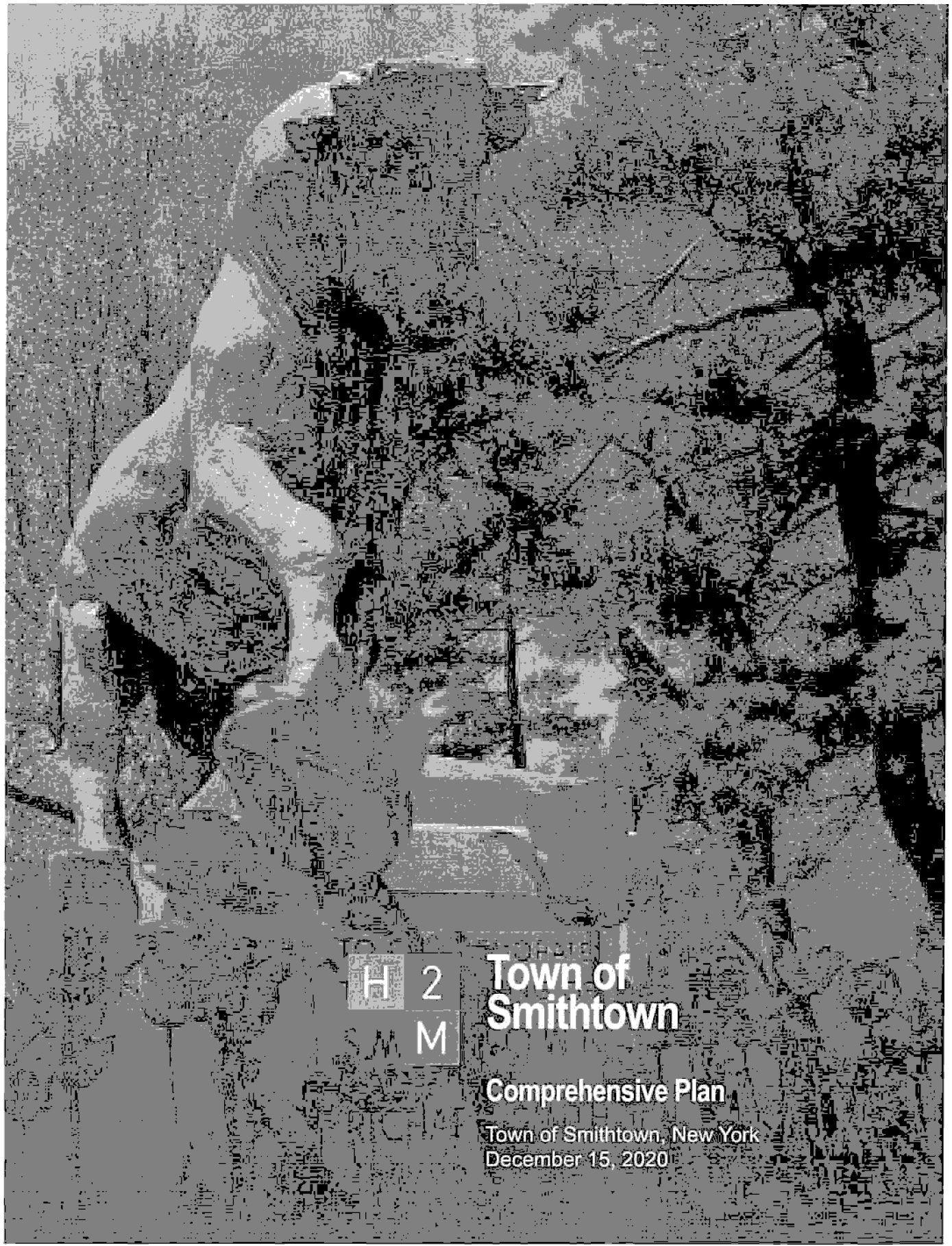


EXHIBIT 16

PART 1 OF 3



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Town of Smithtown

Comprehensive Plan

Town of Smithtown, New York
December 15, 2020

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2020 Smithtown Comprehensive Plan

For adoption by the Town of Smithtown Town Board

Administered by the
Town of Smithtown Town Board

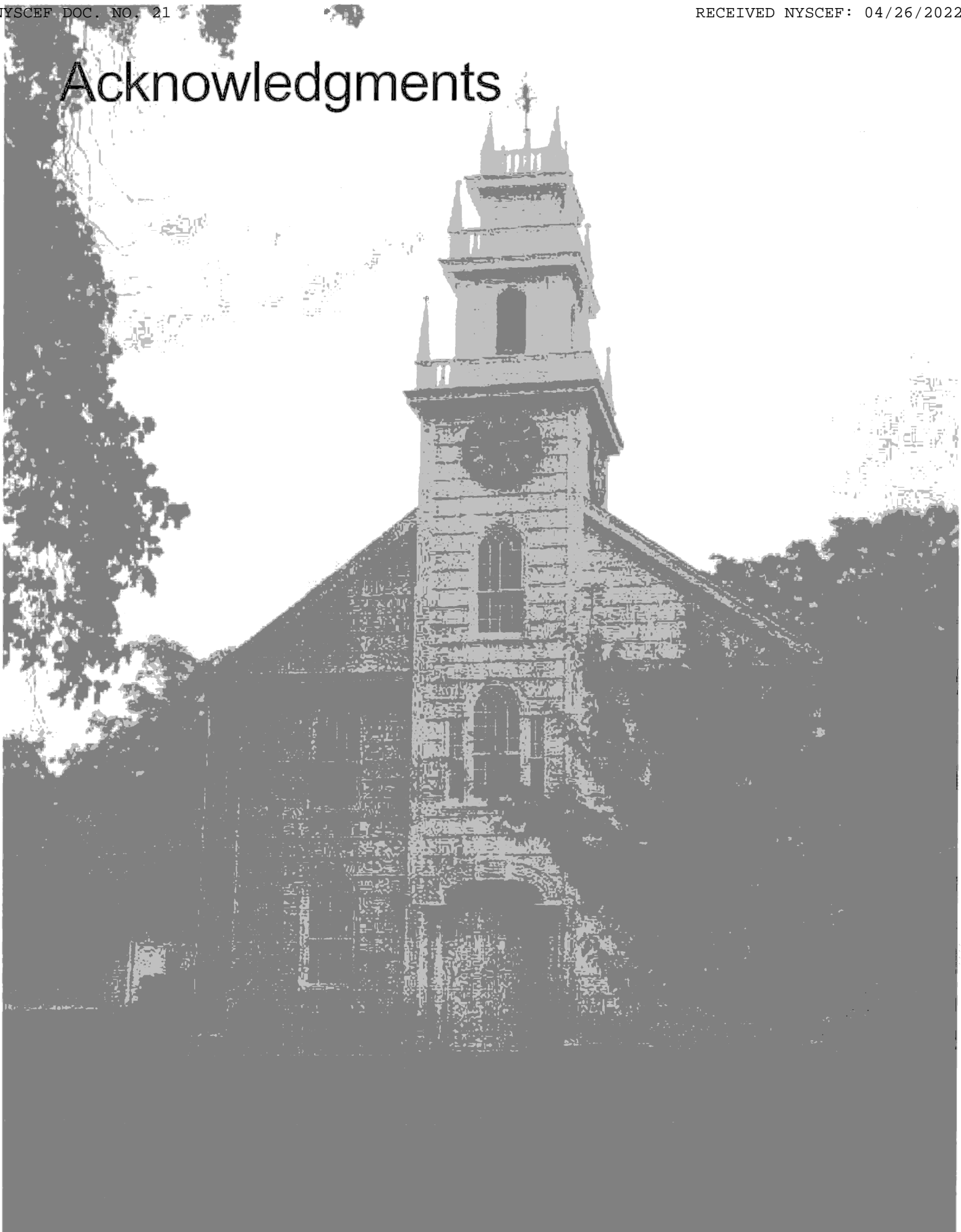


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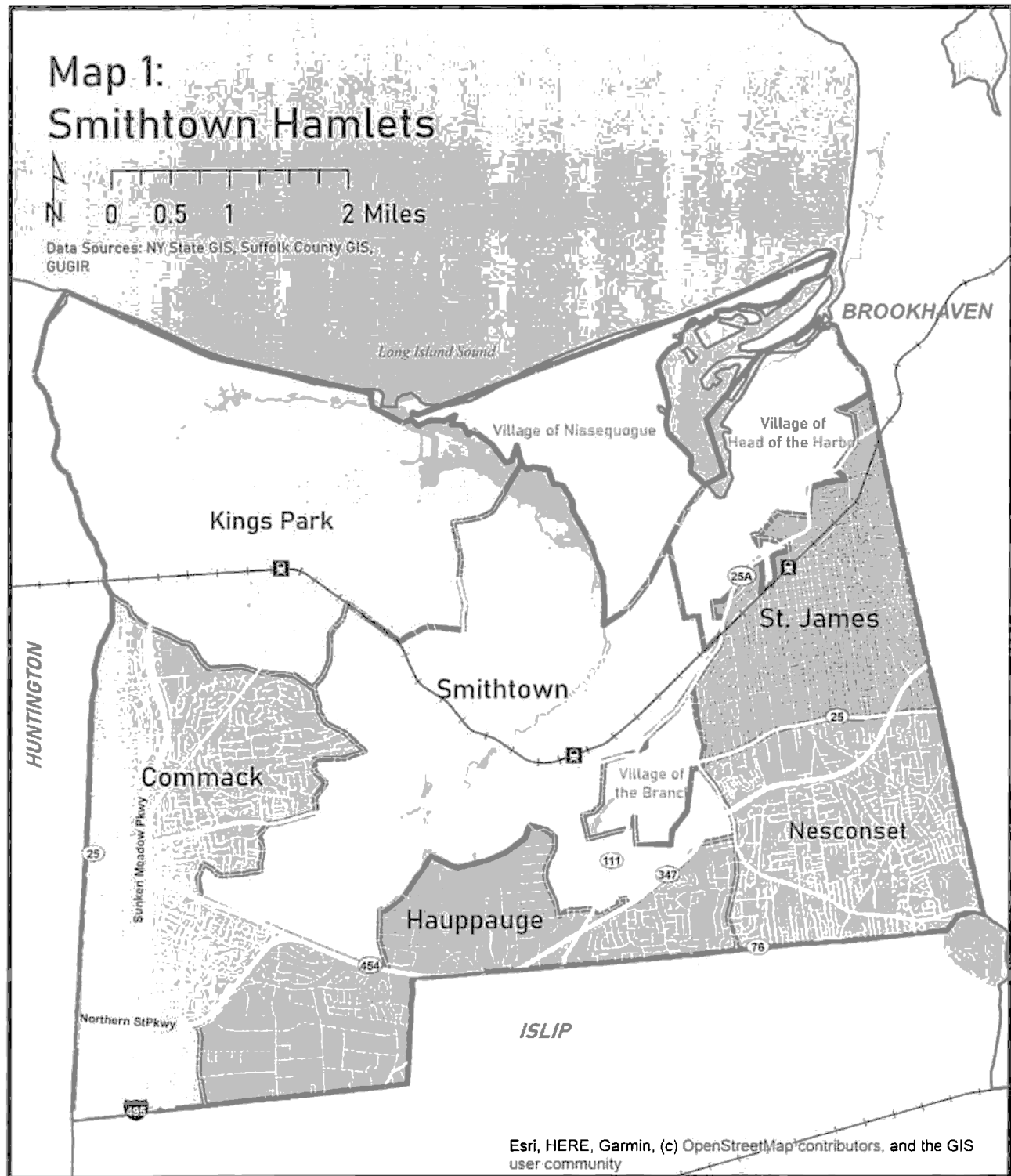


INTRODUCTION

Why Make a Plan?

The 2020 Smithtown Comprehensive Plan serves as a comprehensive approach to planning issues and considers many factors impacting the Town of Smithtown, a Town comprised of six communities (excluding the three incorporated villages): Kings Park, Smithtown, St. James, Nesconset, Hauppauge, and Commack. It helps shape the physical, social, environmental and economic future of the Town and provide a framework for preserving the Town's character, ensuring its diversity, supporting investment, and promoting desired changes.

This new Comprehensive Plan guides planning and decision making for the important aspects of a high quality of life - appropriate land use; quality transportation infrastructure for pedestrians, bicyclists, transit users, and motorists; preservation of the Town's past and natural resources while balancing modern building trends; quality parks and open spaces as well as community facilities including schools, parks, emergency services and others; and economic growth in commercial areas. This Comprehensive Plan addresses these topics as it seeks to build on the community's assets, identifying strategies to address ongoing issues and opportunities, while positioning the Town of Smithtown as a desirable place to live, work, and visit for the next 10 years and beyond. Further, the new Comprehensive Plan gives the community the basis for establishing land use policy and adopting amendments to the Town Code as it pertains to Land Use.



Legend

- Kings Park Hamlet
- Commack Hamlet
- Smithtown Hamlet
- Hauppauge Hamlet
- St. James Hamlet
- Nesconset Hamlet
- Village & Community Boundaries
- LIRR
- Rail Station

Authority

The Town of Smithtown adopted its last Comprehensive Plan in 1957, over 50 years ago. The 1957 Comprehensive Plan no longer reflects the challenges and opportunities the Town of Smithtown faces today or will in the future. Changes to demographics, development trends, technology, laws, and many other factors have affected how people live, work, travel, and play in the community. As a result, this document serves as a new Plan that reflects these new realities and plans for the Town's future growth and development.

This Comprehensive Plan is in accordance with New York statute's Town Law and the State Environmental Quality Review Act (SEQRA).

Planning Process

The preparation of this document included a robust public outreach process (explained in more detail in the **Community Engagement** section of this report). In addition to this was an extensive review of planning materials. Plans and studies prepared by the Town of Smithtown and reviewed as part of this Comprehensive Plan effort include:

- 1957 Comprehensive Plan
- 1961 Development Plan
- 2009 Smithtown and Kings Park Sewering Feasibility Study Final Report
- 2010 Engineering Design Report - Kings Park Business District Sewers
- 2015 Draft Comprehensive Plan
- 2016 Revitalizing Kings Park Action Plan
- 2017 Kings Park and Smithtown: Downtown Opportunity Analysis
- 2019 Draft Kings Park Downtown Master Plan
- 2019 Hauppauge Industrial Park: Regional Competitiveness and Growth Strategies

Element Recommendation Plan

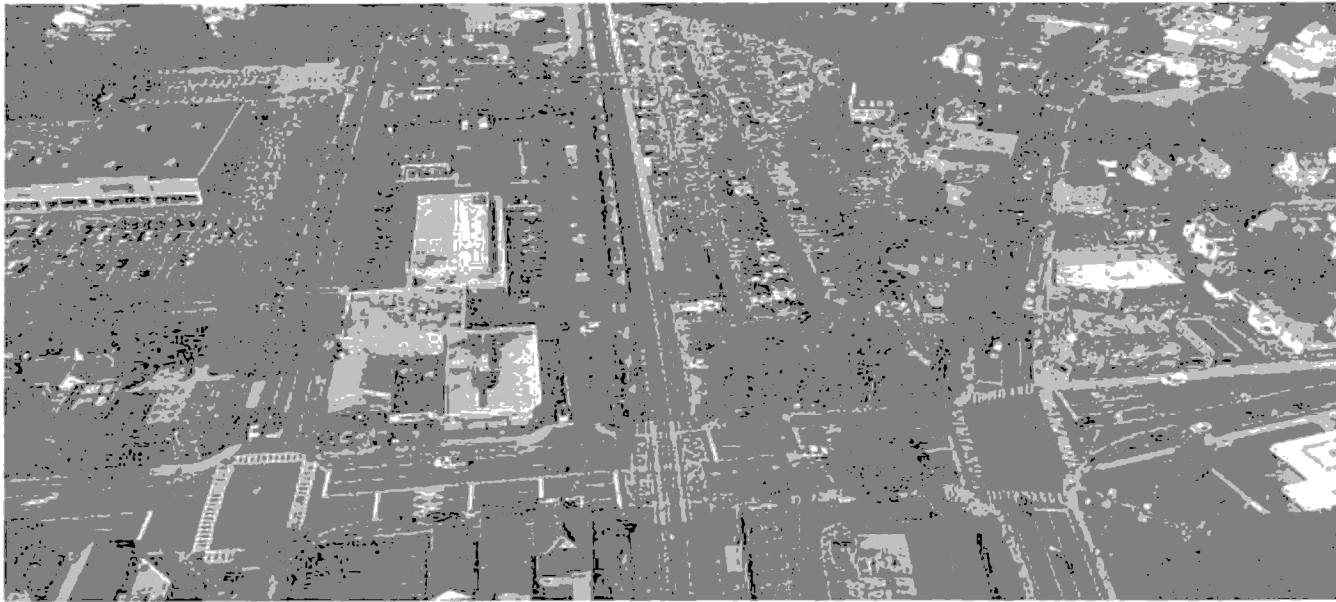
<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>	<i>Completed</i>	<i>Year Completed</i>
Recommendation Category				
1 Element Recommendation	Town and/or partner	Short Medium Long Ongoing	✓	

Plan Implementation

The Comprehensive Plan is a guiding document for multi-disciplinary planning and investment in the Town of Smithtown for the next 10+ years. Comprehensive Plans are recognized as evolving documents and may be amended by the municipal Planning Board at any time to fit current trends or changed circumstances.

The Comprehensive Plan is built on prior planning efforts and initiatives, a comprehensive analysis of existing conditions, and future opportunities. The recommendations result from an analysis of existing conditions and recognition of future opportunities are included in a checklist format at the end of each Plan. These recommendation checklists are designed for the purpose of "checking off" or tracking recommendations over the next 10-year period as a way to measure progress. Each recommendation is supplemented with four features:

- **Recommendation** states the recommendation.
- **Responsible Party or Partner** identifies the Town entities or other agencies that will have a role in implementation.
- **Timeframe** estimates the amount of time to implement the item. It is categorized as either short-term (1-2 years), mid-term (2 to 5 years), long-term (5-10+ years), or ongoing (continuous).
- **"Check off" box** is a blank box for the Town Board to "check off" the recommendation once completed. The Town Board is also encouraged to provide a date of completion.



Plan Organization

The Comprehensive Plan is organized into the following Elements:

Introduction explains the purpose of the Comprehensive Plan, Smithtown's overall vision statement, goals, and objectives, direction on how to implement the recommendations resulting from this Comprehensive Plan, and the source of its authority from the New York statutes.

Community Engagement discusses the importance of community engagement in the planning process and summarizes the public outreach activities that occurred for this Master Plan including meetings of the project steering committee, public workshops, public survey, use of PublicInput.com, and the draft plan review process.

Background discusses Town-wide demographic trends and the relationship of the Town to relevant planning documents and studies.

Community Plans provide a checklist of recommendations for each unincorporated hamlet; a discussion of planning trends and policies affecting these communities; and a discussion of planning-related issues.

Land Use Plan addresses community form and land development of Town. This element forms the basis of decision making related to zoning and planning permitted uses and development standards.

Circulation Plan provides a multi-modal review of the Town's transportation network. It addresses the needs of pedestrians, bicyclists, transit users, and motorists, and addresses more specific issues such as cut-through traffic.

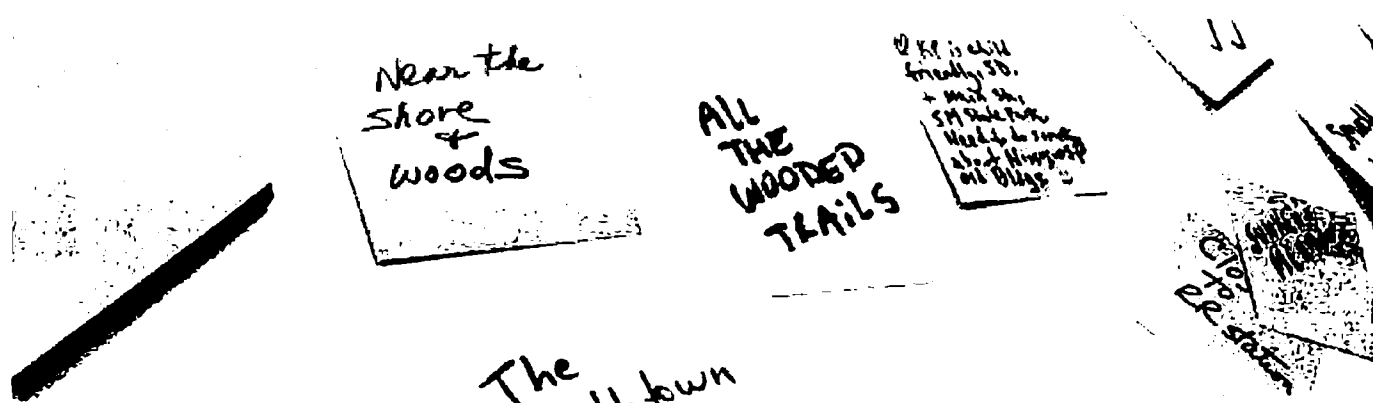
Parking Plan discusses existing and future parking facility locations and their opportunities.

Sustainability Plan examines current and ongoing sustainability initiatives.

Community Facilities Plan examines civic facilities and institutions including school buildings, emergency services including police, fire, and EMS, other safety concerns, park facilities, and historic assets.

Capital Improvements Plan inventories all recommendations that involve physical construction, including associated cost estimates.

Appendices include a Comprehensive Plan Public Engagement Survey Report and associated Public Outreach documents (i.e. flyers, meeting summaries).



VISION STATEMENT & GUIDING PRINCIPLES

Town of Smithtown's Future

In Town Law, a Town Comprehensive Plan is defined as a collection of documents "that identify the goals, objectives, principles, guidelines, policies, and standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the town located outside the limits of any incorporated village or city." Through its goals and objectives statement, the Comprehensive Plan sets out a vision for the community in the coming years. The Town of Smithtown Comprehensive Plan expresses these statements as a Vision Statement, Guiding Principles and set of Goals.

About the 2020 Vision Statement & Guiding Principles

The Town of Smithtown and its residents share a common vision and set of principles. The vision statement and guiding principles of the 2020 Comprehensive Plan convey these and capture the kind of community residents would like to see Smithtown and its hamlets become over the next 20 years. Together, the vision and guiding principles serve as the foundation of the Comprehensive Plan, ensuring the goals and policies included in the Plan align with what is most important to the community.

Vision Statement

The Town of Smithtown will be a model outer-ring suburb. A primarily single-family residential population will enjoy high-quality neighborhoods, vibrant commercial areas, attractive streets, and access to high-quality recreational and cultural amenities. Residents will live in the Town because they love its neighborhoods and because they have access to local and regional jobs, shopping, and restaurants on a multi-modal transportation network. At the same time, the Town will continue to be attractive to businesses of local, regional,

national, and international importance, including employers in growing industries such as innovation and technology.

New housing choices will help the Town maintain its residential base, as demographics in the region continue to change. Housing opportunities will range from single-family homes to, townhouses, mixed use buildings, independent senior housing, and assisted living units. Empty nesters will not have to leave the Town to downsize. Millennials looking for their own slice of the American dream will find their ideal starter homes or opportunities to live, work, and play in one of the downtown centers.

A network of commercial centers serving local and regional needs will provide residents and visitors ample opportunities for shopping, dining, and entertainment. This will ensure that Smithtown continues to serve its role as a regional commercial destination.

The Town will have a robust multi-modal circulation system that provides convenient access to local and regional amenities. Residents will benefit from a life where they have alternatives to personal vehicles, have better access to amenities and can walk or bike to many destinations. The Town will utilize smart growth principles, including transit-oriented development, to construct businesses, shops, offices, and residences in locations that are well served by multi-modal transportation to lessen vehicular traffic congestion. These transportation successes will come from long-term cooperation with the appropriate county, state, and regional agencies.

Residents will take pride in the Town's efforts to ensure that new development supports, and is supported by, the natural environment. The result will be a place where people are connected to natural lands, parks, and open space and where the Town's land, water, and resources are of the highest quality.

GUIDING PRINCIPLES

1

We realize that the citizens and property owners of Smithtown are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals.

2

We will strive to preserve the attributes of our unique, hometown character and community identities, the beauty of our natural environment, and the strengths of our neighborhoods, while promoting growth in appropriate areas of town.

3

We value open space and parks as an integral part of our community's fabric and will take advantage of opportunities for its enhancement and expansion.

4

We will support vibrant concentrations of retail, office, service, residential and public space in Smithtown's downtown locations while realizing that each location has its own identity.

5

We will maintain a strong and diverse economy and provide a business climate that retains and attracts locally owned companies, as well as regionally, nationally and internationally recognized corporations.

6

We will promote high quality development that reflects aesthetic excellence and that architectural and land use design is fundamental to great places.

7

We will advance sustainable practices that promote social equity, environmental health and economic prosperity.

8

We will preserve our single-family neighborhoods while providing alternative housing choices in appropriate areas.

9

We will encourage a variety of employment opportunities and promote unique local businesses for the long-term economic well-being of the Town.

10

We will promote a Multi-Modal Transportation Network (roadways, bikeways, walkways and public transportation) that is safe, accessible, and which emphasizes local and regional connections while considering neighborhood impacts.

The Town of Smithtown will be proactive in its planning and zoning initiatives to ensure the implementation of this vision is a reality.

Guiding Principles

Smithtown 'Guiding Principles' reflect the values of community residents expressed through the Comprehensive Plan outreach process combined with sound planning practices. Listed here, these guiding principles serve as touchstones for the Town's planning decisions.

Overall Goals & Objectives

1. Preserve and protect the Town's natural and cultural resources
 - a. Encourage the conservation and protection of safe and adequate drinking water and surface water resources.
 - b. Preserve, protect, and enhance the historic, scenic, cultural and architectural character of Smithtown.
 - c. Ensure the continued maintenance and enhancement of parks and recreation facilities to meet the needs of the community and its recreational needs.
 - d. Enhance public access to natural and recreational resources.
 - e. Ensure waterways, forests, agricultural areas, open spaces, natural systems, and scenic areas are conserved to create a comprehensive open space network.
 - f. New development should adhere to and contribute to the conservation of natural resources within Town.
 - g. Strive to reduce impervious cover and promote best practices of stormwater management.
 - h. Reduce and limit greenhouse gas emissions
 - i. Reduce and limit air pollutants.
2. Preserve and protect the existing residential neighborhoods
 - a. Designate zoning districts based upon existing neighborhood development patterns and according to environmental requirements for residential uses.
 - b. Establish bulk, density and design standards that are appropriate for various dwelling types and not overly intensive in relation to the lot(s) on which a dwelling is situated in their respective zones.
3. Provide a wide range of housing types and densities in a manner that maintains and is compatible with the predominant existing single-family detached dwelling development pattern
 - a. Rezone in appropriate locations, for mixed use or residential uses, to establish densities within walking distance of the Business Districts and railroad stations.
 - b. Provide for a range of housing densities, types, and sizes that creates residential options for citizens of all ages and incomes
 - c. Assure long term availability of affordable housing opportunities
4. Maintain and enhance the viability of the downtown business districts
 - a. Facilitate the development and installation of necessary sewer infrastructure to accommodate new commercial/mixed-use development in the downtowns and other appropriate locations.
 - b. Encourage an appropriate mix of land uses that will complement one another and meet the retail and service needs of the Town.
 - c. Provide sufficient numbers of parking and loading spaces in appropriate locations to serve the needs of the general public as well as the needs of patrons and employees.
 - d. Promote a desirable pedestrian environment in the downtown business districts.
 - e. Discourage automobile-oriented development in the downtown business districts.
 - f. Offer placemaking opportunities, including public art, open space, pedestrian nodes, and community gathering spaces.
 - g. Assess the zoning code to eliminate unnecessary and cumbersome regulations and update outmoded requirements.
5. Control through-traffic in residential areas whenever possible by implementing traffic calming solutions.
 - d. Regulations to preserve and enhance visual appearance of residential neighborhoods.
 - e. Discourage the conversion of single-family detached units to multi-family rental units.

5. Promote the economic vitality of the Town's industrial and business districts
 - a. Amend zoning code to update permitted uses that will enhance the vitality of the Innovation Park at Hauppauge.
 - b. Continue to balance the importance of the industrial uses with the need to protect existing residential development from these uses.
6. Provide convenient neighborhood retail options that compliment rather than compete with the downtown business districts
 - a. Allow for automobile-oriented development in select areas of the Town where these uses are compatible with surrounding area.
 - b. Assess the zoning code to eliminate unnecessary and cumbersome regulations and update outmoded requirements.
 - c. Proactively amend zoning code as it relates to retail to keep up with the changing nature of retail.
7. Provide a safe and efficient transportation system that also encourages mobility by all modes.
 - a. Identify and address roadway safety issues.
 - b. Promote traffic calming in key locations to discourage speeding and cut-through traffic.
 - c. Minimize traffic congestion and provide for safe and convenient access to properties.
 - d. Develop and maintain walking and biking routes that enhance connectivity to Town facilities and other key locations.
 - e. Improve pedestrian safety at signalized intersections and other areas of safety concern.
 - f. Reduce parking requirements so they are targeted at a minimum benchmark and not to an optimum standard.
8. Ensure the provision of adequate public facilities and services at appropriate locations in order to serve the needs of the community conveniently, efficiently, and economically.
 - a. Provide cultural, educational, artistic, recreational and natural amenities within easy access to residents.
 - b. Partner with neighboring communities to improve the interconnected region.
9. Promote the conservation of energy and sustainability principles.
 - a. Appropriate regulations that require recycling of recyclable materials.
 - b. Encourage use of green infrastructure in site design, energy efficient design, and sustainable building practices.
 - c. Reduce carbon footprints through alternative fuel vehicle infrastructure and promoting alternative modes of transportation to minimize automobile travel.
 - d. Ensure justice, fairness, and equality when pursuing improved environmental sustainability, resilience, and quality.

This Comprehensive Plan will guide land use and policy decisions – what can be built, where, and how; and relates these decisions to other key factors – including demographic shifts, market realities, transportation, natural features, and historic resources. This effort grew out of the recognition that the current Comprehensive Plan and basic zoning regulations, each at over 60 years old, are in need of updating. Neither fully addresses a variety of issues and trends, including changing demographics, the importance of the Innovation Park at Hauppauge as an important economic engine and the revitalization of traditional downtowns. This Comprehensive Plan is the blueprint for addressing future changes, but it too should not be allowed to become outdated as it is an evolving document. As such, Smithtown should review progress on its recommendations annually, and subject it to a full update every ten to twenty years.



COMMUNITY ENGAGEMENT

Community Engagement and Public Participation

This Comprehensive Plan cannot be written, nor recommendations made without input from the people who live, work, and visit Smithtown. Without public input, this document will not accurately represent the wants and needs of Smithtown residents. Throughout the 18 month-long Comprehensive Plan process, the Town and its subconsultants, H2M, AKRF & TimHaahs (the "Comprehensive Plan Team"), worked hard to obtain ideas, opinions, feedback, and record concerns, using community workshops and online engagement. This collaborative approach provides community insight into the future of the Town of Smithtown.

Key to the success of this community outreach initiative was the partnership between the Town and the subconsultants developing this Comprehensive Plan. Without the Town promoting the project on its social media accounts and website, and through the individuals that believed in the project and became "ambassadors" of the plan, this project's community engagement outreach would not have been as successful. The following section describes the public outreach process in the development of this Comprehensive Plan.

"I truly believe that every resident should have the chance to voice his or her vision for our community... Creating a process where they will have the opportunity to help shape their hometown hamlet by design, is the very definition of the people's government."

- Supervisor Edward R Wehrheim

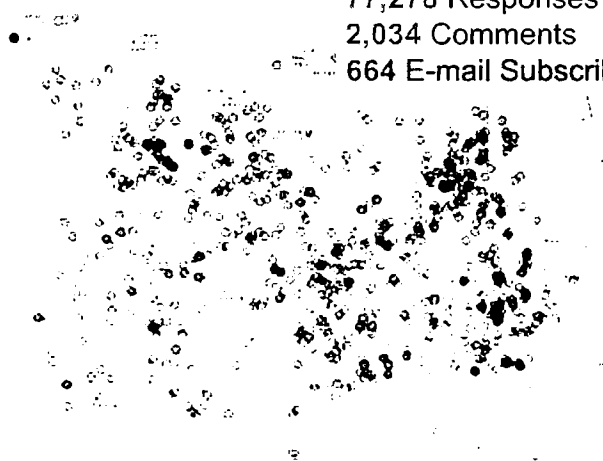
Online Engagement

The Comprehensive Plan Team established an online presence of the Comprehensive Plan through a project-specific webpage (www.PublicInput.com/Smithtown). The website contained a wide-range of information regarding the project, including a flyer describing the project, frequently asked questions, workshop dates, videos of the workshops, summary reports of the workshops, and links to an online survey. The Comprehensive Plan Team also coordinated with the Town's Public Information Officer to distribute information about the project on the Town's social media platforms and Town website.

Surveys

To gain valuable feedback in the most convenient format for project participants, a Comprehensive Plan Survey was developed both for online use and in hardcopy format. Survey responses were collected for approximately nine months. Hardcopy versions of the survey were provided at the community workshops and at key Town facilities such as Town Hall and its annexes, and the Senior Center. 1,159 respondents completed the survey with over 2,000 comments. A summary of the survey results can be found in **Appendix A**.

1,159 Survey Participants
77,278 Responses
2,034 Comments
664 E-mail Subscribers



Workshops

The Comprehensive Plan Team held a series of workshops at different stages of the Comprehensive Plan development in order to collect public input. A detailed explanation of all workshop formats, associated presentations, other materials, and comments received can be found in **Appendix B**.

a. Public Workshops Phase 1

The Comprehensive Plan Team hosted six (6) Community Workshops between March and April 2019. The Team engaged with more than 429 Smithtown residents and stakeholders collectively over the course of the six workshops. All meetings were held from 7PM to 9PM, one located in each hamlet, of which the locations and dates are listed below. In addition to community workshop summaries being posted online for public viewing, the Town also put together short videos of some of the workshops.

» **Smithtown**

Thursday, March 7, 7-9pm
at the Eugene Cannataro Senior Citizens Center

» **Nesconset**

Tuesday, March 12, 7-9pm
at Great Hollow Middle School

» **Hauppauge**

Tuesday, March 19, 7-9pm
at Hauppauge Pines Elementary School

» **St. James**

Wednesday March 27, 7-9pm
at St. James Elementary School

» **Commack**

Thursday April 4, 7-9pm
at Commack High School Art Gallery

» **Kings Park**

Thursday April 11, 7-9pm
at Kings Park High School

The community workshops were designed to be an open house format with interactive exercises and information stations, allowing flexibility for attendees to move about the room and to drop-in when their schedule permitted.

b. Public Workshops Phase 2

In addition to the six workshops conducted during the beginning of the project to gather valuable insight from the public, the Town held public outreach with the community following the release of the draft Comprehensive Plan.



