicable.

Policy 5. Protect and improve water quality and supply in the Town of Southold.

Sanitary waste will be disposed of by connection to the Fishers Island Sewer District and therefore discharge of sanitary waste will not occur on Lot 4.

Storm water will be retained on site pursuant to Chapter 236 Stormwater Management of the Southold Town Code.

Suffolk County has developed and is implementing a plan to reduce the impacts of fertilizer on ground and surface water. The Suffolk County Legislature established a goal of reducing fertilization in residential areas by 10 to 25 percent, regardless of lot size and landscaped area, and passed Local Law 41-2007 in 2007 to reduce nitrogen pollution by reducing the use of fertilizer throughout the County (SCDHS).

The following is recommended to further policy 5:

- a. Require the use of native, drought-tolerant plants in landscaping.
- b. Require only the use of organic fertilizers where the water-soluble nitrogen is no more than 20% of the total nitrogen in the mixture.
- c. Require a maximum of 1 lb. of nitrogen per 1000 square feet in any one application, with a cumulative application of no more than 2 lbs. per 1,000 square feet per year.
- d. Prohibit the application of fertilizer products containing nitrogen, phosphorus, or potassium between November 1st and April 1st.
- e. Prohibit the use of phosphorous containing lawn fertilizer unless establishing a new lawn or soil test shows that the lawn does not have enough phosphorus. Fertilizer labels have three bold numbers. The number in the middle is the percentage of phosphorus in the product, e.g. 22-0-15. Use of products with 0.67 in the middle or lower is not restricted. Products with a number higher than 0.67 may only be used if a new lawn is being established or a soil test indicates it is necessary.

Policy 6. Protect and restore the quality and function of the Town of Southold ecosystem

The NYSDEC Environmental Resource Mapper was consulted to determine if the parcel or area is identified as containing rare or endangered plants. The entire parcel is within a "Natural Communities Vicinity" data layer. This data layer shows areas within 1/2 mile of the significant natural communities. The identified communities include:

Natural Community Name: Marine eelgrass meadow
Location: Fishers Island South
Ecological System: Marine

Natural Community Name: Marine rocky intertidal
Location: Fishers Island
Ecological System: Marine

Natural Community Name: Marine eelgrass meadow
Location: Fishers Island North
Ecological System: Marine

These communities are marine and do not occur on the parcel.

The NYSDEC also indicates that the parcel is in the vicinity of animals and plants listed as endangered or threatened and it is recommended that the applicant contact the NYSDEC Regional Office for more details if and when a subdivision/site plan application is submitted.

Pursuant to Chapter 268, the Board shall consider this recommendation in preparing its written determination regarding the consistency of the proposed action.