
THE

CORNERSTONE

WATERFRONT AT PATCHOGUE

February 10th Village of Patchogue Planning Board public hearing. Below please find public questions and comments from the January 27th public hearing and the responses from the Terwilliger Bartone team.

1. General comment: The application under consideration is a privately owned parcel of land in an Industrial zone. It is of note that residential use had been previously approved on this site, and said previous approval included a height variance which the current application is not seeking.
2. Regarding comments on height: Village of Patchogue code, E Industrial District §435-25(B) Height: "...no building or structure hereafter erected or altered shall exceed 45 feet..."

Village of Patchogue code, Definitions, §435-1, Height of a Building: "...When determining building height of new or existing structures in a FEMA flood zone, the starting point shall be the minimum elevation above the FEMA base flood elevation as required by Chapter 210 of the Village Code

Village of Patchogue code, §210-17(A)1: "Within Zones A1-A30, AE and AH and also Zone A if base flood elevation data are available, new construction and substantial improvements shall have the lowest floor (including basement) elevated to or above four feet above the base flood elevation."

The application before you is 100% compliant with height as defined within the Village code. Previously, there was an application approved on this site for residential use and that approval included a height variance. It should also be noted that the height of the oil tanks that existed on this property for many years far exceed what is proposed for this project. No height variance is being sought whatsoever.

***See Exhibit 1 for a visual height depiction**

3. Regarding comments on safety: Numerous comments were made regarding safety. One even noted that a family member was struck by a car due to lack of pedestrian friendly paths. This plan has been revised specifically with this in mind by adding sidewalks which currently do not exist all of the way down Mulford St. Plus new ornamental street lights are being added to Mulford leading to the new public waterfront promenade to create a safe walkable environment. Finally, having vacant unimproved land at the end of Mulford can attract illegal behavior whereas a new residential building with cctv cameras and onsite staff creates a much safer environment than what currently exists.

***See Exhibit 2 and 2B showing sidewalks and ornamental lighting**

4. Regarding quality of life and views: The property previously had very tall oil tanks on it which towered over surrounding houses and is flanked to the west with heavy industrial

THE

CORNERSTONE

WATERFRONT AT PATCHOGUE

uses including ferry repair yards. A residential building creates a transition and buffer from the heavy industrial uses. It is of note that this property could be developed with an industrial use which is far more intensive than residential.

***See Exhibit 3 for photos of previous use onsite**

5. Question was raised on if boat slips will still be available to area residents: The answer is yes.
6. Question regarding sewer capacity: We have been in contact with the Village DPW regarding existing capacity of the sewage treatment plant. It was confirmed by the DPW that capacity exists in excess of what is required for this development. This development will not reduce the available capacity for existing uses or village residents' homes.
7. One comment stated that the traffic study was not done during peak summer hours: Not true, the study was done in February 2019, then counts were redone in July 2019 during the summer and pre-Pandemic - per the Planning Boards request.
8. Comments on water runoff from the site: As Chairman Weeks noted every owner is responsible to handle stormwater for their site. When the application is back before the Planning Board for site plan review the detailed drainage plans will be reviewed and scrutinized to insure they are satisfactory.
9. Comments were made on the Oar parking on this property: The Oar must fully comply with all village requirements including parking. The Oar's operations are not tied to this property, nor does the Oar's approval require this site to be used by the Oar for parking. The village's code enforcement will, as they always do, enforce village codes specifically as it pertains to parking.
10. Traffic, there were comments on traffic from other uses such as the ferry and Oar. The question is will this 50 unit complex adversely affect traffic and specifically will this use be more traffic intensive than other permitted uses such as industrial, restaurant, catering hall, etc. The traffic studies show that this use will have a negligible affect on traffic, the following excerpt is per the traffic engineers: "As part of this proposal, a detailed Traffic Impact Analysis dated March 2019 was prepared by R&M Engineering. In response to the comments generated by the Village's Consultant LKMA dated April 10, 2019, a supplemental Traffic Analysis dated July 25, 2019 was prepared by R&M Engineering. The information presented in the documents prepared by R&M presented a conservative analysis of the potential traffic impacts of the proposed development. As demonstrated by the results of the detailed traffic analyses prepared in the documents referenced above, the traffic generated by the proposed development will have an imperceptible impact on traffic conditions on the roadway network surrounding the subject development. In addition, the analyses presented in the above referenced documents clearly indicates that the level of traffic activity that is expected to be generated by the proposed development is comparable or less than that which would be generated by other fully permitted uses of

THE

CORNERSTONE

WATERFRONT AT PATCHOGUE

the subject properties. Based on this fact, from a Traffic Engineering perspective, the proposed development is in character with the development/zoning pattern of the surrounding area. Finally, as it relates to the use of the subject properties by the Oar for employee or “overflow” parking, the owner/operator of that establishment will make other arrangements as appropriate. This factor may tend to reduce the level of traffic activity within the immediate confines of the subject properties.”

