

# Village of Head-of-the-Harbor



DOUGLAS A. DAHLGARD  
*Mayor*

TRUSTEES

DANIEL W. WHITE  
*(Deputy Mayor)*

JUDITH C. OGDEN

L. GORDON VAN VECHTEN

JEFFREY D. FISCHER

500 N. Country Road  
St. James, New York 11780  
Phone (631) 584-5550  
Fax (631) 862-1417  
HeadoftheHarborNY.gov

ANTHONY B. TOHILL  
*Village Attorney*

MARGARET O'KEEFE  
*Village Clerk*

PATRICIA A. MULDERIG  
*Village Treasurer*

CHARLES M. LOHMANN  
*Police Chief*

November 8, 2017

VIA FACSIMILE 631-360-7546 AND  
US POSTAL SERVICE

Town of Smithtown Planning Board  
99 West Main Street  
PO Box 575  
Smithtown, NY 11787

RE: Preliminary Subdivision  
#1178 Gyrodyne LLC  
S/s NYS Rt. 25A, E/s Mills Pond Rd. St James  
LI & R-43 Zoning Districts  
SCTM#: 140-2-4.-13.3,13.4,14&15

Dear Planning Board Chairman and Members:

The Village of Head of the Harbor (the Village) as the neighboring community on the opposite side of North Country Road (25A) from Gyrodyne's property wishes to comment on the Preliminary Subdivision.

As Smithtown's Planning Board's November 15th hearing conflicts with the Village Trustee Meeting, our comments are hereby submitted in writing.

Residents of Head of the Harbor are very proud of their community and have worked hard since the incorporation of our Village to maintain its beauty and rural atmosphere. As Gyrodyne's neighbor, the Village is very concerned that development of the Gyrodyne parcel will increase the volume of car and truck traffic on 25A so as to require new traffic lights and possibly roadside tree removal and widening. We are also concerned about fire protection for a complex that includes two assisted living facilities and a 150-room hotel. In addition, we are concerned about the impact of the new facility to our drinking water and the storm water pollution that may wind up in Stony Brook Harbor from the development site.

The scenic and historic views along the narrow, winding and hilly North Country Road from Setauket thru Stony Brook, Head of the Harbor and Saint James are a major asset that we are tasked to preserve. Historic houses, museums, farms, and parkland line the bucolic route that also is remembered for Revolutionary War history. They represent why we live here and others visit. But they are also fragile and

can easily be destroyed and lost forever. The Village has consistently and successfully worked to protect the quality of Route 25A within its area- it having been well established that widening of this road would destroy local property values and invite heavy traffic with its resultant troubles. Let us not forget there have been threats to 25A as far back as 1945 when New York State proposed to widen the road to four lanes with a mall. The Village successfully opposed this action but it was a close call.

In 1956, and again in 1964, there were proposals to alter the historic road and again the Village persuaded New York State to abandon the idea. In 1960, the Gyrodyne Company petitioned the Town of Smithtown Board to change its zoning from Residential A to Light Industrial. The Village was alarmed over this proposal and filed a protest. Mr. Ward Melville who wished to protect the scenic approach to the museum village of Stony Brook contributed financing to the Village protest. The case was settled by Gyrodyne agreeing to leave historic houses on the northwest corner of the property and to file a restrictive covenant to preserve a buffer zone of 200 feet along the North Country Road frontage in which no building could be erected.

In 1966, the US Department of Commerce described North Country Road through St. James as a relatively unchanged section of the route followed by George Washington in 1790 and commented that "it is one of the few remaining sections of that route which has not been obliterated by road widening and where the character of the adjacent countryside remains virtually unchanged."

In 1969, with the advice of the Suffolk County Planning Director the Village designated Route 25A, to a depth of 500 feet, as the "North Country Road Historic Area". In 1972, the Allstate Insurance Company attempted to build a large office building on the corner of 25A and Shep Jones Lane. In 1973, Allstate withdrew its application in face of opposition by the Village and surrounding community as covered by the local press.

Today when we sit in bumper-to-bumper traffic on the main east west corridors on Long Island, i.e., the Long Island Expressway, Jericho Turnpike and Nesconset Highway we see the impact of over building and the blight of commercial signage that resulted from not developing in a smart way. Once development is done, we cannot go back. We have to live with the mess. The portion of Route 25A that runs through our community must not fall into a similar condition.