BACKGROUND

The following discussion of Town demographic conditions relies largely on the latest available data at the time of this report, Census 2010 data, and as such, may not accurately reflect current conditions in the Town. Most current data, 2017 American Community Survey (ACS) 5-year Estimates data (collected from years 2013-2017), is used where possible instead of using Decennial Census data.

Since the 1957 Comprehensive Plan, there have been significant changes to population demographics and other factors affecting how people live, work, travel, and play in the community. It is important to understand demographic conditions and population trends in order to better reflect the lifestyles of Smithtown residents. Doing so helps identify and address growing problems or potential areas of concern which can help to comprehensively plan for Smithtown's future. These unique population characteristics are identified by comparing the Town's demographics over time and to those of the county and the state.

Historic Development and Population Growth

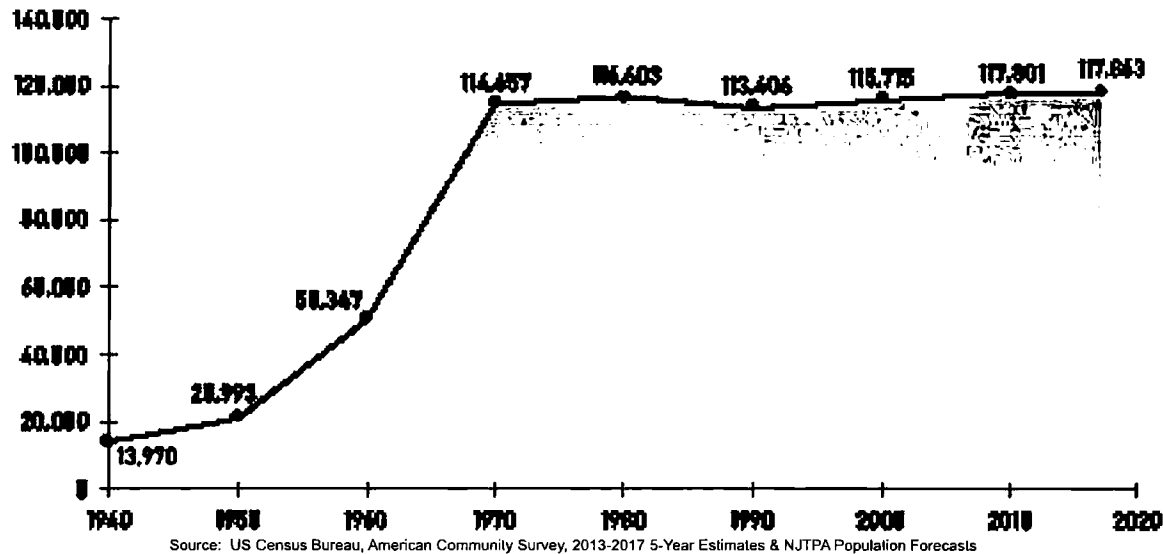
First settled in 1665, Smithtown had humble beginnings as a predominantly agricultural landscape with smaller settlements concentrated at the crossroads of Jericho Turnpike and Commack Road, and of Middle Country Road and North Country Road. 200 years later in 1865, St. Johnland was founded, a philanthropic community

aimed at caring for the elderly and handicapped children, accelerating the growth of year-round residents. Less than a decade later in 1873, the Long Island Railroad was extended through the Town, shifting growth from these small settlements to the areas around the three railroad stations. The founding of the Kings Park State Hospital in 1885 also accelerated growth of year-round residents in Town. In 1917 the land now known as San Remo was sold and vacation homes began to develop there. Following New York City's adoption of a zoning code in 1916, Smithtown adopted its first zoning ordinance in 1932 with five residential districts, two businesses districts and an industrial district.

Rapid suburban growth didn't begin in Smithtown until 1955 when the Northern State and Sagtikos Parkways reached Commack, making Smithtown accessible to employment centers in Nassau County and New York City. The Long Island Expressway reached Smithtown in 1965, after much of the Town was already developed. In response to such growth, the Town Zoning Ordinance was amended in the 1950s and 1960s, adding several Zoning Districts (R-15, R-10S, RMGA, SCB, OB, and WSI). It was during the 1960s that the Hauppauge Industrial Park was planned and built. During this decade population boomed, going from a Town of approximately 50,000 in 1960 to a population of over 114,600 in 1970, a population gain of nearly 6,500 residents per year.

According to 2017 American Community Survey 5-year data, the population in 2017 (using a 5-year average) is currently at a peak of 117,863 residents.

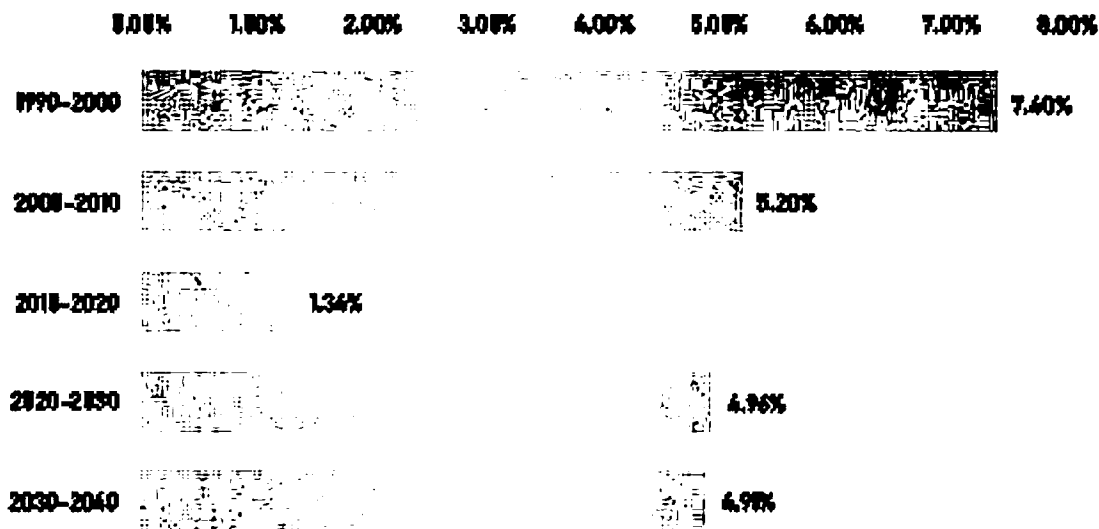
Town of Smithtown Population Growth 1940-2017



The New York Metropolitan Transportation Council (NYMTC) forecasts a continuing population increase trend for the region. The suburban Long Island subregion alone (Nassau and Suffolk counties) is forecasted to experience a 14.5% population increase from 2017 to 2045. The forecasted population growth for Suffolk County, however,

is forecasted to increase at a slower rate than previous decades. Regardless, the increase in population establishes the need for a range of development activities, including housing, infrastructure, and transportation improvements in order to meet the needs of all current and future residents.

Suffolk County Population Growth



Despite forecasted population growth, the county has experienced larger out-migration than in-migration, according to the IRS, based on the number of individual income tax returns filed between 2015 and 2016 (23,644 outflow returns filed, 18,497 inflow returns filed). These migration trends are not unique to Suffolk County as New York State and all of northeastern U.S. have experienced

higher out-migration than in-migration in recent years. While reasons for moving vary, the most common include family motives, work-related reasons, lack of housing affordability, and high tax rates. Smithtown should continue to retain and attract residents by providing excellent places to live and work, that are affordable.

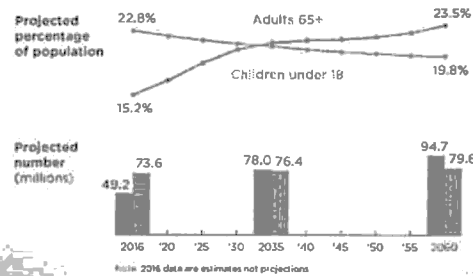
Age

With a forecasted population increase trend, breaking down the population by age can help determine how best to meet the needs of future residents.

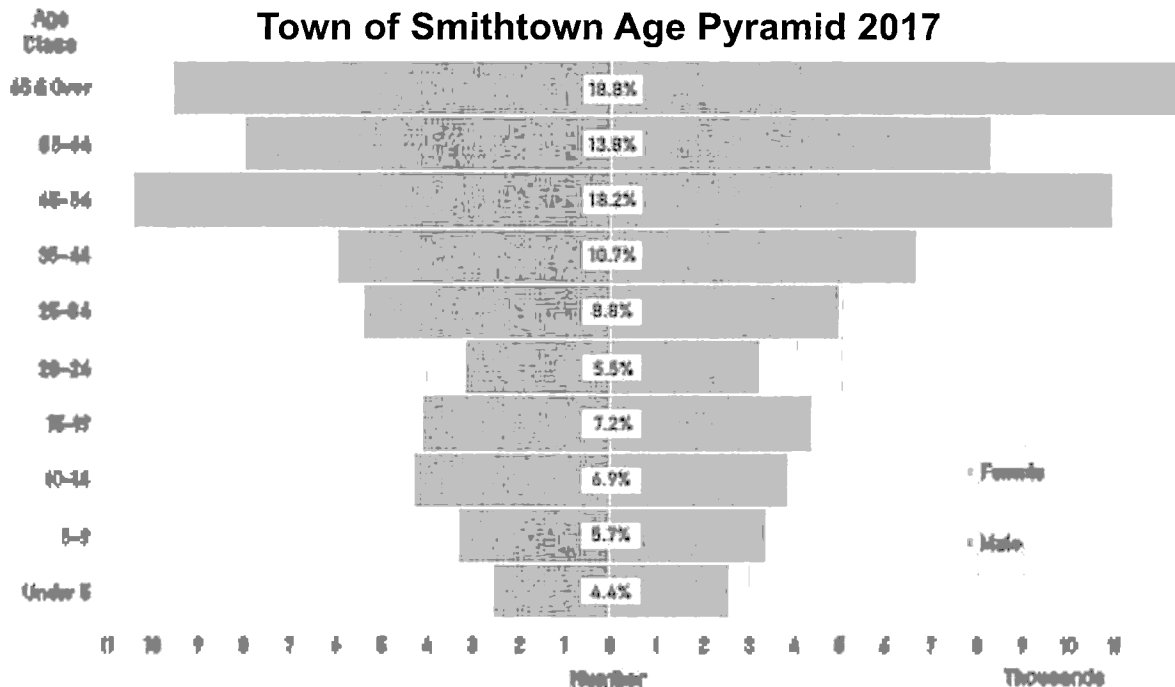
- The share of children in Smithtown (those under 19 years old, 24.2%) closely matches the share of children at the national level (25.6%, 2017 ACS). Since 2000, there has been a -3.43% decline in the share of school-aged children (under 19). The Town will need to collaborate with the various Board of Educations to properly plan for the declining number of school children in the public school system and determine whether adaptive reuse of school facilities is practical or feasible.
- The Millennial Generation (generally, people born between 1980 and 2000) make up only 18.9% of the Town's population (2017 ACS), significantly less than their national representation (~27%, 2017 ACS). As of 2019, individuals of this generation are between 19 and 39 years old. Both school-aged children and the Millennial Generation are important because they represent the new generation of workforce, renters or homeowners, and consumers.
- Conversely, over 18.8% of Smithtown's residents are Baby Boomers (born between 1946 and 1964), which is slightly higher of a share compared to Baby Boomers throughout the nation (~17.7%). The first



For the First Time in U.S. History Older Adults Are Projected to Outnumber Children by 2035



Baby Boomers reached the age of 65 in 2010, and by 2030, the entire generation will reach the typical age of retirement. By 2035 the US Census Bureau projects that for the first time in US history, older adults will outnumber children. Without an abundant Millennial population to off-set aging Baby Boomers, Smithtown will need to both accommodate the needs of older adults and attract younger generations.



Source: US Census Bureau, American Community Survey, 2013-2017 5-Year Estimates

Baby Boomers

The overall preference for aging adults is to stay in the current community or home in which they live. A survey by the American Association of Retired Persons' (AARP) Public Policy Institute revealed that 87% of individuals age 70 and above who responded to the survey wanted to stay where they lived, while those between 50 and 64 shared the same preference at 71%. This concept is known as "Aging in Place." Key factors for aging in place is the ability to "downsize" if needed (trading in a larger home for more modest and accessible living arrangements) and continued mobility even without access to an automobile. AARP identified some policies to promote aging in place related to transportation, including transit-oriented development (TOD), "complete streets", and human services transportation (such as municipal dial-a-rides). Smithtown's access to public transportation and the ability to address a person's "household lifecycle and housing choices", provide some of these characteristics. As these older adults retire and age, there will be an increased demand to provide transportation, housing, recreation, and social services that cater to their needs.



"Household lifecycle and housing choices"

- The ability to address a person's housing needs throughout their lifetime. Movement through lifecycle stages brings characteristic changes in the size and composition of households and in their housing requirements

-HUD

Millennials

Generally, Millennials' living preferences include rental units, downtown amenities, and transit service. Smithtown lacks a diverse housing stock but shows strength in its commercial districts and transit service. A 2014 Urban Land Institute (ULI) survey of Millennials found that 50% are renters (635 of 1,270, and two-thirds of respondents reported that they are very satisfied or satisfied with being a renter. The ULI's Millennial report also notes that one-third rent in an urban area (419 of the 1,270 survey respondents). Only 11.1% of occupied housing units in Smithtown are renter occupied (with less than half of these units being considered legal) and only 1.6% of renters were millennials according to 2017 census data. This data points to the need for affordable rental units to be added to the Town's housing stock. Additionally, home-ownership rates for all age groups were lower in 2017 than in 2006, the year before the Great Recession, but those under the age of 35 are much less likely to own a home than other age cohorts. Nationally, the 2017 home ownership rate for households under 35 was 35.3%, 6.4% less than it was ten years ago in 2007. A predominantly single-family community, Smithtown will need to concentrate on diversifying its housing stock to attract Millennial residents.

Millennials also tend to use public transportation and other modes at a higher rate than previous generations. In a survey of Millennials from the Rockefeller Foundation and Transportation for America, 54% of respondents said that they would consider moving to another city if it had more and better transportation options, and two-thirds identified access to high quality transportation as one of their top three criteria when choosing a place to live. Eighty percent (80%) said that it is important to have a wide range of transportation options, such as public transportation, bike-and car-sharing, and pedestrian-friendly streets. Based on this, Smithtown is well-positioned to be an attractive community for Millennials because of its access to transit.

An unknown about the long-term impacts of Millennials is whether the preferences to rent and use public transportation will stay consistent across their lifetime. Some of their preferences may be influenced by financial considerations. The national average student-loan debt for a person who graduated in 2017 is \$28,650, 1 percent higher than the 2016 average. However, the New York State average student loan debt for a graduate is \$30,931, ranked 13th highest in the nation. The higher than average debts may impact a person's ability to afford a car, save for a down payment on a home, or start a family. For example, the US Census Bureau found that young adults are marrying at lower rates than previous generations, marrying on average between 28 and 30 years old and that economic security plays a role in marital decisions. As Millennials' incomes increase, they marry and start a family, and save more money, the question remains on whether Millennials will continue to prefer to rent and eschew car ownership, or whether they will look to move to more suburban areas to own homes and drive an automobile to work. In this respect, the Town of Smithtown can be an attractive destination as it provides a suburban lifestyle in close proximity to more urbanized locations.

Housing

According to Suffolk County's **Framework for the Future – Comprehensive Plan 2035**, *“Demographic changes occurring within Suffolk County over the past two decades have created a new housing demand profile that includes a higher proportion of smaller, multi-family units, a higher proportion of rental units, and more units that are priced at levels that are affordable to households earning under \$75,000 annually.”* For Smithtown, while the number of housing units has increased over time (6.86% increase from 2010-2017), a majority of that increase was new single-family construction, a changing population has resulted in a new housing demand. The younger adults waiting to marry and have kids and the older population looking to age in place have formed a new housing demand profile which includes a higher proportion of smaller, multi-family units, a larger proportion of rental units, and units that are affordably priced. While Smithtown does provide some of these offerings, the Town should look to fully meet this demand.

- While NYMTC forecasts a 14.5% population increase for the suburban Long Island subregion from 2017 to 2045, the Council forecasts that the average household size will decrease by -1.7%. Smithtown is already experiencing this decline, where the Town's average household size in 2017 was 2.88, a reduction from the 2012 5-year estimates of 2.97. This predicted downward trend for average household size will have an impact on housing preferences.
- 34.16% of 2017 households had children under the age of 18, a significant loss when compared to the previous 5-year period from 2008 to 2012, where 40.1% of 2012 households had children under 18 (-5.94% decline). The inverse is true for people living alone, when in 2017, 20.58% of householders lived alone a significant increase from and 2012 (16.6%, 3.98% increase). This predicted downward trend for average household size, and historic census estimates indicating fewer households with children and an increase of people living alone, will guide what type of housing units should be constructed in Smithtown in the future.
- 90.67% of all residential units in Smithtown are single-family detached or attached homes and just 6% of all residential units are in buildings with five or more units – a housing stock lacking in diversity. Smithtown's single-family household majority, 83.02% of the Town's housing stock, has three or more bedrooms compared to a 16.98% share of smaller units (0-2 bedrooms). While housing typology (i.e. single-family, apartment) should be diversified, so should housing sizes, ensuring that there is a variety of housing that fits the needs of all household types (i.e. singles, couples no children, families with children).
- Smithtown also has a large majority of owner-occupied housing units (91.91%) where only less than 10% of the housing stock in Smithtown is renter-occupied

(8.09%). More than half of renter-occupied housing units in Smithtown are in attached or detached single family homes where less than one-third are in buildings with five or more units (31.32%).

- Housing affordability is also of concern for the Town. Experts generally agree that homeowners should spend no more than 30 percent of their income on housing costs. When more than 30 percent of income is spent on housing, it is considered unaffordable. Accounting for owners and renters, 23.91% of households earning less than \$75,000 annually spend more than 30% on housing costs whereas only 13.74% of households earning more than 75K spend more than 30% on housing costs. The affordability gap is even larger for homeowners alone. Per 2017 5-year estimates, 73.54% of households earning less than \$75,000 annually spend more than 30% of their income on owner costs where only 20.62% of \$75K+ households spend more than 30%.

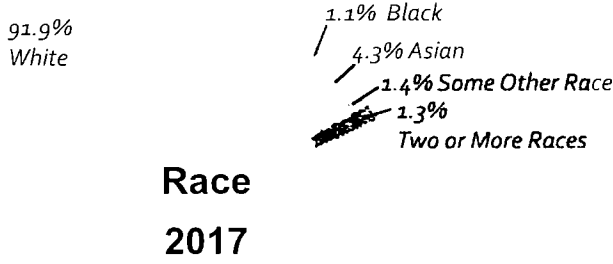
Multi-generational Households

At the same time, a key demographic trend that has been increasing nationwide is the share of Americans living in multi-generational households. This statistic is associated with homes with two or more adult generations living in the same home, excluding adults under the age of 25 to avoid the potential for some college students living at home. In 2016, the percentage of multi-generational households increased to an all-time high of 20% of the US population. This growth has been experienced on both ends of the generational spectrum; 33% of adults ages 25 to 29 lived with their parents, while 24% of adults ages 55 to 64 and 21% of adults ages 65+ lived with their children. As this trend continues, one way to accommodate the needs of these households is by continuing to permit temporary living quarters for family members.

However, multigenerational households are on the decline in Smithtown, reducing from 1,207 households that has grandparents living with grandchildren per 2012 5-year estimates, to approximately 967 per 2017 5-year estimates. Instead these grandparents look to alternative housing options to fit their needs as they age. Smithtown's residential land uses are predominantly single-family with few multi-family options (2-family, garden apartment, etc.) but with growing options for age-restricted or retirement-like developments. Smithtown will need to introduce new housing types to match future populations' needs.

Race

Approximately 92% of the population in Smithtown is white, although the Township has been diversifying racially over time (95.6% white in 2000). Smithtown is considered less diverse than the County (80.5% white) and the State (63.8% white). Given Smithtown's small-sized racial minority, it is important to continue efforts to provide equal access to Town uses and amenities while catering to the needs of all Smithtown residents.



Source: US Census Bureau, American Community Survey, 2013-2017 5-Year Estimates

Hispanic or Latino Population

Persons of "Hispanic or Latino origin" can be any race where "origin" is defined as ancestry, nationality, group, lineage or country of birth of the person or the person's parents or ancestors before their arrival in the United States. There are more people living in Smithtown who identified themselves as being of Hispanic or Latino origin in the 2010 Census than the 2000 Census. However, according to 2017 data Smithtown still has a lower percentage of people identifying themselves as Hispanic or Latino (5.2%) than the county average (18.6%) and the state average (18.8%).



Source: US Census Bureau, American Community Survey, 2013-2017 5 Year Estimates

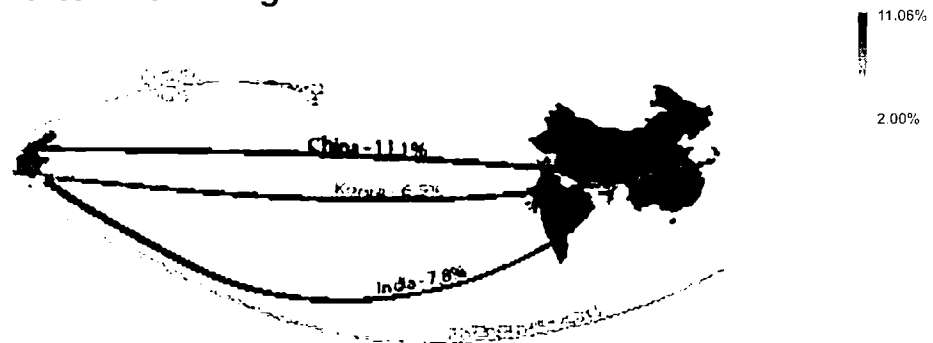
Foreign-Born

The foreign-born population makes up 8.1% of the total population in Smithtown (9,577 residents), less than the foreign-born representation in both the County (15.6%) and the State (22.7%). Of the Smithtown foreign-born population, 41.7% were born in Asia, 33.8% were born in Europe, 22.1% in the Americas, and approximately 2.2% in Africa. Of all foreign-born residents, however, a higher number of residents came from the following countries:

11.1% were born in China, 7.8% of foreign-born were born in India, 6.5% in Korea, nearly 5% in Germany, and 4.2% were born in the Philippines.

Of all foreign-born residents who have entered the U.S. and are living in Smithtown, approximately three-quarters (75.6%) have become naturalized citizens, significantly higher than the naturalization rate for both Suffolk County (53.3%) and the State (55.3%).

Town of Smithtown's Foreign-Born Residents' Place of Birth



Source: US Census Bureau, American Community Survey, 2013-2017 5-Year Estimates

Income & Poverty

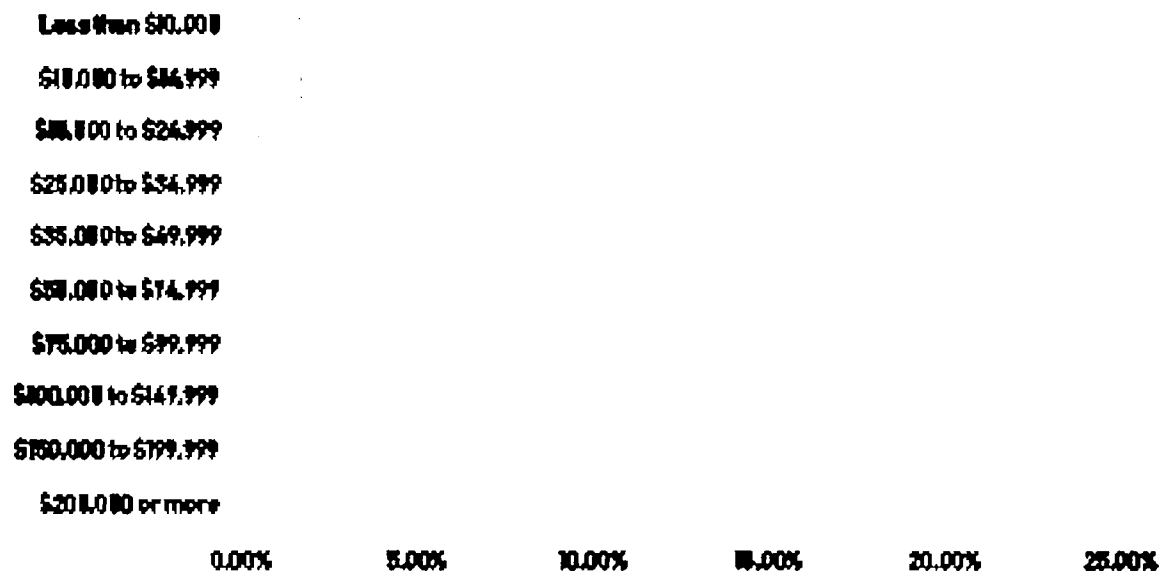
The 2017 median household income is greater in Smithtown (\$118,836) than the County (\$92,833). Very high-income households, or households with incomes equal to or greater than \$150,000, make up over one-third (37.33%) of households in Town, more than Suffolk County's share (26.21%).

The federally set poverty line is a specified dollar amount considered to be the minimum level of resources that are adequate to meet basic needs - the percentage of those living below the poverty line or poverty threshold is called the poverty rate. Residents living below the poverty line typically place greater needs on services provided by the Town, County, non-profits, or other organizations.

In Smithtown, 3.2% of the population for whom poverty status is determined is below the poverty level (3,763 individuals), much lower than the county, state and national poverty rates in 2017 (7.2%, 15.1%, and 12.3%, respectively).

- 2017 poverty rates for the Hispanic or Latino population in Smithtown decreased by half when compared to 2012 5-year estimates.
- While the 2017 poverty rates for those who graduated high school (or equivalency) or less decreased when comparing to 2012 5-year estimates, the poverty rate for those with some college or a bachelor's degree or higher, had an increase in poverty rate.

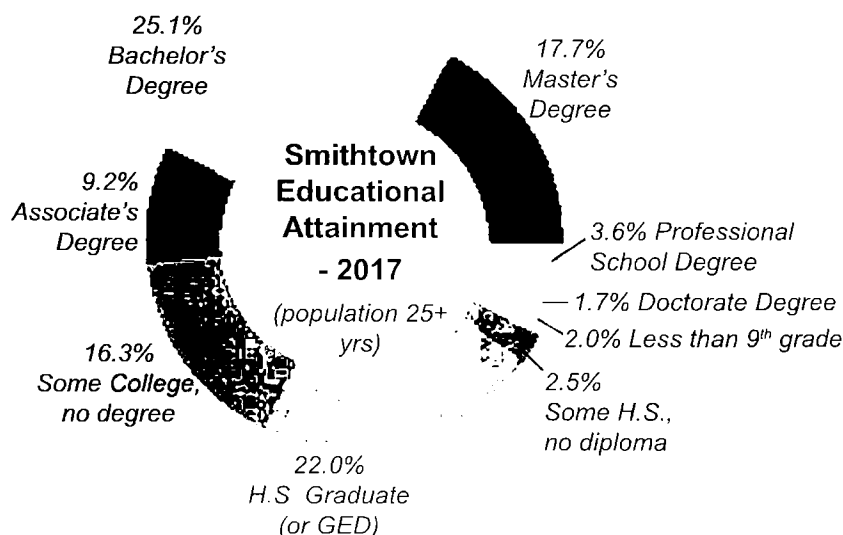
Smithtown's Household Income 2017



Source: US Census Bureau, American Community Survey, 2013-2017 5-Year Estimates. Selected Economic Characteristics

Educational Attainment

Smithtown residents aged 25 and over are well educated, with nearly 95.5% of residents having received at least a high school degree and approximately 57% of residents continuing on to receive a degree from a higher education institution. Smithtown residents' level of education is higher than the County, especially for those receiving a bachelor's degree (25.1% Smithtown, 19.1% Suffolk County, 19.9% New York) and masters/professional/doctorate degrees (22.9% Smithtown, 15.9% Suffolk County, 15.4% New York).



Environmental Justice

NY State Office of Environmental Justice

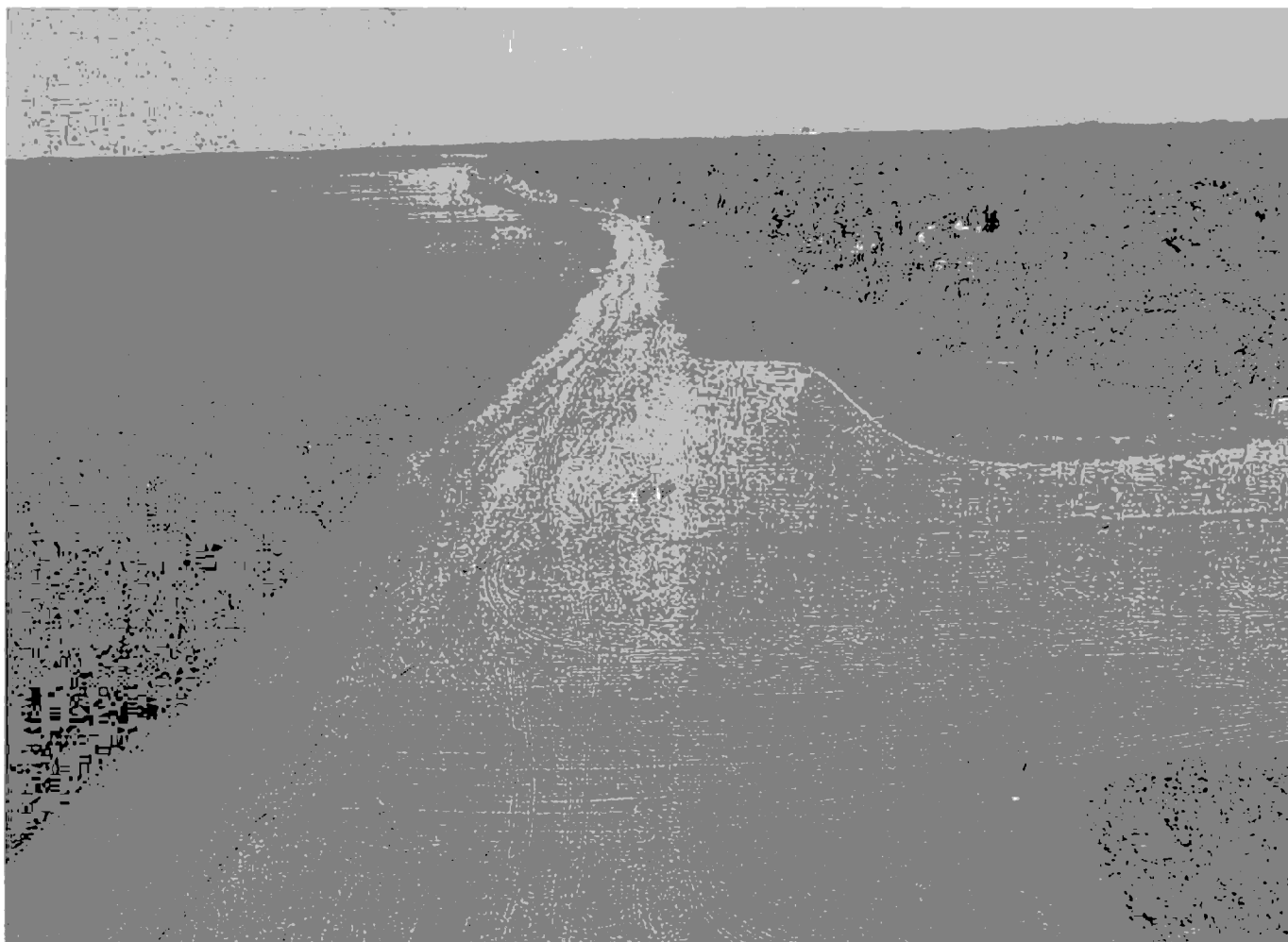
Environmental Justice is the fair and meaningful treatment of all people, regardless of race, income, national origin or color, with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. Environmental Justice allows for disproportionately impacted residents to access the tools to address environmental concerns across all of DEC's operations.

The State Office of Environmental Justice (OEJ) works to address environmental issues and concerns that affect primarily low income and minority communities through grant opportunities, enforcement of environmental laws and regulations, consultation, guidance, and enhance public participation.

In 2019, the NYS OEJ awarded \$2.6 million in Community Impact Grants to 28 organizations across the state. These grants fund projects that address environmental and public health concerns in environmental justice communities.

Environmental Justice Screening

EJSCREEN is an environmental justice screening and mapping tool developed by the U.S. Environmental Protection Agency (EPA) and allows users to access high-resolution environmental and demographic information for locations in the United States and compare their selected locations to the rest of the state, EPA region, or the nation. To summarize how an environmental indicator and demographics come together in the same location, EJSCREEN uses an EJ Index, which combines a demographic factor with a single environmental factor. The Town of Smithtown's EJ Indexes show that the Town is within a similar national percentile when compared to surrounding towns on Long Island. This indicates that the Town of Smithtown's population is no more exposed, at risk, or in close proximity to any of the 11 environmental indicators than its Long Island neighbors.



Relationship to Other Plans

Understanding Smithtown's location in relation to the New York City metropolitan region is necessary to plan for the future of Smithtown. Smithtown is a 54 square mile suburban municipality in the NYC metro region, about 40 miles from the city's eastern boundary, on Long Island. Smithtown's distance from the city makes it within commuting distance by road and rail. Located on Long Island, however, this suburban municipality is isolated from the other sub-regions within the metro area, like New Jersey, Connecticut, and other areas of New York, making development factors affecting Long Island a key part of Smithtown's story.

Generally, the western part of Long Island is characterized by dense development and the economy is largely based around its proximity to NYC. The eastern half of the island is characterized by farmland, open space, and low-density residential development, and the economy is heavily tied to these resources. Smithtown, being uniquely located in the middle of Long Island, straddles both western and eastern geographies, and adopts traits from both.

In addition to understanding Smithtown's location in the region and just as important to the development for the Comprehensive Plan, are planning documents of the region in which regional policies may influence planning decisions in Smithtown and planning decisions in Smithtown may influence the region.

