HUNTINGTON TOWN PLANNING BOARD

MEETING OF APRIL 5, 2006

FILED WITH TOWN CLERK
APR 06 2006
Date

The following resolution was offered by L. Santoioanni

and seconded by A. Rosen

WHEREAS, HOUSING HELP INCORPORATED, 91 Broadway, Suite 6, Greenlawn, New York 11740, submitted a site plan application for the **MATINECOCK COURT** property located on the northwest corner of Pulaski Road (CR 11) and Elwood Road (CR 10) in East Northport, indicated as parcel 0400-114-04-007 on the Suffolk County Tax Map, and

WHEREAS, said site plan application was received on June 7, 1995, and

WHEREAS, said action, on a 14.574 acre parcel located within a R-3M Residence zone district, is for a construction development of 155 multi-family housing units (the original plan had depicted a total of 179 multi-family housing units) containing no garages or driveways and including a superintendent's apartment, with playground areas, an on-site community building, sewage treatment plant (STP-within the northern portion of the site), recharge basin (within the northwestern portion of the site), and parking for 334 vehicles (the original plan had depicted a total of 243 off-street parking stalls), and

WHEREAS, the Planning Board has been established as the lead agency pursuant to SEQRA § 617.6 for the action to the site plan for Matinecock Court, and

WHEREAS, said site plan application was classified a **Type I Action** pursuant to 6 NYCRR PART 617 of the State Environmental Quality Review sections 617.12(b)(5)(ii) and 617.12(b)(10), and based on the information provided with the application and in the Full Environmental Assessment Form Parts I, II, and III, was issued a **Positive Declaration** by the Planning Board via a July 12, 1995 resolution, and

WHEREAS, said site plan application underwent a public scoping process for the purpose of outlining the scope of a Draft Environmental Impact Statement (DEIS) to be prepared for the subject application in accordance with SEQR, and

WHEREAS, the applicant has submitted a draft DEIS (dated March 2005) which was reviewed by Staff of the Planning and Environment Department and revised four (4) times to satisfy issues identified in the EAF Part III and the Planning Board scoping checklist, and

WHEREAS, upon review, the last revised draft DEIS (dated March 2005, revised February 2006) was determined to be satisfactory with regard to its scope, content and adequacy by the Staff of the Planning and Environment Department for the purpose of commencing the State Environmental Quality Review Act (SEQRA) hearing, now therefore be it

RESOLVED, that the Planning Board of the Town of Huntington determines that the Draft Environmental Impact Statement for Housing Help, Inc. Proposed Development of Matinecock

Court (dated March 2005, revised February 2006, and received on February 22, 2006) is acceptable for commencing public review, and directs that a Notice of Completion of the DEIS and Notice of Hearing and copies of the Draft Environmental Impact Statement be filed with the appropriate agencies and posted in the on-line library on the Town of Huntington website by the Department of Planning and Environment in accordance with SEQRA 6 NYCRR 617.12, and be it further

RESOLVED, that the Department of Planning and Environment is hereby directed to distribute a copy of this resolution together with all supporting documents to the Suffolk County Planning Commission for its review pursuant to New York State General Municipal Law section 239-m; and be it further

RESOLVED, that the Planning Board hereby directs the applicant to incorporate and address the comments of the Planning Board and issues identified in the March 1, 2006 SCDPW letter, and all other substantive comments received during the public comment period through document revisions and site design alternatives as appropriate in the FEIS, and be it further

RESOLVED, that the Planning Board hereby schedules the SEQRA hearing for May 10, 2006 at 7:30 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York and establishes a public comment period to expire May 26, 2006.

VOTE: 4 AYES: 4 NOES: 0 ABSENT: 1

P. Mandelik, Chair	Not Voting
J. Devine, Vice Chair	Absent
M. Sommer	Aye
L.A. Santoianni	Aye
A. Rosen	Aye
S. Schnittman	Aye

The resolution was thereupon declared to be duly adopted.

FILED WITH TOWN CLERK
Date APR 06 2006

PLANNING BOARD MEMBER COMMENTS

The following is a compendium of the concerns/questions/comments (grouped by topic) raised and considered by the Planning Board members at their meeting of April 5, 2006 concerning the adequacy of the proposed Matinecock Court Draft Environmental Impact Statement ("DEIS"). All comments should be addressed in the Final Environmental Impact Statement.

TRAFFIC IMPACTS

1. Address the issue of Suffolk County Department of Public Works' objection to the entrance of the property and whether or not the Planning Board, as lead agency, has the authority to overrule that. [AR]

2. Provide an updated status of the development on that roadway (Elwood Road). A particular concern is the exiting and entering during school hours given the fact that all the school buses have to stop at the tracks. It seems that increasing traffic at that intersection could be quite dangerous. [AR]

3. Discuss location of entrance/exit and provide alternative plan that shows the impact to the proposed site design. [SS]

4. Identify the number of lanes for used for egress and number of lanes used for ingress at entrance/exit. [SS]

5. Show the location of crash gate, if one is necessary, for each access alternative. [SS]

6. There should be more information on the bus routes and public transportation. It says that there is a pick up [bus stop] on one side of the property. A little bit more coordination with HART, in terms of setting up access for people to actually be able to get to the train station or other spots, might be a good idea. [AR]

7. Resolution of the issue of the Suffolk County DPW letter to Margo Myles dated 3/1/2006 regarding curb cuts on Elwood Road. [PM]

8. In addition, what is the impact of the traffic light recently installed just north of the site on Elwood Rd. [PM]

9. If the MC entrance is moved to Elwood Rd. will the Community Center be moved accordingly? [PM]

WATER RESOURCE IMPACTS

1. Engineering the sump to deal with a nine inch rainfall seems a little high in terms of what is usually approved. The overall plan may be able to pick up some extra space if the size of the recharge basin can be reduced. [AR]

2. In terms of some of the comments that dealt with the water supply, it appears there were corrections from Richard Machtay that do not seem to have been carried through in terms

of the demand may be over what was available. Is there a requirement in the Town of Huntington that they use potable water for the irrigation system? Quite a lot of [potable] water could be saved if that were not the case. [AR]

3. A very general comment is that most of the data in this report is from two to five years old and needs to be updated. For example, in terms of the train whistles, one of the issues is that there are new updated requirements for the blowing of the whistles. It may be appropriate at this time to attempt to have the area designated a "quiet zone." In any event, that needs to be addressed. [AR]

4. Discuss how far the recharge basin will be from the new home construction and from the school grounds and whether there is any concern for stagnant water and mosquito breeding. {LS}

5. The DEIS states that the STP will have capacity of 36,000 GPD. Also states site will generate "approximately" 35,630 GPD. Will there be sufficient capacity? [PM]

LAND IMPACTS

1. There are discrepancies in the report as it says that all soils will be retained on site, with a "cut and fill" analysis. However, given some of the historic uses of the property, some new soil might have to be brought in for mixing depending on the results of soil testing. This should be addressed. [AR]

2. Spills were diaried from 1994. What has occurred on the site over the past 10 years? [LS]

COMMUNITY SERVICE IMPACTS

1. There seems to be a discrepancy in the EIS wherein they say that this area is within one of the solid wastes zones where carting is provided. Later on they say they plan on having a private carter service the property. Since this is meant to be affordable housing, it should be clarified why they would pay for additional carting, when it is included in the tax base. [AR]

AESTHETICS AND DESIGN

1. Explore whether the sewage treatment plant can be made as unobtrusive as possible. One idea would be to reduce it down below grade. Another issue that is on the maps, but not really discussed, is a future expansion of the sewage treatment plant, which seems to put it even closer to the property line which would require a further variance. I believe that this needs to be addressed at this time as well. [AR]

2. Address the issue of snow plowing for the property in terms of the overall design. It appears to be virtually impossible for the parking lots to be plowed if there were a nighttime snowfall. It seems possible that the plows (and it is unclear whether these roads are going to be dedicated or not) could completely box in all of the cars. Some thought should be given to the design aspects. [AR]

3. In terms of making this project as attractive as possible, and given the size of it, some attention should be directed towards "green" construction of this project. It would seem that this a rare opportunity to put in some energy saving systems and construction plans to make this project as affordable going forward as it is meant to be initially. To the extent that this increases costs, there may be some available sources of funding to help defray these costs. [AR]

4. Are the buffer plantings evergreen and is it a solid buffer along property abutting residential properties? [SS]

5. Sewage treatment map does not show 20 buildings. [LS]

6. Of the 334 parking spaces, only 18 are handicapped. There should be more handicapped spaces interspersed throughout the project. [LS]

7. Electromagnetic fields are not mentioned in the new DEIS, but were in the 1994 ESA. Is an updated report warranted? [LS]

8. Acknowledge receipt of letter dated 3/6/2006 to provide 6' fencing along perimeter of the property. [PM]

9. Related to this and vegetation/landscaping on the property, who will have the responsibility for maintenance. [PM]

10. Related to fencing and proximity to LIRR, STP, Sump, etc, what precautions will be taken to prevent "dangerous encroachment" by residents of Matinecock Court, especially youths? [PM]

11. In DEIS pg. XXI re: Health: Statement regarding exposure to EMF from LIPA sub-station...."it is <u>not expected</u>" for residents to be exposed to strong electromagnetic fields so as to impact health? This is not very strong assurance. [PM]

12. In the same letter HH indicated that owner and rental properties will be intermixed. Agree with that approach. [PM]

<u>PROJECT AFFORDABILITY</u>

1. There should be some discussions in terms of the length of the leases, and what the terms would be on renewals. Once people qualified, would they have to re-qualify in terms of their income on each lease renewal? A little bit more information on how the covenants and restrictions would work and how the properties would be allowed to appreciate in value, and in terms of mortgageability, should also be addressed in terms of the issues that the Planning Board has reviewed on other projects sponsored by the Town of Huntington for affordable housing. [AR]

2. Since the DEIS used the Highview at Huntington and Millenium Hills sites as examples for similar developments both sites were compared. An investigation should be made into

occurrences of similar incidents at both Highview and Millenium Hills over the last 2–3 years and a report generated. It is acknowledged that the number of bedrooms allocated is different. Highview appears to have fewer complaints about residents or the lottery process. On the other hand Millenium Hills seems to have had some problems, including excessive amounts of broken windows and property problems caused by residents/ tenants, many evictions, and a questionable lottery selection process. [PM]

3. MC does not have garages, but there is an allocation of storage space. What requirements will be imposed on the residents to reduce clutter, i.e. toys, bicycles, rubbish, tools, garbage cans, etc. from being strewn about on lawns and roadways in an unsightly manner? [PM]

4. It has been purported that many residents of Millenium Hills were "placed" there arbitrarily and did not get there via the "proper" lottery approach. This has created some mixed perceptions, including that people that "deserve" to be there by placing their names legally in the lottery process missed out because of these illegal/improper "placements" and there are significant amounts of evictions and damage being done to the Millenium Hills buildings. Additional security has been required to be called in to aid in evictions and reduce disturbances. An analysis of how the lottery was conducted on both sites should be included in the DEIS to assure that the process has no flaws and that the proper security and safety is provided for both the residents and the surrounding community. [PM]

   Accordingly, what assurances and controls will there be to assure the MC lottery process will be fair? Who has responsibility for oversight? [PM]

COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

RICHARD J. LAVALLE, P.E.
CHIEF DEPUTY COMMISSIONER

CHARLES J. BARTHA, P.E.
COMMISSIONER

LESLIE A. MITCHEL
DEPUTY COMMISSIONER

March 1, 2006

Ms. Margo Myles
Interim Director of Planning
Town of Huntington
Department of Planning & Environment
100 Main St.
Huntington, N. Y. 11743

DIRECTOR	
DEPUTY DIR.	
ASST. DIRECTOR	
CM	
AGENDA	
ADDED STARTER	
TECH	CORR.

Re: **CR 10, Elwood Rd. & CR 11, Pulaski Rd.**
Matinecock Court
SCTM#0400-114-04-007

Dear Ms. Myles:

This Department has reviewed various plans for development at the referenced parcel since 1995. Over the years, we have consistently stated that all access to this development should be by way of CR 10, Elwood Road. The plans must be revised to show full access onto CR 10 located of a minimum distance of 450 ft. north of the signalized intersection at CR 11, Pulaski Road, with a gated, unpaved emergency access onto CR11, located as far from the signalized intersection as possible.

The developer will be responsible for providing a northbound turn lane into this site on CR 10, as well as dedications along the site's CR 10 and CR 11 frontage, to provide for the construction of a southbound right turn lane and an additional westbound through lane, which the developer must construct prior to occupation of units within this development. In turn, our Department will perform all necessary modifications to the existing signal, as well as utility relocations.

The traffic impact study should include an analysis of accidents on CR 10 and CR 11 in the vicinity of this site, including the signalized intersection.

A permit from this Department will be required pursuant to Section 136 of the Highway Law for the proposed access and improvements this Department deems necessary along the County right-of-way.

Before a permit is issued by this Department for these improvements, documentation pursuant to Section 239F of the New York State General Municipal Law must be forwarded to us from the Town Building Department for our review and comments.

Plans have been forwarded to our Transportation Section for their review and comment. Improvements relating to public transportation may be necessary to be installed under a permit from this Department.

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PLANNING DEPARTMENT
TOWN OF HUNTINGTON

Plans must be revised to show existing edge of pavement elevations along the site's entire CR 10 and CR 11 frontage to determine drainage requirements. Also, any existing drainage systems and or structures on these County roads in the vicinity of this project should be shown on the plans.

The developer should provide unobstructed pedestrian and wheelchair accessibility from the County right-of-way to the proposed facility.

The access must provide unimpeded movement onto the site from CR 10 for a minimum distance of 75 ft. This precludes the installation of medians, gates, planters and/or signs in the driveway.

Due to the nature of this site, significant clearing and/or grading is required. Therefore, the applicant must obtain a construction access permit. We, hereby, request the Town's Building Department withhold any building or clearing permits until said construction access permit is executed through this Department. We will issue a temporary construction access permit upon receipt of an acceptable site plan.

The applicant must please submit two full-size (24"x36"), as well as two reduced (11"x17"), plan sets reflecting the comments herein.

If you have any questions, kindly contact this office at 852-4100.

Very truly yours,

William Hillman, P.E.
Chief Engineer

By: _____
Bianca Dresch, P.E.
Civil Engineer

WH:BD:ln
cc: Gerard Haaf, Town of Huntington Engineering Services
Charles Mangano, Town of Huntington Planning Department
Robert Bornholdt, William Colavito, SCDPW

FREUDENTHAL & ELKOWITZ CONSULTING GROUP, INC.

Theresa Elkowitz, President

368 Veterans Memorial Highway, Suite 3
Commack, New York 11725
Tel: (631) 499-2222
Fax: (631) 499-5928
fecg@fecg.us

March 6, 2006

VIA FACSIMILE AND U.S. MAIL

The Honorable Paul Mandelik, Chairman
and Members of the Town of Huntington Planning Board
c/o Mr. Charles Mangano
Town of Huntington Planning Department
100 Main Street
Huntington, New York 11743

Re: Revised Draft Environmental Impact Statement ("DEIS")
Proposed Development of Matinecock Court

Dear Mr. Mangano:

This will confirm that the Final Environmental Impact Statement ("FEIS") for the Proposed Development of Matinecock Court will address two comments made by Mr. Paul Medelik, Planning Board Chairman. The first comment relates to the proposed fencing. It is our understanding that stockade peripheral fencing and six-foot decorative wood fencing at the roadways are preferred. The second comment relates to how the units will be organized within the community, and the preference for the rental and owner-occupied units to be intermixed.

Sincerely,

FREUDENTHAL & ELKOWITZ
CONSULTING GROUP, INC.

Kim Gennaro, AICP
Senior Project Manager

KG/lm

enc.

FREUDENTHAL & ELKOWITZ CONSULTING GROUP, INC.

Theresa Elkowitz, President

368 Veterans Memorial Highway, Suite 3
Commack, New York 11725
Tel: (631) 499-2222
Fax: (631) 499-5928
fecg@fecg.us

February 21, 2006

VIA HAND DELIVERY

The Honorable Paul Mandelik, Chairman
and Members of the Town of Huntington Planning Board
c/o Mr. Charles Mangano
Town of Huntington Planning Department
100 Main Street
Huntington, New York 11743

Re: Revised Draft Environmental Impact Statement ("DEIS")
Proposed Development of Matinecock Court

Dear Chairman Mandelik and Honorable Board Members:

In accordance with consultations with Mr. Charles Mangano of the Planning Department, we are hereby submitting seven copies of the above-referenced revised DEIS (Volumes I and II) for the Proposed Development of Matinecock Court. The enclosed DEIS addresses the comments included in correspondence dated April 8, 2005 from Richard Machtay, former Director of Planning and in correspondence dated May 18, 2005 from Kenneth D. Fine, as well as verbal comments from Mr. Mangano.

Upon review and acceptance by the Planning Board, we will supply the requisite number of copies of the DEIS (Volumes I and II) for distribution by the Town of Huntington to the involved agencies and interested parties.

Thank you for your cooperation.

Sincerely,

FREUDENTHAL & ELKOWITZ
CONSULTING GROUP, INC.

K. Gennaro

Kim A. Gennaro, AICP
Senior Project Manager

KG/lm

enc.
cc: S. Lagville (w/enc.)
S. Angel, Esq.

RECEIVED
FEB 22 2006
TOWN OF HUNTINGTON
DEPARTMENT OF PLANNING
AND ENVIRONMENT

DIRECTOR	
DEPUTY DIR	
ASST. DIRECTOR	
CM	
AGENDA	
ADDED STARTER	
TECH / CORR.	

14-12-9 (3/99)-9c **SEQR**

State Environmental Quality Review
Notice of Completion of Draft
and
Notice of SEQR Hearing

Lead Agency: Town of Huntington Planning Board
Address: 100 Main Street, Huntington, New York 11743

Project Number _____
Date: April 6, 2006

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Draft Environmental Impact Statement has been completed and accepted for the proposed action described below. Comments are requested and will be accepted by the contact person until May, 26, 2006, 4:30 pm at Huntington Town Hall,100 Main Street, Huntington, New York 11743 - Room 212.

Name of Action: Housing Help, Inc. Proposed Development of Matinecock Court [Site Plan]

Description of Action: The proposed action involves construction of 155 multi-family housing units on a 14.574 acre parcel located within a R-3M Residence district containing no garages or driveways and including a superintendent's apartment. Playground areas, an on-site community building, sewage treatment plant (STP-within the northern portion of the site), recharge basin (within the northwestern portion of the site), and parking for 334 vehicles will also be provided. Public water is to be provided by the Suffolk County Water Authority.

The subject property is located within Town designated open space identified on the Town Open Space Index as OSI # NE-27. The proposal will result in the physical alteration of more than 2½ acres. Pursuant to SEQRA sections 617.4(b)(5)(ii) and 617.4(b)(10) [old SEQRA sections 617.12(b)(5)(ii) and 617.12(b)(10)], said action is Classified Type I. The Planning Board as Lead Agency issued a Positive Declaration determination of significance for said action via a July 12, 1995 resolution.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)
The project site is located on the northwest corner of Pulaski Road (CR 11) and Elwood Road (CR 10) in East Northport, within the Town of Huntington, indicated as parcel 0400-114-04-007 on the Suffolk County Tax Map.

Potential Environmental Impacts:
Please refer to the Housing Help, Inc. Proposed Development of Matinecock Court Draft Environmental Impact Statement (DEIS) dated March 2005 and revised February 2006.

A copy of the Draft / ~~Final~~ EIS may be obtained from:

Contact Person: Margo S. Myles, Interim Director, or Charles J. Mangano, Environmental Planner, Department of Planning and Environment

Address: Huntington Town Hall, Town of Huntington Planning and Environment Department, 100 Main Street, Huntington, New York 11743

Telephone Number: (631) 351-3196 - FAX # (631) 351-3257

A Copy of this Notice and the Draft EIS Sent to:

The Applicant/Owner
Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-1750
Chief Executive Officer, Town~~/City/Village~~ of Huntington
Town of Huntington, Office of the Supervisor, Attention: Frank P. Petrone, Town Supervisor
Any person who has requested a copy of the Draft / ~~Final~~ EIS

1. David Scro, Chair, Matinecock Court Citizens Advisory Committee, 48 South Service Road, Suite 300, Melville, New York 11747
2. Long Island Housing Partnership, Inc., Hauppauge, Long Island, New York 11788, Attention: Jim Morgo

Any other involved / interested agencies

1. New York State Department of Environmental Conservation, Region I, SUNY, Building #40, Stony Brook, New York 11790-2356, Division of Environmental Permits, Attention: Susan Ackerman, Environmental Analyst I
2. Town of Huntington, Office of the Town Clerk, Attn: JoAnn Raia, Town Clerk
3. Town of Huntington, Town Attorney, Attention: John J. Leo
4. Town of Huntington, Planning Board *
5. Town of Huntington, Planning and Environment Department (two additional copies)
6. Town of Huntington, Department of Engineering Services, Attention: Patricia A. Del Col, Director
7. Town of Huntington, Conservation Board, Attention: J. Squires, Chairperson
8. Town of Huntington Bureau of Fire Prevention, Attention: James M. Logan, Chief
9. Town of Huntington, Community Development Agency, Attention: Joe DeVincent, Director
10. Town of Huntington, Town Assessor, Attention: Bryan Monaghan
11. Suffolk County Planning Department, H. Lee Dennison Bldg., 100 Veterans Memorial Highway, Hauppauge, New York 11788, Attention: Thomas A. Isles, AICP, Director
12. Suffolk County Department of Health Services, Wastewater Management Division, County Center, Room S-238, Riverhead, New York 11901, Attention: Walter J. Hilbert, P.E., Chief
13. Suffolk County Department of Health Services, Office of Ecology, County Center, Riverhead, NY 11901, Attention: Ms. Kimberly Shaw, Bureau Supervisor

14. Suffolk County Department of Public Works, 335 Yaphank Avenue, Yaphank, New York 11980 Attention: William Hillman, P.E., Chief Engineer or Bianca Dresch, P.E. Senior Civil Engineer
15. Suffolk County Water Authority, Administrative Services, 4060 Sunrise Highway, Oakdale, New York 11769-0901 Attn: Steven T. Burns, P.E. Director of Distribution
16. LIRR Public Affairs, Jamaica Station-1131, Jamaica, New York 11435, Attention: Peter Palamaro
17. Long Island Power Authority, 175 East Old Country Road, Hicksville, NY 11801, Attention: Director of Government Relations
18. Northport-East Northport School Board of Education c/o Arlene S. Munson, President, Central Office, 158 Laurel Avenue, Northport, New York 11768
19. Northport-East Northport School District c/o Dr. William J. Brosnan, Superintendent of Schools, and Christina McCulloch, District Clerk, Central Office, 158 Laurel Avenue, Northport, New York 11768
20. Harborfields Public Library, 31 Broadway, Greenlawn, NY 11740, Attn: Reference Librarian
21. East Northport Public Library, 185 Larkfield Road, East Northport, NY 11731, Attn: Reference Librarian
22. Northport Public Library, 151 Laurel Avenue, Northport, NY 11768, Attn: Reference Librarian

* = copy of DEIS already forwarded
Environmental Notice Bulletin, Room 538, 50 Wolf Hill Road, Albany, NY 12233-1750
enb@gw.dec.state.ny.us

A Copy of the DEIS is posted on the Town of Huntington website in the On-line Library (Planning and Environment Department section under Matinecock Court):
http://town.huntington.ny.us/permit_forms.cfm

Copies of the Draft EIS must be distributed according to 6NYCRR 617.12(b).

The ENB SEQRA Notice Publication Form - *Please check all that apply.*
Date: April 6, 2006
Deadline: Notices must be received by 6 p.m. Wednesday to appear in the following Wednesday's ENB.

____ Negative Declaration - Type I

____ Conditioned Negative Declaration

____ Draft Negative Declaration

_____ Positive Declaration
____ with Public Scoping Session

__√__ Draft EIS
__√__ with Public Hearing
Generic
____ Supplemental

_____ Final EIS
____ Generic
____ Supplemental

DEC Region # __1____ County: Suffolk_____ Lead Agency: Town of Huntington Planning Board

Project Title: Housing Help, Inc. Proposed Development of Matinecock Court [Site Plan]

Brief Project Description: The proposed action involves construction of 155 multi-family housing units on a 14.574 acre parcel located within a R-3M Residence district containing no garages or driveways and including a superintendent's apartment. Playground areas, an on-site community building, sewage treatment plant (STP-within the northern portion of the site), recharge basin (within the northwestern portion of the site), and parking for 334 vehicles will also be provided. Public water is to be provided by the Suffolk County Water Authority.

The subject property is located within Town designated open space identified on the Town Open Space Index as OSI # NE-27. The proposal will result in the physical alteration of more than 2½ acres. Pursuant to SEQRA sections 617.4(b)(5)(ii) and 617.4(b)(10) [old SEQRA sections 617.12(b)(5)(ii) and 617.12(b)(10)], said action is Classified Type I. The Planning Board as Lead Agency issued a Positive Declaration determination of significance for said action via a July 12, 1995 resolution.

Project Location (include street address/municipality): The project site is located on the northwest corner of Pulaski Road (CR 11) and Elwood Road (CR 10) in East Northport, within the Town of Huntington, indicated as parcel 0400-114-04-007 on the Suffolk County Tax Map.

Contact Person: Margo S. Myles, Interim Director, or Charles J. Mangano, Environmental Planner, Department of Planning and Environment

Address: Huntington Town Hall, Town of Huntington Planning and Environment Department, 100 Main Street, Huntington, New York 11743

A Copy of the DEIS is posted on the Town of Huntington website in the On-line Library (Planning and Environment Department section under Matinecock Court):
http://town.huntington.ny.us/permit_forms.cfm

Phone: (631) 351-3196 Fax: (631) 351-3257 E-Mail: PLANNING@town.huntington.ny.us

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For ~~Draft Negative Declaration~~/Draft EIS: Public Comment Period ends: 05/26/06

For Public Hearing~~/Scoping Session~~: Date: 05/10/06 Time: 7:30 pm

Location: Huntington Town Hall,100 Main Street, Huntington, New York

For Conditioned Negative Declaration: In summary, conditions include:

FREUDENTHAL & ELKOWITZ CONSULTING GROUP, INC.

DRAFT ENVIRONMENTAL IMPACT STATEMENT
HOUSING HELP, INC.
PROPOSED DEVELOPMENT OF MATINECOCK COURT

VOLUME I – TEXT AND APPENDICES A AND B

HAMLET OF GREENLAWN
TOWN OF HUNTINGTON
SUFFOLK COUNTY, NEW YORK

MARCH 2005
REVISED FEBRUARY 2006

RECEIVED
FEB 22 2006
TOWN OF HUNTINGTON
DEPARTMENT OF PLANNING
AND ENVIRONMENT

DRAFT ENVIRONMENTAL IMPACT STATEMENT
HOUSING HELP, INC.
PROPOSED DEVELOPMENT OF MATINECOCK COURT
155-UNIT AFFORDABLE HOUSING DEVELOPMENT
HAMLET OF GREENLAWN, TOWN OF HUNTINGTON

PROJECT LOCATION:

14.574-acre parcel
North side of Pulaski Road
West side of Elwood Road and
South of Long Island Rail Road
Hamlet of Greenlawn, Town of Huntington

APPLICANT:

Housing Help, Inc.
91 Broadway
Greenlawn, New York 11740

Contact: Stephen R. Angel, Esq.
Esseks, Hefter & Angel, P.C.
(631) 369-1700

LEAD AGENCY:

Town of Huntington Planning Board
100 Main Street
Huntington, New York 11743

Contact: Planning Director and Charles J. Mangano
(631) 351-3196

PREPARER & CONTACT:

This Draft Environmental Impact Statement was prepared by:

Freudenthal & Elkowitz
Consulting Group, Inc.
368 Veterans Memorial Highway
Commack, New York 11725

Contact: Theresa Elkowitz, President
Kim Gennaro, AICP, Project Manager
(631) 499-2222

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1-4 22 2006
TOWN OF HUNTINGTON
DEPARTMENT OF PLANNING
AND ENVIRONMENT

With technical input from:

Land Design Associates, P.C.
91 Green Street
Huntington, New York 11743
(Engineering Plans)

Michael P. Chiarelli Engineer, P.C.
1954 New York Avenue
Huntington Station, New York 11746
(Sanitary Engineer)

RMS Engineering, P.C.
355 New York Avenue
Huntington, New York
(Traffic Engineer)

Gary D. Cannella Associates
55 Knickerbocker Avenue
Bohemia, New York 11716
(Architect)

DATE OF REVISION: February 2006

AVAILABILITY OF DOCUMENT: This document represents a Draft Environmental Impact Statement ("DEIS") pursuant to a positive declaration and a Part 3-EAF prepared by the lead agency. Copies are available for public review and comment at the offices of the lead agency.

DATE OF ACCEPTANCE:

DEADLINE FOR COMMENTS:

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Appendix B	-	Property Survey, Site Development Plans (15 Sheets), Condominium Map and Preliminary Construction Schedule

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1.0 EXECUTIVE SUMMARY

This document is a Draft Environmental Impact Statement ("DEIS") prepared in accordance with the State Environmental Quality Review Act ("SEQRA") and its implementing regulations at 6 NYCRR Part 617 and pursuant to a Positive Declaration issued by the Town of Huntington Planning Board, as lead agency for the action contemplated herein (see Appendix A). This DEIS evaluates the potential adverse impacts associated with the proposed construction of a 155-unit, multi-family housing complex within a R-3M Garden Apartment Special District. The subject property is 14.574 acres in size, and is located on the northwest corner of Elwood Road (CR 10) and Pulaski Road (CR 11) in the hamlet of Greenlawn, Town of Huntington, Suffolk County, New York.

The Town of Huntington Planning Department prepared a Full Environmental Assessment Form ("EAF"), which identified the following impact issues to be evaluated in a DEIS:

- Impact on Land;
- Impact on Water;
- Impact on Plants and Animals;
- Impact on Aesthetic Resources;
- Impact on Open Space and Recreation;
- Impact on Transportation;
- Impact on Energy and Utilities;
- Impact on Noise and Odor;
- Impact on Public Health; and
- Impact on Growth and Community Character;

This *Executive Summary* is designed solely to provide an overview of the proposed action, a brief summary of the potential adverse impacts identified and mitigation measures proposed as well as alternatives considered. Review of the *Executive Summary* is not a substitute for the full evaluation of the proposed action performed in Sections 2.0 through 10.0 of this DEIS.

BRIEF DESCRIPTION OF THE PROPOSED ACTION

The proposed action consists of the construction of a 155-unit, multi-family housing complex within the R-3M Garden Apartment Special District. The subject site is primarily a weedy open field, sparsely wooded in the northwestern corner, with an area of asphalt in the southeast corner, which is overgrown with weeds. The subject site is designated on the Suffolk County Tax Maps as District 400 - Section 114 - Block 4 - Lot 7.

The proposed 155 housing units will include a mix of 20 one-bedroom units, 90 two-bedroom units, 37 three-bedroom units and eight four-bedroom units. The development will contain 334 parking spaces including 18 handicap accessible spaces. In addition, the proposed project will include playground and recreational areas, as well as a community center which will include an office of Housing Help, Inc. Of the 155 condominium units, 78 units would be owned by Housing Help, Inc. ("HHI") and would be available as rentals to those who meet the income requirements, and the remaining 77 units would be privately-owned by individuals.

As per the requirements of the state and federal funding sources, the 77 home owner units must be owned by first time home buyers, earning less than 80 percent of the HUD determined Nassau/Suffolk Metropolitan Statistical Area median income by family size. The homes must be maintained as the primary residence of the owner, and are not to be leased. Deed restrictions will be used to enforce this and other conditions of the program.

The proposed development would be accessed via Pulaski Road. Emergency access would be provided from Elwood Road, and this access would have a crash gate. Pursuant to a Stipulation of Settlement with the Town of Huntington (described later in this section and included in Appendix A), the parking requirement for the proposed 155-unit housing development is 1.33 spaces per unit, or 207 off-street parking spaces. The proposed action includes 334 parking spaces (18 of which are handicap parking spaces), which averages approximately 2.15 spaces per unit and is well in excess of the 1.33 spaces per unit required as part of the aforesaid Stipulation of Settlement.

As part of the proposed action, a recharge basin would be constructed at the northwestern end of the property (adjacent to the Long Island Railroad tracks) to handle stormwater runoff for the entire site. A series of catch basins are planned throughout the site to collect and carry stormwater to the proposed recharge basin.

Upon implementation of the proposed action, approximately 41.3 percent of the site would be developed with impervious surfaces (i.e., buildings and other paved surfaces). The remaining 8.557 acres would consist of landscaping and/or lawn area (7.457 acres), wooded area (0.450 acre), and a recharge basin (0.650 acre).

Potable water is proposed to be supplied by two water mains maintained by the Suffolk County Water Authority ("SCWA") -- one along Pulaski and one along Elwood Road. According to the project engineer, LDA, the projected potable water use for the proposed development would be 35,630± gpd (based on factors of 225 gallons per day (gpd) per unit for the one-, two- and three-bedroom units, and 300 gpd per unit per four-bedroom units). In addition, the proposed housing development would include an irrigation system. The total volume is approximately 6,320 gpd for the 26-week irrigation period. Therefore, total water use on the site is projected to be 14,115,190 gallons annually (or 38,927 pgd).

Sanitary discharge would be handled via connection to a proposed on-site sanitary treatment plant located on a northwestern portion of the subject property. It is anticipated that the development will generate approximately 35,630 gpd of sanitary discharge. The proposed on-site sewage treatment plant would be designed to accommodate 36,000 gpd of discharge.

The subject property is located in the Northport-East Northport Union Free School District and the project is expected to generate approximately 49 school-aged children. Additionally, the subject site is situated in the service area of the East Northport Fire Department (which is located at One Ninth Avenue in East Northport), and the Second Precinct of the Suffolk County Police Department, located at 1071 Park Avenue in Huntington.

Project History

The subject site, and the right to locate an affordable housing development on the subject site, has been the subject of numerous legal actions beginning in 1981 and ending in 2002. These legal actions were brought in both state and federal courts, and involved three applications to the United States Supreme Court. As a result of all this litigation, HHI has conclusively established that the site is properly zoned for an affordable multi-family housing development of 155 units, and that the Planning Board must expedite HHI's application.

The litigation began in the federal court, i.e., the United States District Court for the Eastern District of New York. This federal action raised the following issue:

> "... whether an overwhelmingly white suburb's zoning regulation, which restricts private multi-family housing projects to a largely minority "urban renewal area," and the Town Board's refusal to amend that ordinance to allow construction of subsidized housing in a white neighborhood violates the Fair Housing Act."

Huntington Branch NAACP v. Town of Huntington, 844 F.2d 926, 928 (2d Cir. 1988).

HHI obtained an option to purchase the site on January 23, 1980. In February of 1980, it requested the Town Board to rezone the property so that it would be available for an affordable, multi-family housing development. The Town Board did not act on HHI's request until January 6, 1981, when it passed a resolution, which, in effect, rejected multi-family housing on the site. The federal litigation then commenced.

HHI and its co-plaintiff, the Huntington Branch of the National Association for the Advancement of Colored People ("NAACP") argued that the Town's zoning limited public housing projects to an "urban renewal" area in Huntington Station, which was the site where many minority residents already resided. HHI and the NAACP argued that this zoning limitation perpetuated segregation in the Town. The courts agreed with HHI and the NAACP. The Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court, found, among other things:

> "... that Huntington's refusal to amend the restrictive zoning ordinance to permit privately-built multi-family housing outside the urban renewal area significantly perpetuated segregation in the Town."

Id. at 938

> "... that the disproportionate harm to blacks and the segregative impact on the entire community resulting from the refusal to rezone create[d] a strong prima facie showing of discriminatory effect - ... "

Id. at 938

> "... that the Town violated Title VIII [the Fair Housing Act] by refusing to amend the zoning ordinance to permit private developers to build multi-family dwellings outside the urban renewal area."

Id. at 941

> "... that the Town violated Title VIII by refusing to rezone the ... site."

Id. at 941

The result of these findings was a judgment ordering the Town to rezone the site to R-3M status, and striking from the R-3M zoning the provision which limited multi-family housing projects to the urban renewal area (Id. at 942). The findings of the Federal Circuit Court of Appeals were affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989).

In 1986, HHI was forced to bring another lawsuit in New York State Supreme Court to enforce its contract to purchase the property.[1] This action was also successful. On November 9, 1990, the trial court issued a decision directing specific performance of the property under the contract to HHI. The Appellate Division affirmed the trial court's judgment, but modified the amount of damages due to HHI (Housing Help, Inc. v. Casper-Staller Venture, 196 AD2d 805 [2d Dept. 1993]).

In June 1995, Housing Help, Inc. filed a site plan application and Part 1 of the Environmental Assessment Form (EAF) with the Town of Huntington for the proposed Matinecock Court Development, which consisted of 179 units at that time. The Town of Huntington Planning Department caused to be prepared Parts 2 and 3 of the EAF and adopted a Positive Declaration for the proposed action on July 15, 1995. A public scoping was scheduled and held on September 27, 1995.

[1] Housing Help, Inc. v. Casper-Staller Venture (Suffolk County Index No. 86-7996, Luciano, J.).

In 1997, after numerous applications for funding and failed attempts at negotiation with the Town and State, HHI, once again, had to resort to litigation. HHI filed a lawsuit against agencies of the Town and New York State.[2] This lawsuit was settled in two phases. The claims against agencies of the Town of Huntington were settled in 2000. The claims against New York State's Division of Housing and Community Renewal were settled in August 2002. Under terms of the August 2002 settlement, New York State is to release at least $14 million in state and federal funds.[3]

The development of the site is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement and Consent Decree in Full Settlement of Claims by Plaintiff Against Defendants The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, and The Community Development Agency of the Town of Huntington, New York dated October 10, 2000, (hereinafter referred to as "Stipulation of Settlement and Consent Decree").

The Stipulation discusses the density of the proposed development, as follows: "[I]n the event that HHI submits a site plan application for 155 residential units at the Development ... the Planning Board shall not deny approval of HHI's site plan on the basis of the proposed density of the Development."

Regarding parking, the Stipulation states "[I]f HHI demonstrates ... that it has sufficient space at the Matinecock Court site for the number of parking spaces required by Town Code §198-44 through §198-49,[4] as amended, the Planning Board shall permit HHI to 'land bank' those parking spaces in excess of the number of spaces formerly required by those provisions of the Town Code, prior to the December 6, 1994 amendments thereto. If HHI is unable, however, to demonstrate that the site possesses sufficient space to accommodate the number of parking spaces required by Town Code §198-44 through §198-49, as amended, consistent with a proposal of a development of 155 units, a Community Center and a sewage treatment plant, then the Planning Board shall require land banking in numbers of parking spaces no greater than the site will accommodate and shall waive the need for any additional spaces. In no event, however, shall HHI be entitled to be relieved of the requirement of providing parking spaces in numbers sufficient to comply with the provisions of the Town Code as it existed prior to December 6, 1994."

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[2] Housing Help, Inc. v. The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, The Community Development Agency of the Town of Huntington, New York State Division of Housing & Community Renewal, New York State Housing Trust Fund Corporation and Joseph Lynch (CV97-3430[ERK] [VVP]).

[3] National Low-Income Housing Coalition (www.nlihc.org).

[4] Said parking requirements for multiple family dwellings are 1.33 parking spaces per unit.

One of the provisions set forth in the Stipulation was the establishment of a Citizen's Advisory Committee (CAC), to "advise and assist HHI with respect to issues pertaining to the design, layout, use of property and landscaping of the Development during the planning, design, construction and operation of the Development." In accordance with this provision, this CAC was established.

Thus, as a result of HHI's quest of almost 25 years, many of the details of the proposed project have been either determined by the courts or agreed to by the relevant governmental agencies.

Required Permits and Approvals

The following permits and approvals must be obtained in order to commence construction of the proposed project:

Permits and Approvals	Agency
Site Plan Approval	Town of Huntington Planning Board
Sanitary Sewer, Water Supply and Sewage Treatment Plant (STP)	Suffolk County Department of Health Services, Suffolk County Department of Public Works and New York State Department of Environmental Conservation
Setback Variance for STP	Suffolk County Department of Health Services
Referral	Suffolk County Planning Commission
Water Connection	Suffolk County Water Authority
Curb Cuts (Pulaski and Elwood Roads)	Suffolk County Department of Public Works
SPDES General Permit for Stormwater Discharges from Construction Activity	New York State Department of Environmental Conservation

PROBABLE IMPACTS OF THE PROPOSED ACTION

Soils and Topography

Soils

Disturbance to soils will occur as a result of excavation and grading for the proposed development. This site is comprised mostly of Haven loams ranging from 0 to 2 percent slopes ("HaA"), which have few or no limitations for development. A limited extent of Riverhead and Haven loams, graded, 0-8 percent ("RhB") exist on the eastern portion of the site, and these soils are indicated as having moderate limitations for the construction of streets and parking lots due to slopes. This limitation is easily overcome through proper grading. However, the topography at the subject property is generally flat, with little to no slope present across the subject property. Therefore, the engineering limitation associated with slope is not applicable to the subject site.

In order to minimize the potential adverse impacts associated with construction, proper erosion and sedimentation control measures would be employed to minimize adverse impacts to soils during construction, as follows: clearing and grading would be scheduled so as to minimize the size of exposed areas and the length of time that areas are exposed; sediment barriers (e.g., silt fencing, hay bales, etc.) would be installed along the limits of disturbance and at drainage inlets for the duration of the work; graded areas and stockpiles would be stabilized through the use of temporary seeding; and construction entrances would be stabilized and maintained to prevent soil and loose debris from being tracked onto local roads.

Also, soil testing would be performed prior to the implementation of any construction to determine if on-site soils have been impacted by past agricultural activities. Should contaminants, other than those addressed in the Suffolk County Department of Health Services ("SCDHS") document (*Draft Guidance Document SCDHS Division of Environmental Quality Procedures for Subdivisions, Development or other Construction Projects with Potentially Contaminated Soils*), be detected at concentrations in contravention of New York State Department of Environmental Conservation ("NYSDEC"), Recommended Soil Clean-up Objectives ("RSCOs"), the NYSDEC will be notified and appropriate remedial actions will be conducted, if necessary. As such, the potential impacts associated with impacted soils would be mitigated.

Topography

As the subject property is generally flat, ranging between zero to ten percent slopes, there is not expected to be a significant impact to slopes as a result of the proposed development. Slopes will, however, be modified for the proposed recharge basin. The proposed recharge basin would be a 2-on-1 slope with the top of the proposed recharge basin at 230 feet amsl and the base elevation at 207 feet amsl. Overall, the proposed development would not result in any significant adverse impacts to soils or topography.

Ecology

Implementation of the proposed development would eliminate most natural vegetation at the site. However, the existing vegetation is entirely successional--mostly weedy field--resulting from fairly recent abandonment following the use of the land for agricultural purposes. The past agricultural uses necessitated the earlier clearing of all of the original vegetation, and thus, the site is now botanically of low quality. Unauthorized access to the site has resulted in dirt-bike tracks, dumped soil, debris, and yard waste, which all further diminish the ecological quality of the site.

Development of the site would eradicate most of the 108 species of on-site plants. While this would seem to be a fairly high diversity of plant organisms, the numbers are deceptive. As is characteristic of successional habitats in general, more that half of the species in the field, and many in the shrubland and woods, are non-native and usually weedy. Testimony to this is the fact that 45 percent of the top 20 most invasive weed species in New York occur on the site.

As part of the proposed action, shade, evergreen and ornamental trees would be planted along the site perimeter and throughout the site's interior. Thus, although the removal of existing vegetation may temporarily impact mammal and bird species, as these new plantings mature, the typical suburban habitat would be reestablished and such species should return to the site. Nonetheless, elimination of the vegetation would be expected to displace some mammal and bird species. Gray Catbirds, Northern Yellowthroats and Yellow Warblers, which favor shrublands, and Red-winged Blackbirds and American Goldfinches, which would be expected to make use of the fields, would all be deprived of such habitat at this site as a result of development. The Red-tailed Hawk--the most common raptor on Long Island--would have to seek prey elsewhere, as Meadow Voles and young Eastern Cottontail Rabbits would no longer be readily available as a food supply.

Many bird and mammal species may be driven from the site as the actual clearing and construction proceeds, but would be capable of being absorbed in nearby fields and woods, as well as in proximate residential areas. Most of the birds known or likely to occur on the site are categorized as common suburban birds (Wade *et al.*, 1990), and thus, as indicated above, many would re-colonize the site after construction ceases (especially after plantings mature and some of the residents put out bird-feeders).

There are no wetlands on the site, and thus, none would be impacted. Also, there are no rare species or natural communities found on the site. Three species listed by NHP are highly unlikely to exist on the subject site, either historically or at present, and it was concluded that a potentially rare crabapple reported at the site by others is of uncertain identity and of questionable taxonomic status, and moreover, is native to western New York, not Long Island.

The two state-protected exploitably vulnerable plant species seen on the site, Flowering Dogwood and Bayberry, are present in small numbers and are not likely to be vulnerable to commercial exploitation. In fact, they are both demonstrably frequent on Long Island. Moreover, with the landowner's approval, they may be legally harvested.

Overall, therefore, implementation of the proposed action, while causing the removal of vegetation on the site, would not adversely impact rare, threatened or endangered species, wetlands or other sensitive habitats.

Water Resources

The depth to groundwater at the subject property ranges from approximately 172 to 177 feet below grade surface ("bgs").

Camp, Dresser and McKee ("CDM")evaluated the potential impact associated with effluent from the proposed STP on the nearby SCWA Laurel Hill well field, which is located approximately 2,500 feet to the north of the project site. The Laurel Hill well field is equipped with four wells with pumping capacities ranging from 1,200 to 1,300 gallons per minute ("GPM").

The simulation, with the SCWA Laurel Hill wells pumping at one-half their rated capacities, indicated that the area from which the SCWA well field withdraws groundwater is predominantly to the south of the subject property, a small portion of the area falls within the southeast corner of the subject property but does not include the recharge basin; and the source-water area for the well field will not be impacted by project-related sanitary waste. According to the CDM report, the simulated effluent plume tracks north-northwest from the subject property, and does not fall within the source-water area of the Laurel Hill wells. Further, when evaluated with depth, the particles representing the effluent plume, while extending into the upper portions of the Magothy aquifer, do not appear to be influenced by the withdrawal of groundwater from the SCWA wells. Therefore, the sub-regional model indicates that, with the four SCWA pumping at one-half their rated capacities, the simulated effluent plume does not impact the water quality of the wells.

Sanitary Discharge

The subject property is situated within Groundwater Management Zone I, and thus, pursuant to Article 6 of the Suffolk County Sanitary Code, the maximum permitted sanitary discharge, if on-site sanitary systems are used, is 4,372.2 gpd. The projected sanitary discharge for the proposed project is 35,630 gpd, and thus, exceeds the maximum permissible flow pursuant to Article 6. Thus, the proposed action includes the construction and utilization of a sewage treatment plant ("STP"). The proposed STP will be a Biologically Engineered Sewage Sludge Treatment ("BESST") process, and will be designed to handle 36,000 gpd.

It should also be noted that the design, maintenance and operation of the STP is subject to the review and approval of the Suffolk County Department of Public Works ("SCDPW") and SCDHS. On July 19, 2004, Michael P. Chiarelli, P.E. presented the proposed STP to the SCDPW – Suffolk County Sewer Agency, which granted conceptual certification of the proposed STP. During the review of the STP design, issues such as process selection, materials of construction and siting of the STP are rigorously scrutinized to assure that the STP is capable of providing the required treatment to meet all standards of the SCDHS and the SCDPW.

As indicated, the proposed design utilizes "aerobic" type processes which provide an oxygen rich environment to maintain odor free operation. Under normal circumstances, the processes selected and approved by the SCDHS and the SCDPW do not require the supplement of odor control devices. Therefore, odor control devices are usually not designed into the STP unless mandated by the SCDHS based upon special circumstances, which, according to the sanitary engineer, do not exist at the Matinecock Court site.

The required separation distance from an enclosed treatment facility to the nearest habitable structure is 200 feet. The required separation distance from an enclosed treatment facility to the nearest property line is 150 feet. As indicated on the proposed site plan, the STP is proposed to be situated 30 feet from the property line to the north, and therefore, a variance from the property line setback requirement of 150 feet is necessary. However, it should be noted that beyond the property line are the railroad tracks, and thus, any potential noise or odors from the STP would not adversely impact the use of the property. Also, should a mechanical failure occur, there would be no impact to the railroad tracks. Therefore, the 30-foot setback to the property line provided on the site plan would not result in significant adverse impacts should the variance be granted.

Stormwater Runoff and Drainage

The proposed action includes the disturbance of approximately 14.124 acres, and thus, the proposed action is subject to the NYSDEC Phase II Stormwater Regulations, which requires, amongst other things, obtaining a State Pollutant Discharge Elimination System ("SPDES") General Permit. As part of the SPDES General Permit, an erosion and sedimentation control plan and a water quantity and quality control plan must be prepared.

The proposed erosion and sedimentation control plan would consist of both vegetative controls and structural controls to stabilize soils and reduce the potential impacts to soils during construction activities. The proposed erosion and sediment controls would include the following: clearing and grading would be scheduled so as to minimize the size of exposed areas and the length of time that areas are exposed; sediment barriers (e.g., silt fencing, hay bales, etc.) would be installed along the limits of disturbance and at drainage inlets for the duration of the work; graded areas and stockpiles would be stabilized through the use of temporary seeding; and construction entrances would be stabilized and maintained to prevent soil and loose debris from being tracked onto local roads.

Implementation of the proposed action would increase impervious surface area at the site, and thus, stormwater runoff would also be expected to increase. The proposed stormwater management plan consists of catch basins and a recharge basin designed to accommodate a nine-inch storm. The proposed recharge basin would be at a 2 on 1 slope, with the top of the proposed recharge basin at elevation 230 feet amsl and the bottom elevation at 207 feet amsl. The projected total volume associated with a nine-inch rainfall on the subject property is 119,506.8 cubic feet. The proposed recharge basin would accommodate 130,590 cubic feet. As such, the proposed drainage system would be more than adequate to handle on-site stormwater.

The Water Quality and Quantity Control plan prepared as part of the SWPPP must be designed to meet required "sizing criteria and pollutant removal goals," which are set forth in Chapters 4 and 5 of the *New York State Stormwater Design Manual*. The proposed recharge basin and drainage structures (i.e., catch basins and pipe network) would be constructed initially, and would be used to accommodate stormwater during construction of the site. Also, the installation of catch basin liners and the placement of straw bales at the perimeter of each catch basin would prevent siltation of the drainage structures.

Water Supply

Potable and irrigation water would be provided to the subject site by the SCWA. As outlined in the *Article 6* discussion above, the projected potable water usage for the development is 35,630 gpd (or 13,004,950 gallons per year). Consultations with the SCWA indicate that such water is available, and the provision of this additional water will not stress the public supply system. As part of the proposed action, water conservation devices would be used to the maximum extent practicable to decrease overall water usage. Also, as discussed earlier, groundwater modeling was performed to evaluate the potential impacts of the proposed STP on the nearby SCWA well fields and it was determined that there would be no adverse impacts to same.

As part of the proposed action, an irrigation system would be installed for approximately 7.25 acres of lawn and landscaping. The estimated volume, based on 20 gallons per 1,000 square feet per day for the 26-week irrigation period, is 6,320 gallons per day or a total irrigation volume of approximately 1,150,240 gallons. As indicated in SCWA correspondence an irrigation supply of 25,000 gpd can be provided. When combining the projected annual potable water usage (13,004,950 gallons) and annual irrigation volume (1,150,240 gallons), the total water demand is estimated at 14,155,190 gallons or 38,781± gallons per day when averaged over 365 days. Accordingly, implementation of the proposed action will not result in adverse effects on the public water supply.

Surface Water

There are no surface waters or freshwater or tidal wetlands on the subject site. As such, there would be no adverse impacts to same.

Land Use and Zoning

Land Use

Implementation of the proposed action would alter the use of the site from vacant, undeveloped property to a 155-unit housing development with an STP, recharge basin, roads and other related appurtenances. Access to the proposed development would be from Pulaski Road with an emergency access provided to and from Elwood Road. A community center and various internal play areas will be also be provided for residents of Matinecock Court. A total of 20 buildings are proposed.

The proposed development consists of six different residential building types, and a total of 18 residential buildings. Each of the proposed units would have enclosed storage spaces. The first floor units would contain individual exterior enclosed storage areas at the rear of the unit. The second floor units would have attic space accessible from pull-down stairs, as well as small balconies.

In addition, there is a proposed community center proximate to the Pulaski Road entrance. The proposed community center is a one-story building with cellar. However, only mechanical equipment and storage space would be within the cellar. Several playgrounds and open recreation areas are proposed throughout the housing development. The proposed recharge basin would be situated at the northwest portion of the site and would be contained with fencing and significant vegetation around the perimeter. To the east of the recharge basin is the structure and leaching field for the STP.

The proposed 155-unit housing development would consist entirely of affordable housing units, and would offer both rental and ownership options. From a land use perspective, the proposed action will be consistent with surrounding residential and educational properties, as well as with the Town's land use policies. Also, the development of the site for affordable housing has been the subject of litigation and has been deemed acceptable, and therefore, is consistent with the intended land use of the site. Finally, the proposed action would assist the Town in providing affordable housing to appeal to younger families and contributes to the diversity of housing available to current and future potential Huntington residents.

Zoning

The subject site is located in the R-3M Garden Apartment Special District and the proposed plan complies the bulk requirements of the R-3M Garden Apartment Residence Zoning District. However, pursuant to a Stipulation of Settlement and Consent Decree, the proposed density of 155 units has been accepted. The Stipulation of Settlement and Consent Decree also discussed the required parking as part of the proposed site plan and indicated that the parking requirements prior to December 6, 1994 would prevail. As such, the required parking is 1.33 spaces per unit or 207 off-street parking spaces. The proposed action includes 334 parking spaces, which averages 2.15± spaces per unit, and therefore, complies with the Stipulation.

Relevant Comprehensive Plans

1993 Comprehensive Plan Update

The proposed action is consistent with the land use map within the *1993 Comprehensive Plan Update*, which identifies the subject site as an area to be utilized for High Density Residential uses.

In the opening chapter, a summary is provided of each of the topics discussed in the *1993 Comprehensive Plan Update* (e.g., demographics, transportation, land use, housing, economic development, etc.). Included within the summary of demographics of the Town is the following statement which is directly relevant to the proposed action, "[t]he town is losing the younger segments of its population. The loss is due in part to a lack of affordable housing." "Also, [t]he number of households is increasing at a greater rate than the population. This produces the need for a wider range of housing options (particularly for smaller units), and the prospect of an increase in automobile usage." The proposed action responds to both the need for affordable housing and the need for a wider range of housing options.

The housing summary speaks further to the need for affordable housing, as follows: "[t]he need for housing, affordable to individuals who fill moderate wage manufacturing jobs, entry level white collar, and clerical and retail service positions is essential to achieving further economic growth, expansion and stability. All of these factors require that greater attention be given to the range of housing opportunities, as reflected by unit types, site design, tenure options and greater affordability than presently available to the town's residents and workers." As such, the proposed action responds to this stated housing need.

The housing summary includes a recommendation to "revise the R-3M Garden Apartment Special District and R-RM Ordinances to allow between 18 and 22 dwellings per acre as an incentive to provide housing for low and moderate income households..." The proposed density is approximately 11 units per acre, and is therefore, well below the density incentive.

Furthermore, the *1993 Comprehensive Plan Update* recommends the following housing goal, "Revise R-3M Garden Apartment Special District and R-RM Retirement Community District ordinances to require that a percentage of the units be affordable to low and moderate income households; suggested ratio – 15% low and 15% moderate." The proposed development would offer ownership units to those with income ranges between 60 and 80 percent of the HUD median, and at 28 percent affordability. The rental units would be available to those with incomes between 30 and 60 percent of the HUD median. The availability of units to the range of incomes would be tiered such that a set number of units would be offered at the different income levels (i.e., "X" number of rental units for those at 30 percent median income, "X" number of rental units for those at 40 percent median, etc.), and thus, a mixed-income community will be created.

Overall, the proposed development is consistent with the recommendations and goals of the *1993 Comprehensive Plan Update*.

Transportation

Proposed Access and Parking

Access to the proposed development would be from Pulaski Road (CR 11), approximately 610 feet to the west of Elwood Road (CR 10). This driveway will be unsignalized, and an exclusive eastbound left turn lane and an exclusive westbound right turn lane are proposed for vehicles entering the project site.

On Elwood Road (CR 10), approximately 400 feet to the north of Pulaski Road (CR 11), there is also a proposed emergency access driveway that would remain gated at all times. This driveway will not be available for traffic entering and exiting the site; it will only be available when the gate is opened for emergency vehicles. This driveway will also be unsignalized.

Pursuant to a Stipulation of Settlement and Consent Decree in Full Settlement of Claims by Plaintiff Against Defendants The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, and The Community Development Agency of the Town of Huntington, New York, the parking requirements for the proposed development must comply with the provisions of the Town of Huntington Zoning Code, Sections 198-44 through Section 198-49, as it existed prior to December 6, 1994. Therefore, 1.33 parking spaces per unit or 207 parking spaces would be required. There are 334 parking stalls provided for the project site.

Site Trip Generation

The proposed development would generate a total of 84 trips during the weekday AM Commuter peak hour (15 entering, 69 exiting), 109 trips during the weekday PM Commuter peak hour (72 entering, 37 exiting), and 116 trips during the Saturday peak hour (60 entering, 56 exiting).

Capacity Analysis Conclusions

Upon the introduction of the site-generated traffic, the intersection of Pulaski Road (CR 11) at Elwood Road (CR 10) will experience a minor increase in delay and no degradation in LOS during the time periods studied. Thus, no mitigation is required at this location. Evaluation of the intersection of Pulaski Road (CR 11) at Stony Hollow Road indicates that there will be an imperceptible increase in delay and no degradation in LOS during the time periods studied. Thus, no mitigation is required at this location. The proposed unsignalized site driveway on Pulaski Road (CR 11) will also operate at acceptable LOS during the peak hours studied.

Based upon the analyses performed by RMS Engineering, P.C., the traffic generated by the proposed project will not create any adverse traffic conditions or hazards in the vicinity of the site.

Air Quality and Noise

Air Quality

The proposed construction will result in a slight short-term increase in air pollution emissions. The primary source of potential emissions is from fugitive dust resulting from construction operations (e.g., clearing, grading).

Fugitive dust consists of soil particles that become airborne when disturbed by heavy equipment operations or through wind erosion of exposed soil after groundcover (either lawn or pavement) is removed. To minimize fugitive dust emissions, a water truck will be kept on site during excavation activities, or temporary hookups to the water main for construction hydrants would be established. This construction-related air-quality impact (i.e., fugitive dust) would be of relatively short duration. Overall, therefore, the impacts on ambient quality from construction activities associated with the proposed action are not expected to be significant.

The impact on air quality after project completion is related most directly to carbon monoxide emissions from traffic. The most significant carbon monoxide impacts are associated with standing (idling) vehicles. However, the implementation of the proposed action would not result in a significant increase in traffic volume or vehicular delay. Therefore, no substantial change in level of service, significant increases in vehicular delay and/or idling vehicles are anticipated as a result of the proposed action. As such, no significant adverse air quality impacts from same are expected.

Noise

Construction Noise

Implementation of the proposed project would result in various levels of construction to be undertaken on the existing site (i.e., ground clearing, excavation, etc.). In accordance with Chapter 141 of the Town Code (Noise Ordinance), construction would be performed Monday through Friday between 7:00 am and 6:00 pm.

The potential noise levels during construction at the Pulaski Road Elementary School (opposite the site to the east), Northport High School (to the north) and adjoining residential properties (to the west) were evaluated. The noise analysis found that construction noise levels, without mitigation, would range between 75 dBA and 81 dBA. However, noise levels during construction would be reduced by the following:

- Noise-control features (e.g., mufflers, shields, temporary enclosures etc.) would be employed to reduce the noise levels of construction equipment by 3 dBA to 16 dBA. Pumps and compressors would be relocated in screened-off areas, out of the line of sight of the closest residential receptors (United States Environmental Protection Agency ["USEPA"], 1971).

- The proposed installation of a 12-foot fence with geograde material that delimits the construction site would result in a 5 dBA reduction in sound level.[5]

Overall, therefore, construction noise would be attenuated to mitigate significant adverse impacts to surrounding properties. Also, construction-related noise impacts would be of relatively short duration and would cease upon completion of construction.

Post-Development Noise Impacts

The Full EAF prepared by the Town, in response to the June 1995 site plan application, required that a noise impact analysis be performed "to determine if temporary and/or permanent noise screening buffers on the subject property will be needed to protect nearby residential properties and residences proposed for the subject property..." Due to the adjoining railroad tracks, the potential noise impacts on the proposed development were evaluated. The United States Department of Housing and Urban Development ("HUD") established *Noise Assessment Guidelines* and related criteria pertaining to airports, traffic and railways to assess the noise environment at particular sites. These guidelines were used to calculate the projected noise impacts to the proposed dwelling units from the adjacent railroad tracks.

The projected Day-Night Average noise levels ("DNL") from the train operations on the adjoining tracks are 67.17 dBA at NAL, and 73.02 dBA at NAL_2. Pursuant to the HUD classifications, these levels are categorized as "Normally Unacceptable." However, to minimize exposure to railroad noise, the project engineer has avoided the placement of residences in the northwest quadrant of the property. In this area, non-habitable uses (e.g., STP) have been planned. Also, a six-foot-high solid wood fence would be placed along the entire common property line of the subject parcel and the railroad. Along the fence line, evergreens would be planted. In addition, evergreens and heavy canopy shade trees would be planted in the open areas around the STP, parking areas and roadways. This would be expected to reduce noise levels between 4 dBA and 15 dBA. Therefore, overall, the proposed fencing and plantings would attenuate noise levels, and thus, minimize noise exposure from the railroad.

Furthermore, according to the USEPA, the approximate national average for noise reduction by the exterior shell of a typical residential building is 25 dBA with the windows closed. Thus, the projected maximum exterior noise level of 73 dBA at NAL_2 would be reduced to 48 dBA indoors. An interior sound level of 48 dBA at NAL_2 is consistent with a typical suburban neighborhood at background. All other residential units are further away from the railroad, and thus, interior noise levels associated with the railroad would be less than 48 dBA.

Finally, it is important to note that the heightened noise levels associated with the railroad would not be experienced continuously, as there are an average 40 trains per day that pass the site. As such, whether indoors or outdoors, the railroad noise would be experienced at short intervals.

[5] This value is based on the lowest degree of difficulty for the installation of any type of barrier: Federal Highway Administration, *Highway Traffic Noise in the United States – Problem and Response*, U.S. Department of Transportation, 2000.

Community Facilities and Services

Education

The proposed development will result in the generation of school-aged children, which may or may not be existing students of the Northport-East Northport Union Free School District. Overall, demographic projections and evaluation of similar communities indicates that the proposed development could potentially generate 49 school-aged children. During the 2004-2005 school year, the District enrollment was an estimated 6,545 students. Thus, if the proposed development were to generate the maximum projection of 49 students, it would represent a maximum increase of only 0.75 percent of the total school population, assuming that none of these children are existing students within the District.

The District has recognized the proposed development in the Superintendent's Annual Report for 2002-2003, as follows: "projections by Dr. Hughes calls for an additional increase of 1032 students to 7424 total over the next decade, not including children who might reside in the planned housing of Matinecock Court." Also included, in discussion enrollment and space needs, "it will be important to review annually the available space to be cure [sic] the facilities are adequate to deliver the program to the larger population. With the settlement of the Matinecock Court lawsuit, estimates for the population that will reside there must also be built into planning estimates."

Overall, given that the proposed development would generate tax revenues, is consistent with prevailing zoning and the proposed development has the subject of a Stipulation of Settlement and Consent Decree with the Town of Huntington, the District has a legal obligation to provide educational services to the residents of the Matinecock Court as it does to all residents of the District.

Fire Protection

The subject property is located in the service area of the East Northport Fire District. In correspondence of December 5, 2003, the East Northport Fire District did not provide any comments or concerns related to the proposed project. It is not expected that the proposed development would result in a high demand for fire protection needs. The proposed development would be ADA compliant and all buildings would be sprinklered. Also, according to Robert Maniello, P.E. of Land Design Associates, P.C., the proposed internal roads have been designed with proper turning radii for fire equipment and emergency vehicles. As such, no significant adverse impacts to the East Northport Fire District would be expected.

Emergency Services

As indicated in correspondence from the East Northport Fire District, ambulance service is provided to Huntington Hospital, St. Catherine of Siena Medical Center and the Veterans Administration Medical Center. However, the volume of calls to the Veterans Administration Medical Center would not be expected to be significant because of its specialized patient base, and thus, correspondence was not forwarded thereto. Correspondence was received from both the Huntington Hospital and St. Catherine of Siena Medical Center, which provided general information on hospital services. In the responses received, no comments were offered regarding any concerns related to the potential hospital demand from the proposed development. It is not expected that the proposed 155-unit housing development would significantly impact any of the surrounding hospitals.

Police Protection

The subject property is located with the jurisdiction of the Suffolk County Police Department ("SCPD"), Second Precinct. In correspondence of November 21, 2003, Inspector Dominick Varrone confirmed that the subject property is within the jurisdiction of Second Precinct, and indicated that, "We can not disclose the numbers and types of equipment assigned to the precinct. Suffice it to say the Second Precinct has the requisite equipment to carry out its mission." Based on the foregoing, it is not expected that the proposed development would adversely affect the SCPD.

Water Supply

Consultations have been undertaken with the SCWA relating to the availability of water to the proposed development. As indicated in correspondence of December 8, 2003, SCWA advised that the projected water supply of 36,000 gpd for domestic use, 25,000 gpd for irrigation during the growing season, and a fire line requirement of 300 gallons per minute, could be provided.