**County Development Report.** The subject parcel was reviewed on August 2, 2017 by the Suffolk County Planning Commission and a Staff Report was issued that included analysis and recommendations. We generally agree with the Staff Report and note that included in their analysis is a belief by Staff that the development of the property should not approach the maximum allowable density allowed by the present zoning. The Staff Report shows concern that the development should not over burden the community visually, environmentally, and with new car and truck traffic. We note that the existing volume of traffic on North Country Road especially during rush hours can be intolerable. In addition, the curves and hills can slow the traffic in the winter weather even further. We just cannot see how the added traffic of a 150-room hotel can be absorbed. In our view, hotels belong in the commercial areas of the LIE with its four-lane capacity plus service roads. We are highly in favor of traffic studies that take into consideration the impact on all of the surrounding communities.

**Scenic Buffer.** The County report suggests that a "large buffer" be provided to maintain the natural and historic corridors. The County Planning Commission Staff recommended that Gyrodyne should even supplement the 200 foot wide open space/historic vista along North Country Road with indigenous plant materials to help prevent visual intrusion from the development including the lighting out on to the road and neighboring properties. The Village certainly supports the Staff's suggestion and also asks that the height of any development be limited so as not to be visible and imposing by extending over and above the sight line of the buffer. The Village would also suggest that Gyrodyne remove the large signs

on the Rt. 25A roadside next to both the 25A entrance and at the Mills Pond intersection. These signs advertise current tenants and space for lease. The signs today detract from the scenic vista and should not be permitted in the buffer now or after development. Gyrodyne plans call for a 150-room hotel. Today if visitors to the area need a place to stay there are hotels on Route 347 and the LIE. Hotel signs on the LIE can be seen for miles along with signs for fast food restaurants. Even though the preliminary subdivision application does not include a specific hotel, we must consider the impact of a highly visible hotel with parking lot lighting, signage and staff and travelers coming and going.

**Fire Protection.** A hotel would require specially designed fire protection and we question whether the St. James Fire Department has this capability. St. James Fire Department's plans call for a consolidation to a newly built station in the south central area of St. James (south of the LIRR tracks) and the closure of the main fire station located down 25A from Gyrodyne. Funding for a new station is not currently available making these plans uncertain.

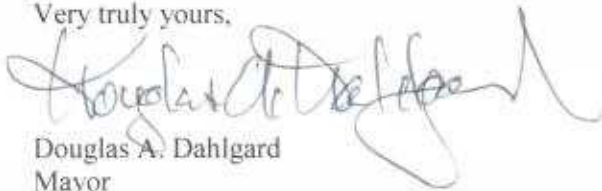
Fire protection for a multi-story hotel cannot be uncertain and is a significant matter that needs to be nailed down. We note that the Stony Brook Fire Department has an investment in expensive firefighting equipment to handle fires at the multi storied University and Medical Center. How will St. James Fire Department finance special firefighting equipment needed to fight fires at a 150-room hotel and at the same time finance a new fire station. These items should be part of the Gyrodyne subdivision discussion.

**Water Quality.** The Village is concerned with protecting its drinking water from sewage treatment plant discharge. Another concern is stormwater from the site polluting Stony Brook Harbor over time. The land from Gyrodyne's property runs downhill to the water, as does most of the land in Head of the Harbor and Stony Brook. This is a critical area requiring a full environmental study, which should not only deal with the near term but also cover the long-term impacts to our water quality.

**Community Cooperation.** Another issue deals with working with the surrounding community. Gyrodyne would build a Sewage Treatment Plant to handle the site's sewage. It has been discussed that a revitalization of downtown St. James would benefit from a sewage treatment plant connection. Running a connection from Gyrodyne's STP along the LIRR right of way to St. James sounds possible, but would require State cooperation and financial support. We certainly would be supportive of that effort.

We thank the Smithtown Planning Board for this opportunity to express our concerns with regard to the preliminary subdivision by Gyrodyne LLC, and we remain available should the Board wish to discuss this submission.

Very truly yours,



Douglas A. Dahlgard  
Mayor

Cc: Hon. Board of Trustees, Village of Head of the Harbor  
Mr. Harlan D. Fischer, Planning Board Chairperson, Village of Head of the Harbor  
Mr. Joseph Bollhofer, Chairperson Zoning Board of Appeals, Village of Head of the Harbor  
Ms. Robin Herrstein, Chairperson Joint Coastal Commission, Village of Head the Harbor  
Mr. Paul Athineos, Chairperson, Village of Head of the Harbor