Regional Plans

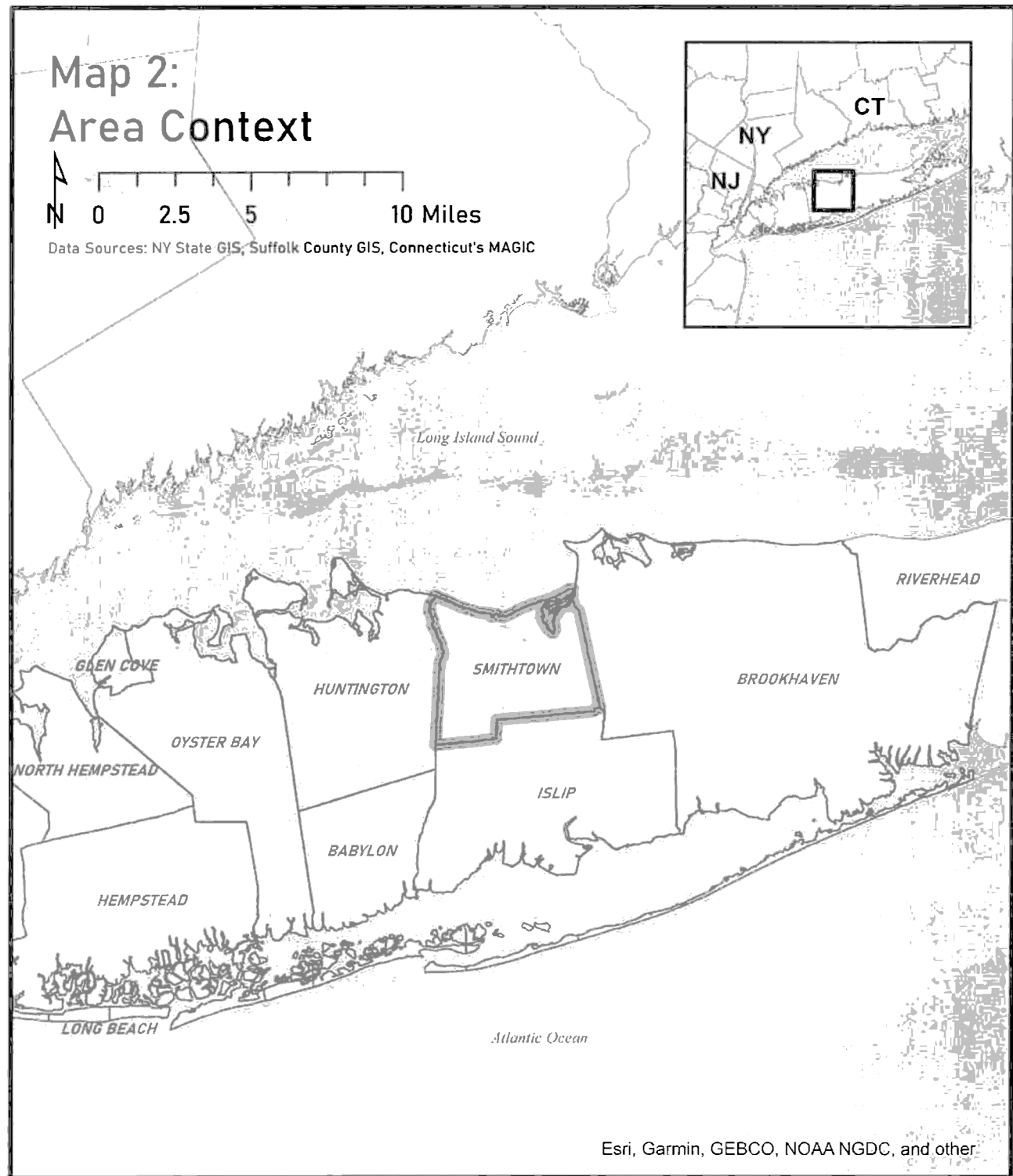
RPA's Fourth Regional Plan

The Regional Plan Association (RPA), a multi-state regional urban research and advocacy organization that has been publishing plans for the New York metropolitan region since the 1920s. The most recent publication, the Fourth Regional Plan was published in November 2017. The plan finds that too many people are not benefiting from the region's growth and seeks to address these issues. Organized under four action areas: Institutions, Transportation, Climate Change, and Affordability, the plan identifies 61 recommendations to make the region more equitable, healthy, sustainable, and prosperous. These include both regional and municipal directives.

NYMTC's Regional Transportation Plan, Plan 2045: Maintaining the Vision for a Sustainable Region

The New York Metropolitan Transportation Council (NYMTC) adopted its Regional Transportation Plan for 2045 in June 2017 with a theme of "Maintaining the Vision for a Sustainable Region." With the NYMTC area forecasted to experience significant growth in population, jobs, economic activity, and travel through 2045, Smithtown too will be affected by these trends, forecasts and regional solutions. NYMTC's members, which includes Suffolk County, are committed to following eight goals:

1. Enhance the Regional Environment
2. Improve the Regional Economy
3. Improve the Regional Quality of Life
4. Provide Convenient, Flexible Transportation Access Within the Region
5. Enhance the Safety and Security of the Transportation System
6. Build the Case for Obtaining Resources to Implement Regional Investments
7. Improve the Resiliency of the Regional Transportation System
8. Preserve the Existing Transportation System



Legend

— Smithtown Boundary



*Framework for the Future - Suffolk County's
Comprehensive Master Plan 2035*

"Suffolk County is one of the largest suburban counties in the country, and our population is larger than 11 states."

– page 6

Published in June 2015, the Suffolk County Master Plan sets up the framework for the County's future by identifying three themes and six critical county-wide priorities requiring regional policy solutions. The three themes or planning principles embodied in the Plan are to **Revitalize** the economy, **Rebuild** downtowns and infrastructure, and **Reclaim** quality of groundwater, surface water, and terrestrial resources. The six key objectives reflect the six Livability Principles adopted at the federal level:

1. Build a 21st Century Transit Network to Provide More Transportation Choices to Improve, Mobility, Access, and Safety
2. Provide Equitable, Affordable, Fair Housing
3. Enhance Economic Competitiveness and Capacity to Build an Innovation Economy
4. Support Vibrant Communities
5. Streamline Government, Coordinate Policies, and Leverage Investment
6. Protect the Environment and Enhance Our Human Capital

While the Plan suggests regional policy solutions, identified as 'priority actions', the plan suggests that local initiatives can also *"change the landscape in ways that will improve how people live, work and play in Suffolk County."*

Municipal Plans

Town of Brookhaven

The Town of Brookhaven is located to the east of Town of Smithtown. Brookhaven borders Smithtown's entire eastern boundary.

The boundary travels through various properties and roadways. Brookhaven's Incorporated Village of Lake Grove zone (VIL) borders Smithtown's Residential District (R10). Both zone districts are developed in a similar style (approx. 9,500 square foot lot sizes) with predominantly single-family homes. The land uses in these zone districts are compatible with one another.

Brookhaven's One Family Residence (B1) zone borders Smithtown's Residential (R21-CL) zone. Both zones are developed in a similar style (approx. 22,000 square foot lot sizes) with predominantly single-family homes. The zones are compatible and will not have a negative impact on one another.

Smithtown's Planned Residential Development (PRD) zoning district borders a portion of Brookhaven's One Family Residence (B1) zoning district. Smithtown's zoning district is developed with 217,800 square foot lot sizes while Brookhaven's One Family Residence zone has a minimum lot size of 22,500 square feet. The zones are compatible and will not have a negative impact on one another.

Brookhaven's One Family Residence (B1) zoning district borders Smithtown's Residential District (R43). Smithtown's district is zoned for 43,560 square feet and Brookhaven's has a minimum lot size of 22,500 square feet. The land uses in these zoning districts are compatible with one another.

The "Gyrodyne" property spans both municipalities in corresponding light industrial zoning districts: Smithtown's Light Industry (LI) zone and Brookhaven's Industrial (L1) zone. Both zoning districts are regulated in a similar style (approx. 80,000 square foot lot sizes). While the former helicopter manufacturing facility site is bisected by the two communities, most existing development is located on the Brookhaven side. Any new development on the Town of Smithtown side could potentially impact nearby Stony Brook University, located in Brookhaven. Future development of the LI zone in Smithtown should be monitored for any potential negative impacts to the surrounding community.

Smithtown's Business District (SCB) zoning district borders a portion of Brookhaven's Incorporated Village (VIL) of Lake Grove. These zoning districts are compatible and will not negatively impact one another.

Brookhaven last prepared a Master Plan in March 1957. The Borough of Smithtown's land use pattern and existing regulations are consistent with existing and zoned development in Brookhaven.

Town of Huntington

The Town of Huntington is located to the west of Smithtown. The municipal boundary does not follow a strict street line or any natural features. Huntington borders Smithtown's entire western boundary. The area along the border in both municipalities is zoned almost entirely for residential uses.

Smithtown's Residential zone districts (R10, R21, and R43) borders Huntington's Residence districts (R20 and R40). All five districts are zoned for single family dwellings. These zones in Huntington are zoned as the Town's highest density residential districts with minimum lot sizes of 1,200 square feet. The Town of Smithtown's zone districts, however, are a minimum of 10,000 square feet and larger than Huntington's zones. These zone districts will not negatively impact one another.

The Town of Huntington last adopted its Comprehensive Plan in April 1993 and was last amended on June 8, 2016. Smithtown's development and regulations are consistent with existing and zoned development in Huntington.

Town of Islip

The Town of Islip borders Smithtown's southern boundary. The municipal boundary does not follow a strict street line or any natural features. The Long Island Innovation Park at Hauppauge spans both municipalities and lies within corresponding light industrial zone districts: Smithtown's Industrial District (LI) and Islip's Industrial (IND1) zone. The remainder of the border in Islip is zoned almost entirely for residential uses in Islip's Residence (A and B) districts, bordering Smithtown's One Family Residential (R10 and R15) districts. These zones are compatible and will not negatively impact one another.

Islip adopted its Comprehensive Plan in 1979 and last updated it in January of 2011. Smithtown's development and existing regulations are consistent with existing and zoned development in the Town of Islip.

Village of the Branch

The Village of the Branch is embedded within the Town of Smithtown. Located immediately east to downtown Smithtown and containing additional commercial development, the Town should be aware of its land use decisions that may impact the Village. At the same time, the Town of Smithtown should also be aware of land use changes occurring within the Village that may have an impact on the Town.

Village of Nissequogue

The Village of Nissequogue is embedded within the Town of Smithtown, located to the north and with significant frontage on the Smithtown Bay and Nissequogue River. Most Town-owned beaches are accessed by traveling through the Village and therefore vehicular impacts have and will continue to occur on Village roads. The Village contains primarily residential land uses and no known negative land use impacts are anticipated.

Village of Head of Harbor

The Village of Head of Harbor is embedded within the Town of Smithtown, located to the northeast and with significant frontage on the Smithtown Bay and Stony Brook Harbor. Containing primarily residential land uses, there are no known negative land use impacts occurring between the Town and the Village.



LAND USE PLAN



- » **Town Law § 272-a**
- » **Among the most important powers and duties granted by the legislature to a town government is the authority and responsibility to undertake town comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens.**

Introduction

Land use policies are important because they determine factors such as population density, the availability of housing, and the location of commercial, industrial and open space locations. A good balance of land uses can help a community meet its goals for health, safety, and quality of life.

The Town of Smithtown's land use policies have not been comprehensively reviewed or updated since the last Comprehensive Plan was adopted, more than 50 years ago in 1957. Since that time, changes in population, living and shopping preferences have occurred, affecting local land use processes and landscapes. The functionally obsolete 1957 Comprehensive Plan has prohibited the Town from making necessary updates to its zoning code that would more accurately reflect the current preferences of its residents, businesses, and visitors. In essence, the Town of Smithtown land use pattern is based on structures of the past, and while some new developments and projects are being constructed, they occur on a case-by-case basis, many through zone change requests instead of using traditional land use and zoning processes. This new Comprehensive Land Use Plan is intended to update the zoning code and make land use and zoning recommendations that meet the needs of the Town of Smithtown.

Existing Development Pattern

Current land use and development patterns are influenced in part by the Town of Smithtown's historic development pattern, guidance from the Comprehensive Plan, the requirements of the local zoning code and other state programs. The following Land Use Plan discusses the land use patterns for the unincorporated hamlets of the Town of Smithtown, including Kings Park, Smithtown, St. James, Nesconset, Hauppauge, and Commack. The three incorporated villages in Town (Village of Nissequogue, Village of Head of Harbor, and Village of the Branch) control land use within their own boundaries and are therefore not discussed in this report.

With access to the New York City metropolitan region and the "suburban boom" that took place in the 1950s and 1960s, the Town of Smithtown can be described as a quintessential "bedroom community". According to the Town of Smithtown's land use classifications from Suffolk County over half (54.53%) of the developable, unincorporated acres of the Town of Smithtown (including rights-of-ways) is made up of residential land uses, including single-family, two-family, multi-family, and Home Owner Association (HOA) residences. Approximately 51% (51.16%) of land uses in Town are single-family residences alone. Of the single-family residences, over 52% are less than one-third acre in size, approximately 42% are between one-third acre and one acre, and only 5.4% are over one acre. While the Town is also comprised of commercial, industrial, agriculture, and vacant land uses, the second largest land use category is approximately 18.31% of open space (Map 3).

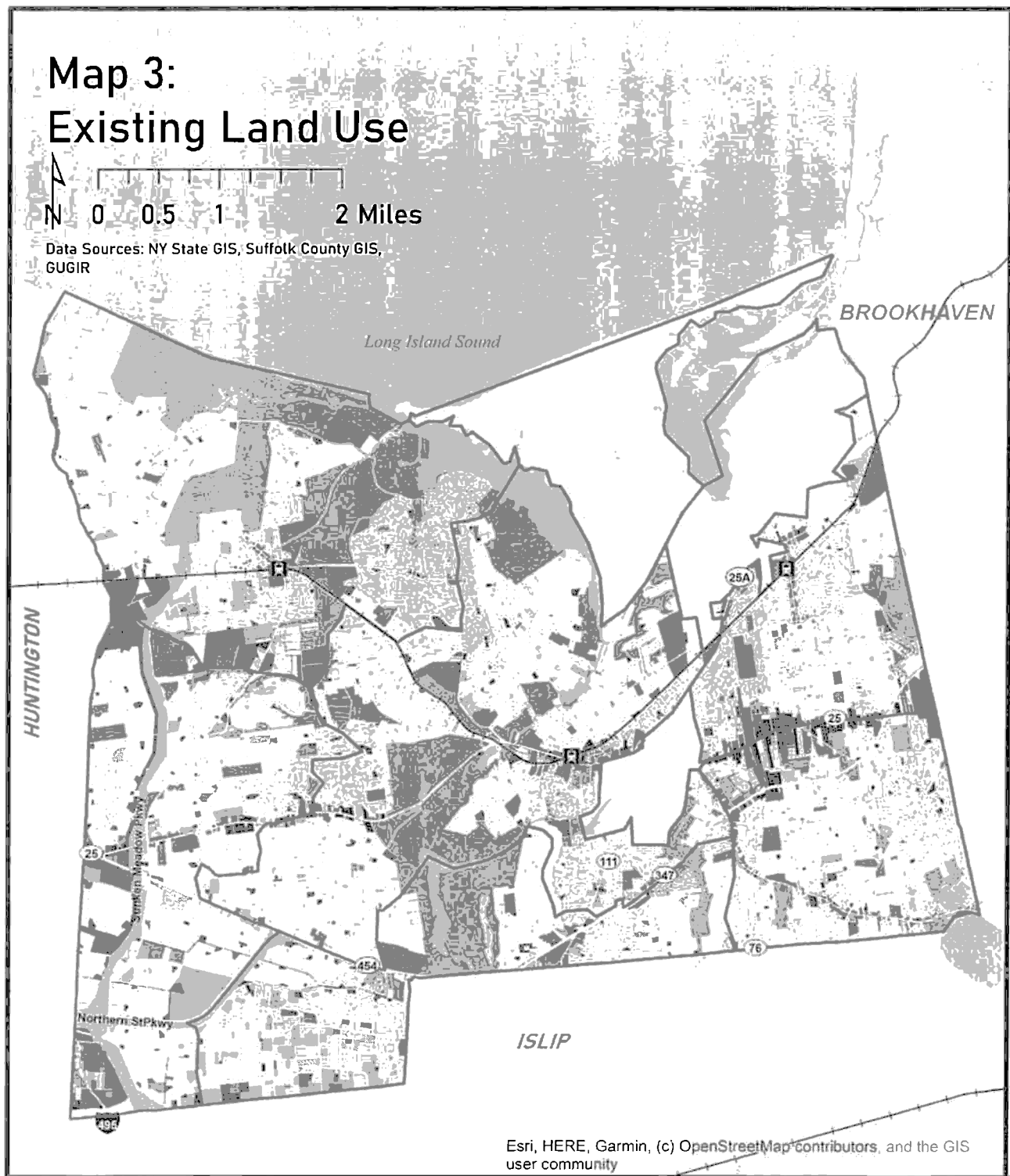
Although the Town of Smithtown's current land use composition is a predominantly residential single-family community, the Town and its hamlets offer a variety of unique place settings and identities. Future land use decisions affecting existing and new development in Town should continue to support residents, business owners, and workers who live in, work in, and visit the Town by ensuring compatibility with existing neighborhood character and supporting economic activity, while preserving and enhancing the Town's natural resources



Map 3: Existing Land Use



Data Sources: NY State GIS, Suffolk County GIS, GUGIR

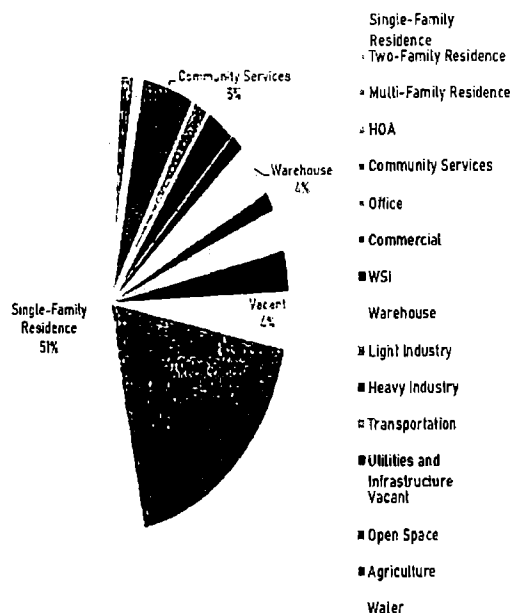


Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Legend

Single-Family (Low Density)	Community Services	Transportation
Single-Family (Medium Density)	Office	Utilities and Infrastructure
Single-Family (High Density)	Commercial	Vacant
Two-Family Residence	Wholesale and Service Industry	Water
Multi-Family Residence	Warehouse	Open Space
HOA Property	Light Industry	Agriculture
Village	Heavy Industry	

Land Use Breakdown - Town of Smithtown



The Town of Smithtown does not have a wide diversity of residence types, due in part to the Town's historic development pattern. Today, there are no mobile homes, four-family homes, or mid- or high-rise apartment buildings. Historically, most residents lived in single-family dwellings from about 1890 through the 1950s, unless they were housed in the dormitory buildings at the Kings Park Psychiatric Center which were constructed by the State in the 1930s. While residences began to slightly diversify when some two- to four-family residences were constructed during the 1900s. The first garden apartments were built in the late 1950s. Commercial development outside of the Town's downtown business districts in Kings Park, Smithtown, and St. James occurred in the late 1960s and regional shopping was introduced in 1967 with the opening of Smithhaven Mall. Industry was introduced into the Town's zoning in the late 1940s and was concentrated near planned parkways and the Long Island Expressway in the southwest corner of town (today's Innovation Park at Hauppauge), along the Long Island Railroad, Middle Country Road, and Old Northport Road. Today, the Town of Smithtown remains almost as it was after the 1950s boom of residential, commercial, and industrial, in part because of the lack of sewer infrastructure to intensify development.

Land use patterns in the Town of Smithtown are influenced by guidance from the Town's Comprehensive Plan. The last completed Comprehensive Plan for Smithtown was in 1957 which has restricted the Town from modernizing its zoning code. While some new developments and projects are being constructed, they occur on a case-by-case basis through zone change requests. Since 2015 alone, there have been

"Today, the Town of Smithtown remains almost as it was after the 1950s boom of residential, commercial, and industrial."

11 zone change requests to the Town Board. This piecemeal approach has contributed to the Town of Smithtown's "speckled" existing land use map (Map 3 on page 32). The zoning recommendations found within this Comprehensive Plan hopes to reduce the number of zone change requests the Town Board receives as it will encourage development through updated traditional land use and zoning processes. Zone change requests and other development trends are discussed throughout this plan.

Today, the Town of Smithtown has 18 Zoning Districts (9 residential, 5 commercial, 3 industrial and 1 special purpose) and one Overlay District to accommodate for diverse land uses, ranging from residential, commercial, industrial, open space, to institutional uses. These zoning district regulations have the largest impact on land use patterns in the Town of Smithtown. The Town adopted its first zoning ordinance in 1932. Since that time, several substantial changes to the zoning code were made. In the 1950s and 1960s, several Zoning Districts were added (R-15, R-10S, RMGA, SCB, OB, and WSI). The Wholesale and Service Industry (WSI) zone for example, a hybrid of industry and business uses, was created in 1958 to replace the outmoded concept of strip retail zoning; it permitted auto-related business uses and permitted outdoor storage. In the 1970s, the Planned Residential District (PRD) and the Retirement Community (RC) zoning districts were added. In the 1980s the Professional Business (PB) zone was created with the intent to be transitional district that was more compatible with residential areas than was the Office Business (OB) district (created in 1960), although only some of the intended areas were rezoned. In the 1980s and 1990s, many zoning district amendments were made, including for instance, an amendment to the R-6 (Townhouse) district to permit attached owner-occupied homes that are not age restricted. Special overlay districts weren't adopted until after 1978, when the Federal Government encouraged local municipalities like the Town of Smithtown to adopt flood hazard overlay districts (although later eliminated). Other Special Purpose Districts such as the Community Facilities district were adopted in the 1980s. No new districts have been created since the 1980s, which is evident in the number of zone and variance requests as well as the Town's built-out development pattern. Specific zoning districts and their regulations are further discussed throughout this plan.

Beyond the Local Zoning Ordinance

While the Town's local Zoning Ordinance guides the local land use pattern, the Local Waterfront Revitalization Program (LWRP) and New York State's Wild, Scenic and Recreational Rivers Permit Program supersede local jurisdiction in some instances, and therefore additionally impacts the Town's existing land use pattern. The LWRP is local jurisdiction. It is developed and adopted by the Town, and it forms the basis of zoning and land use decisions in the waterfront area.

NYDEC's Wild, Scenic and Recreational Rivers Permit Program

New York State's Department of Environmental Conservation identifies the Nissequogue River as a Recreational River and the portion that runs through the Caleb Smith State Park as a Scenic River under the State's Wild Scenic and Recreational Rivers Act. The Act protects rivers in New York State that have outstanding scenic, ecological, recreational, historic, and scientific values. State policy is to preserve these designated rivers in a free-flowing condition, protecting them from improvident development and use and is intended to preserve the enjoyments and benefits derived from these rivers for present and future generations.

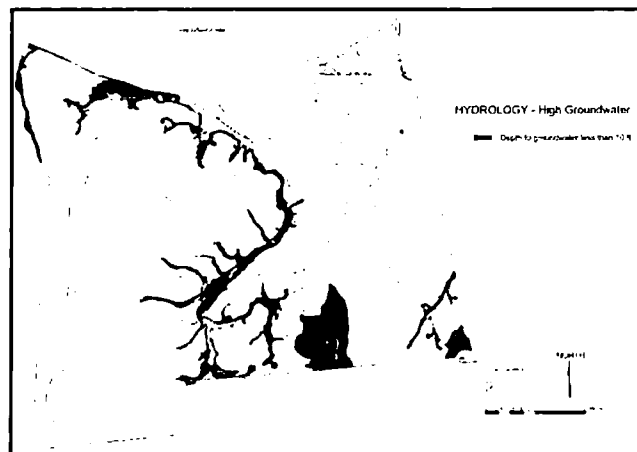
Lands in and around the Nissequogue River area, known as the NYSDEC River Corridor, is therefore subject to more stringent land use restrictions beyond the local zoning code. While existing land uses within the corridor are grandfathered, new residential uses must be located a nominal distance from the bank of the river and virtually no new commercial uses are permitted within the corridor area unless they are water-related uses. Less stringent restrictions for the river corridor can only be obtained if Smithtown is designated as a "community" by the State Department of Environmental Conservation.

Local Waterfront Revitalization Program (LWRP)

New York State designated a "coastal zone" along the entire coastal area of the State. The Town of Smithtown has opted to voluntarily participate in the State's Coastal Management Program (CMP), and therefore has prepared and adopted a Local Waterfront Revitalization Program (LWRP) to implement the State's coastal policies. The LWRP is a land and water use plan for the Town's waterfront resources, including the Nissequogue River, Stony Brook Harbor, and the Long Island Sound. Smithtown's LWRP was approved by the New York Department of State on August 16, 1989 and has been incorporated into the State's CMP. The Town's LWRP is implemented through the Town Code and provides more detailed implementation actions of the CMP through zoning and site plan review. The Town is currently in the process of updating its LWRP. A draft was released to the public in July 2019 and was submitted to New York State's Department of State for review in September 2019. The Town anticipates adopting the LWRP update in early 2021.

Local Environmental Restrictions to Development

The local land use pattern is also guided by other environmental factors in Town. For instance, the main causes of flooding in Town is the Smithtown Clay Unit and a high groundwater table in several areas. The Smithtown Clay Unit is an area of clay present near the land surface. The clay unit is impermeable, meaning water cannot easily drain through it, causing problems for septic systems, especially in parts of Smithtown and Kings Park. In addition to the Smithtown Clay Unit, about 10% of Smithtown is in a high groundwater area, which is characterized as areas with groundwater less than 10 feet from the surface. These areas experience frequent flooding and occurs in areas near the headwaters of the Nissequogue River, covers about 300 houses in Hauppauge, and occurs in the Nichols Road and Lake Ronkonkoma areas. These areas containing the Smithtown Clay Unit and areas of high ground water restrict the ability to intensify land uses.



Future development is also limited by the lack of sewer infrastructure, resulting in an inability to expand or provide for more restaurants, offices, housing, and medical facilities. With ongoing initiatives to sewer the Town of Smithtown's downtown areas including Kings Park, St. James and Smithtown, as well as improve the capacity at the Long Island Innovation Park at Hauppauge, these areas are positioned to see future growth, contributing towards the economic success of the Town of Smithtown.

Current Land Uses

The sections that follow discuss current zoning and land use issues and trends found locally and nationally. The recommendations identified are categorized as they relate to the Town generally, and then to specific land uses and zones including residential, commercial/business, industrial, and other. Reference **Map 4: Proposed Zoning** on page 65 as needed. Discussed first are initial recommendations that apply to the zoning code generally, regardless of land use type.

General

Town-wide, Smithtown is dealing with issues that affect all land use types. Some general land use issues the Town should recognize, and problem solve now for a secure future are included below:

Natural versus built environment

The Town of Smithtown's natural and unique ecological environment should be balanced with the current lifestyle preference for diverse housing, shopping and employment options. There are projects underway to sewer the downtowns of Kings Park, Smithtown, and St. James. As more properties are connected to sewers, there are more opportunities for land development; however, sewers can also result in over-intensification. The Town of Smithtown must continue to balance the natural and built environment. When asked to rate a list of issues and trends affecting the Town, 61% of Comprehensive Plan survey participants agreed that environmental quality/protection was "very important" (tied as third most very important issue).

Strategic siting of new and in-fill development

The Town of Smithtown is largely "built-out", meaning there is little vacant, available land for development. Properties already developed and seen as underutilized are now being looked at for improvement and redevelopment while properties that are vacant are being looked at for subdivision. Beyond the need for a balancing of the natural and built environment, new and in-fill development, including building re-use, should be compatible (i.e. land use compatibility, architectural compatibility) with existing neighborhood character and the purpose and intent of the zone.

Antiquated Zoning Ordinance

Since the Comprehensive Plan is over 50 years old, the zoning ordinance has become antiquated, therefore the new Comprehensive Plan makes recommendations to revise portions of the zoning ordinance to consolidate, reimagine and inspire. Initial recommendations that apply to the zoning code generally, regardless of land use type would help modernize and update land use controls in Town.

General Recommendations

The Town should consider the following recommendations relating to the Town as a whole.

Proposed Definitions

1. The Town should continue to work with neighboring municipalities, Suffolk County, and applicable regional planning authorities to assist in intermunicipal planning initiatives. Relevance to these jurisdictions is identified in the Relationship to Other Plans section on page xx of this Comprehensive Plan.
2. It is general practice that zone boundaries follow lot lines, street center lines, railroad tracks, streams or similar features, as stated in the Town's Zoning Ordinance at §322-6(B). However, the Town of Smithtown has a significant number of lots located in more than one zone that do not follow such boundary lines. The Town's code recognizes 'split-lots' at §322-6(F) and states that the Board of Appeals may permit extension of the less restrictive use. Additionally, in the event of granting a use variance, the Town Code (§322-83(A)(1)) requires the applicant must show that the applicable zoning regulations and restrictions have caused unnecessary hardship by demonstrating that for each and every permitted use under the zoning regulations for that particular district where the property is located, the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence. These 'split-lots' can create considerable legal development issues and impediments to development. Split-lots open the door for use variances and in granting them, the Board of Zoning Appeals may open the door to unanticipated and undesirable uses on the site. While ideally the Town should conform all zone boundaries to property lines or similar features to prevent complicated variance requests and possible approvals that will "run with the land", so many split-lots exist in Town that it is not entirely feasible to make all those changes at once. Therefore, the Town should ensure zone changes generally follow lot lines, except in the case where lot lines for commercial or business zones would enter residential zones. In that case, it should keep the existing zone line, and leave the lot as a split-zoned lot. The Town should review split-zoned lots Town-wide and make changes as necessary. To further simplify existing split-zoned lots, the Town should also add a provision in its Zoning Code that states, "In the event that a zone boundary line divides one or more lots, then the portion of development in one zone should adhere to the requirements of that zone, and any portion of development in the other zone should adhere to the requirements of that zone." The Town of Smithtown should ensure all zoning districts have clearly defined zone intents. Having a clear vision for a zoning district, written through a zone intent,

ensures future revisions to the district's regulations are in keeping with the overall vision for that zone. This task should be accompanied with a periodic review of permitted land uses in each zone to ensure there are no negative impacts between land uses. This section of the code should also include a zone intent for areas applicable for cluster development.

3. Remove the Flood Hazard Overlay District regulations from the Town's Building Zone Ordinance, as it has since been removed.
4. Undertake small modifications to the Town's zoning ordinance to provide more clarity, as well as more certainty for future development. For example, Article V, Section 322-31 through 322-35, is the only part of the zoning text that references the Hauppauge Industrial Park overlay district. The Town of Smithtown should consider referencing the Hauppauge Industrial Park Overlay and other zoning districts in the enumerating districts section of the code as well as other pertinent sections of the zoning text.
5. The Town should periodically review permitted land uses and requested variances in each zoning district to ensure no potential negative impacts.
6. Additionally, the Town should periodically review special exception uses and their regulations. For instance, over the past three years between 2015 and 2019, the Board of Zoning Appeals heard 75 special exception cases. An overwhelming amount related to temporary living quarters for parents (34 total cases, or 45%), while another 14.6% dealt with modifications to existing special exception sites. Another 8% dealt with gas filling stations and nearly 7% dealt with parking deviations. The remaining 25% had less than three cases per special exception category, (counter service restaurant, home occupation, nonprofit membership club, trucking station, day care center, repair garage, accessory apartment, mini-storage, animal hospital, and others). Special exception uses not having a case in the past three years should be reviewed. For instance, an "Arena" could be removed from the list of special exceptions as well as "Nightclub", as they are no longer recommended for inclusion on the Table of Use Regulations. Other uses such as swimming or boat club and theater should be removed, as they would fall under other land use categories (outdoor commercial public recreation and commercial entertainment, respectively), as discussed later in the **Office, Business and Commercial** section of this **Land Use Plan**. A parking garage should also additionally be permitted as an accessory use as of right and as a principle use by special exception within downtown or office business zones.
7. Per Town Law Section 278, a Planning Board is authorized to approve cluster developments and to specify the zoning districts outside the limits of any incorporated village in which cluster development may be applicable. The Town's Planning Board has used such an authority by designating districts for cluster development, including R-43CL and R-21CL zoning districts on the Town's zoning map. The Town's 2012 zoning map includes a footnote stating, "Those districts followed by a CL refers to modifications of zoning provisions in accordance with Section 10-Q of the Building Zone Ordinance." However, Section 10-Q states that it is "reserved" and the definition for "Modification of Zoning Provisions" states that original Section 54-10Q of the 1964 code was repealed 10-21-1986. Neither of these references within the Town code provide much clarity about the CL designation. The Town of Smithtown should amend the zoning map to more clearly identify the meaning of the CL designation, perhaps referencing and amending §322-30.4, Variances in a Subdivision, and §248-31, Authorized Powers of the Planning Board.
8. The Town of Smithtown's zoning code regulates the coverage of lots with a maximum gross floor area in all zones and minimum landscape areas in



non-residential zones. A simpler way of regulating coverage is through maximum impervious coverage standards. Impervious surfaces that would contribute to a property's impervious coverage include paved and/or gravel road surfaces, parking lots, driveways, compacted dirt road surfaces, sidewalks, building structures, roof tops and miscellaneous impermeable structures such as patios, pools, and sheds. Since impervious surfaces can prevent the natural replenishment of groundwater, an important drinking water source in the Town of Smithtown, regulating impervious surfaces would benefit human health and the environment. The Town should study the feasibility and impacts of implementing impervious coverage requirements for all zoning districts either in place of or in addition to gross floor area and landscape area requirements.

9. Amend definitions that reference building or lot size requirements (i.e. assisted living), and instead include minimum or maximum size requirements within the content of the zoning district regulations.