Solid Waste

Consultations have been undertaken with the Town of Huntington Department of Environmental Waste Management to advise of the proposed project and the anticipated waste generation. In correspondence of December 11, 2003, Mr. Philip C. Nolan, Director of Environmental Waste Management, indicated that the projected increase in refuse generation and disposal will not have a negative impact on the towns solid waste disposal capacity. Mr. Nolan advised that the Town has an established Refuse District in which all one, two and three-family residential homes, townhouses and condominiums receive weekly curbside pickup. However, HHI would contract a licensed private carter to handle solid waste and would not, therefore, require Town pick-up services.

Gas and Electricity

In correspondence of November 10, 2003, KeySpan Energy Corporation confirmed that gas service would be provided for the proposed project. Also, in correspondence of December 4, 2003, the LIPA confirmed that electrical service could be provided to the proposed development.

Demographics

Population

Based on the 2000 Census for the Town of Huntington and the Greenlawn CDP, it is expected that the projected population of the proposed development may range between 400 and 425 persons. Assuming that the projected 400 to 425 persons is a direct increase in population, this would represent an approximate three percent increase of the total population the hamlet of Greenlawn (13,286 persons) and a less-than-one-half-of-one-percent (i.e., 0.2 percent) increase in the Town of Huntington (195,289 persons). However, it is expected that the future occupants of the proposed development would not all be new members to the community. It is expected that some percentage of the future occupants would be current residents of the Town of Huntington and/or hamlet of Greenlawn. Therefore, there would not be a direct increase in total population with the proposed development.

Income and Affordability of Housing

The 2004 HUD median family/household income for Nassau-Suffolk, NY is $85,300. Pursuant to §198-13(I)(1)(a) of the Town of Huntington Zoning Code, "the cost of affordable dwellings shall be such that a family/household earning no more than eighty percent (80%) of the HUD median family/household income for the metropolitan area shall be able to afford to purchase such a unit." Thus, based on a median family/household income of $85,300, an affordable dwelling would be one that is affordable to a family earning no more than $68,240.

In determining affordability, LIHP has indicated that an affordable home should not consume more than 35 percent of a household's income. Thus, based on the 80% HUD median family/household income of $68,240, an affordable home (including the mortgage, property taxes and insurance) would cost no more than $23,884 per year or $1,990 per month.

According to information received from the Long Island Board of Realtors, the median sales prices for single-family homes in Suffolk County increased from $230,000 in August 2001 to $361,000 in August 2004. Assuming a three-percent down payment, property taxes of $7,000, mortgage insurance of $263.00 per month and 30 percent of gross income to the average home of $361,000, the homeowner would need to earn $117,816 per year, which is 138 percent of the HUD median income for Nassau-Suffolk, NY. Therefore, the median income is well below that required to afford the median single-family home in Suffolk County.

The proposed development would offer ownership units to those with income ranges between 60 and 80 percent of the HUD median, and at 28 percent affordability. The rental units would be available to those with incomes between 30 and 60 percent of the HUD median. The availability of units to the range of incomes would be tiered such that a set number of units would be offered at the different income levels (i.e., "X" number of rental units for those at 30 percent median income, "X" number of rental units for those at 40 percent median, etc.), and thus, a mixed-income community will be created.

Employment

The proposed development will provide employment opportunities during both the construction and post-construction phases. It is anticipated that the proposed development would create approximately 250 jobs over its construction phase and seven full-time jobs in the post-construction phase. The job opportunities will range in duration, hours and required professional experience. Therefore, the proposed project will provide opportunities for persons of various educational and skill levels.

Aesthetics and Cultural Resources

Aesthetics

Currently, the views into the site from both roadways consist of overgrown vegetation, the LIPA substation and railroad tracks. During construction, the staging area for equipment would be in the location of proposed buildings 17 and 18 (northeast portion of the site). Upon implementation of the proposed action, immediate views into the site would consist of earthen berms with landscaping and lawn areas, and portions of the proposed buildings would be visible beyond. Specifically, the proposed landscaping plan includes shade, evergreen and ornamental trees along the site perimeter.

Along Pulaski Road and Elwood Road, the proposed plan includes a four-foot-high estate fence and light poles. Earth berms and vegetation would also be planted along both roadways and along the western property line to partially obscure views into the subject property, as well as to increase privacy for those residents on the site perimeter. While the views of the site from the surrounding roadways and properties would change, the proposed development would be visually consistent with similar residential communities. It should also be noted that the current views of overgrown vegetation and the LIPA substation would be greatly improved with the proposed development.

Views from the north would be obscured with a six-foot-high stockade fence, and existing vegetation to be retained along the northwest portion of the site. Evergreens would be planted along the northern property perimeter to buffer residents from the adjacent railroad tracks and to screen the proposed sewage treatment plant. Thus, while the subject property adjoins the LIRR, the proposed design mitigates the potential visual impacts to and from same.

Cultural Resources

The New York State Office of Parks, Recreation and Historic Preservation has advised that the proposed action will have no impact on historic or archaeological resources.

Public Health

The potential impacts associated with the placement of residential units proximate to the Long Island Power Authority ("LIPA") substation and exposure to electric and magnetic fields ("EMF") were evaluated. The proposed site plan situates the closest residential building at least 50 feet from the northern property line. Approximately 20 feet beyond the northern property line is a chain link fence enclosing the LIPA substation. Thus, the minimum distance between the substation and the nearest residential building proposed on the subject property is approximately 70 feet. In addition, extensive vegetative buffering along the north side of the property is proposed. According to the project engineer, LIPA does not have recommended separation distances from transformers. It is important to note that the strength of the EMF from equipment within substations decreases rapidly with increasing distance. Beyond the substation fence or wall, published sources indicate that the EMF produced by substation equipment is typically indistinguishable from background levels. As such, it is not expected that the future residents of the proposed Matinecock Court development would be exposed to strong electromagnetic fields that could potentially result in adverse health impacts.

MITIGATION MEASURES

The following mitigation measures will be incorporated into the design and construction of the project to reduce the potential impacts of the proposed action:

Soils and Topography

- No material will be exported or imported to or from the site (i.e., cut and fill will be balanced).
- Erosion and sediment control measures will be installed prior to construction and will be routinely maintained to ensure their proper functioning.
- Erosion control measures will remain in place until disturbed areas are stabilized.
- After site clearing, the area will be paved and/or planted to minimize the amount of time that soils are exposed.
- As necessary, a water truck will be kept on site during dry periods to wet down soils to prevent wind erosion.

Ecology

- Although the removal of existing vegetation may temporarily impact mammal and bird species, the proposed landscaping plan includes shade, evergreen and ornamental plantings along the site perimeter to reestablish the typical suburban habitat.

Water Resources

- The proposed project will adhere with the relevant recommendations of the *208 Study, NURP Study,* and *Nonpoint Source Management Handbook* to ensure adequate protection of groundwater.

- The proposed project will adhere to the relevant segments of Articles 6 and 12 of the Suffolk County Sanitary Code.

- The proposed on-site sewage treatment system will treat sanitary discharge and will minimize nitrogen loading on the site.

- The proposed recharge basin will contain and recharge stormwater on-site. Thus, the potential impacts to groundwater will be minimized.

- All stormwater would be controlled during construction and would adhere to all applicable stormwater regulations (i.e., *Phase II Rule*).

- Post-construction, the proposed drainage plan would control and recharge 100 percent of stormwater from the proposed development, and would therefore, minimize the transport of nutrients, metals, sediments and organic chemicals.

Land Use and Zoning

As no significant adverse impacts are expected, no mitigation measures are proposed.

Transportation

As no significant adverse impacts are expected, no mitigation measures are proposed.

Air Quality and Noise

- Construction work will only be undertaken during normal working hours and in accordance with the Town of Huntington Noise Ordinance.

- A six-foot-high stockade fence would be installed and existing vegetation would be retained along the northwest portion of the site to attenuate noise from the adjacent railroad tracks.

- To minimize exposure to railroad noise, residences would not be placed in the northwest quadrant of the property.

- Evergreens would be planted along the northern property perimeter to attenuate noise from the adjacent railroad tracks.

Community Facilities and Services

- The proposed development would be ADA compliant, and all buildings would be sprinklered to reduce demands on the East Northport Fire District.

- The proposed internal roads have been designed with proper turning radii for fire equipment and emergency vehicles.

- Water conservation devices will be used to the maximum extent practicable to decrease overall water usage for the proposed development.

Demographics

The proposed action is not expected to result in significant adverse demographic impacts, and thus, no mitigation measures are proposed.

Aesthetics and Cultural Resources

- A six-foot-high stockade fence would be installed and existing vegetation would be retained along the northwest portion of the site to mitigate views of the railroad tracks.

- Along Pulaski Road and Elwood Road, a four-foot-high estate fence, light poles, earth berms and vegetation would also be planted along both roadways and along the western property line to partially obscure views into the subject property, as well as to increase privacy for those residents on the site perimeter.

- A six-foot-high stockade fence would be installed and existing vegetation would be retained along the northwest portion of the site.

- Evergreens would be planted along the northern property perimeter to buffer residents from the adjacent railroad tracks and to screen the proposed sewage treatment plant.

- The utilization of different building designs throughout the community helps to create a visual identity for the Matinecock Court residents, rather the standard design of identical buildings with similar placement seen with other communities.

ALTERNATIVES AND THEIR IMPACTS

As required by 6 NYCRR §617.9(b)(5)(v), the DEIS evaluated the SEQRA-mandated "no-action alternative."

No-Action Alternative

The no-action alternative involves leaving the subject site in its current state as vacant and undeveloped. While the implementation of this alternative would leave the site unchanged and would not result in any environmental impacts, this alternative would deprive the project sponsor of the legal right to develop in accordance with prevailing zoning and relevant court decisions. Moreover, this alternative does not meet the objectives of the project sponsor or the use of the property for the purpose of affordable housing pursuant to Huntington v. Huntington Branch, NAACP, 488 U.S. 15 (1988), Housing Help, Inc. v. The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, The Community Development Agency of the Town of Huntington, New York State Division of Housing & Community Renewal, New York State Housing Trust Fund Corporation and Joseph Lynch (CV97-3430[ERK] [VVP]), and the Stipulation of Settlement and Consent Decree.

Also, it should be noted that this property borders two major roadways, is highly accessible, and all utilities are available. Thus, the subject property is an optimal location for a housing development. Furthermore, the Town's *1993 Comprehensive Plan Update* repeatedly discusses the need for affordable housing, and this project responds to that need. Overall, therefore, the No-Action Alternative would fail to meet the needs of the project sponsor, and would be contrary to prior court decisions and the *Town's 1993 Comprehensive Plan Update*.

2.0 DESCRIPTION OF THE PROPOSED ACTION

Project Description

The proposed action consists of the construction of a 155-unit multi-family housing complex within the R-3M Garden Apartment Special District. The subject 14.574-acre site is located on the northwest corner of Elwood Road (CR 10) and Pulaski Road (CR 11) in the hamlet of Greenlawn, Town of Huntington, Suffolk County, New York (Figure 1 – Site Location Map). The subject site is primarily a weedy open field, sparsely wooded in the northwestern corner, with an area of asphalt in the southeast corner, which is overgrown with weeds. The subject site is designated on the Suffolk County Tax Maps as District 400 - Section 114 - Block 4 - Lot 7.

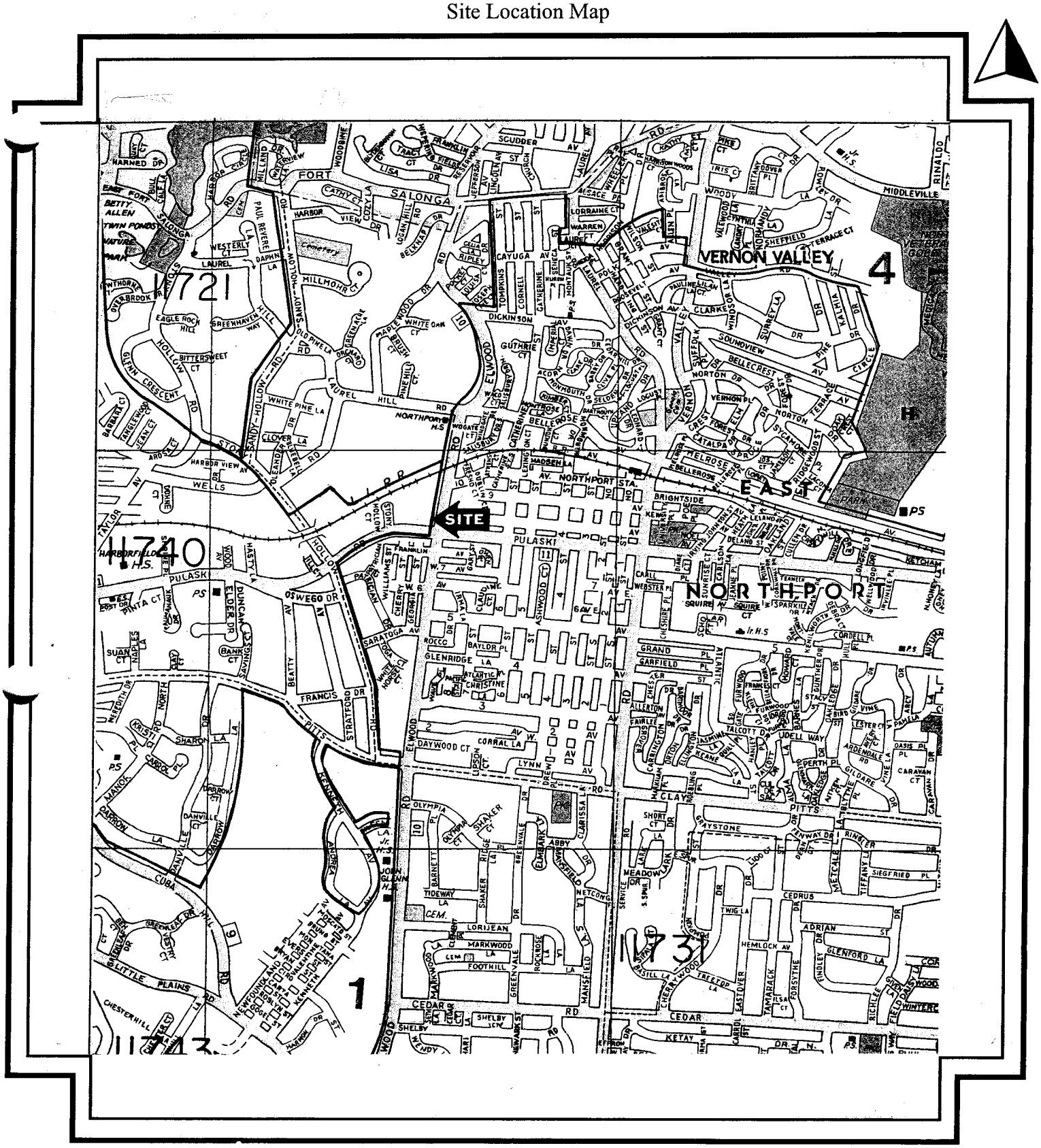
The proposed 155 housing units will include a mix of 20 one-bedroom units, 90 two-bedroom units, 37 three-bedroom units and eight four-bedroom units. The development will contain 334 parking spaces including 18 handicap accessible spaces. In addition, the proposed project will include playground and recreational areas, as well as a community center which will include an office of Housing Help, Inc.

Of the 155 condominium units, 78 units would be owned by Housing Help, Inc. ("HHI") and would be available as rentals to those who meet the income requirements, and the remaining 77 units would be privately-owned by individuals. As per the requirements of the state and federal funding sources, the 77 home owner units must be owned by first time home buyers, earning less than 80 percent of the HUD determined Nassau/Suffolk Metropolitan Statistical Area median income by family size. The homes must be maintained as the primary residence of the owner, and are not to be leased. Deed restrictions will be used to enforce this and other conditions of the program. A breakdown of the proposed units follows:

Table 1
Breakdown of the Proposed Housing Units

No. of Bedrooms	Total No. of Units	HHI-Rental Units	Private Ownership Units
1	20	12	8
2	90	44	46
3	37	18	19
4	8	4	4
Total	155	78	77

Site Location Map



Source: Hagstrom Suffolk County Atlas, Area Map No. 7, 2000.
Scale: 1 inch = ½ mile

FREUDENTHAL & ELKOWITZ CONSULTING GROUP, INC.

Figure 1

Relevant site data for the proposed project were extrapolated from the proposed Layout Plan (Sheet 2 of 15) provided by Land Design Associates, P.C. ("LDA"), which can be found in Appendix B. These data are as follows:

Table 2

Site Data for the Proposed Project

Land Cover	**Existing Acreage**	**Proposed Acreage**
Impervious Surface Area *Area of Buildings* *Area of Other Paved Surfaces*	0 acres	6.017 acres (41.3%) *1.897 acres (13.0%)* *4.120 acres (28.3%)*
Area of Landscaping/Lawn	0 acres	7.457 acres (51.2%)
Area of Recharge Basins	0 acres	0.650 acre (4.4%)
Area of Meadow	12.064 acres	0 acres
Area of Forest/Natural Land	2.510 acres	0.450 acre (3.1%)
Total Acreage	14.574 acres	14.574 acres

As indicated above, implementation of the proposed project would result in the development of 14.124± acres or 96.9 percent of the site. The remaining 3.1 percent would remain wooded.

The proposed development would be accessed via Pulaski Road. Emergency access would be provided from Elwood Road, and this access would have a crash gate. Pursuant to a Stipulation of Settlement with the Town of Huntington (described later in this section and included in Appendix A), the parking requirement for the proposed 155-unit housing development is 1.33 spaces per unit, or 207 off-street parking spaces. The proposed action includes 334 parking spaces (18 of which are handicap parking spaces), which averages approximately 2.15 spaces per unit and is well in excess of the 1.33 spaces per unit required as part of the aforesaid Stipulation of Settlement (see discussion later in this section entitled *Project History*).

As part of the proposed action, a recharge basin would be constructed at the northwestern end of the property (adjacent to the Long Island Railroad tracks) to handle stormwater runoff for the entire site. A series of catch basins are planned throughout the site to collect and carry stormwater to the proposed recharge basin.

Potable water is proposed to be supplied by two water mains maintained by the Suffolk County Water Authority ("SCWA") -- one along Pulaski and one along Elwood Road. According to the project engineer, LDA, the projected potable water use for the proposed development would be 35,630± gpd (based on factors of 225 gallons per day (gpd) per unit for the one-, two- and three-bedroom units, and 300 gpd per unit per four-bedroom units). In addition, the proposed housing development would include an irrigation system. According to the project engineer, approximately 7.25 acres would be irrigated, and based on a factor of two-inches of irrigation per week, a total of 6,320 gallons per day for the 26-week irrigation period would be utilized. Therefore, total water use for the proposed development would be estimated at 14,155,190 gallons annually.

Sanitary discharge would be handled via connection to a proposed on-site sanitary treatment plant located on a northwestern portion of the subject property. It is anticipated that the development will generate approximately 35,630 gpd of sanitary discharge. The proposed on-site sewage treatment plant would be designed to accommodate 36,000 gpd of discharge.

The subject property is located in the Northport-East Northport Union Free School District. As evaluated in Section 4.7 of this DEIS, the proposed project is expected to generate approximately 49 school-aged children. Additionally, the subject site is situated in the service area of the East Northport Fire Department (which is located at One Ninth Avenue in East Northport), and the Second Precinct of the Suffolk County Police Department, located at 1071 Park Avenue in Huntington.

Project History

The subject site, and the right to locate an affordable housing development on the subject site, has been the subject of numerous legal actions beginning in 1981 and ending in 2002. These legal actions were brought in both state and federal courts, and involved three applications to the United States Supreme Court. As a result of all this litigation, HHI has conclusively established that the site is properly zoned for an affordable, multi-family housing development of 155 units, and that the Planning Board must expedite HHI's application.

The litigation began in the federal court, i.e., the United States District Court for the Eastern District of New York. This federal action raised the following issue:

> "... whether an overwhelmingly white suburb's zoning regulation, which restricts private multi-family housing projects to a largely minority "urban renewal area," and the Town Board's refusal to amend that ordinance to allow construction of subsidized housing in a white neighborhood violates the Fair Housing Act."

Huntington Branch NAACP v. Town of Huntington, 844 F.2d 926, 928 (2d Cir. 1988).

HHI obtained an option to purchase the site on January 23, 1980. In February of 1980, it requested the Town Board to rezone the property so that it would be available for an affordable, multi-family housing development. The Town Board did not act on HHI's request until January 6, 1981, when it passed a resolution, which, in effect, rejected multi-family housing on the site. The federal litigation then commenced.

HHI and its co-plaintiff, the Huntington Branch of the National Association for the Advancement of Colored People ("NAACP") argued that the Town's zoning limited public housing projects to an "urban renewal" area in Huntington Station, which was the site where many minority residents already resided. HHI and the NAACP argued that this zoning limitation perpetuated segregation in the Town. The courts agreed with HHI and the NAACP. The Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court, found, among other things:

> "... that Huntington's refusal to amend the restrictive zoning ordinance to permit privately-built multi-family housing outside the urban renewal area significantly perpetuated segregation in the Town."

Id. at 938

> "... that the disproportionate harm to blacks and the segregative impact on the entire community resulting from the refusal to rezone create[d] a strong prima facie showing of discriminatory effect - ... "

Id. at 938

> "... that the Town violated Title VIII [the Fair Housing Act] by refusing to amend the zoning ordinance to permit private developers to build multi-family dwellings outside the urban renewal area."

Id. at 941

> "... that the Town violated Title VIII by refusing to rezone the ... site."

Id. at 941

The result of these findings was a judgment ordering the Town to rezone the site to R-3M status, and striking from the R-3M zoning the provision which limited multi-family housing projects to the urban renewal area (Id. at 942). The findings of the Federal Circuit Court of Appeals were affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989).

In 1986, HHI was forced to bring another lawsuit in New York State Supreme Court to enforce its contract to purchase the property.[6] This action was also successful. On November 9, 1990, the trial court issued a decision directing specific performance of the property under the contract to HHI. The Appellate Division affirmed the trial court's judgment, but modified the amount of damages due to HHI (Housing Help, Inc. v. Casper-Staller Venture, 196 AD2d 805 [2d Dept. 1993]).

[6] Housing Help, Inc. v. Casper-Staller Venture (Suffolk County Index No. 86-7996, Luciano, J.).

In June 1995, Housing Help, Inc. filed a site plan application and Part 1 of the Environmental Assessment Form (EAF) with the Town of Huntington for the proposed Matinecock Court Development, which consisted of 179 units at that time. The Town of Huntington Planning Department caused to be prepared Parts 2 and 3 of the EAF and adopted a Positive Declaration for the proposed action on July 15, 1995. A public scoping was scheduled and held on September 27, 1995.

In 1997, after numerous applications for funding and failed attempts at negotiation with the Town and State, HHI, once again, had to resort to litigation. HHI filed a lawsuit against agencies of the Town and New York State.[7] This lawsuit was settled in two phases. The claims against agencies of the Town of Huntington were settled in 2000. The claims against New York State's Division of Housing and Community Renewal were settled in August 2002. Under terms of the August 2002 settlement, New York State is to release at least $14 million in state and federal funds.[8]

The development of the site is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement and Consent Decree in Full Settlement of Claims by Plaintiff Against Defendants The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, and The Community Development Agency of the Town of Huntington, New York dated October 10, 2000, (hereinafter referred to as "Stipulation of Settlement and Consent Decree").

The Stipulation discusses the density of the proposed development, as follows: "[I]n the event that HHI submits a site plan application for 155 residential units at the Development ... the Planning Board shall not deny approval of HHI's site plan on the basis of the proposed density of the Development."

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[7] Housing Help, Inc. v. The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, The Community Development Agency of the Town of Huntington, New York State Division of Housing & Community Renewal, New York State Housing Trust Fund Corporation and Joseph Lynch (CV97-3430[ERK] [VVP]).

[8] National Low-Income Housing Coalition (www.nlihc.org).

Regarding parking, the Stipulation states "[I]f HHI demonstrates ... that it has sufficient space at the Matinecock Court site for the number of parking spaces required by Town Code §198-44 through §198-49,[9] as amended, the Planning Board shall permit HHI to 'land bank' those parking spaces in excess of the number of spaces formerly required by those provisions of the Town Code, prior to the December 6, 1994 amendments thereto. If HHI is unable, however, to demonstrate that the site possesses sufficient space to accommodate the number of parking spaces required by Town Code §198-44 through §198-49, as amended, consistent with a proposal of a development of 155 units, a Community Center and a sewage treatment plant, then the Planning Board shall require land banking in numbers of parking spaces no greater than the site will accommodate and shall waive the need for any additional spaces. In no event, however, shall HHI be entitled to be relieved of the requirement of providing parking spaces in numbers sufficient to comply with the provisions of the Town Code as it existed prior to December 6, 1994."

One of the provisions set forth in the Stipulation was the establishment of a Citizen's Advisory Committee (CAC), to "advise and assist HHI with respect to issues pertaining to the design, layout, use of property and landscaping of the Development during the planning, design, construction and operation of the Development." In accordance with this provision, this CAC was established.

Thus, as a result of HHI's quest of almost 25 years, many of the details of the proposed project have been either determined by the courts or agreed to by the relevant governmental agencies.

Site History

According to a Phase I Environmental Site Assessment (ESA) prepared in February 1994 by Bienstock, Lucchesi & Associates, P.C. (BL&A) (see Appendix C), the subject property was historically utilized for agricultural purposes.

[9] Said parking requirements for multiple family dwellings are 1.33 parking spaces per unit.

Purpose, Need and Benefits

The proposed project has been designed to provide a variety of housing units (one-bedroom, two-bedroom, three-bedroom and four-bedroom units) for persons of limited income within the R-3M Garden Apartment Special District. As indicated by *The Town of Huntington Comprehensive Plan*, "...the need for housing which is affordable to, and designed to meet the needs of, a greater range of persons and families will likely remain strong throughout the coming decade." As such, the proposed housing units will help accommodate persons and families of varying sizes and income levels. In addition, according to §198-13 (I) of the Town of Huntington Zoning Code, a minimum of 20 percent of housing units in a subdivision must be reserved for affordable housing. Therefore, the Town of Huntington has created zoning regulations to assure affordable housing is provided to those in need, and the proposed project addresses this need.

Pursuant to §198-13(I)(1)(a) of the Town of Huntington Zoning Code, "the cost of affordable dwellings shall be such that a family/household earning no more than eighty percent (80%) of the HUD median family/household income for the metropolitan area shall be able to afford to purchase such a unit. In determining affordability, mortgage interest rates, minimum down payment, homeowner's insurance and property taxes shall be considered among all of the factors that are taken into account." The 2004 HUD median family/household income for the metropolitan area is $85,300. Therefore, eighty percent of the HUD median family/household income is $68,240.

As indicated earlier, the 77 private homeowner units would only be offered to first time home buyers earning less than 80 percent of the HUD median family/household income. Deed restrictions will require that the residence be occupied by the owner to control unauthorized leasing.

According to a report prepared by the Long Island Housing Partnership, *Lack of Affordable Housing: Prescription for Economic Disaster,* an affordable home should not consume more than 35 percent of a household's income. This 35 percent includes mortgage payments, property taxes, insurance, etc. for homeowners. However, the aforesaid LIHP Report indicates that 30 to 35 percent of all renters in Nassau and Suffolk Counties consume greater than 35 percent of their household income on housing costs; and approximately 25 percent of homeowners on Long Island pay more than 35 percent of their household incomes for a place to live. According to the U.S. Census Bureau's 2000 Census, in Huntington town, approximately 24.2 percent of owner households spend more than 35 percent of their income on housing and this number jumps to 31.6 percent for those who are renting. These numbers increase for those households in Greenlawn to 27.9 percent for owners and 36.7 percent for renters.

Based on the 80% HUD median family/household income of $68,240 for the metropolitan area, an affordable home (including the mortgage, property taxes and insurance) would cost no more than $23,884 per year or $1,990 per month. As indicated below, more than half of the Town of Huntington and approximately 25 percent of homeowners in the hamlet of Greenlawn have monthly mortgage payments exceeding $2,000.00 per month. It should be noted that the monthly housing costs are from the 2000 Census and, therefore, do not account for the rise in housing costs in Nassau and Suffolk Counties since 2000, such that required spending for housing has also increased.

Table 3

Monthly Owner Costs (Mortgages)[10]

Monthly Owner Costs	Town of Huntington number	Town of Huntington percent	Hamlet of Greenlawn number	Hamlet of Greenlawn percent
Total Housing Units	67,708		4,071	
Owner-Occupied Units with a Mortgage	37,946		2,467	
Less than $300	0	0.0%	0	0.0%
$300 to $499	37	0.1%	0	0.0%
$500 to $699	360	0. 9%	38	1.1%
$700 to $999	1,704	4.5%	171	5.1%
$1,000 to $1,499	6,185	16.3%	571	17.2%
$1,500 to $1,999	10,223	27.0%	841	25.3%
$2,000 or more	19,437	51.2%	846	25.4%

According to information received from the Long Island Board of Realtors, the median sales prices for single-family homes in Suffolk County increased from $230,000 in August 2001 to $361,000 in August 2004. Assuming a three-percent down payment, property taxes of $7,000, mortgage insurance of $263.00 per month and 30 percent of gross income to the average home of $361,000, the homeowner would need to earn $117,816 per year, which is 138 percent of the HUD median income for Nassau-Suffolk, NY. Therefore, the median income is well below that required to afford the median-priced single-family home in Suffolk County.

In addition to providing affordable homes, the proposed development would comply with the published standards and guidelines of the Eastern Paralyzed Veterans Association (EPVA) and the Americans with Disabilities Act (ADA) (see correspondence in Appendix D).

[10] U.S. Census Bureau, 2000. DP-4 Profile of Selected Housing Characteristics. Huntington town, Suffolk County, New York.

Construction

A preliminary construction schedule has been prepared by Lask Building, construction managers for the proposed development. A copy of same is included in Appendix B. According to the preliminary schedule, the overall development of the site would take place over 20 months.

The project engineer has indicated that construction is expected to take place from west to east, utilizing the main driveway off of Pulaski Road for vehicle entry. The emergency access connection off of Elwood Road will service the construction staging area to be located in the area of proposed buildings 17 and 18. It should be noted that entry to the site would be temporarily fenced for security and safety purposes. Finally, prior to clearing at the subject property, a rodent survey will be performed and a rodent-free certification will be obtained from the Suffolk County Department of Health Services.

Required Permits and Approvals

The following permits and approvals must be obtained in order to commence construction of the proposed project:

Permits and Approvals	Agency
Site Plan Approval	Town of Huntington Planning Board
Sanitary Sewer, Water Supply and Sewage Treatment Plant (STP)	Suffolk County Department of Health Services, Suffolk County Department of Public Works and New York State Department of Environmental Conservation
Setback Variance for STP	Suffolk County Department of Health Services
Referral	Suffolk County Planning Commission
Water Connection	Suffolk County Water Authority
Curb Cuts (Pulaski and Elwood Roads)	Suffolk County Department of Public Works

3.0 EXISTING ENVIRONMENTAL CONDITIONS

3.1 Soils and Topography

Soils

According to the *Soil Survey of Suffolk County*, New York (USDA, 1975), soils are classified according to distinct characteristics and placed (according to these characteristics) into "series" and "mapping units." A "series" is a group of mapping units formed from particular disintegrated and partly weathered rocks which lie approximately parallel to the surface and which are similar in arrangement and differentiating characteristics such as color, structure, reaction, consistency, mineralogical composition and chemical composition. "Mapping units" differ from each other according to slope and may differ according to characteristics such as texture.

The *Soil Survey of Suffolk County*, New York indicates that the majority of the site is comprised of Haven loam, 0 to 2 percent slopes (HaA). At the eastern portion of the property is a limited extent of Riverhead and Haven soils, graded, 0 to 8 percent slopes (RhB) (see Figure 2). The relevant excerpts from the *Soil Survey of Suffolk County, New York* (USDA, 1975) relating to soil series and mapping units are presented below:

Soils Type Map

Source: USDA Soil Survey of Suffolk County, New York, Sheet No. 52, 1975.
Scale: 1:20,000

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Figure 2

Haven Series

The Haven series consists of deep, well-drained, medium-textured soils that formed in a loamy or silty mantle over stratified coarse sand and gravel. These soils are present throughout the county, but most areas are on outwash plains between the two terminal moraines. Slopes range from 0 to 12 percent, but they generally are one to six percent. Native vegetation consists of black oak, white oak, red oak, scrub oak, and pitch pine.

In a representative profile, a thin layer of leaf litter and decomposed organic matter is on the surface in wooded areas. Below this is the surface layer of dark grayish-brown loam about three inches thick. In cultivated areas, the surface layer is mixed with the material formerly in the upper part of the subsoil, and a plow layer of brown or dark-brown loam, about 10 inches thick, is present. The subsoil is dark-brown to strong-brown, friable loam to a depth of about 19 inches. The lower part, to a depth of 28 inches, is yellowish-brown, friable gravelly loam. The substratum, to a depth of 55 inches, is yellowish-brown to brownish-yellow loose sand and gravel.

Haven soils have high to moderate available moisture capacity. Reaction is strongly acid to very strongly acid throughout. Natural fertility is low. The response of crops to lime and fertilizer is good. Internal drainage is good. Permeability is moderate in the surface layer and subsoil and rapid or very rapid in the substratum. The root zone is 25 to 35 inches thick.

Haven loam, 0 to 2 percent slopes (HaA) - This soil has the profile described as representative of the series. It is nearly level and generally on outwash plains. Some areas of this soil are on moraines and generally are on the top of low-lying hills. Some of these areas are slightly undulating. Most areas of this soil are large, but on moraines the areas are smaller and irregular in shape.

Included with this soil in mapping are small areas of Scio soils and some crescent-shaped, gravelly areas. Also included are soils that have a moderately coarse textured surface layer and a medium-textured subsoil. In many areas of this soil that are mapped in association with Bridgehampton soils, the soil is deeper and siltier than that described as representative of the series. Bridgehampton soils generally are include in mapping in these areas. Also included, on moraines, are areas of Montauk soils that have a very weak fragipan.

The hazard of erosion is slight on this Haven soil. Primary management concerns are keeping the soil from crusting after rain, maintaining tilth, and reducing the plowpan.

The soil is used extensively for crops, and it is well suited to all crops commonly grown in the county. Potatoes are the main crop, but cauliflower, cabbage, corn, onion, and sod crops are also grown. Because of the nearly level slope and ease of excavation, most areas of this soil in the western part of the county are being used for housing developments and industrial parks.

Riverhead Series

The Riverhead series consists of deep, well-drained, moderately-coarse-textured soils that formed in a mantle of sandy loam or fine sandy loam over thick layers of coarse sand and gravel. These soils occur throughout the county in rolling to steep areas on moraines and in level to gently sloping areas on outwash plains. These soils range from nearly level to steep; however, they are generally nearly level to gently sloping. Native vegetation consists of black oak, white oak, red oak and scrub oak.

In a representative profile, the surface layer is brown to dark brown sandy loam about 12 inches thick. The upper part of the subsoil, to a depth of about 27 inches, is strong-brown, friable sandy loam. The lower part of the subsoil is yellowish-brown, very friable loamy sand to a depth of about 32 inches. Below is yellowish-brown, friable gravelly loamy sand to a depth of about 35 inches. The substratum is very pale brown and brown loose sand and gravel or sand to a depth of 65 inches.

Riverhead soils have moderate to high available moisture capacity. Internal drainage is good. Permeability is moderately rapid in the surface layer and the subsoil and very rapid in the substratum.

Riverhead and Haven soils, graded, zero to eight percent slopes (RhB) - This mapping unit consists of areas of Riverhead sandy loam, of Haven loam or of both. The areas have been altered by grading operations for housing developments, shopping centers, industrial parks and similar non-farm uses. In the western part of the County, the areas of this mapping unit are very large, and large acreages are used as sites for housing developments.

Originally, the Riverhead and Haven soils in this unit each had the profile described as representative of the respective series, but grading operations have left a man-made profile that is significantly different.

These soils are suited to most grasses and shrubs commonly used for lawns and landscaping. The practice generally is to build on the soils immediately after grading.

Table 4 shows the soil engineering and planning limitations of each soil found on the site. These engineering and planning limitations will be discussed in Section 4.1 of this DEIS, as they relate to the proposed project.

Table 4

Soil Engineering and Planning Limitations

	Haven Loam (HaA)	Riverhead and Haven Soils, Graded (RhB)
Homesites[11]	SL	SL
Streets and Parking Lots	SL	M(A)
Lawns, Landscaping and Golf Fairways	SL	SL
Sewage Disposal Fields	SL	SL
Play Areas	SL	SL

Engineering and Planning Limitation Rating:
SL = Slight - Few or no limitations or limitations can be overcome at little cost.
M = Moderate - Limitations is harder to correct or not possible to correct entirely.
SE = Severe - Use severely limited by some characteristics difficult or costly to overcome.

Reasons for Limitations:
(A) Slope

Source: *Soil Survey of Suffolk County, New York,* United States Department of Agriculture, Soil Conservation Service (1975).

Based upon review of the Town's Full-EAF (see Appendix A) prepared in response to the June 1995 site plan application, the following issues were raised regarding soil quality and the associated potential impact on public health:

- The subject property was historically utilized for agricultural purposes. Therefore, there is a concern relating to potential soil impacts from the former use of pesticides and herbicides for on-site crop protection;
- Anecdotal information indicated that the subject property was utilized as a staging area for the Suffolk County Department of Public Works (SCDPW);
- Minor areas of dumping were observed on the subject property;

[11]The *Soil Survey of Suffolk County* evaluates the engineering and planning limitations of soils for the development of homesites. However, as the *Soil Survey* does not include ratings for other types of buildings, the homesites evaluation is used to determine potential limitations for the development of the proposed buildings.

- Six New York State Department of Environmental Conservation (NYSDEC) spill numbers were assigned to the adjacent LILCO property. According to the NYSDEC Spill Incidents report, all six spill files have been closed (see Appendix C); and
- Excavation of on-site soils for berms, cellars, foundations, crawl spaces, recharge basins and typical grading activities could potentially expose future on-site workers and residents to soils impacted by the aforementioned activities. Thus, the Town recommended that systematic soil testing be conducted to determine if herbicides, PCB's and other contaminants are not present above actionable concentrations.

A Phase I Environmental Site Assessment (ESA) was prepared for the subject property by Bienstock, Lucchesi & Associates, P.C. (BL&A) in February 1994. According to the Phase I ESA, the site was historically utilized for agricultural purposes although there were no indications of recent cultivation activities. Based upon the results of its work, BL&A concluded:

- *"There is no obvious potential for contamination from any past or present onsite activity.*
- *... the existing hydrogeological conditions pose no significant environmental risk to this project.*
- *...there is no evidence of any potential for contamination of the site from offsite facilities.*
- *Based on the information found from the environmental records review, the site should not be significantly impacted negatively from any past or current offsite operation.*
- *Based on our evaluation of the available data and the results of the site visitation, we do not foresee any situation of conern* (sic) *from existing environmental conditions and therefore, we do not see the need to continue the audit process with a Phase II investigation and report."*

Notwithstanding the above, to address the Town's specific concerns, prior to construction, a systematic sampling program will be conducted, under the supervision of the SCDHS, to evaluate on-site soil quality conditions. Surficial (e.g., surface-to-three-inches below grade surface [bgs]) and subsurface (e.g., 1.0-to-1.25-feet bgs and 3.0-to-3.5-feet bgs) will be collected from across the subject property and analyzed for one or more of the following (depending on the area of the subject property being tested): Suffolk County List (SCL) volatile organic compounds (VOCs) by EPA Method 8260, NYSDEC STARS semi-volatile organic compounds (SVOCs) by EPA Method 8270, SCL metals by the EPA 6010/7471 Series, pesticides by EPA Method 8081, chlorinated herbicides by EPA Method 8151 and organophosphorus pesticides by EPA Method 8141. The aforementioned analytical suite will allow for the detection and quantification of hazardous materials and substances, which could be encountered at the subject property given its history.

The Town indicated that the soil analytical results should be compared to the NYSDEC Recommended Soil Cleanup Objectives (RSCOs) included in NYSDEC Technical Administrative Guidance Memorandum (TAGM) 4046; *Determination of Soil Cleanup Objectives and Cleanup Levels*, revised in April 1995, and updated in 2000. However, the SCDHS has established protocols set forth in the *Draft Guidance Document SCDHS Division of Environmental Quality Procedures for Subdivisions, Developments or other Construction Projects with Potentially Contaminated Soils* (issued in draft form on April 24, 2003). According to that document, pesticide and metals analytical results are to be compared to the United States Environmental Protection Agency ("USEPA") draft Soil Screening Levels ("SSL") for Residential Scenario.[12]

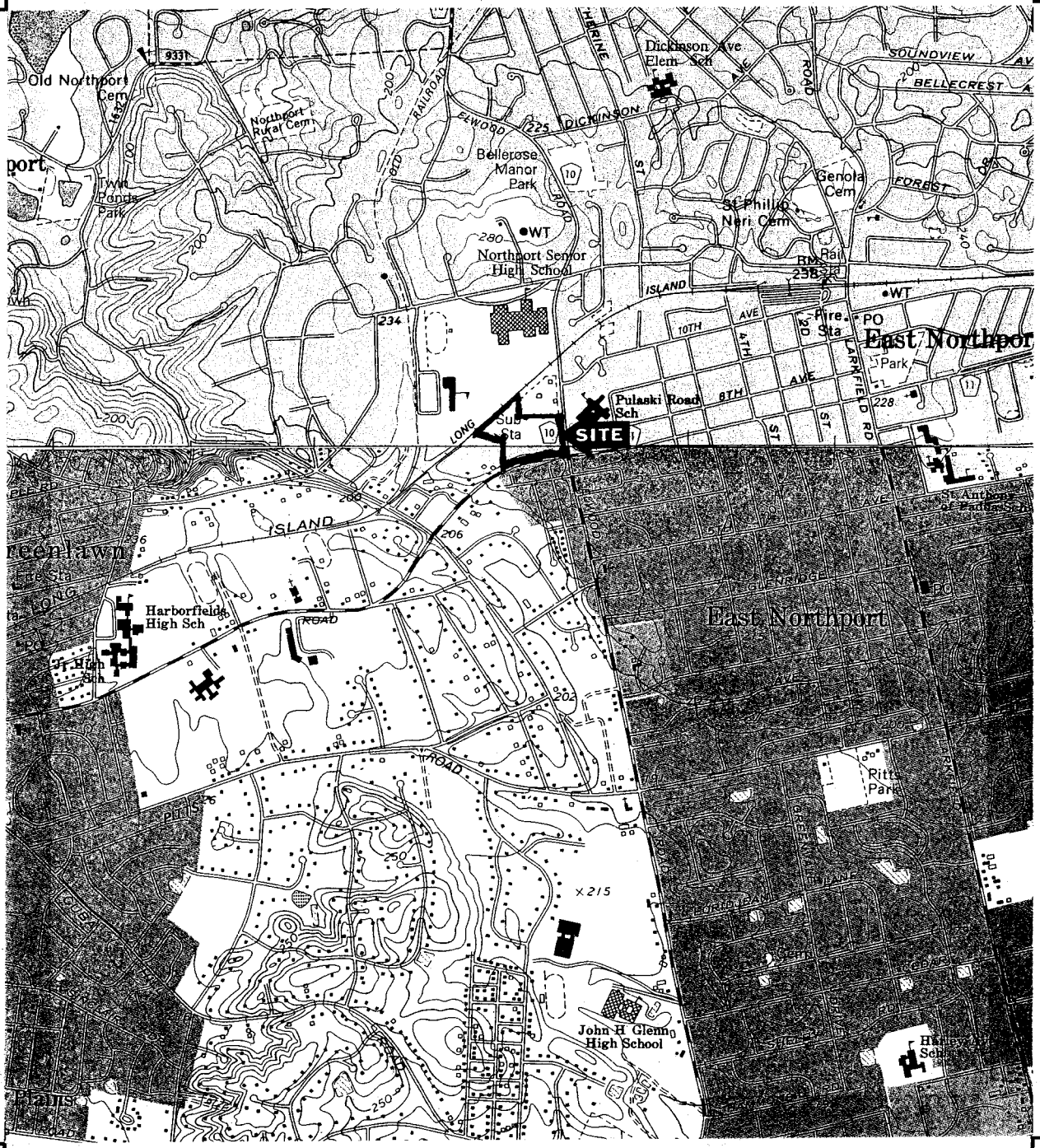
[12] Set forth in Appendix A of the *USEPA Supplemental Guidance for Developing Soil Screening Levels for Superfund Sites* issued draft March 2001.

Based on past experience with other former agricultural-use properties, the highest concentrations of residual pesticides and herbicides are limited to the shallower soil interval (between the surface to two-feet bgs) and decrease substantially (e.g., below actionable concentrations) with increased depth below grade. Therefore, based upon these site characteristics, and if pesticides and/or herbicides are detected on the site above actionable concentrations, a reasonable and easily implemented Soil Management Program ("SMP") can be developed to address the detected exceedances of residual pesticides and arsenic. The SMP would include removing impacted soils to reduce concentrations in areas of potential exposure routes such as future residential yard areas. This typically includes a re-testing of surface soil for residual pesticide concentrations at the time of final grading and site development at areas not under building footprints or other impervious surfaces. Additionally, impacted soils may be utilized as fill material for naturally occurring low lying areas or vegetated berms may be constructed along the perimeters of the site.

Should contaminants other than those addressed in the SCDHS document be detected at concentrations in contravention of NYSDEC RSCOs, the NYSDEC would be notified and appropriate remedial actions would be conducted, as necessary.

Topography

According to USGS Topographic Map (Northport and Greenlawn Quadrangles) and topographic information provided on the Conceptual Site Plan prepared by LDA, the elevation ranges from approximately 227 feet above mean sea level (amsl) at the south of the property to 232 feet amsl at the north of the property (see Figure 3). Data provided by LDA indicates that slopes are less than five percent on the site.



Source: USGS Topographic Map, Greenlawn and Northport Quadrangles,1979 and 1991.
Scale: 1:24,000

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Figure 3

3.2 Ecology

The subject site was visited by Orland J. Blanchard, Jr., Ph.D. (see copy of Dr. Blanchard's resume in Appendix E) on December 29, 2003 and May 26, 2004 for the purpose of conducting an ecological survey.

The site is quite flat, and its general aspect is that of a weedy open field, sparsely wooded in the northwestern corner. A strip of trees is also present along the southerly boundary with Pulaski Road.

A total of 108 kinds of plants were identified on the site, including 40 woody species and 68 herbaceous species. Additionally, four bird species and two mammal species were noted (see Table 5). Nearly a decade ago (June 15, 1995), Town personnel visited the site and recorded the following plants not seen in the present (2003-2004) survey: Catalpa, Choke Cherry, American Crabapple, Silktree, Privet, Bayberry, Tartarian Honeysuckle, Partridge Pea, Knotweed, Deptford Pink and Sphagnum Mosses.

Three ecological community types, all of a successional sort, exist on the site (see Reschke, 1990; Edinger *et al.*, 2002 for a classification of ecological communities of New York State). These are Successional Old Field, Successional Shrubland and Successional Southern Hardwoods. In other words the site is in various stages of recovery from having been entirely cleared at some time in the past for agricultural use.

By far the largest part of the site is in the earliest stage, Successional Old Field. The dominant herbaceous plant species in the eastern half is Mugwort (*Artemisia vulgaris*), one of the top 20 most invasive weeds in New York (Jordan, 2002). Toward the west, graminoids (grass-like species) and goldenrods (*Euthamia* spp., *Solidago* spp.) predominate. Other common species of forbs (broad-leafed herbs) in the field are Common Ragweed (*Artemisia vulgaris*), Peppergrass (*Lepidium* sp.), English Plantain (*Plantago lanceolata*), Queen Anne's Lace (*Daucus carota*), Spotted Knapweed (*Centaurea maculosa*), Clovers (*Trifolium* spp.), Asters (*Aster* spp.), Field Garlic (*Allium vineale*), Evening Primrose (*Oenothera* sp.), Yarrow (*Achillea millefolium*), Round-headed Bush-Clover (*Lespedeza capitata*), Common Mullein (*Verbascum thapsus*), and Indian Hemp (*Apocynum* sp.).

Although some of the graminoids were not identifiable at the time of the visits, several were distinctive, including Orchard Grass (*Dactylis glomerata*), Broomsedge (*Andropogon virginicus*), Little Bluestem (*Schizachyrium scoparium*), Purple-Top (*Tridens flavus*), Crabgrass (*Digitaria* sp.), Bent Grass (*Agrostis* sp.), Path Rush (*Juncus tenuis*), Fescue (*Festuca* sp.), Spear Grass (*Poa annua*), and Downy Chess (*Bromus tectorum*).

Several shrubs and sapling trees are present, including Black Locust (*Robinia pseudoacacia*), Crabapples (*Malus floribunda, M. sieboldii*), Pussy Willow (*Salix discolor*), Autumn Olive (*Elaeagnus umbellata*), Blackberry (*Rubus allegheniensis*), Red Cedar (*Juniperus virginiana*), Multiflora Rose (*Rosa multiflora*), Black Cherry (*Prunus serotina*), Norway Maple (*Acer platanoides*) and Cottonwood (*Populus deltoides*). Vines were established in a few places, notably Asiatic Bittersweet (*Celastrus orbiculata*) and Japanese Honeysuckle (*Lonicera japonica*).

A dirt track extends into the field from Pulaski Road at a point about 100 feet from the intersection of Elwood Road. It soon widens and then branches to the west and northeast until it reaches the boundaries of the site, and then circles the field along its western and northern sides. There also appears to be access to these roads from the southeastern and northwestern corners of the site, although the northwestern access may be technically off-site. All of these drives, as well as some created trails in the interior and peripheral parts of the site, appear to be used as dirt-bike tracks, with homemade ramps and other modifications.

There is an area of pavement in the southeast opposite the gas station at Elwood and Pulaski Roads. This is largely unvegetated except for patches of moss.

Toward its western edge, the Successional Old Field transitions to Successional Shrubland. The technical distinction between the two is that the first has less than 50 percent shrub cover, and the second has 50 percent or more shrub cover. The shrubs and saplings involved on-site are generally the same as in the old field, with the addition of Smooth Sumac (*Rhus glabra*), Dwarf Sumac (*Rhus copallina*), and saplings of Tree-of-Heaven (*Ailanthus altissima*), White Ash (*Fraxinus americana*), Mockernut Hickory (*Carya cordiformis*) and White, Black and Pin Oaks (*Quercus velutina, Q. alba,* and *Q. palustris*). Purple Nightshade (*Solanum dulcamara*) is an additional woody vine and the herbs Pokeweed (*Phytolacca americana*) and Garlic Mustard (*Alliaria petiolata*) are present.

At the western edge of the site are numerous heaps of soil and debris, and these continue into the wedge of property that borders the LIRR, where a transition to Successional Southern Hardwoods occurs. Common trees are Black Cherry, White Mulberry (*Morus alba*), young Mockernut Hickory, and young Oaks. Shrubs are Multiflora Rose, Hawthorn (*Crataegus* sp.), Autumn Olive, Dwarf Sumac and Sassafras (*Sassafras albidum*); while vines include Poison Ivy (*Toxicodendron radicans*), Wild Grape (*Vitis* sp.), Catbrier (*Smilax glauca*), Japanese Honeysuckle and Asiatic Bittersweet. East along the LIRR, Multiflora Rose in particular forms a dense fringe at the edge of the property.

Another example of the Successional Southern Hardwoods forest type is found in the dense strip of young Norway Maples that borders Pulaski Road along the western three-fifths of the site. This is almost a pure stand, and, as is characteristic of this seriously invasive alien weed tree, its early leafing-out and the dense shade that it casts severely limit growth in the herb and shrub strata beneath.

The subject site is near the southeastern corner of Block 6352A of the censusing grid used by the New York State Breeding Bird Atlas Project (Andrle & Carroll, 1988; www3.dec.state.ny.us/website/dfwmr/wildlife/bba/volunteer.html). The data that formed the basis of the hard-copy atlas published in 1988 show 32 confirmed breeding bird species from the relevant atlas block. The data for the current 2000-2003 census adds six species. Of this total of 38, nine are unlikely to have been recorded on the subject site because of habitat preferences--usually forests, wet areas, cliffs, banks or manmade structures. Four others are non-native, nuisance species. The remaining 25 are listed here:

Baeolophus bicolor	Tufted Titmouse
Cardinalis cardinalis	Northern Cardinal
Carduelis tristis	American Goldfinch
Charadrius vociferus	Killdeer
Colaptes auratus	Northern Flicker
Corvus brachyrhynchos	American Crow
Cyanocitta cristata	Blue Jay
Dendroica petechia	Yellow Warbler
Dumetella carolinensis	Gray Catbird
Geothlypis trichas	Common Yellowthroat
Icterus galbula	Baltimore Oriole
Melanerpes carolinus	Red-bellied Woodpecker
Melospiza melodia	Song Sparrow
Mimus polyglottos	Northern Mockingbird
Molothrus ater	Brown-headed Cowbird
Picoides pubescens	Downy Woodpecker
Poecile atricapillus	Black-capped Chickadee
Quiscalus quiscula	Common Grackle
Sitta carolinensis	White-breasted Nuthatch
Toxostoma rufum	Brown Thrasher
Troglodytes aedon	House Wren
Turdus migratorius	American Robin

Vireo gilvus	Warbling Vireo
Vireo olivaceus	Red-eyed Vireo
Zenaida macroura	Mourning Dove

Of these, 20 are listed as "common suburban birds" by Wade *et al.* (1990, table 31) for the nearby Town of Brookhaven, and some of these undoubtedly breed on the site. As probable confirmation of this, Town of Huntington personnel reported ten of the species cited by Wade *et al.* during a June 1995 visit to the subject property.

Of the remaining five "atlas" breeders (American Goldfinch, Yellow Warbler, Common Yellowthroat, Brown Thrasher, and Warbling Vireo), the first four are listed as "typical old field and edge species" by Wade *et al.* (*ibid.*, table 29) and, therefore, may well breed on the site. In fact, the first three were on the list reported by the Town. The fifth might breed, although it tends to prefer taller, isolated trees (Andrle & Carroll, 1988).

Three of the four bird species actually seen during the late-December site visit (Song Sparrow, Red-tailed Hawk, European Starling; see appendix) are permanent residents, but the fourth, the White-throated Sparrow, is a northern New York breeder, not confirmed on Long Island in the earlier atlas work, nor yet recorded during the current atlas effort. Resident starlings and song sparrows may breed on the site, but the Red-tailed hawk probably does not, although it may hunt there. During the site visit a Red-tailed Hawk was seen both flying and perching on a pole at the power station, and a meadow vole, undoubtedly a major component of the Hawk's diet, was uncovered living under a piece of plywood on the site.

It should be noted that the 38 atlas breeders discussed above represent records from an atlas block of 9.65 square-miles, while the subject site occupies less than three-tenths of one percent of that area, and the atlas block embraces a vastly greater variety of habitats. Therefore chance alone suggests that few if any of the atlas records came from the site itself.

Paul F. Connor of the New York State Museum published "The Mammals of Long Island, New York" in 1971, based in large part on field work that he conducted in 1960-1963. He provided photographic illustrations of representative Long Island habitats, and Figures 11, 15, and 26 of this publication depicted fields and grasslands of various sorts, albeit further east on Long Island.

In aggregate, the figure legends list, in addition to the Eastern Cottontail and Meadow Vole seen at the subject site, the following species:

Didelphis marsupialis	Opossum
Sorex cinereus	Masked Shrew
Blarina brevicauda	Short-tailed Shrew
Scalopus aquaticus	Eastern Mole
Pitymys pinetorum	Pine Mouse
Vulpes vulpes	Red Fox
Odocoileus virginianus	White-tailed Deer

The site may have been closed-in for too long by development to be used by foxes and white-tailed deer, but there is a likelihood that some of the others use, and may even breed, on the site. Most likely, the Raccoon (*Procyon lotor*), an opportunistic associate of human settlements, is present as well. The Norway Rat (*Rattus norvegicus*), also associated with human population, is not unlikely. The abundant Gray Squirrel (*Sciurus carolinensis*) probably uses the treed area of the site, and indeed was reported by Town personnel in 1995.

In 1978, Frederick Schlauch published a methodology paper which used as its data base the herpetofauna (reptiles and amphibians) of Nassau County. For purposes of this analysis, the county was divided into 8 "tracts," each of which had an area of about 39 square km (15 square miles). His tract no. 15 is about 6 miles to the west of the subject site and contained 18 species. Excluding those species that are, for the most part, obligately associated with permanent water, the following remain:

Bufo woodhousii fowleri	Fowler's Toad
Coluber c. constrictor	Northern Black Racer
Diadophis punctatus edwardsi	Northern Ringneck Snake
Lampropeltis t. triangulum	Eastern Milk Snake
Plethodon cinereus	Red-backed Salamander
Storereia o. occipitomaculata	Red-bellied Snake

Terrapene c. carolina	Eastern Box Turtle
Thamnophis sirtalis	Eastern Garter Snake

Only four of these were recorded in one-third or more of Schlauch's tracts--Fowler's Toad, Eastern Garter Snake, Red-backed Salamander and Eastern Box Turtle. These species might be considered frequent enough locally that they would occur on the subject site, although the last two tend to prefer more wooded areas.

The New York State Amphibian and Reptile Atlas Project (www.dec. state.ny.us/ website/dfwmr/wildlife/herp/, accessed May 22, 2004), which spans the years 1990-1999, lists a combined 14 species of amphibians and reptiles for the two survey blocks ("Northport" and "Greenlawn," corresponding to two USGS topographic quadrangles) that the subject site straddles. Of these species, no new ones are added to Schlauch's non-wetland list and, in fact, the four infrequent species from his list were not recorded by the atlas project at all.

It should be pointed out that the atlas list was based on herpetofaunal records from a two-quadrangle area of roughly 113 square miles, of which the 14.574-acre subject site is only a minute fraction. Chances are that few, if any, of the records in the atlas were actually from the subject site itself.

Although no butterflies would have been expected during the December site visit, a useful source of information is the local annual Fourth-of-July butterfly count sponsored by the North American Butterfly Association (NABA). These counts are patterned after the long-established Christmas bird counts in that they are conducted within a circle of 15 miles diameter centered on a particular point.[13]

[13] Dr. Blanchard, the preparer of this ecological assessment, has been one of the party leaders in this count for well over a decade.

The eastern edge of this circle is only about 2.5 miles west of the subject site. The 47 butterfly species seen in the most recent (2003) count (Swengel & Swengel, 2004) were as follows (see below for explanation of **bolding**):

Ancyloxypha numitor	Least Skipper
Atrytone logan	Delaware Skipper
Calycopis cecrops	Red-banded Hairstreak
Celastrina ladon	**Spring Azure**
Cercyonis pegala	**Common Wood Nymph**
Colias eurytheme	**Orange Sulfur**
Colias philodice	**Clouded Sulfur**
Danaus gilippus	Queen
Danaus plexippus	Monarch
Epargyreus clarus	**Silver-spotted Skipper**
Erynnis baptisiae	Wild Indigo Duskywing
Euphyes vestries	Dun Skipper
Euptoieta claudia	Variegated Fritillary
Everes comyntas	**Eastern Tailed Blue**
Junonia coenia	**Common Buckeye**
Limenitis archippus	Viceroy
Limenitis arthemis astyanax	**Red-spotted Purple**
Lycaena phlaeas	American Copper
Megisto cymela	**Little Wood Satyr**
Mitoura grynea	Olive Hairstreak
Nymphalis antiopa	**Mourning Cloak**
Papilio glaucus	**Tiger Swallowtail**
Papilio polyxenes	**Black Swallowtail**
Papilio troilus	**Spicebush Swallowtail**
Pholisora catullus	Common Sootywing
Phyciodes tharos	**Pearl Crescent**
Pieris rapae	**Cabbage White**
Poanes viator	Broad-winged Skipper
Polites peckius	**Peck's Skipper**
Polites origenes	Crossline Skipper
Polites themistocles	**Tawny-edge Skipper**
Polygonia comma	Eastern Comma
Polygonia interrogationis	Question Mark
Pompeius verna	**Little Glassywing**
Satyrium calanus	**Banded Hairstreak**
Satyrium caryaevorus	Hickory Hairstreak
Satyrium liparops	Striped Hairstreak
Satyrium titus	**Coral Hairstreak**
Satyrodes appalachia	Appalachian Brown
Speyeria cybele	**Great Spangled Fritillary**
Strymon melinus	**Gray Hairstreak**

Thorybes bathyllus	**Southern Cloudywing**
Thymelicus lineola	**European Skipper**
Vanessa atalanta	Red Admiral
Vanessa cardui	**Painted Lady**
Vanessa virginiensis	American Lady
Wallengrenia egeremet	**Northern Broken Dash**

Which of these might actually occur is largely determined by the availability of the food plant of the caterpillar and by the availability of adequate nectar sources. About a dozen of these species would not breed on-site because the food plant of the caterpillar is absent, and probably another eight would not because of small amounts or very limited areas of the food plant or because the habitat itself is wrong for the species. Three others are simply rarely seen and would therefore not be expected. The remaining 26 species are **bolded** in the list above, and it is from among them that any butterflies seen at the site would most likely come. It is probable, too, that a few late and early season breeders not normally seen around the Fourth of July would use the site as well, and if the site provides an attractive nectar supply, some non-breeders would be drawn in from elsewhere.

During the present survey no rare plants, animals or natural communities were found on the subject site, as listed by the Federal government, NYSDEC or the New York Natural Heritage Program (NHP)(see www.dec.state.ny.us/website/dfwmr/wildlife/endspec/etsclist.html, accessed June 2, 2004; www.dec.state.ny.us/website/dfwmr/heritage/RPSL.pdf, accessed June 2, 2004).

In a letter dated January 8, 2004 from Heidi Krahling of NHP Information Services (see Appendix E), it was indicated that three plants "occur, or may occur, on your site or in the immediate vicinity of your site." These are Silvery Aster (*Aster concolor*), Slender Crabgrass (*Digitaria filiformis*) and Pencil-Flower (*Stylosanthes biflora*). However, at least four factors mitigate against the likelihood that these species actually occur here: 1) they were not found during the present survey, 2) the known records are very old, 3) the site was previously cleared for farming, and 4) the locality of each of the records is simply "Northport."

To further elaborate on each of these points, the ecologist who conducted this investigation has seen the first two species in New York and the third in New Jersey, and looked specifically for them on-site. Another Crabgrass (*Digitaria* sp.) was seen at the site, but it lacked the three-sided flowering axis unique, in the Northeast, to *D. filiformis*. At present, the Silvery Aster is known in the entire state from one extant site on the South Fork, and the Pencil-Flower is thought by NHP to be totally extirpated from New York State.

The years of the records of the three plants are, respectively, 1900, 1938, and 1897. Their antiquity virtually assures that the vegetation in which they were found has changed--by succession or disturbance--in the ensuing decades, with the likely outcome is that the site is no longer suitable. In the present case, specifically, it is known that the site was cleared for agricultural use, probably more recently than when these plants were originally found. Furthermore, the site was then abandoned to successional changes, so that at least two major local vegetational shifts can be directly documented. The likelihood that any rare species would persist at a site under such circumstances is small.

Finally, the code "M" in the right-most column of the NHP report indicates that all three of these plant records are no more precisely localized than being within a 1.5-mile radius of Northport (the center of which is about 1.6 miles north of the subject site). This translates to an area of approximately 7 square miles, an area that also includes, significantly, part of Crab Meadow Park, part of the Makamah Nature Preserve, and part of the extensive Northport Veterans Hospital property. The subject site occupies only about three-tenths of one percent of this 7-square-mile area. The chances that the three plants were found on the subject site are therefore minute.

To summarize, the NHP-reported plants were not found during a recent, careful and informed search; they almost certainly were not *originally* found on the subject site; and even if they were, they would have been destroyed during the clearing of the site for farming.

The Town of Huntington reported "american crabapple" from the site and indicated that it was state-protected. In a widely used, undated booklet from NYSDEC (Mario Cuomo is identified as Governor on the cover) entitled "Protected Native Plants," two relevant species are listed--*Malus coronaria* (Wild Crab-Apple) and *Malus glaucescens* (American Crab), but since the Town failed to provide a scientific name for the plant, it is not clear to which of the two they were referring. This issue is relevant because *M. coronaria* has since been removed from the state list and *M. glaucescens* has not (Young & Weldy, 2004). Of the latter species, NHP states "This is a native crabapple *from western New York.* [emphasis added] There is some taxonomic confusion between this and Malus coronaria. All specimens of both species need to be verified to determine their rarity and distribution. More studies are needed to determine if this is a good entity" (Young & Weldy, 2004, p. 72).

A map of the distribution of *M. glaucescens* can be found at www.nyflora.org/atlas/maps/_Rosidae/Rosaceae/Malus_glaucescens.html. The plant is shown to occur no closer than 170 miles of western Suffolk County.

This crabapple was probably either introduced locally (though if so, it was not re-located in the present survey) or misidentified. There are at least two other, escaped ornamental crabapples that are more-or-less abundant on the site, as well as a Hawthorn, also in the rose family, that has leaves much like those of wild crabapples. In sum, it is highly doubtful that a rare crabapple, which is also far from its known range in the state, is on the subject site.

A report by the Town of the presence of Sphagnum Moss in the strip of Norway Maple along Pulaski Road is certainly in error. This genus of mosses is found only in wet areas, and there are no such areas on the site.

Although there were no New York State-endangered, -threatened or -rare species found at the site, one plant in the NYSDEC category of "exploitably vulnerable" was found, and an additional species in this category was reported from 1995 by Town of Huntington personnel. The two are Flowering Dogwood (*Cornus florida*) and Bayberry (*Myrica pensylvanica*). The exploitably vulnerable category refers to threats from commercial exploitation, but in fact, state protection only applies in the case of removal without the owner's permission--a moot point, in that there are not enough of either species on the site to make them worth commercial exploitation. Moreover, both species occur with respectable frequency on Long Island, so as not to seem particularly threatened (see Clemants, 1999, maps pp. 144, 204). By contrast, nine of the top 20 most invasive weed species in New York State were found at the site (Jordan, 2002).