11. A comment was made regarding school aged children: As this project consists of 50 units of almost all one-bedroom units, it should generate almost no school aged children. A report just published on 8/19/20 by 4ward Planning, Inc., using data provided by the school district showed 6.5 school aged children per 100 units are generated from projects similar to this. Therefore, it can be concluded that this project may generate 3 – 4 school aged children maximum. A new single family home can be expected to generate 2 school aged children. It is also of note that the residents of the new building may already be Patchogue residents so the children may already be in the district, but regardless 3 – 4 children spread over 12 grades should not have any negative effect on the School District. Additionally, school enrollment has been declining: in the 1970’s the district had 11,000 students; it had 8,700 students in 2007, and 7550 students in 2019.
12. Comments were noted by several new residents who recently moved to Patchogue because of what a vibrant community it has become: Patchogue’s recent successes can be directly attributed to the development and investment that has occurred in the village. This private investment in the community and creation of a new housing option continues that momentum.
13. Regarding a comment on the parking deck: Contrary to a comment that was made, the proposal before the board now is version 5, not version 2, which has evolved over the past 3 years. In the scoping session prior to the public hearing, concerns were conveyed pertaining to the parking deck. We crafted a proposal that addressed each and every item noted in the denial letter including parking. However, the deck creates only 22 additional stalls and our comment was if the Planning Board is opposed to the deck we have no objection to deleting it and seeking a 22-stall variance, but that’s up to the Planning Board. We did what the denial letter said was needed by creating a solution that fully complied with parking. We didn’t want to do numerous renderings if the board was opposed to the deck. However, if the board is in favor of the deck and maintaining a zero-variance proposal as it pertains to parking then we’ll be happy to provide numerous renderings and review the deck in detail during the site plan review portion of the process. The intent now is to agree on the use, site plan review in detail will occur at a later time.
14. Comments were made on the scope of this revised proposal as it relates to the previous proposal: To satisfy all comments made by the Planning Board we purchased another

THE

CORNERSTONE

WATERFRONT AT PATCHOGUE

property while not increasing the size and scope of the residential building. It was 50 units and it still is; we didn't try to "squeeze" additional units onto the site to offset the added costs of buying another property.

15. Regarding the land banked parking stalls: Whether the deck is included or removed our traffic and parking experts, coupled with our experience, show that we will have more than ample parking. The biggest waste of space is a sea of asphalt created by vacant parking lots. Therefore, doing a beautifully planted area but having the ability to expand parking should the need arise is the most appropriate way to develop the site. Again, we are not taking any credit for shared parking in that some of our residents will also be marina patrons.
16. Comment on LEAF not stating the demo of the new house and the other house: The LEAF was filed in conjunction with the site plan. While the LEAF may not state the demolition of that specific structure, it is identified on the filed Site Plan and included within the LEAF evaluation.
17. Comment on complying with Coastal Management Program: The proposed structures are located outside the "Limit of Moderate Wave Action" as previously requested by the Village. The design of the property meets FEMA Floodplain Design Requirements and the Village of Patchogue Requirements, specifically Chapter 210, Flood Damage Prevention.
18. Comment on archeological preservation: We contacted the NYS Office of Parks, Recreation, and Historic Preservation and were notified that the project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places. Attached is the SHPO letter.
***See Exhibit 4**
19. A comment was raised on the existing house being historic: The house is not listed on any historic registry.
***See Exhibit 4**
20. A comment was made on the existing property being paved this past summer: We are a contract vendee and do not own the property right now, we have no knowledge of any paving activity, why it was or was not paved, or the existing conditions as it pertains to runoff.
21. A comment was made on the access to the private road: This access will be improved and there will be no encroachments into the 50' right of way. This property includes the deeded right to use of the private right of way.
22. A comment was made on if the existing boat slips are permitted: The marina is not a new proposed use, it is an existing use, and will remain as a marina.
23. Comments were raised why apartments and not condos: There are numerous condo/townhome projects down by the river but no apartment options. Diversity of

THE

CORNERSTONE

WATERFRONT AT PATCHOGUE

housing types is a good thing and this represents a unique opportunity to have waterfront luxury rental units to compliment the surrounding condos.

24. Comments were raised regarding property taxes: It is important to note that the taxes currently being generated of approximately \$34,500 will continue to be paid and will swell to well over \$300,000 per year which represents an almost 800% increase.
25. A comment was made about apartment vacancy rates being high in Patchogue: This couldn't be further from the truth. Patchogue's occupancy rates significantly outperform the Long Island region. The current vacancy rate in Patchogue is 1.5%, the 10 year average vacancy rate is 2.43%, and the rent in Patchogue grows at 3.6% per year on average¹.
26. *Comments on contamination and the Phase I: Documents have been provided showing that all contamination from the site has been cleaned previously and overseen by the DEC. The cleanup was extensive. In the environmental investigations performed by our firm trace contaminants were discovered at the surface which likely came from industrial operations on adjacent sites. This will be legally removed and the removal overseen by licensed environmental engineers during construction.

***See Exhibit 5**

¹ Source: CoStar