10. Article X Signs, should be comprehensively re-written and should include at least the following:

- The Town of Smithtown should completely review the sign ordinance for sign procedures, for ease of use, and for compliance with *Reed v. Gilbert*.
- Visual Preference Survey results from the **St. James Visioning Study** (attached as **Appendix**), indicates that along the Lake Avenue corridor, survey participants most desired blade signs (81%) and awning signs (61%). The least desirable signs were pole signs (1%) and monument signs (3%). Using the results of this survey, the Town should add definitions and regulations for the following: "Blade Sign", "Awning Sign", "Monument Sign", "A-Frame Sign", further differentiate a "Wall Sign" as a "Boxed Façade Sign" or a "Flat Façade Sign", and further differentiate "Ground Sign" from a "Pole Sign".
- The Town should establish sign design guidelines, especially for downtown locations.
- The sign ordinance currently defines "window sign" but fails to pose any regulations other than its size. The Town should include regulations for window signs. Regulations could include but are not limited to the following: permit window signs on the ground floor and second floor only, limit window signs to 10% of a door or three square feet, and limit window signs to 20% (a reduction from the currently permitted 25%) of a window, or 10 square feet maximum. Only one illuminated window sign should be permitted per tenant. Temporary seasonal and holiday scene window paintings on commercial storefronts should be permitted for a maximum of 45 days and should not cover more than 50% of any given window. Such paintings should not be permitted on a door. The

Town should include these or similar regulations

- The sign ordinance currently defines "temporary sign" but fails to pose any regulations. The sign regulations should at a minimum identify how long they are permitted for.
- In addition to the above definitions and regulations, the Town should also include "Abandoned Sign". Sign regulations at Section 322-72.1 should state wherever there is a change in occupancy of a building or premises, including any vacancy, the sign which identified any such individuals, business, or service, product, or other item that is no longer present on the premises, shall be removed by the tenant or building owner. Any new signs for the premises should be required to obtain a Town sign permit.
- Approximately 7.5% of all Board of Zoning Appeals (BZA) applications in a three-year period from 2015 to 2019 included sign variance requests. Based on an analysis of these sign variance requests, the Town of Smithtown should consider the following recommendations:
 - » 39 of the 193 sign variance requests (20%) relate to a request for the number of wall signs beyond the maximum permitted. To recognize this trend and reduce these types of variances in the future, the Town should consider whether to amend the code to permit one additional wall sign for tenants with entrances facing a parking area. While this policy exists in the Central Business (CB) district, the Town should look to expand the policy to other applicable zoning districts, such as the WSI and SCB zones as more than half the requested variances were for those zones (24 of 39). Such a regulation would potentially cut down on the number of variances for additional wall sign requests. It may also reduce requests for wall signs not facing a public street, which had a total of 20 requests, accounting for approximately 10.4%, a majority of which were for sites located in the SCB, WSI and LI zoning districts.
 - » Another 20% of sign variance requests relate to increasing the height of a wall sign, where over half of the requests were for sites in the SCB and WSI zoning districts (24 of 39), which have a current maximum height limit of 15 feet. The Town should consider whether increasing the allowable height of wall signs in these zones should be permitted.
 - » Lastly, approximately 17% of sign variance requests were to increase the allowable size of a ground sign. Eight of the 33 requests were for signs in the WSI zone, eight were in the NB zone, another 7 in the LI zone, four each for the SCB and Residential zones, and two for the CB zone. After differentiating between a

ground sign from a pole sign as recommended in this plan previously, the Town should consider amending the size regulations for ground signs, especially in non-residential zones

- » The Town should consider a Transfer of Development Rights (TDR) program, to transfer development rights from one lot, parcel, or area of land to another. This proposed program is separate and distinct from the Town's existing Transfer of Density Flow Rights (TDFR) program which transfers wastewater flow rights from one property to another. The diagram below identifies locations of potential sending and receiving districts to be designated by the Town Board for the TDR program in accordance with New York State Law Section 261-A. A summary of the properties identified in the map are provided below:

- **The "Breslin" property**

proposed sending district

- » Located in the LWRP boundaries and the NYSDEC River Corridor, this vacant wooded land is already restricted from potential development. The property is also partially encumbered by a high groundwater area and steep slopes.

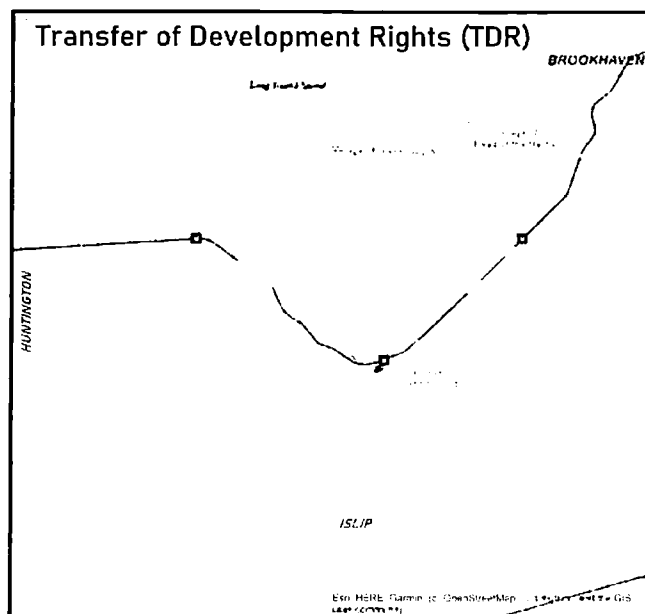
- **NY Avenue School**

proposed receiving district

- » The New York Avenue School is a 13-acre Smithtown School District property located close to downtown Smithtown and the LIRR train station. No longer used as an active school building but rather for school administrative offices, the site has been underutilized for the past 30 years. Once planned for multi-family development, proposing as many as 252 apartments, the site today remains as-is with no development approvals. While increased development is appropriate for the site due to its location near downtown Smithtown and public transportation, the Town should consider a traditional mixed-use site accommodating residential, recreational and municipal facility needs. While future residential on site is well-suited for increased density, "high density" development is not envisioned.

Town Law § 261-a

The purpose of providing for transfer of development rights shall be to protect the natural, scenic or agricultural qualities of open lands, to enhance sites and areas of special character or special historical, cultural, aesthetic or economic interest or value, to protect lands at risk from sea level rise, storm surge or flooding and to enable and encourage flexibility of design and careful management of land in recognition of land as a basic and valuable natural resource.



Legend

Sending District
 Receiving District

Beyond the identified parcels above, the Town may wish to create and designate additional sending and receiving districts in the future. The Town should refer back to an overall land use policy in its approach to identifying these districts. This overall policy should include the following:

- Protect natural, scenic or agricultural qualities of open lands
- Protect lands at risk from sea level rise, storm surge or flooding
- Enhance sites and areas of special character or special historical, cultural, aesthetic or economic interest or value
- Promote increased density development in locations near to transit facilities
- Promote increased density development for uses serving a broader public purpose (i.e. hospitals, nursing homes)

11. Lastly, this **Land Use Plan** and associated **Community Plans** recommend several changes in permitted land uses for existing and proposed zoning districts. The Town of Smithtown is aware that potential impacts to existing uses will take place based on the recommended changes. However it is the intent of the Town of Smithtown to practice its current policy regarding existing non-conforming uses, in which uses made non-conforming by zone changes will be permitted to exist, so long as they obtain a Certificate of Existing Use (CEU) annually per the regulations in the Town Code. The Town of Smithtown's current Certificate of Existing Use policy favors the property owner, as proof is required to show a use has been "abandoned" in order for the Town to refuse issue of a CEU, where other Towns require only a showing that a use has been "discontinued".



Residential

Residential zone districts preserve neighborhood character and guide residential development at the appropriate location and density. Over half (55.35%) of Town of Smithtown's land use acreage is residential, of which 93.83% of that figure (or 51.93% of all land uses) are for single-family dwellings. The remaining residential is comprised of two-family, multi-family and Home Owner Association (HOA) residences. There are nine (9) regular residential zoning districts, ranging from lower intensity single-family to garden apartments to retirement communities.

Residential character is particularly important to Town of Smithtown, as reflected in the Comprehensive Plan survey responses where 42% of respondents indicated they moved to the community because they found a home they liked. In addition, 77% of survey takers think the Town should either "encourage" or "strongly encourage" single-family residential, 52% were in favor of senior housing communities, and half of respondents were in favor of townhouses. While most respondents had a neutral / no opinion regarding assisted living or continuing care facilities (40%), more were in favor (35%) of these facilities than against (25%). Apartments/condominiums, mixed-use development, and affordable housing were all contentiously viewed (ranging from 39 to 41% for, versus 38 to 42% opposed, with 20-22% indicating they were neutral or had no opinion). 44% of respondents wanted the Town to "discourage" or "strongly discourage" duplexes. Views on accessory dwellings were generally neutral (53%) but with a slight opposition (32% against).

Generally, the residential districts are stable and the neighborhoods desirable and well maintained. The Town of Smithtown should not make substantial changes to sections of the zoning code that regulate residential zoning districts. The existing code is well equipped to protect the community character of these well-established neighborhoods.

Table 1: Residential Zoning District Summary

No	Zoning District	Permitted Residential Uses	Minimum Lot Area Requirement	Equivalent Density
1	R-43 and R-43CL	One-Family	43,560 SQFT or 1-acre	1 unit per acre
2	R-21 and R-21CL	One-Family	21,780 SQFT or ½-acre	2 units per acre
3	R-15	One-Family	15,000 SQFT	3 units per acre
4	R-10 and R-10S	One-Family	10,000 SQFT or ¼-acre	4.4 units per acre
5	RM-7	One- and Two-Family	7,500 SQFT	5.8 units per acre
6	R-6	Townhouse	217,800 SQFT or 5-acre (7,260 SQFT per dwelling unit)	6 units per acre
7	Planned Residential Development (PRD)	Townhouse	217,800 SQFT or 5-acre (7,260 SQFT per dwelling unit)	6 units per acre
8	Retirement Community (RC)	Garden Apartment	435,600 SQFT or 10-acre (4,356 SQFT per dwelling unit)	10 units per acre
9	RM-GA	Garden Apartment	87,120 SQFT or 2-acre (2,500 SQFT per dwelling unit)	17.4 units per acre

Residential Recommendations

The Town should consider the following recommendations relating to residential land uses:

- i. Residential land uses and neighborhoods in the Town of Smithtown are stable. While demolition of older homes makes way for new construction or new homes are built on previously vacant land, the Town of Smithtown should monitor residential demolitions and new construction to ensure community character (consistent home sizes) is not altered or neighborhoods destabilized by a lack of compatible scale. Currently home sizes are somewhat limited by the Town's gross floor area regulations. the regulations of the Suffolk County Health Department, which requires County Health approval for applicants wishing to create more than four bedrooms in homes built after 1973, whether adding a bedroom to an existing home, adding a bedroom to a second dwelling unit related to the primary dwelling unit, or building new. Health approval requires additional sanitary flow calculations, which could be seen as barrier to building a fifth or sixth bedroom. Regardless of this perceived barrier, the Town should monitor home rehabilitations as well as demolitions and new construction in an effort to limit neighborhood destabilization.
- ii. In addition to new development opportunities, there are opportunities for underutilized sites to be subdivided for residential development. The Town should monitor these developments for population increases and the cumulative effect on Town services. Uses not included in the Table but permitted in the Town should also be included in the Parking Table.
- iii. As vacant or underutilized lots are developed for residential, the Town should ensure that future residences are appropriately buffered from non-residential land uses and are built in keeping with the surrounding neighborhood character.
- iv. The Table of Use Regulations should be amended to include a footnote next to "Bonus Density Apartment" to clarify that this use pertains to Section 322-101 of the Town Code.
- v. To clarify the accessory land use in the Table of Use Regulations, "Accommodation for one boarder", the Town should add a definition for a "Boarder" in its Zoning Code:

BOARDER - A person living within the household who pays a rent or fee for such residence and does not occupy such space within the household as an incident of employment.
- vi. In non-residential zoning districts, one-family and two-family dwellings should be removed as permitted

uses (currently permitted in the Professional Business, Office Business, Neighborhood Business, and Central Business zones). By prohibiting future one-family and two-family dwellings in these zones, which are typically designated along major thoroughfares, the Town of Smithtown will help eliminate incompatible land uses from having negative impacts on one another. Existing one-family and two-family residences will be permitted to remain as existing uses and will be required to obtain a Certificate of Existing Use (CEU) from the Town. Once changes to the zoning ordinance occur, newly proposed single-family and two-family residences in these zones will no longer be permitted.

- vii. One concern facing the Town today is the number of illegal two- or three-family homes. Under current zoning, all single-family districts permit temporary living quarters for parents or other relatives, of which inspection is required every three (3) years by the Town's Building Director. Once a relative vacates the unit, the unit must be reverted to living space for use by the single-family residence. However, many temporary units are not dismantled and remain permanently. Oftentimes, homes with these "temporary" units, are advertised and sold as two-family dwellings or homes with "in-law" suites or rented out to non-family members.

Table 2: 2- & 3-Family Residences Summary

Hamlet	Illegal 2- & 3-Family Residences*	Percent
Smithtown	125	1.68%
Nesconset	95	2.17%
Hauppauge	32	0.99%
St. James	50	1.21%
Commack	59	0.80%
Kings Park	183	2.95%
Total	544	1.66% **

* residences include the following land use codes: (210) Single-family year round residence, (220) Two family year round residence, (230) Three family year round residence, (240) Rural residences with acreage, (250) Estate, and (280) Residential – Multi-purpose/Multi-structure

** Of the 32,733 total residences in Town, 1.66% are illegal two- and three-family

Of the 492 two-family residences in Town, only 16.3% are considered legal (permitted by the zoning district regulations) and the remaining 83.7% are considered illegal. According to the tax assessor's records (March 2018), the Town has approximately 412 illegal two-family structures and a total of 53 illegal three-family structures. Together, these nearly 465 illegal two- and three-family structures account for over 1.3% of all residences (not including apartments) in the Town of Smithtown. Illegal apartments not only create a disruption in existing stable residential neighborhoods, but they contribute to fire safety concerns, environmental concerns such as groundwater pollution, on-street parking issues, and in some cases creates unregulated rental properties.

The Town of Smithtown can enforce policies to better manage these uses. Through a seller's disclosure, homebuyers should be made aware of residences with temporary living quarters for a parent and should also be made aware that these living quarters are indeed temporary with the intent to restore the designated space back to use by the single-family residence. If a seller wishes to keep the temporary living quarters for the intended purpose, the Town of Smithtown should amend the code to require that upon the sale of a home, a Certificate of Occupancy (CO) be issued if the residence receives an updated approval from the Board of Appeals. The Town should also require notification to the Building Department upon the sale of a home. By amending its enforcement policies and processes for registering temporary living quarters, the Town will cut back on the continuation of illegal 2- and 3-family residences and their associated negative impacts.

- viii. Assisted Living Facilities are some of the major developments being constructed around Town, because of their need and because they provide less sanitary sewer flows than single family or multifamily development per the Suffolk County Health Department regulations, making them easier to approve and

build. In recent years, the Town has approved four (4) assisted living facilities, creating 486 new beds. Despite these recent projects, survey participants generally felt neutral or had no opinion of assisted living/continuing care facilities (40%). However, these large-scale facilities can have a significant impact on surrounding neighborhoods, especially when approved in zones that do not specifically permit them, especially residential ones, as the buildings are often several stories in height (often times more than what is permitted by the zone district regulations). The Town should prohibit these facilities from most residential zones, permitting them only in the newly created Multi Family zone by special exception from the Town Board. However, the Town should continue to permit this type of development in other zoning districts, in particular because it is a needed land use for the Town of Smithtown. According to 5-year estimate census data for 2017, 18.8% of the Town's population was over the age of 65, approximately 4% higher than the nation's make-up (14.9%). With a higher share of older adults, coupled with the projection by the US Census Bureau that for the first time in US history older adults will outnumber children, the Town should continue to permit this type of development.

- ix. Town of Smithtown residents voiced their concerns throughout the Comprehensive Plan process over a lack of housing that is affordable to people at all stages of life, whether they are just starting out, having a family, or "aging in place". This sentiment was validated in the Comprehensive Plan survey, where 41% of participants agreed that the "affordability of housing" in Town was "very important" and an additional 28% of participants felt that it was "important". These local survey results reflect that of a larger trend for a new housing demand guided by a changing population and the desire for housing options that are more affordable than the detached single-family home. The younger



adults waiting to marry and have kids and the older population looking to age in place have formed a new housing demand profile, which includes a higher proportion of smaller, multi-family units, townhouse units, a larger proportion of rental units, and units that are affordably priced. While the Town of Smithtown does provide some of these offerings, the Town should look to fully meet this demand.

A great deal of the housing stock that exists in the Town of Smithtown is single-family homes built in the "suburban boom" of the 1950s and 1960s (93.83% of all residential land use acreage in Town is single-family). According to the 2017 ACS five-year estimates, a near majority (46.45%) of occupied housing units had four or more bedrooms compared to only 16.98% that had one to two bedrooms. Many of the smaller, multi-family units consists of one- and two-bedroom units that cater to this new demand. However, survey respondents were split with respect to apartments and multi-family units, with 40% disapproving or strongly disapproving of this type of housing and 41% approving. Smaller multi-family units too, are typically rental units. In the Town of Smithtown however, there is a significant majority of owner-occupied housing units (88.87%) according to 2017 census data, an increase in home ownership when compared to 2012. Therefore, while home ownership continues to increase in the Town and multi-family development is not viewed as favorably as single-family development, it will be important for the Town to ensure equal opportunities to live in the Town of Smithtown by introducing some affordable, small-scale units in the coming decades in appropriate locations. The Town of Smithtown should encourage, where appropriate, the construction of a diverse housing stock beyond the single-family home to meet the needs of all ages and abilities. Housing types could include townhome, apartment, assisted living, senior living, or traditional mixed-use.

Opportunity for smaller scale housing via traditional mixed use should be integrated into areas surrounding transit hubs and town centers, like downtown Smithtown, Kings Park and St. James. These areas provide for walkability, connections to public transit and easy access to commerce.

Recent residential developments in the Town of Smithtown (listed below) are helping to diversify the Town's single-family majority:

- (Smithtown) The Lofts at Maple & Main, located in the heart of downtown Smithtown at 102 Main Street was approved in August 2018 for 62 apartments and 9,146 square feet of retail space. The development replaces a currently vacant site, and previous home of the Nassau-Suffolk Lumber and Supply Corporation. The project includes one traditional mixed-use building fronting Main Street and three apartment buildings to the rear of the site with an on-site sewage treatment plant.
- (Hauppauge) Country Pointe Woods at Smithtown is a 69-unit project consisting of villas and townhomes on an 11.5-acre property located off of Route 111 and Smithtown Bypass. The project replaced the closed Community Hospital of Western Suffolk and formerly known as Smithtown General. The development includes amenities such as a gated entrance, 1,500 square foot clubhouse, outdoor heated pool, bocce court, and fitness center. Units range from 1,395 to 2,400 square feet in size and of the 69 units, 10% of them (7 units) are affordable.
- (Nesconset) Story Brook Homes has been approved for 192 senior housing units on the southern portion of a 60-acre site on Smithtown Boulevard. The northern part of the site, zoned as R-15 could be subdivided through cluster development, but remains as open, wooded vacant land at this time.
- (Commack) A 98-unit age restricted apartment complex was approved in August 2018 for 1126 Jericho Turnpike, replacing the former Courtesy Inn Motel. The 6.75-acre site includes 48 one-bedroom and 50 two-bedroom garden style apartments with a pool and clubhouse in seven buildings totaling 14,000 square feet. The \$29 million project is receiving \$4.5 million in tax breaks from the Suffolk County Industrial Development Agency.
- x. Based on the previous discussion of a diverse housing stock, The Town of Smithtown should update the definitions and regulations of its Building Zone Ordinance to provide for diverse housing types. One way to do this would be to introduce a new residential zone to allow for low- to mid-rise residential development, the Multi-Family zone. This zone would permit multi-family apartment buildings of appropriate scale in appropriate locations. Another strategy would be for the Town of Smithtown to permit traditional mixed-use buildings (upper floor residential and 80% active ground floor use) in downtown areas and other core locations. The Town should consider these zoning strategies to encourage a diverse housing type beyond the single-family home. The definitions section of the zoning ordinance should be updated to include the definitions for the following terms: "Dwelling, Multi-family", "Dwelling, Townhouse", "Stacked Townhouse", and "Mixed Use Building, Traditional".

Related Existing Definitions

DWELLING, ONE FAMILY

A building designed for and occupied exclusively as a home or residence for not more than one family.

DWELLING, TWO-FAMILY

A building designed for and occupied exclusively as a home or residence for two families, whereby the individual units are built side by side or over under.

GARDEN APARTMENT

A building or group of buildings no more than 2-½ stories in height, each building to contain not more than eight dwelling units, and attached buildings to contain in the aggregate not more than 16 dwelling units, with no portion of the building below the first story or above the second story used for dwelling purposes.

Proposed Definitions

DWELLING, MULTI-FAMILY

An exclusively residential building designed for occupancy by five or more families living independently of each other in units attached at one or more common roofs, walls or floors. Typically, the unit's habitable area is provided on a single level with entrances provided from a common corridor. A common lobby and elevators are required when more than one story is built.

MIXED USE BUILDING, TRADITIONAL

A multi-story structure that may be designed to integrate various uses, such as office, commercial, institutional, and residential uses, with active uses occupying the ground floor. A building that is designed exclusively for one use type shall not be considered mixed-use. A mixed-use building integrates uses in a coherent physical design.

TOWNHOUSE STRUCTURE

A structure of three to six single-family attached homes (dwelling units), each of which has its own access to the outside and is in single and separate ownership.

TOWNHOUSE DWELLING UNIT

One of a series of single-family units attached by a common wall between it and the adjacent unit or units together with individual front and rear entrances and yards designed as an integral part of each unit.

TOWNHOUSE STACKED

A townhouse in which one unit is "stacked" on top of the other, up to 2 units total. Each of the units in a stacked townhouse must have its own exterior entrance.





xi. With the introduction of the Mixed Use Building, Traditional, the Accessory Apartment use no longer applies and should be removed throughout the Zoning Code.

xii. Specific Residential Areas of Change

While specific areas recommended for change are discussed in their respective Community Plans, a Town-wide summary of residential development changes is also included here:

1. In downtowns and other core areas, permit traditional mixed-use buildings, and permit multi-family apartment buildings by Board of Appeals. Townhomes should also be permitted by Board of Appeals, in appropriate downtown locations.

2. Create a new Multi-Family zone, which would permit low- to mid-rise multi-family apartment buildings and allow assisted living facilities by Town Board review. Areas with this new zoning designation include portions of West Jericho Turnpike in Commack and potentially certain parcels along the eastern half of Route 111 in Hauppauge.

3. Rezone the Raleigh Farm/Gesuale area at the northwest corner of Old Northport Road and Lawrence Road as medium density residential (R-15). Development in this area should be clustered to preserve the mature woods in the area located adjacent to the preserved County and NYSDEC open space parcels. The Town should encourage the area to be developed as a single, contiguous development.

Office, Business and Commercial

Having diverse land uses beyond residential, such as retail and business, not only benefits the Town's tax base, but it creates gathering spaces and unified sense of community for Town residents. Approximately 5.48% of the Town's land uses are comprised of commercial or business uses. 2.75% commercial, and 1.58% office. There are five (5) commercial/business zoning districts in the Town of Smithtown, with varying zone intents. They include the following:

Table 3: Intent of Business Zoning Districts

Professional Business (PB) District is intended to encourage low-intensity office development of single-family residence character compatibly mixed with one- and two-family residential uses, principally for areas in which a similar pattern of use has occurred or for areas where an office-residential pattern is appropriate between Central Business Districts and residential neighborhoods.

Office Business (OB) District is intended to encourage office development of high aesthetic areas unsuitable for residential development and which, for environmental, economic, fiscal, aesthetic or other reasons to promote the public health, safety and general welfare, are inappropriate for intensive commercial or industrial uses.

Shopping Center Business (SCB) District is intended to provide for retail shopping centers composed principally of groups of retail and service establishments of integrated architectural and site design, to serve community-wide or regional needs.

Neighborhood Business (NB) District is to encourage moderate-intensity retail, office and service development and uses which are compatible in scale and character with, and are designed principally to serve the needs of, the adjoining neighborhoods and are adequately buffered from residential districts.

Central Business (CB) District is intended to encourage traditional commercial development and uses, especially those which depend on and encourage pedestrian traffic and public transportation, principally for areas where a similar pattern of use has occurred and which is appropriately buffered from residential neighborhoods.

Source: Smithtown Zoning Section 322-7 Intent of districts





Office, business and commercial land uses are desired in the Town of Smithtown, as reflected in the Comprehensive Plan survey responses. Of the top five non-residential land uses desired, a majority are considered commercial and business uses.

While most survey participants had a "neutral / no opinion" on gas stations (44%), many more were against (42%) than for (14%). While gas stations are not necessarily popular, they are a necessary use and should be located in certain zones of the Town that accommodate more auto-oriented businesses and commercial areas. Businesses in homes also received a higher "neutral or no opinion" (37%), but participants were more approving of this land use (36%)

than against (26%). A remainder of the office, business, and retail uses were viewed favorably.

Generally, the office, business and commercial zoning districts are desirable. While substantial changes are not required of the office districts, the business and commercial districts are recommended for change to meet today's modern demands. These changes will facilitate continued economic success.

Table 4: Comprehensive Plan Survey Participant Opinions on Non-Residential Development

Rank	Non-residential Development	Town Should "Strongly Encourage" or "Encourage"
1	Restaurants	87%
2	Agriculture	70%
3	Commercial Recreation (i.e. bowling alleys, gyms, etc.)	65%
4	High-end retail stores	64%
5	(tie) Institutional Uses	57%
6	(tie) Offices	57%

Source: PublicInput.com Comprehensive Plan Survey Responses

Table 5: Commercial Land Use Categories

Proposed Land Use Category	Existing Land Use Category
Retail Sales	Retail establishment not otherwise listed herein
Retail Services	Appliance, office machine or furniture repair Bank Shipping center
Personal Services	Barbershop or similar personal service shop Self-service laundromat Dry cleaning Health spa Shoe repair, tailoring, or dressmaking
Commercial Entertainment	Billiard hall Bowling alley Game center Theater
Commercial Public Recreation (indoors or outdoors)	Commercial public recreation not otherwise listed herein Golf course or country club Outdoor golf driving range/miniature golf Shooting range Skating rink Swimming or boat club Tennis or raquet club

* all other existing land use categories to remain

Office, Business and Commercial Recommendations

The Town should consider the following recommendations for office, business and commercial land uses:

General

1. The zoning code lists very specific uses. The Town of Smithtown should consider simplifying the code by consolidating uses under general use types. Table X shows how land uses may be consolidated and the following defines these new land use categories. The Definitions section of the Building Zone Ordinance should include the definitions for the following terms: "Retail Sales", "Retail Services", "Personal Services", "Commercial Entertainment", and "Commercial Public Recreation" (indoor and outdoor).

Proposed New Definitions

RETAIL SALES (to replace existing term Retail Store or Shop)

An establishment wherein goods, merchandise, produce, commodities or similar articles are offered for sale or sold to the general public or the ultimate consumer.

RETAIL SERVICES

The rendering of services, as opposed to products, to the general public. Retail services include banks, shipping centers, studios for the instruction of the arts, and other related uses.

PERSONAL SERVICES

Services involving the care of a person or his or her personal goods or apparel.

COMMERCIAL ENTERTAINMENT

The rendering of entertainment, as opposed to products or services, to the general public. Commercial entertainment includes theaters and auditoriums, and indoor amusement/entertainment facilities such as a game center, billiard rooms, museums, and galleries.

COMMERCIAL PUBLIC RECREATION, INDOORS

Indoor commercial public recreation includes recreation services and facilities such as bowling alley, indoor ice skating, pools, gymnastics, indoor soccer, or other similar uses.

COMMERCIAL PUBLIC RECREATION, OUTDOORS

Outdoor commercial public recreation includes recreation services and facilities such as ice skating, pools, mini-golf, golf course, or other similar uses.

2. "Assembly Hall" has been used historically by the Town of Smithtown to represent catering facilities. The Town should replace the "Assembly Hall" term with "Catering Facility" and identify specific special exception requirements for this use as it often has parking, noise, and other concerns associated with it.
3. "Boat Sales and/or Rental Showroom" and "Canoe Rental Showroom" should be removed from the Schedule of Use Table, as they are already covered under the existing definition of a "Motor Vehicle Showroom".
4. The definition for a "Contractor Showroom" should be amended to include fences and pools so that the "Fences and Pool Sales" use can be eliminated from the Table of Use Regulations.
5. "Dry Cleaning Plant" and "Lumberyard" should be removed from the Business uses section of the Table of Use Regulations and should instead be located under the Industrial uses heading.
6. The Town's zoning code should be amended to remove references to the following terms (not previously identified in Table X) as they have proven obsolete over time: Arena, Dance Club, Discotheque, Game Room, Medical Laboratory, Night Club, and Video Rental Shop.
7. "Hookah Lounges" and "Vape Stores/Lounges" was added to the Definitions section of the Code in 2018. It should therefore be included in the Table of Use Regulations.
8. To reflect current traditional mixed-use development building trends, the following terms should be included within the code:

ACTIVE GROUND FLOOR USE

Any use under the definition of "Active Use" within the first 30 feet of depth within a building as measured from any street facing façade.

ACTIVE USE

Any use that generates a high amount of pedestrian traffic. Active uses shall include art gallery; artisanal workshop;

65% of survey participants agree that the Town of Smithtown should "encourage" or "strongly encourage" commercial recreation (or defined here as commercial entertainment) such as bowling or gyms, for future non-residential development.



bar, tavern and nightclub; convenience store; grocery store; supermarket; service, business or personal; restaurant; retail; theater and similar uses. Office space, co-working, and residential uses shall not be considered to be active uses.

9. Fitness centers are appropriate activities for downtown locations, but only if they match the existing scale of these business districts, such as locating in existing storefronts. Larger, stand-alone fitness centers are not appropriate for downtown locations but should be permitted elsewhere in Town. Therefore, the Table of Use Regulations should distinguish this use by its permitted scale. This plan recommends identifying "Fitness Center" and a "Small Scale Fitness Center under 4,000 square feet".

10. Large-scale hotels and motels are not appropriate for the suburban Town of Smithtown's downtown locations; however, these uses are beneficial to areas of commerce as they attract overnight visitors and potential shoppers. To accommodate for this land use type, the Town of Smithtown should permit Boutique Hotels in downtown areas and permit Hotels or Motels in the WSI and SCB zone districts. The ordinance should separately define these terms as follows:

HOTEL

A building or part thereof which has a common entrance, common heating system and general dining room and which contains fifteen or more living and sleeping rooms designed to be occupied by individuals or groups of individuals for compensation. A "hotel" shall not provide apartment dwelling units.

HOTEL, BOUTIQUE

A building or part thereof which has a common entrance, common heating system and general dining room and which contains no less than ten and no more than fifteen living and sleeping rooms designed to be occupied by individuals or groups of individuals for compensation. A "boutique hotel" shall not provide apartment dwelling units.

11. One of today's land use trends is the popularity of breweries and distilleries. Just as large-scale hotels and fitness centers are not appropriate to fit the scale of traditional downtown, large-scale breweries and distilleries with their industrial processes are also not appropriate. However, small-scale versions of these uses that eliminate the manufacturing process can attract visitors to downtown locations and should therefore be permitted.

The definitions for Brewpub and Distillery should be added to the Town Code and the definition for Microbrewery should be amended. These terms should be defined as follows:

BREW PUB

An establishment that sells at least 25% or more of its product in-house and is accompanied by a restaurant area for dine-in use only.

DISTILLERY

An establishment required to be licensed as a distillery by the New York State Liquor Authority.



MICROBREWERY

An establishment required to be licensed as a microbrewery by the New York State Liquor Authority and produces less than 75,000 barrels of beer a year.

12. The current zoning code has four different definitions for food-related establishments, including: Counter-Service Restaurant, Open-Front Restaurant, Restaurant, and Curb-Service Road-Side Stand. Curb-service and open-front restaurants are prohibited uses so these definitions should remain. The definition for a "Restaurant" should be amended to indicate that a tavern, bar, or inn, and an outdoor dining area may be considered accessory uses to a restaurant. "Counter-Service Restaurant" should be removed and replaced with an updated definition for "Food Retail". To attract visitors to downtown locations and other areas of commerce, restaurants should be prohibited in WSI zones. However, the Town of Smithtown recognizes the needs to the serve the locally employed population in these areas. Therefore, the Town should prohibit restaurants but permit Food Retail in proposed WSI and WSI-1 zones.

RESTAURANT

An eating establishment in which food and/or beverages are prepared and served to patrons seated at tables and/or counters inside the building. A tavern, bar, or inn may be considered an accessory use to the restaurant. An "outdoor dining area" shall be permitted as accessory use to the restaurant, with setback and other design conditions.

FOOD RETAIL

An eating establishment where the preparation and sale of food and/or beverages are served to patrons in a ready-to-consume state, primarily off the premises, where orders are generally not taken at the customers' tables but at a counter, and where food is wrapped in disposable wrapping containers. Seats may be provided for on-site consumption and/or customer waiting.

13. Open-air retail sales establishments other than for automotive fuel or horticulture products" is prohibited

per Town Code. The Town should introduce a definition and associated regulations for "Mobile Food Vending", to differentiate the above prohibited use from food trucks. Mobile food vending is increasingly being recognized as a community economic development tool. Food trucks, trailers, and carts (collectively known as mobile food units) provide opportunities for entrepreneurs and small businesses; add interest, vibrancy, and activity to streetscapes and sites; and expand food access in areas underserved by traditional restaurants. There are many local economic benefits to permitting food trucks but regulating them can be a challenge. The Town should consider what type, where, when, and for how long these uses can operate, and consider associated signage, lighting, parking and circulation.

MOBILE FOOD VENDING

A readily movable, motorized-wheeled vehicle or a towed vehicle designed and equipped to prepare, or serve, and sell food, but which does not include mobile vending carts.

14. The current definition for a Hospital should be separated into two distinct terms, as follows:

HOSPITAL

The premises or buildings, whether publicly or privately operated, used for the diagnosis, treatment or other care of human ailments, which may include related facilities such as laboratories, training facilities, central service facilities, and staff offices. Dormitories may be permitted as accessory buildings, provided that they are limited exclusively to nurses or other staff.

NURSING HOME

A convalescent home, nursing home, rehabilitation center or rest home but shall not include institutions for the treatment of alcoholism, drug addiction or mental diseases.