Acer platanoides	Norway Maple
Alliaria petiolata	Garlic Mustard
Celastrus orbiculata	Asiatic Bittersweet
Centaurea maculosa	Spotted Knapweed
Elaeagnus umbellata	Autumn Olive
Lonicera japonica	Japanese Honeysuckle
Lonicera tatarica	Tartarian Honeysuckle
Robinia pseudoacacia	Black Locust
Rosa multiflora	Multiflora Rose

One of these, Tartarian Honeysuckle, was not seen during the present survey but was reported by personnel of the Town of Huntington in 1995.

Table 5

Ecological Inventory

TREES, SHRUBS AND WOODY VINES

Acer platanoides	Norway Maple
Betula lenta	Black Birch
Betula populifolia	Gray Birch
Carya tomentosa	Mockernut Hickory
Celastrus orbiculata	Asiatic Bittersweet
Cornus florida	Flowering Dogwood
Crataegus sp.	Hawthorn
Elaeagnus umbellata	Autumn Olive
Fagus sylvatica	European Beech
Fraxinus americana	White Ash
Juniperus virginiana	Red Cedar
Lonicera japonica	Japanese Honeysuckle
Malus floribunda	Showy Crabapple
Malus sieboldii	Toringo Crabapple
Morus alba	White Mulberry
Parthenocissus sp.	Virginia Creeper
Pinus strobus	White Pine
Pinus thunbergii	Japanese Black Pine
Populus deltoides	Cottonwood
Prunus avium	Sweet Cherry
Prunus serotina	Black Cherry
Quercus alba	White Oak
Quercus coccinea	Scarlet Oak
Quercus palustris	Pin Oak
Quercus velutina	Black Oak
Rhus copallinum	Dwarf Sumac
Rhus glabra	Smooth Sumac
Robinia pseudoacacia	Black Locust
Rosa multiflora	Multiflora Rose
Rubus allegheniensis	Blackberry
Rubus flagellaris	Northern Dewberry
Rubus occidentalis	Black Raspberry
Rubus phoenicolasius	Wineberry
Salix discolor	Pussy Willow
Sassafras albidum	Sassafras
Smilax glauca	Catbrier
Solanum dulcamara	Purple Nightshade
Toxicodendron radicans	Poison Ivy
Viburnum recognitum	Arrowwood
Vitis sp.	Grape

HERBACEOUS PLANTS

Achillea millefolium	Yarrow
Agrostis sp.	Bent Grass
Alliaria petiolata	Garlic Mustard
Allium vineale	Field Garlic
Ambrosia artemisiifolia	Common Ragweed
Andropogon virginicus	Broomsedge
Anthoxanthum odoratum	Sweet Vernal Grass
Apocynum medium	Indian Hemp
Artemisia vulgaris	Mugwort
Asclepias syriaca	Common Milkweed
Aster sp.	Aster
Barbarea vulgaris	Winter Cress
Bromus tectorum	Downy Chess
Calystegia sepium	Hedge Bindweed
Cardamine sp.	Bittercress
Carex vulpinoidea	Sedge
Centaurea maculosa	Spotted Knapweed
Centaurea nigrescens	Short-fringed Knapweed
Cerastium fontanum	Common Mouse-Ear
Chamaecrista fasciculata	Partridge-Pea
Chenopodium album	Lamb's Quarters
Cichorium intybus	Chicory
Dactylis glomerata	Orchard Grass
Daucus carota	Queen Anne's Lace
Digitaria sp.	Crab Grass
Erigeron annuus	Daisy Fleabane
Euthamia graminifolia	Grass-leafed Goldenrod
Festuca sp.	Fescue
Galium sp.	Bedstraw
Geum sp.	Avens
Gnaphalium obtusifolium	Cudweed
Hieracium caespitosum	Hawkweed
Hypericum perforatum	Common St. John's Wort
Hypochaeris radicata	Cat's Ear
Juncus tenuis	Path Rush
Lactuca canadensis	Wild Lettuce
Lepidium virginicum	Peppergrass
Lespedeza capitata	Round-headed Bush-Clover
Leucanthemum vulgare	Ox-eye Daisy
Lotus corniculatus	Bird's-foot Trefoil

HERBACEOUS PLANTS (Cont'd.)

Matricaria matricarioides	Pineapple Weed
Medicago lupulina	Black Medick
Melilotus officinalis	Yellow Sweet Clover
Oenothera sp.	Evening Primrose
Phytolacca americana	Pokeweed
Plantago lanceolata	English Plantain
Plantago major	Common Plantain
Plantago rugelii	Pale Plantain
Poa annua	Speargrass
Potentilla recta	Rough-fruited Cinquefoil
Potentilla simplex	Old-field Cinquefoil
Raphanus raphanistrum	Wild Radish
Rumex acetosella	Sheep Sorrel
Rumex crispus	Curled Dock
Rumex obtusifolius	Broad Dock
Schizachyrium scoparium	Little Bluestem
Solidago sp.	Goldenrod
Solidago speciosa	Showy Goldenrod
Tridens flavus	Purple-Top
Trifolium pratense	Red Clover
Trifolium procumbens	Low Hop Clover
Trifolium repens	White Clover
Verbascum thapsus	Common Mullein
Veronica arvensis	Corn Speedwell
Veronica officinalis	Common Speedwell
Veronica chamaedrys	Bird's-Eye Speedwell
Vicia angustifolia	Vetch
Vicia tetrasperma	Slender Vetch

BIRDS

Buteo jamaicensis	Red-tailed Hawk
Melospiza melodia	Song Sparrow
Sturnus vulgaris	European Starling
Zonotrichia albicollis	White-throated Sparrow

MAMMALS

Microtus pennsylvanicus	Meadow Vole
Sylvilagus floridanus	Eastern Cottontail

3.3 Water Resources

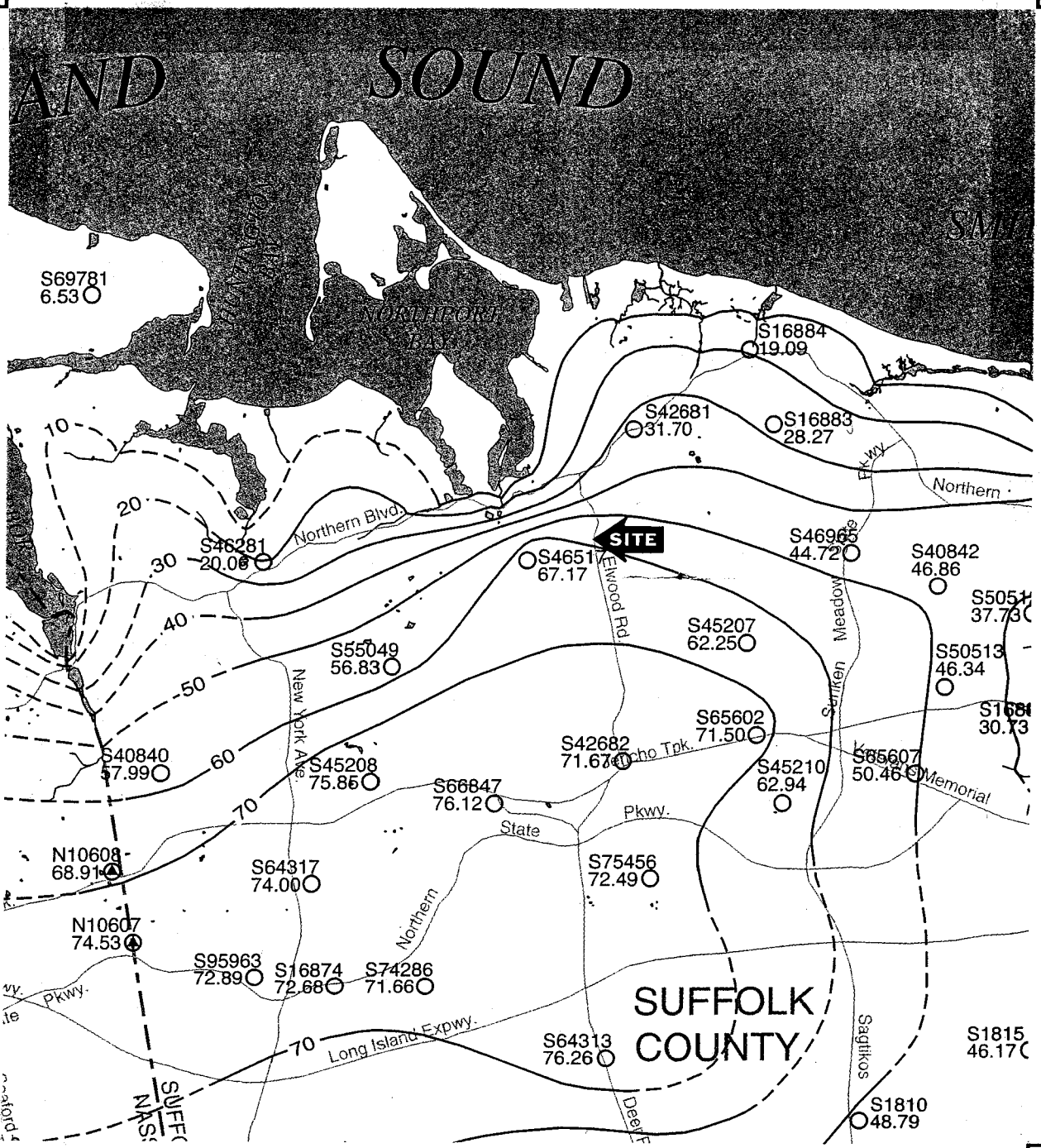
Groundwater

Long Island is considered a sole source aquifer region, which means that the groundwater is the single water supply source. Thus, land uses have the potential to impact the quality of the water supply.

There are three major aquifers under Long Island: the Upper Glacial, the Magothy and the Lloyd. The Upper Glacial and Magothy are the significant water supply sources for most of Long Island. In recent years, suburbanization has caused contamination in areas of the Upper Glacial aquifer, since it is closest to the surface.

According to the Water Table of the Upper Glacial Aquifer on Eastern Long Island (USGS, 2002), the water table lies at approximately 55 feet amsl (see Figure 4). As explained in Section 3.1, the general site elevation ranges from approximately 227 feet amsl (south) to 232 feet amsl (north), therefore, the depth to groundwater ranges from approximately 172 to 177 feet below grade surface (bgs).

Groundwater Contour Map



Source: USGS Water Table of the Upper Glacial Aquifer on Western Long Island, New York, in March - April 2000, 2002.

Scale: 1:125,000

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Figure 4

The Long Island Comprehensive Waste Treatment Management Plan

In 1978, Long Island was divided into eight hydrogeologic (or groundwater management) zones in *The Long Island Comprehensive Waste Treatment Management Plan* (the *208 Study*) (see Figure 5). The site is located in Hydrogeologic Zone I, according to the *208 Study* (Page 177 Volume I). Zone I is designated as a deep recharge area with vertical flow. It encompasses the majority of the central and western portion of the Magothy recharge zone, which is generally high in water quality. Zone I is divided relatively evenly, with half lying in Suffolk County and the other half lying in Nassau County. This zone is one of the major sources of drinking water for both counties.

The *208 Study* lists structural, non-structural and non-point source control options for wastewater management for each Hydrogeologic Zone. Page 81 of Volume 1 discusses the highest priority area wide alternatives for Zone I. The highest area-wide alternative relevant to the proposed action is as follows:

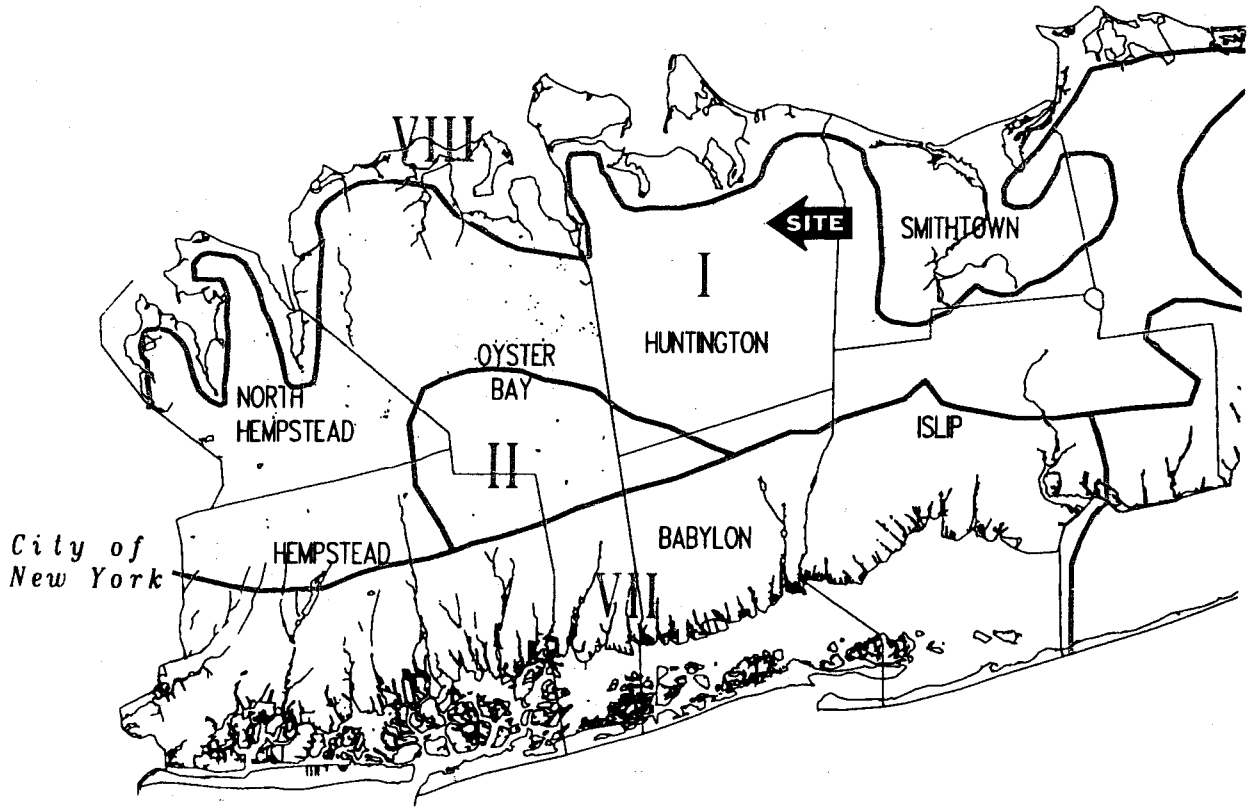
- Implement "Best Management Practices" to control runoff and remove nitrogen for treatment plants recharging effluent.

- Provide for routine maintenance of on-site disposal systems.

- Restrict the use of inorganic fertilizers. Promote the use of low-maintenance lawns.

- Control stormwater runoff to minimize the transport of nutrients, metals, sediments, organic chemicals.

- Prohibit the use of certain chemical cleaners in on-lot systems.



Source: Long Island Regional Planning Board Comprehensive Special Groundwater Protection Area Plan, Pages 1-2 and 1-3, 1992.
Scale: 1:388,060

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Figure 5

Nonpoint Source Management Handbook

The *Nonpoint Source Management Handbook*, which was prepared as part of the USEPA's 208 Plan Implementation Program, is divided into several elements: Land Use; Stormwater Runoff; On-site Systems; Highway Deicing; Fertilizer; Animal Waste; Wells-Water Supply; Boat Pollution; and Site Plan Review and Ordinances. The *Handbook* makes a variety of recommendations for counties, municipalities, engineers, etc., to use in the controlling of non-point sources of groundwater contamination. Relevant recommendations from this study, along with a review of the project's consistency therewith, are included in Section 4.3 of this DEIS.

Special Groundwater Protection Areas

Special Groundwater Protection Areas ("SGPAs") are significant, largely undeveloped or sparsely developed geographic areas of Long Island that provide recharge to portions of the deep flow aquifer system. They represent a unique final opportunity for comprehensive, preventive management to preclude or minimize land use activities that can have a deleterious impact on groundwater. Nine SGPAs are located in Long Island: North Hills; Oyster Bay; West Hills/Melville; Oak Brush Plains; South Setauket Woods; Central Suffolk; Southhold; South Fork; and Hither Hills. The subject property is not situated within the boundaries of a SGPA.

Suffolk County Sanitary Code

In order to protect the groundwater quality in Suffolk County, the SCDHS adopted Articles 6, 7 and 12 of the Suffolk County Sanitary Code. Article 6, Realty Subdivisions, Developments and Other Construction Projects, contains several provisions relevant to this project, as summarized below.

ection 760-607 of Article 6 lists the sewage facility requirement for construction projects other han conventional single-family residential realty subdivisions and developments. This section states that a community sewerage system method of sewage disposal is required when any of the following conditions are present:

1. *The construction project is located within Groundwater Management Zones III, V or VI, and the population density equivalent is greater than that of a realty subdivision or development or single-family residences in which all parcels consist of an area of at least 40,000 square feet;*

2. *The construction project is located outside Groundwater Management Zones III, V or VI, and the population density equivalent is greater than that of a realty subdivision or development of single-family residences in which all parcels consists of an area of at least 20,000 square feet;*

3. *The construction project, or any portion thereof, is located within an existing sewer district;*

   A. *This requirement shall apply in the absence of proof satisfactory to the Department that the developer cannot effect arrangements for the installation of the sewerage system to the existing sewer district.*

4. *The construction project is located in an area where the subsoil or groundwater conditions are not conducive to the proper functioning of individual or subsurface sewerage systems.*

The regulations contained in Article 6 protect water resources by limiting the "population density equivalent"[14] within specific Groundwater Management Zones. Since the subject property is situated within Groundwater Management Zone I, pursuant to Article 6 of the SCSC, the maximum permitted sanitary discharge, if on-site sanitary systems are used, is 600 gallons per day per 40,000 sq. ft. Thus, the maximum permitted sanitary discharge for the subject site, using on-site sanitary systems is calculated at 8,744.4 gpd.[15] As the subject site is currently unoccupied, no sanitary waste is generated under the existing condition. It should be noted that the site is not situated within a sewer district nor is it, according to the project sanitary engineer, within an economically feasible distance to an existing STP.

In May 1985, Article 7 was adopted and added to the Suffolk County Sanitary Code. The intent of this article was to protect the groundwater of Suffolk County, especially in the deep recharge areas of Zones I, II, III and V described in the *208 Study*, from discharge of sewage, industrial wastes, toxic or other hazardous materials and stormwater runoff. Under Section 705 of this Article, permits are required for construction of new or alteration to existing disposal systems, except stormwater disposal. Section 706 provides additional restrictions for the deep recharge zones and water supply sensitive areas including stringent limitations on toxic and hazardous materials storage and discharge. As discussed earlier in this section, the site is situated in Hydrogeologic Zone I - a deep recharge area.

Additionally, as defined in the Suffolk County Sanitary Code, water supply sensitive areas are defined as follows: "(1) a groundwater area separated from a larger regional groundwater system where salty groundwater may occur within the Upper Glacial aquifer, and where deepening of private wells and/or development of community water supplies may be limited; (2) areas in close proximity to existing or identified future public water supply wellfields. In general, for the purposes of this Article, 'close proximity' shall mean within 1,500 feet upgradient or 500 feet down gradient of public supply wells screened in the Upper Glacial aquifer."

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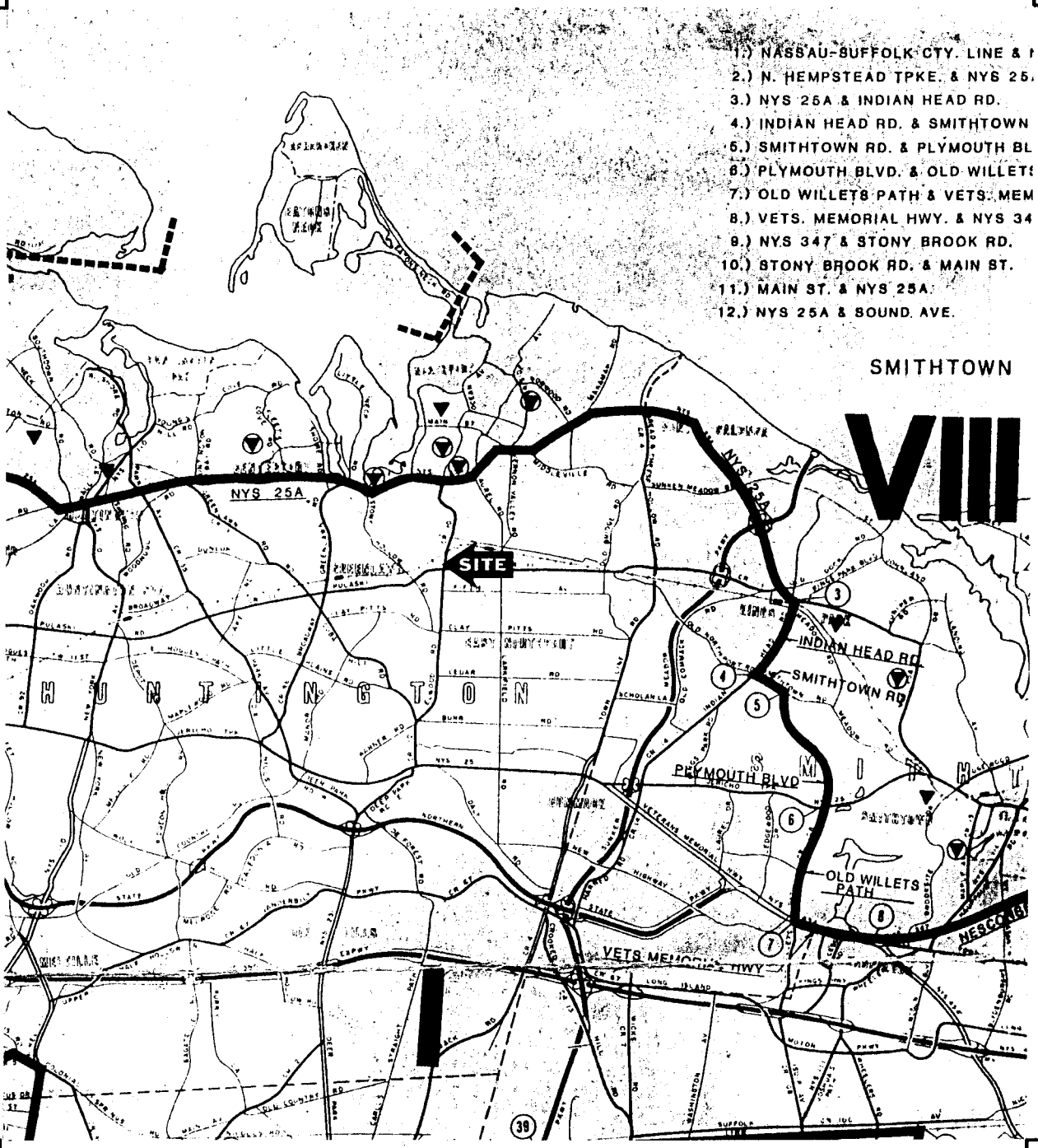
[14]Population Density Equivalent is defined in Article 6 as ". . .an expression of the quantity of domestic sewage in terms of the calculated population per unit area which would normally contribute the same amount of sewage."

[15]SCDHS practice is that calculation is done on a per acre basis. Thus, 14.574 acres x 600 gallons per day = 8,744.4 gpd.

There are currently no on-site wells, and no community water supplies are proposed hereon. The existing Laurel Hill well field, owned and operated by the SCWA, is located to the north of the subject property. The southern property boundary of the well field is situated approximately 2,500 feet north of the subject property, and thus, by definition of "close proximity," the site is not within a designated Water Supply Sensitive Area. Also, the SCDHS Map (see Figure 6), *Suffolk County Sanitary Code - Article 7 Groundwater Management Zones and Water Supply Sensitive Areas*, does not situate the subject site in a Water Supply Sensitive Area.



Source: SCDHS Suffolk County Sanitary Code - Article 7 Groundwater Management Zones and Water Supply Sensitive Areas, 1993.

Scale: 1 inch = 2 miles

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Figure 6

Article 12 of the Suffolk County Sanitary Code addresses the storage and handling of toxic and hazardous materials in order to safeguard water resources from existing sources of contamination and to prevent further pollution from new sources. Relevant aspects of Section 760-1205 relate to the storage of fuel oil in underground/above-ground storage tanks and the storage of pesticides and related materials. Pursuant to Section 760-1208, underground or above-ground storage tanks (with a storage capacity of less than 1,100 gallons) that contain kerosene, number 2 fuel oil, number 4 fuel oil, number 6 fuel oil, diesel oil, lubricating oil or gasoline in aboveground tanks that are used solely for on-site heating or intermittent stationary power production (such as stand-by electricity generation) are exempt from most provisions of Article 12.

Pursuant to §760-1210, new storage facilities to be used for the underground storage of toxic or hazardous materials shall be "designed and constructed in a manner which will, in the opinion of the Commissioner [of the Suffolk County Department of Health Services], provide the maximum reasonable protection available against leakage or spillage from the facility due to corrosion, breakage, structural failure, or other means. Double-walled or equivalent facilities are required for all toxic and hazardous materials."

As the site is currently vacant, there are no Article 12 issues at present.

Stormwater Runoff and Drainage

Stormwater runoff is generated by precipitation events and is divided into three components: surface runoff, interflow and base flow. Surface runoff is that portion of the stormwater that remains after a precipitation event and is not captured by depression storage or ponding, does not infiltrate the surface and is not evapotranspired from the earth's surface. Interflow is that portion of stormwater that infiltrates the surface into the soil zone and moves in a horizontal direction until reaching a surface water body. Finally, the base flow is that portion which infiltrates the surface and soil profile to reach groundwater.[16]

[16] *Reducing Impacts of Stormwater Runoff From New Development*, New York State Department of Environmental Conservation. As indicated on the NYSDEC website (www.dec.state.ny.us), "This document provides guidance on site planning and stormwater management including an example of **a model stormwater ordinance**. The document is out of print at this time because it is being revised and updated. Watch this web page for the update."

Stormwater Management

As discussed in the NYSDEC's manual, *Reducing the Impacts of Stormwater Runoff From New Development*, the concept of stormwater management is such that there is qualitative control, as a system of vegetative and structural measures can be used "to control the increased volume and rate of surface runoff caused by man-made changes to the land" and "to control or treat pollutants carried by surface runoff" (page 5). The goal of stormwater management is to prevent substantial alteration of the "quantity and quality of stormwater run-off from any specific development...from predevelopment conditions" (page 6). Currently, there are no structural controls (e.g., drywells) on the subject site to accommodate stormwater runoff.

Long Island Segment of the Nationwide Urban Runoff Program (NURP Study)

With regard to stormwater runoff, the *Long Island Segment of the Nationwide Urban Runoff Program* (*NURP Study*) has made the following findings with regard to groundwater and surface water:

Groundwater

Most of the runoff into recharge basins is derived from rain that falls directly on impervious surfaces, except during storms of high intensity, high volume and/or long duration.

In general, with the exception of lead and chloride, the concentrations of inorganic chemicals measured in stormwater runoff do not have the potential to adversely affect groundwater quality.

Infiltration through the soil is generally an effective mechanism for reducing lead and probably chromium from runoff on Long Island. Although the *NURP Study* findings concerning chromium are not conclusive, data from a spill at Farmingdale indicate attenuation. Chloride is not attenuated. The effect of infiltration on nitrogen is undetermined.

Coliform and fecal streptococcal indicator bacteria are removed from stormwater as it infiltrates through soil.

Surface Water

Any control of chemical constituents in runoff requires awareness of the year-round presence. The use of highway deicing salts in winter explains the high chloride concentrations found in runoff during that season.

Stormwater is a major source of coliform loading to Long Island bays. Some of the bays in Suffolk County contain areas where impaired water quality exists for reasons other than stormwater runoff (e.g., localized duck farm discharges).

The evidence accumulated in the *NURP Study* strongly supports the belief that fecal coliform loads are derived from non-human sources. Estimates indicate that the dog population could be a major source of the fecal coliform load in stormwater runoff. Dogs and birds are common throughout the study area, but the data is [sic] not sufficiently conclusive to permit individual sources or combination of sources.

A discussion of the *NURP Study* recommendations and the project's consistency with the recommendations are included in Section 4.3 of this DEIS.

Water Supply

As the subject property is currently undeveloped, it is not provided with a potable water supply.

Surface Water

According to NYSDEC Freshwater Wetlands Map Nos. 13 and 25 of 39 (Northport and Greenlawn Quadrangles), no freshwater wetlands are located on or adjacent to the study property (see Figure 7). The National Wetland Inventory Map Nos. 599 and 341 indicate that no federally designated wetlands are located on or adjacent to the study property (see Figure 8).

Source: NYSDEC Freshwater Wetlands Map, Map Nos. 13 and 25, Northport and Greenlawn Quadrangles, 1991.
Scale: 1:24,000

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Figure 7

National Wetlands Inventory Map

Source: US Fish and Wildlife Service National Wetlands Inventory Map, Map Nos. 341 and 599, Greenlawn and Northport Quadrangles, 1994.
Scale: 1:24,000

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Figure 8

3.4 Land Use and Zoning

Land Use

The subject property is generally bounded by Pulaski Road (CR 11) to the south, Elwood Road (CR 10) to the east, the Long Island Railroad tracks and a Long Island Power Authority (LIPA) power station to the north and residences to the west. The site is currently vacant with predominantly low-lying vegetation, with the exception of trees along the western and southeastern portions of the site. Several dirt paths transect the property. In addition, trees are located on the western portion of the property extending along Pulaski Road in the south and the Long Island Railroad to the north. Vehicle and construction debris as well as minimal paving are evident on the southeast corner of the subject property.

The surrounding land use is as follows:

South: Pulaski Road is directly south of the subject property followed by a Mobil gas station on the southwest corner of Pulaski Road and Elwood Road. Residential properties are situated along Pulaski Road.

East: East of the subject site is Elwood Road. On the east side of Elwood Road is the Pulaski Road Elementary School and its associated athletic fields and playgrounds. To the east of the school are residential properties.

North: The Long Island Railroad tracks and right-of-way borders the site to north on the western portion of the site. A LIPA power station is located north of the subject site along Elwood Road. North of the railroad tracks and power station is the Northport High School (on the southwest corner of Elwood Road and Laurel Hill Road). To the northwest of the site is an educational facility occupied by Western Suffolk BOCES.

West: West of the subject site along Stony Hollow Court and Pulaski Road are residential properties. Beyond the residential properties, until Stony Hollow Road, is vacant land.

According to the Town's EAF Part III in Appendix A of this DEIS, the subject parcel is within the eastern half of a larger 30 acre parcel designated as OSI #NE-27 in the *1974 Town of Huntington Open Space Index Report*. The property was described as "farmland and woods" and was given a priority rating of five, based on a scale of one to six, with one being of most importance and six being of least importance. "According to the aforesaid report, '[t]his priority applies to properties of value as open space because of proximity to parks, schools, or other land uses which will be enhanced by the additional open space area. The action called for in these reviews will be on a case-by-case basis.'" The Town's EAF Part III goes on to state that "[s]ince the western portion of the Open Space Index parcel has already been developed (subdivision known as Stony Hollow Acres), the site proposal will result in a complete loss of a Town designated Open Space Index Parcel."

The potential impacts associated with the loss of open space on the subject parcel was discussed in the Town's EAF Part III, a copy of which is included in Appendix A of this DEIS. According to the Town's EAF Part III, "[a]s a result of the proposed action, the positive attributes associated with open space, including physical and psychological relief from the built environment, diversity of visual experience, protection of natural resources, and groundwater recharge will be impacted. The loss of open space will be somewhat mitigated by the proposed landscaped, bermed buffers provided around the site's perimeter as a result of the larger than required setbacks shown on the plan. The recharge basin will provide valuable groundwater recharge for the site. Impacts will include loss of open space and wildlife habitat, of value to the neighborhood as open area, visual link to the community's agricultural past, and change in the character of the neighborhood."

A discussion of the proposed action in relation to the Town's prior comments is included in Section 4.4 of this DEIS.

Zoning

As discussed in Section 2.0 of this DEIS, the subject site is located in the R-3M Garden Apartment Special District (see Figure 9 - Zoning Map), pursuant to a ruling of the U.S. Court of Appeals – Second Circuit. According to the Town of Huntington Zoning Code, the following uses are permitted in the R-3M Garden Apartment Special District: single-family dwellings, multi-family dwellings, farms/nurseries, religious buildings, public and private schools, libraries, museums, parks, athletic fields, municipal parking, fire stations, municipal water supplies, sales offices, home occupations, agricultural retail centers, keeping of animals and bed-and-breakfasts. The following describes the surrounding zoning:

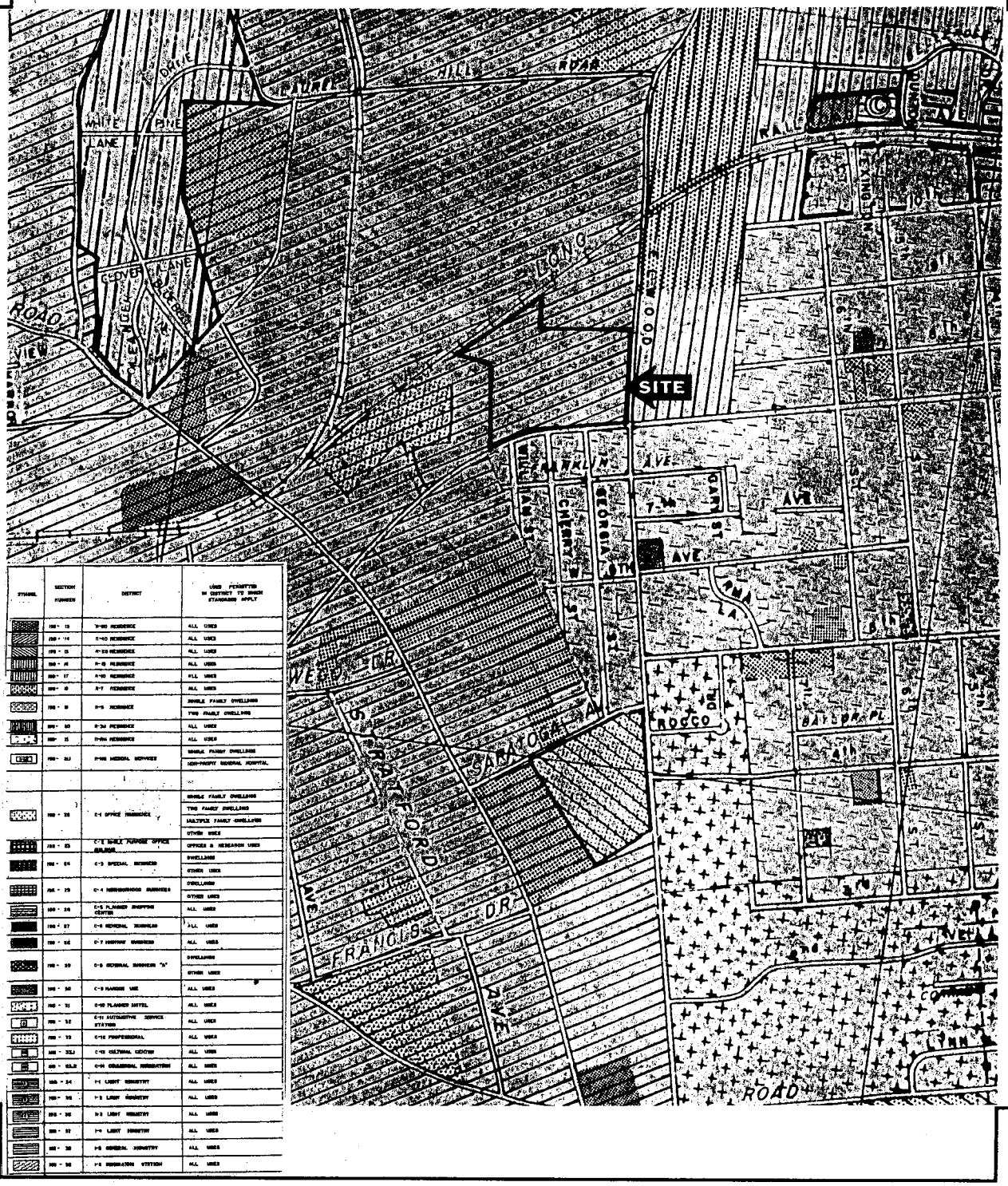
South: South of the subject site is Pulaski Road followed by an R-5 Residential Zoning District.

East: Elwood Road is located directly east of the subject property. Beyond Elwood Road is an R-10 Residential Zoning District.

North: The LIPA Substation adjacent to the eastern portion of the site to the north is located in an R-40 Residential Zoning District. North of the remainder of the site is the Long Island Railroad. Beyond the railroad and substation is the Northport High School.

West: West of the subject site is an area zoned R-40 Residential followed by the Long Island Railroad and another R-40 Residential Zoning District.

Zoning Map Excerpt



Source: Town of Huntington Zoning Map, Sheet No. 4 of 8, Last Revised October 20, 1986.
Scale: 1 inch = 1,000 feet

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Figure 9

The height, area and bulk regulations of the R-3M Garden Apartment Special District are set forth in Article IX of the Town of Huntington Zoning Ordinance. A summary of same follows:

Table 6

Bulk Regulations of the R-3M Garden Apartment Special District

Dimensional Regulation	Dimensional Requirement
Maximum Height (stories/feet)	3 stories / 45-feet
Minimum Depth of Yards (front/rear)	30-feet / 25-feet
Minimum Side Yard (Interior) **Width of One Yard** **Combined Width of Two Yards**	 12 feet 24 feet
Minimum Side Yard (Corner) **Width of Yard On Street Side** **Width of Interior Side Yard**	 30-feet 12-feet
Minimum Lot Area **Area per Dwelling Unit** **Gross Area**	 3,000 sq. ft. 15,000 sq. ft.
Minimum Lot Width	100 feet
Minimum Lot Frontage	40 feet

Relevant Comprehensive Plan

Town of Huntington Comprehensive Plan

The *Town of Huntington Comprehensive Plan Update, April 1993* (hereinafter referred to as the "*1993 Comprehensive Plan Update*"), was written in response to the 25 years of growth that had taken place since the *1965 Town of Huntington Comprehensive Plan.* The Comprehensive Plan Land Use Map, included in the *1993 Comprehensive Plan Update*, identifies the subject site as an area to be utilized for High Density Residential purposes. As discussed in Section 2.0 of this DEIS, the change of zone, which was mandated by the New York State Supreme Court, occurred in 1988. Therefore, the *1993 Comprehensive Plan Update* does not reflect the change in zone. A consistency analysis with the *1993 Comprehensive Plan U*pdate is provided in Section 4.4 of this DEIS.

3.5 Transportation

A Traffic Impact Study was prepared by RMS Engineering, P.C. to evaluate the existing traffic conditions and the potential traffic impacts of the proposed action. A copy of the Traffic Impact Study has been appended in its entirety in Appendix F. As part of the Traffic Impact Study, existing traffic volumes were determined from field counts collected on Thursday, May 8, 2003 and on Saturday, May 3, 2003, during the weekday AM commuter peak (7:00 am-9:00 am), PM commuter peak (4:00 pm-6:00 pm) and Saturday peak hours (11:00 am-3:00 pm). The specific locations studied are as follows:

- Pulaski Road (CR 11) at Elwood Road (CR 10) (three-phase signalized); and
- Pulaski Road (CR 11) at Stony Hollow Road (signalized).

Descriptions of the specific roadways are as follows:

1. Pulaski Road (CR 11): This is an east-west minor arterial under the jurisdiction of SCDPW. It consists of one through lane in each direction with a two-way left turn lane provided between Stony Hollow Road and Elwood Road (CR 10). There is no parking permitted on Pulaski Road (CR 11) within the project limits. There is a 40 miles per hour (mph) speed limit on Pulaski Road (CR 11).

2. Elwood Road (CR 10): This is a north-south minor arterial under the jurisdiction of the SCDPW. It consists of one travel lane in each direction with turning lanes where appropriate. There is no parking permitted on Elwood Road (CR 10) within the project limits. There is a 30 mph speed limit on Elwood Road (CR 10).

3. Stony Hollow Road: This is a north south roadway under the jurisdiction of the Town of Huntington. It consists of one travel line in each direction. There is a 30 mph speed limit on Stony Hollow Road.

Traffic Volume Data

As indicated above, traffic volume turning movement counts were collected at the study locations in May 2003 during the weekday AM commuter peak (7:00 am-9:00 am), PM commuter peak (4:00 pm-6:00 pm) and Saturday peak hours (11:00 am-3:00 pm). The peak hour during each of these periods at each intersection was computed to represent the most conservative depiction of the traffic volumes experienced at each location. The peak hour traffic volumes at the study intersections are tabulated in Appendix C of the Traffic Impact Study (see Appendix F). Figures 2 through 4 of Appendix A of the Traffic Impact Study (see Appendix F) contain a visual depiction of the traffic volume data for the AM, PM and Saturday peak hours.

Capacity Analysis

The traffic volumes, in conjunction with the intersection geometry and signal timings/phasing, where applicable, were used to determine the existing capacity and Level of Service (LOS) of the study intersections. The capacity analyses were performed in accordance with guidelines set forth in the Highway Capacity Manual (Special Report 209) published by the Transportation Research Board.

The capacity of a signalized intersection is evaluated in terms of the ratio of demand flow rate to capacity (V/C ratio). The capacity is defined for each approach and measures the maximum rate of flow (for the subject approach), which may pass through the intersection under prevailing traffic, roadway and signalization conditions. The LOS of a signalized intersection is evaluated on the basis of average stopped delay measured in seconds per vehicle (sec/veh). A more detailed definition of LOS is provided in Appendix B of the Traffic Impact Study (see Appendix F of this DEIS).

The capacity of an unsignalized intersection is based on two factors. The first factor is the distribution of gaps in the major street traffic. The second factor is driver judgment in selecting gaps through which to execute their desired maneuver. Refer to Appendix B of the Traffic Impact Study for further definition of LOS for an unsignalized intersection. The capacity analysis/LOS worksheets for the study intersections are contained in Appendix D of the Traffic Impact Study (see Appendix F of this DEIS), and a summary of same follows:

Table 7

Level of Service Summary – Existing Conditions

	AM Peak Hour		PM Peak Hour		Sat. Peak Hour	
Intersection	**Delay (sec/veh)**	**LOS**	**Delay (sec/veh)**	**LOS**	**Delay (sec/veh)**	**LOS**
Pulaski Road at Elwood Road	31.9	C	51.9	D	52.2	D
Pulaski Road at Stony Hollow Road	11.7	B	16.3	B	10.9	B

As indicated above, the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10) is currently operating below capacity during the AM Peak hour. During the PM and Saturday Peak hour, the overall operation of the intersection is running below capacity, however there are individual movements and approaches that are operating at or above capacity. The intersection of Pulaski Road (CR 11) at Stony Hollow Road (the overall intersection and its individual movements) is operating below capacity during the time periods studied.

3.6 Air Quality and Noise

Air Quality

Climatic conditions vary throughout Suffolk County with the changes in topography and distance from the coasts. The average summer and winter temperatures are 72.7 and 33.7 degrees Fahrenheit (F), respectively. The average annual relative humidity is 68 percent. Average types of weather by days per year are summarized below:

Clear - 110 days per year
Partly Cloudy - 139 days per year
Cloudy - 116 days per year[17]

[17] *1999 Long Island Almanac*, p. 22. Weather and climate are recorded daily at the Nassau County office building in Mineola.

Six principal pollutants have been designated by the United States Environmental Protection Agency (USEPA) as "criteria" pollutants that are proven detriments to public health. These air pollutants include sulfur dioxide, carbon monoxide, ozone (photochemical oxidants), particulate matter less than 10 micrometers (PM_{10}) and less than 2.5 micrometers (PM 2.5), nitrogen dioxide and lead. National Ambient Air Quality Standards (NAAQS) have been established for these pollutants (see Table 8) and are monitored at State and Local Air Monitoring Systems (SLAMS) administered by the NYSDEC and National Air Monitoring Stations (NAMS), administered by the Office of Air Quality Planning and Standards (OAQPS).

The State of New York is situated in the EPA - Region 2. The NYSDEC has established air quality control regions where Nassau and Suffolk Counties are designated Region 1. Air quality control regions are classified and divided into one of three categories: attainment, unclassified, or non-attainment depending upon air quality data and ambient concentrations of pollutants. Attainment areas are regions where ambient concentrations of a pollutant are below the NAAQS; non-attainment areas are those where concentrations exceed the NAAQS. An unclassified area is a region where data are insufficient to make a determination. An unclassified area is generally considered as an attainment area for administrative purposes, and a single area can be in attainment of the standards for some pollutants while being in non-attainment for others.

The Monitor Summary Report for EPA - Region 2,[18] and specifically Suffolk County, were reviewed. Monitoring data indicate that Suffolk County is in compliance with ambient air standards for all pollutants with the exception of photochemical oxidants (ozone). This is a statewide problem, not specific to Region 2 or to the project site. A summary of regional compliance by pollutant follows.

[18] www.epa.gov

Table 8

National Ambient Air Quality Standards

Pollutant	Standard Value	Standard Type
Carbon Monoxide		
8-hour Average	9 ppm	Primary
1-hour Average	35 ppm	Primary
Nitrogen Dioxide		
Annual Arithmetic Mean	0.053 ppm	Primary & Secondary
Lead		
Quarterly Average	1.5 $\mu g/m^3$	Primary & Secondary
Ozone		
1-hour Average*	0.12 ppm	Primary & Secondary
8-hour Average	0.08 ppm	Primary & Secondary
Particulate < 10 μm (PM-10)		
Annual Arithmetic Mean	50 $\mu g/m^3$	Primary & Secondary
24-hour Average	150 $\mu g/m^3$	Primary & Secondary
Particulate < 2.5 μm (PM-2.5)		
Annual Arithmetic Mean	15 $\mu g/m^3$	Primary & Secondary
24-hour Average	65 $\mu g/m^3$	Primary & Secondary
Sulfur Dioxide		
Annual Arithmetic Mean	0.03 ppm	Primary
24-hour Average	0.14 ppm	Primary
3-hour Average	0.50 ppm	Secondary

* The ozone 1-hour standard applies only to areas that were designated non-attainment when the ozone 8-hour standard was adopted in July 1997. New York-New Jersey-Connecticut, including Long Island, is a designated area where ozone concentrations are classified as "severe."

Sulfur Dioxide (SO_2)

SO_2 is colorless gas with a clearly detectable pungent odor and taste, which is highly soluble in water, forming sulfurous acid. The major sources of SO_2 emissions on Long Island are fossil fuel fired power plants (coal or gas) and boilers. Smaller stationary combustion sources (e.g., space heaters) can contribute to the problem in urban areas during the winter.

SO_2 levels regionally and statewide have remained in compliance with and are well below the ambient air quality standard of 0.03 parts per million (ppm) for a 12-month average. Therefore, Region 2 is defined as an "attainment" area. The 12-month average for Suffolk County in 2003 was 0.022 ppm.

Carbon Monoxide (CO)

CO, which is produced primarily by incomplete fuel combustion, is the most prevalent among all urban atmospheric air pollutants, and is particularly dangerous because it is odorless and colorless. Because of these properties, carbon monoxide can cause adverse health conditions before it is even detected. Motor vehicle exhaust constitutes the largest single source of CO.

Annual statewide concentrations of CO have remained stable or declined, along with short-term (one-hour and eight-hour) concentrations, due to the continuing improvement in emission controls. In 2003, the CO standards of 35 ppm for a one-hour period and 9 ppm for an eight-hour period were not exceeded in Suffolk County.

Ozone (Photochemical Oxidants)

Pure ozone is a naturally occurring form of oxygen, which is found at very high altitudes as a blue, unstable gas with a pungent odor. This stratospheric ozone serves as a shield against dangerous, cancer causing ultraviolet light. Ground level ozone is odorless and colorless and is the major constituent of photochemical smog. It is considered a secondary pollutant formed by the photochemical reaction of nitrogen oxides and reactive hydrocarbons when exposed to high temperatures and ultraviolet light.

The federal air quality standards for ozone are 0.12 ppm (one-hour average) and 0.08 ppm (eight-hour average). In 2003, the one-hour and eight-hour averages were exceeded in Suffolk County (i.e., 0.132 ppm and 0.102 ppm, respectively). It must be understood, however, that contravention of the ozone standard is an area-wide problem and is not specific to the project site.

Particulates

Particulates are particles of semisolid or solid materials, liquid droplets, aerosols and combinations thereof in the ambient air. Total Suspended Particulates (TSP) refers to airborne particulates less than 100 microns in diameter, while PM_{10} refers to coarse particles with a diameter less than 10 microns and are generally emitted from sources, such as vehicles traveling on unpaved roads, materials handling, and crushing and grinding operations, as well as windblown dust. Fine particles ($PM_{2.5}$) result from fuel combustion from motor vehicles, power generation, and industrial facilities, as well as from residential fireplaces and wood stoves. Inhalable PM includes both fine and coarse particles. Particulates can reduce visibility and cause respiratory distress.

In 1997, EPA added two new PM-2.5 standards, set at 15 micrograms per cubic meter (μg/m3) and 65 μg/m3, respectively, for the annual and 24-hour standards. In addition, the form of the 24-hour standard for PM-10 was changed. EPA is beginning to collect data on PM-2.5 concentrations. Beginning in 2002, based on 3 years of monitor data, EPA will designate areas as non-attainment that do not meet the new PM-2.5 standards.

In 2003, PM_{10} concentrations were not measured in Suffolk County. However, at the Eisenhower Park monitoring station in Nassau County, the annual mean value measured 17 $\mu g/m^3$ - well below the standard of 50 $\mu g/m^3$.

Nitrogen Dioxide (NO_2)

NO_2 is a gas, red brown in color with a pungent odor produced from the reaction of atmospheric nitrogen and oxygen during high temperature combustion. It is highly corrosive, a strong oxidizing agent, and can cause respiratory problems. In 2003, the annual mean concentration of NO_2 in Suffolk County was 0.016 ppm - well below the federal standard of 0.053 ppm.

Lead

Lead that is found in the air takes the form of inhalable particulates, mostly from leaded-gasoline exhaust. Lead, upon inhalation, can be absorbed into the blood stream and can accumulate, causing lead poisoning. It should be noted that the elimination of lead additives in gasoline resulted in a decline (or leveling off) of lead concentrations in high traffic areas. Lead concentrations were not measured in at any of the air quality monitoring stations in Suffolk or Nassau Counties.

Noise

Human perception of sound is affected by amplitude, frequency and distance from the source, as well as by the number and duration of sound events in a given period of time. Sound levels are measured in units known as decibels (dB). The decibel scale is a logarithmic scale, not a linear one, such as the scale of length.

The sound pressure levels in dB of two separate sounds are not directly (that is, arithmetically) additive.[19] For example, if a sound of 70 dB is added to another sound of 70 dB, the total is only a three-decibel increase (to 73 dB), not a double to 140 dB. Furthermore, if two sounds are of different levels, the lower level adds less to the higher, and if this difference is as much as 10 dB, the lower level adds almost nothing to the higher level. In other words, adding a 60-decibel sound to a 70-decibel sound increases the total sound pressure level by less than one-half decibel (HUD, 1985).

Since the human ear is not equally sensitive to all audible sound frequencies, human response is factored into sound descriptions in a process called "A-weighting," written as dBA. Table 9, below, contains decibel readings of sound levels of common sources in dBA.

[19] *The Noise Guidebook*, U.S. Department of Housing and Urban Development, 1985.

Table 9

Sound Levels of Common Sources

Sound Source	Sound Pressure Level (dBA)
Air Raid Siren at 50 feet (Threshold of Pain)	120
Maximum Level at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area Background/Busy Noise	60
Typical Suburban Area at Background	50
Quiet Suburban Area at Night	40
Typical Rural Area at Night	30
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0

Notes: A change of 3 dBA is a just-noticeable change in Sound Pressure Level (SPL)
A change of 10 dBA is perceivable as a doubling or halving in SPL

Source: City Environmental Quality Review Technical Manual, Mayor's Office of Environmental Coordination, City of New York, December 1993, p. 3R-2

The NYSDEC has also quantified the anticipated human reaction to an increase in sound level (see Table 10, below).

Table 10

Human Reactions to Increases in Sound Levels

Increase in Sound Level (dB)	Human Reaction
Under 5	Unnoticed to tolerable
5 – 10	Intrusive
10 – 15	Very noticeable
15 – 20	Objectionable
Over 20	Very Objectionable to Intolerable

Source: New York State Department of Environmental Conservation, *Assessing and Mitigating Noise Impacts*, 2001.

To assess the noise environment at a particular site, the U.S. Department of Housing and Urban Development (HUD) established *Noise Assessment Guidelines* and related criteria pertaining to airports, traffic and railways. The degree of acceptability of the noise environment at a site is determined by the outdoor day-night average sound level (DNL) in decibels. Assessing the noise environment first requires an evaluation of the site's exposure to different noise sources - aircraft, roadways and railways. The noise level from each source is then combined to determine the total noise environment.

The noise environment is characterized as acceptable, normally unacceptable or unacceptable, as described in Table 11 below:

Table 11

Noise Categories Defined by U.S. Department of Housing and Urban Development

Category	DNL Value	Description of Noise Environment
Acceptable	$\leq$ 65 dB	The noise exposure may be of some concern but common building constructions will make the indoor environment acceptable and the outdoor environment will be reasonably pleasant for recreation and play.
Normally Unacceptable	> 65 $\leq$ 75 dB	The noise exposure is significantly more severe; barriers may be necessary between the site and prominent noise sources to make the outdoor environment acceptable; special building constructions may be necessary to ensure that people indoors are sufficiently protected from outdoor noise.
Unacceptable	> 75 dB	The noise exposure is so severe that the construction cost to make the indoor noise environment acceptable may be prohibitive and the outdoor environment would still be unacceptable.

To assess the noise impacts of the Long Island Railroad-Port Jefferson Line on the proposed project, HUD's methodology to determine railway source noise was employed. Railway noise is produced by the combination of diesel or electric engines, and railway car noise. The railway methodology allows for separate assessment techniques for both of these noise sources to then combine the sound levels to derive the Day-Night Average (DNL).

Performance of this noise assessment has required the following data to be determined and/or provided by the Long Island Railroad: the consideration of all railroads within 3,000 feet of the site, the distance from the Noise Assessment Locations (NALs) to the railway track ("effective distance"), the number of trains in 24 hours, fraction of operations occurring at night (10:00 PM - 7:00 AM), the number of diesel locomotives per train, number of rail cars per train, and average train speed. Additionally, whether the track is welded or bolted[20] and whether the NALs are perpendicular to whistle or horn points. All data specific to the railroad was provided by the Track and Transportation Department of the Long Island Railroad (see correspondence in Appendix G).

The Long Island Railroad – Port Jefferson Branch is situated north of the subject property at a minimum effective distance of 165 feet from the closest proposed residential unit. The locomotives are diesel-powered and the entire fleet utilizes C3 equipment, the bi-level railway car. Two types of locomotive configurations exist:

- Two DM30 locomotives for trains destined for Penn Station, New York. The DM30 locomotive is designed to operate in diesel- or electric-powered third-rail mode (Dual Mode). Third-rail (electric) mode is not available between the Northport station and Greenlawn station, as it begins only west of Huntington Station.

- One diesel-powered DE locomotive for trains destined for Hunterspoint Avenue and all remaining destinations, with the exception of Penn Station, New York.

[20] Railway track can either be constructed with bolted joints in between contiguous rails or the joints can be eliminated by welding the rails together.

The approximately 42.5-mile Port Jefferson Branch serves commuters of the north shore of Long Island and is one of eleven branches in the Long Island Railroad system. An estimated 87,000 commuters travel to Penn Station on the Port Jefferson Branch during the four-hour morning rush. The Port Jefferson Branch starts at Floral Park and runs along the north shore of Nassau and Suffolk Counties, making stops at stations including New Hyde Park, Westbury, Hicksville, Cold Spring Harbor, Huntington, Greenlawn, Northport, Smithtown, Stony Brook and Port Jefferson. The extension from Hicksville station to Northport station was completed circa 1867, and to Port Jefferson station circa 1873. An extension from Port Jefferson station to Wading River was also completed circa 1895, and abandoned circa 1939.

An additional railroad spur is also located to the northwest and within 3,000 feet of the project site. However, this Northport spur, which extends north-northeasterly between Stony Hollow Road and Laurel Avenue, was abandoned in the late 1970s.

Noise Assessment Location and Effective Distance

The Noise Assessment Locations (NALs) chosen for this assessment are the two housing units proximate to the southwest and south of the proposed location of on-site trash receptacles, respectively NAL_1 and NAL_2 (see Figure 10). NAL_1 is situated closest to the railway tracks at an approximate effective distance of 165 feet, and NAL_2 is located closest to a section of railway tracks reserved for whistle or horn use, at an approximate distance of 320 feet.

Actual Number of Trains

According to information provided by the Track and Transportation Department of the Long Island Railroad, the existing schedule includes 44 trains provided in a 24-hour weekday and 28 trains in a 24-hour weekend.

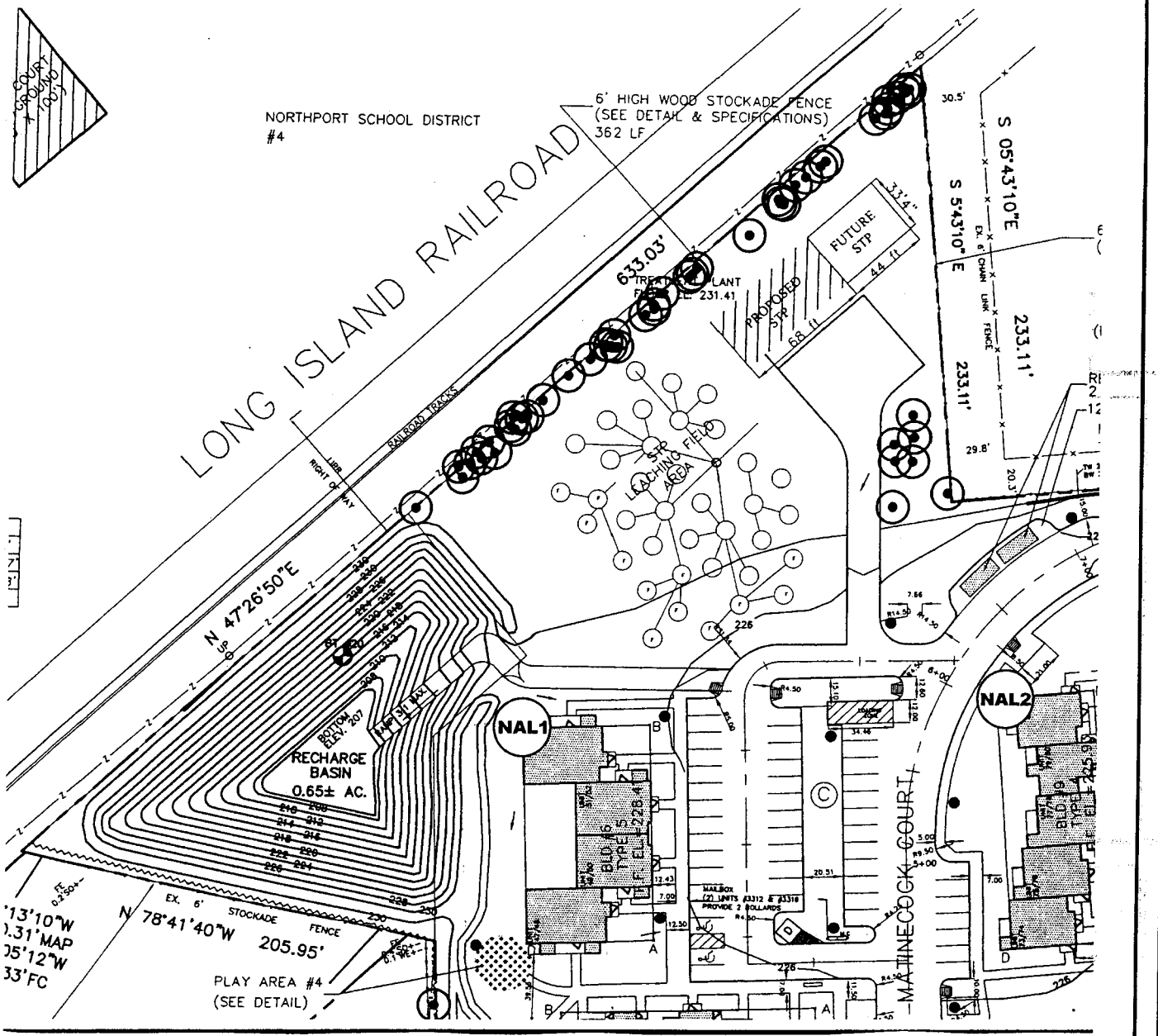

Figure 10 - Noise Assessment Locations

Average Total Number of Trains

According to information provided by the Track and Transportation Department of the Long Island Railroad, the average number of trains in one day is as follows:

Weekdays:	44 Trains x 5 days	=	220 trains
Weekends:	28 Trains x 2 days	=	56 trains
	Total	=	276 trains
	Average	=	39.4 trains/day

Number of Trains Operating Between 10:00 PM and 7:00 AM

Of the total 220 trains during the weekday, approximately 75 trains, or 34 percent of the total, operate between the hours of 10:00 p.m. and 7:00 a.m. when the generally accepted noise nuisance levels drop considerably. On the weekend, 16 trains or 29 percent of the 56 total trains operate at night (see correspondence from the Track and Transportation Department of the Long Island Railroad in Appendix G).

Average Percentage of Trains Operating at Night

The average percentage of trains operating at night in one week is as follows:

Since year-round railroad traffic was reported to be constant by the Track and Transportation Department of the Long Island Railroad, the foregoing value of 33 percent also corresponds to the yearly nighttime percent average. Therefore, based on the above, an average of 33 percent of all trains operate at night (between 10:00 pm and 7:00 am) on the LIRR-Port Jefferson Branch.

Number of Rail Cars Per Train

According to the Track and Transportation Department of the Long Island Railroad, the average train on the LIRR-Port Jefferson Branch has 6 cars during the weekday and 3 cars during the weekend.

Number of Locomotives Per Train

As indicated by the LIRR, all trains on the Port Jefferson Branch are using C3 bi-level cars with either one DE-locomotive or two DM30-locomotives. The proportion of trains with DE versus DM30 locomotives was not reported. Therefore, the conservative number of two locomotives per train was retained.

Average Speed Per Train

The maximum authorized speed through the East Northport area is 65 miles per hour. According to Track and Transportation Department of the Long Island Railroad, the average speed could be considered 45 miles per hour in the vicinity of the project site due to the presence of two curves with pronounced curvature radius.

Whistle Requirements

When traveling through East Northport, the Engineers of the LIRR must comply with *LIRR Rule 14L* governing where whistles and/or horns must be blown for safety purposes. Horns are blown near the Elwood Road grade crossing located approximately 1,150 feet to the northeast of the NAL_1 (and approximately 1,050 feet to the northeast of NAL_2. Two additional crossings at Larkfield Road and Taylor Avenue are located approximately 0.8 miles to the east-northeast and 1.1 miles to the west of the subject property, respectively.

Noise from Diesel Locomotives

The methodology provided in the *Noise Assessment Guidelines* to determine diesel locomotive DNL values assumes the following: a clear line of sight exists between the NAL and railway track; there are two diesel locomotives per train; the average train speed is 30 miles per hour; nighttime operations are 15 percent of the 24-hour total; and the site is not perpendicular to any point on the track between the whistle posts (signposts that tells the train conductor to start blowing the horn or whistle) for the grade crossing, requiring prolonged horn or whistle use. Adjustment factors are provided to account for any deviations from these assumptions.

For the purpose of conservative noise analyses, the noise environment on the property was evaluated as if there were always two diesel locomotives per train, with a clear line of sight between the NAL and the railway track. The following adjustment factors were employed to determine the DNL:

Average Speed is 45 miles per hour

As provided in Table 9 of the *Noise Assessment Guidelines*:

Speed Adjustment Factor = 0.60

Nighttime Operation: Annual Average is 33 percent

As provided in Table 5 of the *Noise Assessment Guidelines*:

Nighttime Adjustment Factor = 1.77

On March 8, 2004, the location of a potential whistle post west of the Elwood Road grade crossing could not be found. Instead, at or about noon, a passenger train from Greenlawn to Northport Stations (i.e., in the west-to-east direction) made use of a horn at approximately 1,000 feet west of the Elwood Road crossing. This corresponds, approximately, to the western edge of the existing Elwood substation owned by the LIPA. Consequently, only NAL_2 is located perpendicular to a point on the track horn of whistle use.

Horn/Whistle Blowing (NAL_2 only)

Horns Adjustment Factor = 10

As shown on the worksheets in Appendix G, the Adjusted Daily Number of Operations was determined to be 41.8[21] for NAL_1. Thus, when plotted on Work Chart 3 (see Appendix G), the DNL for diesel locomotives at an effective distance of 165 feet and 320 feet is 67 dBA and 73 dBA, respectively. These sound levels are defined as Normally Unacceptable by the US Department of Housing and Urban Development. A discussion of the potential noise impacts on the proposed development and mitigation measures incorporated into the proposed plan is included in Section 4.6 of this DEIS.

Noise from Railway Cars

The methodology provided in the *Noise Assessment Guidelines* to determine DNL values from railway cars assumes the following: a clear line of sight exists between the NALs and railway track; there are fifty cars per train; the average train speed is 30 miles per hour; nighttime operations are 15 percent of the 24-hour total; and rails are welded together. Adjustment factors are provided to account for any deviations from these assumptions.

