

Introduced by Presiding Officer, on request of the County Executive and Legislator Fleming

RESOLUTION NO. 705 -2017, AUTHORIZING THE RETIREMENT AND USE OF WORKFORCE HOUSING DEVELOPMENT RIGHTS BANKED IN THE SUFFOLK COUNTY SAVE OPEN SPACE BOND ACT WORKFORCE HOUSING TRANSFER OF DEVELOPMENT RIGHTS PROGRAM REGISTRY FOR USE IN THE DEVELOPMENT OF AFFORDABLE HOUSING IN SPEONK (SPEONK COMMONS)

WHEREAS, Resolution No. 840-2004, created the Save Open Space Bond Act (the "Act") which authorized the County's acquisition of land for open space preservation, active parkland, farmland development rights and environmental protection purposes; and

WHEREAS, the Act also authorized the County to transfer development rights ("Development Rights") from properties acquired pursuant to the Act to non-environmentally sensitive properties in order to facilitate the construction of affordable ownership and rental housing as defined in Article XXXVI of the Suffolk County Administrative Code; and

WHEREAS, to administer the transfer of Development Rights, there has been created the Suffolk County Save Open Space Bond Act Workforce Housing Transfer of Development Right Program Registry (the "WHDR Registry") which tracks the Development Rights from creation of the credits to utilization of the credits for an affordable housing project; and

WHEREAS, Georgica Green Ventures, LLC and Town of Southampton Housing Authority, the Co-Developers, have requested the utilization of Development Rights in connection with the development of twelve (12) affordable housing rental units as identified in Schedule A (the "Affordable Units"), in an affordable housing development to be constructed in Speonk in the Town of Southampton on the parcel bearing Suffolk County Tax Map No. 0900-350.00-02.00-018.000 (the "Development" or the "Receiving Parcel"); and

WHEREAS, approval by the Suffolk County Department of Health Services requires an additional twelve (12) sanitary flow credits to offset the increase in sanitary flow as a result of the inclusion of the Affordable Units in the Development; and

WHEREAS, the Project proposes to utilize twelve (12) Development Rights existing in the WHDR Registry and acquired by the County from properties identified by Suffolk County Tax Map No. 0900-356.00-02.00-001.009 (the "Sending Parcel") and to apply such Development Rights to the Receiving Parcel to enable construction of the Affordable Units; and

WHEREAS, the Sending Parcel and the Receiving Parcel are within the same Groundwater Management Zone (Zone VI); and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed the application for utilization of twelve (12) Development Rights and determined that the request meets the requirements of the Act for the development of affordable housing in compliance with Article XXXVI of the Suffolk County Administrative Code; now, therefore be it

1st **RESOLVED**, that twelve (12) Development Rights shall be subtracted from the aggregate twelve and seventy five hundredths (12.75) Development Rights generated from Suffolk County Tax Map No. 0900-356.00-02.00-001.009 and inventoried in the WHDR Registry, to be retired and attached to the Development for use to enable construction of the Affordable Units; and be it further

2nd **RESOLVED**, that the Affordable Units shall each remain affordable in perpetuity and shall each be rental units, with a maximum rent within the guidelines of Article 36 of the Suffolk County Administrative Code, rented to a household with an annual income that does not exceed 120% of the HUD area median income for Suffolk County, adjusted for family size; and be it further

3rd **RESOLVED**, that the County Executive, the Commissioner of Economic Development and Planning, the County Attorney, the Director of Real Estate, the Director of Planning, and the Commissioner of the Department of Health Services are hereby authorized, respectively, to take such further actions as may be necessary or desirable to effectuate the purposes and intent of this Resolution and to execute any and all documents necessary and/or desirable to effectuate the purpose and intent of this Resolution; and be it further

4th **RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8 and Chapter 279 of the Suffolk County Code, hereby finds and determines that this law constitutes a Type II action, pursuant to Title 6 of the New York Code of Rules and Regulations Part 617.5 (c)(9) and (20). Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: September 6, 2017

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: September 25, 2017

Schedule A

	Building and Unit Numbers Restricted in Perpetuity					
	Building 1	Building 2	Building 3	Building 4	Building 5	Building 6
Studio	123, 124, 125	-	-	-	514	614
1 Bedroom	-	-	312	413	515	615
2 Bedroom	-	-	313	412	-	612
Total	3	0	2	2	2	3