15. Redefine the term Garage, Parking to be: A structure or portion of a structure, dedicated exclusively for the purpose of short-term parking or storing of

- automobiles, and not for automobile repairs or service work.
16. The existing definition for Vocational School should be amended to remove "college exam preparation" from the definition, as that is more a retail service use than a vocational school.
 17. The definition for Power Equipment Shop should be amended to include construction equipment and the definition should reference that this use has "associated outdoor storage".
 18. Accessory uses should also be more clearly identified in the Schedule of Use Table. "Car wash, incidental to filling station" and "Convenience sales incidental to filling station" should be added.
 19. Drive-thrus should be regulated as an accessory use and should be permitted by special exception in some business zones. Drive-thrus should be prohibited in downtown areas as these centers are pedestrian-oriented environments. This reduces curb-cuts, promotes walkability in downtowns, and thereby eliminates potential vehicular-pedestrian conflicts.
 20. The Table of Use Regulations should remove Game Room (added in 1981) under the accessory use heading as it has become obsolete over time and would be included in commercial entertainment.
 21. Consistent with the recommendations of the **Parking Plan**, the following accessory uses should be identified in the Table of Use Regulations: "Parking", "Parking Structure", and "Private garage or off-street parking".
 22. Regarding prohibited uses, the Town should clarify that a "kiosk or booth specifically designated for retail sales or service, whether on a public street, sidewalk, private property or parking area" should be prohibited, but add, "unless specifically permitted as part of a Town Board approved Special Event and in accordance with Chapter 119 of the Town Code."
- b. Home occupations should not be permitted in either the Office Business (OB) zoning district or the Neighborhood Business (NB) zoning district since the OB zone is not suitable for residential according to the zone intent. This recommendation is consistent with a previous recommendation to eliminate permitting residential land uses from the Office Business (OB) and Neighborhood Business (NB) district.
 - c. In the Professional Business (PB) zoning district, home occupations are permitted outright and have no supplementary regulations. However, home occupations in districts that permit this use by special exception from the Board of Appeals (i.e. one- and two-family zoning districts) must comply with additional regulations at Section 322-82(24), where for instance, a home occupation use may not exceed 400 square feet of the floor area of the residence. The Town of Smithtown should consider instead regulating home occupations by a percentage of floor area rather than the 400 square foot limitation. An example could be to permit no more than 25% of one floor devoted to a home occupation.
 - d. Additionally, the code should be amended to remove any reference to "Home Professional Office", which was repealed from the Definitions section in 2017.
24. Offices permitted in the Professional Business (PB) zone should adhere to Residential Appearance Regulations. Such regulations would require that all buildings, including new, converted or existing structures, be residential in exterior appearance. "Residential in exterior appearance", for the purpose of administering this regulation would adhere to requirements such as: maximum building elevation dimension, building elevation offsets, roof pitch, habitable floor area of first and second floors, building materials, and window and door size and placement.

Office Land Uses

23. "Home Occupations" are currently permitted in the Professional Business and Office Business Zone Districts, and are permitted by special exception from the Board of Appeals in the Neighborhood Business (NB) zoning district, as well as the R-43, R-21, R-15, R-10, R-10S, and RM-7 residential zoning districts. This use should remain clearly incidental and secondary to the residential use of the dwelling unit. The Town of Smithtown should consider the following recommendations:
 - a. The definition for "Home Occupation" should clarify that the use would not require visits by customers.

Specific Areas of Change

While specific areas recommended for change are discussed in their respective Community Plans, a Town-wide summary of office changes is also included here:

1. Rezone a portion of downtown Smithtown along Landing Avenue for Professional Business.
2. Expand the Office Business Zone in the area of Crooked Hill Road.

Downtown Office Space

When asked about the type of non-residential development the Town of Smithtown should encourage, a majority of Comprehensive Plan Survey respondents (57%) agreed the Town should "encourage" or "strongly encourage" offices, tied for the 5th highest ranking.

Downtown office space is connected to the success of service businesses, housing, entertainment, and plays an important role in promoting a healthy community where people can live, work, and play. Office space is a significant component of a healthy downtown because it generates employment and daytime activity, which supports other downtown businesses such as restaurants, retail, entertainment, and personal and professional service businesses. Downtown office space also supports housing and lodging development, which in turn can help bring vibrancy to the downtown outside of normal working hours.

Law firms, accountants, and financial advisers locate in downtowns not only because it's important to their image, but because they need to be close to the court system and other public institutions from which they draw a portion of their business. Other types of businesses, including corporate headquarters, are attracted to vibrant downtowns for reasons associated with talent attraction. These businesses believe that locating downtown will help them compete more effectively for young, skilled professionals that are looking for more walkable, amenity rich locations in which to work and possibly live.

In addition to the traditional style workplace, there are three other popular office styles that help support startup companies and entrepreneurs. They are business incubators, business accelerators, and co-working offices and all three can be successful methods to spur economic growth in downtown areas. The future workplace no longer looks like a cubicle, but rather a home office (i.e. home occupations), a café, or co-workspace. The Town of Smithtown could support these non-traditional workplace environments since 4.3% of workers work from home, more than the county's share (3.6%).

The COVID-19 pandemic has uprooted the traditional office workplace as public officials required workers who could work from home to do so. Offices, particularly suburban office parks, have suffered significantly from these changes as workers who had never worked from home on a regular basis were forced to do so for public health reasons. While it is difficult to predict what will happen once the pandemic subsides, it is likely that the amount of office space required will decrease and home offices and smaller offices located in downtowns closer to where people live will benefit.

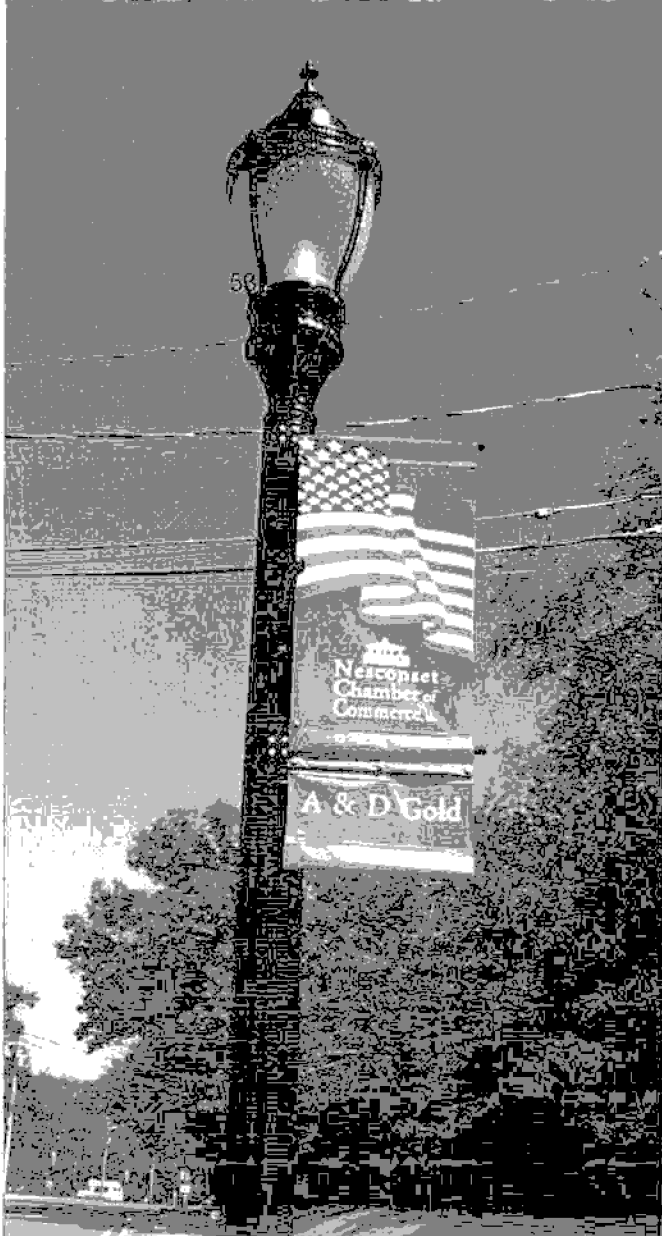
Recommendation: The location of Downtown traditional and non-traditional office space can be tricky, it should be located along the periphery of the downtown core, walkable enough to goods and services, but not located in the core areas to take away from storefront and public activity.

Business and Commercial Land Uses

25. There is a disconnect between the Town's Zoning Code and existing conditions. The code uniformly regulates all commercial nodes (i.e. downtowns) and all commercial corridors under one zoning district, when in reality these areas have separate land use characteristics that are further refined by hamlet identity. To capitalize on these unique hamlet communities, these distinctive commercial areas should be further distinguished from one another as separate zoning districts.

Forexample, the current Central Business (CB) Zoning District regulates traditional downtowns in Smithtown, Kings Park, St. James, and small portions of commercial corridors such as Jericho Turnpike, North Country Road, and Smithtown Boulevard. However, downtowns and commercial corridors such as these should not be regulated by the same Zoning District, since downtowns typically support pedestrian activity in walkable neighborhoods and commercial corridors support automobile-related convenience activity. While the Community Plans discuss these proposed zoning districts and recommended regulations in more detail, this plan recommends transforming the Central Business (CB) zone into hamlet specific zones in downtown or core areas. These proposed downtown and core area zones include: the Transit Village (TV) District in downtown Smithtown, the Lake Avenue District (LAD) in downtown St. James, and the Nesconset Core (NC) along Smithtown Boulevard in Nesconset. The Kings Park downtown zone should assume the recommended zones resulting from the "Kings Park Downtown Revitalization Master Plan", which includes a Transition District, Core District, and Transit Oriented Development (TOD) District.

Existing Central Business zones outside of downtown and core locations should be rezoned by "right-sizing" the zone to the existing location. Reference Map 4: Proposed Zoning on page 65 for these areas.



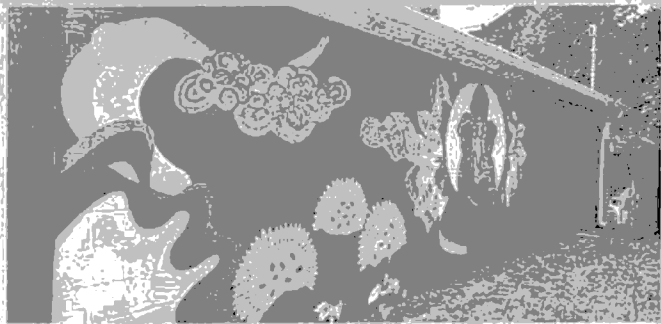
Commercial Land Use Trends

This section discusses how commercial areas might improve by looking at national and local trends affecting business and commerce.

New and emerging trends are dramatically altering traditional notions about business and commerce and are influencing future land use decisions nationally and locally. From mixed-use buildings to the "downtown comeback" to the evolution of retail, the built environment in commercial districts are starting to look much different than it had in the not too distant past.

Downtowns as Centers of Place

One trend making a comeback is downtowns as centers of place. Downtowns have traditionally offered residents places to shop, worship, and civically engage. While downtowns thrived as places to congregate, the rapid suburban growth of the 1950s not only brought a boom of single-family residences, but with it strip mall retail and big box stores. Downtowns during this time became neglected and deteriorated over time. For the Town of Smithtown, commercial uses were concentrated in the Town's downtown business districts (Kings Park, Smithtown, and St. James), but since the 1960s, a majority of commercial growth has been in shopping centers. Smithhaven Mall, for example, opened in 1969 with several subsequent expansions. Today, downtowns are back and thriving once again, as centers of place, offering a variety of amenities, activities and conveniences for all ages.



Downtowns across the nation are supporting business communities, attracting "downtown dwellers", encouraging arts and culture, and providing activities for residents and consumers with programs like Yoga in the Square (Pittsburgh, PA), 2nd Sundays (Westfield, NJ) or Gallery Walk (Paseo Arts District, Oklahoma City, OK). Downtowns will continue to thrive as they provide unique experiences not found in Big Box or strip retail of yesteryear.

Recommendation: These trends and the results from the local Comprehensive Plan survey helped determine what uses to permit in the Town's downtowns. For instance, when asked what types of non-residential development the Town of Smithtown should encourage, 87% of survey participants agreed Smithtown should "strongly encourage" or "encourage" restaurants. When asked what their hamlet

could use more of, all hamlets' top five choices were nearly the same, with survey participants desiring (in no particular order) entertainment establishments, restaurants/bars, retail stores, microbreweries/distilleries, and cultural facilities. Uses that do not "activate" the downtown with pedestrian activity are recommended to be prohibited, such as Auto-Oriented Businesses, Drive-Thrus, Funeral Homes, and Motor Vehicle Sales or Showrooms.

Transit-Oriented Development (TOD)

Transit-Oriented Development (TOD) is the practice of creating vibrant, walkable, mixed-use communities surrounding transit options. This allows people to choose the best option for each trip: walking and cycling for local errands, convenient and comfortable public transit for travel along major corridors, and automobile travel to more dispersed destinations. People who live and work in such communities tend to own fewer vehicles, drive less, and rely more on alternative modes.

TOD is an approach to mobility that focuses not on transportation links but supporting individuals who may not own a car or elect not to drive. While development has historically concentrated around transportation centers, such as train stations, TODs better align these transportation routes with development, capitalizing on these transit nodes by creating compact, walkable locations that can increase transit ridership while simultaneously increasing economic viability of TOD destinations.



Recommendation: The Town of Smithtown must capitalize on the availability of its public transit systems, existing infrastructure and underutilized properties to enhance the downtowns and achieve future success as destinations.

Successful development around transit also demands a new form of community building that not only supports and encourages transit use but also transforms the surrounding area into a place that is special, memorable and irresistible that people will invest there, live there, and visit again and again. For this to happen, the Town of Smithtown should look to use the following guiding principles to help build a successful plan for the future of its downtowns through TOD.

<i>Ten Principles for Successful Development Around Transit</i>	<i>TOD Benefits</i>
1. Make It Better with a Vision	• Better places to live, work, and play
2. Apply the Power of Partnerships	• Congestion reduction
3. Think Development When Thinking about Transit	• Increased transit ridership
4. Get the Parking Right	• Improved public fitness and health
5. Build a Place, Not a Project	• Improved mobility options for non-drivers
6. Make Retail Development Market Driven, Not Transit Driven	• Alternative housing options
7. Mix Uses, but Not Necessarily in the Same Place	• Energy conservation and emission reductions
8. Make Buses a Great Idea	• Increased foot traffic and customers for area businesses
9. Encourage Every Price Point to Live around Transit	• Enhanced ability to maintain
10. Engage Corporate Attention	

Evolution of Retail

With a changing population, both on the national and local level, comes changed shopping preferences. The new wave of consumers today are more inclined to buy consumer experiences than consumer goods. The Millennial and iGen are not buying as much goods as their Baby Boomer counterparts, in part due to these "Millennial Buyer" preferences and in part due to financial considerations, where Millennials have less disposable income today when compared to Baby Boomers at the same age. Compounding these buyer preferences and limited buying power is the fact there will be less consumers in the future than today, as the US Census Bureau projects that by 2035 older adults aged over 65 will outnumber children. These older adults are past their peak spending years (average age 42) and will spend less in the marketplace as they age. Retailers are beginning to feel these effects as national retailers are closing their doors from increased competition amongst a smaller and less rich consumer base.

In addition, even with people who do purchase consumer goods, the shift is towards "e-commerce" and away from traditional brick and mortar retail stores. Over the past several years, e-commerce spending has grown by about 15% each year, and now represents about 14% of total retail sales in the United States. Of that online spending (\$517.36 billion), 40% is attributed to Amazon. While the 14% figure is relatively small today, more than half

of all retail sales growth is online. So not only are small businesses needing to reflect changing consumer spending patterns, larger traditional retailers (Walmart and Target as "category killers"), they must also differentiate themselves to the consumer who has the power to buy anything from anywhere from their home or smartphone.

With this increased competition, property owners and landowners now need to create themed entertainment marketplaces, providing customers an experience beyond quality price and product variety. In addition to creating these unique experiences inside their stores, retailers are now looking for asset-rich places to locate, where customers are more inclined to wander and shop longer. Municipalities play a large part in attracting retailers and consumers by providing these outdoor experiences.

Recommendation: The Town of Smithtown should look to make enhancements to the public realm. The Town should improve streetscapes, make it easy for shoppers to navigate an area such as by directing shoppers to parking, creating an overall pleasant and safe pedestrian environment through items such as street furniture, street trees, "placemaking", and downtown branding. Another strategy is to provide a mix of land uses. Creating these unique place identities will attract retailers and will advance economic viability in these areas. Pleasant shopping experiences are also not limited to downtowns and can be applied through improved site design at shopping centers and big box retail properties.

Mixed Use

While mixed-use buildings originated in downtown settings, typically seen as retail below with apartments above, mixed-use buildings are becoming increasingly popular outside of the downtown. Apartments above strip retail along major traditional commercial corridors but near to residential is being developed. For example, the pre-1960s era Monmouth Mall in Eatontown, NJ is being transformed into a "live, work, play" shopping mecca with a mix of apartments, shopping, dining, entertainment uses, and medical office space. Older suburban office buildings are being converted to mixed-use buildings with retail, office and residential across the nation. Permitting mixed-uses on the same site can potentially change the way zoning codes are written in the future and should be explored in the Town of Smithtown, at all building scales.

Recommendation: The most appropriate locations for mixed-use development in the Town of Smithtown include all downtowns, portions of Smithtown Boulevard in Nesconset, and selected nodes in the Long Island Innovation Park at Hauppauge.

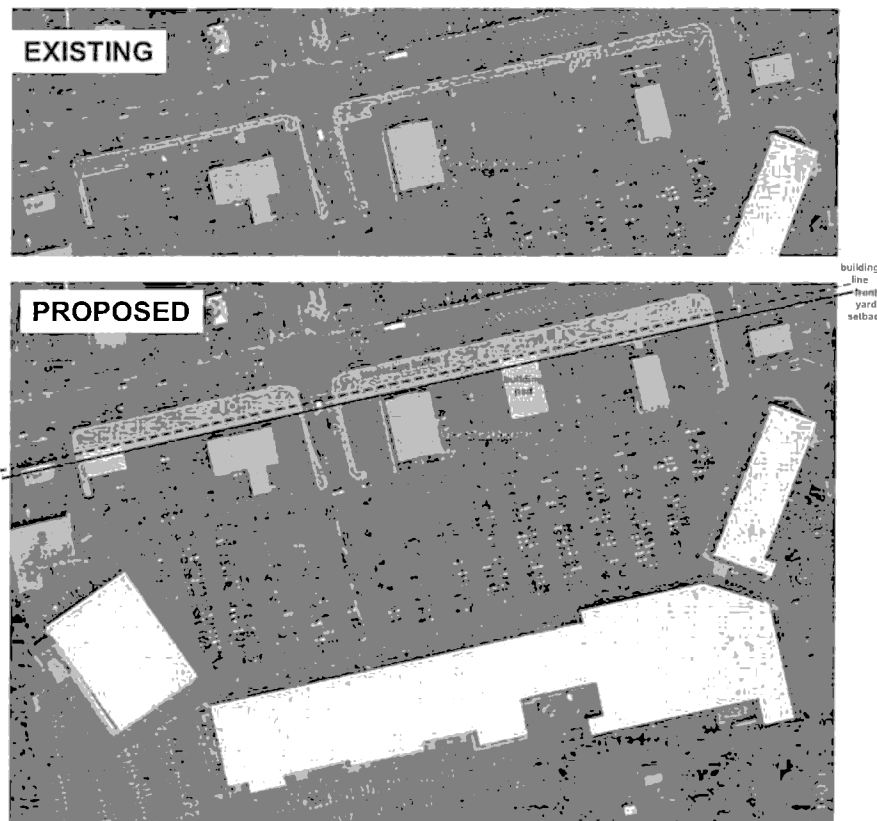
26. Highly traveled road corridors typically aim to support high vehicular speeds, and are therefore not compatible with commercial development. Such development creates the need for deceleration lanes, which can cause traffic to slow and detract from the roadway's original intent. The Smithtown Bypass is one such corridor. The Town should look to limit commercial development in this location that would detract from the corridor's intended purpose as a bypass, an alternate for Route 25A which passes through the center of downtown Smithtown. Commercial development on this corridor will also take away from the vitality of downtown Smithtown.

27. The Shopping Center Business (SCB) zone should be amended to implement more modern concepts of smart growth in regional and local retail centers, to create areas with more aesthetic appeal. The goal of these amendments is to have buildings activate and line streets, encourage pedestrian friendly ways to get from one store to another, to make the site more efficient through shared parking, and make these sites more aesthetically appealing through landscaping. The recommended actions and amendments include:

- a. The Town of Smithtown should work with shopping centers to implement façade improvements and where feasible, experiential retail environments.
- b. The building line of pad site structures should be constructed at least 35 feet from the right-of-way line and a minimum of 15% of the building should

be located within the zone's front yard setback. This recommendation encourages street activation while still maintaining an adequate distance from traffic flow.

- c. An outdoor dining area in conjunction with a permitted restaurant or related seating establishment should be permitted as an accessory use.
- d. To activate the street edge, pad sites are encouraged to integrate building elements such as gallery/awnings, porches/stoops, and balconies. No building should have a blank wall greater than 25 feet. The building orientation or building entrance, should face the parking area but also be visible from the street.
- e. A drive-thru, drive aisle, queuing area, or parking area should be located no nearer than 35 feet to any property line, paved access drive or street right-of-way line.
- f. All parking and service areas shall be screened with landscaping and/or fencing.
- g. All parking areas should be landscaped with shade trees and shrubs and able to provide low-level screening of the view of the parking lot. At least one shade tree for each 40 feet of frontage shall be provided unless adequate evergreen screening is provided. No shade tree shall obstruct the view of





any use or sign in close proximity to the street. No landscaping shall obstruct sight lines.

- h. Individual uses on pad sites are not required to provide a designated loading area, provided the use can demonstrate that none is needed and loading/unloading activities occur at off-peak hours for the business and/or shopping center. Shared loading areas are encouraged. Where loading and unloading areas are needed, they must be of sufficient size and dimensions to accommodate the numbers and types of vehicles that are likely to use and maneuver the area. Loading and unloading areas shall be located and designed so that vehicles can maneuver safely without obstructing a public right-of-way or any parking space, parking lot aisle, fire lane, vehicular circulation lane, or pedestrian path or sidewalk or pedestrian crossing. No loading dock or service area may be directly located within the front of the building. Any loading or service areas that is visible from the street or parking areas must be screened

28. Parking standard requirements should be reviewed and updated as part of a zoning code update. Please reference the **Parking Plan** for initial recommendations.

Specific Areas of Change

While specific areas recommended for change are discussed in their respective **Community Plans**, a Town-wide summary of commercial development changes is also included here:

1. Rezone a portion of downtown Smithtown along Landing Avenue for Professional Business.

2. Expand the Office Business Zone in the area of Crooked Hill Road.

3. Eliminate the Central Business District (CB) and replace it with the Transit Village (TV) district in downtown Smithtown.

4. Eliminate the Central Business District (CB) and replace it with the Lake Avenue District (LAD) in downtown St. James.

5. Adopt the recommended zoning districts from the "Kings Park Downtown Revitalization Master Plan", which include a Transition District, Core District, and Transit Oriented Development (TOD) District.

6. Create a Nesconset Core (NC) zoning district located from the Armory to Nichols Road.

7. Create a Commercial Corridor (CC) zoning district along portions of Terry Road and the Smithtown Bypass (Route 347).

8. Expand Neighborhood Business (NB) and Shopping Center Business (SCB) zone boundaries where appropriate to reflect existing conditions.

Industrial

Industrial uses are beneficial to the Town of Smithtown since they provide local employment opportunities and diversify the tax base. Industrial land uses are often classified into two categories: light industry and heavy industry. Light industry is typically comprised of research labs, warehouses, offices, and indoor manufacturing. Light industry can also include accessory uses such as restaurants, hotels, and recreation. In the Town of Smithtown, heavy industry usually involves outdoor industries such as sand mining, solid waste processing, and concrete products. About 5% (5.21%) of Town is comprised of industrial uses, where a high majority is located in the Long Island Innovation Park at Hauppauge, Old Northport Road, and Middle Country Road. A majority of this land use category is light industrial/warehouse (75%) land uses and the remainder is heavy industry (25%). Another 1.14% of the Town's land area is categorized as Wholesale Service Industry (WSI).

There are three (3) industrial zoning districts in the Town of Smithtown.

Table 6: Intent of Industrial Zoning Districts

Wholesale and Service Industry (WSI) District is intended to provide adequate land along appropriate arterial highways for automotive-related nonretail needs and for uses which require extensive land for outdoor storage or display and for uses that do not generate large traffic volumes.

Light Industry (LI) District is intended to provide, in appropriate locations, office, research and development, wholesale and light manufacturing on sites of high aesthetic character, with adequate buffering from adjoining residential neighborhoods.

Heavy Industry (HI) District is intended to provide appropriate locations for safe and efficient heavy industrial activities necessary to serve the needs of the community.

Source: Smithtown Zoning Section 322-7 Intent of districts

Industrial Recommendations

The Town should consider the following recommendations regarding industrial land uses.

1. The zoning code lists very specific uses. The Town of Smithtown should consider simplifying the code by consolidating uses under a general use type. Table X shows how land uses may be consolidated and the following defines these new land use categories. The Definitions section of the Building Zone Ordinance should include the definitions for the following terms: "Manufacture, indoor", "Manufacture, outdoor", and "Plants".
2. In addition, Dry Cleaning Plant of less than 4,000 square feet and Lumberyard should be removed from the Business uses section of the Schedule of Use table and should instead be located under the Industrial uses heading. Dry Cleaning Plant of less than 4,000 square feet, Dry Cleaning Plant of more than 4,000 square feet and Laundry of more than 4,000 square feet should be combined into one land use category entitled Laundry or Dry-Cleaning Plant.
3. The term for Warehouse should be amended to be Warehouse and/or Distribution Facility. The definition should also be amended to say "... of which is the storage and/or distribution of commodities..."
4. Under the listing of prohibited uses, the Town should amend the prohibition of "outdoor storage of solid waste" to state "unless in accordance with Section 322-12(l)(2) of the Town code." This will clarify that

solid waste is permitted but only for one week while also meeting storage container requirements.

5. The use "Transfer stations" excluding municipal solid waste transfer stations should be permitted in the Heavy Industry (HI) district as a Town Board Special Exception

Table 7: Industrial Land Use Categories

Proposed Land Use Category	Existing Land Use Category
Manufacture, indoor	Burlap or textile thread manufacture Candle or wax manufacture Dysetuff manufacture Machine shop Plating works
Manufacture, outdoor	Asphalt manufacturing Brick or tile manufacture Cement batching Concrete products manufacture Foundry Monument manufacture Rock crusher Sand and gravel mining or processing
Plants	Forge plant Printing plant

** all other existing land use categories to remain*

6. Create performance standards (i.e. noise, gas, fumes) of industrial uses.
7. Today, there are two main areas zoned as WSI in the Town of Smithtown: West Jericho Turnpike stretching from Commack to Smithtown, and Middle Country Road at the borders of St. James and Nesconset. While zoned the same, the two are distinct corridors with differing character.

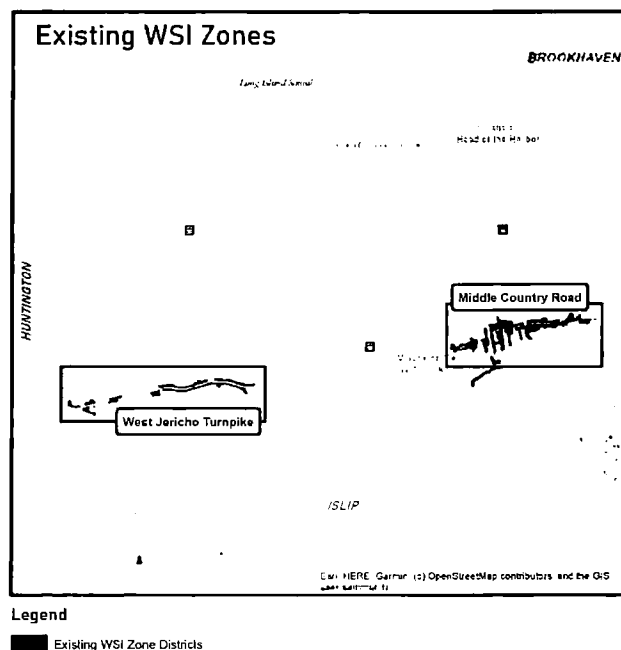
West Jericho Turnpike, the first WSI-zoned area, is a common east-west access roadway into the Town of Smithtown from Sunken Meadow State Parkway. Acting as an informal 'gateway' into the Town of Smithtown, the appearance of the roadway is vital to welcoming vehicular travelers. A blend of properties with outdoor storage and auto-oriented businesses, this corridor is a mix of uninviting land uses. Properties along the corridor are wider than they are deep and generally abut residential land uses to the rear, and some properties are encumbered with steep slopes. When asked to rate this corridor for appearance and convenience, 0% of comprehensive plan survey participants rated it "Excellent" and only 13% rated it as "Good". A majority (39%) rated it as "average" and 34% of comprehensive plan survey participants ranked it as either "Below Average" or "Poor", placing it in bottom five areas ranked in Town.

The second main area zoned for WSI, Middle Country Road, is comprised of many narrow, long lots capable of managing outdoor storage out of view of the roadway. Most uses on this corridor are auto-related, including auto-dealerships and auto body shops. While properties to the north of the roadway generally abut residential, the depth of the lots allow for adequate buffers. Properties fronting Middle Country Road south of the roadway are deeper than their northern counterparts and abut a Light Industrial zone. When asked to rate this corridor for appearance and convenience, a majority of participants rated it as "Average" (44%) and 34% of comprehensive plan survey participants ranked it as either "Below Average" or "Poor", placing it fifth among the worst rated areas in Town.

The Town of Smithtown should consider zoning these two WSI areas separately from one another considering each have such different characters, lot sizes, and surroundings.

The WSI zone along West Jericho Turnpike should be renamed as from the current WSI zone to the WSI-1 zone, but Middle Country Road should be rezoned as a WSI-2 zone with distinct land uses. The differentiator between the two zones would be to permit auto-related uses (i.e. motor vehicle showrooms, repair garages) in the WSI-2 zone along Middle Country Road, but to prohibit these uses along West Jericho Turnpike.

West Jericho Turnpike should also be rezoned from WSI to NB in some areas to allow restaurants, retail services, and other and uses not permitted in a WSI zone district. An area west of Old Willets Path along this corridor is also recommended to change from WSI to a Multi-Family zone, to accommodate residential land uses. These changes are discussed in more detail in the **Smithtown and Commack Community Plans**.



8. Market demands are shifting away from single-purpose development and headed towards a mixed-use preference, which not only applies to traditional mixed-use often found in downtowns, but also to industrial zones. The term "Mixed-Use" can have a wide array of applications and while traditional mixed-use applications in downtowns differ from applications in industrial areas, the general "mixed-use" concept remains the same: a mixing of uses in a single building. The Town of Smithtown should re-evaluate industrial zoning districts' permitted uses. The Town should permit a wider range of non-industrial uses, for instance, such as office cafes, indoor recreational facilities, pet care establishments, breweries/distilleries, and artisan industrial space/artists' studios.

9. The Long Island Innovation Park at Hauppauge (formerly known as the Hauppauge Industrial Park) is the largest concentration of firms on Long Island and considered to be a major regional employment hub that spans 1,600 acres both in Town of Smithtown and Town of Islip. With over 1,350 companies that employ approximately 55,000 people, maintaining the viability of this economic anchor is key to both the region's and the Town of Smithtown's future. While revitalization of the industrial park is spearheaded locally by ongoing sewer expansions in the area, continued investment and strategic planning has been ongoing at a regional level. The "Hauppauge Industrial Park Regional Competitiveness and Growth Strategies" report prepared by the Regional Plan Association (RPA) in April 2019 offers detailed economic and zoning recommendations for the park and its partners. A majority of the zoning recommendations identified in this regional plan for the park are consistent with the land use policies of the Town's Comprehensive Plan and are therefore included within this Land Use Plan. Those recommendations were analyzed and follow-up recommendations are identified below, where applicable.

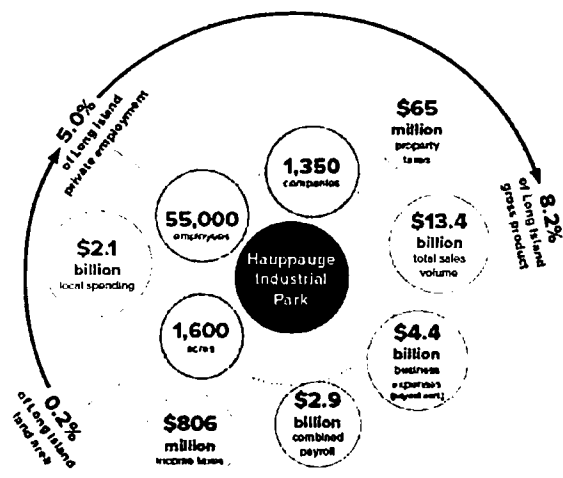
- Consider allowing establishments that offer personal services, entertainment retail (including food & beverage), and retail outlets for factories.
- Consider additional uses that may be appropriate within the park including: microbreweries, bars, theatres, bowling lounges, barber shops, laundromats, day care centers, retail establishments, contractor showrooms, and appliance and office machine repair.

Follow-up Recommendation: The Town of Smithtown should ensure the uses listed in (a) and (b) above conforms with previous recommendations in this plan to consolidate uses. For example, theatres and bowling lounges should be considered Commercial Entertainment and barber shops and laundromats should be considered Personal Service. An appliance and office machine repair would be considered a Retail Service. Therefore, the above two recommendations could read, "permit commercial entertainment, personal services, retail services, day care centers, contractor showrooms, and accessory retail shops (for factories)." These additional uses should also be permitted in limited locations within the park, not throughout the park.

- Evaluate whether to amend the existing Hauppauge Industrial Park Overlay Zoning District to allow apartments with commercial on base along Motor Parkway (62 feet height limit corridor) and the southern section of Old Willets Path, between Engineers Road and Motor Parkway. This can be partially incentivized by allowing aggressive shared parking ratios and addressing building code issues related to the separation of uses and egress.

Executive Summary - Hauppauge Industrial

3: Economic Impact of the Hauppauge Industrial Park



- The Hauppauge Industrial Park Overlay Zoning District currently permits a height of 50 feet for buildings within the core area, 62 feet for properties facing Vanderbilt Motor Parkway, and 35 feet for properties located within a 1,000 foot buffer from the Northern State Parkway or from residential zones. To reduce ambiguity surrounding height limitations in the Hauppauge Industrial Park Overlay Zone District, the district could be amended to specify the percentage of lot area contained within the 1,000 foot buffer to determine which regulations would be applicable for parcels split by the buffer boundary. Similarly, the Hauppauge Industrial Park Overlay should define minimum lot frontage for parcels along Motor Parkway that would be subject to the 62-foot height limit.

Follow-up Recommendation: In the case of a lot split by a buffer boundary, depending on where the building is located, then those regulations should apply. If the building is wholly located on one side of the boundary, the building should adhere to those regulations. If a building is split by the boundary, then the portion of the building within the boundary should be required to adhere to those regulations and the portion out of the boundary to those regulations. Otherwise, the applicant is required to submit for a variance.

- Consider an alternate height limitation scenario, an intermediary height limit within a staggered buffer zone, to increase permitted floor area. One example of this would be a 35-foot maximum height limit within 500 linear feet, a 42 maximum height limit between 500 and 1,000 linear feet, and a 50-foot maximum height limit after 1,000 linear feet. This example would unlikely cause adverse impacts to view corridors.