Again, to ensure a conservative noise analysis, the noise environment on the property was assessed as if there was clear line of sight between the NALs and the railway track. Regarding the subject property, the following adjustment factors were employed to determine the DNL:

Average Number of Cars Per Train is 6

Car Adjustment Factor = Number of Cars / 50

= 6 Cars / 50

= 0.12 Cars

[21] [Speed Adjustment Factor] × [Nighttime Adjustment Factor] × [No. of Trains] = Adjusted Daily Number of Operations: 0.60 × 1.77 × 39.4 = 41.8

Average Speed is 45 miles per hour

As provided in Table 10:

Speed Adjustment Factor = 2.78

Nighttime Operation: Annual Average is 33 percent

As provided in Table 5:

Nighttime Adjustment Factor = 1.77

As shown on the worksheets in Appendix G, the Adjusted Daily Number of Operations was determined to be 23.3.[22] Thus, when plotted on Work Chart 4, the DNL for railway cars at an effective distance of 165 feet and 320 feet is 53 dBA and 49 dBA, respectively. As defined by the US Department of Housing and Urban Development (see Section 3.6 of this DEIS), these are acceptable noise levels.

The noise environment in terms of DNL from the LIRR can be determined by combining (summing) the noise levels from the diesel locomotives and railway cars. The sum of n values of Sound (Pressure) Level (SPL) is found using the following equation:

$$SPL(n) = 10Log_{10} \sum_{i=1}^{n} 10^{SPL_i/10}$$

At NAL_1, the DNL resulting from the addition of locomotive and railway car noise, respectively 67 dBA and 53 dBA, is found to be 67.17 dBA. At NAL_2, the DNL resulting from the addition of locomotive and railway car noise, respectively, 73 dBA and 49 dBA, is found to be 73.02 dBA. Since railway car noise is small compared to locomotive noise, the final value of DNL essentially reflects noise contributed by the locomotives.

[22] [Car Adjustment Factor] × [Speed Adjustment Factor] × [Nighttime Adjustment Factor] × [No. of Trains] = Adjusted Daily Number of Operations: 0.12 × 2.78 × 1.77 × 39.4 = 23.3. Note that the average number of trains (39.4/day) was calculated in Section 3.6 of this DEIS.

A discussion of the potential noise impacts on the proposed development and the mitigation measures incorporated into the proposed plan is included in Section 4.6 of this DEIS.

3.7 Community Facilities and Services

This section of the DEIS discusses the existing community facilities and services that are currently available to the site. Relevant correspondence is contained in Appendix H of this DEIS.

Education

The subject property is located in the Northport-East Northport Union Free School District ("UFSD"). The District is comprised of six elementary schools, two middle schools, and one high school. Opposite the subject site is the Pulaski Road Elementary School. Review of the School District Profile published by the New York State Education Department (SED) in March 2002 indicates that District enrollment in 2000-01 was 5,882 students. In the Superintendent's Budget Proposal for 2003-04 (www.northport.k12.ny.us), student enrollment was reported as 6,365.

Correspondence was forwarded to the Superintendent of Schools, Dr. William J. Brosnan, on November 4 and 21, 2003, advising of the proposed project and requesting information on the District. A response dated December 19, 2003 included specific enrollment information for the elementary schools, middle schools, and high school, as follows:

> *For the six elementary schools, our current enrollment is 3,009. Our total capacity will be 3,213 by September of 2004 (once the modular classrooms have been installed at the Fifth Avenue Elementary School). This is based upon* [sic] *average class size of 21. Therefore, districtwide, we currently have space for 204 additional students. Please note that our enrollment projection (which does not include your projection of an additional 48 school children) for the next five years is as follows:*

School Year	Enrollment Projection	Total Change in # of Students
*2003-2004**	3,009	
2004-2005	3,089	+80
2005-2006	3,168	+159
2006-2007	3,219	+210
2007-2008	3,209	+200
2008-2009	3,268	+259

**Current School Year*

Based upon the above chart, the district will need to find space for approximately 55 additional students by the 2008-2009 school year. (Calculation: 259 additional students less the 204 current spaces available.)

In order to accommodate any additional students, the district will need to consider the possibility of adding some classrooms, redistricting or raising class size to accommodate the increase in enrollment.

For the middle school, our current enrollment is 1,539 and our capacity is 1,941 based upon [sic] *average class size of 25. Provided below is the enrollment projection for the middle school for the next five years:*

School Year	Enrollment Projection	Total Change in # of Students
*2003-2004**	1,539	
2004-2005	1,543	+4
2005-2006	1,516	-23
2006-2007	1,578	+39
2007-2008	1,675	+136

**Current School Year*

As can be determined from the above projections, we will be able to accommodate the projected number of students at our middle schools for the next five years. By the 2013-2014 school year, our projected enrollment is 1,805 leaving room for 136 additional students.

At the high school, our current enrollment is 1,844 and we'll have a capacity of 2,118 once construction is completed in September 2004. The capacity assumes an average class size of 25. Provided below are the enrollment projections for the next five years:

School Year	Enrollment Projection	Total Change in # of Students
*2003-2004**	1,844	
2004-2005	1,913	+69
2005-2006	2,041	+197
2006-2007	2,066	+222
2007-2008	2,062	+218

**Current School Year*

As the above chart shows, we will have space for students for the next five years. However, by the 2013-2014 school year the high school's enrollment is expected to rise to 2,325. Therefore, we will need to find space for an additional 207 students either through programmatic changes or by adding additional space.

Also, as provided by the District, the District's per pupil expenditure[23] in 2002-2003 school year, less any state aid or other revenue, is as follows:

Table 12

School District Per Pupil Expenditures for 2002-2003

Grade Level	Pupil - Regular Education	Pupil - Special Education
Half Day Kdg.	$ 4,616	N/A
Full Day K-6	$11,102	$33,729
Full Day 7-12	$12,852	$35,479

Fire Protection

The subject property is situated in the service area of the East Northport Fire Department located at One Ninth Avenue in the hamlet of East Northport. Correspondence was forwarded to the Chief, Thomas Mattos on November 4 and to the Board of Fire Commissioners on November 10, 2003, advising of the proposed project and requesting information on the District. In correspondence of December 5, 2003, Ms. Thelma G. Haller, District Secretary-Treasurer, advised that the service area of the East Northport Fire District is approximately 14.5 miles, with an estimated 10,000 households and businesses. There are 101 active members in the District.

[23] These figures represent the total cost for the taxpayer with the exception of transportation costs.

In an average year, there are approximately 45 fire calls and 1,200 rescue calls. The average response time for the District was not available. Also, the District advised that they provide ambulance service to Huntington Hospital, St. Catherine of Siena Medical Center and the Veterans Administration Medical Center. Information on the Huntington Hospital and the St. Catherine of Siena Medical Center is discussed below.

Emergency Services

The East Northport Fire District provides ambulance service to the Huntington Hospital, St. Catherine of Siena Medical Center and the Veterans Administration Medical Center. Correspondence was forwarded to the Huntington Hospital requesting information on the availability of services. In correspondence dated November 25, 2003 from Robert Mottola, Vice President of Development and Community Relations (see Appendix H), it was indicated that, "the Huntington Hospital is a 398 bed full-service, not-for-profit, community hospital...It is staffed by over 1,700 employees and affords attending privileges to nearly 500 local physicians."

Mr. Mottola further advised that Huntington Hospital provides a full-range of services, including emergency care, and has "embarked on a $40 million, 72,000 square foot surgical services and renovation. Scheduled for completion in early 2005, this project will include, but is not limited to 12 new operating rooms, a spacious Ambulatory Surgery Unit, a new Pediatric Inpatient and Ambulatory Care Unit and a wide variety of expanded patient and physician friendly services. I am confident that this project will fully prepare us to deal with both the present and future needs of our community in the 21st Century."

Correspondence was also forwarded to St. Catherine of Siena Medical Center requesting information on the availability of services. In correspondence dated November 20, 2003 from Nancy Simmons, Chief Operations Officer (see Appendix H), it was indicated that the St. Catherine of Siena Medical Center consists of a 311 bed hospital with 1,470 employees. It is a full service medical center with emergency care available. According to Ms. Simmons, the current occupancy rate averages 75 percent.

Correspondence was not forwarded to the Veterans Administration Medical Center as the demand for services from the proposed action would not be expected to be significant.

Police Protection

The subject property is under the jurisdiction of the Suffolk County Police Department, Second Precinct. Correspondence was forwarded to the Office of the Chief of Patrol in Yaphank on November 4, 2003, advising of the proposed project and requesting information relative to service availability. In correspondence dated November 21, 2003, Inspector Dominick Varrone confirmed that the subject property is within the jurisdiction of Second Precinct, but indicated the following: "We can not disclose the numbers and types of equipment assigned to the precinct. Suffice it to say the Second Precinct has the requisite equipment to carry out its mission."

Water Supply

The subject site is currently vacant and, as such, does not require a water supply. The property is located within the jurisdiction of the SCWA, which has two water mains proximate to the site, one along Pulaski Road and one along Elwood Road.

Solid Waste

As the site is vacant, no solid waste is currently generated. The closest solid waste facility is the Huntington Resource Recovery Facility located at 99 Town Line Road in the Hamlet of East Northport, on the southwest corner of Pulaski Road and Town Line Road. It should be noted that the Huntington Resource Recovery Facility is also utilized by residences of the Town of Smithtown as well as the Town of Huntington. Correspondence was forwarded to Mr. Philip C. Nolan, Director of the Town's Department of Environmental Waste Management, on November 21, 2003, to advise of the proposed project and to confirm that solid waste could be accommodated.

In correspondence of December 11, 2003, Mr. Philip C. Nolan, Director of Environmental Waste Management, indicated that the projected "increase in refuse generation and disposal due to the project will not have negative impact on the towns [sic] solid waste disposal capacity." Mr. Nolan advised that the Town has an established Refuse District in which all one, two and three-family residential homes, townhouses and condominiums receive weekly curbside pickup.

Gas and Electricity

Natural gas and electricity are available to the subject site, however, as the site is not developed, these services are not in use. Consultations were undertaken with LIPA and KeySpan to confirm the availability of services in the area. In correspondence of November 10, 2003, KeySpan Energy Corporation confirmed that gas service would be provided for the proposed project. Also, in correspondence of December 4, 2003, the Long Island Power Authority confirmed that electrical service could be provided to the proposed development.

3.8 Demographics

The subject property is located in the hamlet of Greenlawn, Town of Huntington. As such, the population and demographic characteristics of both Greenlawn Census Designated Place (CDP) and the Town of Huntington provided in the 2000 Census and other information sources are presented below.

Total Population, Number of Households and Average Household Size

According to the 2000 Census, the population of the Town of Huntington was 195,289 persons. The total number of housing units was 67,708, wherein 97.4 percent (65,917) were owner-occupied. The average household sizes of owner-occupied and renter-occupied, housing units were 2.99 and 2.50, respectively.

The 2000 Census reports a total population of 13,286 persons in the Greenlawn CDP. The total number of housing units was 4,639 wherein 71.7 percent were owner-occupied. The average household sizes of owner-occupied and renter-occupied, housing units were 3.19 and 2.05, respectively.

Income and Affordability of Housing

According to the 2000 Census of Population and Housing, the median household incomes for the Town of Huntington and the Greenlawn CDP are $82,528 and $64,201, respectively. Approximately 44.8 percent of households in the Town of Huntington and 51.4 percent of households in the East Northport CDP earn less than $75,000. According to HUD, the 2004 median family/household income for Nassau-Suffolk, NY is $85,300.

Pursuant to §198-13(I)(1)(a) of the Town of Huntington Zoning Code, "the cost of affordable dwellings shall be such that a family/household earning no more than eighty percent (80%) of the HUD median family/household income for the metropolitan area shall be able to afford to purchase such a unit." Thus, based on a median family/household income of $85,300, an affordable dwelling would be one that is affordable to a family making no more than $68,240.

As indicated in §198-13(I)(1)(a) of the Town of Huntington Zoning Code, "[i]n determining affordability, mortgage interest rates, minimum down payment, homeowner's insurance and property taxes shall be considered among all of the factors that are taken into account." According to a report prepared by the Long Island Housing Partnership ("LIHP"), *Lack of Affordable Housing: Prescription for Economic Disaster,* an affordable home should not consume more than 35 percent of a household's income. This 35 percent includes mortgage payments, property taxes, insurance, etc. for homeowners. Thus, based on the 80% HUD median family/household income of $68,240, an affordable home (including the mortgage, property taxes and insurance) would cost no more than $23,884 per year or $1,990 per month.

However, the aforesaid LIHP Report indicates that 30 to 35 percent of all renters in Nassau and Suffolk Counties consume greater than 35 percent of their household income on housing costs; and approximately 25 percent of homeowners on Long Island pay more than 35 percent of their household incomes for a place to live. The 2000 Census confirms LIHP's finding. According to the 2000 Census, in the Town of Huntington, approximately 24.2 percent of owner households and 31.6 percent for those who are renting spend more than 35 percent of their income on housing. In the Greenlawn CDP, these numbers increase to 27.9 percent of owner households and 36.7 percent of renter households.

3.9 Aesthetics and Cultural Resources

Aesthetics

Although the subject site is located in an area that is predominantly residential, the immediate surrounding properties include a gas station, an elementary school, railroad tracks and a utility substation. Representative photographs of the site and surrounding properties are provided in Appendix K, and descriptions of views to and from the site are provided below.

From Pulaski Road and Elwood Road, the subject property can be viewed almost in its entirety as the topography is flat and the site undeveloped (see Photographs 1, 2, 3 and 4 in Appendix K). In the western portion of the site, there is low-lying vegetation and sparse trees (see Photograph 5 in Appendix K). Views from adjoining properties to the west are partially obscured by trees (see Photograph 6 in Appendix K). Paths created by vehicles are evident throughout the subject site, and construction and vehicle debris on the southeast corner of the property is visible from the local roadways.

To the north of the subject property, the LIPA substation is visible (see Photograph 7 in Appendix K), as well as the railroad tracks and high-tension power lines, which run along the railroad tracks. Views outward from the subject parcel to the east are of Elwood Road and the Pulaski Road Elementary School property (see Photographs 8 and 9 in Appendix K). Views to the south from the subject site are of a residential neighborhood, with the exception of the Mobil gas station located on the southwest corner of Pulaski Road and Elwood Road (see Photographs 10 and 11 in Appendix K). In general, the aesthetic character to the south, west and east is predominantly residential.

3.10 Public Health

Directly north of the subject property is a Long Island Power Authority (LIPA) electric power substation. Due to the proximate substation, the Town has raised the issue of the potential adverse impacts associated with exposure to electromagnetic (or "EMF") fields.

Many studies have been published by private and public universities, scientific associations, and other civic-related groups. In 1992, the U.S. EMF Research and Public Information Dissemination (EMF RAPID) Program was initiated by the U.S. Congress and established by law in 1992. The EMF RAPID Program was established "to study whether exposure to electric and magnetic fields produced by the generation, transmission, or use of electric power posed a risk to human health." The overall EMF RAPID program was administered by the U.S. Department of Energy ("DOE"), but health effects research and risk assessment were supervised by the National Institute of Environmental Health Sciences ("NIEHS"), a branch of the U.S. National Institutes of Health ("NIH")."

In June 1999, NIEHS reported to the U.S. Congress that, "scientific evidence for an EMF-cancer link is weak [and] that the probability that ELF-EMF exposure is truly a health hazard is currently small. The weak epidemiological associations and lack of any laboratory support for these associations provide only marginal, scientific support that exposure to this agent is causing any degree of harm." The full report is available on the NIEHS EMF RAPID web site (http://www.niehs.nih.gov/emfrapid/).

In addition, no regulatory action was recommended or taken based on the NIEHS report. Also, the NIEHS did not recommend adopting EMF standards for electric appliances or burying electric power lines. Instead, it recommended providing public information about practical ways to reduce EMF exposure. The NIEHS also suggested that power companies and utilities "continue siting power lines to reduce exposures and . . . explore ways to reduce the creation of magnetic fields around transmission and distribution lines without creating new hazards." The NIEHS encouraged manufacturers to reduce magnetic fields at a minimal cost, but noted that the risks do not warrant expensive redesign of electrical appliances.

The NIEHS also encouraged individuals who are concerned about EMF in their homes to check to see if their homes are properly wired and grounded, since incorrect wiring or other code violations are a common source of higher-than-usual magnetic fields.

In June 2002, the NIEHS and National Institutes of Health published a question and answer booklet as part of the EMF RAPID Program. As defined, "electric and magnetic fields (EMF) are invisible lines of force that surround any electrical device. Power lines, electrical wiring, and electrical equipment all produce EMF." The term EMF typically is used when speaking of electric and magnetic fields at low frequencies,[24] such as those associated with electric power. However, the focus of the NIEHS booklet is on EMF associated with the generation, transmission, and use of electric power.

The NIEHS booklet explains that, "electric fields are shielded or weakened by materials that conduct electricity, even materials that conduct poorly, and includes trees, buildings, and human skin. However, "magnetic fields pass through most materials and are therefore difficult to shield. Both electric and magnetic fields decrease rapidly as the distance from the source increases."

[24] The frequency describes the number of cycles that occur in one second and is measured in hertz (Hz). The power frequency fields are 50 to 60 Hz.

Power transmission lines (which bring power from a generating station to an electrical substation) and power distribution lines (which bring power from the substation to your home) can be overhead or underground. Overhead lines produce both electric and magnetic fields. Underground lines do not produce electric fields, but may produce magnetic fields, above ground. At a distance of 300 feet and at times of average electricity demand, the magnetic fields from many lines can be similar to typical background levels found in most homes.

Regarding electric power substations, the NIEHS indicates that, "[I]n general, the strongest EMF around the outside of a substation comes from the power lines entering and leaving the substation. The strength of the EMF from equipment within the substations, such as transformers, reactors, and capacitor banks, decreases rapidly with increasing distance. Beyond the substation fence or wall, the EMF produced by the substation equipment is typically indistinguishable from background levels."

Cultural Resources

The New York State Office of Parks, Recreation and Historic Preservation's printout of the National and State Registers of Historic Places, as well as the National Park Service website containing the National Register of Historic Places, were examined. No properties on or adjacent to the subject site are listed on the registry. Correspondence was forwarded to the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") advising of the proposed action and requesting a determination of historical significance. In correspondence of February 22, 1996, OPRHP advised that the proposed action will have no impact on historic or archaeological resources (see Appendix I).

4.0 PROBABLE IMPACTS OF THE PROPOSED ACTION

4.1 Soils and Topography

Soils

Disturbance to soils will occur as a result of excavation and grading for the proposed development. As noted in Section 3.1 of this DEIS, the site is comprised mostly of Haven loams ranging from 0 to 2 percent slopes (HaA). As outlined in Table 4 in Section 3.1 of this DEIS, the HaA soils have few or no limitations for development.

A limited extent of RhB soils exist on the eastern portion of the site, and these soils are indicated as having moderate limitations for the construction of streets and parking lots due to slopes. However, this limitation is easily overcome through proper grading. Also, as described in Section 3.1 of this DEIS, the topography at the subject property is generally flat, with little to no slope present across the subject property. Therefore, the engineering limitation associated with slope is not applicable to the subject site.

During the construction process, some of the soil would temporarily be stored in piles. These piles would be subject to erosion from wind and precipitation. In addition, regrading activities would create exposed surfaces that would be subject to wind and water erosion during and after the construction process. In order to minimize the potential adverse impacts associated with construction, proper erosion and sedimentation control measures would be employed to minimize adverse impacts to soils during construction, as follows: clearing and grading would be scheduled so as to minimize the size of exposed areas and the length of time that areas are exposed; sediment barriers (e.g., silt fencing, hay bales, etc.) would be installed along the limits of disturbance and at drainage inlets for the duration of the work; graded areas and stockpiles would be stabilized through the use of temporary seeding; and construction entrances would be stabilized and maintained to prevent soil and loose debris from being tracked onto local roads.

In addition to the potential erosion and sedimentation impacts associated with site disturbance and development, soil testing would be performed prior to the implementation of any construction to determine if on-site soils have been impacted by past agricultural activities. As discussed in Section 3.1 of this DEIS, a reasonable and easily implemented Soil Management Program ("SMP") would be developed, if necessary, to address any exceedances of residual pesticides and arsenic. The SMP would include removing impacted soils to reduce concentrations in areas of potential exposure routes such as future residential yard areas. This would typically include a re-testing of surface soil for residual pesticide concentrations at the time of final grading and site development at areas not under building footprints or other impervious surfaces.

Should contaminants other than those addressed in the SCDHS document (see Section 3.1 of this DEIS) be detected at concentrations in contravention of NYSDEC RSCOs, the NYSDEC will be notified and appropriate remedial actions will be conducted, if necessary. As such, the potential impacts associated with impacted soils would be mitigated.

Topography

As the subject property is generally flat, ranging between zero to five percent slopes, no significant adverse impacts to slopes are expected as a result of the proposed development. Slopes will, however, be modified for the proposed recharge basin. According to the plans prepared by LDA (Sheet 15 of 15), the proposed recharge basin would be a 2-on-1 slope with the top of the proposed recharge basin at 230 feet amsl and the base elevation at 207 feet amsl.

As indicated earlier in this subsection, in order to minimize erosion and sedimentation during regrading, controls would be put in place prior to and during construction. The erosion and sedimentation control measures include, amongst other things, the strategic placement of haybales and silt fencing in the areas of greatest slope and disturbance, scheduling clearing and grading so as to minimize the size of exposed, areas and the length of time that areas are exposed; and temporarily seeding graded areas and stockpiles to prevent soil and loose debris from being tracked onto local roads. Erosion control details are included on Sheets 3, 4 and 5 of 15 in Appendix B.

Overall, therefore, existing soils and topography would not present planning or engineering limitations for the proposed development. Conversely, the proposed action would result in no significant adverse impacts to soils or topography.

4.2 Ecology

Implementation of the proposed development would eliminate most natural vegetation at the site. However, the existing vegetation is entirely successional--mostly weedy field--resulting from fairly recent abandonment following the use of the land for agricultural purposes. The past agricultural uses necessitated the earlier clearing of all of the original vegetation, and thus, the site is now botanically of low quality. Unauthorized access to the site has resulted in dirt-bike tracks, dumped soil, debris, and yard waste, which all further diminish the ecological quality of the site.

Development of the site would eradicate most of the 108 species of on-site plants. While this would seem to be a fairly high diversity of plant organisms, the numbers are deceptive. As is characteristic of successional habitats in general, more that half of the species in the field, and many in the shrubland and woods, are non-native and usually weedy. Testimony to this is the fact that 45 percent of the top 20 most invasive weed species in New York occur on the site (Jordan, 2002).

As indicated on the proposed landscaping plan in Appendix B, shade, evergreen and ornamental trees would be planted along the site perimeter and throughout the site's interior. Thus, although the removal of existing vegetation may temporarily impact mammal and bird species, as these new plantings mature, the typical suburban habitat would be reestablished and such species should return to the site.

Nonetheless, elimination of the vegetation would be expected to displace some mammal and bird species. Gray Catbirds, Northern Yellowthroats and Yellow Warblers, which favor shrublands, and Red-winged Blackbirds and American Goldfinches, which would be expected to make use of the fields, would all be deprived of such habitat at this site as a result of development. The Red-tailed Hawk--the most common raptor on Long Island--would have to seek prey elsewhere, as Meadow Voles and young Eastern Cottontail Rabbits would no longer be readily available as a food supply.

Many bird and mammal species may be driven from the site as the actual clearing and construction proceeds, but would be capable of being absorbed in nearby fields and woods, as well as in proximate residential areas. Most of the birds known or likely to occur on the site are categorized as common suburban birds (Wade *et al.*, 1990), and thus, as indicated above, many would re-colonize the site after construction ceases (especially after plantings mature and some of the residents put out bird-feeders).

It is also inevitable that there would be some mortality among small or slow-moving or immature animals (e.g. caterpillars, turtles, snakes, mice, worms) as clearing and development of the site progress.

There are no wetlands on the site, and thus, none would be impacted. Also, there are no rare species or natural communities found on the site as listed by the Federal government, NYSDEC or the NHP (see www.dec.state.ny.us/website/dfwmr/wildlife/endspec/etsclist.html, accessed June 2, 2004; www.dec.state.ny.us/website/dfwmr/heritage/RPSL.pdf, accessed June 2, 2004). Three species listed by NHP are highly unlikely to exist on the subject site, either historically or at present, and it was concluded that a potentially rare crabapple reported at the site by others is of uncertain identity and of questionable taxonomic status, and moreover, is native to western New York, not Long Island.

The two state-protected exploitably vulnerable plant species seen on the site, Flowering Dogwood and Bayberry, are present in small numbers and are not likely to be vulnerable to commercial exploitation. In fact, they are both demonstrably frequent on Long Island. Moreover, with the landowner's approval, they may be legally harvested.

Overall, therefore, implementation of the proposed action, while causing the removal of vegetation on the site, would not adversely impact rare, threatened or endangered species, wetlands or other sensitive habitats.

4.3 Water Resources

Groundwater

In order to ensure the protection of groundwater, the proposed project will comply with the relevant recommendations of the "Wastewater Management Alternatives" and the "Highest Priority Areawide Alternatives" of the *208 Study* regarding Hydrogeologic Zone I, as described below:

1. The proposed project includes the construction and utilization of an on-site sewage treatment system, and pursuant to an effluent analysis prepared by Camp, Dresser & McKee ("CDM") and outlined later in this chapter, thus, the impacts associated with nitrogen effluent will be mitigated;

2. Stormwater will be contained and recharged on the site through the use of catch basins, and an on-site recharge basin. These stormwater management measures will serve to minimize the transport of sediments, nutrients, metals, organic chemicals and bacteria to ground and surface waters; and

3. The amount of fertilizer-dependent vegetation will be minimized and indigenous species will be used in the ultimate landscaping plan, to the maximum extent practicable, to allow for a low-maintenance landscape.

Groundwater Modeling

As indicated in Section 3.3 of this DEIS, a SCWA well field is located approximately 1,500 feet north of the subject property. During the scoping process for the DEIS, the lead agency, Town of Huntington Planning Board, required the applicant to utilize the recently-prepared SCDHS groundwater model to evaluate the potential impact that the wastewater discharge from the proposed on-site sewage treatment plant ("STP") could potentially have on nearby SCWA wells.

Model Background

The SCDHS retained the consultant, CDM, to prepare a County-wide three-dimensional groundwater model to assist Suffolk County and New York State in evaluating and protecting the groundwater underlying the County. The model developed by CDM is a three-dimensional steady-state flow model, which was designed to simulate the geology and hydrogeology of Suffolk County including the Upper Glacial aquifer, the Magothy aquifer, the Raritan Clay and the Lloyd aquifer, to name the major hydrogeologic units underlying Long Island. The model also has a contaminant–transport module, in the form of particle tracking, which allows for the insertion of contaminants (as particles) and allows them to be tracked over time to evaluate the potential impacts related to contaminant migration.

The SCDHS model has been developed with a nominal County-wide nodal spacing (grid spacing utilized in the computation of the model), the density of which is increased in the vicinity of the Brookhaven National Laboratory (BNL), the first site evaluated by the SCDHS utilizing the model. The SCDHS model has been carefully and fully calibrated utilizing industry standard techniques.

It has become common practice for lead agencies and other regulatory authorities to request that applicants utilize the SCDHS model to evaluate issues of concern. The reasons for this include:

1. The actual model was prepared for an environmental regulatory authority (the SCDHS), not by any one applicant, or consultant thereto;

2. The model has been carefully calibrated utilizing a very large 1994 data set available to the SCDHS, SCWA, NYSDEC, United States Geological Survey (USGS), etc.;

3. Typically, for the aforementioned reasons, the regulatory community (e.g., SCDHS, SCWA, NYSDEC) are more willing to rely upon simulations based upon the SCDHS groundwater model, rather than those prepared by an independent consultant utilizing its own proprietary models; and

4. The SCDHS groundwater model can be utilized to simulate any site in Suffolk County. Typically, the node-spacing of the County regional model is decreased to prepare a sub-regional model with the node spacing being the most dense in the vicinity of the area of concern (e.g., well field, recharge basins, etc.), and decreases as the edge of the sub-regional model is approached. The sub-regional model is then calibrated (e.g., checked for accuracy) to the County regional model, which was, in turn, thoroughly calibrated to 1994 data.

Project Simulations

CDM was retained by the applicant to evaluate the potential impact associated with effluent from the proposed STP on the nearby SCWA Laurel Hill well field. As indicated in the attached CDM report, the SCWA Laurel Hill well field, located approximately 2,500 feet to the north of the project site, is equipped with four wells with pumping capacities ranging from 1,200 to 1,300 gallons per minute (GPM). The four SCWA wells range in depths from approximately 575-feet below grade surface (bgs) to 612-feet bgs. Based upon the CDM model, the top of the Magothy aquifer[25] occurs at approximately 430-feet bgs in the vicinity of the Laurel Hill well field, thus, all four of the public supply wells are screened within the Magothy aquifer.

[25] The referenced formation is actually re-worked Magothy material identified as Upper Glacial aquifer material. However, the material exhibits the hydrogeologic characteristics of the Magothy, and thus, is identified as same in the model.

In order to prepare a sub-regional model for the project, CDM decreased the model node spacing from 4,000 feet to 100 feet in the vicinity of the well field and recharge basin, and to 1,300 feet in the vicinity of the borders of the sub-regional model. To confirm the calibration of the model, the sub-regional model was run utilizing available 1994 data (e.g., water levels, precipitation data). As indicated in Figure 3 of the CDM report annexed as Appendix C hereto, the results of the sub-regional model simulations were very similar to the fully-calibrated SCDHS regional model. Based upon the aforementioned discussion, the sub-regional groundwater model was considered calibrated and of sufficient quality to conduct the evaluation requested by the lead agency.

As a conservative first approach, the model was run assuming the following:

- Each of the four SCWA wells were pumped at one-half their rated capacities;
- A volume of 36,000 gallons per day (GPD) of project-related waste water was discharged uniformly over the 11,616 square foot (ft^2) recharge area; and
- A steady-state 50-year model period was simulated.

The model was run in two modes including:

1. Source-water scenario in which the area of contribution from which groundwater is withdrawn from the pumping wells is simulated; and
2. Contaminant transport modeling in which the particle tracks, representing the sanitary effluent, is tracked over time.

The simulation, with the SCWA Laurel Hill wells pumping at one-half their rated capacities, indicated the following:

- The area from which the SCWA well field withdraws groundwater is predominantly to the south of the subject property, a small portion of the area falls within the southeast corner of the subject property but does not include the recharge basin;[26] and
- The contaminant-tracking module was utilized to confirm that the source-water area for the well field will not be impacted by project-related sanitary waste. According to the CDM report, the simulated effluent plume tracks north-northwest from the subject property, and does not fall within the source-water area of the Laurel Hill wells. Further, when evaluated with depth, the particles representing the effluent plume, while extending into the upper portions of the Magothy aquifer, do not appear to be influenced by the withdrawal of groundwater from the SCWA wells. Therefore, the sub-regional model indicates that, with the four SCWA pumping at one-half their rated capacities, the simulated effluent plume does not impact the water quality of the wells.

The second model simulation was also run assuming the groundwater withdrawal rates from the SCWA potable water wells utilized in the New York State ("NYS") Source Water Assessment Program ("SWAP"). The SWAP is part of a federal program to ensure that assessments of drinking water systems are conducted. As Suffolk County is underlaid by a federally-designated sole-source drinking water aquifer, the NYS SWAP extensively utilized the SCDHS groundwater model in its evaluation of the County's drinking water systems.

[26] The 36,000 GPD of sanitary waste discharge was not included in this scenario.

The well pumping rates utilized in the NYS SWAP are between 18 and 20 percent of the wells' rated pumping capacities. This confirms the conservative nature of utilizing one-half of the rated well capacities for the first model simulations, discussed above. As indicated in CDM's report (see Appendix C), the source-area for the Laurel Hill well field under SWAP conditions is well to the south of the overall property, and the simulated effluent plume does not migrate vertically into the Magothy aquifer.

Based upon the results of the three-dimensional groundwater modeling conducted by CDM utilizing the SCDHS model, the proposed 36,000 GPD of sanitary waste discharge will have no adverse impact on the four SCWA potable water wells located at the Laurel Hill well field.

Nonpoint Source Management Handbook

The *Nonpoint Source Management Handbook* was reviewed as to recommendations for controlling non-point sources of groundwater contamination. Discussion of the proposed project's consistency with the relevant recommendations follows:

Land Use

1. *Limit new development, particularly industrial uses, in the deep recharge and critical shallow recharge areas.*

Although the proposed action does not involve industrial uses, it does involve new development in a deep recharge area. However, as indicated in this section, the proposed action includes a stormwater management plan consisting of catch basins and a recharge basin to control and recharge 100 percent of stormwater on-site. Also, as discussed in detail in Section 4.1 of this DEIS, erosion and sedimentation controls would be established prior to and during construction. Furthermore, the proposed STP would minimize the potential impacts associated with sanitary effluent. As such, while the proposed action consists of new development in a deep recharge area, there would be no adverse impacts to groundwater.

3. *Limit the removal of natural vegetation and the creation of lawn areas.*

As indicated in Section 2.0 of this DEIS, the subject site was historically used for agricultural purposes, and therefore, the site has already been disturbed. Over the years, the site has become primarily overgrown and the majority of the site (approximately 12.064 acres) is Successional Old Field. Approximately 2.510 acres consist of Successional Southern Hardwoods, and the proposed plan includes retaining 0.45 acre of same. As such, the proposed action would not result in the removal of significant natural vegetation. Regarding the creation of lawn areas, the proposed action includes 7.457 acres of lawn and landscaping. However, fertilizer-dependent vegetation would be limited to less than 15 percent of the overall vegetation. Accordingly, the action complies with this recommendation.

<u>Stormwater Runoff</u>

1. Minimize grade changes and site clearing. Preserve swales in their natural state. Avoid disturbance of existing grades, vegetation or soils and the alteration of surface hydrology.

With the exception of the construction of the recharge basin, the site topography, which is generally flat, would remain virtually unchanged. There are no swales on the subject site, thus none would be altered. As indicated in Section 2.0 of this DEIS, the site was historically used for agricultural purposes, and thus, no significant natural vegetation exists thereon.

2. *Provide temporary on-site areas to receive stormwater runoff flows that are generated by construction and other site development activities. Do not allow increased sediment resulting from the construction or operation phase of site development to leave the site or to be discharged into stream corridors, marine or freshwater wetlands. Minimize the amount of soil area exposed to rainfall and the period of exposure. Cover or plant exposed soils as soon as possible.*

Prior to construction, a proper erosion and sedimentation control plan will be implemented. The erosion and sedimentation control plan would include methods to, amongst other things, control stormwater during construction, control sedimentation and protect stockpiles and existing leaching pools, etc. There are no stream corridors, marine or freshwater wetlands on or adjacent to the subject site, and thus, there would be no adverse impacts to same. Thus, the proposed project would comply with this recommendation.

3. *Detain runoff and direct stormwater from road surfaces to sediment basins before discharge to a sump wherever topography limits or precludes on-site recharge.*

Stormwater runoff will be contained and recharged on-site via catch basins and the recharge basin, and thus, this recommendation is not applicable to the proposed action. Nonetheless, it should be noted that the proposed drainage system would be designed to provide sufficient capacity for anticipated stormwater runoff associated with an eight-inch storm, as required by the Town of Huntington. Detailed stormwater calculations are included on the Grading and Drainage Plan 2 (Sheet 4 of 15 in Appendix B). Overall, therefore, the proposed action complies with this recommendation.

4. *Stabilize exposed slopes during and after construction by using temporary and/or permanent structural or nonstructural stabilization measures.*

The subject property is relatively flat, and therefore, during the construction of roads and buildings, no stabilization measures would be required. Prior to and during the construction of the recharge basin, haybales and silt fencing would be placed around its perimeter to ensure that sedimentation of the basin does not occur. Overall, therefore, the proposed action complies with this recommendation.

Fertilizer

1. *Retain as much of the natural vegetation of the site as possible. Minimize grade changes and site clearing.*

As indicated above, the site has been previously disturbed for agricultural practices in the past and has since been overgrown. The site largely consists of Successional Old Field. Thus, the proposed project would not result in the removal of significant natural vegetation. Regarding proposed grade changes, the only grade changes that are proposed are those associated with the proposed recharge basin. As discussed in the sub-section of this DEIS entitled *Stormwater Runoff and Drainage*, the top of the proposed recharge basin would be at approximately 230 feet amsl and the base elevation would be at 207 feet amsl. Overall, therefore, the proposed action complies with this recommendation.

2. *Use native plants for the planting of areas that have been disturbed by grading. Consider the use of alternative types of groundcover and other plant materials to avoid or reduce lawn area and the consequent need for fertilizer applications, extensive watering and maintenance.*

Regarding the creation of lawn areas, the proposed action includes 7.457 acres of lawn and landscaping. The proposed action would include revegetation with native species, to the maximum extent practicable, and fertilizer-dependent vegetation would be limited to less than 15 percent of the overall vegetation. Accordingly, the action complies with this recommendation.

Suffolk County Sanitary Code

Article 6

As indicated in Section 3.3 of this DEIS, Suffolk County has promulgated various regulations and standards that are designed to protect the water resources of Long Island. Article 6 of the Suffolk County Sanitary Code ("SCSC") specifically governs sanitary wastewater discharges. The regulations contained in Article 6 protect water resources by limiting the "population density equivalent" within specific Groundwater Management Zones. Since the subject property is situated within Groundwater Management Zone I, pursuant to Article 6 of the SCSC, the maximum permitted sanitary discharge, if on-site sanitary systems are used, is 4,372.2 gpd (see Section 3.3 of this DEIS).

According to the sanitary engineer, Michael P. Chiarelli Engineer, P.C., the projected sanitary discharge for the proposed project is as follows:

Table 13

Projected Sanitary Discharge for the Proposed Project

Unit Description	Unit Breakdown	Sanitary Flow[27]	Total
1 Bedroom	20	225 gpd/unit	4,500 gpd
2 Bedrooms	90	225 gpd/unit	20,250 gpd
3 Bedrooms	37	225 gpd/unit	8,325 gpd
4 Bedrooms	8	300 gpd/unit	2,400 gpd
Community Bldg	1 (5,164 square feet)	0.03 gpd/sf	155 gpd
Total	155 units		35,630 gpd

[27] The minimum design sewage flow rates of 225 gpd per unit and 300 gpd per unit are based on unit sizes (gross floor area). As defined by the Suffolk County Department of Health Services, for units with gross floor areas of 601 to 1,200 square feet, the minimum design flow rate is 225 gpd per unit; and for units 1,200 square feet or greater, the minimum design flow rate would be 300 gpd per unit. The one, two and three-bedroom units proposed as part of this project are all less than 1,200 square feet, and thus, the factor of 225 gpd per unit applies. The design flow factor of 300 gpd per unit applies to the proposed four bedroom units, as all are greater than 1,200 square feet.

As the projected sanitary flow will exceed the maximum permissible flow on the site if on-site sanitary systems are used, an STP is being proposed as part of the action. The proposed STP will be a Biologically Engineered Sewage Sludge Treatment (BESST) process, and will be designed to handle 36,000 gpd. A detailed description of the proposed STP and associated engineering information is included in the Engineering Report prepared by Michael P. Chiarelli Engineer, P.C. in Appendix J. A summary of same is included below.

The BESST Process is a continuous flow modified extended aeration process. The sewage treatment and disposal facilities will include a control building, an influent pump station, a fine screen, equalization tanks, process tanks consisting of aerobic and anoxic compartments, an up-flow sludge blanket filtration (USBF) clarifier, a micro screen drum filter, sludge storage tanks, and subsurface effluent recharge pools.

With regard to the treatment process, sewage enters first into the anoxic chamber where it mixes with return activated sludge ("RAS") from the clarifier. The nitrogen removal process is completed here as Nitrite ("NO_2-N") and Nitrate ("NO_3-N") produced in the aeration zone are converted to Nitrogen gas ("N_2"). Some of the influent BOD_5 [28] is consumed in this denitrification process. The dissolved oxygen ("DO") level is maintained below 0.2 mg/l, and submerged mixers keep Mixed Liquor Suspended Solids ("MLSS") in suspension.

The mixed liquor is transferred by gravity from the anoxic chamber to the far end of the aeration chamber through a submerged transfer pipe. BOD_5 removal and nitrification take place here as the mixed liquor is aerated by fine bubble air diffusers. The aerated mixed liquor then flows into the bottom of the clarifier by means of a uniquely designed baffle.

[28] The BOD test is the five-day test, or BOD_5. "In this test, DO levels are taken under carefully controlled lab conditions five days after the initial DO test. Because the BOD-5 test represents the other side of the coin from the DO test, a high BOD value is considered bad (whereas high DO levels are considered good)." [http://www.novaregion.org/4milerun/4mab-bod.htm]

In the clarifier, solids settle to the bottom as the supernatant flows over the overflow weir and is gravity fed to the micro screen drum filter. Unfiltered sludge and backwash waste are returned to the sludge holding tank. Clean filtered effluent is transferred to the effluent chamber before flowing over the effluent weir and exiting the STP, where it flows by gravity to the effluent leaching pools.

A masonry structure will be built around the entire STP. It will be designed to blend with the architecture of the proposed development and will provide security to keep unauthorized personnel out of the process and equipment areas, to protect the treatment process and process equipment from the elements (cold weather, rain, frost), to provide a dry, heated area for treatment personnel for operation and maintenance functions, process testing and record-keeping, and to provide a means to contain noise from the process equipment.

The control area of the STP building will house the blowers, a room for the standby generator and electrical panels and a laboratory with toilet/washroom facilities. Space will be set aside in the control area for sodium hydroxide storage and feed equipment.

Influent Sewage Characteristics and Projected Load

The influent raw sewage characteristics used for the purpose of designing the proposed STP are as follows and are as required by SCDHS and SCDPW:

BOD_5:	272 mg/l
Suspended Solids (SS):	300 mg/l
Total Kiedjahl Nitrogen (TKN):	65 mg/l
Alkalinity (ALK):	200 mg/l

Based on the above influent sewage characteristics and influent flow of 36,000 gallons per day, the influent loads are expected to be as follows:

Lbs. of pollutants = mg/l pollutant x 8.34 lb./gal. x flow in MGD

BOD_5:	272 mg/l x 8.34 lb./gal. x 36,000 gpd x 10^{-6}	= 81.67 lb. BOD_5/day
SS:	300 mg/l x 8.34 lb./gal. x 36,000 gpd x 10^{-6}	= 90.07 lb. S.S./day
TKN:	65 mg/l x 8.34 lb./gal. x 36,000 gpd x 10^{-6}	= 19.52 lb. TKN/day
ALK:	200 mg/l x 8.34 lb./gal. x 36,000 gpd x 10^{-6}	= 60.05 lb. Alk./day

Effluent Treatment

The treated effluent from the proposed STP will be recharged to the ground via leaching pools. Consequently, it is expected that the State Pollutant Discharge Elimination System ("SPDES") permit will require a daily maximum total nitrogen concentration of 10 mg/l as the limiting value and a pH limit of 5.5 to 8.5 Standard Unit (SU). The 30-day arithmetic average flow limit will be the design flow of 36,000 gpd.

Based on the selected treatment process, the following effluent quality is anticipated:

BOD_5	< 10 mg/l
TSS	< 10 mg/l
Total N	< 10 mg/l
Ammonia-Nitrogen (NH_3-N)	<2 mg/L
PH	5.5 to 8.5 SU

It should be noted that the design, maintenance and operation of the STP is subject to the review and approval of the SCDPW and SCDHS. On July 19, 2004, Michael P. Chiarelli, P.E. presented the proposed STP to the SCDPW – Suffolk County Sewer Agency. As indicated in the meeting minutes in Appendix J, the Suffolk County Sewer Agency granted conceptual certification of the proposed STP.

Odor Control

During the review of the STP design, issues such as process selection, materials of construction and siting of the STP are rigorously scrutinized to assure that the STP is capable of providing the required treatment to meet all standards of the SCDHS and SCDPW. As indicated, the proposed design utilizes "aerobic" type processes which provide an oxygen rich environment to maintain odor free operation. Under normal circumstances, the processes selected and approved by the SCDHS and the SCDPW, do not require the supplement of odor control devices. Therefore, odor control devices are usually not designed into the STP unless mandated by the SCDHS based upon special circumstances, which, according to the sanitary engineer, do not exist at the Matinecock Court site.

The SCDHS has developed minimum separation distances from sewage treatment plants to adjacent habitable structures and adjacent property lines. The required separation distance from an enclosed treatment facility to the nearest habitable structure is 200 feet. The required separation distance from an enclosed treatment facility to the nearest property line is 150 feet. As indicated on the proposed site plan, the STP is proposed to be situated 30 feet from the property line to the north, and therefore, a variance from the property line setback requirement of 150 feet is necessary. However, it should be noted that beyond the property line are the railroad tracks, and thus, any potential noise or odors from the STP would not adversely impact the use of the property. Also, should a mechanical failure occur, there would be no impact to the railroad tracks. Therefore, the 30-foot setback to the property line provided on the site plan would not result in significant adverse impacts should the variance be granted.

There was a question raised by Town planning staff in a meeting on June 16, 2005 about the distance between the STP leaching field and the stormwater recharge basin. Michael P. Chiarelli Engineer, P.C. believes that the question refers to the need to provide for non-interference between the hydraulic gradients between the storm water recharge basin and the effluent recharge pools of the STP. Again, the review performed by the SCDHS and the SCDPW considers the question raised by the Town. Michael P. Chiarelli Engineer, P.C. has utilized a distance of 20 feet, as indicated in the Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences (page 10)

Article 7

Article 7 requires that permits be secured for the construction of new or alteration to existing disposal systems, except stormwater disposal. The proposed project will comply with same. Section 706 contains additional restrictions for the deep recharge zones and water supply sensitive areas including stringent limitations on toxic and hazardous materials storage and discharge. Although the subject property is located in a deep recharge area, there are no toxic or hazardous materials proposed to be stored on-site, and thus, Section 706 is not applicable to the proposed action.

Article 12

The relevant aspect of Article 12 for the proposed project relates to the storage of fuel oil in above ground or underground storage tanks. The proposed project does not include the installation of any underground or above ground storage tanks, and therefore, would not be subject to Article 12.

Stormwater Runoff and Drainage

Stormwater Runoff and Management During Construction Activities

Pursuant to Section 402 of the Clean Water Act, stormwater discharges from certain construction activities to "Waters of the United States"[29] are unlawful unless they are authorized by a National Pollutant Discharge Elimination System Permit (NPDES) permit or by a state permit program. The New York State Pollutant Discharge Elimination System (SPDES) Permit is an NPDES-approved program with permits issued in accordance with the Environmental Conservation Law ("ECL"). The SPDES program also extends permitting coverage to discharges of pollutants to all other "Waters of New York State," such as groundwater.[30]

[29] Pursuant to Title 33 of the Code of Federal Regulations Part 328.3(a), waters of the United States are defined as (1) all waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (2) all interstate waters including interstate wetlands; (3) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters: (i) which are or could be used by interstate or foreign travelers for recreational or other purposes; or (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or (iii) which are used or could be used for industrial purpose by industries in interstate commerce; (4) all impoundments of waters otherwise defined as waters of the United States under the definition; (5) tributaries of waters identified in paragraphs (a) (1) through (4) of this section; (6) the territorial seas; (7) wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) (1) through (6) of this section (waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet the criteria of this definition) are not waters of the United States); (8) waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other Federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

[30] As excerpted from the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-02-01).

The U.S. Environmental Protection Agency ("USEPA") stormwater program was promulgated in 1990 under the Clean Water Act ("CWA") and was recognized as the *Phase I Rule*. The *Phase I Rule* required a NPDES permit to control stormwater runoff from (1) "medium" or "large" municipal separate storm sewer systems (MS4s) generally serving populations of 100,000 or greater, (2) construction activity disturbing five acres or greater, and (3) ten categories of industrial activity. On March 10, 2003, the USEPA expanded the scope of its stormwater management program to include smaller construction sites and the operators of MS4s in urbanized areas, and the expanded program is known as the *Storm Water Phase II Final Rule*. Specifically, the *Storm Water Phase II Final Rule* expanded permit coverage to "operators of small construction activities that disturb equal to or greater than one and less than five acres of land."

For construction activities involving any size disturbance (less than one acre, one to five acres, or five acres or greater), a SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01) ("SPDES General Permit") must be obtained, and requires that a Notice of Intent ("NOI") be filed with the NYSDEC, after completing a Stormwater Pollution Prevention Plan ("SWPPP"). The SWPPP includes two plan components: (1) Erosion and Sediment Control ("ESC") plan, and (2) Water Quality and Quantity Control ("WQQP") plan.

As the proposed action includes the disturbance of approximately 14.124 acres, a SPDES General Permit must be obtained. The NYSDEC provides technical standards for each of the above plan components. For erosion and sediment control, the technical standards are included in the *"New York Standards and Specifications for Erosion and Sediment Control"* published by the Empire State Chapter of the Soil and Water Conservation Society (March 2003). For the design of water quality and quantity controls (post-construction stormwater control practices), the technical standards are detailed in the *"New York State Stormwater Design Manual."*

New York Standards and Specifications for Erosion and Sediment Control

The standards and specifications within the *New York Standards and Specifications for Erosion and Sediment Control* have been developed "to reduce the impacts of soil loss from construction sites to receiving water bodies and adjacent properties." This publication provides extensive guidance on computing runoff and standards for vegetative, bio-technical and structural measures for erosion and sediment control. A general discussion of vegetative and structural controls follows.

As discussed on page 2.2 of the *New York Standards and Specifications for Erosion and Sediment Control*, the preservation of existing groundcover is the most effective way to protect the soil surface and limit erosion. "Where land disturbance is necessary, temporary seeding or mulching must be used on areas which will be exposed for more than 14 days. Permanent stabilization should be performed as soon as possible after completion of grading. ESC plans must contain provisions for permanent stabilization of disturbed areas. Selection of permanent vegetation will include the following considerations for each plant series: 1) establishment requirements; 2) adaptability to site conditions; 3) aesthetic and natural resource values; 4) maintenance requirements." Structural controls "may be necessary when disturbed areas cannot be promptly stabilized with vegetation, [and] may be temporary or permanent."

The proposed ESC plan would consist of both vegetative controls and structural controls to stabilize soils and reduce the potential impacts to soils during construction activities. In accordance with same, an erosion and sediment control plan has been prepared by LDA and is attached as Appendix B. The proposed erosion and sediment controls include the following: clearing and grading would be scheduled so as to minimize the size of exposed areas and the length of time that areas are exposed; sediment barriers (e.g., silt fencing, hay bales, etc.) would be installed along the limits of disturbance and at drainage inlets for the duration of the work; graded areas and stockpiles would be stabilized through the use of temporary seeding; and construction entrances would be stabilized and maintained to prevent soil and loose debris from being tracked onto local roads.

Post-Development Controls to Accommodate Stormwater Runoff

Implementation of the proposed action would increase impervious surface area at the site, and thus, stormwater runoff would also be expected to increase. The proposed stormwater management plan consists of catch basins and a recharge basin designed to accommodate a nine-inch storm. According to the plans prepared by LDA (Sheet 15 of 15), the proposed recharge basin would be at a 2 on 1 slope, with the top of the proposed recharge basin at elevation 230 feet amsl and the bottom elevation at 207 feet amsl.

According to the project engineer (see Sheet 4 of 15 in Appendix B), the total volume associated with a nine-inch rainfall is 119,506.8 cubic feet. The proposed recharge basin would accommodate 130,590 cubic feet. As such, the proposed drainage system would be more than adequate to handle on-site stormwater.

New York State Stormwater Design Manual

The Water Quality and Quantity Control plan prepared as part of the SWPPP must be designed to meet required "sizing criteria and pollutant removal goals," which are set forth in Chapters 4 and 5 of the *New York State Stormwater Design Manual.* Chapter 4 outlines a unified approach for sizing stormwater management practices ("SMPs") "to meet pollutant removal goals, reduce channel erosion, prevent overbank flooding and help extreme floods." Water quality volume (denoted as "WQv"), is designed to improve water quality sizing to capture and treat 90 percent of the average annual stormwater runoff volume, and is directly related to the amount of impervious cover created at a site. The following equation is used to determine the water quality storage volume WQv (in acre-feet of storage): [WQv= (P)(Rv)(A)/12].[31] By meeting the WQv requirements through employment of acceptable SMPs (see discussion below), the water quality objectives of capturing and treating 90 percent of stormwater will be met.

[31] Where WQv = water quality volume (in acre-feet), P = 90 percent Rainfall Event Number, Rv = 0.05 + 0.009(I), where I is percent impervious cover and A = site area (acres).

Chapter 5 of the *New York State Stormwater Design Manual* outlines five main groups of acceptable SMPs, including stormwater ponds; stormwater wetlands; infiltration practices; filtering practices; and open channel practices. All of the acceptable SMPs are based on the following criteria:

- *Capture and treatment of the full WQv;*
- *Capable of removal of 80 percent TSS*[32] *and 40 percent TP*[33]*;*
- *Acceptable longevity in the field; and*
- *Pretreatment mechanism.*

The proposed recharge basin and drainage structures (i.e., catch basins and pipe network) would be constructed initially, and would be used to accommodate stormwater during construction of the site. Also, the installation of catch basin liners and the placement of straw bales at the perimeter of each catch basin would prevent siltation of the drainage structures.

Long Island Segment of the Nationwide Urban Runoff Program (NURP Study)

With regard to the quality of recharge, the Long Island *NURP* investigations have evaluated a number of contaminants present in runoff to recharge basins and detected in groundwater beneath the basins. Based on the results of these investigations, the following general recommendations were made:

Groundwater

- *Continue to use recharge basins wherever feasible for the disposal of stormwater and the replenishment of the groundwater.*

[32] Total Suspended Solids (suspended inorganic and organic material)
[33] Total Phosphorus

Upon implementation of the proposed action, all stormwater generated on the site would be collected via catch basins and transported to an on-site recharge basin. Thus, the proposed project complies with this recommendation (i.e., continued replenishment of groundwater via recharge of stormwater).

- *Consider the use of in-line storage leaching drainage systems, or components thereof, as a substitute for recharge basins in area, other than parking lots, where maintenance will be assured and where the value of the land for development purposes is greater than the cost of installing and maintaining the underground system. Storage leaching drainage systems should also be considered for use where the installation of recharge basins is not feasible.*

  The proposed drainage system would include a recharge basin. Thus, this recommendation is not applicable.

- *Prevent illegal discharges to drainage systems or recharge basins. Such discharges, which often result from improper storage or deliberate dumping of chemicals, must be controlled at the source.*

  There are no chemicals proposed to be stored or handled on-site. Thus, this recommendation is not applicable.

Surface Water

- *To maintain existing water quality where it is currently satisfactory:*

  Preclude any additional direct discharge of stormwater runoff into surface waters, using all available means for detention and/or recharge to reduce bacterial loads.

As there is no surface water on-site, implementation of the proposed project would not impact same. Furthermore, as discussed above, stormwater would be collected and recharged on the subject property. Thus, the proposed project complies with this recommendation.

Protect stream corridors from encroachment.

As there are no surface waters or stream corridors proximate to the area to be affected by the proposed action, this recommendation is not applicable.

Water Supply

Potable and irrigation water would be provided to the subject site by the SCWA. As outlined in the *Article 6* discussion above, the projected potable water usage for the development is 35,630 gpd (or 13,004,950 gallons per year). Consultations with the SCWA indicate that such water is available, and the provision of this additional water will not stress the public supply system (see correspondence in Appendix H). However, as part of the proposed action, water conservation devices would be used to the maximum extent practicable to decrease overall water usage. Also, as discussed earlier in this subsection, groundwater modeling was performed to evaluate the potential impacts of the proposed STP on the nearby SCWA well fields and it was determined that there would be no adverse impacts to same.

As part of the proposed action, an irrigation system would be installed. According to the project engineer, LDA, approximately 7.25 acres of lawn and landscaping would be irrigated. The estimated volume, based on 20 gallons per 1,000 square feet per day for the 26-week irrigation period, is 6,320 gallons per day or a total irrigation volume of approximately 1,150,240 gallons. As indicated in the SCWA's correspondence, an irrigation supply of 25,000 gpd can be provided.

When combining the projected annual potable water usage (13,004,950 gallons) and annual irrigation volume (1,150,240 gallons), the total water demand is estimated at 14,155,190 gallons or 38,781± gallons per day when averaged over 365 days.

Accordingly, implementation of the proposed action will not result in adverse effects on the public water supply.

Surface Water

As indicated in Section 3.3 of this DEIS, there are no surface waters or freshwater or tidal wetlands on the subject site. As such, there would be no adverse impacts to same.

4.4 Land Use and Zoning

Land Use

Implementation of the proposed action would alter the use of the site from vacant, undeveloped property to a 155-unit housing development with an STP, recharge basin, roads and other related appurtenances. Access to the proposed development would be from Pulaski Road with an emergency access provided to and from Elwood Road. A community center and various internal play areas will be also be provided for residents of Matinecock Court. A total of 20 buildings are proposed.

As depicted on the proposed site plan, the proposed development consists of six different residential building types, for a total of 18 residential buildings. As discussed in Section 2.0 of this DEIS, the proposed 155-housing units would include 20 one-bedroom units, 90 two-bedroom units, 37 three-bedroom units and eight four bedroom units. Each of the proposed units would have enclosed storage spaces. The first floor units would contain individual exterior storage areas at the rear of the unit. The second floor units would have attic space accessible from pull-down stairs, as well as small balconies.

In addition, there is a community center proposed in the central portion of the development and is proximate to the Pulaski Road entrance. The proposed community center is a one-story building with cellar. However, only mechanical equipment and storage space would be within the cellar. Several playgrounds and open recreation areas are proposed throughout the housing development. The proposed recharge basin would be situated at the northwest portion of the site and would be contained with fencing and significant vegetation around the perimeter. To the east of the recharge basin is the structure and leaching field for the STP.

Upon implementation of the proposed action, approximately 41.3 percent of the site would be developed with impervious surfaces (i.e., buildings and other paved surfaces). The remaining 8.557 acres would consist of landscaping and/or lawn area (7.457 acres), wooded area (0.450 acre), and a recharge basin (0.650 acre).

The proposed 155-unit housing development would consist entirely of affordable housing units, and would offer both rental and ownership options. From a land use perspective, the proposed action will be consistent with surrounding residential and educational properties, as well as with the Town's land use policies. As discussed throughout this DEIS, the development of the site for affordable housing has been the subject of litigation and has been deemed acceptable, and therefore, is consistent with the intended land use of the site. As discussed later in this sub-section, the proposed action would assist the Town in providing affordable housing to appeal to younger families and contributes to the diversity of housing available to current and future potential Huntington residents.

Zoning

The subject site is located in the R-3M Garden Apartment Special District. A consistency analysis with the bulk regulations of the district follows:

Table 14

Consistency Analysis with the Bulk Regulations of the R-3M Garden Apartment Special District

Dimensional Regulation	Dimensional Requirement	Proposed Action
Maximum Height (stories/feet)	3 stories/45 feet	2 stories/25 feet
Minimum Depth of Yards (front/rear)	30 feet/25 feet	50 feet/50-feet
Minimum Side Yard (Interior) **Width of One Yard** **Combined Width of Two Yards**	 12 feet 24 feet	 50 feet 100 feet
Minimum Side Yard (Corner) **Width of Yard On Street Side** **Width of Interior Side Yard**	 30 feet 12 feet	 50 feet 50 feet
Minimum Lot Area **Area per Dwelling Unit** **Gross Area**	 3,000 sq. ft. 15,000 sq. ft.	 4,096 sq. ft. 634,844± sq. ft.
Minimum Lot Width	100 feet	365± feet
Minimum Lot Frontage	40 feet	1,405± feet (total frontage on Elwood and Pulaski roads)

As indicated above, the proposed plan complies the bulk requirements of the R-3M Garden Apartment Residence Zoning District.

Pursuant to a Stipulation of Settlement and Consent Decree (see discussion in Section 2.0 of this DEIS), the proposed density of 155 units has been accepted.[34] The Stipulation of Settlement and Consent Decree also discussed the required parking as part of the proposed site plan and indicated that the parking requirements prior to December 6, 1994 would prevail. As such, the required parking is 1.33 spaces per unit or 207 off-street parking spaces. The proposed action includes 334 parking spaces, which averages 2.15± spaces per unit, and therefore, complies with the Stipulation.

As indicated in Section 3.4 of this DEIS, the Town's EAF Part III (Appendix A of this DEIS) identifies the subject parcel as being within the eastern half of a larger 30-acre parcel designated as OSI #NE-27 in the *1974 Town of Huntington Open Space Index Report*. The property was described as "farmland and woods" and was given a priority rating of five, based on a scale of one to six, with one being of most importance and six being of least importance.

The potential impacts associated with the loss of open space on the subject parcel was discussed in the Town's EAF Part III, as follows:

> *"As a result of the proposed action, the positive attributes associated with open space, including physical and psychological relief from the built environment, diversity of visual experience, protection of natural resources, and groundwater recharge will be impacted. The loss of open space will be somewhat mitigated by the proposed landscaped, bermed buffers provided around the site's perimeter as a result of the larger than required setbacks shown on the plan. The recharge basin will provide valuable groundwater recharge for the site. Impacts will include loss of open space and wildlife habitat, of value to the neighborhood as open area, visual link to the community's agricultural past, and change in the character of the neighborhood."* (see page 6 of the Town's EAF Part III in Appendix A of this DEIS)

[34] As included in the Stipulation of Settlement and Consent Decree, "[I]n the event that HHI submits a site plan application for 155 residential units at the Development...the Planning Board shall not deny approval of HHI's site plan on the basis of the proposed density of the Development."

The proposed action will result in the loss of open space, however, this designation was made over 30 years ago, and the legal history of this parcel, notably the court-ordered change of zoning designation to R-3M Garden Apartment Special District and the accepted residential density of 155 units (pursuant to the Stipulation of Settlement and Consent Decree), eliminates its potential to be preserved as open space. Notwithstanding the site history, while the implementation of the proposed action will result in the development of a vacant parcel, its current condition is overgrown and unkempt. Therefore, the condition of the subject site no longer provides a "visual link to the community's agricultural past," as previously identified by the Town.

Also, the site's "Priority 5" rating in the *1974 Town of Huntington Open Space Index Report* applied to "properties of value as open space because of proximity to parks, schools, or other land uses which will be enhanced by the additional open space area." The subject site is bounded by residential development to the west, the railroad tracks and a LIPA substation to the north, and two major roadways -- Pulaski Road and Elwood Road -- to the south and east, respectively. Although there is a school property on the opposite side of Elwood Road, the current overgrown condition of the subject property does not provide a significant visual benefit to the school property or to any of its surrounding properties. Also, in that Elwood Road physically separates the school property and the subject parcel, the subject parcel does not effectively enhance the school property, as previously described by its "Priority 5" rating. Thus, no significant adverse impacts would be expected from the proposed development.

As indicated in Section 4.2 of this DEIS, the development of the site would be expected to displace some mammal and bird species, however, these species would be capable of being absorbed in nearby fields and woods, as well as in proximate residential areas. As such, there would not be a significant loss of wildlife habitat.

Overall, although once considered to have a potential value as open space, the condition of the site and its surrounding development has altered the potential value of the site. Moreover, the legal history that has made this proposed action consistent with prevailing zoning. As such, the proposed development will not result in significant adverse visual, open space, or ecological impacts.

Relevant Comprehensive Plans

As indicated in Section 2.0 of this DEIS, in 1988, the United States Court of Appeals for the Second Circuit ordered the Town of Huntington to amend the zoning code to allow for the private construction of multifamily housing outside the urban renewal zone and to rezone the subject site to R-3M Garden Apartment Special District. Thus, the proposed development of an affordable housing community on the subject site has already been deemed an acceptable use by the United States Court of Appeals. Furthermore, the proposed density has been affirmed in the Stipulation of Settlement and Consent Decree between HHI and the Town of Huntington (Planning Board, Community Development Agency) (see discussion in Section 2.0 of this DEIS).

1993 Comprehensive Plan Update

The proposed land use map within the *1993 Comprehensive Plan Update* identifies the subject site as an area to be utilized for High Density Residential uses. As such, the proposed action is consistent with same.

In the opening chapter, a summary is provided of each of the topics discussed in the *1993 Comprehensive Plan Update* (e.g., demographics, transportation, land use, housing, economic development, etc.). Included within the summary of demographics of the Town is the following statement which is directly relevant to the proposed action, "[t]he town is losing the younger segments of its population. The loss is due in part to a lack of affordable housing." "Also, [t]he number of households is increasing at a greater rate than the population. This produces the need for a wider range of housing options (particularly for smaller units), and the prospect of an increase in automobile usage." The proposed action responds to both the need for affordable housing and the need for a wider range of housing options.

The housing summary speaks further to the need for affordable housing, as follows: "[t]he need for housing, affordable to individuals who fill moderate wage manufacturing jobs, entry level white collar, and clerical and retail service positions is essential to achieving further economic growth, expansion and stability. All of these factors require that greater attention be given to the range of housing opportunities, as reflected by unit types, site design, tenure options and greater affordability than presently available to the town's residents and workers." As such, the proposed action responds to this stated housing need.

The housing summary includes a recommendation to "revise the R-3M Garden Apartment Special District and R-RM Ordinances to allow between 18 and 22 dwellings per acre as an incentive to provide housing for low and moderate income households..." The proposed density is approximately 11 units per acre, and is therefore, well below the density incentive.

Furthermore, the *1993 Comprehensive Plan Update* recommends the following housing goal, "Revise R-3M Garden Apartment Special District and R-RM Retirement Community District ordinances to require that a percentage of the units be affordable to low and moderate income households; suggested ratio – 15% low and 15% moderate." The proposed development would offer ownership units to those with income ranges between 60 and 80 percent of the HUD median, and at 28 percent affordability. The rental units would be available to those with incomes between 30 and 60 percent of the HUD median. The availability of units to the range of incomes would be tiered such that a set number of units would be offered at the different income levels (i.e., "X" number of rental units for those at 30 percent median income, "X" number of rental units for those at 40 percent median, etc.), and thus, a mixed-income community will be created.

Overall, the proposed development is consistent with the recommendations and goals of the *1993 Comprehensive Plan Update*.