Follow-up Recommendation: In certain cases that would not adversely impact view corridors, the Town could expand the Overlay Zoning District to include additional lots where it would benefit the Town to do so.

- f. Consider relaxing dimensional regulations an increasing density within selected areas of the Hauppauge Industrial Park Overlay Zoning District. A study of the existing Floor Area Ratio (FAR) within the park reveals that approximately 10% of the properties within the Town of Smithtown portion of the park (about 50 properties), already surpass the maximum allowed FAR of 0.42. The Town of Smithtown should consider increasing the maximum as-of-right FAR from 0.42 to 0.5. In certain instances, the Hauppauge Industrial Park Overlay could allow up to 0.6 FAR as a bonus in exchange for a development committing to pre-identified improvements aligned with the Industrial Park objectives. Some of the improvement options could be:
- Commitment to install a certain amount of solar arrays through the HIP Solar Initiative Program
 - Easements for right of way and construction of multimodal networks
 - Development of amenities like fitness areas or public space areas
 - Inclusion of best practices for storm water capture

Follow-up Recommendation: The Town of Smithtown should consider increasing the maximum FAR from 0.42 to 0.5 as a bonus in exchange for pre-identified improvements, such as those listed above. The Town may still consider up to a 0.6 FAR, but parking requirements may be a barrier to this recommendation. The Town should analyze parking requirements and FAR simultaneously before proceeding with a change.

- g. Amend the Hauppauge Industrial Park Overlay district regulations to reduce minimum yard dimensions to allow building configurations compatible with a more pedestrian friendly right of way. Instead of the 50 feet required for front yards, structures should be allowed to be built up to approximately 30 feet from the right-of-way, sufficient distance for a potential multimodal network and yet close enough to provide building configurations that interact at a human scale. The Hauppauge Industrial Park Overlay should also be amended to reduce the minimum side yard requirement to 20 feet instead of 40 feet (for the total measurement for both side yards).

Follow-up Recommendation: The Town of Smithtown should not reduce yard requirements when located adjacent to residential land uses or zones.

- h. Examine reducing parking ratios for select uses within the overlay. In RPA's experience the ratios could be reduced approximately by half: 2-3 spaces for every 1,000 square feet in the case of research facilities, and 6 spaces for retail and restaurants and retain sufficient parking for employees.
- i. Consider small modifications to their zoning text to provide more clarity, as well as more certainty for future development. For example, Article V, section 321-31 through 322-35, is the only part of the zoning text that references the Hauppauge Industrial Park Overlay. The Town of Smithtown should consider referencing the Hauppauge Industrial Park Overlay in the section enumerating districts as well as in any other pertinent sections of the zoning text.

Follow-up Recommendation: The Town of Smithtown should ensure all zones and standards throughout the zone text are appropriately referenced for ease of use.

- j. Consider including zoning information as part of a georeferenced dataset. The Town could expand information on the tax maps provided by Suffolk County Real Property Tax Service Agency. Zoning information in this dataset could include but should not be limited to:
- Built floor area
 - Estimated floor area ratio
 - Maximum achievable floor area ratio
 - Number of build floors
 - Maximum achievable height
 - Dimensions for lot width and lot frontage

10. A 74.98-acre area known as "Gyrodyne", the location of a former helicopter manufacturer, is undergoing Town review for a subdivision creating six industrial lots and a seventh lot consisting of open space and a sewage treatment plant. The sewage treatment plant would serve the existing and proposed uses at Gyrodyne and potentially serve the Lake Avenue area of St. James. At the time of application, the area was zoned for LI and R-43. Although the subdivision application does not yet include formal plans from Gyrodyne's real estate investment trust, the developer envisions this \$150 million development to include a 150-room hotel, 220 units of assisted living, and 130,000 square feet of medical offices at the Smithtown-Brookhaven border. Due to the nature of the application, however, the applicant is required to submit an Environmental Impact Statement, as there are several potential significant effects on the environment. The Town should rezone the open space and sewage treatment plant (STP) portions of the Gyrodyne site as a Park (P) zone (see Map 4: Proposed Zoning).

11. Heavy industries often sell their services or products to other industries rather than to an end user or consumer. Accordingly, when a down economy begins to recover, heavy industry is often the first to show signs of improvement and is therefore a leading economic indicator. Therefore, heavy industry is an important land use type for the economy, in the right location. While often identified as a nuisance and criticized for its environmental impacts, heavy industry is vital to a successful economy.

The Town of Smithtown currently has few areas zoned for heavy industry; the major area being located along Old Northport Road in Kings Park. Overall heavy industry land uses make up only 1.29% of the entire Town. This area of Town is well-suited for heavy industry since it is located south of the LIRR/Port Jefferson rail line, west of Sunken Meadow

State Parkway, north of Old Northport Road and an adjacent Light Industrial zone and east of a former landfill in adjacent Huntington. The area is well buffered from residential and is generally surrounded by a light industrial zoning district.

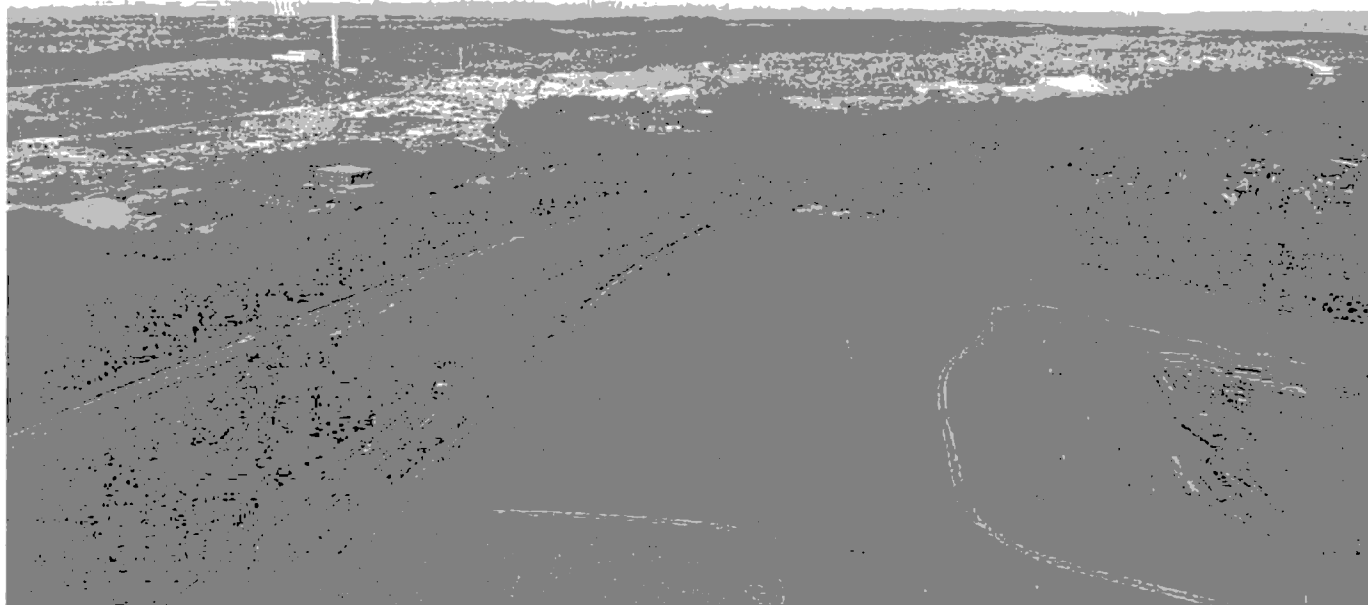
However, many of the uses within the surrounding light industrial zoning district are more associated with heavy industry than light industry. Despite the existence of heavy industrial uses in light industrial zones, the Old Northport Road corridor is at the start of a possible transition, moving away from heavy industry.

For instance, a privately funded 27-acre solar farm launched its 4-megawatt renewable energy facility in June 2019, featuring 18,360 panels and powering about 1,000 LIPA customers annually under a 20-year contract. Adjacent to this project is the construction of an approved soccer complex and although a private facility, the use partially fills a soccer field gap currently found in Town parks. In addition to these completed projects, the Town of Smithtown studied locations suitable for an indoor Organic Waste Processing Facilities (OWPF), and found that parcels along Old Northport Road may be suitable.

With these projects, the Old Northport Road corridor's future may very well change in the coming years. The Town of Smithtown should carefully consider zone boundary changes in this area. The Town could either "right-size" the zones to meet existing land use conditions by expanding the Heavy Industry zoning district, or the Town could consider alternatives such as rezoning portions to a Community Facilities (CF) zone. Regardless of the change, the Town should continue the policy to prohibit residential land uses and sand mining operations from this area.

Specific Areas of Change

1. Continue to monitor the Heavy Industry (HI) zone in the area around Old Northport Road for potential change.



Other Land Uses

While the previous discussions concentrated on major land uses in Town, there are other lesser known land use categories that often provide support services or infrastructure. Some of these uses include agriculture and institutional uses.

Agriculture

Once considered a farming community, much of the agricultural land has since been converted to suburban uses. Today, only 82 acres of agricultural land remains in the Town of Smithtown (0.12%). 70% of survey respondents agreed the Town of Smithtown should "encourage" or "strongly encourage" agriculture, the second most favored nonresidential type development, behind restaurants.

Institutional

Institutional land uses, or community facility or service uses, account for 7.96% of the Town's share. This land use type consists of schools, libraries, hospitals, nursing homes, and other utilities or infrastructure such as public works garages, solid waste facilities, and sewage treatment plants. The **Community Facilities Plan** of this Comprehensive Plan further analyzes and discusses these land use types, including open space, for instance. The Town regulates some of these public purpose uses through the Community Facility (CF) Special Purpose District. Parks are recommended to be rezoned in their own Park (P) District.

Transportation

Accounting for 3.07% of the Town's share of land uses, this land use type includes roads, rights-of-ways, railroad trestles, stormwater recharge basins, among other transportation related uses.

Vacant

According to the Town's land use dataset, approximately 4.03% of the Town is undeveloped, vacant land that is not used for a public purpose or open space. Vacant land in the Town is fragmented and scattered with only a few, large remaining areas. Some of the land contains environmental resources such as wetlands and steep slopes while others are in areas of high groundwater.

Special Purpose & Overlays

Often times zoning cannot conceivably regulate all land use types without additional special purpose or overlay zones. There are two (2) special purpose zoning districts and one (1) overlay district in the Town of Smithtown, identified in Table 8.

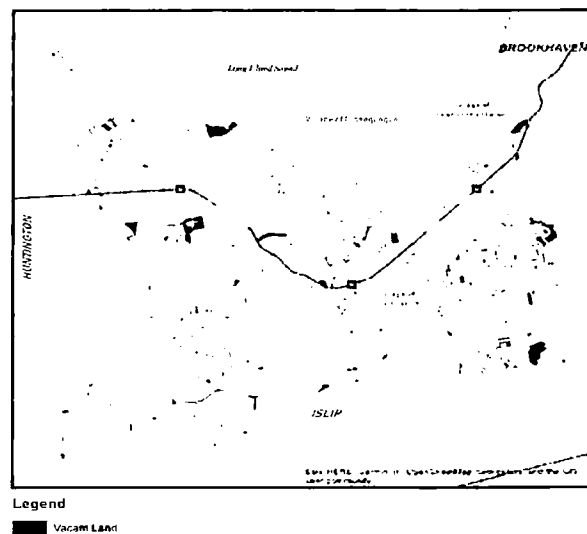


Table 8: Intent of Special Purpose and Overlay Zoning Districts

Special Purpose Districts

Community Facility (CF) District is intended to provide for adequate area for religious, educational, recreational, institutional, agricultural, environmental and municipal facilities and uses to serve the present and future needs of the community and the region.

Overlay Districts

Overlay (O) District is intended to provide adequate flexibility for development and the uses therein to better serve the present and future needs of the community and the region.

Hauppauge Industrial Park Overlay District is intended to provide flexibility to allow the Hauppauge Industrial Park to continue to be attractive for high-quality business development, and to be competitive with other industrial areas in the region and nation.

Source: Smithtown Zoning Section 322-7 Intent of districts and Section 322-24 Specific overlay districts

Other Land Use Recommendations

The Town should consider the following recommendations regarding other land uses.

General

1. The code regulates "agriculture", "nursery", "animal husbandry", and "horse stabling" as an accessory use to residential. The Town, having agricultural districts, should also provide a definition for "farm operations", adopting the definition from New York State law.
2. Intent of the Community Facility (CF) Special Purpose District is to provide adequate areas for religious facilities. The Town's Table of Use Regulations should be amended to regulate "religious facilities" rather than "churches or other similar places of worship". "Convent or monastery" should be regulated as a permitted accessory use to "religious facilities" and permitted in single-family residential districts.
3. Another purpose of the Community Facility (CF) Special Purpose District is to prevent community facilities such as hospitals, parks, and schools from being sold and developed for conventional uses without scrutiny by the Town Board. The Town should create a new zone district to specifically protect parklands, a Park (P) zone.

Future Land Use Guide

The Town of Smithtown's future land use decisions should be influenced in part by analyzing changing population demographics, future land use trends as a result of changing lifestyle preferences, local development trends, and planned infrastructure improvements. This Land Use Plan is an agglomeration of these inputs and sets forth a mapped vision for future zone changes and land use policy. Going forward, the Town should use this Land Use Plan and Future Land Use Guide as a reference when reviewing development applications, amending the zoning code, and planning for the future of the Town of Smithtown.

Table 9: Future Land Use Plan

<i>Land Use</i>	<i>Existing</i>	<i>Proposed</i>
Residential	1-acre One-Family Residential (R-43/R-43CL) ½ acre One-Family Residential (R-21/R-21CL) One-Family Residential (R-15) ¼-acre One-Family Residential (R-10/R-10S) One- and Two-Family Residential (RM-7) Townhouse (R-6) Planned Residential Development (PRD) Retirement Community (RC) Garden Apartment (RM-GA)	1-acre One-Family Residential (R-43/R-43CL) ½ acre One-Family Residential (R-21/R-21CL) One-Family Residential (R-15) ¼-acre One-Family Residential (R-10/R-10S) One- and Two-Family Residential (RM-7) Townhouse (R-6) Planned Residential Development (PRD) Retirement Community (RC) Garden Apartment (RM-GA) Multi-Family (MF)
Commercial/ Business	Professional Business (PB) Office Business (OB) Shopping Center Business (SCB) Neighborhood Business (NB) Central Business (CB)	Professional Business (PB) Office Business (OB) Shopping Center Business (SCB) Neighborhood Business (NB) Commercial Corridor (CC) Nesconset Core (NC) Kings Park Core (KP-C) Kings Park Transit Oriented Development (KP-TOD) Kings Park Transition (KP-T) Transit Village (TV) Lake Avenue District (LAD)
Industrial	Wholesale and Service Industry (WSI) Light Industry (LI) Heavy Industry (HI)	Wholesale and Service Industry (WSI-1) Wholesale and Service Industry (WSI-2) Light Industry (LI) Heavy Industry (HI)
Special Purpose	Community Facility (CF)	Community Facility (CF) Park (P)
Overlay	Overlay (O) Districts Hauppauge Industrial Park Overlay District	Overlay (O) Districts Hauppauge Industrial Park Overlay District

Land Use Plan Recommendations

Directions

"Check off" a completed Recommendation and mark the year of completion as a way to measure progress.

Short: complete in 1-2 years; **Medium:** complete in 3-5 years; **Long:** complete in 10+ years.

Land Use Plan Recommendations

<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>		<i>Year Completed</i>
General				
1 Work with local partners such as neighboring municipalities, the County, and applicable regional entities to participate in intermunicipal planning.	Town of Smithtown Adjacent Municipalities, Suffolk County, Regional Entities	Ongoing		
2 Reduce split-zone properties and ensure zone changes generally follow lot lines, except in the case where lot lines for commercial or business zones would enter residential zones. In that case, keep the existing zone line, and leave as a split-zoned lot.	Town Board, Planning & Community Development Department	Short		
3 Amend the Town Code to further simplify the regulations for split-zoned lots.	Town Board, Planning & Community Development Department	Short		
4 Write Zoning District Intentions or Purposes for all districts within the Zoning Code.	Town Board, Planning & Community Development Department	Short		
5 Ensure all zoning districts are referenced in the District's enumerated section of the code (Section 322-5) and ensure each district is appropriately referenced throughout the code.	Town Board, Planning & Community Development Department	Short		
6 Periodically review permitted land uses in each zoning district to ensure no potential negative impacts between uses.	Planning & Community Development Department	Ongoing		
7 Periodically review special exception uses and their regulations.	Planning & Community Development Department, Board of Appeals, Town Board	Ongoing		
8 Provide clear references to the meaning of the CL designation on the Zoning Map and amend the Town Code to provide clarity surrounding the Planning Board's power to identify areas where cluster development may be applicable.	Town Board, Planning & Community Development Department	Short		

Land Use Plan Recommendations

Recommendation	Implementing Party	Timeframe		Year Completed
9 Study the feasibility and impacts of implementing impervious coverage requirements for all zoning districts either in place of or in addition to gross floor area and landscape area requirements.	Town Board, Planning & Community Development Department, Engineering Department	Medium		
10 Amend definitions that reference size requirements (i.e. assisted living), and instead include minimum or maximum size requirements in the content of the Building Zone Ordinance.	Town Board, Planning & Community Development Department	Short		
11 Comprehensively re-write the Town's sign ordinance and amend sign procedures, format for each use, and review for compliance with <i>Reed v. Gilbert</i> .	Town Board, Planning & Community Development Department	Short		
12 Add definitions and regulatins for various sign types included on page 37 of this plan.	Town Board, Planning & Community Development Department	Short		
13 Establish new sign design guidelines within the new sign ordinance, especially for downtown locations.	Town Board, Planning & Community Development Department, Civic Orgnizations	Medium		
14 Impose additional regulations for window signs, including but not limited to some of the regulations identified on page 37.	Town Board, Planning & Community Development Department	Short		
15 Amend Article X, Signs to identify permitted temporary signs and the length of their permission.	Town Board, Planning & Community Development Department	Short		
16 Define and regulate for an "Abandoned Sign".	Town Board, Planning & Community Development Department	Short		
17 Review prohibited signs and update as necessary.	Town Board, Planning & Community Development Department	Short		

Land Use Plan Recommendations

<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>		<i>Year Completed</i>
18 Consider amending the code to permit additional wall sign for tenants with entrances facing a parking area, in appropriate locations.	Town Board, Planning & Community Development Department	Short		
19 Consider increasing the maximum height of a wall sign in the Shopping Center Business (SCB), Wholesale Service Industry (WSI) zoning districts, other applicable zoning districts deemed appropriate.	Town Board, Planning & Community Development Department	Short		
20 Develop a Transfer of Development Rights (TDR) program in accordance with NYS Town Law and related future spending and receiving districts to a Town land use policy, as described on page 38.	Town Board, Planning & Community Development Department, Property Owners	Medium to Long		
21 Continue to practice the Town of Smithtown's policy to require proof of "abandonment" rather than "discontinuance" in issuing Certificates of Existing Use (CEU) for existing non-conforming uses.	Town Board, Planning & Community Development Department	Ongoing		
Residential				
22 Continually monitor home rehabilitations, demolitions and new construction, reviewing the data to limit neighborhood destabilization.	Planning & Community Development Department	Ongoing		
23 Continue to ensure residential is appropriately buffered and protected from non-residential land uses.	Planning & Community Development Department	Ongoing		
24 Monitor new residential developments and subdivisions.	Planning & Community Development Department, Community Services (i.e. Police, Fire, etc.)	Ongoing		
25 Add definition for "Boarder" to clarify the "accommodations for 1 boarder" in the Table of Use Regulations.	Town Board, Planning & Community Development Department	Short		
26 Include a footnote next to "Bonus Density Apartment" in the Table of Use Regulations, referencing Section 322-101 of the Town Code	Town Board, Planning & Community Development Department	Short		
27 Regulate mobile homes or house trailers instead of prohibiting them outright, in accordance with <i>Town of Pompey v. Parker</i> .	Town Board, Planning & Community Development Department	Short		

Land Use Plan Recommendations

<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>		<i>Year Completed</i>
28 Remove one-family and two-family dwellings from nonresidential zoning districts.	Town Board, Planning & Community Development Department	Short		
29 Identify opportunities to mandate seller's disclosure of a home with temporary living quarters for a family member.	Town Board, Planning & Community Development Department	Short to Medium		
30 Amend the zoning code to require Board of Appeals approval for continued use of temporary living quarters, prior to issuance of a Certificate of Occupancy (CO).	Town Board, Planning & Community Development Department, Board of Appeals	Short to Medium		
31 Continue to permit assisted living in appropriate locations.	Town Board, Planning & Community Development Department	Short		
32 Create a new Multi-Family zoning district which would permit multi-family apartment buildings.	Town Board, Planning & Community Development Department	Short to Medium		
33 Permit traditional mixed-use buildings in the form of upper floor residential in downtowns and other core areas.	Town Board, Planning & Community Development Department	Short		
34 Develop clear definitions for Multi-Family Dwelling; Mixed Use Structure, Traditional; Townhouse Unit; and Townhouse Stacked.	Town Board, Planning & Community Development Department	Short		
35 Remove reference to an Accessory Apartment from the Building Zone Ordinance and replace with Mixed Use Building, Traditional.	Town Board, Planning & Community Development Department	Short		
Office, Commercial and Business - General				
36 Develop clear definitions for Retail Sales, Retail Services, Personal Services, Commercial Entertainment, and Commercial Public Recreation (Indoors and Outdoors) and simplify the code by consolidating applicable uses into these categories.	Town Board, Planning & Community Development Department	Short		
37 Create a definition for and associated special exception regulations for a "Catering Facility".	Town Board, Planning & Community Development Department	Short		

Land Use Plan Recommendations

<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>	<i>Year Completed</i>
38 Continue to simplify the regulated land uses in the Table of Use Regulations, such as removing "Boat Sales and/or Rental Showroom", "Canoe Rental Showroom", "Fences and Pool Sales", and relocate "Dry Cleaning Plant" and "Lumberyard" to the Industrial Use heading.	Town Board, Planning & Community Development Department	Short	
39 Remove references to obsolete terms and associated regulations (i.e. arena, discotheque, game room, medical laboratory, night club, and video rental shop).	Town Board, Planning & Community Development Department	Short	
40 Add the recently regulated "Hookah Lounges and Vape Sotres/Lounges" to the Table of Use Regulations	Town Board, Planning & Community Development Department	Short	
41 Develop new definitions to meet modern land uses and trends (i.e. active ground floor use, active use, etc.)	Town Board Planning & Community Development Department	Short	
42 Differentiate between the scale of certain uses (i.e. fitness centers, hotels, breweries) to ensure they are appropriate for downtown and core locations.	Town Board, Planning & Community Development Department	Short	
43 Regulate food-related establishments as either a Restaurant or as Food Retail. Terms including Tavern, Bar, or Inn and Outdoor Dining Area can remain as well.	Town Board, Planning & Community Development Department	Short	
44 Consider regulations for Food Trucks.	Town Board, Planning & Community Development Department	Short to Medium	
45 Create separate and distinct definitions and regulations for Hospitals and Nursing Homes.	Town Board, Planning & Community Development Department	Short	
46 Amend the Town Code to reflect the commercial-related definition amendments and additions identified on pages 48 to 51	Town Board, Planning & Community Development Department	Short	
47 Amend the Table of Use Regulations to reflect the commercial-related accessory use recommendations identified on pages 52 to 57.	Town Board, Planning & Community Development Department	Short	

Land Use Plan Recommendations

<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>		<i>Year Completed</i>
48 Review the listing of prohibited uses and amend as necessary.	Town Board, Planning & Community Development	Ongoing		
Office, Commercial and Business - Office				
49 Clarify the definition for Home Occupation by stating that this use would not require visits by customers.	Town Board, Planning & Community Development Department	Short		
50 Prohibit home occupations in the Office Business and Neighborhood Business zones to align with a previous recommendation for no residential.	Town Board, Planning & Community Development Department	Short		
51 Regulate Home Occupation sizes by percentage of the home rather than by a set square footage.	Town Board, Planning & Community Development Department	Short		
52 Draft Residential appearance regulations for professional offices. Such regulations would require buildings of a certain size, including all new, converted or existing structures, be residential in exterior appearance.	Town Board, Planning & Community Development Department	Short to Medium		
Office, Commercial and Business - Commercial				
53 Eliminate the Central Business (CB) zoning district and replace it with new downtown zoning districts in most cases	Town Board, Planning & Community Development Department	Short		
54 Differentiate between transit-oriented development zoning districts and core areas not located near transit.	Town Board, Planning & Community Development Department	Short		
55 Support higher density residential and traditional mixed-use development near transit stations and a range of housing options, while preserving community character.	Town Board, Planning & Community Development Department	Short		
56 Prohibit uses in the downtown that are not compatible with pedestrian traffic such as boat sales, lumberyards, public/private schools, and gas stations.	Town Board, Planning & Community Development Department	Short		
57 Require 80% ground floor uses in the downtown zones. This encourages uses with more foot traffic to locate on the ground level.	Town Board, Planning & Community Development Department	Short		

Land Use Plan Recommendations

<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>	<i>Year Completed</i>
58 Permit temporary uses in existing vacant storefronts, in which a temporary use shall be allowed once per year for each tenant space. Temporary uses would not be subject to parking requirements. Temporary spaces fill vacancies while maintaining a sense of activity within the downtown.	Town Board, Planning & Community Development Department, Civic Organizations	Short	
59 Prohibit residential uses of any kind, other than those residential uses permitted on second and third floors above permitted commercial uses, or residential uses fronting secondary thoroughfares within the downtown.	Town Board, Planning & Community Development Department	Short	
60 Install wayfinding directional signage that will direct visitors by car to downtown areas and parking.	Town Board, Planning & Community Development Department	Medium to Long	
61 Enhance gateways at the entrances to the downtown business district with signage, landscaping and street amenities to create a sense of arrival.	Town Board, Planning & Community Development Department, Civic Organizations	Medium	
62 Prohibit front-yard parking in the downtown while permitting rear-yard parking and encouraging shared parking arrangements.	Town Board, Planning & Community Development Department	Short	
63 Maintain and improve pedestrian access routes between public parking areas and stores.	Town Board, Planning & Community Development Department	Short to Long	
64 Create a Streetscape Design Guidelines to encourage use of consistent materials and palettes within business districts. Guidelines may be different for each commercial area.	Town Board, Planning & Community Development Department	Medium	
65 Improve the pedestrian realm with street trees and sidewalk furniture (i.e. benches, refuse and recyclable bins, bike locks, etc.) where space is available.	Town Board, Planning & Community Development Department	Short to Long	
66 Enhance gateways at municipal borders with signage and landscaping to create a sense of arrival and to help establish Town identity.	Town Board, Planning & Community Development Department	Short to Long	
67 Establish downtown identity through attractive consistent signage (i.e. pole banners, informational kiosks, etc.)	Town Board, Planning & Community Development Department	Short to Long	

Land Use Plan Recommendations

<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>	<i>Year Completed</i>
68 Create multimodal linkages to area parks or other local amenities.	Town Board, Planning & Community Development Department	Short to Long	
69 Encourage and help facilitate downtown programming such as festivals, street fairs or farmer's markets.	Town Board, Planning & Community Development Department, Civic Organizations	Short to Long	
70 Create and help facilitate a facade improvement program for downtown buildings through an existing future management entity.	Town Board, Planning & Community Development Department	Medium to Long	
71 Expand Neighborhood Business (NB) and Shopping Center Business (SCB) boundaries where appropriate to reflect existing conditions.	Town Board, Planning & Community Development Department	Short	
72 Recognize other commercial corridor development through a new zoning district, the Commercial Corridor (CC) zone.	Town Board, Planning & Community Development Department	Short	
73 Work with shopping centers to implement facade improvements.	Planning & Community Development Department, Property Owners	Ongoing	
74 Permit more than one principal structure per lot in the SCB zone, to accommodate for pad sites.	Town Board, Planning & Community Development Department	Short	
75 Amend the SCB district to add pad site requirements regulating building elements, building line, landscaping, parking and loading.	Town Board, Planning & Community Development Department	Short	
76 Review and update parking standard requirements.	Town Board, Planning & Community Development Department, Engineering Department	Ongoing	

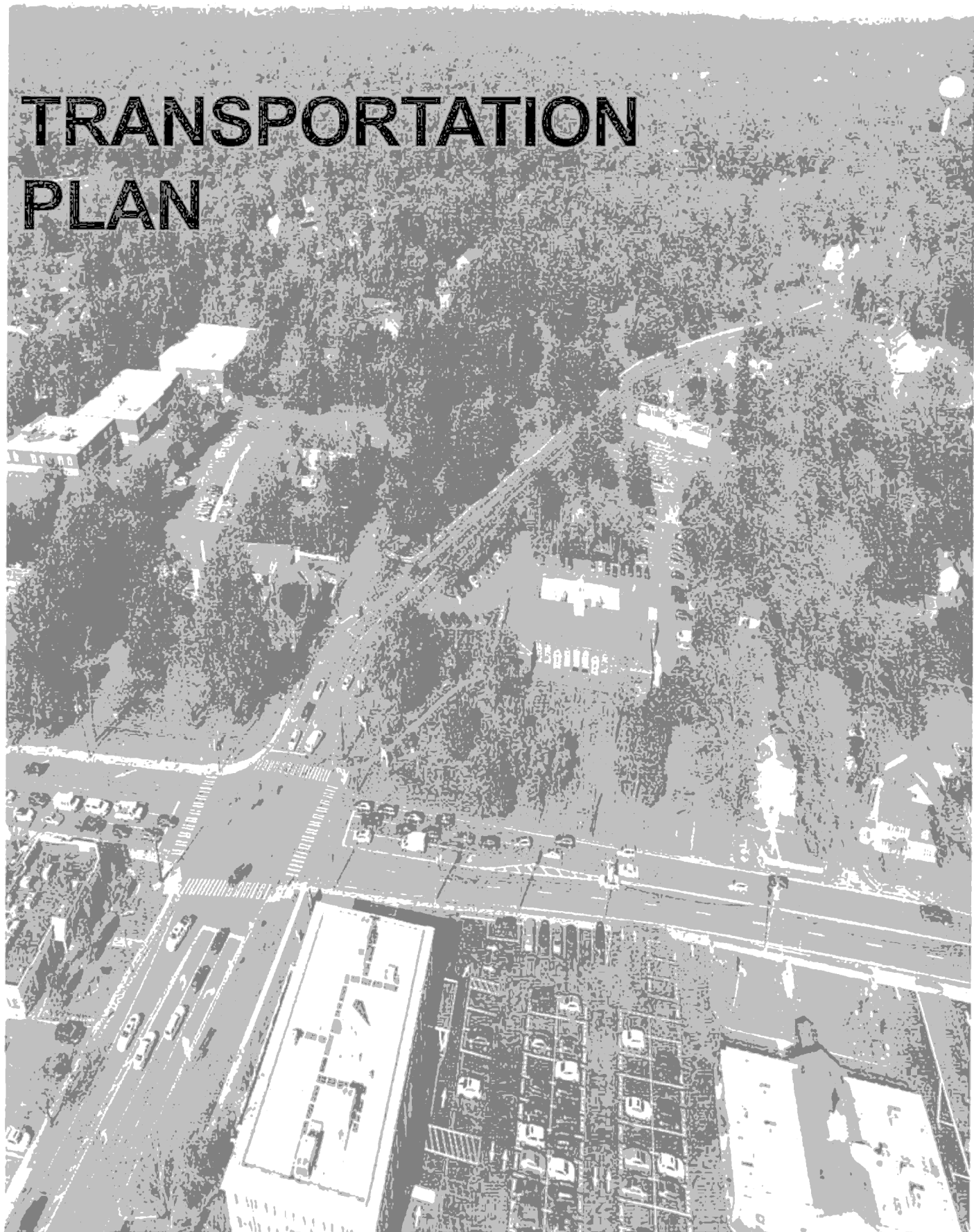
Land Use Plan Recommendations

<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>		<i>Year Completed</i>
Industrial				
77 Develop clear definitions for Manufacture (Indoors and Outdoors) and simplify the code by consolidating applicable uses into these categories.	Town Board, Planning & Community Development Department	Short		
78 Amend the Table of Use Regulations and definitions section to reflect the industrial-related recommendations identified on pages 58 to 62.	Town Board, Planning & Community Development Department	Short		
79 Create performance standards for industrial uses.	Town Board, Planning & Community Development Department	Short		
80 Permit "Transfer Stations" as a Town Board Special Exemption use in the Heavy Industrial (HI) zone.	Town Board, Planning & Community Development Department	Short		
81 Differentiate between W. Jericho Turnpike and Middle Country Road as two different zones, a WSI-1 zone and a WSI-2 zone, the major difference being the permission of a Motor Vehicle Showroom.	Town Board, Planning & Community Development Department	Short		
82 Permit a wider range of non-industrial uses in light industrial zones including indoor recreational facilities, pet care establishments, breweries or distilleries, and artisan industrial space or artists' studios.	Town Board, Planning & Community Development Department	Short		
83 In Hauppauge Industrial Park Overlay district, permit personal services, commercial entertainment retail, retail services, day care centers, contractor showrooms and accessory retail shops (for factories).	Town Board, Planning & Community Development Department	Short		
84 In the Hauppauge Industrial Park Overlay, evaluate whether to permit apartments with commercial on base along Motor Parkway and the southern section of Old Willets Path.	Town Board, Planning & Community Development Department	Short to Medium		
85 Amend the Hauppauge Industrial Park Overlay district to clarify height limitations regarding those properties "split" by the 1,000-foot buffer line.	Town Board, Planning & Community Development Department	Short		
86 Amend the Hauppauge Industrial Park Overlay district to define minimum lot frontage for parcels along Motor Parkway that would be subject to the 62-foot height limit.	Town Board, Planning & Community Development Department	Short		

Land Use Plan Recommendations

<i>Recommendation</i>	<i>Implementing Party</i>	<i>Timeframe</i>		<i>Year Completed</i>
87 In the Hauppauge Industrial Park Overlay, consider increasing maximum FAR requirements, increasing from 0.42 to 0.5 as a bonus in exchange for pre-identified improvements. Analyze parking requirements and FAR simulataneously before proceeding with a change.	Town Board, Planning & Community Development Department	Short to Medium		
88 Reduce minimum yard requirements in the Hauppauge Industrial Park Overlay district, reducing a 50-foot front yard to a 30-foot front yard, and reducing a 40-foot side yard to a 20-foot side yard, except when located adjacent to residential land uses or zones.	Town Board, Planning & Community Development Department	Short		
89 Amend parking ratios to reflect recommendations in Parking Plan	Town Board	Short		
90 Maintain a georeferenced dataset with zoning information for parcels in the Long Island Innovation Park at Hauppauge.	Planning & Community Development Department, Information & Technology Department	Medium to Long		
91 Rezone portions of a Gyrodyne as a Park (P) zone.	Town Board, Planning & Community Development Department	Short		
92 Continue to monitor the Old Northport Road area for land use changes over the short term and consider zone boundary changes in the medium to long-term.	Town Board, Planning & Community Development Department	Short to Long		
Other				
93 Provide a defition for "farm operations".	Town Board, Planning & Community Development Department	Short		
94 Amend the Table of Use Regulations to regulate "religious facilities" rather than "churches or other similar places of worship". "Convent or monastery" should be regulated as a permitted accessory use to "religious facilities" and as a permitted use in single-family residential zoning districts.	Town Board, Planning & Community Development Department	Short		
95 Create a new zoning district called the Park (P) zone.	Town Board, Planning & Community Development Department	Short		

TRANSPORTATION PLAN



Introduction

The transportation component of the Comprehensive Plan provides an overview of the Town of Smithtown's transportation network under existing conditions, and a projection of the effects of the proposed changes in land use in the Comprehensive Plan on the transportation network in the future. This information provides the context for the development of a series of goals and recommendations for potential transportation improvements in the Town of Smithtown, to address the needs and challenges that the town faces both currently and in the future.