4.5 Transportation

RMS Engineering, P.C. conducted a detailed investigation of the potential traffic impacts of the proposed project on the surrounding street system. The Traffic Impact Study, contained in Appendix F, reviewed existing roadway and traffic conditions in the area, estimated the volume and pattern of traffic generated by the proposed project, and evaluated the effect of additional traffic on the surrounding roadway network.

Proposed Access and Parking

Access to the proposed development would be from Pulaski Road (CR 11), approximately 610 feet to the west of Elwood Road (CR 10). This driveway will be unsignalized, and an exclusive eastbound left turn lane and an exclusive westbound right turn lane are proposed for vehicles entering the project site.

On Elwood Road (CR 10), approximately 400 feet to the north of Pulaski Road (CR 11), there is also a proposed emergency access driveway that would remain gated at all times. This driveway will not be available for traffic entering and exiting the site; it will only be available when the gate is opened for emergency vehicles. This driveway will also be unsignalized.

Pursuant to a Stipulation of Settlement and Consent Decree in Full Settlement of Claims by Plaintiff Against Defendants The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, and The Community Development Agency of the Town of Huntington, New York, the parking requirements for the proposed development must comply with the provisions of the Town of Huntington Zoning Code, Sections 198-44 through Section 198-49, as it existed prior to December 6, 1994. Therefore, 1.33 parking spaces per unit or 207 parking spaces would be required. As indicated on the site plan, there are 334 parking stalls provided for the project site.

Study Methodology

A detailed review of existing land use, roadway characteristics and traffic conditions in the vicinity of the project site was performed.

Traffic volumes were determined from field counts collected by RMS Engineering, P.C. in May 2003. The traffic volumes were analyzed to determine the intersections' LOS at the study locations. Capacity analyses to compute the intersection LOS were performed for both existing and future conditions. The future conditions consist of two scenarios, "No Build" and "Build." An ambient traffic growth rate factor of one percent per year, obtained from by the NYSDOT, was applied to the existing intersection volumes for expansion to year 2006 design levels. The "No Build" condition analysis determined the future LOS at the study intersections assuming the project is not constructed.

The 2006 "Build" condition analysis considered the impact of the traffic generated by the construction of the proposed development. This traffic was then superimposed onto the 2006 "No Build" volumes at the study locations.

Site Trip Generation

An estimate was prepared of the quantity of traffic generated by the proposed development. These estimates were prepared utilizing the Institute of Transportation Engineers ("ITE") Trip Generation Manual, 7th Edition, 2003. In order to maintain a conservative analysis, two different Land Use Codes were used to compute the trip generation for the proposed project. Land Use Code 230 (Condominium/Townhouse) was utilized to estimate the trips generated by the 77 ownership units. Land Use Code 220 (Apartments) was utilized to estimate the trips generated by the 78 rental units. The trip generation computations are included in Table 2 of the Traffic Impact Study (Appendix F hereto) and a summary of same follows.

Table 15

Trip Generation Summary (Trips per Hour)

Peak Hour	78 Rental Units	77 Condominium Units	Total Trips
AM Peak	42	42	84
PM Peak	60	49	109
Saturday Peak	51	65	116

As shown in Table 15, above, the proposed development would generate a total of 84 trips during the weekday AM Commuter peak hour (15 entering, 69 exiting), 109 trips during the weekday PM Commuter peak hour (72 entering, 37 exiting), and 116 trips during the Saturday peak hour (60 entering, 56 exiting).

Traffic Distribution and Assignment

As part of the traffic study, the geographical distribution of the traffic to and from the site was analyzed. In order to determine the distribution of the traffic generated by the site, a careful review of the existing travel patterns and the trip generators/receptors in the vicinity of the site was performed.

In order to properly assess the traffic impact of the proposal, it is necessary to determine which roadway(s) will most likely receive the newly-generated traffic, in vehicular volume and direction, during the peak hours studied. The existing roadway network in the vicinity of the site was examined, and the distribution of the site-generated traffic at each intersection was determined (Refer to Appendix C of the Traffic Impact Study for a tabular summary of the trip distribution and assignment). The percent distribution of the site traffic is contained in Figure 8 of the Traffic Impact Study. The traffic volumes associated with the proposed project are visually depicted on Figures 9 through 11 of the Traffic Impact Study. These volumes were added to the "No Build" peak hour volumes to obtain the "Build" volumes. The "Build" volumes are visually depicted in Figures 12 through 14 of the Traffic Impact Study.

Capacity Analysis Conclusions

The projected levels of service for the existing signalized intersections and proposed unsignalized intersection are included in Tables 16 and 17, below. Definitions of the various levels of service are included within the Traffic Impact Study in Appendix F.

Table 16

Level of Service Summary for the Signalized Intersections – No Build and Build Condition

	AM Peak Hour No-Build/Build		**PM Peak Hour No-Build/Build**		**Sat. Peak Hour No-Build/Build**	
Intersection	**Delay (sec/veh)**	**LOS**	**Delay (sec/veh)**	**LOS**	**Delay (sec/veh)**	**LOS**
Pulaski Road at Elwood Road	35.3/36.0	D/D	57.2/59.3	E/E	58.6/63.0	E/E
Pulaski Road at Stony Hollow Road	12.2/12.5	B/B	17.2/18.6	B/B	11.2/11.4	B/B

Table 17

Level of Service Summary for the Proposed Access

	AM Peak Hour			PM Peak Hour			Sat Peak Hour		
Intersection	**MVMT**	**Delay (secs)**	**LOS**	**MVMT**	**Delay (secs)**	**LOS**	**MVMT**	**Delay (secs)**	**LOS**
Pulaski Road at Site Access	EBL SB	10.0+ 15.5	B C	EBL SB	9.2 14.8	A B	EBL SB	9.9 15.1	A C

*MVMT = Movement

As indicated above, upon the introduction of the site-generated traffic, the intersection of Pulaski Road (CR 11) at Elwood Road (CR 10) will experience a minor increase in delay and no degradation in LOS during the time periods studied. Thus, no mitigation is required at this location. Evaluation of the intersection of Pulaski Road (CR 11) at Stony Hollow Road indicates that there will be an imperceptible increase in delay and no degradation in LOS during the time periods studied. Thus, no mitigation is required at this location. The proposed unsignalized site driveway on Pulaski Road (CR 11) will also operate at acceptable LOS during the peak hours studied.

Coordination with Suffolk County Department of Public Works and/or Town of Huntington

The Town of Huntington Interoffice Memorandum dated May 12, 2005 from Peter A. Wolpensinger, PE to Richard Machtay, indicated that existing traffic signal equipment on the north side of Pulaski Road and at the intersection of Pulaski Road at Elwood Road would potentially be impacted upon implementation of the proposed project. At the appropriate time, the applicant will submit the appropriate traffic signal plans to the Town of Huntington and/or SCDPW for their review and approval to repair the impacted equipment.

Public Transportation

The project site is currently serviced by the H-4 and H-6 Huntington Area Rapid Transit ("HART") bus lines. The H-4 line traverses between the Village of Northport and the Walt Whitman Mall offering stops at the Northport LIRR Station and the Greenlawn LIRR Station. The following are the connecting buses available for this line:

- Walt Whitman Mall: H-9, S-1, S-23, S-29, S-54 and N-709
- Greenlawn LIRR Station: H-6W
- Northport LIRR Station: H-4N (VA), H-6E, and S-41

Where H denotes HART, S denotes Suffolk County Transit and N denotes Nassau (MTA LI Bus).

The H-6 line traverses between Macy's Plaza in Commack and Cold Spring Harbor Village offering stops at the Northport LIRR Station and the Greenlawn LIRR Station. The following are the connecting buses available for this line:

- Huntington (Main/NY): H-9, S-1
- Greenlawn LIRR Station: H-4
- Northport LIRR Station: H-4, S-41
- Huntington Square Mall (Sear's): S-41, S-58
- Macy's Plaza (Commack): S-54, S-56

Where H denotes HART and S denotes Suffolk County Transit.

There is currently a HART bus shelter located along the site frontage on the north side of Pulaski Road west of Elwood Road. Based on a discussion with a representative of HART, the bus lines currently run below 50 percent of capacity. Therefore, we would not anticipate any significant impacts due to the proposed project on Public Transportation.

Based upon the analyses performed by RMS Engineering, P.C., the traffic generated by the proposed project will not create any adverse traffic conditions or hazards in the vicinity of the site.

4.6 Air Quality and Noise

Air Quality

The proposed construction will result in a slight short-term increase in air pollution emissions. The primary source of potential emissions is from fugitive dust resulting from construction operations (e.g., clearing, grading).

Fugitive dust consists of soil particles that become airborne when disturbed by heavy equipment operations or through wind erosion of exposed soil after groundcover (either lawn or pavement) is removed. To minimize fugitive dust emissions, a water truck will be kept on site during excavation activities, or temporary hookups to the water main for construction hydrants would be established. This construction-related air-quality impact (i.e., fugitive dust) would be of relatively short duration. Overall, therefore, the impacts on ambient quality from construction activities associated with the proposed action are not expected to be significant.

The impact on air quality after project completion is related most directly to carbon monoxide emissions from traffic. The most significant carbon monoxide impacts are associated with standing (idling) vehicles. According to the traffic study contained in Appendix F, implementation of the proposed action would not result in a significant increase in traffic volume or vehicular delay. Therefore, no substantial change in level of service, significant increases in vehicular delay and/or idling vehicles are anticipated as a result of the proposed action. As such, no significant adverse air quality impacts from same are expected.

Noise

Construction Noise

The regulation of noise was initiated in 1972 with the enactment of the Federal Noise Control Act (42 U.S.C. §§ 4901-4918) (Public Law 92-574). Regarding construction noise, the Federal Noise Control Act authorized the USEPA to establish noise emission standards for any product or class of products identified as a major source of noise (i.e., construction equipment and other categories of equipment). In addition, the USEPA was charged with the responsibility of regulating noise emissions for federal construction projects, as well as establishing standards for the testing, inspection and monitoring of noise-generating equipment. The primary responsibility of controlling environmental noise, however, was given to states and municipalities.

On the local level, the Town of Huntington Noise Ordinance regulates construction noise. Pursuant to §141-3 (J) of the Town Code, the "erection (including excavating), demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, except in case of emergency in the interest of public health and safety, and then only with a permit from the Director of the Department of Engineering, Building and Housing..."

Implementation of the proposed project would result in various levels of construction to be undertaken on the existing site (i.e., ground clearing, excavation, etc.). In accordance with Chapter 141 of the Town Code (Noise Ordinance), construction would be performed Monday through Friday between 7:00 am and 6:00 pm.

To evaluate the potential adverse impacts associated with construction noise, typical construction equipment noise levels were used to estimate corresponding noise levels at the closest residential receptors. Table 18, below, presents Sound Pressure Levels (SPLs) of typical construction equipment, which may be used at the sites. It is important to note that the SPL drops at a rate of six decibels for each doubling of distance from a point source to a receptor when traveling over hard surfaces. However, when the ground is soft, a noise attenuation of up to nine decibels for each doubling of distance is expected.[35] For example, the noise level from a jackhammer at 50 feet would be 82 dBA and at 100 feet over a hard surface, it would be 76 dBA, and 73 dBA, where lawn predominates the surface.

Table 18

Maximum Noise Levels of Common Construction Machines

Noise Source	Noise Level (dBA)	
	50 Feet	*100 Feet*
Jackhammer	82	76
Steamroller	83	77
Street Paver	80	74
Backhoe	83	77
Street Compressor	67	61
Front-end Loader	79	73
Street Cleaner	70	64
Idling Haul Truck	72	66
Cement Mixer	72	66
Source: Cowan, James P., *Handbook of Environmental Acoustics,* 1994		

An analysis of surrounding sensitive receptors and the potential noise impacts during construction follows.

[35] *The Noise Guidebook*, U.S. Department of Housing and Urban Development, 1985.

Table 19

Potential Construction Noise Impacts (Without Mitigation) on Nearby Sensitive Receptors

Sensitive Receptor	Distance from Subject Property	Maximum Noise Level at 50 feet/100 feet	Projected Construction Noise (without Mitigation)
Pulaski Elementary School Building	124 feet	83 dBA/77 dBA	75 dBA
Pulaski Elementary School Baseball Diamond	70 feet	83 dBA/77 dBA	81 dBA
Closest Residence (West)	100 feet	83 dBA/77 dBA	77 dBA
Northport High School Athletic Fields	100 feet	83 dBA/77 dBA	77 dBA

The Pulaski Road Elementary School property is to the east of the site, opposite Elwood Road. The approximate distance from the east side of the subject property to the school building is 124 feet. Therefore, the maximum projected noise level, without mitigation, would be approximately 75 dBA. Also evaluated was the potential noise impact on the nearest athletic field on the Pulaski Elementary School property. The approximate distance from the eastern property line to the baseball diamond is 70 feet, and thus, the maximum projected noise level, without mitigation, would be approximately 81 dBA.

The Northport High School and subject property are separated partly by the LIPA substation and entirely by the LIRR tracks. The distance from the northern property line to the athletic fields is approximately 100 feet, and thus, the maximum projected noise level, without mitigation, would be approximately 77 dBA.

To the west of the site, at the southern corner, there is a single-family residence approximately 100 feet from the subject property. There is existing vegetation separating the two sites and it is proposed that this vegetation would remain. As indicated in Table 19 above, the maximum projected noise level, without mitigation, would be approximately 77 dBA.

To reduce noise levels during construction, the following mitigation measures would be implemented:

- Noise-control features (e.g., mufflers, shields, temporary enclosures etc.) would be employed to reduce the noise levels of construction equipment by 3 dBA to 16 dBA. Pumps and compressors would be relocated in screened-off areas, out of the line of sight of the closest residential receptors (EPA, 1971).

- The proposed installation of a 12-foot fence with geograde material that delimits the construction site would result in a 5 dBA reduction in sound level.[36]

Overall, therefore, construction noise would be attenuated to mitigate significant adverse impacts to surrounding properties. Also, construction-related noise impacts would be of relatively short duration and would cease upon completion of construction.

Post-Development Noise Impacts

The Full EAF prepared by the Town, in response to the June 1995 site plan application, required that a noise impact analysis be performed "to determine if temporary and/or permanent noise screening buffers on the subject property will be needed to protect nearby residential properties and residences proposed for the subject property..." Due to the adjoining railroad tracks, the potential noise impacts on the proposed development were evaluated. As indicated in Section 3.6 of this DEIS, HUD had established *Noise Assessment Guidelines* and related criteria pertaining to airports, traffic and railways to assess the noise environment at particular sites. These guidelines were used to calculate the projected noise impacts to the proposed dwelling units from the adjacent railroad tracks.

[36] This value is based on the lowest degree of difficulty for the installation of any type of barrier: Federal Highway Administration, *Highway Traffic Noise in the United States – Problem and Response*, U.S. Department of Transportation, 2000.

As indicated in Section 3.6 of this DEIS, the noise assessment required the following data to be determined and/or provided by the Long Island Railroad: the consideration of all railroads within 3,000 feet of the site, the distance from the Noise Assessment Locations ("NALs") to the railway track ("effective distance"), the number of trains in 24 hours, fraction of operations occurring at night (10:00 PM - 7:00 AM), the number of diesel locomotives per train, number of rail cars per train, average train speed, the condition of the track (whether it is welded or bolted), and whether the NALs are perpendicular to whistle or horn points. All data specific to the railroad was provided by the Track and Transportation Department of the Long Island Railroad (see correspondence in Appendix G).

As indicated in Section 3.6 of this DEIS, the projected Day-Night Average noise level ("DNL") from the LIRR is 67.17 dBA at NAL, and 73.02 dBA at NAL_2. Thus, pursuant to the HUD classifications in Table 11 of this DEIS, the predicted outdoor noise environment would be "Normally Unacceptable." To minimize exposure to railroad noise, the project engineer has avoided the placement of residences in the northwest quadrant of the property. In this area, non-habitable uses (e.g., STP) have been planned. Also, a six-foot-high solid wood fence would be placed along the entire common property line of the subject parcel and the railroad. Along the fence line, evergreens would be planted. In addition, evergreens and heavy canopy shade trees would be planted in the open areas around the STP, parking areas and roadways. This would be expected to reduce noise levels between 4 dBA[37] and 15 dBA.[38] Therefore, overall, the proposed fencing and plantings would attenuate noise levels, and thus, minimize noise exposure from the railroad.

[37] A fence with openings totaling 10 percent of its total area has a maximum noise attenuation value of 4 dBA (*The Noise Guidebook*, U.S. Department of Housing and Urban Development, 1985).

[38] For fences without openings, the attenuation value increases to 10 to 15 dBA (Handbook of Environmental Acoustics, James P. Cowan, 1994).

Furthermore, according to the USEPA, the approximate national average for noise reduction by the exterior shell of a typical residential building is 25 dBA with the windows closed.[39] Thus, the projected maximum exterior noise level of 73 dBA at NAL_2 would be reduced to 48 dBA indoors. As indicated in Section 3.6 of this DEIS, an interior sound level of 48 dBA at NAL_2 is consistent with a typical suburban neighborhood at background. All other residential units are further away from the railroad, and thus, interior noise levels associated with the railroad would be less than 48 dBA.

Finally, it is important to note that the heightened noise levels associated with the railroad would not be experienced continuously, as there are an average 40 trains per day that pass the site. As such, whether indoors or outdoors, the railroad noise would be experienced at short intervals.

4.7 Community Facilities and Services

Education

The proposed development will result in the generation of school-aged children, which may or may not be existing students of the Northport-East Northport Union Free School District ("UFSD"). To determine the potential number of school-aged children that may be generated, two sources of information were consulted - published demographic factors from Rutgers University, Center for Urban Policy Research ("CURP") (published in 1994 and based on the 1990 Census) and NAHB a study based on the 2003 American Housing Survey, U.S. Census Bureau and the Department of Housing and Urban Development. Also, the demographics of two existing affordable housing communities in the Town of Huntington have been evaluated: Millenium Hills (Melville) and Highview at Huntington (Huntington Station).

[39] U.S. Environmental Protection Agency, *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety*, Office of Noise Abatement and Control, Washington D.C., 1974.

Rutgers University, Center for Urban Policy Research (1994)

Based on published demographic factors from Rutgers University, CURP (published in 1994 and based on the 1990 Census) for garden apartment/rental units and garden condominium/ownership, the proposed project would generate an estimated 48 school-aged children.

Table 20

Number of School-Aged Children Generated in Rental Units

[Source: Rutgers University, CURP Factors]

No. of Bedrooms	Unit Breakdown	School Children Per Unit	Total
1	12	0.05	0.6
2	44	0.23	10.12
3	18	0.86	15.48
4	4	0.91[40]	3.64
Total Rental	78		29.84

Table 21

Number of School-Aged Children Generated in Ownership Units

[Source: Rutgers University, CURP Factors]

No. of Bedrooms	Unit Breakdown	School Children Per Unit	Total
1	8	0.05	0.4
2	46	0.14	6.44
3	19	0.39	7.41
4	4	0.74[41]	2.96
Total Ownership	77		17.21

[40] Figures not available for four-bedroom rental unit. Estimated number of school children per four-bedroom was determined by adding the factors for the one-bedroom (0.05) and three-bedroom (0.86) rental units.

[41] Figures not available for four-bedroom condominium unit. Therefore, the factor for single-family attached housing (four-bedrooms) was used.

National Association of Home Builders (2004)

An article recently published by the NAHB, "Study Finds Multifamily Construction Does Not Contribute to School Crowding" (September 7, 2004), which was based on the findings of Paul Emrath, Ph.D., NAHB Housing Policy Economist, indicates the number of school-aged children generated by multifamily housing developments is not as high as generally believed. It should be noted that Dr. Emrath's findings were based on evaluations of the 2003 American Housing Survey, U.S. Census Bureau and the Department of Housing and Urban Development. Table 22 below is directly excerpted from Dr. Emrath's study, which indicates that the number of school-aged children varies greatly with the structure type.

Table 22

School-Aged Children Per 100 Households by Structure Type

[Source: Dr. Paul Emrath, NAHB Housing Policy Economist]

	Single-Family Detached	Single-Family Attached	Multifamily	Manufactured
No. of Children	61.4	47.0	36.9	53.8

As indicated in Dr. Emrath's study, "[a] traditional explanation for the differences is that families with school-age [sic] children have a particularly strong demand for homes with their own back yards."

Also, Dr. Emrath points out that in multifamily developments, there is a significant difference between the numbers of school-aged children for those moving into new units versus those families that move into existing units. As indicated in Table 23 below, the number is significantly lower for new construction. Dr. Emrath's study also acknowledges that the number of units in the building also influences the number of children that may be generated. The following table includes data extracted from Table 1 in Dr. Emrath's study.

Table 23

Average Number of School-Aged Children per 100 Households

[Source: Dr. Paul Emrath, NAHB Housing Policy Economist]

	Multifamily (All)	Multifamily (5-19 Units)
All Occupied Units		
Recent Movers		
All Households	36.9	35.5
New Construction	26.5	26.5
Existing Construction	38.3	36.6
Owner-Occupied Units		
Recent Movers		
All Households	23.7	17.2
New Construction	15.5	***
Existing Construction	27.7	22.3
Renter-Occupied Units		
Recent Movers		
All Households	38.9	28.5
New Construction	31.0	14.2
Existing Construction	39.2	27.3

***The number for this cell is suppressed, because it is based on a small number of observations (fewer than 25).

As the proposed development will include buildings with 5 to 10 units, and a new construction number is not available for the owner-occupied units in the Multifamily 5-19 Unit category, the factors for all Multifamily units have been used to project the number of school-aged children the proposed action may generate.

Table 24

Projected Number of School-Aged Children for All Multifamily Units (NAHB)

	Units	No. of Children per 100 Households	Projected No. of Children
Owner-Occupied Units	77	23.7	19±
Renter-Occupied Units	78	38.9	30±
Total	155		49±

As indicated above, the proposed development could potentially generate 49± school-aged children based on the factors published by NAHB.

It is important to note that the above two studies (i.e., Rutgers University, CURP and NAHB) were published nearly a decade apart, however, the total projected number of students for the proposed development came within one student (i.e., 48 and 49 school-aged children).

Millenium Hills (Melville) and Highview at Huntington (Huntington Station)

Data on the number of school-aged children in two existing housing developments, Millenium Hills and Highview at Huntington, was provided by HHI.

Millenium Hills, in the hamlet of Melville, consists of 42 two-bedroom units and 42 three-bedroom units. Of the total 84 units, 40 are rental units and 44 are ownership units. There are currently 59 school-aged children in the community, which averages 0.70 children per unit. Applying this factor to the proposed development, approximately 109 school-aged children would be generated. However, this factor is not reasonable because 50 percent of the units at Millenium Hills are three-bedroom units and there are no one-bedroom units. In the proposed development, 71 percent are one-and two-bedroom units, 24 percent are three-bedroom units and 5 percent are four-bedroom units.

Highview at Huntington in the hamlet of Huntington Station consists of 100 two and three-bedroom ownership units, but only half of the units are "income-limited." There are currently 31 school-aged children in the community, which averages to 0.31 school-aged children per unit. Applying this factor to the proposed development, approximately 47 school-aged children would be generated.

Overall, demographic projections for the proposed development range from 47 to 49 school-aged children, depending upon the factors utilized for the projections. The factors from two published demographic studies and one of the area developments (i.e., Highview at Huntington) are all within one or two-children of one another. However, when applying the school-aged children factor derived from the Millenium Hills development, the projected number of school children is substantially higher. This is likely due to the fact that the Millenium Hills development has a different unit mix (e.g., no one-bedroom units wherein 13 percent of the proposed 155 units are one-bedroom units). Also, it is important to note that some percentage of the school-aged children in the proposed Matinecock Court development would be expected to be existing students in the Northport-East Northport UFSD, and thus, the number of school children generated by the proposed development would not represent a net increase to the District.

Given the disparity in the projections, this DEIS will evaluate the highest value in the lower range (i.e., 49 school-aged children).

Based on correspondence from the Superintendent of Schools, Dr. William J. Brosnan (see Appendix H), the enrollment for the 2003-2004 school year was 6,392 students. In 2004-2005, that number was expected to increase to 6,545. If the proposed development were to generate the maximum projection of 49 students, it would represent a maximum increase of only 0.75 percent of the total school population, assuming that none of these children are existing students within the District.

Dr. Brosnan also advised that based on an average class size of 21 students, and the projected peak enrollment of 3,268 students, the capacity of the elementary schools (i.e., 3,213 students) will be exceeded in the 2008-2009 school year by 55 students. This peak enrollment projection does not include the potential additional school children from the proposed development.

Assuming all of the school-aged children from the proposed development are of elementary school age and the projected maximum of 49 students are generated, the capacity of the elementary schools may be exceeded by 104 students. However, even without the proposed development, the District expects that the elementary schools will be at capacity in approximately four years. Also, the District has advised that by the 2013-2014 school year, the high school's enrollment is expected to rise to 2,325 (without the proposed development), but the building can only accommodate 2,118. Dr. Brosnan advised that to accommodate the additional students, the District would add classrooms, redistrict, or increase class sizes. However, it is important to recognize that although the proposed development would add school-aged children to the District, it will not solely be responsible for causing building capacities to be exceeded.

Furthermore, it is important to note that the District recognized the proposed development in the Superintendent's Annual Report for 2002-2003. On page 38 of the report, within a discussion of enrollment, it is indicated that "projections by Dr. Hughes calls for an additional increase of 1032 students to 7424 total over the next decade, not including children who might reside in the planned housing of Matinecock Court." In addition, on page 41 of the report, in discussion enrollment and space needs, "it will be important to review annually the available space to be cure [sic] the facilities are adequate to deliver the program to the larger population. With the settlement of the Matinecock Court lawsuit, estimates for the population that will reside there must also be built into planning estimates."

Overall, given that the proposed development would generate tax revenues, is consistent with prevailing zoning and the proposed development has the subject of a Stipulation of Settlement and Consent Decree with the Town of Huntington, the District has a legal obligation to provide educational services to the residents of the Matinecock Court as it does to all residents of the District.

Fire Protection

The subject property is located in the service area of the East Northport Fire District. In correspondence of December 5, 2003, Ms. Thelma G. Haller, District Secretary-Treasurer, advised that the service area of the East Northport Fire District is approximately 14.5 miles, with an estimated 10,000 households and businesses. Ms. Haller also advised that there are 101 active members in the District; and in an average year, there are approximately 45 fire calls and 1,200 rescue calls. The average response time for the District was not available. It should be noted that the East Northport Fire District did not provide any comments or concerns related to the proposed project.

It is not expected that the proposed development would result in a high demand for fire protection needs. The proposed development would be ADA compliant and all buildings would be sprinklered. Also, according to Robert Maniello, P.E. of LDA, the proposed internal roads have been designed with proper turning radii for fire equipment and emergency vehicles. As such, no significant adverse impacts to the East Northport Fire District would be expected.

Emergency Services

As indicated in correspondence from the East Northport Fire District (Appendix H hereto), ambulance service is provided to Huntington Hospital, St. Catherine of Siena Medical Center and the Veterans Administration Medical Center. However, the volume of calls to the Veterans Administration Medical Center would not be expected to be significant because of its specialized patient base, and thus, correspondence was not forwarded thereto.

As indicated in Section 3.7 of this DEIS, correspondence was received from both the Huntington Hospital and St. Catherine of Siena Medical Center, which provided general information on hospital services. In the responses received, no comments were offered regarding any concerns related to the potential hospital demand from the proposed development. It is not expected that the proposed 155-unit housing development would significantly impact any of the surrounding hospitals.

Police Protection

Consultations have been undertaken with the Suffolk County Police Department ("SCPD"), Second Precinct, to determine whether the proposed action would adversely impact police services. In correspondence of November 21, 2003, Inspector Dominick Varrone confirmed that the subject property is within the jurisdiction of Second Precinct, and indicated that, "We can not disclose the numbers and types of equipment assigned to the precinct. Suffice it to say the Second Precinct has the requisite equipment to carry out its mission." Based on the foregoing, it is not expected that the proposed development would adversely affect the SCPD.

Water Supply

Consultations have been undertaken with the SCWA relating to the availability of water to the proposed development. As indicated in correspondence of December 8, 2003, SCWA advised that the projected water supply of 36,000 gpd for domestic use, 25,000 gpd for irrigation during the growing season, and a fire line requirement of 300 gallons per minute, could be provided.

Solid Waste

Consultations have been undertaken with the Town of Huntington Department of Environmental Waste Management to advise of the proposed project and the anticipated waste generation. In correspondence of December 11, 2003 (see Appendix H), Mr. Philip C. Nolan, Director of Environmental Waste Management, indicated that the projected increase in refuse generation and disposal will not have a negative impact on the towns solid waste disposal capacity. Mr. Nolan advised that the Town has an established Refuse District in which all one, two and three-family residential homes, townhouses and condominiums receive weekly curbside pickup. However, HHI would contract a licensed private carter to handle solid waste and would not, therefore, require Town pick-up services.

Gas and Electricity

In correspondence of November 10, 2003 (see Appendix H), KeySpan Energy Corporation confirmed that gas service would be provided for the proposed project. Also, in correspondence of December 4, 2003, the LIPA confirmed that electrical service could be provided to the proposed development. Copies of said correspondence are provided in Appendix H.

4.8 Demographics

Population

The proposed project consists of 155 housing units including 20 one-bedroom units, 90 two-bedroom units, 37 three-bedroom units and 8 four-bedroom units. The 2000 Census for the Town of Huntington and the Greenlawn CDP includes the average number of persons in owner-occupied and renter-occupied units. As indicated below in Table 25, the average number of persons in both owner-occupied and renter-occupied units is slightly lower for the Town of Huntington than the Greenlawn CDP. Evaluating both the Town and local data, it is expected that the projected population of the proposed development may range between 400 and 425 persons.

Table 25

Projected Increase in Population

	Town of Huntington	**Greenlawn CDP**
Avg. Persons: Owner-Occupied Unit *Proposed 77 Ownership Units*	2.99 *230*	3.12 *240*
Avg. Persons: Renter-Occupied Unit *Proposed 78 Renter-Occupied Units*	2.50 *195*	2.05 *160*
Total Population Estimate	425	400

Assuming that the projected 400 to 425 persons is a direct increase in population, this would represent an approximate three percent increase of the total population the hamlet of Greenlawn (13,286 persons) and a less-than-one-half-of-one-percent (i.e., 0.2 percent) increase in the Town of Huntington (195,289 persons). However, it is expected that the future occupants of the proposed development would not all be new members to the community. It is expected that some percentage of the future occupants would be current residents of the Town of Huntington and/or hamlet of Greenlawn. Therefore, there would not be a direct increase in total population with the proposed development.

As indicated in Section 4.7 of this DEIS, if the proposed development were to generate the maximum projection of 49 school-aged children, it would represent a 0.75 percent increase in student population of the Northport-East Northport UFSD. Again, however, it is expected that some of these children would be existing students of the Northport-East Northport UFSD, and thus, the school children residing in the development would not be expected to represent a net increase to the District.

Income and Affordability of Housing

As indicated in Section 3.8 of this DEIS, the 2004 HUD median family/household income for Nassau-Suffolk, NY is $85,300. Pursuant to §198-13(I)(1)(a) of the Town of Huntington Zoning Code, "the cost of affordable dwellings shall be such that a family/household earning no more than eighty percent (80%) of the HUD median family/household income for the metropolitan area shall be able to afford to purchase such a unit." Thus, based on a median family/household income of $85,300, an affordable dwelling would be one that is affordable to a family earning no more than $68,240.

In determining affordability, LIHP has indicated that an affordable home should not consume more than 35 percent of a household's income. Thus, based on the 80% HUD median family/household income of $68,240, an affordable home (including the mortgage, property taxes and insurance) would cost no more than $23,884 per year or $1,990 per month.

According to information received from the Long Island Board of Realtors, the median sales prices for single-family homes in Suffolk County increased from $230,000 in August 2001 to $361,000 in August 2004. Assuming a three-percent down payment, property taxes of $7,000, mortgage insurance of $263.00 per month and 30 percent of gross income to the average home of $361,000, the homeowner would need to earn $117,816 per year, which is 138 percent of the HUD median income for Nassau-Suffolk, NY. Therefore, the median income is well below that required to afford the median single-family home in Suffolk County.

The proposed development would offer ownership units to those with income ranges between 60 and 80 percent of the HUD median, and at 28 percent affordability. The rental units would be available to those with incomes between 30 and 60 percent of the HUD median. The availability of units to the range of incomes would be tiered such that a set number of units would be offered at the different income levels (i.e., "X" number of rental units for those at 30 percent median income, "X" number of rental units for those at 40 percent median, etc.), and thus, a mixed-income community will be created.

Employment

The proposed development will provide employment opportunities during both the construction and post-construction phases. It is anticipated that the proposed development would create approximately 250 jobs over its construction phase and seven full-time jobs in the post-construction phase. The job opportunities will range in duration, hours and required professional experience. Therefore, the proposed project will provide opportunities for persons of various educational and skill levels.

4.9 Aesthetics and Cultural Resources

Aesthetics

Currently, the views into the site from both roadways consist of overgrown vegetation, the LIPA substation and railroad tracks. During construction, the staging area for equipment would be in the location of proposed buildings 17 and 18 (northeast portion of the site). Upon implementation of the proposed action, immediate views into the site would consist of earthen berms with landscaping and lawn areas, and portions of the proposed buildings would be visible beyond. Specifically, the proposed landscaping plan includes shade, evergreen and ornamental trees along the site perimeter.

Along Pulaski Road and Elwood Road, the proposed plan includes a four-foot-high estate fence and light poles. Earth berms and vegetation would also be planted along both roadways and along the western property line to partially obscure views into the subject property, as well as to increase privacy for those residents on the site perimeter. While the views of the site from the surrounding roadways and properties would change, the proposed development would be visually consistent with similar residential communities. It should also be noted that the current views of overgrown vegetation and the LIPA substation would be greatly improved with the proposed development.

Views from the north would be obscured with a six-foot-high stockade fence, and existing vegetation to be retained along the northwest portion of the site. Evergreens would be planted along the northern property perimeter to buffer residents from the adjacent railroad tracks and to screen the proposed sewage treatment plant. Thus, while the subject property adjoins the LIRR, the proposed design mitigates the potential visual impacts to and from same.

An elevation of the site interior from Matinecock Court is presented in the Section-Elevation A-A' in Appendix K. As depicted on this plan, the proposed street trees will partially obscure views of the buildings. Though a particular style of architecture is evident for all of the proposed buildings, slight variations in the use of the architectural features between one building and the next provide a distinct character for each building. This distinct character offers a sense of visual identity for each unit, which is enhanced by variations in the setbacks of the individual units. Setting the individual units back at different distances also provides an appearance of separate residences not common of condominium communities. Together with the tactical placement of landscaped vegetation and lighting features, these techniques provide for a pleasant overall appearance of the proposed neighborhood, and of the individual units as well.

Floor plans and elevations for the proposed housing units have been prepared by Gary D. Cannella Associates and are included in Appendix K of this DEIS.

Cultural Resources

As indicated in Section 3.9 of this DEIS, OPRHP advised that the proposed action will have no impact on historic or archaeological resources (see correspondence in Appendix I).

4.10 Public Health

The proposed site plan situates the closest residential building at least 50 feet from the northern property line. Approximately 20 feet beyond the northern property line is a chain link fence enclosing the LIPA substation. Thus, the minimum distance between the substation and the nearest residential building proposed on the subject property is approximately 70 feet. In addition, extensive vegetative buffering along the north side of the property is proposed.

According to the project engineer, LIPA does not have recommended separation distances from transformers, however, the proposed design is adequate to protect residents from the EMF produced by the substation. It should also be noted, and previously indicated in Section 3.10 of this DEIS, that "[t]he strength of the EMF from equipment within the substations... decreases rapidly with increasing distance. Beyond the substation fence or wall, the EMF produced by the substation equipment is typically indistinguishable from background levels." As such, it is not expected that the future residents of the proposed Matinecock Court development would be exposed to EMF.

5.0 MITIGATION MEASURES

The following mitigation measures will be incorporated into the design and construction of the project to reduce the potential impacts of the proposed action:

Soils and Topography

- No material will be exported or imported to or from the site (i.e., cut and fill will be balanced).
- Erosion and sediment control measures will be installed prior to construction and will be routinely maintained to ensure their proper functioning.
- Erosion control measures will remain in place until disturbed areas are stabilized.
- After site clearing, the area will be paved and/or planted to minimize the amount of time that soils are exposed.
- As necessary, a water truck will be kept on site during dry periods to wet down soils to prevent wind erosion.

Ecology

- Although the removal of existing vegetation may temporarily impact mammal and bird species, the proposed landscaping plan includes shade, evergreen and ornamental plantings along the site perimeter to reestablish the typical suburban habitat.

Water Resources

- The proposed project will adhere with the relevant recommendations of the *208 Study, NURP Study,* and *Nonpoint Source Management Handbook* to ensure adequate protection of groundwater.

- The proposed project will adhere to the relevant segments of Articles 6 and 12 of the Suffolk County Sanitary Code.

- The proposed on-site sewage treatment system will treat sanitary discharge and will minimize nitrogen loading on the site.

- The proposed recharge basin will contain and recharge stormwater on-site. Thus, the potential impacts to groundwater will be minimized.

- All stormwater would be controlled during construction and would adhere to all applicable stormwater regulations (i.e., *Phase II Rule*).

- Post-construction, the proposed drainage plan would control and recharge 100 percent of stormwater from the proposed development, and would therefore, minimize the transport of nutrients, metals, sediments and organic chemicals.

Land Use and Zoning

As no significant adverse impacts are expected, no mitigation measures are proposed.

Transportation

As no significant adverse impacts are expected, no mitigation measures are proposed.

Air Quality and Noise

- Construction work will only be undertaken during normal working hours and in accordance with the Town of Huntington Noise Ordinance.

- A six-foot-high stockade fence would be installed and existing vegetation would be retained along the northwest portion of the site to attenuate noise from the adjacent railroad tracks.

- To minimize exposure to railroad noise, residences would not be placed in the northwest quadrant of the property.

- Evergreens would be planted along the northern property perimeter to attenuate noise from the adjacent railroad tracks.

Community Facilities and Services

- The proposed development would be ADA compliant, and all buildings would be sprinklered to reduce demands on the East Northport Fire District.

- The proposed internal roads have been designed with proper turning radii for fire equipment and emergency vehicles.

- Water conservation devices will be used to the maximum extent practicable to decrease overall water usage for the proposed development.

Demographics

The proposed action is not expected to result in significant adverse demographic impacts, and thus, no mitigation measures are proposed.

Aesthetics and Cultural Resources

- A six-foot-high stockade fence would be installed and existing vegetation would be retained along the northwest portion of the site to mitigate views of the railroad tracks.

- Along Pulaski Road and Elwood Road, a four-foot-high estate fence, light poles, earth berms and vegetation would also be planted along both roadways and along the western property line to partially obscure views into the subject property, as well as to increase privacy for those residents on the site perimeter.

- A six-foot-high stockade fence would be installed and existing vegetation would be retained along the northwest portion of the site.

- Evergreens would be planted along the northern property perimeter to buffer residents from the adjacent railroad tracks and to screen the proposed sewage treatment plant.

- The utilization of different building designs throughout the community helps to create a visual identity for the Matinecock Court residents, rather the standard design of identical buildings with similar placement seen within other communities.

6.0 UNAVOIDABLE ADVERSE IMPACTS OF THE PROPOSED ACTION

The environmental impacts associated with the proposed development have been described in Section 4.0, and mitigation measures for most of these impacts have been discussed in Section 5.0. Those impacts that cannot be entirely avoided are described below.

Short-Term Impacts

There will be several temporary construction-related impacts that cannot be completely mitigated. These impacts are associated with the site preparation and development (including clearing and grading, excavation of foundations, installation of utilities and construction of roadways). It is anticipated that these impacts will cease upon completion of the construction phase of the project. Specific impacts are identified below:

1. Soils will be disturbed by grading, excavation, and mounding activities during site development;

2. Despite the use of extensive and strategically-placed erosion control devices, minor occurrences of erosion may occur;

3. There is the potential for minor releases of fugitive dust during dry periods;

4. There may be a temporary impact to roadways due to the movement of construction vehicles associated with site development activities;

5. Slight increases in noise levels at the site boundary may result from construction activities; and

6. Wildlife using the project site will be displaced by construction activities.

It is anticipated that these impacts will be of short duration, that is, they will cease upon project completion.

Several long-term impacts associated with project implementation have been identified. Mitigation measures have been proposed to reduce or eliminate most of these long-term adverse impacts. Those adverse long-term impacts, which cannot be fully mitigated, are set forth below, namely:

1. The addition of impermeable surfaces to the parcel, such as buildings and pavement, will increase runoff on the project site. However, it will be contained and recharged within property boundaries;

2. There will be an increase in the amount of water used on the site. However, potable water will be supplied by the SCWA;

3. The proposed action would convert previously-disturbed (agricultural) land to a 155-unit housing community;

4. The subject parcel would generate school-aged children; and

5. Although the traffic study has determined that the surrounding roadways can accommodate the increases in traffic that will result from implementation of the proposed action, additional vehicles will be added to the area.

ction examines the No-Action Alternative, as mandated by the State Environmental Review Act ("SEQRA").

-Action Alternative

ıction

-action alternative involves leaving the subject site in its current state as vacant and oped. While the implementation of this alternative would leave the site unchanged and ot result in any environmental impacts, this alternative would deprive the project sponsor egal right to develop in accordance with prevailing zoning and relevant court decisions ed in Section 2.0 of this DEIS). Moreover, this alternative does not meet the objectives oject sponsor or the use of the property for the purpose of affordable housing pursuant to t[illegible]. Huntington Branch, NAACP, 488 U.S. 15 (1988), Housing Help, Inc. v. The f Huntington, New York, The Planning Board of the Town of Huntington, New York, nmunity Development Agency of the Town of Huntington, New York State Division of & Community Renewal, New York State Housing Trust Fund Corporation and Joseph CV97-3430[ERK] [VVP]), and the Stipulation of Settlement and Consent Decree.

should be noted that this property borders two major roadways, is highly accessible, and ies are available. Thus, the subject property is an optimal location for a housing nent. Furthermore, the Town's *1993 Comprehensive Plan Update* repeatedly discusses for affordable housing, and this project responds to that need.

therefore, the No-Action Alternative would fail to meet the needs of the project sponsor, ıld be contrary to prior court decisions and the *Town's 1993 Comprehensive Plan*

7.0 ALTERNATIVES AND THEIR IMPACTS

This section examines the No-Action Alternative, as mandated by the State Environmental Quality Review Act ("SEQRA").

7.1 No-Action Alternative

Introduction

The no-action alternative involves leaving the subject site in its current state as vacant and undeveloped. While the implementation of this alternative would leave the site unchanged and would not result in any environmental impacts, this alternative would deprive the project sponsor of the legal right to develop in accordance with prevailing zoning and relevant court decisions (discussed in Section 2.0 of this DEIS). Moreover, this alternative does not meet the objectives of the project sponsor or the use of the property for the purpose of affordable housing pursuant to Huntington v. Huntington Branch, NAACP, 488 U.S. 15 (1988), Housing Help, Inc. v. The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, The Community Development Agency of the Town of Huntington, New York State Division of Housing & Community Renewal, New York State Housing Trust Fund Corporation and Joseph Lynch (CV97-3430[ERK] [VVP]), and the Stipulation of Settlement and Consent Decree.

Also, it should be noted that this property borders two major roadways, is highly accessible, and all utilities are available. Thus, the subject property is an optimal location for a housing development. Furthermore, the Town's *1993 Comprehensive Plan Update* repeatedly discusses the need for affordable housing, and this project responds to that need.

Overall, therefore, the No-Action Alternative would fail to meet the needs of the project sponsor, and would be contrary to prior court decisions and the *Town's 1993 Comprehensive Plan Update*.

8.0 IRRETRIEVABLE AND IRREVERSIBLE COMMITMENT OF RESOURCES

The proposed action would convert the project site from an undeveloped parcel to a 155-unit housing development, and will commit approximately 14.124± acres to development. Certain additional resources related to construction aspects of the facilities will be committed in order to undertake the proposed project. These resources include, but are not limited to: concrete, asphalt, lumber, and topsoil. Mechanical equipment resources will be committed to assist construction workers. The operation of construction equipment will involve the consumption of fossil fuel resources, and the completed units will require the services of electricity and water resources. The construction phase of the proposed project will require a commitment of manpower resources as well as time.

9.0 GROWTH-INDUCING ASPECTS

Growth-inducing aspects are generally described as the long-term secondary effects of the proposed action. The proposed development of 155 dwelling units could increase population by 400 to 425 persons.[42] Given that this represents only 0.2 percent of the current Town population, this project is not considered to induce significant growth. It is important to note that there are existing infrastructure, retail facilities, public utilities, etc. to serve the projected population, and thus, no secondary growth would be expected as a result of new infrastructure. A new STP would be developed, but the capacity would be designed to serve only this development. The proposed development will create direct short-term, and direct and indirect long-term employment opportunities. In the short-term, construction-related jobs will be created, and there will be increased patronage to construction material suppliers. In the long-term, the subdivision will utilize landscaping, home maintenance, irrigation and other home-related services. Overall, however, the proposed project will not induce growth.

[42] Based on the US Census Data for the Greenlawn CDP (average number of persons of 3.12 in an owner-occupied unit and 2.05 persons in a rental unit) and US Census Data for the Town of Huntington (average number of persons of 2.99 in an owner-occupied unit and 2.50 persons in a rental unit).

10.0 USE AND CONSERVATION OF ENERGY

Given that implementation of the proposed action would add 155 households, there would be an increased demand for electricity. However, in correspondence of December 4, 2003, LIPA has confirmed the availability of electricity (see Appendix H). Correspondence dated November 10, 2003 was received from KeySpan Energy confirming that gas service can be provided for the proposed also project (see Appendix H). The project's use of non-renewable materials will be minimal. Construction vehicles and equipment will use a typical amount of fuel associated with residential development. At a minimum, the New York State Energy Code requirements will be met and conservation measures will be incorporated into the design. According to the project architect, "energy star rated" appliances, windows and HVAC equipment. Also, all windows would be solid vinyl, and double glazed LoE glass. Finally, the insulation to be installed would be R30 in the attics, R15 in the walls, and R10+ in the perimeter slabs. In conclusion, existing and projected supplies of electricity are available to supply the proposed development, and thus, no significant adverse impacts to the use and conservation of energy are expected.

BIBLIOGRAPHY

Andrle, R.F. and J.R. Carroll, eds. 1988. The Atlas of Breeding Birds in New York State. Cornell University Press, Ithaca.

Anonymous. 1997. Great Trees of Long Island. NYSDEC; NYS OPRHP; Friends of Planting Fields; et. al.

Borror, D.J, C.A. Triplehorn and N.F. Johnson. 1989. An Introduction to the Study of Insects. Sixth Edition. Saunders College Publishing, Philadelphia.

Center for Watershed Protection. New York State Stormwater Management Design Manual. New York State Department of Environmental Conservation. 2001.

Clemants, S. (ed.). 1999. New York Metropolitan Flora Woody Plant Workbook. Brooklyn Botanic Garden.

Connor, P.F. 1971. The Mammals of Long Island, New York. New York State Mus. & Sci. Service Bull. no. 416.

Cook, David I., *Trees, Solid Barriers, and Combinations: Alternatives for Noise Control.* Date Unknown.

Cooper, H.H. and Jacob, C.E., 1946, A Generalized Graphical Method for Evaluating Formation Constants and Summarizing Well Field History. Transactions, American Geophysical Union, Volume 27, No. 4.

Cowan, James P., *Handbook of Environmental Acoustics*, John Wiley & Sons, 1994.

Dvirka and Bartilucci, and Malcolm Pirnie, Inc. 1987. *Suffolk County Comprehensive Water Resources Management Plan.* Suffolk County Department of Health Services. Hauppauge, New York.

Edinger, G.J., D.J. Evans, S. Gebauer, T.G. Howard, D.M. Hunt, and A.M. Olivero (eds.). 2002. Ecological Communities of New York State. Second Edition. A revised and expanded edition of Carol Reschke's *Ecological Communities of New York State.* (Draft for review). New York Natural Heritage Program, New York State Department of Environmental Conservation, Albany, New York.

Flora Committee of the Long Island Botanical Society. 2002. Preliminary Atlas of the Betulaceae through Cactaceae of Long Island, New York. Long Isl. Bot. Soc. 12: 1, 5-7.

Huntington, Town of. Zoning Code.

BIBLIOGRAPHY Cont'd

Huntington, Town of. Comprehensive Plan Update. 1993.

Jordan, M. 2002. Ecological impacts of invasive species. Long Isl. Bot. Soc. 12: 4.

Kerlinger, P. and C. Doremus. 1981. The breeding birds of three pine barrens in New York State. The Kingbird (Summer): 126-135.

Leonard, M.D. 1928. A list of the insects of New York. Cornell University Agricultural Experiment Station Memoir 101.

Long Island Regional Planning Board (LIRPB). 1992. *The Long Island Comprehensive Special Groundwater Protection Area Plan.* LIRPB. Hauppauge, New York.

Long Island Regional Planning Board (LIPB). 1982. *Long Island Segment of the Nationwide Urban Runoff Program.* Hauppauge, New York.

Long Island Regional Planning Board (LIRPB).1978. *Long Island Comprehensive Waste Treatment Management Plan.* Vols. I & II. Hauppauge, New York.

National Solid Waste Management Association, Technical Bulletin #85-6, *Basic Data: Solid Waste Amounts, Composition and Management Systems.*

New York Flora Association. 1990. Atlas of New York state flora, ed. 1. The New York State Museum Institute.

New York Natural Heritage Program. 2001. Animal Status List. NY Natural Heritage Program - Biological and Conservation Data System, 18 Jul 2001. Unpublished list.

New York State Department of Environmental Conservation. Undated. Endangered Species in New York. NYSDEC.

New York State Department of Environmental Conservation. Undated. Protected Native Plants. GNOSTIC.

New York State Department of Environmental Conservation. 1990. Protected Native Plants. NYSDEC.

New York State Department of Environmental Conservation. Reducing Impacts of Stormwater Runoff from New Development.

New York State Department of Environmental Conservation. Tidal Wetlands Map No. 696-530.

New York State Environmental Quality Review Act. September 20, 1995.

BIBLIOGRAPHY Cont'd

Reed, P.B., Jr. 1988. National list of plant species that occur in wetlands: national summary. U.S. Fish Wildl. Serv. Biol. Rep. 88(24).

Reschke, C. 1990. Ecological Communities of New York State. New York Natural Heritage Program, Latham.

Schlauch, F.C. 1978. New methodologies for measuring species status and their application to the herpetofauna of a suburban region. Engelhardtia 6: 30-41.

Smith, C.R. and S.K. Gregory. 1998. Bird habitats in New York State. *In* E. Levine (ed.), Bull's Birds of New York State, pp. 29-41. Cornell University Press, Ithaca.

Suffolk County Department of Health Services. 1999. Map of Water Table Contours and Location of Observation Wells in Suffolk County, New York, March 1998. Hauppauge, New York.

Swengel, A.B. & S.R. Swengel (eds.). 2004. 2003 report, NABA butterfly counts. North American Butterfly Association, Morristown, New Jersey.

United States Army Corps of Engineers, *Visual Resources Assessment Procedure* (Environmental Impact Research Program, Department of the Army, March 1988)

United States Department of Housing and Urban Development, *Noise Assessment Guidelines.*

United States Department of the Interior, National Wetlands Inventory. 1980-1994. Map Nos. 341 and 599

United States Department of Transportation, New York State Freshwater Wetland Maps. 1975. Map No. 13 and 25 of 39.

United States Fish and Wildlife Service, Classification of Wetlands and Deepwater Habitats of the United States, December 1979

United States Geological Survey. 1979. Northport and Greenlawn Quadrangles, New York - Suffolk County, 7.5 Minute Series (Topographic) Photorevised, USGS Department of the Interior

United States Geological Survey. 2002. *Water-Table and Potentiometric-Surface Altitudes of the Upper Glacial, Magothy, and Lloyd Aquifers on Long Island, New York, in March-April 2000, with a Summary of Hydrogeologic Conditions.*

BIBLIOGRAPHY Cont'd

United States Department of Housing and Urban Development, *The Noise Guidebook.* 1985.

United States Environmental Protection Agency, "Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety, Office of Noise Abatement and Control," Washington D.C. 1974.

United States Environmental Protection Agency, "Noise from Construction Equipment and Operations, Building Equipment and Home Appliances." PB 206717, 1971.

United States Environmental Protection Agency, *Stormwater Phase II Final Rule.* March 2003.

Wade, M.C., N.R. Giffen and J.W. Pavacic. 1990. Town of Brookhaven, New York 1990 Natural Resources Inventory, Department of Planning, Environment and Development, Brookhaven.

Warner, J.W., Jr., W.E. Hanna, R.J. Landry, J.P. Wulforst, J.A. Neely, R.L. Holmes & C.E. Rice. 1975. Soil Survey of Suffolk County, New York. United States Department of Agriculture and Cornell University Agricultural Experiment Station.

Young, S.M. and T.W. Weldy (eds.). 2004. New York Rare Plant Status List, May 2004. New York Natural Heritage Program, Albany, New York.

APPENDIX A

CORRESPONDENCE DATED APRIL 8, 2005 FROM RICHARD MACHTAY, DIRECTOR OF PLANNING TOWN OF HUNTINGTON (with all attachments)

TOWN OF HUNTINGTON

DEPARTMENT OF PLANNING AND ENVIRONMENT

Frank P. Petrone, *Supervisor*

Richard Machtay, *Director*

April 8, 2005

Freudenthal & Elkowitz
Consulting Group, Inc.
368 Veterans Memorial Highway
Commack, New York 11725

Attn.: Theresa Elkowitz, President

Re: Matinecock draft DEIS (dated March 2005 and received on March 28, 2005)
Inter-Departmental Comments

Dear Ms. Elkowitz:

In order to assist the Planning Board in determining whether "to accept the DEIS as complete" per SEQRA §617.9, attached are inter-departmental comments to the DRAFT 'Draft Environmental Impact Statement' (dated March 2005 and received on March 28, 2005) for the above referenced application. This office has not yet forwarded the draft DEIS to involved or interested agencies (the document has not yet been accepted as complete for public review), and the following below noted items should be addressed / included in a revised DEIS:

1. The draft and final scoping documents and associated Planning Board minutes and Town communications (to include the 12/28/95 Planning Department memorandum and the 1/24/96 Planning Department letter; see attached paperwork to be included in the DEIS appendices) do not appear to be included in the draft DEIS, and even though the formal scoping was identified in other sections of the draft DEIS, the Executive Summary (page i of the document draft DEIS) does not identify that a formal scoping process (to include a scoping hearing) has occurred as an outline for the preparation of a DEIS. The DEIS should also be revised to include all items scoped.

2. The draft DEIS repeatedly indicates that a total of 19 buildings will be constructed on-site. The proposed STP building is not included in this calculation and therefore a total of 20 buildings will be constructed. The document should be revised to correct this.

3. Will the 77 units proposed to be privately owned by individuals be owner occupied, or will these units have the potential to be leased as well? The draft DEIS should clarify this matter.

Continue Next Page
Date Printed: 04/08/05

Town Hall • 100 Main Street • Huntington • NY • 11743-6991 • Phone (631) 351-3196
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4. As was included in the scoping for the subject proposal, public transportation issues do not appear to have been identified, discussed, or mitigated (if warranted) in the draft DEIS. The document should be revised accordingly.

5. Building Floor & Elevations Plans for the Community Center building and the STP building have not been included in the draft DEIS. Based upon that identified in the draft DEIS, the footprint, gross floor area, and number of stories for both these buildings are unclear. Please revise the document appropriately.

6. Although each unit has at least one storage room off the deck or patio (that may range in size from 38 to 45 square feet), none of the units contain garages. There may be little or no available space for storage of outdoor items (i.e. barbeque, outdoor furniture, etc.).

7. Page iv and 10 of the draft DEIS notes that NYS DOT approval is required for the proposed Pulaski and Elwood Road curb cuts (both County roads under the jurisdiction of Suffolk County Department of Public Works [SCDPW]). This must be corrected throughout the text of the document.

8. The third paragraph on page v of the draft DEIS Executive Summary references a SCDHS document. What specific SCDHS document is being referred to? Is it the same document identified in the last paragraph of page 10 [*Draft Guidance Document SCDHS Division of Environmental Quality Procedures for Subdivisions, Developments or other Construction Projects with Potentially Contaminated Soils* (issued in draft form on April 24, 2003)]? The Executive Summary should be revised to identify the suitable document of reference.

9. Pages 3 & 4 of the October 10, 2000 Stipulation of Settlement are not included in Appendix A of the draft DEIS document. This should be corrected.

10. As is referenced on page x of the draft DEIS, the 'hardcourt playground' proposed for location at the northwest portion of the property, northeast of the proposed recharge basin, and southwest of the proposed STP building, does not appear to be depicted on the layout plan, but is shown on the Sanitary Site Plan. All plans must be consistent with one another. Also, is it appropriate to have this playground just west of the STP building? Would people using this playground area have a greater potential to breath in odors that may sporadically be generated by the STP and pose a greater potential for public health concerns (i.e. respiratory ailments, asthma, etc.)? These issues should be adequately identified and addressed in the draft DEIS.

11. Based upon the sanitary information provided on pages and ii and 102 of the draft DEIS, it would appear as if a proposed 8,000 square foot community building would generate 240 gpd using 0.03 gpd/sf instead of 155 gpd as indicated on Table 13 of page 102. It should also be noted that the total sanitary flow as indicated on Table 13 does not

Continue Next Page

calculate accurately. This should also be corrected throughout the text of the document. Also, refer to item #12 below.

12. On pages 3 & 4 of the draft DEIS under the water usage section, water usage should include both the site irrigation of 6,320 gallons per day (gpd) and the sanitary wastewater generation of 35,775 gpd. Therefore total water usage for the proposed development would not be estimated at 2,306,800 [6,320 gpd x 365 days per year] gallons annually as indicated on page 4 of the draft DEIS, but 15,364,675 [(6,320 gpd + 35,775 gpd) x 365 days per year)] gallons annually. Also, refer to item #11 above.

Please submit a revised DEIS that addresses all of the above at your early possible convenience. If there are any questions concerning the above, please contact this office.

Very truly yours,

Richard Machtay, Director

RM:cjm
Encls.
cc: Planning Board Chair, and Members of the Board
Housing Help, Inc.

END
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Date Printed: 04/08/05

TOWN OF HUNTINGTON

FRANK P. PETRONE, *Supervisor*

RICHARD MACHTAY
Director of Planning

January 24, 1996

George Rupp
Project Manager
SBE Environmental Company
2 Penn Plaza, Tenth Floor
New York, NY 10121

Re: Matinecock Court - Site Plan Review

Dear Mr. Rupp:

Attached herewith please find a formal transmittal of a Staff Memo to the Planning Board dated December 28, 1995. It was hand-delivered to you at the Planning Board meeting on January 3, 1996.

Pursuant to the discussion at the meeting held at the Planning Department office on Monday, January 22, 1996, you will have to address all relevant issues that were scoped for the subject proposal. We expect that you will meet with the Planning Department personnel on Monday, January 29, 1996 to review details of the scoping documents (scoping session minutes, scoping check list, etc.) for the proposal. The "headings" of the issues raised by the ABC Civic Association, such as "Open Space" and "Transportation" are reflective of those major headings addressed previously in the lead agency scoping document. In preparing the Draft Environmental Impact Statement, the applicant is obliged to address all matters deemed relevant under the various headings.

Very truly yours,

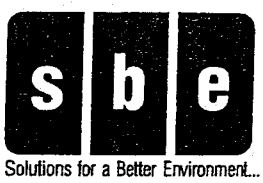
Richard Machtay
Director of Planning

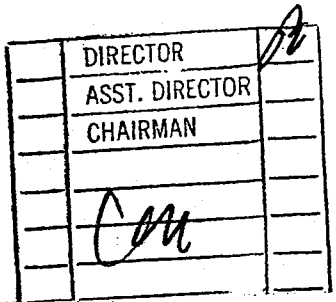
RM:lc
Enc.
pc: Michael White, Esq.
Susan Lagville
Planning Board

sbe

Solutions for a Better Environment...

DIRECTOR
ASST. DIRECTOR
CHAIRMAN





January 16, 1996

Mr. Richard Machtay
Director of Planning
Town of Huntington
100 Main Street
Huntington, New York 11743-6991

MICHAEL E. WHITE
ATTORNEY AT LAW

JASPAN, GINSBERG, SCHLESINGER,
SILVERMAN & HOFFMAN

300 GARDEN CITY PLAZA
GARDEN CITY, NEW YORK 11530-3324
(516) 746-8000
FACSIMILE (516) 746-0552

Re: Scoping for the Matinecock Court DEIS

Dear Mr. Machtay:

As you know we are the environmental consultant for Housing Help, Inc., the applicant. We have reviewed the December 28, 1995 Intra-office Memorandum from the Planning Department staff to you that we received at the Planning Board meeting of January 3, 1996, and have the following comments.

The memorandum starts out by stating that our approach in outlining the scope was prepared in general terms and is not customary. We respectfully disagree with both of these contentions. Firstly, the scope we presented appropriately discussed the specific level of detail to which each area of concern will be presented in the DEIS (e.g. quantitative vs. qualitative, discussion vs. analysis) and discussed which reference material, or reference agency would be utilized to discover the potential for impact. The document was prepared in an effort to gain specificity in the scope, and to focus the scope to only relevant issues. The Town had only identified a list of issues to be addressed in a Scoping Checklist but did not provide the level of detail required, or the methods of analysis that are acceptable on the various environmental issues which were identified.

Since the Town decided to have formal scoping, the Lead Agency is bound by SEQRA (617.7 (c) and (d)) to *"...provide the preparer of the EIS with the greatest specificity (at the time of scoping) so that the environmental review process may proceed in an efficient manner."* and *"Scoping should identify the extent and quality of information needed for the preparer to properly address each concern."*. Therefore, we are making every effort to reach concensus on a specific scope for this project which clearly identifies the methods to be used and the quality and extent of information needed to prepare each section of the DEIS. SBE, on behalf of the applicant, expresses its continued willingness to assist by revising the scope of work previously presented to clear up any areas of concern or include specific items which the Lead Agency believes may have been omitted.

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, N
96 JAN 22 PM 2:33

SBE Environmental Company
2 Penn Plaza, Tenth Floor
New York, New York 10121
212 736-9191 Fax 212 268-1512

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Secondly, the preparation of a formal specific scoping document such as that prepared by SBE, is customary and usual in SEQRA reviews. The DEIS is the Lead Agency's document as well as the applicant's. Leaving the scope open could cause problems for both the Lead Agency, particularly once the document is certified, and the applicant who may have to repeat analyses not clearly defined during scoping which are deemed inappropriate in terms of quality or extent at a later date. In our experience, leaving the scope open can have the effect of allowing participants in the SEQRA process (the Lead Agency, the applicant, involved agencies and the public) to believe that what they wanted to have disclosed in the DEIS was going to be disclosed in a level of detail which they felt was appropriate only to find out differently later. This scenario leaves the process open to dissatisfaction and dispute. We believe it is better to deal with the issues as much as possible up front.

The intra-office memo also suggests that our scoping document does not include all items of concern, as had been drafted by the Planning Department for the public scoping session and in the EAF Part III, but it does not specify those which were purportedly not considered. A good faith effort was made by SBE to prepare a scope as a result of the EAF Part III, the Scoping Checklist prepared by the Town, the pre-scoping meeting, the public scoping session and transcript. If there are specific issues the Town believes are not covered in the scope, or which are proposed to be covered in insufficient detail, please let us know so that the scope can be revised.

We also need to clarify what is meant, in the second paragraph of the memo, by *"All questions raised by the ABC Civic Association in their written scoping presentation should receive a response..."*. The submittal by ABC Civic Association is plainly not a *"written scoping presentation"* as the memo asserts. Most of the issues raised by ABC Civic Association will be covered in the DEIS, however, many of the points raised are not within the purview of the document. The submittal by ABC discusses what they want to see developed on the site which is also not the subject of this EIS. Any member of the public, including for example the NAACP or other civic groups, may have a right as part of SEQRA to suggest what they believe should be included in an EIS, but it is the role of the Lead Agency to distinguish what is appropriate for inclusion and what is not. To do otherwise defeats the purpose of scoping. To give any single group such standing could again leave the EIS open to criticism, and in this case subject to dispute from parties opposing ABC's perspective.

Clarification is needed on the first sentence of the last paragraph on page 1 of the memo which states, *"Include discussion of vector control and safety measures to be instituted during construction to secure the site under the proposed construction plan section."*

The comments on construction phasing and phased sanitary disposal are noted and the wording in the scope will be revised as appropriate.

The wording in the scope regarding maximizing open space will be revised as part of the alternative layout scenario and a maximized open space alternative will be considered in the DEIS. A discussion of technology alternatives to the STP will be included in the DEIS if the SCDHS identifies any alternatives which may be reasonably feasible. The applicant and its advisors are presently not aware of any feasible off-site STP.

The issue of what constitutes a no-build (as opposed to no action) scenario also needs to be clarified. Our notes from the pre-scoping meeting indicate that the suggestion of considering the full potential as-of-right build out of the site as the "No-Build" came from the Planning Department. We agreed with this suggestion and presented the scope accordingly. Notwithstanding the Town's position regarding discreationary site plan approval, given the applicant's as-of-right court ordered zoning in response to the disparate impact of the Town's refusal to rezone the property prior to Housing Help's litigation against the Town, a no-build alternative where Housing Help gets less than the maximum number of units is not appropriate for this DEIS.

In addition, the memo states *"Pursuant to SEQRA, an as-of-right alternative requires no discretionary approvals"*. To the best of our knowledge this is not correct. The only SEQRA reference we could find (617.14 (f), (5)) regarding this issue states *"For private applicants, any alternative for which no discretionary approvals are needed may be described."* Thus, this issue also needs clarification. We need to clarify which specific alternatives are appropriate and reasonable for this DEIS.

Perhaps the best way to resolve the scope is to have a working meeting with the applicant, its advisors and the Planning Department which clears up outstanding issues and closes with an understanding of the "extent and quality" of information required in each issue area.

Thank you for your help in this matter, if you have any questions please feel free to call me. Either Michael White or I will call you soon to arrange a meeting.

Sincerely,

George Rupp

George Rupp
Project Manager

cc: Susan R. Lagville
Michael E. White, Esq.

COMMUNICATIONS:- Cont'd:
MANORS AT CHESTER HILLS - Cont'd:
property has a row of cedar, possibly white, and further west, there is a shaggy evergreen, and then another maple, but it is not a canopy. Mr. Cisternino asked if the recharge basin is the required size and Mr. Machtay replied that the engineers will review that. Mr. Condon stated that the hole for the recharge basin may be variable but the buffer is a standard 10'. Mr. Machtay stated that the depth and width of the recharge basin inside can change, but the outer dimensions and the buffers will remain the same. Mr. Machtay stated that he was just going over this subdivision to bring the Board "up to speed" before the conditional final public hearing.

8. MATINECOCK COURT - Letter and scope of work for DEIS from George Rupp dated 12/8/95.

8a. Staff report dated 12/28/95.

*Mr. Machtay stated that he displayed the plan to the Board a few weeks ago. This property is located on the northwest corner of Elwood Road and Pulaski Road in Greenlawn. The project will contain 179 homes; the property is zoned R-3M on 14.574 acres. The Board received a copy of the Court's decision regarding the zoning. The applicant had submitted a document which he rendered from the scoping session, which the Board received minutes of, and the scoping checklist. During the Board's last discussion, they asked for the Staff's recommendations and a report was prepared for the Board. Included is the applicant's document, which the Staff has deleted some items from and added a few lines to. The Staff feels that the scoping document submitted is "a little too general in nature" and they feel that it should be more specific or direct regarding the questions which have been asked. Mr. Machtay stated that the Staff believes, as the applicant does, that some of the issues are precluded from being addressed because of the conclusion of the lawsuit, but the Staff feels that these points should be addressed in the document. The Staff has prepared a page and a half outlining their comments on the report and Mr. Machtay asked the Board for permission to forward these comments, together with the report, to the applicant for his comments. The Board agreed, on consensus, to give this information to Mr. White, the applicant's representative, who was present in the audience.

9. METRO PLAT - Letter from Nelson & Pope dated 12/28/95 requesting extension of filing time.

*Mr. Machtay stated that the applicant received conditional final approval. They have 180 days to file their map with the County, and they are allowed, per State law, two 90 day extensions. After that, if they don't file the map within that time period, they have to come back to the Planning Board for reapproval. This property is located near the Gurwin Geriatric Center and the YMHA. They are subdividing a piece of this property to go with the Presbytery next door and they are in front of the ZBA for a congregate care

Town of Huntington
Planning Department

Intra-office Memorandum

Date: December 28, 1995

TO: **Richard Machtay, Director of Planning**

FROM: **Planning Department Staff**

RE: **Matinecock Court scoping submitted by SBE Environmental Company on December 11, 1995**

In reference to the above, please be advised that the applicant chose to outline EIS scoping in general terms, in a fashion that is not customary and which does not specifically include all items of concern as had been drafted by the Planning Department staff for the public scoping session. The document has been reviewed against the Planning Department's draft scoping document, the written scoping presentation of the ABC Civic Association and the public scoping hearing record.

All items of concern specifically addressed in the Planning Board's adopted EAF Part III should be considered in the DEIS. All questions raised by the ABC Civic Association in their written scoping presentation should receive response, even issues that may have already been addressed by the Court action to properly inform the public. Appendices to the DEIS should include the EAF Parts I, II and III; Positive Declaration resolution; Draft Scoping Document prepared by the Planning Department; ABC Recommended Scoping Document; Scoping Hearing Minutes; and written comments on scoping (to include the SBE document received December 11, 1995 and this memorandum).

The SBE document has been marked to exclude items deemed unnecessary (e.g., wetlands, floodplains, see attached) in the DEIS. The following items, already presented in the documentation noted above, should be included with those identified in the SBE compilation for DEIS consideration, referenced by SBE outline parameter:

1.B Include past site use discussion, especially verifying the last use for agricultural purposes, in the project's development history narrative.

Include discussion of vector control and safety measures to be instituted during construction to secure the site under the proposed construction plan section. Include discussion of phased sanitary disposal, if planned, to coincide with timing of site development (e.g., conventional at outset, followed by STP with later stages). Include a schedule of construction as it relates to phased development. The SBE document lead-in paragraph on page 2 notes that "the impacts of the construction phases will not be

discussed separately". This does not correspond to concerns identified in the draft scoping prepared by the Planning Department staff, or the EAF Part III, specifically with regard to noise impacts, erosion control and a schedule of operations.

Include comments/direction from all involved agencies, including Suffolk County Water Authority, MTA/LIRR, LILCO, particularly related to any applicable recommendations/ regulations for buffering and separation of uses (e.g., STP and recharge basin, transformers and structures, etc.).

1.D.1 Discuss elements to be incorporated into site design to facilitate recycling. Consider impacts of project on local UFSD #4 schools, especially whether the anticipated addition of school-aged children will result in redistricting of specific population levels (e.g., elementary or middle school).

Use data provided in the 1993 Huntington Comprehensive Plan as applicable, especially concerning parks and open space, the need for parkland, any proposed recreational setaside, and/or compensation for loss of open space.

1.E.1 The applicant states that "no quantitative traffic capacity analysis will be presented since the development will be built as of right...". A basic quantitative analysis based upon the site's maximum development potential is necessary for adequate review by the Town and Suffolk County Department of Public Works (SCDPW) to determine how the existing roadway network will be affected and, if determined necessary, what roadway improvements will be necessary in order to mitigate increased traffic volumes. Also, a quantitative analysis in combination with the applicant's qualitative analysis will help to determine the best location for site ingress and egress points to ameliorate traffic and public safety impacts to the greatest extent practicable.

1.E.2 Include discussion of pedestrian access in and about the site (walkways) and handicapped accessibility.

1.F.1 Consider and include mitigation for particulate effects of construction (air-borne fugitive dust) on sensitive receptor sites (adjoining schools).

1.G.3 Relate suitable location of recharge basin to location of STP and potential for adverse impacts. Discuss appropriate mitigation (e.g., separation/buffering).

1.H. Include in groundwater discussion the depth to groundwater, predominant flow direction, and location and use of existing private and public wells should they exist within a one-mile radius of the subject site.

1.I.1 A prior Phase I Environmental Audit is noted which has not been shared with the Planning Board. A copy should be forwarded to the Planning Board immediately to insure that all issues, including, but not limited to effects from past site dumping, LILCO transformer emissions (PCB's), and LIRR maintenance practices (Dioxin), have been adequately covered by this scoping review. The Phase I Audit should be reviewed by

the NYSDEC and the SCDHS with their comments/direction thereon, relating to mitigation and/or additional testing, if necessary, for inclusion in any DEIS submitted.

1.N. Include alternative(s) to maximize open space and to provide greater buffering to proposed on-site infrastructure (e.g., STP, recharge basin). Discuss technology alternatives to STP (e.g., sewering to existing off-site STP) that may be feasible to the SCDHS, if any.

Reasonable alternatives and the preferred plan must be able to be designed to comply fully with all applicable town, county, state regulations and requirements. The Court action specifically required compliance with "normally applicable laws, codes, regulations and ordinances." Pursuant to SEQRA, an as-of-right alternative requires no discretionary approvals. Page 11 of the SBE document considers the no action alternative as the "as of right" full-build scenario. This appears to conflict with literal interpretation as a certain number of units may be permissible mathematically pursuant to R-3M zoning, but may not meet all other requirements for parking, road configuration, setbacks, etc. due to site geometry, nor could such development be achievable without discretionary approvals. Any development of the site at the eixsting zoning requires discretionary approval by the Town Planning Board. The no build alternative and other reasonable alternatives to the proposed plan should be carefully identified.

COMMUNICATIONS: - Cont'd:

13. MATINECOCK COURT - Letter and scope of work for DEIS from George Rupp dated 12/8/95.

*Mr. Machtay stated that this application received a positive declaration from the Planing Board. A positive declaration means that there may be a significant environmental impact, whereas a negative declaration indicates that there will not be significant impacts on the environment. The Staff prepared a scoping checklist. The SEQRA regulations state that an Environmental Impact Statement should not be encyclopedic; it should just address the relevant issues. Mr. Machtay stated that, because of the results of the lawsuit, there were some issues that the Board was precluded from reviewing, even under SEQRA. The Board had received a draft scoping checklist and they discussed it. Then a scoping hearing was held, where the public offered their input as to what should be addressed in an Environmental Impact Statement. The applicant's consultant has prepared a package which renders out all the relevant documents and addressed what should be addressed. He stated that the Board members should have read all of the documents they received and he noted that the applicant will be using all of the documents to prepare their Environmental Impact Statement.

Mr. Cuthbertson asked if the Staff has reviewed the documents and matched them with what was brought up at the public hearing, and are satisfied with the result and Mr. Machtay replied that he did not think that the Staff had matched everything up and he has not had any positive or negative input from the Staff. They have asked him what he wishes to do at this point and Mr. Machtay indicated to them that it is now up to the Planning Board to adjust certain items, etc. Mr. Cuthbertson asked if there would be guidance from the Staff and Mr. Machtay replied that he can get comments from the Staff; Ms. Edwards agreed that she would like to have guidance from the Staff. Mr. Cuthbertson stated that he noticed two items; the first is traffic, which was addressed at the scoping session, and seemed to be a major concern. He noted that the qualitative evaluation would be done and no quantitative evaluation would be presented. He was not sure what this meant and he asked if this is normally done. Mr. Machtay replied that he will bring this question to the Staff and to Traffic Safety. Mr. Cuthbertson stated that it was also noted that the applicant would use an old Phase I Environmental regarding properties and he asked if this was usual, or was it a valid concern? Mr. Machtay replied that the applicant will submit a Draft Environmental Impact Statement and the Staff will review it thoroughly and compare it to what was done on the scoping checklist.

Mr. Machtay stated that, with regard to another application, an applicant was asked for a cultural resources study, where they dig for archeological items. They hired a Ph.D to do the study and he submitted his findings; his credentials were that he is a

COMMUNICATIONS: - Cont'd:
MATINECOCK COURT - Cont'd:
geologist. Although his conclusions may be right, the Staff uses New York State guidelines for historic and archeological resources and there is a list of people on Long Island certified by the State to make those conclusions. The party they hired is not one of them. Mr. Machtay stated that the Staff will ask the applicant to certify the findings with someone who is on the approved list and has the proper credentials.

Regarding the traffic study, Mr. Machtay stated that personnel in Traffic Safety in the Town will review what the applicant submits and determine whether it is adequate or not. Or there is a possibility that the Board will hire outside people to make evaluations, such as was done with the Walt Whitman Mall application. Mr. Cuthbertson asked if the issues he raised could wait until a later date to be addressed and Mr. Machtay replied that they can wait until the DEIS is received. But he stated that he can ask the Staff if they feel there is more to be addressed at this point. Ms. Edwards asked if the normal procedure is that they would wait until the DEIS is received and Mr. Machtay replied that that is correct.

Mr. Cisternino asked if this application was subdivided into 6 sections and Mr. Machtay replied that it is 5 or 6 sections. The property contains 14.57 acres and it is zoned R-3M. He stated that, without Mr. Pizzulli being present, he would state that the Court rezoned the property. But Mr. Pizzulli would state that the Court can not rezone a piece of property, only the Town Board could. But the Court ordered the Town Board to rezone the property and, therefore, took some of the prerogatives away from the Town. The property is located on the northwest corner of Elwood and Pulaski Roads in Greenlawn. R-3M allows 14.5 dwellings units per acre of garden apartments or townhouses. There will be 178 units, plus a superintendent's apartment. Mr. Machtay stated that he will supply the Board with a breakdown of the number of units with one bedroom, two bedroom, etc. There will be a Sewage Treatment Plant, a recharge basin and landscaping similar to the Avalon project. There will be a problem with parking but Avalon was able to solve their problem by coming in with an application and requesting that the Board allow them to landbank some of the parking. Avalon will submit statistics from other projects and they hope to put in substantially less parking than the Town requires.

Regarding this application, Mr. Machtay stated that there will be no egress/ingress onto Pulaski Road, except for an emergency exit. The Staff has some technical problems with the configuration and the widths of the roads, as well as bends in the roads. There are requirements in the site improvements and subdivision regulations and some of the widths or bends do not conform. He stated that the Staff will deal with that as they go through the review.

COMMUNICATIONS: - Cont'd:
MATINECOCK COURT - Cont'd:

Mr. Machtay stated that he would like to be able to give the applicant a "tentative go-ahead" between now and January 3, 1996, which is the date of the next Board meeting. This would allow the applicant to complete the DEIS. He stated that he will give the Board members something from the Staff at that meeting. And if there are minor changes found in the scoping document, the Staff will give them to the applicant. Mr. Machtay stated that scoping, right now, is still optional. But if you scope a document, you cannot come back later and ask that other issues be dealt with. The applicant should be advised of all the issues he must address during the scoping period. Mr. Cuthbertson asked, once traffic has been addressed in the DEIS, the Board can always come back and ask for more information and Mr. Machtay stated that that is correct; however, Mr. Machtay stated that the Board may be precluded from asking for more information on an issue such as quantitative information because the applicant has indicated that they will not be supplying that information.

The Chairman stated that Mr. Cuthbertson had brought out an excellent point. He stated that the Board is somewhat familiar with quantitative problems with traffic regarding the Walt Whitman Mall project. Those issues were addressed properly, according to the experts from the NYS DOT, to decrease the impact on the major intersections of Route 110 and Jericho Turnpike. And traffic was a major point brought up by the audience at the public scoping session for the Matinecock Court application. The Chairman stated that he has reviewed the document and he feels that it does a good job of handling all of the highlights that were brought out at the public scoping session. His memory of the issues raised by the public were the groundwater, where waste would go, where the sewage treatment plant would be located, the close proximity of the LILCO power substation which is next door to the project; the close proximity to the LIRR station; the impact on the local school districts; issues regarding the fire department and whether emergency vehicles could properly turn around and the impact on the police. All of those issues are addressed in the document. The Chairman stated that the two issues which were not addressed which the public asked for were a quantitative analysis of the traffic generated in the area and if that can be handled somehow, and the issue regarding whether the units would be rentals or equity-ownership, or a combination of both, and whether or not that should be addressed in the DEIS. Mr. Machtay asked if the Board would agree to give the applicant a "nod" so that he can start working on the DEIS and indicating that the Board will finalize something at the next meeting. The Chairman stated that he felt the Board should give the applicant approval to move ahead.

COMMUNICATIONS: - Cont'd:
MATINECOCK COURT - Cont'd:

Michael White, representing Housing Help, thanked the Board for their guidance. He stated that they want to proceed with the DEIS but he wished to comment on the two issues which were raised. He stated that, with respect to the traffic analysis, it was very clear that traffic was raised as an issue in the scoping session. On the other hand, the way they chose to resolve that in terms of scoping and addressing it in the DEIS, is with a qualitative analysis with respect to the traffic that will be going in and out of the development, rather than quantitative. Because, he stated, that quantity relates to the zoning and density. And since they already have the zoning "as of right", there is nothing that can arise out of a bottom line traffic analysis because the only way to reduce cars would be to reduce density. The Chairman stated that he understood that logic, but he felt there might be the possibility of some kind of a road reconfiguration which would help alleviate some of the problems. And if they could reconfigure the road, although the Chairman did not know who would pay for that, possibly this could alleviate some of the problems. He stated that he was not suggesting that the Board is going to request the applicant to reduce the density of their project but they are trying to arrive at the best layout possible. Mr. Machtay stated that it may be a matter of a turning lane, or changing the timing of an existing signal. This was done with the Walt Whitman Mall. Mr. White stated that there was an issue over the word qualitative versus quantitative and he indicated that he would communicate with the Staff before the next meeting to ascertain exactly what they mean by a qualitative analysis versus a quantitative analysis. He stated that he thought that the issues of a turning lane or a signalization change would be addressed in a qualitative analysis.

Mr. White stated that, with regard to the other issue of rental or equity, he did not see how that would raise an issue to be addressed in an environmental study. He stated that it may be an issue with respect to community concern, but regarding being addressed in an environmental impact, whether people rent their homes or own them, he did not see the potential for a different environmental impact. Mr. Machtay stated that the first page of SEQRA indicates that social, economic and environmental issues should be addressed. And if there is going to be an impact on the existing neighborhood, in change of character or change of the community or how it looks, then there is a rationale to include this.

The Chairman stated that he chaired the scoping session and this was an area of great concern to the general public. He stated that the document seems very complete but that this issue was not addressed. He stated that possibly by the applicant's representative meeting with the Staff, they can get this issue "on

COMMUNICATIONS: - Cont'd:
MATINECOCK COURT - Cont'd:
the table" to see whether it needs to be addressed. Mr. White stated that R-3M is an apartment zone and Mr. Machtay replied that it is garden apartments. The Chairman stated that there are many ways to own property and he would like to see this matter addressed further, but that would not preclude the applicant from moving ahead with the DEIS.

14. KNOLLS OF MELVILLE - Letter from Richard Cahn dated 12/1/95 regarding ten (10) foot dedication.

14a. Memo to Town Attorney, Superintendent of Highways and Director of Engineering Services dated 12/4/95 regarding dedication.

15. SINGLETON PROPERTY - Letter from Joseph Singleton dated 12/8/95 requesting that attached legal opinion be kept on file in the Planning Department.

16. GREEN STREET PLAT - Letter from Christopher Henn dated 12/14/95 requesting extension of filing time.
*Approved on motion offered by Mr. Cisternino, seconded by Mr. Cuthbertson, and carried. Resolution is attached and made part of these minutes.

17. KING KULLEN - Letter from Steve Rottach dated 12/6/95 requesting inspection of landscaping.

17a. Staff memo dated 12/14/95 recommending posting of landscape bond.
*Approved on motion offered by Mr. Penza, seconded by Mr. Virag, and carried. Resolution is attached and made part of these minutes.

SPECIAL ITEMS

PARKING STALL DIMENSIONS
*Mr. Machtay asked that this discussion be deferred.

ZONING BOARD OF APPEALS -Future Hearings

Matinecock Court

TOWN OF HUNTINGTON

FRANK P. PETRONE, *Supervisor*

RICHARD MACHTAY
Director of Planning

December 13, 1995

SBE Environmental Company
2 Penn Plaza, Tenth Floor
New York, New York 10121

Attn: George Rupp, Project Manager

Dear Mr. Rupp:

As discussed in our earlier phone conversation, during their December 20, 1995 meeting, the Planning Board will evaluate and discuss the draft scoping checklist (submitted to the Planning Department by way of a December 8, 1995 letter) to determine if it satisfactorily outlines concerns of all involved and interested parties, including the public. If there are any questions, please contact this office.

Very truly yours,

Charles J. Mangano

Charles J. Mangano
Environmental Planner

for Richard Machtay
Director of Planning

CJM:cjm

Solutions for a Better Environment....

December 8, 1995

Mr. Charles J. Mangano
Environmental Review Division
Town of Huntington
100 Main Street
Huntington, New York 11743

Re: Scope of Work for the Matinecock Court DEIS

Dear Mr. Mangano:

I have enclosed a copy of the scope of work for the Draft Environmental Impact Statement for the proposed Matinecock Court development. This scope is based on: our pre-scoping meeting, the public scoping meeting, and the EAF and scoping checklist prepared for the proposed development. We believe that this scope covers all of the relevant issues raised during the process. Every effort has been made to focus on only relevant issues and not to overload the document with information which is superfluous and unnecessary.

We will begin preparing new sections of the DEIS next week based on this scope of work. If there is anything in the scope of work that you disagree with, or items which you feel need to be included, please let me know at your earliest convenience.

Thank you for your help in this matter. If you have any questions, or require anything additional information, please feel free to call me.

Sincerely,
SBE Environmental Company

George Rupp
Project Manager

cc: M. White
S. Lagville

DIRECTOR
ASST. DIRECTOR
CHAIRMAN
AGENDA
FILE

RECEIVED
TOWN OF HUNTINGTON, N.Y.
95 DEC 11 PM 4:00

SBE Environmental Company
2 Penn Plaza, Tenth Floor
New York, New York 10121
212 736-9191 Fax 212 268-1512

BE&K A BE&K Company

Scope of Work
Matinecock Court DEIS

A. Introduction

The following discussion offers our interpretation of the Scope of Work that will be required to complete the Matinecock Court EIS. The EIS will be completed in compliance with NYCRR Part 617, the New York State Environmental Quality Review Act (SEQRA), in terms of both content and procedure.

The Scope of Work has been developed from: the SEQRA Scoping Checklist, our review of the SEQRA file at the Town of Huntington Planning Department; the scoping meeting with the Huntington Planning Department; the public scoping meeting; conversations with Housing Help, Inc. (HHI), town planners and Michael White of Jaspan Ginsberg et al. This Scope of Work is targeted, to the maximum extent possible, to issues which are relevant to an as-of-right development of this nature.

Existing relevant information will be utilized to the maximum extent possible. Much of this information will come from the HHI project team and from published data sources and existing literature. It was assumed in preparing this Scope of Work that all appropriate site plans, engineering plans, architectural plans, etc. will be available.

B. Project Understanding

The Matinecock Court development calls for a 179 unit multi-family housing development on ±14.57 acres of land on the northwest corner of Elwood Road and Pulaski Road. The site is bounded by a LILCO substation on the north and the LIRR tracks on the northwest. The development is scheduled to be completed in 6 phases ending in 2002, and is considered affordable housing targeted at families earning $40,000 or less. The development would be constructed as-of-right under the existing R-3M zoning which is a Garden Apartment Special District allowing over 200 units on the subject site. The proposed development will contain an on-site Sewage Treatment Plant and drainage collection system, a day care facility, a community area and offices for Housing Help, Inc.

Initial funding for the development is expected to be received from the either the NYS DHCR or a private developer. The development will require approval from the Huntington Planning Board for site plan, the NYSDEC for SPDES, the SCDPW for curb cuts, fire department on code compliance, and the SCDHS for sewers.

C. Scope of Work for the Draft Environmental Impact Statement

The DEIS will evaluate and discuss existing, future no-build (year 2002 without the project in place) and future build (year 2002 with the development fully in place) conditions. ~~The impacts of the construction phases will not be discussed separately.~~ Mitigation measures will be evaluated and described where significant impacts are anticipated, and 4 relevant development alternatives will be discussed (see Section 1.N below).

I A Executive Summary

A clear, concise and complete summary of the DEIS will be supplied at the beginning of the document. The summary will provide a description of the proposed development, the purpose and need for the development, the required approvals, the study areas, impacts. The Executive Summary will follow the general outline of the scope of work described herein. Although this is one of the first task listed, it will be one of the last tasks to be undertaken after the finalization of all of the other analyses described below. The Executive Summary will be a "stand alone" document that is easily duplicated for distribution to government agencies, elected officials, or the public.

I B Project Description

A detailed project description will be written which discusses the overall development plan for the Matinecock Court development and outlines the information below. A discussion of the proposed development's history and the Federal Court decision on zoning will also be presented based on information obtained from the project team.

Location and Existing Site Conditions. A description of the location of the site and the physical conditions of the site and the study area will be provided. The discussion of the existing conditions will include a discussion of the major streets in the area, a discussion of the key structures or major water bodies in the area, zoning and land uses, and proximity of important local structures and districts (including historical and archaeological districts).

Project Design. A discussion of development design elements such as total site area, proposed impervious surfaces, amount of land to be cleared, open space, building layout, profile views, drainage plans, above/underground pipelines, parking area layout and building orientation will be included. Appropriate graphics will be provided to supplement the discussion.

Proposed Construction Plan. A summary of the proposed development's construction elements, including a discussion of the development phasing, construction staging, total construction period anticipated, the methodologies to be utilized in construction, the excavation and transport of excavated material, as well as the methods utilized to assure the integrity of significant infrastructure elements adjacent to the site (pipes, cables, conduit, etc.).

Public Actions. A discussion of the required environmental review and governmental procedures will be provided. The public actions required will include approvals from the NYSDEC for the SPDES discharge from the STP, the Suffolk County Health Department for wastewater treatment and disposal and the SCDPW for curb cuts.

Purpose and Need for the Proposed Action. The purpose and need for the proposed development will be described. This is more important on government sponsored developments but is also regularly requested on private sector applications.

1.C Cultural Resources

1.C.1 Visual Resources

Visual Resources will be evaluated in this section. A description of the physical character of the site and community will be included. Natural areas of significant scenic value, if any, in the area of the proposed development will be identified and discussed.

The proposed development's impact on community character and any significant visual resources will be evaluated and discussed. The focus of this discussion will be on the design compatibility of the development with the surrounding community, the minimization of any visual impacts through design and lighting, and the use of landscaping to serve as a visually pleasing buffer between development elements such as parking areas and the sewage treatment plant and the surrounding community.

1.C.2 Archaeological and Historic Resources

Archaeological and historic resources will not be evaluated since the site is not in an area of potential significance as defined by New York State criteria.

1.C.3 Noise

SBE will perform a quantitative noise evaluation of the possible impacts from the operation of the railroad on residents of the proposed development and nearby residential properties. The focus will be on the mitigative value of maintaining vegetative buffers, and constructing the development with proper noise attenuating features.

Existing Conditions

SBE will determine the existing noise levels in the study area by field monitoring of the existing conditions, consistent with all applicable procedures. The instruments used will meet the ANSI Standard S 1.4-1971 for noise meters capable of providing slow response to sound pressure stimulation, and equipped with a calibration device and wind screen. We will propose appropriate noise receptor locations for approval by the Town prior to undertaking noise measurements. It is our professional judgment that two (2) receptor locations will be required to perform the

monitoring and analysis for the proposed development. One of these receptors will be located on the site and one will be within the community.

The measurement sites will be monitored during a school day (7 AM to 4 PM) and with the LIRR in peak operation to document the ambient noise. The sites shall be micro-sampled to cover the peak noise period. Weather conditions during the noise monitoring periods will be recorded. Monitoring will not occur during heavy wind or rain.

Future Conditions with & without the Development

The monitoring data from the study will provide the basis for determining any potential impact on the environment.

SBE will model the future noise levels for the proposed development, as well as future conditions without the proposed development in place. Railroad and development operation data (traffic) will provide the basis to determine the potential impact from operation of the proposed development. Should the noise contribution from development be considered significant, mitigation measure will be assessed. Significant impacts will be determined by the following criteria; (1) if predicted noise levels equal or exceed the Federal Noise Criteria, or (2) when the predicted noise levels exceed the no-build noise levels by more than 3 decibels.

We will qualitatively analyze construction noise caused by the development. The scheduling and duration of construction will be discussed. Anticipated noise volumes from particular pieces of construction equipment anticipated during specific phases of construction will provided. A discussion will be provided which discusses the adherence to construction noise standards.

Maximum anticipated noise levels in the community will be disclosed. Abatement measures, if needed, will be investigated and discussed including the use of landscape buffers and berms.

Mitigation Measures (as needed)

Mitigation measures will be discussed for the possible noise impacts found which are attributable to the proposed development conditions.

I.D Community Resources and Open Space

It is recognized that this development would be built as-of-right under the existing zoning, but since it represents a change from the existing site condition, and would be more dense than some of the surrounding community, including this section in the scope is necessary. The level of effort discussed in this section reflects the fact that this development would be as-of-right and that the scope is being applied is less than for a development that is not as-of-right.

1.D.1 Existing Conditions

SBE will provide an inventory of the existing community resources in the study area including established recreational open space on public land. This discussion will exclude private lands which are utilized illegally as open space, or private facilities which charge a fee for use. The resources to be identified, mapped and analyzed will include the following:

- Government Open Space (recreational) Resources,
- Public Schools (in local School District),
- Police Department services and stations,
- Fire Department services and houses,
- Health Care facilities,
- Social Services,
- Waste Removal Services.

Schools, police, fire and health care services and social services will be assessed in terms of their capacity, and their ability to meet the needs of the community. The location of all community service facilities will be illustrated on a map. School capacities will be evaluated based on information obtained from the local school board and/or BOCES. The above service establishments will be contacted to disclose their current situation and their respective abilities to meet the needs of the community.

Waste removal services will be evaluated by determining the method of collection, the ability of the collection service to meet the current needs and an assessment of the capacity of the existing disposal facility. This information will be based on existing data obtained from the appropriate agencies and/or waste haulers.

Open space and recreational resources in the vicinity of the proposed development site will be evaluated in terms of capacity and utilization rates. This open space evaluation will be based on a ratio of the open space land area within a 5 mile study area versus the number of existing residents, workers, and visitors to the study area, and will be based on information obtained from the various park administrations (if available). This ratio will provide a basis for quantitative open space resource analysis. However, due to the fact that different user groups have different open space needs (e.g., senior citizens require more passive open space, whereas resident children require active recreation space), a qualitative discussion of the adequacy of open space in the study area will be provided. An assessment of the adequacy of existing open space resources to meet the needs of the community will be provided.

It will be mentioned that the site is currently used illegally by some members of the community for recreational purposes, and that when the site is viewed from the outside the site is visually perceived as open space. The relevancy and implications of the Town's Open Space designation for this site will be discussed.

1.D.2 Future Conditions without the Development

Changes to community resources, due to background growth and/or developments or potential developments within the area will be assessed based on the ability of these services and resource to meet the needs of the community.

1.D.3 Future Conditions with the Development

The effects that the construction and operation of the proposed development would have on the community services and resources will be analyzed and discussed. These resources will be evaluated, by disclosing any changes in capacity, and by a qualitative discussion which illustrates any changes in the nature of the operation of the community service facilities.

1.D.4 Mitigation Measures (as needed)

Mitigation measures will be discussed, as needed, for possible impacts on community service facilities and open space resources.

1.E Traffic and Public Transportation

It is recognized that this development would be built as-of-right under the existing zoning, but since it represents a change from the existing site condition, and since this issue was identified in the public scoping meeting and the pre-scoping meeting (see the Planning Department SEQRA Scoping Checklist), the following level of evaluation will be undertaken. The level of effort discussed in this section reflects the fact that this development would be as-of-right and that the scope is being applied is less than for a development that is not as-of-right.

1.E.1 Traffic

A qualitative evaluation and discussion of traffic and transportation will be included in the DEIS. This evaluation will focus on existing published data and discussions with SCDPW personnel. A description of the size, capacity and conditions of service will be included based on the review of the existing information. The development design will be evaluated and discussed in terms of safe access and egress and the need to install traffic control devises. SCDPW will be contacted on these issues to gain their input and to understand their requirements for this development.

No quantitative traffic capacity analysis will be presented since the development will be built in an as-of-right manner at less than the theoretical allowable maximum and thus, density issues are not applicable.

1.E.2 Public Transportation

The public transportation system will be evaluated by contacting the rail and bus service providers to determine existing service conditions and capacity levels. A qualitative evaluation of future

conditions will be presented. Public transportation, as it relates to access to shopping, recreation and other community amenities, will be discussed. Deficiencies and impacts will be identified.

1.F Air Quality & Odor

1.F.1 Air Quality

A qualitative discussion of the air quality impacts from construction and operation of the proposed development, with the focus on short-term construction impacts, will be presented. Concerns such as fugitive dust and vehicular emissions will be discussed. The expected emissions will be compared to established regulatory standards.

1.F.2 Odor

A qualitative discussion will be presented on the possibility of odor impacts from the sewage treatment plant. This will include a discussion on what causes odors, how odors typically occur and how features included in the design of the plant will ameliorate these odors.

1.F.3 Mitigation Measures

Mitigation measures will be discussed, as needed, for possible impacts on odor and air quality.

1.G Utilities & Infrastructure

1.G.1 Existing Conditions

The infrastructure and utilities in the area of the Matinecock Court development will be identified and described. The availability of these services and the capacity of these services to meet the existing needs of the area will be evaluated and discussed after contacting the service providers. The following will be analyzed:

- storm water drainage,
- water supply,
- sewage generation,
- energy supply and conservation.

1.G.2 Future Conditions without the Development

The conditions in the study areas will be assessed for the future condition without the development in place. Each of the profile issues listed above will be examined to determine possible future effects of anticipated developments, as well as established background trends such as background population growth.

1.G.3 Future Conditions with the Development

The studies of the proposed development's impact on utilities and infrastructure will include the following:

a. Storm Water Drainage - An assessment of the storm water generated by the construction and operation of the proposed development will be presented based on studies provided by the project engineer (or others). The catchment area's ability to accept any additional storm water drainage, or decrease in storm water run-off as a result of the development will be determined and discussed. Mitigative measures utilized to control erosion and sedimentation, both during construction and once the development is built, will be discussed in this section as well.

b. Water Supply - The analysis of the water supply system will include projections of the amount of water to be consumed by the 179 residential units, and a determination will be made of the adequacy of the Suffolk County Water Authority supply to accommodate the proposed development (based on information obtained from the Authority).

c. Sanitary Sewage Projection - Projections will be made of the volume of sewage to be generated by the proposed development and the appropriateness of the wastewater system design to accommodate this volume. This discussion will focus on the soil conditions and integrity for the proposed STP and will be based on information supplied by the system designer. A discussion of possible groundwater impacts will be included. The possible need for a SPDES permit will be discussed as will the permit requirements.

d. Energy Supply and Conservation - A projection of the development's consumption of energy will be made. An assessment of the area's energy supply system to carry the added load from the proposed development will be evaluated and disclosed (based on information obtained from LILCO). Energy conservation measures utilized in the design of Matinecock Court will be discussed based on information supplied from the project architect or engineer. Design methods to reduce fuel usage for heating, cooling and lighting will be discussed. The type of insulation, windows and lighting will be discussed as will the use of innovative technologies (e.g. heat pumps and use of recycled materials). The efficiency of the proposed development layout regarding orientation of structures in relation to summer and winter sunlight, clustering to maximize common walls, shortening of utility runs and shared insulation and heating will also be discussed.

1.G.4 Mitigation Measures (as needed)

Mitigation measures will be developed as needed for the possible utility or infrastructure impacts found which are attributable to the construction and operation of the proposed development.

1.H *Physical and Ecological Conditions*

1H.1 Existing Conditions

Geology/Soil/Topography - The geology, soil and topography of the development site and surrounding area will be characterized with respect to the site preparation and re-grading activity. Existing data will be researched and described to characterize the nature of the soils and underlying material in the area. A discussion will be provided on any geologic significance of the site. Existing geologic processes, such as soils, outcrops, tables/plateaus, existing erosion activity, occurring on the site and their current impacts will be discussed.

Flood plains - Any potential flood plains in the area of the site will be identified, illustrated and described. The flood plain data will be that data obtained from the Nation Flood Insurance Act, and the Federal Emergency Management Agency. In the unlikely event that flood plains are identified, the discussion and graphics will concentrate on the 100-year, and 500-year flood plain boundaries.

Wetlands - Any wetlands on, and in the immediate vicinity of, the development site will be identified and characterized based on field examination, and if necessary, review of extant wetland maps. If appropriate, the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers will be contacted to determine the boundaries of jurisdictional wetlands.

Threatened and Endangered Species - The potential occurrence of Federal or State endangered or threatened species, or species of special concern in the area, and known to occur on the Matinecock Court site will be determined. The New York State Heritage Program will be contacted for this information and supplemented by field investigations by qualified personnel. The legal status of species of special concern in the region an on the site will also be discussed.

Vegetative and Animal Communities - The predominant plant and animal species on the site and in the region will be identified utilizing existing literature and, ~~as needed,~~ field investigations by qualified personnel. Any uniqueness or ecological importance of the site will be discussed. Potential impacts will be disclosed. and mitigation provided.

Ground Water Quality - Any ~~identified on site or adjacent surface water, and~~ groundwater resources will be investigated and discussed in this section. Existing problems will be identified to the extent possible. The NYS DEC and the Suffolk County Department of Health Services will be contacted for their input. Groundwater will be the major area of focus ~~since surface water is not expected to be identified.~~

1.H.2 Future Conditions without the Development

Future conditions without the proposed development in place will be assessed and discussed. The impact of other relevant developments in the vicinity will be evaluated to determine the areas

likely to be altered by these developments. In addition, impacts that may result due to inaction on existing potential sources will be evaluated and discussed.

1H.3 Future Conditions with the Development

The physical and ecological conditions of the site will be evaluated with the Matinecock Court development in place. The effects of site preparation, re-grading, and construction will be evaluated and discussed. The discussion will include soil stockpiling during construction for later use in landscaping, the minimization of disturbance to non-construction sites, and the design and implementation of a soil erosion control plan. Landscaping and use of vegetative buffers will be discussed as will any restrictions to land clearing. Any land preserved as a natural area or wildlife habitat area will be identified and discussed, as will the use of naturally occurring vegetation in landscaping. Possible impacts on the parameters discussed in Task 2.H.1 will be disclosed.

I.I Public Health

1.I.1 Hazardous Materials and Pesticides

A qualitative discussion will be presented which identifies the environmental conditions found on the site and on relevant neighboring sites. The discussion will be based on the material found in the previous Phase I Environmental Audit completed by another consultant for the site. SBE will discuss the potential for public health concerns from any releases of hazardous materials identified in the Phase I Report. Known spills and/or use of, hazardous materials on the neighboring LIRR tracks and right-of-way and LILCO substation sites will be specifically discussed. The past use of pesticides on the site will be evaluated and discussed in terms of persistence and the potential for public health impacts 30 years after the last application of these chemicals.

1.I.2 Electro-Magnetic Fields (EMF)

The presence of any Electro-magnetic Fields (EMF) from the LILCO substation will be discussed. Existing literature will be utilized to describe the potential for public health concerns to residents of Matinecock Court.

I.J Mitigation Measures

If, after analysis of the environmental issues detailed above, significant adverse environmental impacts are found mitigation measures will be evaluated and discussed. Each mitigation measure will be discussed and evaluated, and the effects of the mitigation measures(s) will be disclosed. Specific mitigation measures on specific topics will be discussed at the end of that section in the EIS, as indicated above.

I.K Unavoidable Adverse Impacts

Any unavoidable adverse impacts associated with construction and operation of the proposed development will be analyzed and disclosed.

1.L Irretrievable and Irreversible Commitment of Resources

Any resources that would be irretrievably and irreversibly committed to the proposed development will be analyzed and disclosed.

1.M Growth Inducing Aspects of the Proposed Development

SBE will provide a description of any growth inducing aspects of the proposed development that are applicable and significant.

1.N Alternatives to the Proposed Development

The following four alternatives will be addressed in the EIS:

- Construction Phasing Alternative
- Alternative Size Alternative
  - Change in Unit Mix or Physical Size or Height
- Alternative Layout Scenario
  - Density and Location of Structures
  - Location of Access, Parking and Utility Routes
- Full As-of-Right Alternative (which in this case will be considered the "No-Build" alternative)

Each alternative will be discussed and analyzed in sufficient detail to enable comparisons of associated environmental impacts and in the attainment of development goals and objectives. This analysis will be qualitative, and detailed quantitative studies will not be conducted unless a significant impact is identified in a given study for the development, which would then require a quantitative analysis for the alternative. Please note that since the R-3M zoning of the site allows up to 210 units to be constructed as-of-right, that the "No-Build" for the proposed project would be represented by a full as-of-right build scenario.

D. Document Preparation

The studies outlined in this scope of work will be compiled, along with appropriate graphics, background data and appendices into the Draft Environmental Impact Statement. The DEIS will include any reports completed by subconsultants or outside parties in the document appendix. The DEIS will be prepared in sufficient quantities for review by the Lead Agency, involved agencies and interested parties. It is expected that 3 public copies will be made available; one sent to ABC Civic Association, one at the public library, and one file copy for review at the Planning Department.

MATINECOCK COURT PUBLIC SCOPING SESSION, HELD BEFORE AND BY THE PLANNING BOARD OF THE TOWN OF HUNTINGTON, ON THE 27TH DAY OF SEPTEMBER, 1995 AT 8:30 P.M., AT TOWN HALL, 100 MAIN STREET, HUNTINGTON, NEW YORK, PURSUANT TO NOTICE, AND BEFORE SHEILA PARISER, R.P.R., A NOTARY PUBLIC OF THE STATE OF NEW YORK.

A P P E A R A N C E S:

W. GERARD ASHER, Chairman

ANDREW L. CISTERNINO
WILLIAM PENZA
ELLEN PAGANO

RICHARD MACHTAY, Director of Planning
JOHN CONDON, Deputy Director of Planning

VINCENT PIZZULLI, ESQ., Counsel to Planning Board

JASPAN, GINSBERG, SCHLESINGER,
SILVERMAN & HOFFMAN, ESQS.
Attorneys for Applicant
300 Garden City Plaza
Garden City, New York 11530-3324
BY: MICHAEL E. WHITE, ESQ., of Counsel

IRENE BARRETT, Secretary to Planning Board

[THE PUBLIC SCOPING SESSION WAS CALLED TO ORDER BY THE CHAIRMAN, W. GERARD ASHER, AT 8:50 P.M.]

MR. ASHER: Good evening, ladies and gentlemen. Welcome to a Public Scoping Session for an application at the corner of Elwood and Pulaski Road, which obviously all of you know about.

We are the lead agency; that is, the Planning Board is the lead agency that will review the plan that has been submitted to us. We are at the very, very beginnings of the review process.

This is not a public hearing, and I want to be certain that everyone here understands that this is the case, and I am, therefore, emphasizing it again to make that point.

This is not a public hearing. There will be a public hearing at a future date, which will be advertised for persons who live in proximity to the site, and also will be published in the local newspapers and will be posted on the site at a future date, and I am

quite sure that since the word has gotten around to so many people that live in the neighborhood and in the area, that that word will go forth again and there will be another opportunity, at an official public hearing, to review the plan and to review the Environmental Impact Statement, which will ultimately be presented to us as a result of this meeting.

This meeting is known as a Public Scoping Session. The concept of the Scoping Session is to permit the public to voice their concerns over those areas that the public believes will have an impact on the neighborhood.

Traditionally, the impacts under the SEQRA Laws have to do with environment, air quality, traffic, and so on and so forth.

There have been some sessions between the Planning Department staff and the applicant that has already produced a document for some of the areas that are intended to be scoped in the Draft Environmental Impact Statement, which will ultimately be prepared by the applicant.

Having said that, and since we have so many people here tonight that are interested in this, I want to emphasize to anyone who wishes to speak tonight, you are invited to speak tonight. However, I am very interested in having your input into the potential impacts of the Draft Environmental Impact Statement.

We are not at the stage that we want to know whether or not you like the site or you don't like the site because the site that has been given to us for review is in its early stages and could change.

Part of the reasons for this Public Scoping Session is to involve the public at the early stages of this application so, one, you will be informed as to what is going to be investigated and looked at; and

Two, if there are certain things that are not already covered that you think should be covered in a Draft Environmental Impact Statement that will be presented to us, you have the opportunity to tell us that tonight.

Obviously, we will be taking notes on that. We have a court reporter, there will

be a transcript kept, and we will take those comments and review them with the applicant so that these areas of your concern will then be brought to the applicant's attention, and we will then have an opportunity to include that in the Draft Environmental Impact Statement.

I know that there is at least one civic association represented tonight, and there may be a few others. My intent this evening is to recognize the applicant for a short presentation on the concept of this Environmental Impact Statement, and then to recognize the civic association individual, who has already expressed a desire to speak and has prepared some written comments as well, and then to recognize another civic association representative if one can be identified for me, and then to take any comments that may come from the audience.

Again, I really do want to emphasize to you that this is not a public hearing. We are not going to be discussing the merits of the plan as it exists at the moment, and we are only going to be looking at those areas of concern that should be covered in the Draft

Environmental Impact Statement.

Mr. Pizzulli, who is our counsel and who is here tonight, has reminded me of something that I also wish to make public, and some of you are aware of this and I have a reasonable expectation that some of you know this, but nevertheless, I think it is necessary to make it known for the record.

The applicant has given us a site plan, which still requires this Draft Environmental Impact Statement review. However, this is a site plan for this Planning Board to review. It is not, in essence, a rezoning, a subdivision or any of those other kinds of legal terms because that information and that issue has already been addressed by the Town and the courts, and this is a court-mandated application in the sense it has been through the Federal courts, already through the Circuit Court of Appeals, and has come back after at least a ten year odyssey to the point where we are tonight, so this Board has no jurisdiction over what the zoning is. It only has jurisdiction over the site plan, itself. I want to be certain that everyone

understands that that is the case.

Nevertheless, having said that, we are inviting your input and we are going to review this plan very diligently, as we do all site plans that come before us, and we are very respectful of your input from the public, and we look forward to hearing from you tonight, and at a future date when we have an official public hearing.

We are about to begin, and to do that, I will recognize Mr. White, on behalf of the applicant, to give a short address.

MR. WHITE: Thank you, Mr. Chairman, members of the Board.

My name is Michael White. I am here representing Housing Help, Inc. tonight, the applicant for this development, and I appreciate this opportunity to make a brief introductory statement.

By way of background, it might be helpful to fill in a little bit of the facts and terms of the status of the application.

This is, as was said by Mr. Asher, an application for a site plan approval. It was submitted to the Town of Huntington

Planning Board on June 7, 1995. Pursuant to the State Environmental Quality Review Act, the Town of Huntington Planning Board has been established as lead agency under SEQRA.

The application is for approval of a site plan application. This application has been determined to be a Type I action under SEQRA, and the Planning Board of the Town of Huntington has been established as lead agency. The lead agency has issued a positive declaration with a need to present an Environmental Impact Statement.

The lead agency has called for this Public Scoping Session. Scoping is the initial step in the preparation of a Draft Environmental Impact Statement. It is to develop relevant environmental effects of this action to be addressed in the Environmental Impact Statement.

The purpose of this session is to narrow the issues to insure that the Draft Environmental Impact Statement will be a concise, accurate and complete document, and create a consensus among the lead agency, involved agencies and the applicant to minimize the inclusion of unnecessary issues

and/or the submission of a deficient Environmental Impact Statement for review.

The objectives of scoping are to identify relevant environmental issues to be addressed in the Environmental Impact Statement, to eliminate irrelevant issues, to identify the extent and quality of information and sources of information needed for the preparation of the Draft Environmental Impact Statement, to identify the range of reasonable alternatives to be discussed in the Draft Environmental Impact Statement, and to identify potential areas of mitigation.

Let me just briefly talk a little bit about the applicant, Housing Help. Housing Help is a community based, not-for-profit organization that has been working toward providing quality affordable housing for low and moderate income families in Huntington for the past thirty years. Housing Help began to take the roll of a developer of such housing in and around 1978 with the origin of this development, the subject of the present application before this Board.

The development proposed consists of the phase construction of one hundred seventy-nine units of affordable housing on an approximate 14.6 acre parcel of land located on the northwest corner of Pulaski Road and Elwood Road in East Northport. The land is presently owned by Housing Help, the applicant, and pursuant to a Federal Court Order, the land is zoned R-3M Residential, which is consistent with the present application for the site plan presented to the Board.

The development plans to include playground areas, a community building, a manager's apartment, a sewage treatment plant, a recharge basin and parking for approximately two hundred forty-three cars.

The purpose of the development is to provide affordable -- quality affordable housing, the need for which is well determined. According to the Huntington Comprehensive Housing Affordability Strategy, which identifies the housing need within the Town, over twenty-seven hundred affordable housing units are currently needed for low income households. This need is also supported by the Long Island

Action Plan recently released by the Long Island Association.

The availability of vacant housing, low income or affordable housing in the Town is extremely low, less than one percent, the lowest vacancy rate in any Township in Suffolk County.

This development only addresses some six percent of the affordable housing needs identified in the Huntington Comprehensive Housing Affordability Strategy. In the past thirty-one years, the only new construction of housing for people of low and moderate income in the Town has been the senior housing known as Paumanack Village.

These and other facts support the need and benefits of the proposed development.

Just let me briefly conclude by stating that we have prepared, which was a handout for this evening, a Draft SEQRA Scope. This was available at the door and as people came into the Public Scoping Session this evening. This Draft SEQRA Scope is developed in conjunction with the Town of Huntington Planning Department and the applicant from the

SEQRA Scoping Checklist, which appears in the applicable regulations.

It is understood that the comments received in connection with this Public Scoping Session will be considered in any modification of this Draft SEQRA Scope.

The Draft Scope will be finalized for the applicant to proceed with the preparation of a Draft Environmental Impact Statement.

Thank you very much for the time.

MR. ASHER: Thank you, Mr. White.

If any of you did not receive this document that Mr. White made reference to, I know there were several hundred copies at the door available. If we have run out of copies and you want one, I am not sure we can make them tonight, but if you come to the Planning Department on the second floor some time in the next week or two, you will be able to receive a copy of this if you do not have one, and you wish to have one.

There are some people that I would like to recognize; Virginia Volpe of the ABC Civic Association.

Virginia, thank you.

MS. VOLPE: Good evening. A Better Community Civic Association, ABC, was created by hundreds of families in the community of Centerport, East Northport, Elwood, Fort Salonga, Greenlawn and Northport.

We have spent countless hours researching the complex issue of housing and reviewing the proposal to develop fourteen and a half acres on the northwest corner of Elwood and Pulaski Roads. We, the people living in the Town of Huntington, have before us the unique opportunity to create a housing development that can be affordable to families.

Sixty percent of the families in need of housing in our Town are moms and their children, who have taken the brave step forward to leave abusive relationships in search of a safer and more stable life. The people in our neighborhoods, the very same people who live in the community every day, as they shop for an elderly neighbor, contribute goods to the food pantry, or watch a friend's child after school so the parent can be employed, are asking for the opportunity to make a long-term,

significant and positive difference in the lives of Matinecock Court families.

Let it be clear that our community's sole commitment is to provide families with stability, security, safety and permanence in our community, and to do this in the best possible way using innovative housing solutions, simplified financing techniques, state-of-the-art designs and the best possible construction materials. We invite everyone in this Township to engage in a true partnership, to work together to create a development any one of us would live in and feel safe and proud.

Since the purpose of the Public Scoping Hearing is to address environmental concerns, we respectfully submit this written document to you detailing all of our issues. As you review this, it will be apparent to you that our concerns are for the best interests of all the men, women and children living in our community today, and all those who will join us in the future.

Thank you.

Some specific areas of concern are as follows:

The Town of Huntington Open Space Index Report assigned a Level 5 rating to this parcel of land. On a scale of 1 to 6, a 5 rating means that the property is highly valuable open land due to its proximity to schools and other land uses, which would be enhanced by the additional open area.

Since the proposal calls for the development of the full parcel of land in this high priority open space, how will the area of East Northport be compensated for this loss and what are the consequences of this loss?

If you look at the surrounding areas, you can see that this parcel of land is one of the few remaining open spaces. It is a relatively undisturbed open space in an otherwise populated area, and serves as a wildlife habitat.

What effect will development of this open space have on the migration and nesting patterns of existing and migratory wildlife? Where will the wildlife go once this habitat has been destroyed?

Will the rodent population relocate to the surrounding residential areas, and will

this increase human exposure to Hanta Virus and other viruses carried by rodents?

There are mature trees on this property, which serve as a natural barrier to road noise, wind and train noise. We feel the removal of all these trees, as has been indicated in the proposal, will have a negative impact on our neighborhood, and we would like to see these trees remain on the property.

Also, the bayberry, dogwood and American crab apple are State protected species in existence on this land. What are the alternatives to their removal?

Another area of great concern to us is the soil on this property. This soil has been exposed to many contaminants over the years. This property was a working farm for many years, probably about twenty-five years, and we are concerned that there might be residual levels of fertilizers and pesticides in this land.

Is the soil contaiminated with dredge spoils from the Harlem Meer, which were illegally dumped some seven or eight years ago? Have the LILCO substation transformer explosions

put dangerous PCB's on this land? There are six or seven documented.

The Long Island Rail Road has sprayed dioxin and similar chemicals along the track beds, and there is evidence of petroleum contamination in this area.

For all these reasons, we ask that the soil throughout the property be tested, and that all contaminated soil be dealt with responsibly so that future residents of this development, children digging in the soil and adults gardening, will not be subjected to any additional health risks.

Thank you. I would now like to introduce our next speaker, Mr. Ed Lynch.

MR. LYNCH: Thank you very much. As Ginny said, my name is Ed Lynch. I have been a resident of East Northport for twenty-five years. I currently have two children in the School District 4, actually Dickinson Avenue School.

I would like to thank all of you for allowing us this opportunity to speak. I would like to thank all of the people that came here tonight. This is a tremendous outburst of support.

This document that was so painstakingly put together by the people of the ABC Civic Organization contains a tremendous amount of concerns, and actually a bunch of logistics that hopefully, once you people have read and researched, will get back to us with the appropriate answers.

For the moment, I would like to digress and talk about some concerns of my own. We have to make some assumptions, and that is if we go along with the plans that are being submitted by Housing Help to build one hundred seventy-six units, they are going to have, obviously, a profound effect on our community. My concerns tonight -- I would like to speak to you tonight about the children, their safety, their health and obviously, their education.

The District Space Utilization Committee has already determined that School District 4 is approximately at its breaking point. They are investigating a number of ways for the School District to expand by opening up buildings that had been previously closed, the possibility of making shift classrooms or

temporary classrooms, and a number of other alternatives that haven't been determined as of yet.

The problem that we have as a community, and that we ask you to consider in your review is with an influx of a tremendous amount of new students, which would have to be determined by you, what do you propose to do to house these individuals? Will they all go to one school or will they go to several schools?

Just one point further. If there is one hundred seventy-six families being put into Matinecock Court, for argument's sake, that generates three hundred more children, our concern is the one school, Dickinson Avenue, which will be responsible for them, will obviously not be able to accommodate them.

What are the alternatives? Are we going to bus? Are people currently in Dickinson Avenue going to go to Ocean Avenue, are the others going to go to Pulaski?

These are some of the concerns of the community, and obviously, at what cost?

In addition to that, according to the

plan that was submitted by Housing Help, they have determined that the construction phase of this would take approximately six years. Just for the moment, let's imagine a child going to school for his first day in kindergarten, and for the next six years in that child's life in the Pulaski Road School, that child will be subjected to a construction site every single day.

I speak to you as a concerned citizen, as a father, and also as a construction worker, and I know the health hazards that accompany a construction site.

In addition to the health hazards, we are concerned with the learning disabilities caused by the distractions that the people go through during the construction phases, and we ask you, as is in this document, are there certain times when things will be done? Will air monitoring be done on a continuous basis, and at what stage will it be unsafe for our children?

The worst thing I can think of, as a construction worker, I see grown men walking around with respirators on their

faces all day long. I would hate to see the children, during recess, wearing respirators all day long.

Our concerns are genuine and are all outlined in the document we have presented to you, and we hope they will be given the attention that is necessary.

At this point, I would like to turn the microphone over to Sharon LaColla to discuss some other items that are in the document.

MS. LA COLLA: Good evening, Chairman Asher, ladies and gentlemen. I did a small, and perhaps not too artistic guideline of the traffic situation because I think it is very important that everybody understands what will be occurring in the next six years, and I would like to talk about that.

Can everybody hear me?

FLOOR: No.

MS. LA COLLA: Could I move this?

MR. ASHER: You can move the easel closer to the microphone.

MS. LA COLLA: What this is, is the immediate area we are talking about where the housing

development will be built.

Elwood Road runs north and south, and Pulaski runs east and west. We have a grammar school over here, which is the Pulaski Road School; we have a high school to the north of the railroad tracks, and we have a BOCES industrial school as well.

We have a railroad track. [INDICATING] At five o'clock in the morning, there is hardly anyone on the road. By six o'clock in the morning, our community is scurrying. How do I know this? I leave for work at five o'clock in the morning, six o'clock in the morning, seven o'clock in the morning. At seven a.m., there is a steady flow of traffic westward on Pulaski Road. The average mile per hour that you can drive is probably thirty miles an hour.

Going east are construction vehicles picking up equipment, such as sand, block, etcetera, past our Northport Recovery Plant. We have refuse trucks that are also headed east going into the Resource Recovery Plant.

Heading south are people coming out of the communities of East Northport, Northport

Village, Asharoken and Eaton's Neck. This is the only artery out of that area.

In addition to that, we have people commuting to the City. We have nine trains that go through this area in the course of approximately three hours.

There is a tremendous amount of traffic here. Right now, if you come home at six o'clock at night, you are going to be sitting in traffic for quite a bit of time once you hit the traffic light at Elwood Road. The average mile per hour that you can do currently is about fifteen to twenty miles an hour through that neighborhood. It is a highly dense area.

In addition to the traffic that I have just told you about, I am concerned that the current heavy volume that is carried by this road will become more congested with the construction that will go on. We need to know that there will be effective planning developed at peak community hours when traffic is heaviest with school buses and commuters, as well as off-peak hours. We need to know the traffic management plan will also address traffic

volumes along the length of these roadways to insure public safety.

If it takes six years to build this development, we will have cement trucks, garbage trucks, flatbed trucks with construction material such as steel beams; we will also have service and construction workers, as well as all of us leaving the community to go to work, our children being picked up and going to school.

We have a tremendous number of children that also walk to school from south of Pulaski Road. There are no sidewalks, and there will be no sidewalks once the construction starts. The safety of these children is very important because they are the future of our community.

How are we going to protect them? Are we going to put a wall or a walkway so that they will not be subjected to the debris and other items that will come from a construction site?

We are also very aware of the extensive traffic backup given to the existing area. We are aware there is an accident history on Long Island at at-grade railroad

crossings, and I can reference the Herricks railroad crossing, which was very recently considered and is now being made an above-the-ground grade.

We think that these problems are very, very important to us as people, and we need the Board to consider those things when they go through the traffic situation.

Also, as Edward said, the air quality during the construction of the site from the exhaust systems, will it be monitored for the residents and schoolchildren that play in the area? And what is going to happen to a child that has asthma? This child will probably not be allowed to go out and play for the six years that this site is under construction.

Not only do we have elementary children at the Pulaski Road School, but we have high school children that are in track, playing soccer, football, etcetera.

We would like to see that consideration, not only in the form of, perhaps, planning how vehicles will go in and out of this site, but also to look at an alternative entrance to this development.

The current entrance is situated on Elwood Road right next to the LILCO power station. That area between Pulaski and the railroad tracks is the most congested of the property lines that form on the County Road.

We would like to have the developers look at an entrance that, perhaps, would be on the Pulaski Road side because we feel that that would help.

There is another situation that needs to be addressed. Pulaski Road, by the year 2000, will be in a state of what is considered poor condition for traveling. This has been referenced in the '93 Comprehensive Plan. We want to know if existing families that live on Pulaski Road are going to be forced out of their homes by the year 2000 because of the necessity to widen Pulaski Road?

Are we going to have to have people move out of our community because we are bringing people into the community? We feel that consideration has to be given to that.

There is, also, no turning lanes that are on the site. When people come south on

Elwood Road, if we are going to alleviate some of the congestion, we would like to see a turning lane.

The site has a proposed or estimated one hundred ten vehicles per hour coming out of the entrance when the development is finalized and people are living in it. A hundred and ten vehicles an hour is going to put a tremendous strain on our infrastructure.

Lastly, I would like to talk about electric and magnetic fields which are usually called EMF's. They result from highly charged particles. An important feature of EMF is that they weaken when they are distant from the site. Sources that are familiar to all of us are electric power lines, household wiring, appliances, even our own TV's.

On this site, there is a LILCO power station which, as previously stated, has had several explosions. We know that there are PCB's that have come out of these explosions. There is evidence, some evidence that EMF exposure causes certain types of brain cancer and leukemia in children. Twenty years ago, there was evidence that, perhaps, cigarettes

caused cancer. On this site, there will be a day care center and a community center situated right next to that power station. We would like the developer to reconsider this. I would not want my child in a day care center that's next to a power station. I would not want to see anyone else's child in a day care center next to a power station.

Thank you.

At this time, I would like to introduce Don Bornkamp.

MR. ASHER: Just state your name.

MR. BORNKAMP: My name is Donald Bornkamp. I am a lifelong resident of the community.

The issues of stormwater runoff, sewage disposal and water quality are of great concern to any community.

The schematic plan submitted by the developer does not adequately address the size, construction, runoff, transfer or access to the stormwater recharge basin for this site.

While recharge basins are common in our area, they are becoming an area of concern due to the impact they may have on an underlying

aquifer. The proposed site is above an area designated as a principal, primary or sole source aquifer. What measures will be taken by the developer to control or eliminate the risk of allowing contaminated runoff to enter our aquifer?

Runoff typically contains fertilizers, pesticides, petroleum products, organic debris and animal feces, all of which can be detrimental to the environment. Additionally, the recharge basin is proposed in the same area as the leaching field system for the sewage treatment plant. Is the underlying soil capable of absorbing the runoff from a seasonal storm, along with the constant discharge from the treatment plant?

Another area of concern to the community and any future residents of the site will be the proposed sewage treatment plant. Less than one thousand feet from the plant site are three schools. Less than two thousand feet from the site is a primary water well for the community.

It is extremely difficult to control odors from a treatment plant. This is well

known to area residents who have had to deal with past odor problems from an existing plant on Elwood Road south of this proposed site.

When severe odor problems occur at this site, due to the close proximity of the schools, how will the education and interscholastic activities of our children be affected? How is the developer going to insure the health of our children and children in the development is not adversely impacted?

Given the complexity of operating a treatment plant, especially one which will require tertiary treatment, how will this system be managed? What procedures will be in place for maintenance and repairs? What type of emergency response plan will be in place should the plant malfunction?

In the case of a plant shutdown, where will the untreated effluent be discharged? Will it be allowed to enter the leaching field?

How will the sludge generated at this site be removed? Will it be transported through residential areas? What are the health risks associated with exposure

to the sludge should a spill occur during transport?

These are all questions which must receive serious consideration.

The area of greatest concern to the community and hopefully to the developer, will be our water supply. As everyone is aware, our water supply is not an indefinite commodity. The project site, as previously stated, is directly over the aquifer which supplies water to our community. Any potential risk to this precious commodity must be of the utmost concern to all of us.

With the proposal of such a high density development for the existing well, will the existing well have sufficient recharge capacity to handle the additional, as well as the existing demand from the community?

What are the potential effects on the aquifer from the discharge of the proposed sewage treatment plant combined with the stormwater recharge?

Additionally, less than a mile from this site you have a discharge from the

Paumanack Village treatment system. What will the combined effect of these two systems have on our aquifer?

Anyone associated with the operation of treatment plants knows that one of the major projects is the disposal of hazardous household chemicals and other chemicals into the sewage system. In many cases, the treatment plant cannot handle or get rid of these chemicals, and many of them are discharged with the effluent into the groundwater.

This, again, will impact our groundwater.

How is the developer going to insure that this will not occur, thereby causing any possible catastrophic impact to our aquifer and our only water supply?

These areas of concern should not be taken lightly. The health and safety of the present and future residents of this community must be of the utmost concern to everybody associated with the project.

Thank you for your time.

MR. ASHER: I would now like to introduce Kathi

Kutner.

MS. KUTNER: I am sure all of us in the room would agree that fire, rescue or emergency medical situations require prompt and efficient response in order to save lives and property. The high density multifamily aspect of this proposal, in combination with the adjacent LILCO substation, Long Island Rail Road tracks, three neighboring schools and a neighboring gas station, exponentially increase the risk factors associated with this development.

We are concerned that the proposed internal roadway configuration will hinder the development of emergency vehicles and personnel. Narrow roadways, tight radius traffic circles, and roadways which pass through the middle of parking areas do not appear to provide sufficient maneuvering room for emergency vehicles. In part of the development, roadways are twenty feet wide, according to the proposed schematics. If there is one parked car on a twenty foot section of roadway and an emergency vehicle needs to deploy adjacent to that roadway, that development will effectively be shut down. There will be no

room for other vehicles, residential or emergency, to pass at that point.

The access road into the development is relatively short. When problems occur at the entrance point, traffic will quickly back up into the interior roadway configuration, which snakes through parking areas. The proposed emergency access, a crash gate, opens into a tightly configured parking and traffic circle area. Emergency vehicles, as well as residential vehicles may find it difficult to maneuver through this configuration. It seems unlikely that the proposed emergency access could accommodate the necessary volume of both emergency and residential vehicles in the event the primary entrance/exit becomes unusable.

In the event that an evacuation is deemed necessary, how many residents will be able to exit from this development, and how many emergency personnel will be able to enter it?

We are concerned that there be a sufficient number and placement of fire hydrants in the development. The size of the

water main must be adequate to provide sufficient water flow to support fire operations and sprinkler systems. How large is the existing water main which will supply the proposed development site?

We would like to know what other high capacity users are supplied by this main; for example, schools?

Structural elements should be designed to provide maximum protection in the event of fire, such as fire walls, sprinkler systems, and anything else that will aid and give residents time to exit their abode.

The construction should avoid lower quality construction techniques which rely on prefab trusses using pressed fit gusset plates. Use of this type of construction as opposed to typical stick construction has contributed to premature structural failure under fire conditions.

We are also concerned that the individual apartment layouts have sufficient clearance to allow for the timely and efficient removal of patients on an ambulance stretch. I can think of no worse problem than

standing there watching somebody I love having to be jockeyed down a stairway and additional time taken to get that person down the stairway that may result in the loss of life.

We would also like to know what the health, fire or explosion and spill or leak hazards associated with required chemicals that are going to be used in the sewage treatment plant are?

Is there additional training and equipment that the local fire department will have to provide in order to mitigate an incident at this site?

In addition to fire protection, we would also like some comment from the Second Precinct on how they propose to manage the addition of one hundred seventy-nine families and still maintain current levels of protection and services?

And given its close proximity to area schools, the three neighboring schools, will the development be within a designated Drug Free Zone?

Research has clearly told us that the physical design of a development is critical

to its success. It is the platform for changing families' lives. Housing needs to be built in a way that promotes safety and creates a sense of community within the development. Creating the opportunity for individual expression fosters a sense of pride and creates the path for people to make positive changes in the way they feel about themselves.