Inventory and Assessment of Existing Transportation Systems and Transportation Infrastructure

This section describes the inventory and assessment of existing transportation systems in the Town of Smithtown (not including the incorporated Villages of Head of the Harbor, Nissequogue, and Village of the Branch). For a map showing the hamlets and villages in the Town of Smithtown and their borders, please refer to Map 1: Smithtown Hamlets.

Methodology

An inventory of transportation assets for the Town of Smithtown was conducted by compiling a database using geographic information systems (GIS), based on existing data provided by the Town of Smithtown, data from the New York State Department of Transportation (NYSDOT), data from OpenStreetMap that was reviewed and vetted for accuracy, online research of taxi and private transit operators, and reviews of the latest aerial and street view information.

Streets

A street network database for the Town of Smithtown was generated using the street network layer developed by the Town, and each roadway segment was tagged with a NYSDOT functional classification using NYSDOT's Functional Class Viewer map.

- There are 647 miles of streets in the Town of Smithtown. The street network by street ownership is shown in **Figure 1**. **Figure 2** below illustrates the ownership distribution of the streets in the Town of Smithtown compared to those in Suffolk County. Most streets in the Town are publicly-owned, with 84 percent owned by the Town, 2 percent by the County, 12 percent by the State, and 2 percent privately owned, which is relatively comparable to the street ownership in distribution in Suffolk County.
- Approximately 78 percent of streets in the Town of Smithtown are local streets. According to New York State Department of Transportation (NYSDOT) functional classifications, approximately 10 percent of streets are principal arterials, 6 percent are major collectors, and 6 percent are minor arterials. The street network by NYSDOT functional classification is shown in **Figure 3**.

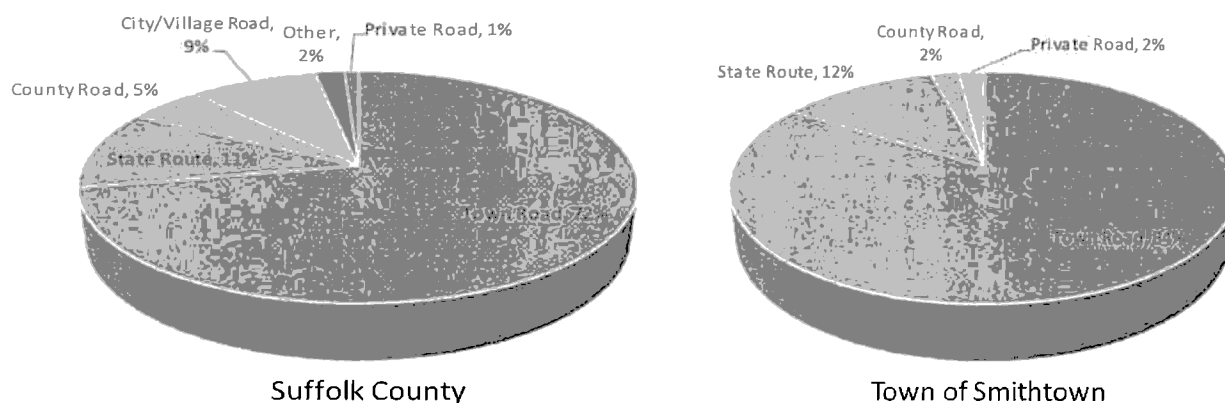
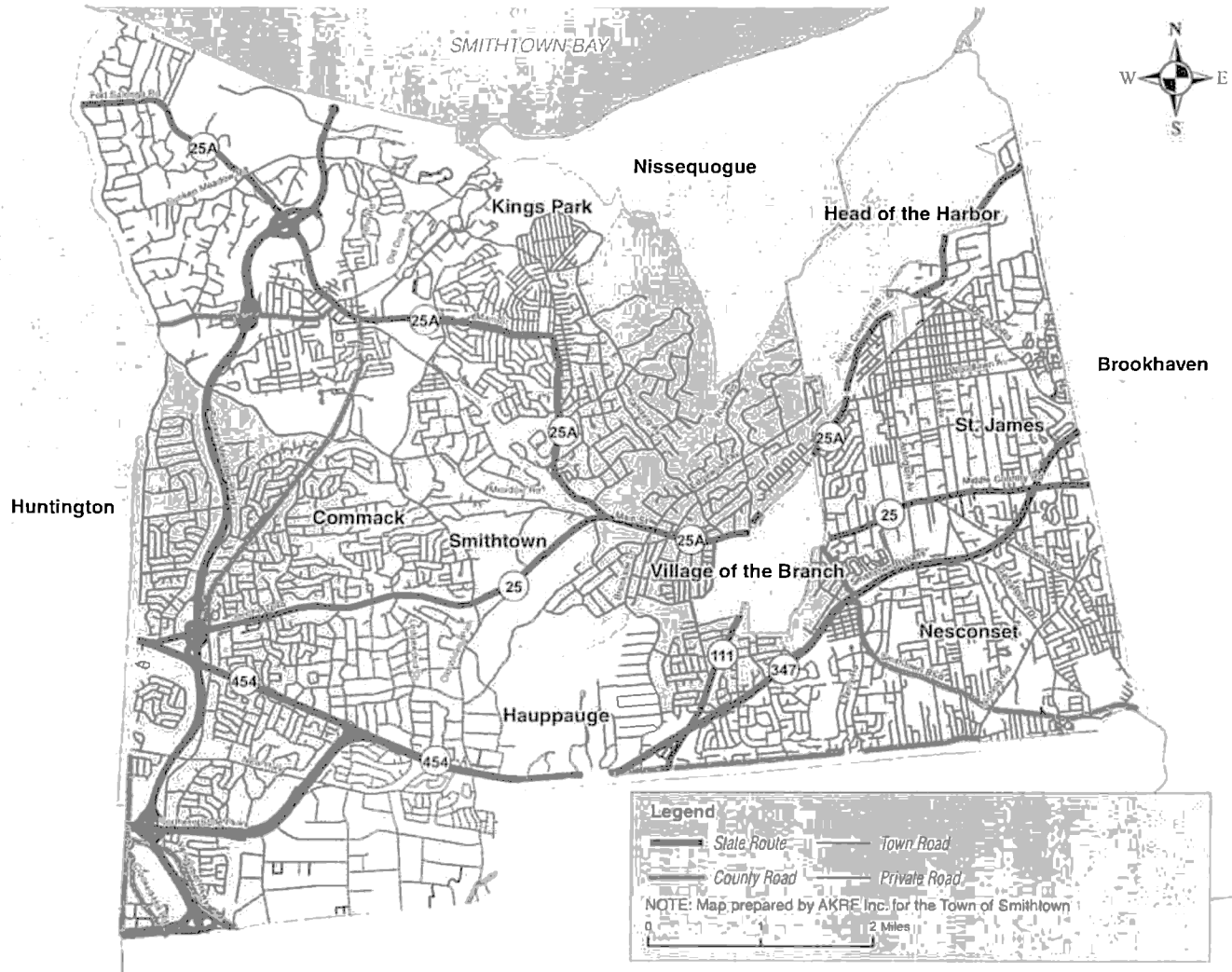


Figure 2. Comparison of streets in the Town of Smithtown and Suffolk County by ownership

Transportation Plan Map 1: Street Network by Ownership



Pedestrian Infrastructure

- The sidewalk inventory was generated using the Town of Smithtown's sidewalk GIS layers. There are 287 miles of sidewalks in the Town of Smithtown, and these are broken down by hamlet, as shown in **Figure 4**.
- While some hamlets such as Commack and Kings Park have sidewalk and pedestrian infrastructure that is relatively more developed, a number of intersections in these hamlets lack crosswalk striping. **Figure 5** and **Table 1** identify the intersections that may be candidates for crosswalk striping and improvements, based on existing sidewalks on the streets and the street classification (i.e. numbered State or County roadway, collectors, and arterials). These candidates for improvements were selected at locations where any State or County numbered roadway intersect with major cross streets such as collectors or arterials, and where sidewalks exist on each leg of a potential crosswalk, and were identified using GIS street network data and aerial imagery and based on recommendations from the Town of Smithtown. A total of 18 intersections were identified as having missing or deficient crosswalk striping and as potential locations for improvements, as presented in **Table 1**; existing crosswalks near schools at these intersections were also identified for potential restriping as high-visibility crosswalks.

Multi-use Paths and Bicycle Routes

Multi-use paths in the Town of Smithtown were inventoried using GIS data available from the Town of Smithtown, online resources made available by NYSDOT, and data extracts from OpenStreetMap that were vetted through online research.

There are 7.9 miles of multi-use paths to accommodate pedestrians and cyclists in the Town of Smithtown. These paths are located in Sunken Meadow State Park, Kings Park, and along the Smithtown Bypass in Nesconset, and are shown in **Figure 6**. The Town of Smithtown also has 35 miles of bicycle routes. The majority of bike route miles are located along New York State Routes 25 and 25A bicycle routes. The bicycle routes in the Town are shown in **Figure 7**. It should be noted that some bike route miles are also accounted for in the multi-use path miles, such as the Smithtown Bypass bicycle route and the Kings Park Hike and Bike Path.



Transportation Plan Map 2: Street Network by NYSDOT Functional Classifications

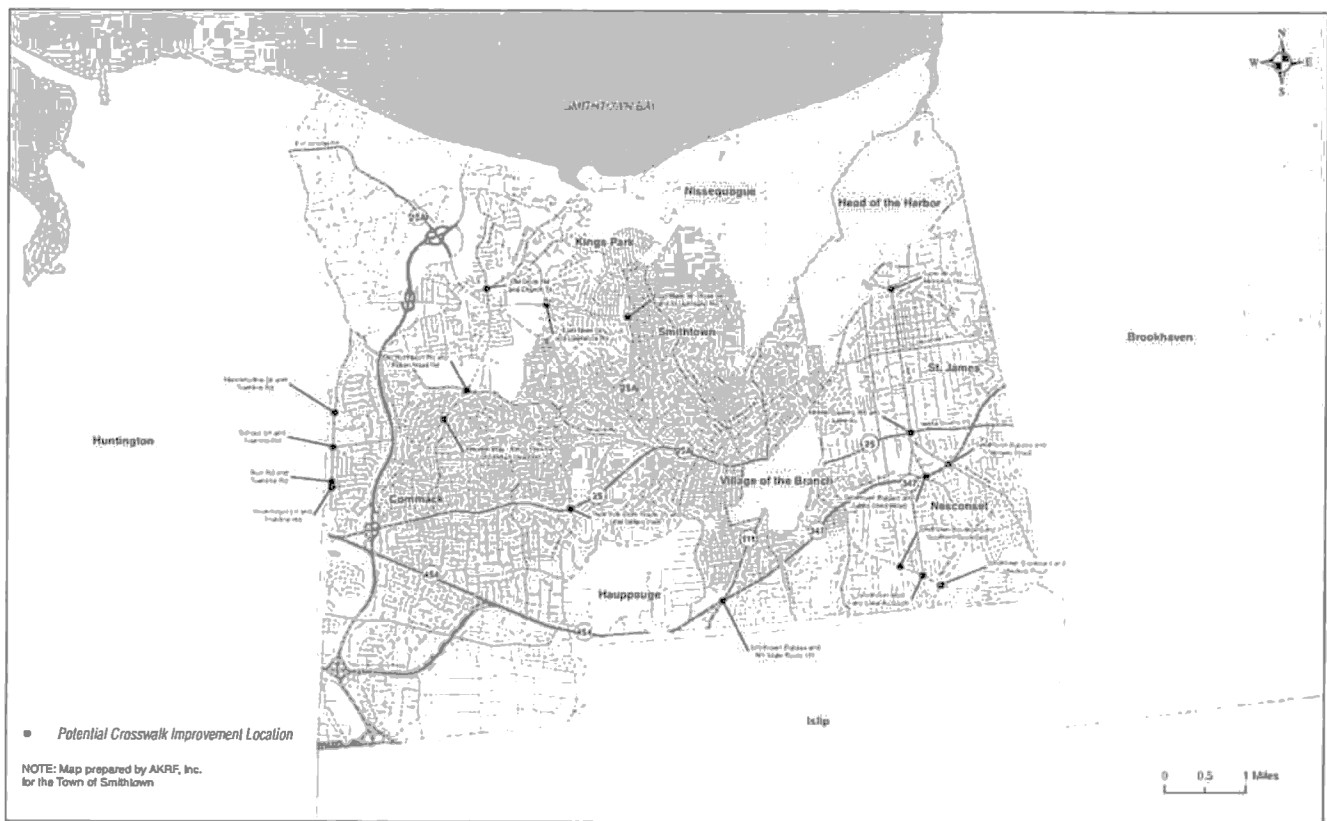


Transportation Plan Map 3: Percent of Sidewalk Miles in the Town of Smithtown by Hamlet



Figure 4

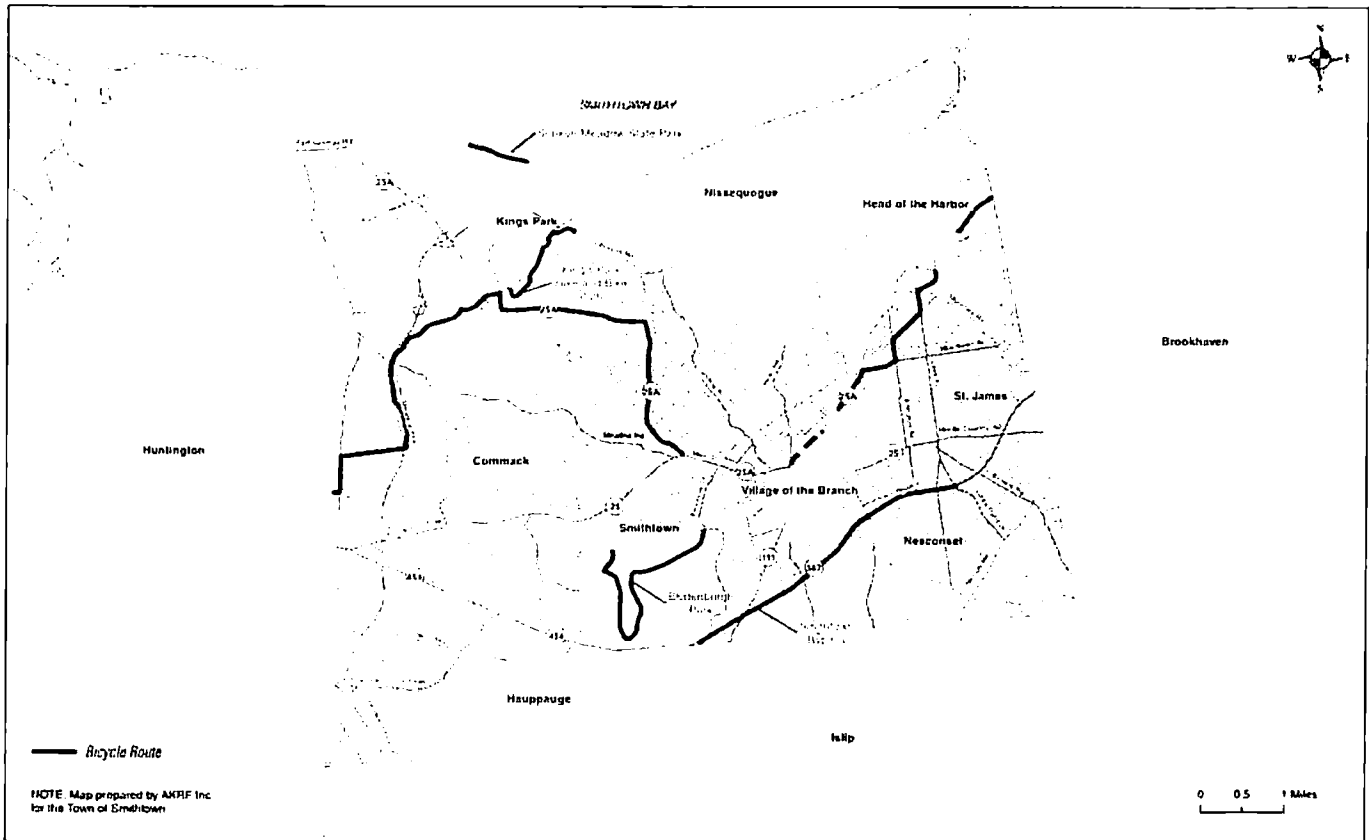
Transportation Plan Map 4: Intersections Identified as Potential Locations for Crosswalk Improvements



Transportation Plan Map 5: Multi-Use Paths



Transportation Plan Map 6: Bicycle Routes



Transportation Plan Map 7: Public Transit

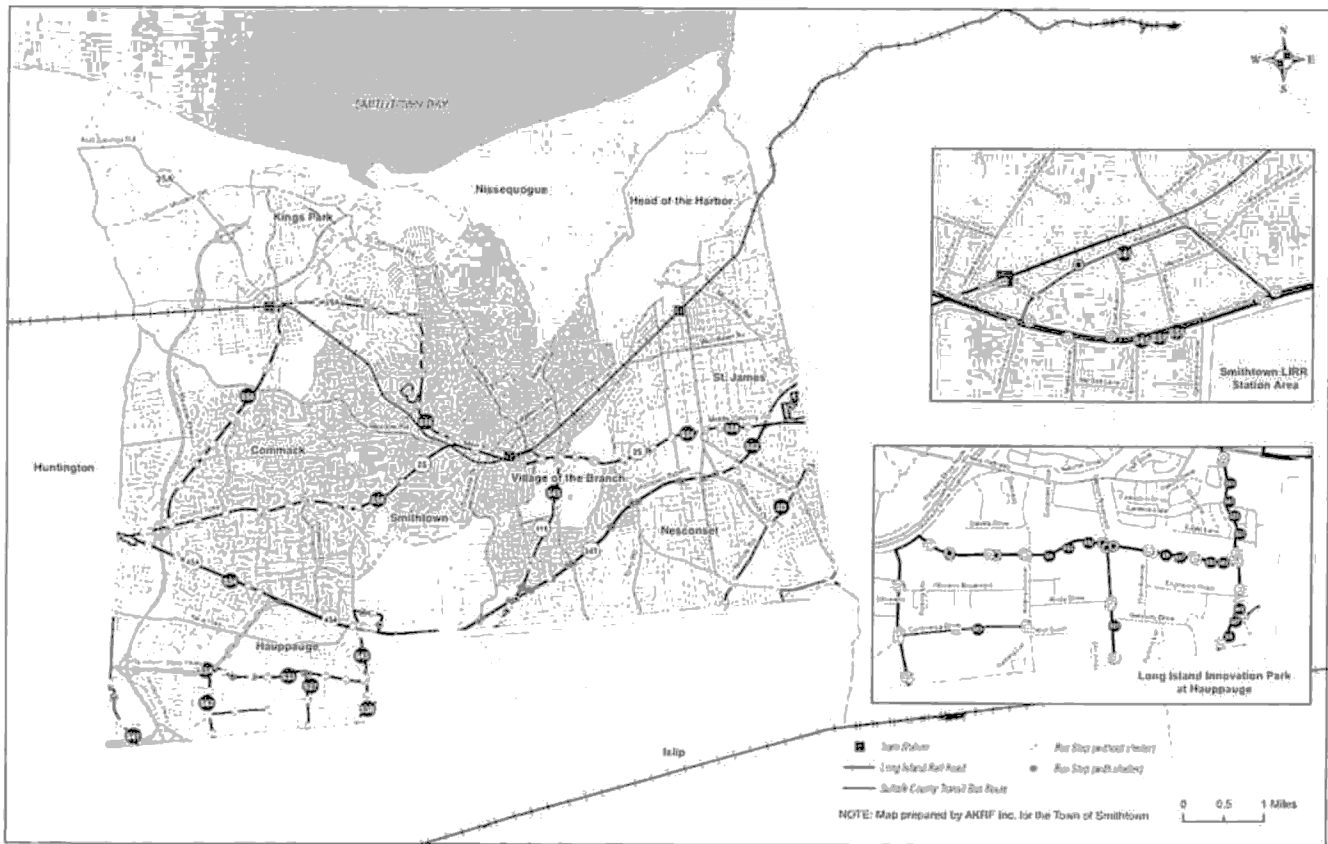


Table 1: Intersections Identified for Potential Pedestrian Improvements

Intersection	Potential Improvements	Hamlet
Burr Road and Townline Road	Crosswalk could be striped on west leg	Commack
Havemeyer Lane and Townline Road	Crosswalk could be striped on east leg	Commack
Marshmallow Drive and Townline Road	Crosswalk could be striped on east leg	Commack
Reydon Way/Kings Park Road and Indian Head Road	Crosswalks could be striped on east, south, and west legs	Commack
Scholar Lane and Townline Road	Crosswalk could be striped on east leg	Commack
East Main Street and Lawrence Road	North crosswalk could potentially be repainted to high visibility (school nearby)	Kings Park
Old Dock Road and Church Street	Crosswalks could potentially be repainted to high visibility (school nearby)	Kings Park
Old Northport Road and Indian Head Road	Crosswalks could be striped on south and east legs	Kings Park
Smithtown Boulevard and Nichols Road	Crosswalks could be striped on all four legs	Lake Ronkonkoma
Middle Country Road and Lake Avenue	Crosswalks could be striped on north and south legs	Nesconset
Smithtown Boulevard and Lake Avenue South	Crosswalks could be striped on north, east, and south legs	Nesconset
Smithtown Boulevard and Southern Boulevard	Crosswalks could be striped on all four legs	Nesconset
Smithtown Bypass and Browns Road	Crosswalks could be striped on north, east, and west legs	Nesconset
Smithtown Bypass and Gibbs Pond Road	Crosswalk could be striped on west leg	Nesconset
Lake Avenue and Moriches Road	Crosswalk could be striped on east leg	St. James
East Main Street/Rose Street and St. Johnland Road	Crosswalks could be striped on east and north legs	Smithtown
New York State Route 25 and Old Willets Path	Crosswalk could be striped on west leg	Smithtown
Smithtown Bypass and New York State Route 111	Crosswalk could be striped on east and west legs	Smithtown

Public Transit

An inventory of public transportation assets in the Town of Smithtown was developed using GIS data from the Town of Smithtown, and data available from the Long Island Rail Road. The locations of bus shelters in the Town were inventoried using reviews of the latest aerial and street view information.

Public transit within the Town of Smithtown consists of the Long Island Rail Road, and the Suffolk County Transit Bus system. The Town of Smithtown has three Long Island Rail Road stations, located in the hamlet centers of Kings Park, Smithtown, and St. James, all serving the Port Jefferson Branch.

The Town of Smithtown is also served by a number of Suffolk County Transit bus routes. The main eastbound-westbound bus routes consist of the 3D, S54, S56, S58, and S62 routes. The S45 is a Suffolk County Transit bus route with a northbound-southbound connection between Hauppauge and the Smithtown LIRR station.

- The 3D bus route operates primarily along Nichols Road in Nesconset.
- The S45 bus route operates primarily along New York State Route 111 and serves locations

in the hamlets of Hauppauge, Nesconset, and Smithtown, including the Long Island Rail Road station in the hamlet of Smithtown.

- The S54 bus route operates primarily along New York State Route 454 in the hamlets of Commack and Hauppauge.
- The S56 bus route operates along Indian Head Road, Main Street, St. Johnland Road, and New York State Route 25 in the hamlets of Commack, Kings Park, Smithtown, and St. James.
- The S58 bus route operates along New York State Route 25 in the hamlets of Commack, Smithtown, and St. James.
- The S62 bus route operates along New York State Route 347 and serves locations in the hamlets of Hauppauge and Nesconset.
- The Long Island Innovation Park at Hauppauge is served by the 3A, 3B, S27, S33, S45, and S62 routes.

A map showing public transit routes and stops in the Town of Smithtown is shown in **Figure 8**.

Taxi and Ride-Sharing Companies

Inventories of taxi and ride-sharing companies in the Town of Smithtown were developed through online research and review of local listings of businesses.

- There are 7 taxi and ride sharing companies with addresses in the Town of Smithtown according to publicly available information.

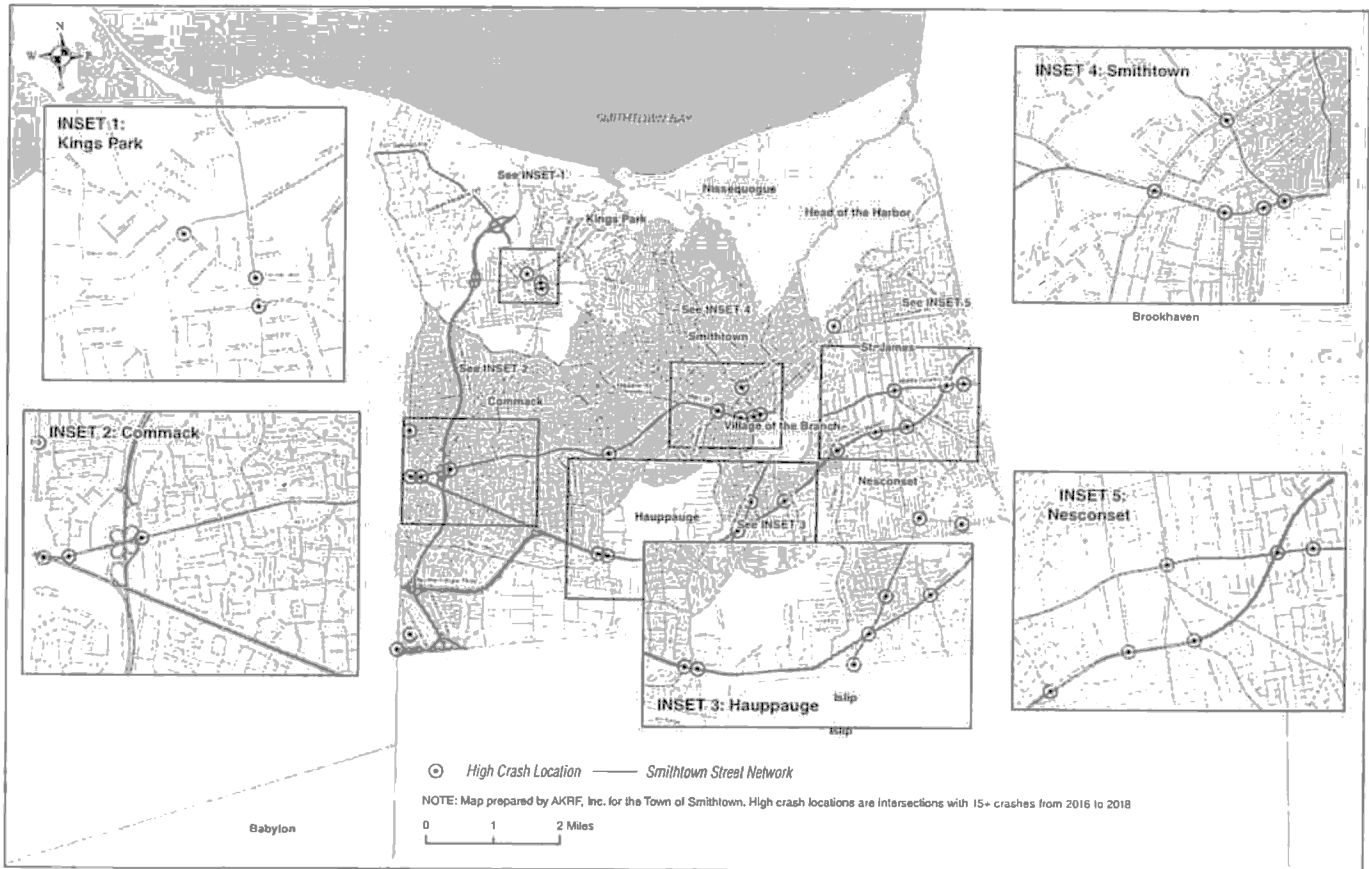
Safety

Crash data were obtained from NYSDOT.

- Based on NYSDOT data from 2016 to 2018 for the Town of Smithtown, there were crashes at over 1,600 different intersections; crashes at 10 different intersections resulted in fatalities. Approximately 30 intersections with 15 or more crashes during this period were identified as "high total crash intersections," and they represent the locations where approximately 20 percent of all crashes in the Town of Smithtown occurred.
- The majority of "high total crash intersections" were identified along major arterial roadways, such as New York State Routes 25 and 347, as shown in **Figure 9**. Areas with more commercial development, such as the shopping centers along Jericho Turnpike near the Sunken Meadow State Parkway in Commack, and along Main Street in downtown Smithtown, were where many of the high crash intersections were concentrated. **Table 2** summarizes all of the identified high crash intersections.

- From 2016 to 2018, the vast majority of crashes (approximately 90 percent) in the Town involved collisions between motor vehicles. Approximately 60 of the more than 5,300 (1 percent) recorded crashes involved collisions between motor vehicles and pedestrians. A smaller share (30 of more than 5,300) of crashes involved collisions between motor vehicles and bicyclists. The locations of these pedestrian and bicycle related crashes are summarized in Figure 10.
- Eleven vehicular crashes at 10 intersections resulted in fatalities from 2016 to 2018. Six of the 11 crashes involved collisions between motor vehicles, while five of the 11 involved collisions between a motor vehicle and a pedestrian. It should be noted that the fatal crashes did not overlap with any of the high crash locations identified in the Comprehensive Plan.