People want front yards and backyards no matter how big or how small. They desire a space of their own where they can provide a safe place for their children to play, grow gardens and have private outdoor space to enjoy and entertain their friends.

We are concerned that the design, in its current state, uses a cookie cutter approach, which will foster an institutional feeling and a sense of hopelessness among the residents.

Experts conclude that the most successful developments are those which are not readily identifiable as housing "projects."

In talking about the roadways, we have to make sure that there is enough room to safely accommodate school buses, garbage

trucks and other service vehicles in the event of major snows like two years ago. Where will the snow be piled once it is plowed off the street? It is common that roads are not plowed shoulder to shoulder. In the areas of the roadway which are very narrow, will there be enough room for vehicles to pass safely, especially emergency vehicles?

In looking at the plan, we would like to know, also, where are the safe areas, not sidewalks or roadways that interfere with the pedestrian movement in the development, where children have the opportunity to ride bicycles, roller skate, play street hockey and so forth?

In most residential areas, children play in front of their homes. These activities take place in driveways, dead-end streets and in cul-de-sacs. Just last week, we were out in an affordable housing development out in Central Islip, which incorporated areas for all these activities to occur. This was a development that, years ago, was a development that had significant problems with health and safety for the people who lived there, but when

you look at this development today, people are growing gardens, the kids are playing safely in their own yards, people have their personal expression in the way they decorate their yards. There is individual buildings, there is a personality, and there is a mixture of types of buildings both from single family homes to multifamily townhouses within the development.

We would also like to know does the existing plan provide for safe movement of pedestrians throughout the development? Does the plan provide a way to inhibit children from crossing the railroad right of way as a shortcut to the adjacent high school and sports fields?

We would also like to know if the developers will be utilizing conservation efforts? Will it take advantage of wind barriers, such as trees, to produce lower heating costs?

Will energy conserving materials, such as thermal windows be used? What type of siding will be used, and what types of fuel will be used, and what are the risks associated

with those?

It is also essential in the building of this development that sufficient storage space be provided to eliminate fire and safety hazards resulting from possessions being placed in hallways, stairways and entrances.

Possessions normally are stored in sheds, in garages, in basements. Where will those possessions be stored in this development? The plans do not clearly indicate the existence of these basements or storage units.

With bicycles, trikes, outdoor toys, baseball bats, all these things that cannot be stored in basements, stairways and entrances, there has to be some storage provided.

In addition, housing professionals have identified unkempt, cluttered yards as source of contention among neighbors, and a contributing factor to the demise of communities.

In conclusion, we would like to say every time a family leaves our Town or Long Island in search of affordable housing, they take a piece of us with them. They are

missed in their families, neighborhoods, schools and churches. We can no longer afford this loss. There is a better way.

We, the people of the Town of Huntington, can create affordable housing to serve our elderly, our young families and our families in need so they can continue to live among us. It is time for each of us to commit ourselves to the creation of affordable housing that works; to fully incorporate the latest standards and ideas of housing professionals across America.

The communities of Huntington must support a housing development which serves the needs of all people, while preserving and protecting our environment for the use and enjoyment of this generation and all future generations.

I would like to thank all of you on behalf of our community for giving us this opportunity to speak to you.

MR. ASHER: I want to thank you very much for your very well organized presentation and for the amount of work and effort that you put into it in making this presentation to our Board.

We are most appreciative, and I want you to know that we take all of your comments to heart, and we will study them all and incorporate them into the requests with regard to the Draft Environmental Impact Statement.

Is there any other representative of a civic association that would like to speak?

Yes?

MS. ALU: My name is Karen Alu. I am from the Elwood Taxpayers Association.

I want to make very clear that the Elwood Taxpayers Association is a civic association -- we are not part of the School District -- which would be impacted by this housing project. So, it's far-fetched to assume that this will only -- that it only disturbs or only concerns the people that live in the area in that School District. It does take in people much further away, down to Jericho Turnpike and on the other side.

It is very difficult to follow a presentation like that because we have been kind of following this for the past -- since the early '70's, the Elwood Taxpayers has been

pretty much against this project.

What I would like to do is to thank the other civic association, and since a lot of people that are here tonight may not be able to make the next public participation meeting, I would just like the people that are here who would like the civic association to speak for them, whether it be in opposition or whether they would like things incorporated that they heard tonight, to please just raise their hands so that if they are not here for the next public participation hearing, the Board that is here now will know that you are interested.

So, if you are interested in having the civic association help you in the situation, can you please raise your hand so the Board will see? [APPROXIMATELY ONE HUNDRED FIFTY PEOPLE RAISED THEIR HANDS.]

I am just doing that in case they can't make another meeting.

Now, I kind of come from a different angle since I am really going to put a personal spin on it in case I can't make the next meeting myself.

It appears that the rights of a few, the renters, are being moved ahead of the rights of all of the taxpaying homeowners in the area, who opposed this project originally. These units that have to be built, we feel, should be purchased. They shouldn't be sort of given to tenants. Given things are not often cared for, they are not often tended. They are just used up, and people who live there kind of go somewhere else to another location.

We have all worked hard and cared for our housing and property. We don't feel housing should be a gift, but it should be something to look forward to. It should be a goal in life.

Most of us have that "American Dream," and we all assumed it, and we would like everyone in the neighborhood to also assume that same goal.

In most cases, if you have no monetary value in where you live or your property, you don't take the same care that someone else that does have a monetary value in it does.

In a real estate assessment course that I took, there was a standard where they do reference that a multifamily, nonowner occupied apartment unit will bring down the overall assessment of the surrounding properties. The people in nonowner units are considered transient. Not that they are bad or anything, but they are considered, in real estate appraisal terminology, as transient with no monetary ties to the property; and, therefore, that does -- the assessments go down in the area.

Our taxpayers and school should not have to absorb the not-for-profit tax exempt low income housing project. [YEAS AND APPLAUSE]

We also feel that Housing Help, Inc. should not be allowed to use our neighborhood as an experiment to see if their management skills are up to snuff. What happens if they aren't?

I am kind of going from the other angle. The other one that sounds so nice, mine is a little more heavy.

In other areas, multifamily homes,

housing units, are being imploded. I am sure everyone watches television now. We are imploding these units and replacing them with single-family homes.

I want to know why we are going backwards?

Thank you.

MR. ASHER: Yes, ma'am?

MS. STRONG: Good evening, ladies and gentlemen and the Board. I would like to identify myself. My name is Penny Strong. I am President of People on the Block from the Village of Northport.

Might I add -- might I add, I was just going to give a little synopsis on what People on the Block say because I think it is relative to what's going on in this room at this time.

I started People on the Block because nobody talks to anybody any more. This is the '90's. In the '50's, there was a church on the block, there was a dentist on the block, there was a locksmith on the block. There were also children on the block. If you can visualize this, being the first child of four,

I would take the wagon and pull my brothers and sisters on the block. What I am getting at is that People on the Block in the Village of Northport are going to be helping the elderly, the homebound, the physically ill child.

Today, I spoke to every head of civic groups in the Village of Northport to start a pilot program to have doctors make house calls. [APPLAUSE] This is unheard of.

The point I am getting at is that no longer will children in the area of Pulaski and Elwood Roads take a wagon and pull their brothers and sisters down the street.

The civic people that I spoke to today, will meet on Wednesday at the Northport Yacht Club at seven-thirty to discuss a program that was done in Buffalo that got doctors, residents, deans of medical schools to come and speak with the elderly.

They told me that the best way to have a community is to have a mix of community. When I spoke to Housing Help on two occasions, they said that they were not

interested in the elderly in this project. I said, "That's a sad state of affairs because a community, a sound community is when everyone helps everyone."

I might ask the Board to really visualize how a healthy child can grow up. A healthy child grows up thinking proud, thinking of respect to their elders, thinking of the "American Dream," of the boy's and girls' clubs and to have pride. I don't know that children who are going to be in a project, if you want to say a project, are going to be examples. I don't know what the effect of those children is going to have on the other children. I just want to leave you with that thought, and thank you.

MR. ASHER: Are there any other individuals representing a civic association that would like to be heard tonight?

Is there anyone else who would like to bring something to our attention with regard to this Scoping Session?

I invite you to do so now.

Just raise your hands, and I will identify you.

Yes, sir?

MR. HAYRIKER: Good evening. Thank you for giving me an opportunity. I don't have too much to say.

My name is James Hayriker. I live about two blocks from where this building is going to take place or wants to take place. I live there thirty years now, and I have seen the changes in the community over time, some for the better, a lot for the worse.

I travel on Pulaski Road to work every day for thirty years. Before, somebody brought up the traffic. It used to take me twenty-five minutes from my house into Westbury. It is now forty minutes, and now, according to Mr. White, we want to add another two hundred forty-three parking spaces, maybe another two hundred forty-three more cars on Elwood and Pulaski Roads and the vicinity.

Someone else brought up electric lines in the area. I come home -- or when I go to work, I have my radio on listening to whatever I am listening to. As soon as I get east of Park Avenue, there is nothing on my radio but static because of electric lines.

This continues all the way up until I turn off of Pulaski in the vicinity of Elwood Road.

I think the school right there is not a safe area. In my belief, and I have read some things about it, the body cannot accept electric fields. Some say electric fields cause cancer. If you get bombarded all the time by these electrical fields, I don't think the electrical fields are good for your body.

Another thing, is the aquifer they are going to build upon, is this going to be a problem there? Is that a natural aquifer? I think we should look into that.

I know environmentally, if there was a kangaroo rat on that property, there would be no project. If there was any endangered species on that property, there would be no project; but there is, also, something else that is endangered. That's a safe community, and I think in order to keep our community safe, we should put that on the endangered list, also.

Thank you.

MR. ASHER: Yes, sir?

MR. LENHARDT: George Lenhardt; East Northport.

I don't know if you ever noticed, I don't care about the project -- I mean I do care about the project, but there is a growing problem here in Huntington right in my own neighborhood. It is called traffic and car control.

I live on Fourth Street in East Northport, adjacent to the railroad station. Not only is it going to contribute to the traffic flow on this intersection -- I see it every night. I can give you the times I cannot leave my driveway with my own personal family members because of the cattle coming out of that parking lot.

I will give you some stories. I know people that have had their vehicles completely totaled because the woman lost control of time and realized she was late in picking up her husband, and she ran a car broadside and hit someone right in my own neighborhood.

I invite you any night to come down to my neighborhood, Third Street -- God forbid you people living on Third Street between Tenth and Ninth Avenues, because of the

emergency vehicles we are throwing at you now. Take a look at them the next time you go to your local volunteer -- I said volunteer -- Fire Department. Is that going to affect us, too? Yes, it is, because now I am going to stop my lawn mower in response to that whistle because someone's elderly patient, mother-in-law or father-in-law, is living with that family. What is our most important thing with a heart attack; time. Is this traffic going to affect me? It surely is.

I am coming out of my driveway, coming out onto the main thoroughfare. It has taken me almost ten minutes to respond to get to the Firehouse to get to the ambulance. My son is driving now, my daughter drives -- oops, two more cars.

I invite you come down to Third Street between Ninth and Tenth Avenues after six o'clock and you try to tell me, with this new pumper we now have, which we now have to have the men inside the cab, a ten man crew cab we have, I will challenge you to see if we can get that new truck down that block because there are people living in those households

who have people that are driving with their cars parked out in the street, which is a thoroughfare for you people to get through and for that volunteer fireman to get through, too.

I think anybody owning a home who has a driveway should be responsible for their own vehicles to be parked in that driveway, not to take advantage of the street.

Thank you.

MR. ASHER: Thank you very much. We are certainly aware that traffic is a major, major issue with regard to this particular site plan, and I want to assure all the people here that this Board and the Planning Department is aware that traffic is a major problem in this particular area without the project.

With the project, it exacerbates it, and we are attentive to it, as we are with traffic throughout the whole Township.

Yes, sir, in the back?

MR. SABIAN: Thank you very much, ladies and gentlemen, for hearing me. I am new to the neighborhood. I moved out about ten years ago. My name is Pete Sabian. My wife grew up in

this neighborhood with her family.

You are talking about low income housing to help people in this neighborhood. People who need low income housing, as I was once in that position, we were renters when we first got married. We did not want to rent any more. When you are talking about low income housing, you still want to own. You want the pride of ownership. My wife and I moved out of the Town of Huntington, out east where we could afford to own a house, and now we have come back to the neighborhood we want to live in, that we want to finish bringing our children up in because we now have saved the money to live in the neighborhood that we want to live in.

These people that you are talking about building homes for, yes, there is a need for some rental space, but these people don't want to be confined to a rental area. They want to own homes. They are going to come, they are going to take your low income housing for the time being, but they are going to look to buy and if they can buy low income housing instead of rent low income housing,

they are going to be much more satisfied, and so will the neighbors.

The neighbors will see someone who will care for their property, who will upgrade their property, who will find a can on the ground and put it in the garbage can, who will find a piece of newspaper that the newspaper boy dropped, blowing across the lawn, and go out and pick it up.

When you see rental property, when you see low income housing, it reminds me of a place I used to work out east. It is now called Gordon Heights. It was a low income housing project. I would witness daily violence, drunken, disorderly, drug buys, drug busts, vandalism, illegal dumping. These are from people who are living in low income housing that have no respect for their property because they don't own it. It's a rental unit to them. They don't paint the inside. If something breaks, they don't fix it.

We are looking for someone who is going to care for their property and care for it the way that we care for our property.

You are talking about one hundred seventy-nine units, two hundred forty-three parking spaces. You are short about one hundred fifteen parking spaces because you are talking low income housing, you are talking usually two parents that work, two parents that got to have a car to get around. That's one hundred fifteen spots you are missing.

You are talking about guests. I want my parents to come over for dinner tomorrow night. There is another car. Where are you going to put it? Am I going to park it out on Elwood Road, where it is going to be a traffic hazard? How about Pulaski Road? That's a beautiful place to park.

There is no sidewalk there either. The older child, my son, is not in high school yet, but when he gets there, I probably won't buy him a brand new car. I don't think that's right, but I will supply him with a vehicle so that he can get around to a future college, once in awhile to go out with his friends.

Now, I am low income housing. I am living in this neighborhood. So, I tell my

child, "You can't have a vehicle. I haven't got a parking space for you," or I make a spot on the little bit of lawn you are going to give me.

Ed Lynch brought up the problems with the schools you are going to have. We just passed a budget. Now we are going to talk future teachers we are going to need. Maybe two to three hundred students. How many kids are you going to put in a classroom? Say you put thirty in a classroom. That's high, but say it. At three hundred students, you need ten more teachers, ten more classrooms; another school. There go our school taxes again.

A person like me, who can afford now to move back into the area, you are going to be driving me right out the door again. I can't stay and afford to live in the neighborhood I would like to live in, afford to live in the neighborhood that I work my butt off to get back into if you are going to raise the taxes where I can't afford to live here.

I am a working man. I am a working stiff. I recently took a vacation in Maine.

I took a look at where a relative of mine now lives. It is low income housing for the elderly. Storage, someone mentioned before. Well, this is twenty-five units, very small, but then again, Maine, in this area, is very small. Twenty-five units; trees, large double car garages inside of which were penned-in areas that were for storage, all lockable with their own locks.

All right, there was no privacy. There were see-through walls, but you had a place to put your storage, your bicycle that someone mentioned, some other things. They had a little back lawn, they had a little front lawn. It didn't look like a housing project. It looked like a row of housing attached together.

Travel time on Elwood Road. I work in the Town of Northport. I get to go home at three o'clock in the afternoon. I haven't found an easy way to do it. It's about ten or fifteen miles per hour -- no exaggeration -- until you get past that light at Pulaski and Elwood. Now, you are going to put one hundred ten more cars coming in and out of that

neighborhood onto Elwood Road. I am doing ten or fifteen miles an hour now. What speed am I going to do with one hundred ten more cars coming in and out of that neighborhood at ten miles per hour? I might as well bicycle or walk to work.

I thank you for hearing me. I just hope we can come to some kind of better idea of what we are going to do here. Again, this is our future. Just don't shut us down here. We don't mind having low income families in our area, not at all, no problem with it at all. Just make it easier to live with, you know.

We are not saying you are not going to change our lives by doing it. We agree there is going to be some change, but don't make it a drastic change. We came here because this is the life we wanted. Don't make it harder for us to get home at night; don't make it harder for us to live in our own neighborhood.

Someone mentioned widening Pulaski Road, knocking down a whole bunch of houses. I wouldn't want to be the one to knock on their

door, to knock their houses down, especially at the price they would get.

Thank you.

MR. ASHER: Thank you, Mr. Sabian.

Is there anyone else that would like to be heard regarding this Scoping Session for Environmental Impact?

Yes, sir?

MR. LA MONICA: My name is John LaMonica. I live in the immediate area here in East Northport, and I would like to state for the record that the issue here isn't applied density housing. It really is, low income, middle income, high impact -- but it is what impact high density is going to have on the environment of each of us who are here this evening.

I also suggest that the Board consider that that high density housing could have just as negative an impact upon the people who would be living in that new high density housing as those of us who have been living here for many years.

Thank you.

MR. ASHER: Thank you very much.

Is there someone else who would like to be heard?

Yes, ma'am.

MS. MAHONEY: I am Alice Mahoney. I am listening to everyone talk about driving on Pulaski and Elwood. I live on Pulaski Road, and I will tell you it's a disaster.

I am now retired almost four years. I cannot believe what goes on on Pulaski Road. We now have gravel trucks, we have got cement trucks, we have trucks -- we have got garbage trucks running at a quarter after eight every night running on Pulaski Road. To get into our driveway, we make a right signal. As we pull into the driveway, we get dirty looks from other drivers like, "How come you are going in there? Why aren't you going down the road?"

This is what's going on. So, for all of you people that drive past there, give me a wave. It's horrendous. It is really horrendous, and I dread when they start this.

I want to know, a quarter after eight every single night there is a garbage truck that comes from the dump going west --

where was he all day? What is he doing?

You'd better do something about the traffic.

MR. ASHER: I am absolutely certain that was a rhetorical question because I sure don't know where he was.

Is there anyone else who would like to be heard regarding the issues that we have been listening to tonight, which are very well stated, I want to say, and even though there is some duplication of points, especially with respect to traffic, we are confident that it obviously will be a significant factor in all of our deliberations.

Yes, sir?

MR. BUTCHER: My name is John Butcher. I live in East Northport.

We, as citizens, are totally outraged by this whole situation. We try to do everything that's right, and the people who are supposed to protect our rights turn the other way.

What's going to happen with the high voltage wires the first time we have a lawsuit because somebody gets cancer? Who is

going to foot the bill? We are.

What's going to happen the first time somebody gets hit by a train because the train tracks are located right behind the complex? We are going to have to foot that bill.

One thing that I did find out, that everybody who does give money to United Way, Housing Help gets a lot of money from United Way. In a company I work for, I was probably one of the biggest advocates for United Way. I had everybody donating money to United Way, and what happened? I am giving money to put something in the community we don't want.

I, too, came from, as far as my family, was low income. We had seven kids in my family. My parents couldn't afford to bring us up, but when we moved into the house, we had the opportunity to buy the house.

We were able to work and pay for the house so we could own it. That's how I was able to move to East Northport. I bought that house, and then was able to buy into my house.

To give it to low income renters, it is going to be a disaster, just like in

Queens. That's why we left it.

Thank you.

MR. ASHER: Thank you, Mr. Butcher.

Is there anyone else who would like to be heard?

Yes?

MRS. ADLER: I am Lucy Adler, and I live in Elwood Road right near the school, and I am going to go back to the traffic.

I have seen the car accidents. I saw a little boy on his bicycle get hit by one of the cars going back and forth. I have seen another child going up trying to go to school, and get hit. There is an awful lot of traffic for children going back and forth to the schools, Dickinson Avenue, the high school, BOCES. The kids walk back and forth. They don't have a bus or they don't have cars.

You add more cars to that road, and I know there will be more horrible accidents.

I have seen cars come up that road and hit the guardrail. I have seen cars trying to get out of Dickinson Avenue onto Elwood Road, and it is not just once in awhile, it is very, very often, and they are not very

pretty sights, and the volunteer firemen have come to help get the people out of their cars.

This is what's going to happen more and more and more if you are going to put more traffic on that road with more cars coming out. This goes on day and night, winter, summer, and you just try and have some snow on that road, and you watch the cars because lots of times they cannot make that curve going into Dickinson or coming out of Dickinson Avenue going onto Elwood Road.

The school buses have broken down there, and they have also had trouble with cars coming buy and kids trying to whiz by, kids stopping and standing on the corner waiting for school buses to come pick them up. You put more traffic on that road, and you are asking for more kids to get hurt.

Thank you.

MR. ASHER: Is there anyone else who would like to be heard?

I think we are cognizant of the traffic. Having heard from so many people living in the area, living on Pulaski, Elwood;

and so, we are aware of the significant traffic problem.

There is a gentleman here that would like to be heard.

MR. DEMLING: My name is Richard Demling. I just bought a house right on Elwood Road; not a bad house, not a big house, a decent house. I am a community member here.

I bought a house in this neighborhood for this School District. I don't know what's going to happen when they put all these other kids in my School District. Are they going to move my kids from School District 4 to School District 3? Where are they going to go? Are they going to rezone it for the schools?

This is a big consideration for me. This is why I bought in this neighborhood for this School District, and that's about all I have to say.

MR. ASHER: Thank you.

Anyone else that wishes to be heard?

Yes?

MS. VOLPE: I have one final question. As the Co-President of the Civic Association, we have worked very hard to explore these issues on

their own merits, to find a win-win situation for our community, and for the people that Housing Help wants to help.

I don't know every member of the Board of Housing Help, but I know that there are sixteen members, and to the best of my knowledge, there is one person from the Board of Directors of Housing Help in this room tonight, and if that is the case, I think it is a clear statement that, perhaps, our environmental concerns and our issues, our community, the well-being of all of us is not even important to them.

I would like to know who is here from the Housing Help Board of Directors? Not the paid employees.

MRS. BELGRADE: May I speak?

MR. ASHER: Yes, you can speak. Just before you even speak, I know you may have a comment about it, but I really -- I do want to compliment everyone tonight on the orderly way that the presentations have been made and in the way that individuals have made their points to the Board. I do think that the number of persons from the Board of Directors

is really not a relevant issue in terms of whether or not the interest is there, and I also know that, from some personal knowledge, that it was considered that we would have a very large turnout of people tonight from the neighborhood, and to some degree, the Board made a decision not to come because of the large number of people that would be here, for space reasons and things like that.

MRS. BELGRADE: Oh, oh.

MR. ASHER: Basically, it is irrelevant, and I don't think it is something that this Board is going to consider at all, and I am making the comment because it is insignificant with regard to the purpose of the Public Scoping Session.

So, I have made my comment about that. I am complimenting the persons, particularly you, Virginia, because you obviously organized this thing extremely well, and your hard work is evident in the document that you have given to us, and I know that all of the people here tonight are taking this particular situation extremely seriously, as we all should and as we do.

So, I just want to be certain that that is not an indication of the interest of the people in your neighborhood and in all of our neighborhoods because we are all neighbors in the Town of Huntington, all of us are. Whether we live in your particular little hamlet or not, we are all neighbors, and I think that's very important for all of us to remember.

I would entertain any other comments. I do think that the civic associations and the persons who have spoken tonight have really covered a great array of environmental concerns. They have been very specific with respect to some of the issues that should be addressed in the Draft Environmental Impact Statement, and we are obviously open to other suggestions.

If there is something that hasn't been covered yet, I would like to hear about it. If your comments might have to do with traffic or equity programs in the houses that are to be built in this area, I think that those points have been very well made to us tonight; but if there is something new or

something extra that someone would like to bring to our attention, I would be more than happy to hear it.

Yes, sir?

MR. SWANSON: My name is John Swanson. I also live in East Northport, and I have lived there for over thirty-five years, most of my life.

What I would like to say to this Board, if this project is going to go forward, is that specific steps be stipulated in the project to be sure that the project goes forward without delay so that the people of East Northport do not have to put up with another situation like we currently have, like with the Larkfield School, where we have a project that started many years ago, that only recently is going forward because of all the bureaucratic red tape that the developer had to put up with with the existing agencies.

I hope that is written into the scope of the environmental impact, that the people of East Northport don't have to suffer with this project as we have before.

Thank you.

MR. ASHER: Thank you very much.

Is there anybody else who would like to be heard this evening?

Observing that no one does wish to be heard, I want to thank you very much for your input. I want to thank you for your courtesy this evening to everyone, and we will be taking all of this under advisement, and the Draft Environmental Impact Statement will be a public hearing at a future date.

Thank you again. Good night everyone, and please get home safe.

[WHEREUPON THIS PUBLIC SCOPING SESSION WAS CONCLUDED AT 10:20 P.M.]

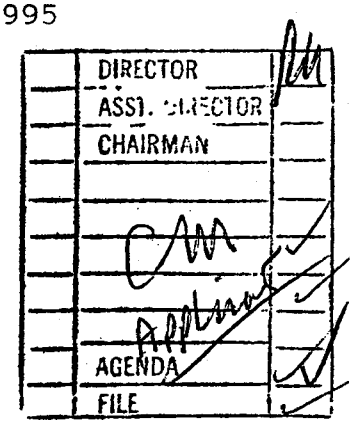
oOo

82 OCT 15 AM 8:21

31 Monmouth Drive

East Northport, New York 11731-1332

October 1, 1995



Huntington Town Planning Board Members
Huntington Town Planning Department
Huntington Town Hall
100 Main Street
Huntington, New York 11743

Dear Members of the Planning Board:

I am a resident of East Northport and was present Wednesday night at the Public Scoping Hearing on the low income housing development proposed for my neighborhood.

Before the hearing began, I had an opportunity to see the plan presented by Housing Help to develop the fourteen acres with 179 apartment units. I was appalled to see the amount of concrete/asphalt that will cover this land and the lack of open space. It is apparent that Housing Help is interested in providing housing for as many as possible without considering the overall ramifications this high density plan will have on the community as well as the future residents of Matinecock Court. This approach to low income housing has been proven to be unsuccessful. I grew up near a similar development, and it was a disaster to all concerned. Just last week I had the occasion to drive past the Walsh Housing in North Newark, New Jersey, which was constructed when I was a teenager and now stands vacant--- a monument to all that can go wrong with public housing. The Walsh complex was high density housing that overwhelmed the neighboring community, making it impossible for the community to absorb the influx of new residents. It was destined to fail because of poor planning. The history of high density, low income housing should be studied before deciding on the best plan for our East Northport community.

We have numerous examples on Long Island of successful low income housing development following the philosophy of Habitat for Humanity. I have seen the power of community members working together to help a less fortunate family build and acquire their own home and become a strong community member. Through a commitment from both, successful long-term housing solutions have been found. May I suggest that Housing Help reevaluate their plan in order to be successful and give the East Northport community a plan that will work long term.

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As Planning Board Members you hold the key to our community's development and future. I ask that you consider the many issues addressed at Wednesday's hearing---traffic, safety, environment, quality of life, etc.---and find a plan that can be successful without compromising the community or the well being of our future Matinecock Court neighbors.

Thank you for your consideration of this very important issue.

Yours truly,

Anita Tomforde

Anita Tomforde

cc: Housing Help, Inc.
Commissioner Mary Hibbard,
Suffolk County Dept. of Health Services
Representative Gary Ackerman
Senator James J. Lack
Senator Carl Marcellino
Assemblyman John Flanagan
Legislator C. Stephen Hackeling

A BETTER COMMUNITY CIVIC ASSOCIATION, INC.
P.O. BOX 162, EAST NORTHPORT, NY 11731-0162 261-7399

MATINECOCK COURT PUBLIC SCOPING PRESENTATION

PRESENTED TO THE TOWN OF HUNTINGTON PLANNING BOARD
HUNTINGTON TOWN HALL
SEPTEMBER 27, 1995

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INTRODUCTION

A Better Community Civic Association, Inc. (ABC), is a civic association representing hundreds of families in the communities of Centerport, East Northport, Elwood, Fort Salonga, Greenlawn, and Northport.

We have spent countless hours researching the complex issues of housing and reviewing the proposal to develop 14.5 acres on the northwest corner of Elwood and Pulaski Roads. We, the people living in the town of Huntington, have before us, the unique opportunity to create a housing development that can be affordable to families.

Sixty percent of the families in need of housing in our town are Moms and their children who have taken the brave step forward to leave abusive relationships in search of a safer and more stable life. The people in our neighborhoods, the very same people who live "community" every day, as they shop for an elderly neighbor, contribute goods to the food pantry, or watch a friend's child after school so the parent can be employed, are asking for the opportunity to make a long term, significant and positive difference in the lives of Matinecock Court families.

Let it be clear that our Community's sole commitment is to provide families with stability, security, safety and permanence in our community, and to do this in the best possible way using innovative housing solutions, simplified financing techniques, state of the art designs and the best possible construction materials. We invite everyone in this township to engage in a true partnership, to work together to create a development any one of us would live in and feel safe and proud.

Since the purpose of the public scoping hearing is to address environmental concerns, we respectfully submit this written document detailing the issues. As you review this, it will be apparent to you that our concerns are for the best interests of all the men, women and children living in our community today, and all those who will join us in the future.

We acknowledge that the site plans submitted to the Town of Huntington Planning Department on June 7, 1995, are schematic site plans. Information including, but not limited to, floor plans, recharge basin data, elevation and drainage is missing. We are unable to fully comment on this site plan, and respectfully request the right to make additional comments once a buildable site plan which includes all pertinent information has been submitted.

Some specific areas of concern are outlined in the pages of this document.

OPEN SPACE

The Town of Huntington Open Space Index Report assigned a level 5 priority rating, (on a scale of 1 to 6), to this particular parcel of land. This priority rating denotes properties which are highly valuable as open area due to its "proximity to parks, schools, or other land uses which would be enhanced by the additional open area." The proposal before this board calls for the development of the entire 14.4 acre parcel of land, resulting in the loss of this entire high priority "Open Space Index Parcel." How shall this particular area of East Northport be compensated for loss of this open space? What are the short and long-term consequences of this loss?

WILDLIFE AND VEGETATION

As a relatively undisturbed open space situated between highly trafficked county roads, the LIRR, active residential developments and highly utilized school yards, this parcel serves as a wildlife habitat.

What effects will the loss of this open space have on the migration and nesting patterns of existing and migratory wildlife? Where will the wildlife go once this habitat has been destroyed?

Since construction began on the final phases of development of Paumonauk Village, residents in the area were subjected to a continuing rodent infestation. The loss of this open space parcel will surely result in the relocation of existing and future rodent populations.

It has been documented that the presence of rodents poses an increased risk of exposure to the Hanta Virus and other viruses carried by rodents. The disturbance of rodent feces can cause the hanta bacteria to become airborne and infect humans.

What measures will be taken to prevent health risks to construction workers, neighboring residents and school children?

The EAF Part III adopted by the Planning Board Positive Declaration Resolution Dated 7/12/95 states that "no threatened or endangered animal species were observed during site visits to the subject property." Were observations made of nocturnal wildlife activity? If not, such a study must be conducted to determine if threatened and endangered nocturnal wildlife inhabit the site, and what effect natural plantlife removal will have on these species?

Existing trees and natural foliage serve as a natural barrier for road noise, LIRR noise, schoolyard noise, etc. How will the removal of this barrier impact the community? How will the proposed landscaping plan effectively replace the existing buffers given its mature growth characteristics? If existing buffers are eliminated in favor of the proposed landscaping plan, will sufficient buffers remain continuously in place throughout the entire development/construction process? What will the increased runoff of water be as a result of the removal of existing trees?

In the EAF Part III, Three plants/ trees, on the site are listed as state protected, (Bayberry, Dogwood and American Crabapple), and are documented as being such. What is the basis for the statement in the EAF Part I, Section A, Question #11, "there are no species of plant or animal life that is identified as protected, threatened or endangered?" What are the alternatives to removal? What are the consequences of removal?

SOIL QUALITY

Given its history as a working farm, it is highly probable that pesticides and fertilizers were used on the site for a period of more than 25 years. Testing should be conducted throughout the site to determine the residual levels of such chemicals in the soil and the potential impact of the disturbance of soil. We are concerned about the possible release of hazardous chemicals into the air and their effect upon human and animal populations. Of special concern is the proximity of the schoolyards utilized by large numbers of children, an unknown number who may have respiratory conditions, such as Asthma, which could be aggravated by airborne chemical contamination. Will the disturbance of soil during and after construction pose an added health risk to future residents of this development? Will children playing and digging in the soil, or adults engaging in gardening activities, be subjected to additional health risks? If soil contamination is present how will this be addressed? How will construction workers and residents be protected? Does the phased construction proposal, where residents may be living amidst continuing exposure to these risks make sense?

Dumping has occurred on this property over the years. In addition to existing evidence of household and automotive dumping and campfire remains, the Southwest portion of this property was the site of illegal dumping of dredge spoils from the Harlem Meer. Area residents have stated that for years nothing grew on the mound of dumped sludge, a possible indication of contaminated soil, possibly including heavy metals. Testing must be done to determine if the soil is contaminated, and if so, how will that be addressed to ensure the health and safety of future residents, laborers and the surrounding community.

There has been a series of documented transformer explosions within the LILCO electrical substation, located adjacent to the proposed development site. We have been informed that PCB contaminated oil were utilized in transformers within this site. These explosions may have transmitted PCB's beyond LILCO's property boundaries and contaminated the soil within the development site. Soil testing must be undertaken to determine if such contamination does exist. If so, how will this be addressed? How will residents of this development be protected from future explosions? Does it make sense to locate residential building, a playground, and community building in such close proximity?

It is our understanding that in the past, the Long Island Rail Road had engaged in a foliage control program which included spraying Dioxin similar chemicals along the track beds. While at the time, the use of these chemicals was deemed appropriate, we know now of the harmful, long-term health affects associated with their use. Visible evidence of petroleum contamination also exists along the track beds. Soil testing must be done along the northern perimeter of the proposed development site to determine if residual contamination exists. If so, how will this problem be addressed, especially since the Sewage Treatment Plant and the Recharge Basin will be discharging significant amounts of water through disturbed contaminated soil into the aquifer?

SCHOOLS

The Northport-East Northport School District # 4 is experiencing an increase in student enrollment. The District Space Utilization Committee has been exploring a variety of options to handle the physical strain being placed upon its buildings. These options include additional classroom construction, use of portable classrooms and the reopening of currently closed buildings.

What will be the maximum number of children living in this development? What sources will be used to compile this data? Will the data be based on low-income housing development statistics? How many children will attend the schools? How will the children be physically and financially accommodated by the school district, and at what cost? Housing Help has stated that additional social services, other than housing, will be necessary to support these families. What, if any, part will the schools play in providing these services? What additional physical and financial demands will this place on the district?

Many families purchased homes in close proximity to a neighborhood school so their children could walk to school, thereby eliminating the risks associated with regular bus transportation. Will the creation of this development result in the need to redistrict the elementary school population? What costs, including transportation, would be incurred? To what extent will this change the character of this community?

CONSTRUCTION SITE

As a result of the proposed plan to develop this site in phases over an estimated period of almost six years, the adverse effects associated with construction sites will become long-term impacts to the community. The close proximity of three schools as well as neighboring residential areas is of great concern. Our community would suffer from disruptions in the education of our school children, health and safety risks associated with an active construction site, and the loss of the ability of nearby residents to enjoy their homes and property, for a minimum of six years under the applicant's current proposal. What measures will be taken to mitigate the enormous impact to our community?

How will ambient air quality be affected as a result of dust and debris from the construction site? A constant level of airborne particles will result from the continual movement of construction vehicles and normal traffic. Air quality should be monitored and measures specified in the construction plan specifications. What are the health affects of poor air quality on residents and school children, especially those who have respiratory conditions such as Asthma? What accommodations will be made for those persons with respiratory conditions who can not tolerate the increased dust and debris?

What standards will be maintained for noise levels? What effects will the noise distractions have on students' learning?

How will air quality and noise levels be monitored, and by whom? How frequently will readings be recorded? Will these records be kept on site for public access and review? Will construction be limited to specific times of day to mitigate the effects of noise and dust in the community?

Where will construction waste, soil and debris be stored? How will it be secured while awaiting removal? Where and how will fuel for construction equipment be stored? How will it be secured so it is not a community hazard?

According to the time projections for construction of this development, many school children attending the adjacent elementary school will spend their entire elementary school years amidst a construction environment. The short term and long term effects of exposure to poor air quality, (dust, dirt, sand, odors, etc.), will have a drastic affect on a child's physical and psychological well-being. How will this impact be mitigated so that children can reach their learning potential and develop healthy attitudes towards education? Will children with Asthma and Allergies who cannot tolerate these conditions be given the option to attend other elementary schools in the district? Because the Pulaski Road Elementary School playground abuts Elwood Road directly opposite the construction site, these questions also pertain to children's health and safety on the playground.

TRAFFIC

The proposed development is located at the Northwest corner of Elwood and Pulaski Roads. Pulaski Road is a major East-West artery providing access for commuters to Sagtikos Parkway and commercial vehicles utilizing the Resource Recovery Plant and adjoining construction material wholesalers. Elwood Road is the principle North-South thoroughfare connecting Northport to Jericho Turnpike. The only gas station on Elwood Road is located at the southwest corner of this intersection. There are three schools adjacent to this proposed development site. An at-grade railroad crossing is located just north of the proposed entrance on Elwood Road.

The roadways are currently operating at or above their specified capacities as cited in the 1993 Comprehensive Plan Update for Pulaski Road, figures 2-4 and 2-6, page 2.10. This report further indicates that even without this development, by the year 2000 these roads will be performing at "poor" levels.

Given the current heavy volume carried by these roads, how will the increased volume associated with construction be managed? Effective planning must be developed for peak commuting hours when traffic is heaviest with school buses and commuters, as well as off peak hours. Traffic management plans must also address traffic volumes along the length of these roadways to insure public safety.

How will school children walking along Elwood Road be protected from construction vehicles and debris? How will the construction site be secured to prevent unauthorized admittance by schoolchildren and others?

Upon completion of the development, an additional 110 vehicular trips per hour are estimated. How was that estimate arrived at? Does this include all delivery, service and maintenance vehicles? Does it include vehicles for employees and visitors to the Community Building and business property offices? How is the increase in the number of vehicles per hour from the project going to affect the existing traffic system and the surrounding areas. i.e. signals, road width, school crossing safety, LIRR crossing safety? We are concerned about extensive traffic back-up given the existing traffic problems in this area. We are well aware of the accident history of at-grade crossings on Long Island? The increased vehicle and pedestrian traffic would apparently increase the risk of accidents at the crossing. It would appear that school children are particularly at risk. How will the LIRR crossing be redesigned to insure safe passage of vehicles and pedestrians across the railroad tracks? How will a second entrance on Pulaski Road affect traffic patterns? How could this provide relief to congestion on Elwood Road? Without relief from these traffic problems, additional strain will be placed on alternate streets through residential areas, which were not designed to carry commuter traffic volume.

How will the increased traffic affect air quality from vehicle exhaust systems? How will this be monitored to insure the health of residents and children attending adjacent schools?

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TRAFFIC: CONTINUED FROM PREVIOUS PAGE

Housing developments create additional demands on public transportation services. What are future projections for usage of buses, trains and taxis? How will this be paid for? And who will ultimately pay for it?

Will existing families on Pulaski and Elwood Roads, be forced out of their homes by or beyond the year 2000, because of the created necessity to widen the roads?

ELECTRIC AND MAGNETIC FIELD (EMF) ENVIRONMENT

The impact of long term exposure to electric and magnetic fields is currently under scientific study. Some studies suggest a relationship between exposure to electric magnetic fields and specific types of cancer, primarily leukemia and brain cancer. Studies agree that EMF levels drastically drop off outside a certain radius of the source. Wouldn't it be prudent to situate housing and play areas a "safe" distance from the substation and relocate parking to those areas nearest the substation?

How frequently will LILCO measure the EMF concentrations at the site.

Will an industrial hygienist render a report on the potential impact of EM emissions to humans?

RECHARGE BASIN

It must first be acknowledged that the schematic site plan submitted to the town does not include a recharge basin, only a designated area where the recharge basin will be built. We are unable to fully comment on this issue due to the lack of information provided. Full building plans for the recharge basin, indicating elevation, slope, and size are needed, as well as diagrams detailing the transport of runoff water to the recharge basin. The plans should also indicate the location of vehicle access to the recharge basin.

What measures will be taken to eliminate the risk of contamination to the water supply given the inclusion of pesticides, roadway oil and debris, animal feces, etc., in this runoff water?

What is the precipitation data for Long Island? How will this data be used to calculate the amount of recharge from the site and determine the potential impact of this structure to the site?

Based upon the data supplied, the basin will be receiving storm water from the entire 14.5 acres of the site. If severe or seasonal rains occur and discharge water into the retaining pond, will the underlying aquifer be able to take this type of charge, given that the on-site sewage treatment system is already discharging water into the ground? What will be the potential impact to the area? Will the increased volume of recharge from the basin and STP undermine the stability of the adjacent LIRR track bed?

SEWAGE TREATMENT SYSTEM

The on site sewage treatment system is of great concern to this community. The health and safety of the inhabitants of this development, as well as residents of the surrounding community, will be affected by the design, operation and maintenance of this plant, herein referred to as STP. The well providing water service to this area is directly north of this site. Two schools are north and northwest of the proposed STP site, while a third school is situated southeast of the STP site.

We have been informed by experts that it is difficult to control the emission of odors from a STP. The prevailing wind patterns from the southwest, combined with the topography and development of the area, will create swirling wind patterns, distributing STP odors throughout neighboring schools and residential areas. What health effects are associated with these odors? How will children's education activities be limited as a result of offensive fumes? Will use of adjacent schoolyards and the associated interscholastic activities be affected?

What are the specifications of the STP? Will this be a packaged STP? Given the complexities of STP operation, we are concerned with the management of the plant. Will there be 24 hour per day monitoring of this facility to insure proper operation? What are the required qualifications for the STP staff? Will maintenance and repair services be immediately available? If not, what is the projected time frame between discovery of a malfunction and the commencement of repairs? What emergency plan will be implemented when the STP goes down?

Will hazardous chemicals be stored on site? What Suffolk County regulations apply to their use and how will they be managed? What measures will be taken to prevent vandalism and exposure to the chemicals?

What provisions have been made for the disposal of sludge generated by the STP? Will it be removed from the site, and if so, by what means? Will trucks be transporting sludge through residential areas, both inside and outside of the complex? What, if any, are the human health risks associated with sludge transport? What are the risks in the event of spillage during transport?

Is the estimated flow of 45,000 gallons per day (gpd) an average? What is the estimated maximum flow for the system? The estimated 300 gallon per day per unit usage is based upon what number of occupants per household? How will flow be efficiently transported from the residential units to the STP given the flat topography of the site? How will the STP handle the construction of the development in phases and meet discharge limits?

Since the site will be taking care of their own discharge, who will be monitoring the quality of the effluent water from the system? It is not uncommon to discharge potentially dangerous levels of household chemicals into a sewer system in order to dispose of them. Obviously, a monitoring system should be in place to check this on an on-going basis.

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SEWAGE TREATMENT: CONTINUED FROM PREVIOUS PAGE

The average discharge rate of the system seems to be 31.25 gallons per minute (gpm). This could be a substantial load to the underlying aquifer system. Can the aquifer take this load? There will obviously be fluctuations of flow rates. What is the potential impact to the area?

If cesspools are utilized for phase 1 construction, which Housing Help has indicated is a possibility, are cesspools allowed to be concentrated in a limited area of the property rather than being distributed throughout the site? Does it meet the regulation requirement? Will these pools be abandoned at the commencement of phase 2 construction? If so, how will this be accomplished?

Let this act as a request for a copy of the sediment and erosion plan for the facility should construction begin. If there is discharge from the site, (i.e., silt laden runoff), the community should have a plan available to know who to call should problems arise.

Let this act as a request for a copy of the health and safety plan to be keep on the site in accordance with OSHA requirements.

WATER SUPPLY

The entire community is dependent solely upon groundwater stored in the aquifer for its water supply. Any potential risk to its quality is of utmost concern. The site is listed as being located over a primary, principle or sole source aquifer. What is the aquifer designation and what is the potential impact of the proposed STP to the aquifer? What is the basis of the projected depth to groundwater calculation? Was this information obtained from published data or from actual field measurements?

What is the present capacity of the domestic well? With the added load from the development, will the capacity be sufficient to meet the demands of the development? There is concern of excess strain on the aquifer due to Paumanock Village's discharge plus the added discharge from Matinecock Court. Who else is withdrawing ground water from the area, and what acquifer are they tapping? Will there be a detailed well survey within a one mile radius? Will this survey include complete lithologic data for the wells to determine which aquifer is tapped? Will testing of the aquifer be done on an ongoing basis to insure safe drinking water quality to the community? How this will be accomplished?

FIRE PROTECTION, RESCUE AND POLICE SERVICES

Fire, rescue or emergency medical situations require prompt and efficient response in order to save lives and property. It is critical to evaluate every aspect of how emergency services will be delivered. The high density, multi-family aspect of this proposal, in combination with the adjacent LILCO substation, LIRR tracks, three neighboring schools and a neighboring gas station, exponentially increase the risk factors associated with this development. Recognizing this, any development plan for this property must support the prompt and efficient delivery of emergency services throughout the site. To do less would jeopardize the health, safety and well-being of the residents of the proposed development and the community as a whole.

We are concerned that the proposed internal roadway configuration will hinder the deployment of emergency vehicles and personnel. Narrow roadways, tight radius traffic circles, and roadways which pass through the middle of parking areas do not provide sufficient maneuvering room for emergency vehicles. There appear to be many areas within the proposed roadway design where two vehicles would find it difficult to pass each other, even if only one vehicle were an emergency vehicle. Will insufficient parking provisions, (243 spaces proposed, 537 required under current code), result in spillover of parked cars onto already narrow roadways thereby impeding emergency vehicles and personnel. On 20 foot wide roadways, one vehicle parked on the roadway would affect the deployment of emergency vehicles, traffic flow and public safety. Emergency vehicles deployed adjacent to parked cars would span the road width, shutting down sections of the internal roadway system. Passing parked vehicles on a two-lane roadway would carry risks to both emergency and passenger vehicles. Even with adequate parking spaces provided for, it is inevitable, given human nature, that vehicles will be parked on the roadways at any given time. You need only look at existing residential streets and commercial parking areas to see that. Parking occurs regularly within well marked fire lanes and no parking zones.

Once emergency equipment and personnel are on-site, will these tightly configured internal roadways pose an additional, but avoidable, risk to emergency workers and residents alike?

The single primary entrance/exit for this development appears narrow and seems destined for problems. Should a problem occur at this entrance/exit point, there appears to be few options available. The access road into the development is relatively short. When problems occur at the entrance point, traffic will quickly back up into the interior roadway configuration which snakes through parking areas. It is highly conceivable that gridlock will develop, blocking movement of emergency vehicles and residents alike. The proposed emergency access, (a "crash gate"), opens into a tightly configured parking and traffic circle area. Emergency vehicles may find it difficult to maneuver through this configuration. It seems unlikely that the proposed emergency access could accommodate the necessary volume of both emergency and residential vehicles in the event the primary entrance/exit becomes unusable.

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FIRE PROTECTION: CONTINUED FROM PREVIOUS PAGE

We are concerned that there are number and placement of fire hydrants is adequate to provide maximum protection for the residents of this development. The size of the water main be adequate to supply sufficient water flow to support fire operations and sprinkler systems. How large is the existing water main which will supply the proposed development site? What other high capacity users are supplied by this main, i.e. schools?

Structural elements should be designed to provide maximum protection in the event of fire, such as fire walls, sprinkler systems etc. The construction should avoid lower quality construction techniques which rely on prefab trusses using pressed fit gusset plates. Use of this type of construction as opposed to typical stick construction, has contributed to premature structural failure under fire conditions.

Have the individual apartment layouts provided for adequate clearance to allow for efficient and timely removal of a patient on an ambulance stretcher? This has been a problem which exists with Paumonauk Village second floor apartments. Are stairways wide enough and the degree of incline conducive to patient and emergency personnel safety during patient movement?

What are the risk exposures with regard to the Sewage Treatment Plant? What chemicals will be on site? How will they be delivered? How often will they be delivered? What are the health, fire or explosion, and spill or leak hazards associated with required chemicals? What additional training and/or equipment will be necessary to mitigate an incident at this site? What additional cost will be incurred by the fire department and the community? How will an incident that involves the sewage plant impact the neighboring schools, (immediate health risk, evacuation, decontamination, etc.)? How will these activities be paid for? Will this development generate sufficient cash flow and maintain insurance coverages to assume financial responsibility for such incidents? Who will guarantee that appropriate insurance coverages are maintained?

Does the local fire department have sufficient equipment and manpower to successfully protect a high density development?

What additional funds will be required to support fire protection efforts? Where will these funds come from?

How will the Second Precinct manage the addition of 179 families and still maintain current levels of protection and services?

Given it's close proximity to area schools, will this development be within a designated "Drug-Free" zone?

ARCHITECTURE

Research clearly states that physical design is critical to the success of a development. "It is the platform for changing families' lives." Housing needs to be built in a way that promotes safety and creates a sense of community within the development. Creating the opportunity for individual expression fosters a sense of pride and creates the path for people to make positive changes in the way they feel about themselves. People want front yards and back yards, no matter how big or small. They desire a space of their own, where they can provide a safe place for their children to play, grow gardens and have private outdoor space to enjoy and entertain their friends.

According to housing professionals, poorly designed, high density housing fosters a sense of antagonism and anger. We are concerned that the design, in its current state, uses a cookie cutter approach which will foster an institutional feeling and a sense of hopelessness. What alterations could be made to the architecture to incorporate critical design factors for success, as identified by housing experts?

To be successful, the development must blend in and not undermine the stability of the surrounding neighborhoods. The existing community is comprised of one and two story single family homes on 1/4 to 1 acre parcels of land. How will this development, including physical layout of buildings on the land and the design of those buildings, compliment the character of the existing community? Experts conclude that the most successful developments are those which are not readily identifiable as housing "projects".

In reviewing the site plans, there are several aspects of the design which raise concerns:

Are the roadways wide enough to safely accommodate school buses, garbage trucks and other service vehicles? What provisions have been made for snow plowed from the streets? Where will the plowed snow be placed? Where will road salts be stored and how will runoff from the salt piles be contained to protect the environment? Streets generally are not plowed shoulder to shoulder. What effect will this have on the narrow roadways planned for this development, especially with regard to emergency vehicles and traffic flow? Who incurs the expense of snow removal?

Where are safe areas, not sidewalks or roadways, that provide children opportunities to ride bikes, rollerskate, play street hockey, etc.? Given the narrow roadway design and parking configurations, these activities need a designated area so that they do not interfere with vehicular and pedestrian traffic moving through the community. Safety of all residents is imperative. How could parking configurations and roadway design be altered to allow children to play in front of their homes, which is desirable on the part of parents and children alike? In most residential areas these activities take place in driveways, dead-end streets and cul-de-sacs.

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ARCHITECTURE: CONTINUED FROM PREVIOUS PAGE

There are units whose front doors face the recharge basin and LIRR tracks, making them less desirable and compromising the safety of those residents. Reorientation of the buildings would minimize the seclusion and reduce residents' vulnerability in approaching their entrances.

There is one major roadway which runs through the complex. Several parking areas straddle this roadway. Persons residing in units in the southwest corner of the site must travel the entire length of the roadway to access their destination. How would modifications to this mazelike configuration provide for greater vehicular safety and more efficient accessibility to units? Given human nature to take the shortest available route, what considerations were given to pedestrian traffic flow throughout the complex? Does the existing plan provide for their safety? Does this plan provide a way to inhibit children from crossing the railroad right-of-way as a short cut to the High School and sports fields?

Housing should be situated on the property in ways which maximize environmental conditions? For example windows facing south and west take the best advantage of sunlight, reducing usage of electricity and heating. Will natural wind barriers, such as trees, etc., be utilized to produce lower heating costs? Will energy conserving materials, such as thermal windows and insulation, be used? What siding materials will be used? What fuel source will be used to heat the units? How will the units be cooled? Will sprinkler systems be installed in all the units to protect lives?

Will all common walls be of cinder block construction to minimize noise transmission between units?

We are unable to comment on floor plans at this time since they were not submitted with the schematic site plan. When will these plans be available?

The plans do not clearly indicate the existence of basements or storage units. Where will people store their large possessions including bicycles, outdoor toys, tools and automotive accessories. It is essential that sufficient storage be provided to eliminate fire and safety hazards resulting from possessions being placed in hallways, stairways and entrances. In addition, housing professionals have identified unkempt, cluttered yards as source of contention among neighbors and a contributing factor to the demise of communities.

Will there be proper fencing around the LILCO station, LIRR , STS and recharge basin, ensuring the safety of the residents and especially children, who live in the development?

CONCLUSION

Every time a family leaves our Town or Long Island in search of affordable housing, they take a piece of us with them. They are missed in their families, neighborhoods, schools and churches. We can no longer afford this loss. There is a better way. We, the people of the Town of Huntington, can create affordable housing to serve our elderly, our young families, and our families in need, so they can continue to live among us. It is time for each of us to commit ourselves to the creation of affordable housing that works; to fully incorporate the latest standards and ideas of housing professionals across America.

The communities of Huntington must support a housing development which serves the needs of all people, while preserving and protecting our environment for the use and enjoyment of this generation, and all future generations.

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SENDER: MICHAEL E. WHITE

MATTER/REFERENCE: Housing Help

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	ASST. DIRECTOR	
	CHAIRMAN	
	CM	
	AGENDA	
	FILE	

DATE TRANSMITTED: September 26, 1995 **OUR FILE NO.:** 25854

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[MESSAGE/COMMENTS/SPECIAL INSTRUCTIONS (IF ANY):]

Attached is the Draft SEQRA incorporating your changes for final review.

SENT BY:_____ DATE:_____ TIME:_____

ORIGINAL ___ (WILL) ✓ (WILL NOT) BE MAILED.

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. I YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

PUBLIC SCOPING SESSION

September 27, 1995
Applicant/Project Sponsor - Housing Help, Inc.
Proposed Action/Project - Matinecock Court
Lead Agency - Town of Huntington Planning Board

Positive Declaration by Resolution of Lead Agency dated July 12, 1995 and revised August 2, 1995

Pursuant to the regulations promulgated under the State Environmental Quality Review Act ("SEQRA"), scoping means the process by which the lead agency identifies the significant issues related to the proposed action which are to be addressed in the draft Environmental Impact Statement ("EIS") including, where possible, the content and level of detail of the analysis, the range of alternatives, the mitigation measures needed to minimize or eliminate adverse impacts, and the identification of non-relevant issues. Scoping is intended to promote the efficiency of the lead agency's review of the draft EIS, to provide an applicant with guidance on matters which must be considered and to provide an opportunity for early involved agency and public awareness of the proposal (see 6 NYCRR 617.2(ff)).

DRAFT SEQRA SCOPE

In addition to substantively addressing the items listed herein, the draft EIS will begin with an appropriate cover sheet, table of contents and brief summary, as required.

I. Description of the Proposed Action

A. PROJECT PURPOSE, NEED AND BENEFITS

1. Background and history
2. Objectives of the Project Sponsor

B. LOCATION

1. Establish geographic boundaries of the Project
2. Description of access to Project site
3. Description of existing zoning of Project site

C. DESIGN AND LAYOUT

1. Total Project site area
   a. proposed impervious surface area (roofs, parking lots, roads)
   b. amount of land to be cleared
   c. open space

2. Structures
   a. layout of buildings (attached, enclosed, separate)
   b. site plans and profile view
   c. drainage plans
   d. above/underground pipelines
   e. staging area for material handling

3. Parking (compliance with code)
   a. pavement area
   b. number of spaces and layout

4. Orientation of buildings/proximity of buildings to one another

D. CONSTRUCTION AND OPERATION

1. Construction
   a. total construction period anticipated
   b. schedule of construction
   c. description of "Phased Development"/ Construction

2. Operation
   a. type of operation
   b. schedule of operation
   c. description of "Phased Development"/ Operation

E. APPROVALS

1. Other permit approval or funding requirements

II. Environmental Setting

Natural Resources

A. GEOLOGY

1. Surface
   a. list of soil types
   b. effects during construction

B. WATER RESOURCES

1. Groundwater
   a. location and description of aquifers and recharge areas
      -- depth of water table
      -- quality

b. identification of present uses and level of use of groundwater
   -- location of existing wells
   -- public/private water supply

C. TERRESTRIAL ECOLOGY

1. Vegetation
   a. list vegetation types on the project site and within the surrounding area
   b. discussion of site vegetation characteristics
      -- community types
      -- unique, rare and endangered species, if any
      -- value as habitat for wildlife

2. Wildlife
   a. list of wildlife species on the project site and within surrounding area, including migratory and resident species
   b. discussion of wildlife population characteristics
      -- species presence and abundance
      -- unique, rare and endangered species, if any

Human Resources

A. TRANSPORTATION

1. Transportation services
   a. description of the size, capacity and condition of services
      -- roads
      -- parking facilities
      -- traffic control (as per Suffolk County Department of Public Works "SCDPW")
      -- access/egress from site (see Environmental Assessment Form "EAF" Part III)

2. Public transportation
   a. description of current availability of service

3. Pedestrian environment

B. COMMUNITY SERVICE - Including a list of existing facilities and a discussion of existing levels of usage and projected future needs

1. Educational facilities
2. Police protection

3. Fire protection
4. Health care facilities
5. Social services
6. Recreational facilities
7. Utilities
8. Public water supply
9. Solid waste disposal
10. Sewage treatment facilities

C. CULTURAL RESOURCES

1. Visual resources
   a. description of the physical character of the community
   b. description of natural areas of significant scenic value

2. Noise
   a. identification of existing level of noise in the community
   b. identification of major sources of noise
      -- railroad

III. Significant Environmental Impacts - Identification of aspects of the Environmental Setting (Section II above) that may be adversely or beneficially affected by the Proposed Action and require discussion.

IV. Mitigation Measures to minimize Environmental Impact - Description of measures to reduce or avoid potential adverse impacts identified in Section III above. The following is a listing of typical measures used for some of the major areas of potential impacts.

Natural Resources

A. GEOLOGY

1. Surface
   a. use topsoil stockpiled during construction for restoration and landscaping
   b. minimize disturbance of non-construction sites
   c. design and implement soil erosion control plan

B. WATER RESOURCES

1. Groundwater
   a. maintain permeable areas on the site

2. Surface water
   a. ensure use of soil erosion control techniques during construction and operation to avoid siltation
   b. design adequate stormwater control system
   c. construct/modify sewage treatment facilities
   d. contingency plans for accidental spills (proximity to LIRR and LILCO)
   e. planned sewage treatment plant, as it relates to the proposed on-site recharge basin

C. AIR RESOURCES

1. Air quality
   a. assure proper construction practices
      — fugitive dust control
      — proper operation and maintenance of construction equipment
   b. install and ensure the proper operation of emission odor control devices, related to planned sewage treatment plant

D. TERRESTRIAL ECOLOGY

1. Vegetation
   a. restrict clearing to only those areas necessary
   b. consider preservation of part of site as a natural area
   c. after construction, landscape site with naturally occurring vegetation

2. Wildlife
   a. provide adequate habitat (shelter and food) for remaining wildlife species

Human Resources

A. TRANSPORTATION

1. Transportation
   a. design adequate and safe access to Project site to handle projected traffic flow (coordinate with SCDPW)
   b. install adequate traffic control devices (coordinate with SCDPW)

2. Public transportation - a discussion of public transportation as it relates to access to shopping, recreation and other community amenities.

B. COMMUNITY SERVICES

1. Police protection
   a. minimize local police protection responsibility by providing private security force
   b. provide security systems, alarms for facility
   c. provide equipment, funds or services directly to the community

2. Fire protection
   a. use construction materials that minimize fire hazards
   b. incorporate sprinkler and alarm systems into building design
   c. provide equipment, funds or services directly to the community

3. Utilities
   a. install utility services underground
   b. incorporate water saving fixtures into facility design
   c. incorporate energy-saving measures into facility design

4. Sewage treatment plant and solid waste management

C. CULTURAL RESOURCES

1. Visual resources
   a. design exterior of structure to physically blend with existing surroundings
   b. minimize visual impact through thoughtful and innovative design of lighting and signs (consider: height, size, intensity, glare and hours of lighting operation)
   c. design landscaping to be visually pleasing and to serve as a buffer between surrounding land uses, parking areas, operational equipment and facilities

2. Noise
   a. schedule construction/operation to occur during "normal business" hours minimizing noise impact during sensitive times (early morning, night)
   b. assure adherence to construction noise standards

c. design berms and landscaping to block and absorb noise
d. noise, as it relates to "Phased Development" and effects to new residents

V. Adverse Environmental Effects that Cannot be Avoided if the Project is Implemented - identification of those adverse environmental effects in Section III that can be expected to occur regardless of the mitigation measures considered in Section IV.

VI. Alternatives - a discussion of each alternative at a level sufficient to permit a comparative assessment of costs, benefits and environmental risks for each alternative.

A. ALTERNATIVE DESIGN AND TECHNOLOGIES

1. Site layout
   a. density and location of structures
   b. location of access routes, parking and utility routes

2. Orientation
   a. building size and set back requirements

3. Technology
   a. innovative vs. proven technologies
      -- sound attenuation and energy conservation
      -- alternatives to sewage treatment plant and design of solid waste receptacles for recycling

B. ALTERNATIVE SIZE

1. Increase or decrease project size to minimize possible impacts
2. Increase or decrease project size to correspond to market and community needs

C. ALTERNATIVE CONSTRUCTION/OPERATION SCHEDULING

1. Phase construction/operation - elaborate on Phased Development

D. NO ACTION, as required per SEQRA Section 617.14(f)(5) and as it applies to this Project

1. Impacts of no action

VII. Irreversible and Irretrievable Commitment of Resources - identification of those natural and human resources listed in Section II that will be consumed, converted or made unavailable for future use.

VIII. Effects on the Use and Conservation of Energy Resources - identification of the energy sources to be used, anticipated levels of consumption and ways to reduce energy consumption. The examples below are typical issues to be considered.

A. PROPOSED ENERGY SOURCES AND ALTERNATIVES

B. ENERGY CONSERVATION MEASURES

1. Design methods to reduce fuel use for heating, cooling and lighting
   - a. conventional technology
     - -- insulation
     - -- thermopane windows
     - -- use of low wattage lights
   - b. innovative technology
     - -- heat pumps
     - -- use of recycled materials
   - c. efficient layout
     - -- orientation of structures in relation to summer and winter sunlight
     - -- clustering of structures to maximize common walls
     - -- shortening of utility runs
     - -- shared insulation and heating

IX. Appendices - as necessary to support content of draft EIS.

The draft EIS will also consider the issues identified in the EAF Part III adopted by the head Agency Positive Declaration resolution, dated July 12, 1995.

JASPAN, GINSBERG, SCHLESINGER,
SILVERMAN & HOFFMAN
ATTORNEYS AT LAW
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GARDEN CITY, NEW YORK 11530-3324
516 746-8000
FACSIMILE 516 746-0552

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STEPHEN P. EPSTEIN
EUGENE S. GINSBERG
GARY F. HERBST**
CAROL M. HOFFMAN
ARTHUR W. JASPAN*
HOLLY JUSTER
LAUREL R. KRETZING
SALVATORE LAMONICA
ALLEN PERLSTEIN
STEVEN R. SCHLESINGER
KENNETH P. SILVERMAN
GERARD TERRY
GARY M. SCHWARTZ (1945-1985)

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* ALSO ADMITTED IN FL.
‡ ALSO ADMITTED IN N.J.
** ALSO ADMITTED IN CO.

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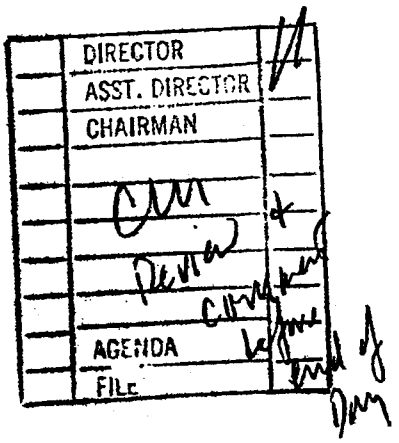
HAROLD D. BERGER
MICHAEL E. WHITE
LEO L. HOFFMAN
HARRY J. WINICK (1899-1988)
HORACE Z. KRAMER (1918-1988)
COUNSEL

ALICE J. HOLLMULLER
LEONARD M. FISCHER‡
MARCI S. ZINN
LAWRENCE J. TENENBAUM
RANDI-SUE WEINBERG
ANDREW S. MULLER
JOHN O. FRONCE
CAROL A. MELNICK‡
SHALINI VOHRA‡
ROBERT M. BODER‡
JAY S. HELLMAN

September 22, 1995



VIA FEDERAL EXPRESS

Richard Machtay, Director
Planning Department
Town of Huntington
Town Hall
100 Main Street
Huntington, New York 11743

Re: Housing Help, Inc.
Matinecock Court

Dear Rich:

Enclosed please find a copy of the draft SEQRA Scope for the above. This document was developed from your draft Scoping Checklist mark-up and the discussion at our pre-Scoping Session meeting. Subject to your review, we anticipate using this document as a handout to the attendees at the Public Scoping Session scheduled for Wednesday, September 23, 1995. It is further understood that this draft Scope is subject to change based on the comments received at the Scoping Session.

Please call me once you have had an opportunity to review the enclosed.

Very truly yours,

Michael E. White

MEW/ls
Enc.
#25854

cc: Ms. Susan R. Lagville

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, N.Y.
95 SEP 25 PM 1:14

DRAFT

PUBLIC SCOPING SESSION

September 27, 1995
Applicant/Project Sponsor - Housing Help, Inc.
Proposed Action/Project - Matinecock Court
Lead Agency - Town of Huntington Planning Board

Positive Declaration by Resolution
of Lead Agency dated July 12, 1995
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DRAFT

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DRAFT

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DRAFT

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      -- shared insulation and heating

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MEW\HOUSING\CHECHLIS

5

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, N.Y.
95 SEP 25 PM 4:13

September 21, 1995

DIRECTOR	
ASST. DIRECTOR	
CHAIRMAN	
	CM
AGENDA	
FILE	✓

Dear Mr. MacKay,

I am vehemently opposed to the low income housing project as proposed by Housing Help Inc on the site of Elwood Rd and Pulaski Rd in East Northport.