Transportation Plan Map 8: High Crash Locations



Transportation Plan Map 9: Pedestrian or Bicycle Crash Locations (2016-2018)

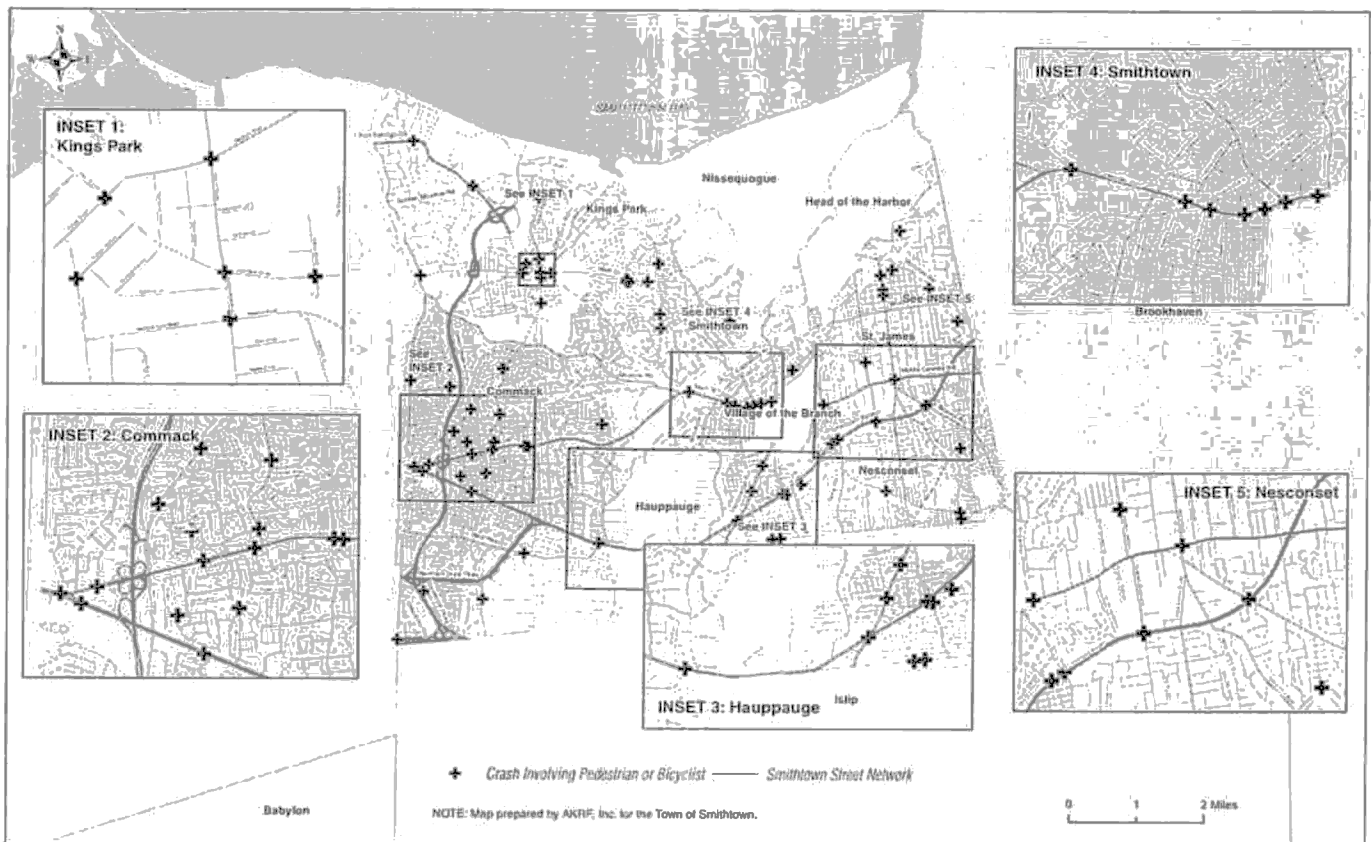


Table 2: High Crash Locations in Smithtown

Intersection	Total Crashes 2016-2018	Hamlet
Jericho Turnpike (Route 25) and Harned Road/Indian Head Road	115	Commack
Route 111 and Smithtown Bypass (Route 347)	97	Hauppauge
Veterans Memorial Highway (Route 454) and Old Willets Path	74	Hauppauge
Terry Road (County Route 16) and Smithtown Bypass (Route 347)	67	Smithtown
Edgewood Avenue and West Main Street (Route 25/25A)	52	Smithtown
Smithtown Boulevard (County Route 16) and Gibbs Pond/Rosevale Avenue	49	Nesconset
Commack Road and Long Island Expressway North Service Road	48	Commack
Smithtown Bypass (Route 347) and Mount Pleasant Road	47	Smithtown
Nichols Road and Smithtown Boulevard (County Route 16)	42	Nesconset
Jericho Turnpike (Route 25) and Old Willets Path/Plymouth Boulevard	41	Smithtown
Route 25 and Lake Avenue South	34	Nesconset
Southern Boulevard and Smithtown Bypass (Route 347)	32	Nesconset
Main Street (Route 25A) and Old Dock Road/Pulaski Road	31	Kings Park
East Main Street (Route 25) and Landing Avenue / Village Commons Driveway	28	Smithtown
Maple Avenue (County Route 15) and Hauppauge Road (Route 111)	28	Smithtown
East Main Street (Route 25) and Lawrence Avenue	26	Smithtown
West Main Street (Route 25/25A) and Maple Avenue (County Route 15)	25	Smithtown
Veterans Memorial Highway (Route 347/454) and New Highway	25	Smithtown
Crooked Hill Road (County Route 13) and Henry Street	24	Commack
Route 25 and Smithtown Bypass (Route 347)	23	St. James
Jericho Turnpike (Route 25) and Ruth Boulevard	22	Commack
Burr Road and Townline Road	20	Commack
Edgewood Avenue and Landing Avenue	20	Smithtown
Jericho Turnpike (Route 25) and Macy's Plaza Driveway	17	Commack
Smithtown Bypass (Route 347) and Gibbs Pond Road	17	Nesconset
Indian Head Road and Meadow Road West	17	Kings Park
Hauppauge Road (Route 111) and Townline Road	16	Hauppauge
North Country Road (Route 25A) and Edgewood Road	16	Kings Park
Middle Country Road (Route 25) and Alexander Avenue	15	Nesconset
Main Street (Route 25A) and Church Street / Indian Head Road	15	Kings Park

Public Input

In 2019, a series of collaborative community workshops were held at six hamlets in the Town of Smithtown to provide local stakeholders with the opportunity to provide input in the development of the comprehensive plan and its recommendations, and identify issues that currently exist in the transportation network. Members of the public were able to weigh in on specific locations where gaps and opportunities exist for potential improvements in the future. Several of the common themes in the feedback received during the community workshops were:

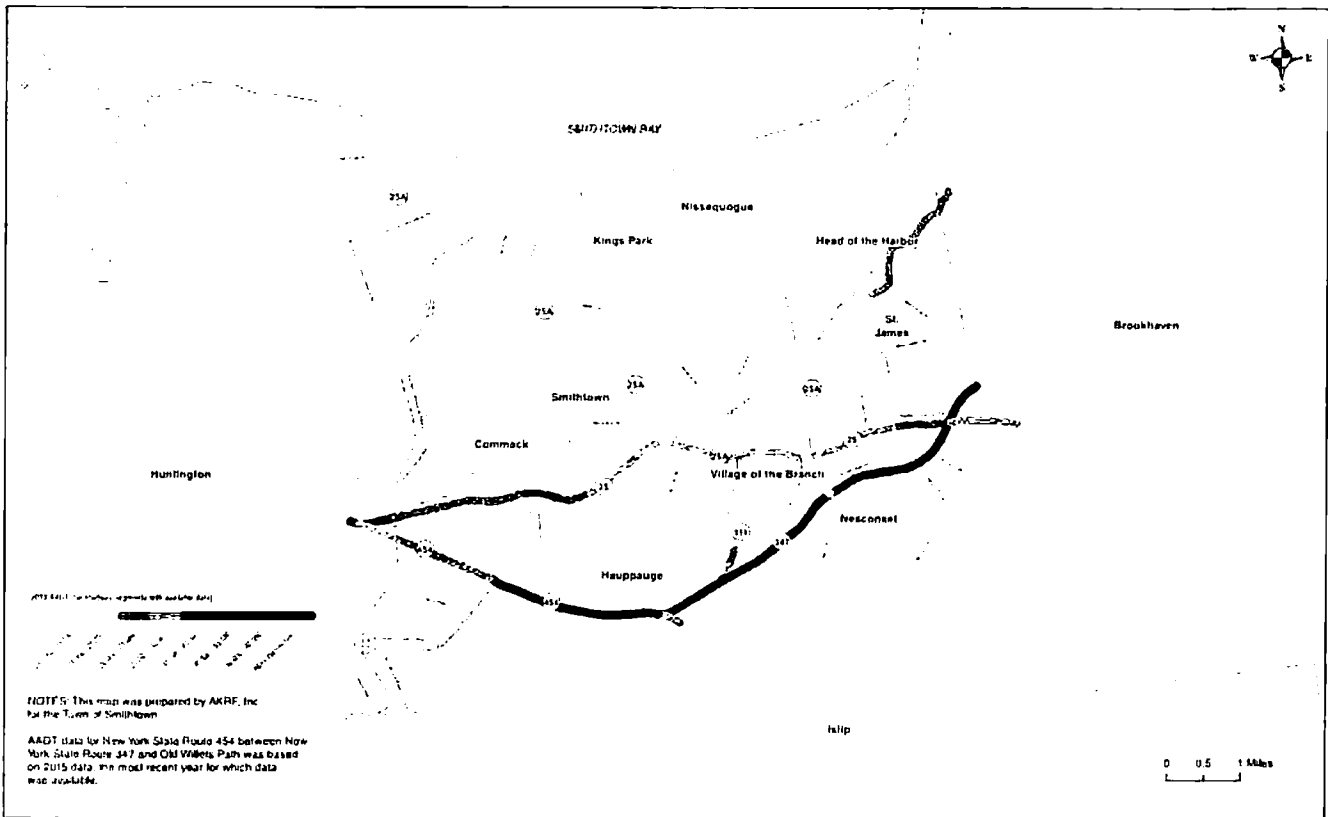
Expand bicycle infrastructure

- Add a more continuous network of sidewalks to fill in gaps and improve access to shopping centers
- Implement traffic calming measures to reduce speeding

- Add turn lanes and traffic signals where appropriate to address traffic congestion
- Create better coverage of bus shelters in the Town, and add bus shelters at more bus stops

A list of specific locations where community members had suggested potential transportation improvements during the workshops is summarized by category and hamlet in **Table 3**; the purpose of this summary is to inventory a list of potential improvements that the community would like to see implemented. Based on the feedback from members of the community and where appropriate and feasible, recommendations will be developed to improve conditions at these locations and address gaps in the transportation network, as described in the **Transportation System Goals and Policy Recommendations** section.

Transportation Plan Map 10: 2018 Average Annual Daily Traffic (AADT)



Traffic

In order to determine future transportation needs, recent trends in vehicular traffic were reviewed to determine the expected continuous growth in traffic for key roadway segments in the Town of Smithtown. The most common way to calculate annual growth on streets and project future traffic conditions is to use annual average daily traffic (AADT) volumes by year to assess whether traffic has increased, and if so, by what percentage per year, on average. AADT uses actual traffic counts that are modified using daily and seasonal adjustment factors to show traffic volumes on a roadway segment during an average day in an average month. AADT volumes from the NYSDOT's annually published Traffic Volume Reports were used to understand current traffic trends in the Town of Smithtown and was used to project annual traffic growth for the Comprehensive Plan.

The AADT is useful to help understand current traffic trends throughout the Town and is an appropriate data set to calculate annual traffic growth for the purposes of this Comprehensive Plan. As shown in **Table 4**, the most up to date AADT traffic volumes were tabulated, and a Town-wide average annual traffic background growth rate was calculated. This table shows that traffic volumes increased between 2015 and 2018 from approximately 750,000 to 812,000 vehicles cumulatively on the segments where daily traffic was available, resulting in an annual growth rate of approximately 2 percent. To assess the effects of the proposed changes in land use in the Comprehensive Plan on traffic, this growth rate will be applied to existing traffic volumes to estimate traffic for a future year of analysis to provide a baseline for comparison purposes. A map of the 2018 AADT shows the volumes per road segment (**Figure 11**).

Table 3: Locations Identified for Potential Transportation Improvements from Public Workshops

Category	Potential Improvements	Hamlet(s)
Bicycle Infrastructure	Add bike trails along the Sunken Meadow State Parkway	Commack
Pedestrian Infrastructure	Add sidewalks along Route 14/Harned Road to improve access to shopping centers	Commack
Pedestrian Infrastructure	Connect the discontinuous sidewalk along Route 454	Commack
Pedestrian Safety	Traffic calming measures on Commack Road to reduce speeding	Commack
Traffic	Install a traffic signal at the intersection of Indian Head Road and Byron Road	Commack
Traffic	Major traffic congestion issues on Town Line Road by Havemeyer Lane and Jericho Turnpike, also on Henry Street, Pulaski Road, and Bread and Cheese Hollow Road	Commack
Traffic	Old Northport Road being used for cut-through traffic due to congestion on Indian Head Road	Commack
Traffic	Install an exit ramp for the Sunken Meadow Parkway to Scholar Lane and an on-ramp from Scholar Lane, and close the on-ramp from Havemeyer Lane	Commack
Bicycle Infrastructure	Install bike lanes along Routes 111, Townline Road, Route 454, Old Willets Path, Brookside Drive, Maple Avenue	Hauppauge
Pedestrian Infrastructure	Add sidewalks along Townline Road	Hauppauge
Traffic	Install a traffic signal or closed median at the intersection of Route 454 and Autumn Drive	Hauppauge
Traffic	Install a southbound left turn lane on Old Willets Path at the intersection of Route 454	Hauppauge
Pedestrian Infrastructure	Replace the sidewalk and curbs at the intersection of Kohr Road and Main Street	Kings Park
Pedestrian Infrastructure	Add sidewalks on Indian Head Road, Meadow Road, and Lawrence Road	Kings Park
Pedestrian Infrastructure	Extend the Kings Park Hike and Bike Trail to the end of Old Dock Road, and extend sidewalks from Kohr Road to Fort Salonga Road and Nissequogue State River Park	Kings Park
Traffic	Widen Meadow Road to provide additional capacity. When cars are parked on both sides, the road is too narrow	Kings Park
Bicycle Infrastructure	Install bike lanes along Smithtown Boulevard that connect to other bike lanes	Nesconset
Pedestrian Infrastructure	Add sidewalks where gaps currently exist along Smithtown Boulevard	Nesconset
Pedestrian Infrastructure	Add sidewalks along Gibbs Pond Road	Nesconset
Pedestrian Infrastructure	Add sidewalks and crosswalks at the intersection of Browns Road and Smithtown Bypass	Nesconset
Pedestrian Safety	Traffic calming measures on residential streets to address speeding and cut-through traffic	Nesconset
Traffic	Install a right turn lane at the intersection of Lake Avenue and Smithtown Bypass	Nesconset
Traffic	Install a right turn lane at the intersection of Browns Road and Smithtown Bypass	Nesconset
Traffic	Install timed signal progression on Smithtown Boulevard (County Road 16)	Nesconset

Table 3: Locations Identified for Potential Transportation Improvements from Public Workshops

Category	Potential Improvements	Hamlet(s)
Traffic	Install a traffic signal at the intersection of Hill Avenue and Gibbs Ponds Road to address traffic congestion	Nesconset
Traffic	Install a traffic signal at the intersection of Route 111 and Wood Hollow Road to address safety issues with left turns	Nesconset
Bicycle Infrastructure	Install bike racks in front of shopping centers	Smithtown
Pedestrian Infrastructure	Install sidewalks on Edgewood Avenue	Smithtown
Pedestrian Safety	Traffic calming measures on Main Street in downtown Smithtown to reduce vehicle speeds and improve pedestrian safety	Smithtown
Traffic	Install a traffic signal to address congestion at the intersection of Maple Avenue and Route 111	Smithtown
Traffic	Add a turn lane at the intersection of Edgewood Avenue and Nissequoque River Road	Smithtown
Traffic	Replace the Brookside Drive and Main Street intersection with a rotary	Smithtown
Transit	Add bus shelters at more bus stops	Smithtown, Hauppauge
Transit	Create better coverage of bus service in the hamlet:	Smithtown, Kings Park, Commack
Bicycle Infrastructure	Install bike lanes on Route 111 to connect to Smithtown Bypass	St. James
Pedestrian Infrastructure	Widen sidewalks along Woodlawn Avenue	St. James
Pedestrian Infrastructure	Add sidewalks on Lake Avenue	St. James
Pedestrian Safety	Traffic Calming Measures at North Country Road and Moriches Road	St. James

Table 4: Average Annual Daily Traffic by Roadway Segment

Roadway Segment	Average Annual Daily Traffic			
	2015	2016	2017	2018
New York State Route 25				
Commack Road (Commack) to Veterans Memorial Highway (Commack)	50,000*	50,000*	50,650	50,722
Veterans Memorial Highway (Commack) to Sunken Meadow State Parkway (Commack)	31,130	30,247	30,292	33,545
Sunken Meadow State Parkway (Commack) to Old Willets Path (Smithtown)	22,999	22,451	23,799	24,138
Old Willets Path (Smithtown) to NY 25A (Smithtown)	31,148	30,407	28,792	28,861
NY 25A (Smithtown) to Elliott Place (Smithtown)	28,987	28,516	29,656	29,972
Elliott Place (Smithtown) to NY 111 (Smithtown)	24,057	27,480	27,521	27,612
NY 111 (Smithtown) to Lake Avenue (Nesconset)	24,848	26,604	26,643	26,732
Lake Avenue (Nesconset) to NY 347 (St. James)	23,837	23,227	23,261	24,888
Lake Avenue (Nesconset) to NY 347 (St. James)	30,164	30,067	30,253	29,182
New York State Route 25A				
Bread and Cheese Hollow Road (Kings Park) to Sunken Meadow Parkway (Kings Park)	16,213	17,156	17,181	17,239
Sunken Meadow Parkway (Kings Park) to Indian Head Road (Kings Park)	10,040	10,187	9,454	9,471
Indian Head Road (Kings Park) to St. Johnland Road (Kings Park)	15,334	16,264	16,243	16,324
St. Johnland Road (Kings Park) to NY 25 (Smithtown)	11,535	17,196	17,174	17,260
NY 111 (Smithtown) to Edgewood Avenue (Smithtown)	17,107	17,131	14,906	14,934
Edgewood Avenue (Smithtown) to Moriches Road (St. James)	14,042	18,434	18,411	19,924
Moriches Road (St. James) to Stony Brook Road (Stony Brook)	17,281	19,023	18,999	20,077
New York State Route 111				
[NY 111] NY 347 (Hauppauge) to Maple Avenue (Smithtown)	22,631	23,648	23,683	23,762
[NY 111] Maple Avenue (Smithtown) to NY 25 (Smithtown)	16,695	16,516	16,540	16,596
New York State Route 347				
[NY 347] Old Willets Path (Hauppauge) to NY 454 (Hauppauge)	58,594	57,199	60,632	61,496
[NY 347] NY 454 (Hauppauge) to NY 111 (Hauppauge)	50,036	57,028	57,112	57,303
[NY 347] NY 111 (Hauppauge) to CR 16 (Smithtown)	52,087	51,339	53,139	53,657
[NY 347] CR 16 (Smithtown) to NY 25 (St. James)	43,486	43,267	43,739	53,321
[NY 347] NY 25 (St. James) to Moriches Road (St. James)	46,539	45,957	47,344	44,205
New York State Route 454				
[NY 454] NY 25 (Commack) to Sunken Meadow Parkway (Commack)	20,430	20,136	25,483	25,544
[NY 454] Sunken Meadow Parkway (Commack) to NY 347 (Smithtown)	22,926	22,682	22,047	22,100
[NY 454] NY 347 (Smithtown) to NY 111 (Hauppauge)	24,039	23,962	24,110	23,247
County Route 16 (Terry Road)				
[CR 16] NY 25 (Smithtown) to NY 347 (Smithtown)	10,071	10,085	9,374	10,344
County Route 14 (Bread and Cheese Hollow Road)				
[CR 14] NY 25 (Commack) to Old Northport Road (Smithtown)	17,389	17,376	17,280	17,414
[CR 14] NY 25 (Commack) to Old Northport Road (Smithtown)	12,155	12,146	11,462	12,437
TOTAL OF ALL ROADWAY SEGMENTS IN TOWN WITH AVAILABLE DATA 2015-2018	765,800	785,731	795,180	812,307

Source: New York State Department of Transportation Traffic Volume Reports

*New York State Department of Transportation instructed AKRF to use these numbers instead of erroneous lower numbers in their reports.

Recently Completed Transportation Studies

Relevant traffic studies that were recently conducted in the Town of Smithtown were also reviewed to inform the policy recommendations and better understand how traffic conditions are forecast to change in the future, and which corridors and intersections would be problematic. In addition to the locations identified during the public input sessions, intersections that were identified as likely to experience congested conditions in the future in these studies were also taken into consideration in developing policy recommendations and traffic improvements in this Comprehensive Plan. The following studies were reviewed:

- Cosentino Commerce Center Traffic Impact Study (2000)
- The New York State Route 347 Safety and Mobility Improvement Project (2007)
- Hauppauge Industrial Park Transportation Planning Study (2009)
- The Connect Long Island Suffolk County Bus Rapid Transit Feasibility Study (2014)
- The Regional Plan Association's (RPA) Hauppauge Industrial Park Study (2019)
- The BJ's Commack Plaza Traffic Impact Study (2020)
- Gyrodyne
- Watermill
- Kings Park

The Cosentino Commerce Center Traffic Impact Study, Route 347 corridor study, and Hauppauge Industrial Park Transportation Planning Study were reviewed, but since the studies were based on traffic data collected 10 to 20 years ago, the findings were not considered in developing existing and future traffic conditions for the Comprehensive Plan because traffic patterns and volumes have changed. The Connect Long Island Bus Rapid Transit Feasibility Study and the RPA Hauppauge Industrial Park Study were reviewed, but the studies did not provide details on traffic level of service (LOS) within the Town of Smithtown.

The BJ's Commack Plaza Traffic Impact Study that was published in January 2020 did conduct a detailed traffic study for several intersections in Commack. The study reported congested conditions at the intersection of Town Line Road and Jericho Turnpike during all peak hours, consistent with the issues identified during the public workshop in Commack. According to the study, traffic LOS at the intersection is expected to deteriorate from LOS D to LOS E by 2021 in the Weekday PM and Saturday peak hours, as summarized in **Table 3**. Therefore, this intersection is expected to be a problematic location in the future that may require potential improvements.

Table 5: Average Annual Daily Traffic by Roadway Segment

Intersection	AM Peak Hour	Midday Peak Hour	PM Peak Hour	Saturday Peak Hour
Jericho Turnpike (NY 25) and Commack Road/Town Line Road (CR 4)	Existing LOS: D No Build LOS: D Build LOS: D	Existing LOS: D No Build LOS: D Build LOS: D	Existing LOS: D No Build LOS: E Build LOS: E	Existing LOS: D No Build LOS: E Build LOS: D
Jericho Turnpike (NY 25) and Veterans Memorial Highway (NY 454)	Existing LOS: C No Build LOS: C Build LOS: C	Existing LOS: B No Build LOS: B Build LOS: B	Existing LOS: B No Build LOS: B Build LOS: B	Existing LOS: B No Build LOS: B Build LOS: B

*NOTE: The Existing Condition LOS reported in this traffic study is for the year 2019. The No Build and Build LOS reported in this traffic study are for the year 2021.

Assessment of Future Transportation System Needs

Using the AADT volumes presented in **Table 4**, daily traffic volumes were estimated for a future horizon year of 2040, based on the 2 percent annual rate calculated using the available AADT volumes in the Town of Smithtown from 2015 to 2018. For the Comprehensive Plan's actions, specific development sizes have not yet been established to the level of detail necessary to calculate peak hour traffic volumes. This level of detail will be presented in the subsequent Generic Environmental Impact Statement. However, in the Comprehensive Plan's land use descriptions, enough detail for the proposed development density has been provided to roughly estimate daily traffic increases, relative to background growth, and relative to each hamlet.

In terms of relative additional development, the Comprehensive Plan's actions would result in the largest increases in the Smithtown Hamlet, moderate increases in the St. James Hamlet on Lake Avenue and near the LIRR station, moderate increases in Kings Park near the LIRR station, and relatively lesser increases in development in the Commack, Nesconset, and Hauppauge Hamlets. For the purposes of the Comprehensive Plan's transportation assessments, it is estimated that this additional development density would result in an approximately one percent increase in daily traffic when compared to future 2040 baseline volumes. Locally, traffic increases could be higher on roadway segments where access to new mixed-use developments is provided. As previously stated, this estimate will be refined in the Generic Environmental Impact Statement for detailed traffic projections and analysis.

Regional Transportation Improvements

Based on the New York Metropolitan Transportation Council's (NYMTC) 2020-2024 Transportation Improvement Program (TIP) and 2045 Regional Transportation Plan (RTP), major transportation infrastructure projects are planned for the Town of Smithtown, and were taken into consideration in assessing future transportation needs and priorities. The 2020-2024 TIP are medium-range transportation improvements identified by NYMTC as priorities in their regional plan and as eligible for federal transportation funding. Improvements identified as part of the 2045 RTP are long-range transportation improvements that are identified as either "fiscally constrained" (expected to be funded) or "vision" (conceptual without a fully defined cost estimate) projects. Transportation improvements in NYMTC's TIP and regional plans are summarized in Table 5 below, and are assumed to be in place in the 2040 scenario without the comprehensive plan actions:

Table 6: NYMTC Planned Transportation Improvements in the Town of Smithtown

Hamlet(s)	Description of Improvements	NYMTC Regional Transportation Plan Component
Commack, Smithtown, St. James	Pedestrian safety improvements are planned for New York State Route 25 in Commack, Smithtown, and St. James. Plans also call for addressing non-ADA curb ramps at intersections along this corridor.	2020-2024 TIP
Commack, Kings Park	Guiderail sections of the Sunken Meadow Parkway from Smithtown to Islip would be replaced as safety improvements along the roadway.	2020-2024 TIP
Hauppauge	Roadway resurfacing and pavement improvements along New York State Route 111 (Hauppauge Road) between Veterans Memorial Highway and Smithtown Bypass	2020-2024 TIP
Commack, Kings Park	The Sagtikos Bus Rapid Transit (BRT) route is planned to connect the Kings Park LIRR station with the Babylon LIRR station. The BRT service would operate on Old Northport Road and the Sunken Meadow Parkway in the Town of Smithtown.	2045 RTP (Vision)
Hauppauge, Nesconset, St. James	A shared-use path along New York State Route 347 (Smithtown Bypass) is planned to connect Hauppauge with Port Jefferson.	2045 RTP (Constrained)
Hauppauge	Operational improvements along New York State Route 454 (Veterans Memorial Highway)	2045 RTP (Vision)
Hauppauge	Intelligent transportation systems (ITS) improvements along New York State Route 454 (Veterans Memorial Highway)	2045 RTP (Constrained)
Hauppauge	Reconstruct New York State Route 347 (Smithtown Bypass) from Terry Road to Gibbs Pond Road	2045 RTP (Constrained)
Smithtown	Operational improvements on New York State Route 25 from St. Johnland Road to North Country Road	2045 RTP (Vision)
St. James	Reconstruct New York State Route 347 (Smithtown Bypass) from New York State Route 25 to Hallock Road	2045 RTP (Constrained)

Transportation System Goals and Policy Recommendations

A series of specific transportation system goals and recommendations are outlined below for the 2040 horizon year in the scenario without the comprehensive plan actions, and the scenario with the comprehensive plan actions.

2040 Scenario Without the Comprehensive Plan Actions

This scenario assumes that the existing zoning would remain in place, and most of the existing transportation infrastructure would remain in place, except for the specific NYMTC planned transportation improvements summarized in Table 5. It is assumed that all of the planned improvements, including the 2045 RTP "Vision" improvements, would be in place for the 2040 horizon year.

Under this scenario, population and traffic volumes are assumed to continue to grow as they historically have. As described in Existing Conditions, traffic volumes in recent years have grown at a rate of approximately 2 percent per year. That would result in an approximately 55 percent increase in average daily traffic volume on major roadways in the Town of Smithtown over the next 20 years, assuming no policy interventions. These projections were taken into account in developing the following goals and policy recommendations for the 2040 horizon year:

Goal #1: Improve opportunities to use alternative modes of transportation as a means of reducing and managing vehicle traffic

The projected growth in vehicle traffic by the 2040 horizon year can be managed by adopting travel demand management strategies that encourage drivers to shift to other modes of transportation. Examples are summarized in the policy recommendations below:

- **Recommendation – Work with Suffolk County**
Transit to improve bus service in the hamlet, including expanding bus shelters and expanding route coverage, to shift auto trips to public transit.
 - As shown in Figure 8, the Town's bus network currently has significant gaps along several major roadways, particularly in the hamlets of Commack, Kings Park, Nesconset, and St. James. Many of the existing bus stops also lack sufficient shelters. The planned Sagtikos Bus Rapid Transit project (a conceptual transportation improvement identified in the NYMTC long-range regional plans) connecting Kings Park with Babylon would run mostly along the Sunken Meadow Parkway and Sagtikos Parkway, and is not expected to primarily operate on local streets within the Town of Smithtown. Improving bus service to major destinations such as commercial districts and LIRR stations can help reduce reliance on vehicular travel and mitigate traffic congestion. Upgrading bus shelters can

enhance the relative comfort and attractiveness of using public transit as opposed to driving, and would provide further incentive to shift modes.

- **Recommendation – Enhance pedestrian accessibility to existing and planned bus stops.**
 - As shown on Figure 4, while there is currently sidewalk coverage on most major streets in the Town of Smithtown, there remain several notable gaps in the network, and along several major bus routes. Examples of such gaps include on St. Johnland Road/New York State Route 25A (served by the S56 bus route) in Smithtown, on Jericho Turnpike/New York State Route 25 (served by the S58 bus route) between Old Willets Path and St. Johnland Road in Smithtown, and on New York State Route 454 (served by the S54 bus route) in Hauppauge. The Town should ensure that existing and planned bus stops are covered by adequate pedestrian infrastructure (sidewalks and crosswalks, where appropriate) to make public transit a more accessible and attractive alternative to vehicle travel.
- **Recommendation – Upgrade pedestrian and transit accessibility near major commercial and mixed-use districts.**
 - Areas near land uses that could potentially attract a high volume of vehicular traffic, such as commercial or mixed-use districts, should have a well-developed pedestrian and transit infrastructure in place to encourage trips by alternative modes of transportation, to reduce the volume of traffic.
 - For example, as shown on Figure 4, sidewalk infrastructure within the Long Island Innovation Park at Hauppauge, a major employment hub in the town of Smithtown, is almost nonexistent. Many of the bus stops that serve the Long Island Innovation Park at Hauppauge also lack shelters. The Long Island Innovation Park at Hauppauge is currently served by numerous bus routes (S3A, S3B, S27, S33, S45, and S62), but the pedestrian and transit infrastructure on the town-owned streets that serve these bus routes should be upgraded in order to attract more car commuters to public transit.
 - As another example, as shown on Figure 4 and identified by members of the community during public workshops, there is currently a lack of sidewalk infrastructure along Edgewood Avenue, a minor arterial connecting the residential neighborhoods of Smithtown with the downtown commercial district, between Main Street and River Road. Upgrading sidewalk infrastructure along this corridor would encourage more pedestrian trips to be taken to downtown

Smithtown as opposed to vehicle trips, and would also reduce the demand for parking downtown.

Goal #2: Ensure that a safe transportation system can be maintained

- **Recommendation** – Implement traffic calming measures on potential cut-through routes in residential neighborhoods and along major commercial corridors.
 - As identified during the community workshops, the public has identified a need in multiple hamlets to reduce speeding along commercial corridors and along residential streets that could potentially be used at cut-through routes. In addition, as shown in Figure 9, a number of intersections along Main Street in downtown Smithtown were also identified as “high crash locations.” If traffic volumes were to increase over the next 20 years, it is anticipated that there would be even greater need for measures to reduce the potential for crashes to occur. Traffic calming measures along residential streets to reduce incidences of speeding would consist of various design changes, such as installing speed humps or raised intersections and crosswalks that would deter high vehicle speeds. On commercial corridors with more foot traffic, traffic calming measures may consist of installing additional on-street parking, more visible pedestrian crossings and signage, narrower lane widths, and curb extensions.
- **Recommendation** – Install crosswalks and implement improvements at key intersections.
 - As identified in Figure 4 and Table 1, there are a total of 18 intersections in the Town of Smithtown that may be candidates for crosswalk striping and improvements, based on existing sidewalks on the streets and the street classification (i.e. numbered State or County roadway, collectors, and arterials). Candidates for crosswalk improvements were selected at locations where any State or County numbered roadway intersect with major cross streets such as collectors or arterials, and where sidewalks exist on each leg of a potential crosswalk. Existing crosswalks near schools at these intersections were also identified for potential restriping as high-visibility crosswalks. These locations identified should serve as priority candidates where crosswalks can be installed and improvement, and the Town should work with NYSDOT and the Suffolk County Department of Public Works (SCDPW) on implementation.

Goal #3: Leverage the transportation network to promote active lifestyle choices

- **Recommendation** – Fill in gaps in the Town’s bicycle network to promote opportunities for active transportation.
 - To promote public health initiatives and active transportation, the Town of Smithtown’s bicycle network, shown in Figure 7, should be expanded to fill in gaps in the network. Working with NYSDOT and SCDPW, opportunities for bike lane installations should be explored to connect to the rest of the existing bicycle network, such as along Smithtown Boulevard (County Route 16), New York State Route 111, and New York State Route 454. If road space is limited for installing bike lanes, placing bike markings on paved, marked shoulders, such as those that currently exist along New York State Route 25A, are low-cost measures that can help fill in the town’s bicycle network. Also, the extension of the Kings Park Hike and Bike Path should be explored, including the potential for it to extend to Kings Park Bluff, as recommended by members of the community.
- **Recommendation** – Add bicycle parking at transit nodes, shopping centers, and commercial districts.
 - To promote active transportation, and based on requests from members of the community, bike racks should be added by prioritizing locations near major transit facilities (Long Island Rail Road stations), shopping centers, and downtown districts, where they do not currently exist.

Goal #4: Identify potential remedies to address traffic congestion at problematic intersections

- **Recommendation** – Deploy timed signal progression or conduct signal timing optimization studies along problematic corridors to improve traffic flow and circulation.
 - Working with NYSDOT and SCDPW, identify opportunities to deploy timed signal progression or conduct signal timing optimization studies to improve traffic conditions along congested corridors. As identified by members of the community and by previous traffic studies, problematic corridors where such improvements could potentially be deployed include Jericho Turnpike in Commack and Smithtown Boulevard in Nesconset.
- **Recommendation** – Work with NYSDOT and SCDPW to study and identify potential design solutions to address congested conditions at problematic intersections.

- As shown in Table 3, a number of intersections have been identified by members of the community as having frequent traffic congestion, and some have proposed potential solutions such as adding turn lanes, traffic signals, or converting intersections to roundabouts. Working with NYSDOT and SCDPW, traffic studies should be conducted to confirm these congested conditions and determine what design changes, if any, may be appropriate to improving traffic operations along key corridors in the Town.

2040 Scenario with the Comprehensive Plan Actions

In this scenario, as described in the section **Assessment of Future Transportation Needs**, traffic volumes on major roadways in the Town of Smithtown are expected to increase by approximately one percent with the comprehensive plan actions in place. The goals and recommendations described above for the **2040 Scenario Without the Comprehensive Plan Actions** would carry over to this scenario. The following additional transportation goals and policies are recommended below after considering both the anticipated traffic volume increases and the proposed land use changes in each of the hamlets. The broad transportation connectivity and safety recommendations in the Kings Park Downtown Revitalization Master Plan (2019) have also been included in the below goals.

Goal #1: Provide sufficient pedestrian and transit infrastructure to serve areas proposed to be rezoned for commercial or mixed-use development

- **Recommendation** – Make context-sensitive changes in areas proposed to be rezoned for commercial and mixed-use development by considering “Complete Streets” strategies in redesigning streetscapes.
 - With the proposed comprehensive plan actions, these districts and corridors will likely see trips made by a greater variety of modes than just by car. A holistic approach to redesigning streets to accommodate a more multimodal profile of trip-making would be a sensible approach to managing potential changes in transportation patterns due to these land use changes.
 - For example, as described in the Land Use element of the comprehensive plan, the Lake Avenue district in downtown St. James would be rezoned with the goal of redeveloping it as a pedestrian-oriented, walkable business district. Improvements such as installing sidewalks and crosswalks, bike racks, and bus shelters, and traffic calming measures, such as installing corner extensions and gateway treatments, along the Lake Avenue corridor can contribute to an improved streetscape that can provide a safer and more effective street design to better serve the proposed uses and

trips made by a greater variety of modes.

- Similar context-sensitive measures can also be considered for other distinct corridors where rezoning changes will require improvements in walkability and pedestrian circulation, such as the proposed Transit Village in downtown Smithtown and TOD district in downtown Kings Park.
- **Recommendation** – Enhance pedestrian and public transit improvements within the Long Island Innovation Park at Hauppauge to accommodate a greater mix of uses.
 - Additional sidewalk and crosswalk installations and traffic calming measures, such as installing more visible pedestrian crossings and signage, installing raised intersections and crosswalks to deter speeding, and adding on-street parking can be potential measures designed to enhance pedestrian connectivity throughout the proposed mixed-use district.

Goal #2: Manage traffic congestion in rezoned areas by improving traffic circulation to accommodate potential changes in travel patterns due to the comprehensive plan actions

- **Recommendation** – Adjust traffic signal timing plans and reassess street directions to accommodate potential changes in travel patterns in rezoned areas and corridors.
 - Although the comprehensive plan actions are expected to generally result in an approximately one percent increase in daily traffic volumes, the actions could potentially increase traffic along segments adjacent to new development beyond one percent, and introduce new land uses in certain hamlets, which may result in locally heavier traffic and/or changes in traffic patterns during the course of the day. Working with NYSDOT and SCDPW, signal timing and progression changes should be considered along corridors where zoning changes are planned (i.e. Jericho Turnpike in Commack, Smithtown Boulevard in Nesconset, Main Street in Smithtown), to better manage the flow of traffic throughout the course of the day. Also, street direction changes could be considered to add traffic capacity and improve circulation, depending on future conditions.
- **Recommendation** - Update curb regulations to provide sufficient on-street parking and/or commercial delivery capacity along curbsides in areas and corridors rezoned to accommodate more mixed-use or commercial development.
 - Areas and corridors where more mixed-use and commercial development are proposed as part of the comprehensive plan actions should