I am not against low income housing to assist those in search of their piece of the American Dream. However, if the future residents of such a complex owned their units, rather than rented them, a sense of pride would strengthen this dream.

I would support a plan which would allow residents to offer a minimum down payment, obtain a low interest mortgage from a local bank and contribute their own labor towards earning their unit. The feeling of ownership and accomplishment resulting would benefit the residents of

BUREAU OF FIRE PREVENTION
TOWN OF HUNTINGTON
INTER-OFFICE MEMORANDUM

September 21, 1995

To: Richard Machtay, Director
Planning Department

From: Joseph N. Cassella, Chief
Bureau of Fire Prevention

Re: Residential Site Plans
Matinecock Court
East Norhtport

The enclosed site drawings for the above referenced development have been reviewed by the Board of Fire Commissioners of the East Northport Fire District.

Please see the attached letter requesting six more hydrants.

enclosure
JNC:ab
cc: H.H.Lowery, Deputy Director
Fire Inspector

DIRECTOR	
ASST. DIRECTOR	
CHAIRMAN	
Charlie	
AGENDA	
FILE	

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, N.Y.
95 SEP 22 PM 3:50

EAST NORTHPORT FIRE DISTRICT

ONE NINTH AVENUE • EAST NORTHPORT, NEW YORK 11731
TELEPHONE: (516) 261-1177 FAX: (516) 261-0821

September 19, 1995

Chief Joseph N. Cassella
Bureau of Fire Prevention
Town of Huntington
Huntington, New York 11743

Re: Matinecock Court

Dear Mr. Cassella:

The Board of Fire Commissioners has reviewed the map of the above property and request that six (6) hydrants be installed in the development as indicated on the attached site plan. They would like to know if these will be private hydrants or public (SCWA) hydrants.

Under section 111-117.A(1) of the Fire Prevention Code of the Town of Huntington, the buildings are required to have fire sprinkler protection. Plans for the fire protection systems would greatly assist us in plotting hydrant locations as we would be able to see the fire department connections for the fire sprinkler systems and their location in relation to the plotted hydrants. If the fire hydrants are on a private main, will there be a separate main for the fire sprinkler systems?

As indicated on the plan, the roadways are much narrower than a typical street. This may create problems with traffic during an emergency operation. We have circled some real problem areas on the drawings. We request that the roadway around the complex be continuous. This would save time during an emergency response and this would make for greater accessibility to all areas of the complex.

We are forwarding signed copies of this property as you requested, so that you can carry them to the Planning Department.

FIRE PREVENTION
RECEIVED
SEP 21 1995
BUREAU

Sincerely,

EAST NORTHPORT FIRE DISTRICT

Thelma G. Haller

Thelma G. Haller, Secretary

TO: Board of Fire Commissioners

FROM: John Hawkins, Fire Marshal

RE: Plans reveiw for Matincock Court

DATE: September 19, 1995

Dear Sirs,

After reveiw of the plans for the Matincock Court project, I have the following questions to be forwarded to the Town of Huntington.

1. I would request that six (6) hydrants be installed in the development. I have indicated them on the attached site plan. I would like to know if these will be private hydrants or public (SCWA) hydrants.

2. Under section 111-117.A(1)of the Fire Prevention Code of the Town of Huntington, the buildings are required to have fire sprinkler protection. Plans for the fire protection systems would greatly assist us in plotting hydrant locations as we would be able to see the fire department connections for the fire sprinkler systems and there location in relation to the plotted hydrants.

3. If the fire hydrants are on a private main, will there be a seperate main for the fire sprinkler systems?

4. As indicated on the plan, the roadways are much narrower than a typical street. This may create problems with traffic during an emergency operation. We have circled some real problem areas on the drawings.

5. Request that the roadway around the complex be continuous. This would save time during an emergency response and this would make for greater accessibility to all areas of the complex.

Respectfully,

John Hawkins
Fire Marshal

15

Richard Mochtay, Director
Huntington Town Planning Dept
Huntington Town Hall
100 Main St
Huntington, N.Y. 11743

Dear Sir!

We are writing this letter in protest to the "Low Housing" proposal on Elwood & Pulaski Road.

We can not understand how or why such a project can be put on that parcel of land.

There are 2 schools involved and many problems that will arise among young people the greatest fear we have is drugs & crime which always follows when places of low rental occur.

We are hard working people that pay high taxes and try to keep our head above water. Why should we have to pay more

Many people have gotten scared and sold their homes already, at a loss. The value of our homes dropped since the proposal and we are afraid when the time comes to sell we will not be able to sell.

This project will involve traffic problems

TOWN OF HUNTINGTON

FRANK P. PETRONE, *Supervisor*

RICHARD MACHTAY
Director of Planning

September 21, 1995

Mr. Ronald F. Roberts
47 Stratford Avenue
Greenlawn, New York 11740

Dear Mr. Roberts:

Please be advised that we will include your name and address on our mailing list for any public hearings that the Town Planning Board may hold. Be further advised that a "Scoping Session" will be held at Town Hall, 8:30 P.M. on September 27, 1995 to determine the issues that must be addressed in a Draft Environmental Impact Statement that will be prepared for the subject project.

However, your letter indicates that you would like to be informed of any hearings in connection with the County planning process. The only hearings that might be held by the County could be for a variance to install a sewage treatment plant.

I recommend that you contact the County Health Department in Riverhead to be included on a list of those people notified if such a hearing is held.

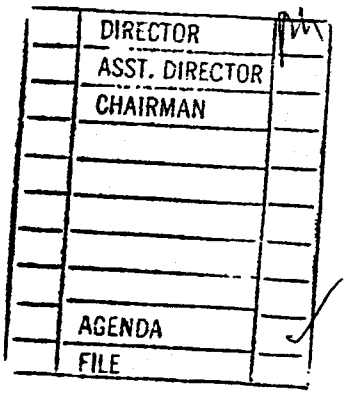
Very truly yours,

Richard Machtay
Director of Planning

RM:lc
Enc.

4 Stratford Avenue
Greenlawn, NY 11740
September 19, 1995

Richard Machtay, Director
Huntington Town Planning Dept.
Huntington Town Hall
100 Main Street
Huntington, NY 11743



RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, N.Y.
95 SEP 20 PM 1:58

Dear Director Machtay:

As a resident of the Township of Huntington, I am concerned about a low-income rental housing project that has been proposed for our community. Housing Help, Inc. has announced that they are seeking to build approximately 179 low-income rental apartments on a 14.4 acre parcel of land located in East Northport. I believe that the size and scope of this project in its current design is not compatible with this location.

Serious issues concerning the development of this site have identified, such as sewage treatment, road capacity (two county roads border this site, Elwood Road and Pulaski Road), and the adjoining LILCO electrical substation. I am concerned that Housing Help, Inc. may

seek county variances to obtain relief from these problems. As these issues are too important to the health and safety of this entire community, I request that I be notified of any and all meetings or hearings to be held in connection with the county planning process for this site.

I anxiously await your response.

Sincerely,

Ronald F. Roberts

N tinecock Court

14.14-9 (2/87)—9c

617.21
Appendix D
State Environmental Quality Review
Draft Scoping Checklist

The following checklist of topics is intended as a starting point for developing a detailed scope for a project-specific Draft Environmental Impact Statement. Typically, no one project will require a discussion of all the topic areas contained in this document. Through the scoping process, the list of topics should be refined to reflect issues unique to the proposed project. Topic areas may be deleted, added or elaborated upon, to arrive at the final scoping document.

The purpose of the checklist format is to identify the basic topic areas of the Draft EIS. This is accomplished by reviewing the list and placing a check in the box located to the left of these topics which should be discussed. The model scoping checklist can also be used as a worksheet, including comments, suggestions and identification of the particular example(s) that are relevant to a detailed discussion of the topic or issue that has been checked. Conversely, those topics which are not checked, are issues not associated with the project and may be eliminated from discussion in the Draft EIS.

The next step is to expand the list to include or elaborate on those topics unique to the proposed project. A blank sheet is included at the end of the checklist for such additional information.

The scoping process involves several steps in addition to compiling a list of topics. Scoping also includes discussions on the quantity and quality of informaton required and the methods of obtaining that data.

NOTE: This check list was designed to be used in conjunction with the section on scoping contained in SEQR Guideline-Draft and Final EIS's. It is also important to emphasize that this checklist should serve only as a model to assist in the scoping of a Draft EIS. It should not be used as a substitute for actively scoping Draft EIS for a specific project.

I. Cover Sheet

All EIS's (Draft or Final) shall begin with a cover sheet that includes:

A. Whether it is a draft or final statement
B. Name or other descriptive title of the project
C. Location (county and town, village or city) of the project
D. Name and address of the lead agency which required preparation of the statement and the name and telephone number of a person at the agency to be contacted for further information
E. Name and address of the preparers of any portion of the statement and a contact name and telephone number
F. Date of acceptance of the Draft EIS
G. In the case of a Draft EIS, the deadline date by which comments are due should be indicated

II. Table of Contents and Summary

A table of contents and a brief summary are required for Draft and Final EIS's.

The summary should include:

A. Brief description of the action
B. Significant, beneficial and adverse impacts, (issues of controversy must be specified)
C. Mitigation measures proposed
D. Alternatives considered
E. Matters to be decided (permits, approvals, funding)

III. Description of the Proposed Action

Place a check in the box to the left of those topics to be included in the draft EIS.

☑ A. PROJECT PURPOSE, NEED AND BENEFITS
1. Background and history
2. Public need for the project, and municipality objectives based on adopted community developments plans
3. Objectives of the project sponsor
4. Benefits of the proposed action
a.) social
b.) economic

☑ B. LOCATION
(1) Establish geographic boundaries of the project (use of regional and local scale maps is recommended)
(2) Description of access to site
(3) Description of existing zoning of proposed site
4. Other:

☑ C. DESIGN AND LAYOUT
(1) Total site area
(a.) proposed impervious surface area (roofs, parking lots, roads)
(b.) amount of land to be cleared
(c.) open space
(2) Structures
a.) gross leaseable area (GLA), if applicable
(b.) layout of buidings (attached, enclosed, separate)
(c.) site plans and profile view
d.) material storage
(e.) drainage plans
(f.) above/underground pipelines
(g.) staging area for material handling
(3) Parking in compliance with Code
(a.) pavement area
(b.) number of spaces and layout
(4) Other: ORIENTATION OF BUILDINGS PROXIMITY OF BUILDINGS TO ONE ANOTHER.

☑ D. CONSTRUCTION AND OPERATION
(1) Construction
(a.) total construction period anticipated
(b.) schedule of construction
c.) future potential development, on site or on adjoining properties
(d.) other: as it relates to Phased Development
(2) Operation
(a.) type of operation
(b.) schedule of operation
(c.) other: as it relates to Phased Dev.

☐ E. CLOSURE AND POST CLOSURE PLANS (for projects of planned limited life such as landfills)

☑ F. APPROVALS
1. Required changes or variances to the zoning regulations
(2) Other permit approval or funding requirements

IV. Environmental Setting

Place a check in the box to the left of those topics to be included in the Draft EIS.

Natural Resource

☐ A. GEOLOGY
☐ 1. Subsurface
a.) composition and thickness of subsurface material
examples:
—depth to, and nature of, bedrock formations and impermeable layers
—occurrence of an extractive mineral resource
—usefulness as construction material
b.) earthquake potential
☑ 2. Surface
(a.) List of soil types
b.) discussion of soil characteristics
examples:
—physical properties (indication of soils hydrological (infiltration) capabilities)
—engineering properties (soil bearing capacity)
—agricultural properties (soil profile characteristics) when agricultural land resources are involved
c.) distribution of soil types at project site
d.) suitability for use
examples:
—agriculture
—recreation
—construction
—mining
(e.) other: effects during construction
☐ 3. Topography
a.) description of topography at project site
examples:
—slopes
—prominent or unique features
b.) description of topography of surrounding area

☑ B. WATER RESOURCES
(1) Groundwater
(a.) location and description of aquifers and recharge areas
examples:
✓—depth of water table
—seasonal variation
✓—quality
—quantity
—flow
(b.) identification of present uses and level of use of groundwater
examples:
✓—location of existing wells
✓—public/private water supply
—industrial uses
—agricultural uses

☐ 2. Surface water
a.) location and decription of surface waters located on project site or those that may be influenced by the project
examples:
—seasonal variation
—quantity
—classification according to New York State Department of Health
b.) identification of uses and level of use of all surface waters
examples:
—public/private water supply
—industrial uses
—agricultural uses
—recreational
c.) description of existing drainage areas, patterns and channels
d. discussion of potential for flooding, siltation, erosion and eutrophication of water supply

☐ C. AIR RESOURCES
☐ 1. Climate
a.) discussion of seasonal variations and extremes
examples:
—temperature
—humidity
—precipitation
—wind

☐ 2. Air quality
a.) description of existing air quality levels
examples:
—list the National and State Air Quality Standards for the project area and the compliance status for each standard
b.) identification of existing sources or pollutants-fixed or mobile
c.) identification of any sensitive recepters in project area
examples:
—hospitals, schools, nursing homes, parks
d.) description of existing monitoring program (if applicable)

☑ D. TERRESTRAL ~~AND AQUATIC~~ ECOLOGY
(1) Vegetation
(a.) list vegetation types on the project site and within the surrounding area
(b.) discussion of site vegetation characteristics
examples:
—species presence and abundance
—age
—size
—distribution
—dominance
✓ —community types
✓ —unique, rare and endangered species
✓ —value as habitat for wildlife
—productivity

☑ 2. ~~Fish, Shellfish and~~ Wildlife
(a.) list of ~~fish, shellfish and~~ wildlife species on the project site and within surrounding area, including migatory and resident species
(b.) discussion of ~~fish, shellfish and~~ wildlife population characteristics
examples:
✓ —species presence and abundance
—distribution
—dominance
✓ —unique, rare and endangered species
—productivity

☐ 3. Wetlands
a.) list wetland areas within or contiguous to the project site
b.) discuss wetland characteristics
examples:
—acreage
—vegetative cover
—classification
—benefits of wetland such as flood and erosion control, recreation

☐ E. AGRICULTURAL RESOURCES
1. Soils
a.) list soils by name, slope and soil group ranking within NYS Land Classification System (1 NYCRR 370)
b.) number of acres within each group
c.) location of site on soil survey map

☐ 2. Agricultural land management system(s)
a.) inventory of existing erosion control and drainage systems
examples:
—subsurface drain lines
—outlet/diversion ditches
—strip cropping
—diversion terraces
b.) relationship of proposed action to existing soil and water conservation plans (if applicable)

☐ 3. Associated operations
- a.) number and types of farm operations on and adjacent to site
  examples:
  —dairy
  —grain
  —orchard
- b.) type and proximity of farm related facilities
  examples:
  —storage units/barns
  —sorting/packing houses
  —refrigeration units
  —roadside markets
- c.) access to cropland (including detached fields)
- d.) access for farm equipment to public roads

Human Resources

☑ A. TRANSPORTATION

☑ 1. Transportation services
- (a.) description of the size, capacity and condition of services
  examples:
  ✓—roads, [redacted]
  ✓—parking facilities
  ✓—traffic control as per SCDPW
  ✓—access/egress from site see EAF Part III
- b.) description of current level of use of services
  examples:
  —a.m. and p.m. peak hour traffic flow
  —vehicle mix
  —source of existing traffic

☑ 2. Public transportation
- (a.) description of the current availability of service
- b.) description of present level of use

☑ 3. Pedestrian environment

☐ 4. Other:

☐ B. LAND USE AND ZONING

☐ 1. Existing land use and zoning
- a.) description of the existing land use of the project site and the surrounding area
  examples:
  —commercial
  —residential
  —agricultural
  —business
  —retail
  —industrial
  —vacant
- b.) description of existing zoning of site and surrounding area
- c.) description of any affected agricultural district or other farmland retention program boundary in and surrounding the site

☐ 2. Land use plans
- a.) description of any land use plans or master plans which include project site and surrounding area
- b.) discussion of future development trends or pressures

☐ 3. Other;

☑ C. COMMUNITY SERVICE (for this section include a list of existing facilities and a discussion of existing levels of usage and projected future needs)

☑ 1. Educational facilities

☑ 2. Police protection

☑ 3. Fire protection

☑ 4. Health care facilities

☑ 5. Social services

☑ 6. Recreational facilities

☑ 7. Utilities

☑ 8. Public water supply

☑ 9. Solid waste disposal

☑ 10. Sewage treatment facilities

☐ 11. Other:

☐ D. DEMOGRAPHY

☐ 1. Population characteristics
- a.) discussion of existing population parameters
  examples:
  —distribution
  —density
  —household size and composition
- b.) discussion of projections for population growth

☐ 2. Other:

☑ E. CULTURAL RESOURCES

☑ 1. Visual resources
- (a.) description of the physical character of the community
  examples:
  —urban vs. rural
- (b.) description of natural areas of significant scenic value
- c.) identification of structures of significant architectural design

☐ 2. Historic and archaeological resources
- a.) location and description of historic areas or structures listed on State or National Register or designated by the community, or included on Statewide Inventory

b.) identification of sites having potential significant archaeological value include results of cultural resource survey, if conducted

☑ 3. Noise
- (a.) identification of existing level of noise in the community
- (b.) identification of major sources of noise elevated railroad + grade crossing examples
  - —airports
  - —major highways
  - —industrial/commercial facilities

☐ 4. Other:

(V.) Significant Environmental impacts

Identify those aspects of the environmental setting in Section IV that may be adversely or beneficially affected by the proposed action and require discussion.

(VI) Mitigation Measures to Minimize Environmental Impact.

Describe measures to reduce or avoid potential adverse impacts identified in Section V. The following is a brief listing of typical measures used for some of the major areas of impact.

Natural Resource

☑ A. GEOLOGY
1. Subsurface
   - a.) use excavated material for land reclamation
   - b.) use facility wastes (ash, sludge) for land reclamation
   - c.) other:

(2.) Surface
- (a.) use topsoil stockpiled during construction for restoration and landscaping
- (b.) minimize disturbance of non-construction sites
- (c.) design and implement soil erosion control plan
- d.) other:

3. Topography
- a.) avoid construction on areas of steep slope
- b.) design adequate soil erosion devices to protect areas of steep slope
- c.) other:

☑ B. WATER RESOURCES
(1.) Groundwater
- a.) design/modify system of treatment for stormwater runoff of wastewater prior to recharge of groundwater
- (b.) maintain permeable areas on the site
- c.) institute a program for monitoring water quality in adjacent wells
- d.) require secondary or tertiary containment of products/wastes
- e.) contingency plans for accidental spills
- f.) other:

(2.) Surface water
- (a.) ensure use of soil erosion control techniques during construction and operation to avoid siltation
  examples:
  - —hay bales
  - —temporary restoration of vegetation to disturbed areas
  - —landscaping
- (b.) design adequate stormwater control system
- (c.) construct/modify sewage treatment facilities
- d.) restrict use of salt or sand for road and parking area snow removal
- e,) avoid direct discharges to surface water resources
- f.) require secondary or tertiary containment of products/wastes Proximity to LIRR, LIL + STP.
- (g.) contingency plans for accidental spills
- (h.) other: Sewage Treatment Plant as it relates to the on-site recharge basin

☑ C. AIR RESOURCES
(1.) Air quality
- (a.) assure proper construction practices
  examples:
  - ☑ fugitive dust control
  - ☑ proper operation and maintenance of construction equipment
- b.) design traffic improvements to reduce congestion and vehicle delay
- (c.) install and ensure the proper operation of emission odor control devices as it relates to Sewage Treatment Plant
- d.) initiate a program for monitoring of air quality
- e.) other:

☑ D. TERRESTRAL ~~AND AQUATIC~~ ECOLOGY
(1.) Vegetation
- (a.) restrict clearing to only those areas necessary
- (b.) preserve part of site as a natural area consider
- (c.) after construction, landscape site with naturally occurring vegetation
- d.) purchase open space at another location and dedicate to local government or conservation organization

(2) ~~Fish, Shellfish and~~ Wildlife
- (a.) provide adequate habitat (shelter and food) for remaining wildlife species
- b.) schedule construction to avoid sensitive periods of fish, shellfish and wildlife cycles
- c.) other:

☐ E. AGRICULTURAL RESOURCES
1. Soils
- a.) select/design project to avoid viable agricultural land
- b.) reclaim disturbed agricultural soil profiles for agricultural purposes
- c.) schedule activity when crops are off fields and soil is firm
- d.) other:

2. Agricultural land management systems
- a.) re-establish access drives, fence—lines and any disturbed land management systems
- b.) re-establish any disturbed erosion control and drainage systems
- c.) install soil and water management practices to restore or enhance soil drainage and stability
- d.) preserve open space for agricultural use
- e.) develop lease back arrangements to allow continued agricultural use on all or portion of site
- f.) other:

Human Resources

☑ A. TRANSPORTATION
(1) Transportation
- (a.) design adequate and safe access to project site to handle projected traffic flow with SCDPW direction
- (b.) install adequate traffic control devices with SCDPW direction
- c.) optimize use of parking areas
- d.) encourage car pooling and operation of facility during non-peak traffic times
- e.) design special routing and restricted hours for delivery truck traffic
- f.) other:

(2) Public transportation
- a.) adjust public transportation routes and schedules to service the facility
- b.) encourage use of public transportation by using incentive programs for employees or by selling tickets in facility
- (c.) other: Discuss Public Transportation as it relates to access to shopping recreation & other community amenities.

☐ B. LAND USE AND ZONING
1. Existing land use and zoning
- a.) design project to comply with existing land use plans
- b.) design functional and visually appealing facility to set standard and precedent for future surrounding land use
- c.) other:

☑ C. COMMUNITY SERVICES
(1) Police protection
- a.) minimize local police protection responsibilities by providing private security force
- b.) provide security systems, alarms for facility
- c.) provide equipment, funds or services directly to the community
- d.) other:

(2) Fire protection
- a.) use construction materials that minimize fire hazards
- b.) incorporate sprinkler and alarm systems into building design
- c.) provide equipment, funds or services directly to the community
- d.) other:

(3) Utilities
- a.) install utility services underground
- b.) incorporate water saving fixtures into facility design
- c.) incorporate energy-saving measures into facility design
- d.) other: (4) Sewage Treatment Plant + Solid Waste

☑ D. CULTURAL RESOURCES
(1) Visual resources
- (a.) design exterior of structure to physically blend with existing surroundings
- (b.) minimize visual impact through thoughtful and innovative design of lighting and signs (consider: height, size, intensity, glare and hours of lighting operation)
- (c.) design landscaping to be visually pleasing and to serve as a buffer between surrounding land uses, parking areas, operational equipment and facilities
- d.) other:

2. Historic and archaeological resources
- a.) Prepare a plan, including measures to mitigate impacts to historic/archaeological resources through data recovery, avoidance and/or restriction of project activities

b.) develop measures to convey cultural information to the community (e.g. through scientific/popular reports, displays)
c.) preserve architecturally significant structures and make an adequate permanent photographic and statistical record of those that must be destroyed
d.) other:

(3) Noise
(a.) schedule construction/operation to occur during "normal business" hours minimizing noise impact during sensitive times (early morning, night)
(b.) assure adherence to construction noise standards
(c.) design berms and landscaping to block and absorb noise
(d.) other: as it relates to Phased Development + effects to new residents

(VII) Adverse Environmental Effects that Cannot be Avoided if the Project is Implemented

Identify those adverse environmental effects in Section V that can be expected to occur regardless of the mitigation measures considered in Section VI.

(VIII) Alternatives

This section contains categories of alternatives with examples. Discussion of each alternative should be at a level sufficient to permit a comparative assessment of costs, benefits and environmental risks for each alternative. It is not acceptable to make simple assertions that a particular alternative is or is not feasible. Identify those categories of alternatives which should be included in the EIS by placing a check in the box located to the left of the topic.

☑ A. ALTERNATIVE DESIGN AND TECHNOLOGIES
(1) Site layout
(a.) density and location of structures
(b.) location of access routes, parking and utility routes
(2) Orientation
(c.) Sound attenuation + energy conservation a.) compatibility with slope and drainage patterns
(b.) ~~size~~ size and set back requirements
(2) Technology ← building
alternatives to STP + design of Solid Waste receptacles for recycling. a.) pollution control equipment
(b.) innovative vs. proven technologies
4. Mix of activities
a) addition of businesses which would affect the operational nature of the facility

☐ B. ALTERNATIVE SITES
1. Limiting factors
a.) availability of land
b.) suitability of alternative site to accomodate design requirements
c.) availability of utilities
d.) suitable market area
e.) compatibility with local zoning and master plan
f.) compatibility with certified agricultural districts
g.) compatibility with regional objectives
h.) accessibility of site to transportation routes and service population

☑ C. ALTERNATIVE SIZE
(1) Increase or decrease project size to minimize possible impacts
2. Increase or decrease project size to correspond to market and community needs

☑ D. ALTERNATIVE CONSTRUCTION/ OPERATION SCHEDULING
1. Commence construction at a different time
(2) Phase construction/operation elaborate
3. Restrict construction/operation work schedule

☐ E. ALTERNATIVE LAND USE
1. Suitability of site for other uses
a.) other types of commercial uses
b.) other types of industry
c.) different types of housing
d.) agricultural use
e.) other:

☑ F. NO ACTION as required per SEQRA section 617.14(5)(5) + AS IT Applies TO THIS Project.
(1) Impacts of no action
a,) effect on public need
b.) effect on private developers' need
c.) beneficial or adverse environmental impacts

☐ G. OTHER:

(IX) Irreversible and Irretrievable Commitment of Resources

Identify those natural and human resources listed in Section IV that will be consumed, converted or made unavailable for future use.

X. Growth Inducing Aspects (if applicable)

Describe in this section the potential growth aspects the proposed project may have. Listed on the next page are examples of topics that are typically affected by the growth induced by a project.

☐ A. POPULATION
1. Increases in business and resident population due to the creation or relocation of business
2. Increases in resident population due to the construction of housing

☐ B. SUPPORT FACILITIES
1. business created to serve the increased population
2. Service industries created to supply new facility

☐ C. DEVELOPMENT POTENTIAL
1. Introduction or improvement of infrastructure (roads, waste disposal, sewers, water) to service proposed project
2. Creation of further growth potential by construction of improved infrastructure

☐ D. OTHER:

XI. Effects on the Use and Conservation of Energy Resources (if applicable)

Identify the energy sources to be used, anticipated levels of consumption and ways to reduce energy consumption. The examples listed below are typical issues to be considered when addressing this topic.

☑ A. PROPOSED ENERGY SOURCES AND ALTERNATIVES

☐ B. ANTICIPATED SHORT-TERM/LONG-TERM LEVELS OF ENERGY CONSUMPTION

☐ C. INDIRECT EFFECTS ON ENERGY CONSUMPTION
1. Increased dependence on automobile use
2. Increased levels of traffic due to proposed project

☑ D. ENERGY CONSERVATION MEASURES
1. Design methods to reduce fuel use for heating, cooling and lighting
   a. conventional technology
   examples:
   ✓insulation
   ✓thermopane windows
   ✓use of low wattage lights
   b. innovative technology
   examples:
   ✓heat pumps
   —solar panels
   —wind energy
   —use of waste heat from an industrial plant
   ✓use of recycled materials
   c. efficient layout
   examples:
   ✓orientation of structures in relation to summer and winter sunlight
   ✓clustering of structures to maximize common walls
   ✓shortening of utility runs
   ✓shared insulation and heating
2. Indirect energy benefits
   a.) location and design of facility to accomodate mass transit
   b.) use of shuttle buses
   c.) location of facility to minimize travel distance

☐ E. OTHER:

XII. Assessment of Unavailable Information

In certain situations involving major developments (such as an oil supertanker port, a liquid propane/natural gas storage facility, a resource recovery facility or a hazarduous waste treatment, storage or disposal facility), information regarding reasonably foreseeable catastrophic impacts to the environment may not be available. Such information may be unavailable because the means to obtain it are unknown or the cost of obtaining it is exhorbitant, or because there is uncertainty about its validity. If such information is essential to an agency's SEQR finding, the EIS must:

A. Identify the nature and relevance of such unavailable or uncertain information; and
B. Provide a summary of existing credible scientific evidence , if available; and
C. Assess the likelihood of occurrence and consequences of the potential impact, even if the probability is low, using theoretical approaches or research methods generally accepted in the scientific community.

This assessment should be applied only where reasonably foreseeable catastrophic impacts to the environment are possible and it is not intended to be applied in the review of such actions as shopping malls, residential subdivisions and commercial facilities even though the size and scale of some such projects may be extensive.

XIII. Appendices

Following is a list of materials typically used in support of the EIS.

A. List of underlying tudies, reports and information considered and relied on in preparing statement

B. List all federal, state, regional, or local agencies, organizations, consultants and private

persons consulted in preparing the statement

C. Technical exhibits (if any) at a legible scale

D. Relevent correspondence regarding the projects may be included (required in the Final EIS)

Additional Draft EIS Scoping Topics

Indicate any additional topics for discussion in the Draft EIS. Attach additional sheets if necessary.

Consider all issues identified in the EAF Part III adopted by the Planning Board Positive Declaration resolution dated July 12, 1995.

CORRESPONDENCE DATED MAY 18, 2005 FROM KENNETH F. FINE, AICP (FOR RICHARD MACHTAY) TOWN OF HUNTINGTON (with all attachments)

7/20/05

TOWN OF HUNTINGTON

DEPARTMENT OF PLANNING AND ENVIRONMENT

Frank P. Petrone, *Supervisor*

Richard Machtay, *Director*

May 18, 2005

Mr. Steven Angel, Esq.
Essels, Hefter & Angel
108 East Main Street
Riverhead, New York 11901

Re: Matinecock Court
n/w/c Pulaski (C.R.11) and Elwood (C.R. 10) Roads, Elwood
SCTM #0400-114-04-007

Dear Mr. Angel:

Attached you will please find environmental division, engineering division, and Engineering Services revisions / additions dated April 20th, May 12th, and May 12th respectively, for the above captioned site plan proposal. Comments from other reviewing agencies (e.g., Suffolk County Department of Public Works, Town Streetlighting, Fire Safety), if any, shall be forwarded to you upon receipt. In addition to the attached, you will please note the following.

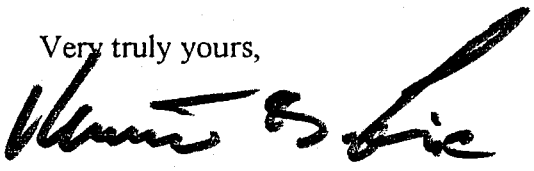
1. All Overall Site Layout, Grading and Drainage, and Landscape Plans, shall be at the same scale. Submit these at the larger scale 1" = 40' (rather than 1" = 50'). Too much of the lettering is presented in a font that is too small to be read (and eventually to be microfilmed).
2. Do not re-submit a Title Sheet, as it is neither required nor necessary.
3. The Suffolk County Tax Map number shall appear on all plans.
4. The title of all plans shall appear in the lower right hand corner of the plans so that they are readily visible when the plans are folded.
5. Leave a blank area no less than three (3) inches wide and five (5) inches tall in the lower right hand corner of all plans for our (eventual) stamp of approval.
6. On the Layout Plan, as required, provide the zoning of the adjoining properties, as well as the filed map name of the abutting westerly subdivision.
7. In the Layout Plan's site data table, provide the ground floor area of all the residential buildings, the second floor area of all the residential buildings, the gross floor area of the residential buildings, the floor area for the community building, and the floor area of the sewage treatment plant.

Town Hall • 100 Main Street • Huntington • NY • 11743-6991 • Phone (631) 351-3196
Fax (631) 351-3257 • e-mail: planning@town.huntington.ny.us • website: town.huntington.ny.us

8. Dimension the first, 10 foot by 25 foot loading zone (by Building #7). The other two (2) are undersized as shown, and may be no less than 12 feet wide and 35 feet in length [Sec. 198-53].
9. On the Layout Plan, where it reports that 1.33 parking spaces are required for each unit, add the note "as per the Stipulation of Settlement."
10. It is recommended that you shift the handicapped accessible stalls from in front of Building #7 to the front of Building #8, so that it may be more central to this cluster of three (3) buildings, which includes the community building
11. The Layout Plan shall show the dropped curbs across the Pulaski Road curb cut as has been shown on the Grading & Drainage Plan.
12. It is only necessary to report the site data (e.g., required parking, lot size, coverage, yield) on the Layout Plan. This information, including the water district, school district, etc., need not be shown on the other site plans.
13. Indicate the minimum offset dimension of each building to the nearest exterior property line.
14. Provide a detail of the light poles.
15. Provide floor and elevations plans for the sewage treatment plant.
16. All floor and elevations plans shall indicate the scale, date of preparation, and revision date. All floor and elevations plans shall be labeled as floor and elevations plans for residential buildings, or the community building, or the sewage treatment plant.
17. Provide second floor plans for the residential buildings.

Re-submit thirteen (13) revised sets of site and details plans, as well as seven copies of the revised landscape, floor and elevations plans. Do not re-submit plans or sheets that we have specifically requested be omitted.

Very truly yours,



Kenneth D. Fine, AICP, Planner
for Richard Machtay, Director

encl.
cc: Planning Board
P. A. Wolpensinger, P.E., Dir. Of Eng. Svc.
B Dresch, P.E., S.C.D.P.W.

Town of Huntington
Department of
Planning and Environment

Date: April 29, 2005

To: Kenneth D. Fine, Planner

From: Charles J. Mangano, Environmental Planner CM

Re: Matinecock Court (Site Plan Application)
n/w/c Elwood & Pulaski Roads, Greenlawn
SCTM# 0400-114-04-007 — Zoned R-3M

Staff of the Environmental Review Division reviewed the Title Sheet (Sheet 1, dated January 2005), Layout Plan (Sheet 2 of 15, dated 2/25/04, revised 1/4/05), Grading & Drainage Plan 1 (Sheet 3 of 15, dated 2/25/04, revised 1/5/05), Grading & Drainage Plan 2 (Sheet 4 of 15, dated 2/25/04, revised 1/5/05), Utility Sewer & Water System Plan (Sheet 5 of 15, dated 2/25/04, revised 1/5/05), Overall Landscape Plan (Sheet 10 of 15, dated 2/25/04, revised 1/5/05), Building Landscape & Details Plan (Sheet 11 of 15, dated 2/25/04, revised 1/5/05), Details #1 Plan (Sheet 14 of 15, dated 2/25/04, revised 1/5/05), and Recharge Basin Details Plan (Sheet 15 of 15, dated 2/25/04, revised 1/5/05), all received on March 28, 2005 for the above referenced application.

Please note that the information on the Title Sheet should be transferred onto the Layout Plan and the Title Sheet removed from the set of drawings. The scale of the layout plans should also be consistent with one another and at a more workable scale of at least 1"=40'. [The Grading & Drainage Plan 1 (Sheet 3 of 15) and Utility Sewer & Water System Plan (Sheet 5 of 15) are already at a 1"=40' scale.] Plans at the same scale make it easier for the reviewers to overlay the different layout plans on the light table to determine cross-locations of specific items of concern. Please re-scale all other layout plans [i.e. Layout Plan (Sheet 2 of 15), Overall Landscape Plan (Sheet 10 of 15), etc.] to a 1"=40' scale.

Revisions / additions / corrections to the following plans are also required:

1. As with the Layout Plan (Sheet 2 of 15), Grading & Drainage Plan 1 (Sheet 3 of 15), and Overall Landscape Plan (Sheet 10 of 15), map and depict the existing trees proposed for retention to determine if proposed grade changes or subsurface utility installation will affect the proposed retention of those trees.

2. Remove any non-landscape related details [i.e. Cluster Box Units (CBU's)] from the planting plans (Sheets 10, 11, & 15 of 15).

3. On the Plant Material List of the Overall Landscape Plan (Sheet 10 of 15), the 'Pm' key symbol for the Eastern White Pine is the same as for Douglas Fir, while the landscape

Continue Next Page
Date Printed: 04/29/05

drawing includes an unidentified key symbol of 'Ps' [a common key symbol for the Eastern White Pine]. Please revise the plan for consistency.

4. Although it is the applicant's option to provide irrigation in all formal planting areas, based upon the staffs' review of all the documentation on file in the Planning and Environment Department office, there is no indication that the Planning Board required irrigation in all formal planting areas as is noted on Planting Plan General Note #10 of the Overall Landscape Plan (Sheet 10 of 15). Unless specifically required via court decision or settlement, this office does not require plan depiction of a landscape watering irrigation system and associated irrigation design notes in the R-3M zoning district. Revision to and/or removal of Planting Plan General Note #10 on the Overall Landscape Plan (Sheet 10 of 15) may therefore be necessary.

5. For increasing diversity and minimizing the spread of species-specific diseases within new hedgerows, several species of plants shall be used and installed on an alternating basis such that groups of the same species do not exceed more than five (5) plants before alternating. Please increase the diversity of the evergreen hedgerow along the east side of the recharge basin on the Recharge Basin Details Plan (Sheet 15 of 15).

END

u:\word\matinecock court\matinecock-ls1.doc

Date Printed: 04/29/05

TOWN OF HUNTINGTON
DEPARTMENT of PLANNING
& ENVIRONMENT
Memorandum

Date: May 12, 2005

To: Ken Fine, Planner

From: Richard J. Nielsen, Assistant Civil Engineer

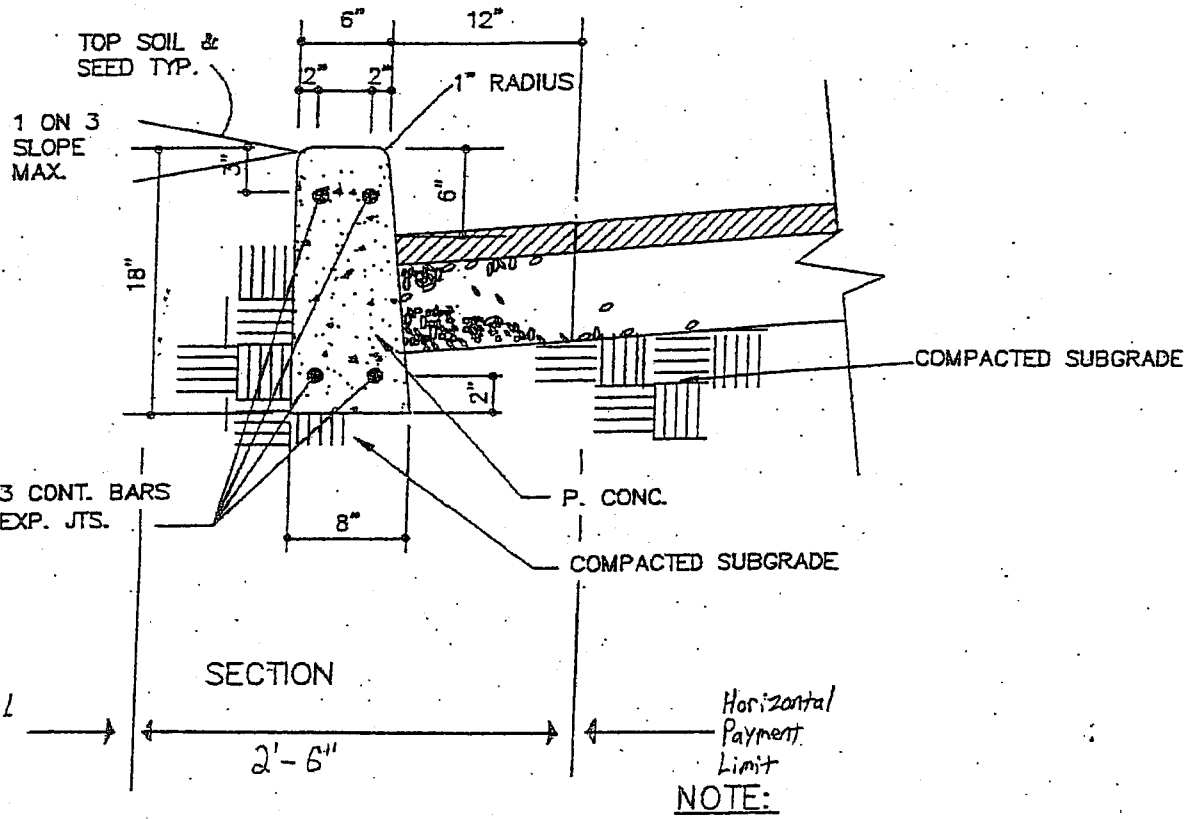
Re: Matinecock Court – Engineering Review

A review of the plans received March 28, 2005 reveals that the following shall be addressed

1.) All revision dates shall be removed since the application was received on March 28, 2005.
2.) Sanitary Sewer profiles shall not be resubmitted. The Town is not the review agency.
3.) A drainage area map in agreement with 2 of 2 of the pipe calculations shall be provided for all inlet sheds.
4.) The plan shall note and utilize the correct datum.
5.) An erosion control plan and detail sheet shall be submitted locating all measures. See New York State Erosion Control Guidelines and details.
6.) The on-site curbing shall be as per the **attached** detail, which shall be added to the plans.
7.) For construction purposes cross-section details of the various parking stall and roadway widths shall be provided to include slopes, curb reveal, crown height, dimensions, sidewalk widths, and pavement specifications in compliance with **attached** Addendum #15.
8.) The Grading and Drainage Plan shall locate all down spouts and the pipe systems that connect to the pipe that connects to the drainage system.
9.) The roadway to the recharge basin is unacceptable due to the radii and conflicts with the handicap ramp. Its width and pavement specification are not provided.
10.)The rim elevation of various structures in the plan do not agree with the structure schedule.
11.)The concrete walk detail shall indicate if it is onsite or offsite and it may comply with the Town of Huntington subdivision regulations detail.
12.)The Stabilized Construction Entrance detail shall be dimensioned as 75' long in the plan, profile and notes. Its location shall be shown on the plan. The note under the title shall be removed.
13.)The drainage shall be designed in compliance with A-101.1 and A 101.2 of the subdivision regulations. Storage shall be for the required 9", the "i" shall be 40% for R-3M and the recharge basin storage capacity shall be 8200c.f./contributing acre. It appears that the required volume shall be 14.574ac. x 8200c.f/ac. x 1.5 = 179,260c.f. The time of concentration may be determined from the **attached**. According to our calculations, by the prismoidal formula, the capacity of the recharge basin is 116,800c.f.
14.)The recharge basin shall have the required 1.5' berm, 16' gate, fencing located as per E-100.7 of the subdivision regulations, planting, a 12' driveway and all other required items. Sheet 15 shall be revised accordingly. Section A-A on sheet 15 shall be revised accordingly and the fence shall include the barbed wire strands.
15.)Proposed drainage pipe shall be RCP. Substitution may be requested before construction.
16.)The plan shall show all drainage pipe lengths.
17.)The drainage pipe calculations and drainage plan shall agree in pipe lengths, slopes, size, etc. The lengths shall be properly scaled.

18.)The entrance shall be detailed at 20' scale and include revised grading and include drainage.
19.)Suffolk County DPW review and approval is required.
20.)All inlets/ grates and the elevations shall be on the Grading Plan.
21.)The Grading Plan shall contain flow arrows for lawn and pavement swales. Pavement shall be at .5% minimum and lawn swales shall be at 1%. Swale elevations and slopes below the design criteria shall be revised to prevent standing water. The exterior grade shall be shown at the four building corners and be the required 8" below the slab elevation. All grading shall be away from the dwellings into swales, inlets, etc. Several areas require the lowering of rim elevations and swales. Various proposed contours require review.
22.)A performance bond will be established prior the signing of the plans by the Director of Planning.
23.)Data/elevations, notes are shown on several plans on top of lines, other elevations, etc. and are illegible.
24.)The catch basin detail shall not indicate Superintendent of Highways.
25.)The catch basin detail dimensions shall be reviewed.
26.)The Town of Huntington requires reticuline bicycle grates. See attached town detail.
27.)Handicap parking, access ways and ramps shall be shown, detailed, dimensioned, and noted to be in compliance with the New York State Uniform Building Code and ICC/ANSI A 117.1.
28.)Sheet 4 indicates 4 drainage areas. The plan does not.
29.)The road profile shall indicate the station of both the low point and high point.
30.)The Landscape Plan shows trees planted within handicap ramps and directly above water and drainage pipes.
31.)The plans have several designs for handicap ramps. The ramps and flared sides shall be drawn to scale on all plans. They shall be detailed and noted to be in compliance with New York State Fire Prevention and Uniform Building Code and ICC/ANSI - A117.1. The handicap ramps at corners shall be reviewed for compliance and proximity to parked vehicles. Several ramps are not shown on the Layout Plan. Ramps are provided for landscaped areas that have no walks. Numerous ramps appear too close to catch basins.
32.)It appears the Note 2. on sheet 2 shall comply with SCDPW and indicate SCDPW.
33.)It appears that easements and or dedications are required for the Suffolk County Roads for curb, sidewalks, bus shelters, .
34.)Note 4. on sheet 2 shall not indicate the town.
35.)Note 7. on sheet 2 shall indicate the governing body, which is not the town.
36.)All basement elevations shall be shown.
37.)The architectural plans indicate that all buildings will have all units at the same first floor elevation. All architectural plans shall indicate the scale.
38.)The dumpster locations shall appear on all plans.
39.)Sheet 5 shows SMH 24 in conflict with curb, SMH 28 too close to the water, water mains too close to dwellings, water mains in the same trench as the sanitary at the treatment plant.

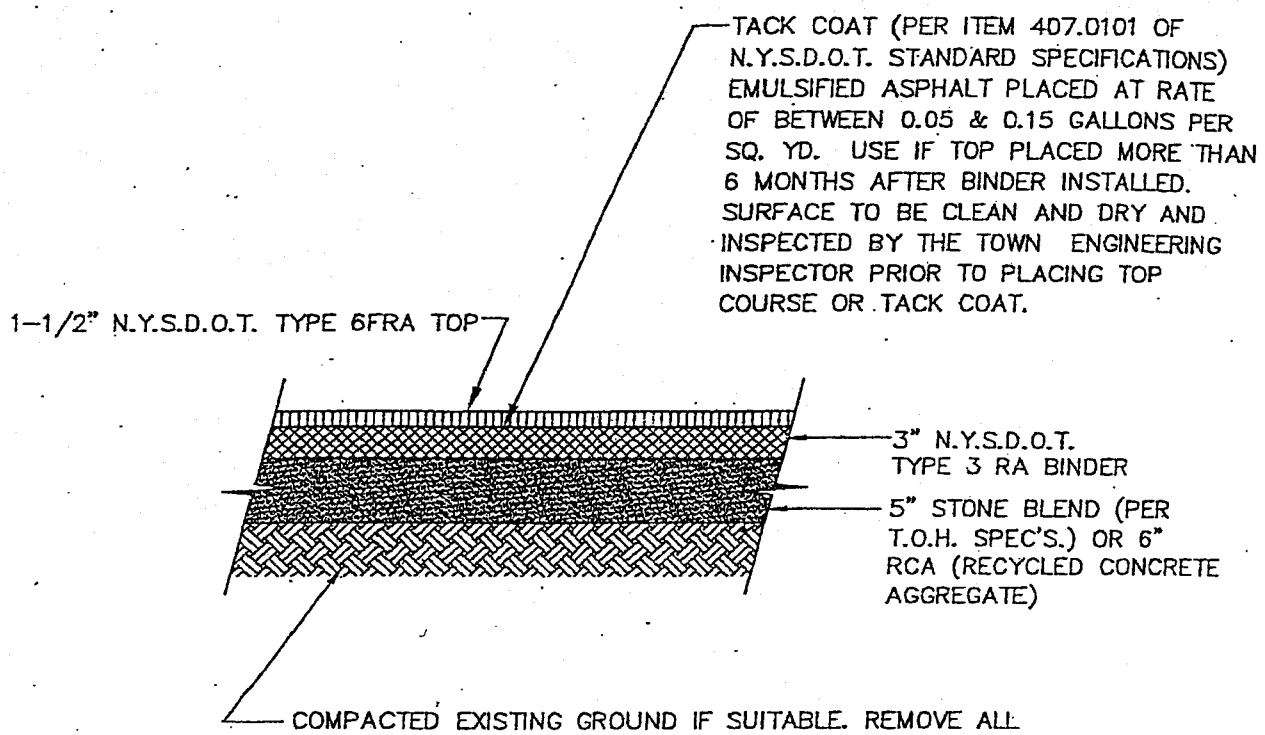
CC: Bianca Dresch, P.E., SCDPW
W/enc. P. Wolpensinger, Director Of Engineering Services



NOTE:

1. CONCRETE SHALL BE 4000 PSI. @ 28 DAYS AND SHALL BE AIR ENTRAINED.
2. EXPANSION JOINTS SHALL BE 1/2" RIGID BITUM. MATERIAL & SHALL BE PLACED AT INTERVALS NOT GREATER THAN 12' 0" O.C.

TOWN OF HUNTINGTON HUNTINGTON N.Y.	SCALE NONE	DATE 9-2-03	TYPICAL CONCRETE CURB DETAIL Item 610	Page SD-1A



TYPICAL PAVEMENT SECTION

FOR ZONE DISTRICTS R-5 THROUGH R-80, R-3M AND R-RM AND INDUSTRIAL ZONE DISTRICTS. (ADJOINING EXISTING TOWN MAINTAINED ROADS THAT REQUIRE WIDENENG AS A RESULT OF SUBDIVISION AND/OR SITE PLAN APPLICATION SHALL ALSO COMPLY.)

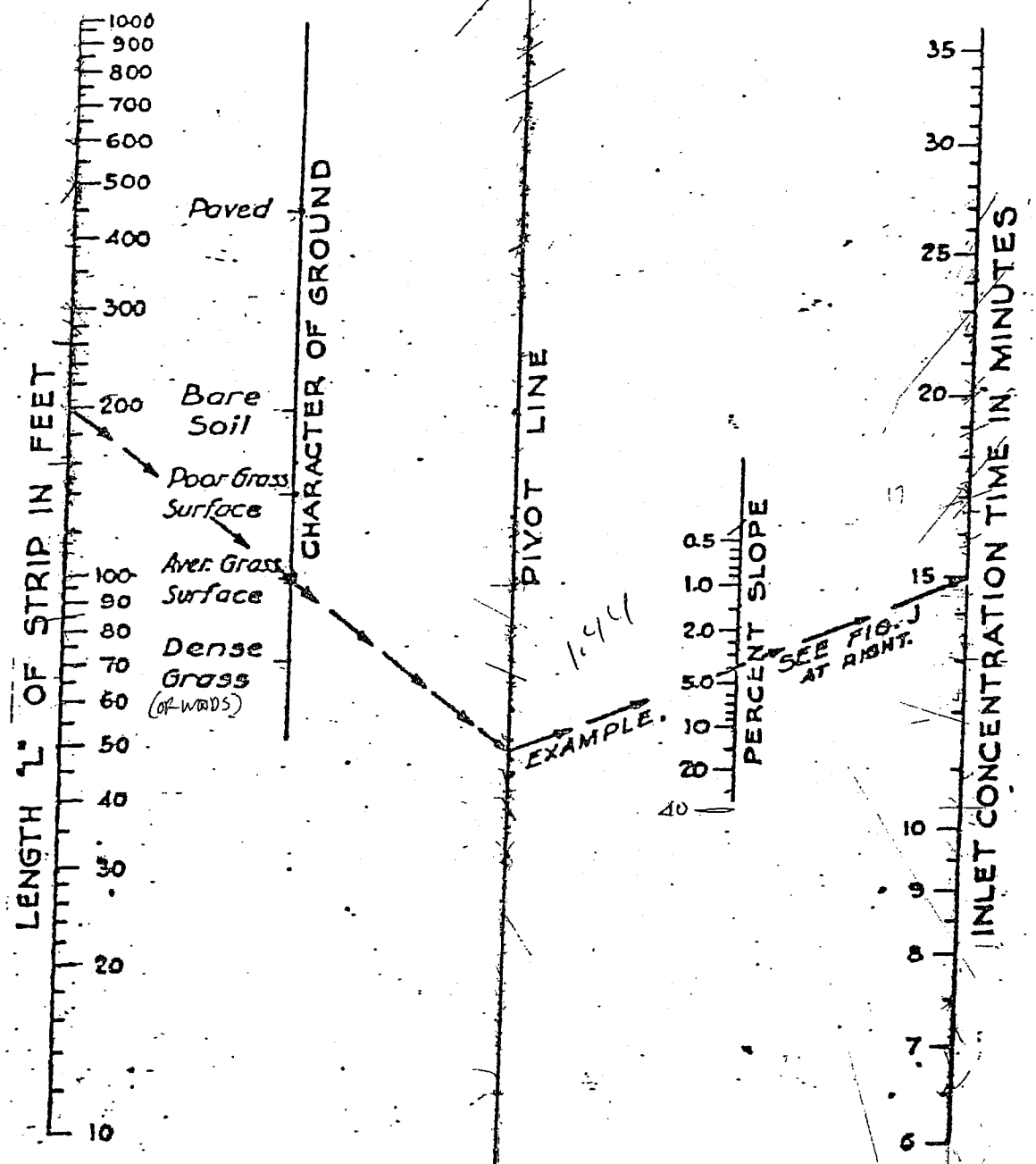
Note:
This supersedes all pavement specifications for subdivisions in the Huntington Town Planning Board Subdivision Regulations Site Improvement Specifications.

ADDENDUM #15

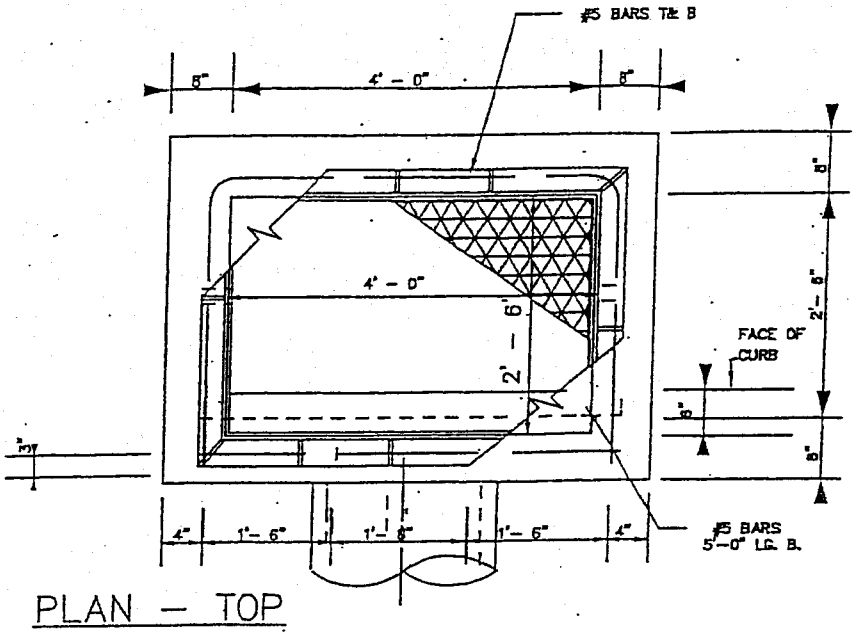
TYPICAL PAVEMENT SECTION DETAIL

OF THE HUNTINGTON TOWN PLANNING BOARD SUBDIVISION REGULATIONS
SITE IMPROVEMENT SPECIFICATIONS

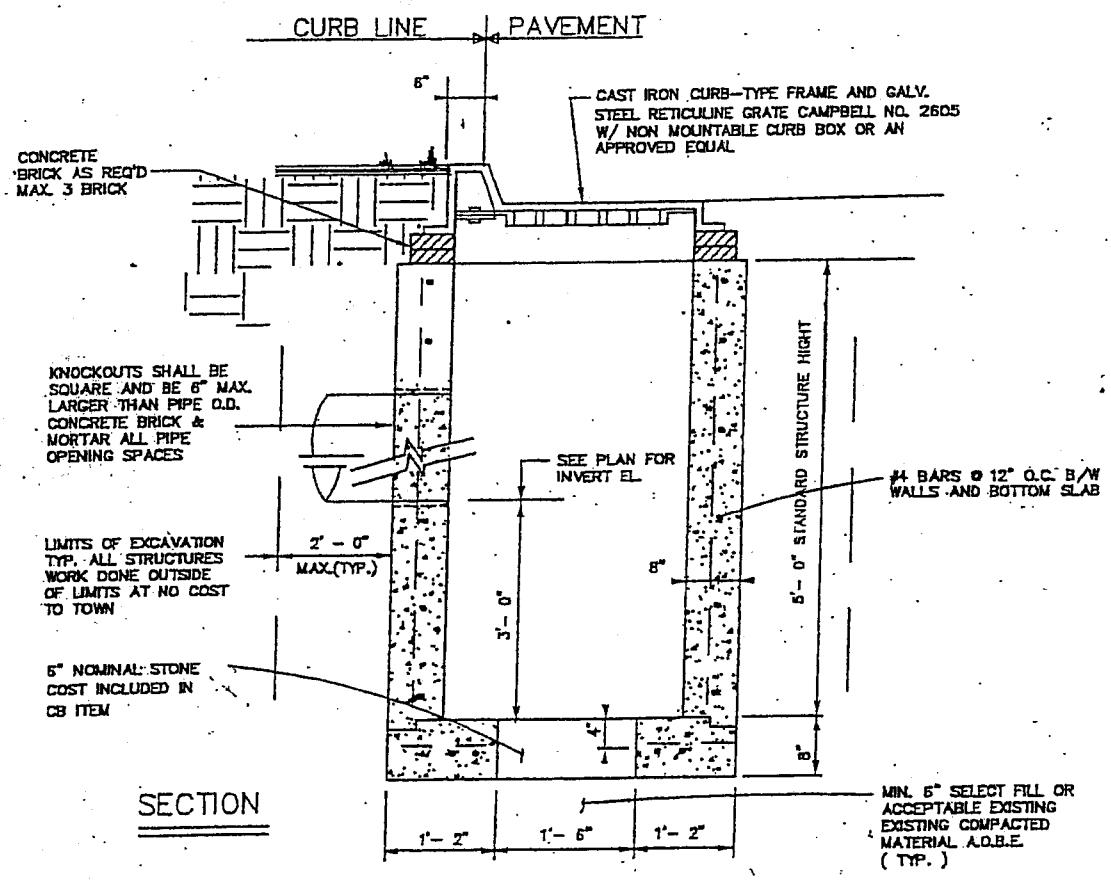
TOWN OF HUNTINGTON, HUNTINGTON, N.Y.	SCALE: NONE	DATE: JUNE 2002



OVERLAND FLOW TIME.



PLAN — TOP



SECTION

TYPICAL 2' — 6" x 4' — 0" CATCH BASIN DETAIL

ITEM 601-A — 426 50

TOWN OF HUNTINGTON HUNTINGTON N.Y.	SCALE NONE	DATE 1-30-00	TYPICAL 2'- 6" x 4'- 0" CATCH BASIN DETAIL	DWG.NO. SD-14

TOWN OF HUNTINGTON, NY
Inter-Office Memorandum

DATE: May 12, 2005

TO: Richard Machtay, Director, Planning and Environment

FROM: Peter A. Wolpensinger, P.E., Director, Engineering Services

RE: **Matinecock Court**
n/w/c Pulaski Road at Elwood Road

In response to your request, I am providing you with the following comments pertaining to the above-referenced plan.

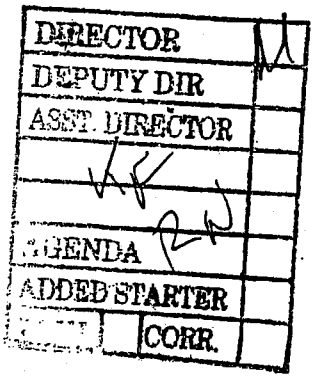
The proposed plans indicate that both Pulaski Road and Elwood Road will be widened. Please be advised that there is an existing traffic signal at the intersection of Pulaski Road and Elwood Road that is being maintained by the Town of Huntington.

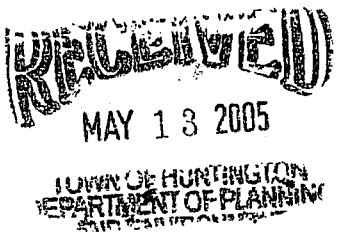
Although the plans we have been provided with do not include traffic details, we have determined the traffic signal will be impacted. The roadway loops controlling southbound Elwood Road and eastbound and westbound traffic on Pulaski Road will have to be replaced to accommodate this project. Additionally, there is an existing interconnect system currently in operation on Pulaski Road. The underground conduit and cable is located along the north side of Pulaski Road bordering the project site. It will also have to be replaced to accommodate this project.

It is difficult to fully estimate the impact this project will have on the existing traffic equipment without detailed plans. However, based on the information we have been provided with, the applicant will have to rebuild the traffic system to accommodate the proposed road widenings.

We strongly recommend that the applicant submit detailed traffic signal improvement plans for review by both the Suffolk County Department of Public Works and the Town of Huntington.

Thank you.





PAW:GG:dp
cc: Rich Nielsen
Gary Gil

POSITIVE DECLARATION

HUNTINGTON TOWN PLANNING BOARD

MEETING OF JULY 12, 1995

The following resolution was offered by A. Cisternino

and seconded by T. Cole

WHEREAS, HOUSING HELP INCORPORATED, 91 Broadway, Suite 6, Greenlawn, New York 11740, submitted a site plan application for the MATINECOCK COURT property located on the northwest corner of Pulaski Road (CR 11) and Elwood Road (CR 10) in East Northport, indicated as parcel 0400-114-04-007 on the Suffolk County Tax Map, and

WHEREAS, said site plan application was received on June 7, 1995, and

WHEREAS, said action, on a 14.574 acre parcel located within a R-3M Residence zone district, is for a six (6) phase construction development of 179 multi-family housing units (having no garages or driveways) with playground areas, an on-site community building, manager's apartment, sewage treatment plant (STP-within the northern portion of the site), recharge basin (within the northwestern portion of the site) and parking for 243 vehicles, and

WHEREAS, said site plan application is classified a Type I Action pursuant to 6 NYCRR PART 617 of the State Environmental Quality Review sections 617.12(b)(5)(ii) and 617.12(b)(10), and

WHEREAS, the Planning Board has been established as the lead agency pursuant to SEQRA § 617.6 for the action to the site plan for Matinecock Court, and

WHEREAS, the Planning Board has caused a review of the site plan to be made, pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), and Part 617 of the implementation regulations (6 NYCRR Part 617), and

WHEREAS, the staff of the Huntington Town Planning Department, Environmental Review Division, at the direction of the Planning Board, has reviewed the information provided with Part I of the Full Environmental Assessment Form and has prepared a Full Environmental Assessment Form Parts II and III on behalf of the Planning Board, and

WHEREAS, the Huntington Town Planning Board has conducted a complete review of all aspects of the Environmental Assessment Form Parts I, II and III and the facts presented thereby and the most recent plans; now, therefore be it

RESOLVED, that the Huntington Town Planning Board hereby adopts the Full EAF (Parts I, II, and III) prepared for the Matinecock Court project and finds from the facts therein that there may be significant environmental impacts resulting from the implementation of the proposed plan and hereby issues a **Positive Declaration**, pursuant to the SEQRA

regulations, and be it further

RESOLVED, that the Planning Board of the Town of Huntington hereby directs the Director of the Planning Department to file Notice of Determination of Significance, and be it further

RESOLVED, that the Planning Board hereby schedules a Public Scoping Hearing, at Town Hall, 100 Main Street, Huntington, New York on the 9th day of August, 1995 at 8:30 P.M., for the purpose of outlining the scope of a Draft Environmental Impact Statement (DEIS) to be prepared for the subject application in accordance with SEQRA, and be it further

RESOLVED, that the Planning Board of the Town of Huntington hereby directs the applicant upon completion of the public scoping to prepare a Draft Environmental Impact Statement (DEIS), and be it further

RESOLVED, that pursuant to § 617.17 (a) and (c) of the SEQRA regulations, the lead agency may charge a fee to the applicant, not to exceed one half of one percent of the total project cost (supplying utilities, site preparation, labor and materials as determined by a cost estimate publication such as "MEANS") in order to recover the actual cost of preparing or reviewing a DEIS (including scoping), and be it further

RESOLVED, that the applicant shall be made aware of the estimate of said fee within fifteen (15) working days of the submission of the DEIS and no formal review of the document shall take place until the estimated fee is deposited into an escrow account with the Town Comptroller's Office, and be it further

RESOLVED, that said escrow account will be charged for services and materials rendered by the Town for review of the DEIS, and should the funds be depleted before the review is complete than it will be encumbent on the applicant to replenish such funds, and any monies left at the end of said review will be returned to the applicant, and be it further

RESOLVED, that Parts I, II and III of the Full Environmental Assessment Form are attached hereto and made a part hereof.

VOTE: 5 AYES: 5 NOES: 0
Absent: V. Earing

The resolution was thereupon declared to be duly adopted.

FULL ENVIRONMENTAL ASSESSMENT FORM
PREPARED BY TOWN

ENVIRONMENTAL ASSESSMENT FORM
PART III - EVALUATION OF THE IMPORTANCE OF IMPACTS

Matinecock Court [Site Plan]

SEQRA CLASSIFICATION: The subject property is within a Town designated Open Space Index parcel (NE-27). The project is not proposed to connect to an existing sewerage system or sewage treatment works but rather to a proposed on-site sewage treatment plant which is a part of the site development plan. Pursuant to SEQRA section 617.12(b)(5)(ii) and 617.12(b)(10), and as referenced in The SEQRA Handbook [page 16, item #12 - 617.12(b)(5)], the action is classified Type I.

PROJECT DESCRIPTION: The proposed site plan application currently under review (as reflected on the Site Plan dated August 11, 1994, revised May 23, 1995 and received by the Planning Department on June 7, 1995) is for a six (6) phase construction development of 179 multi-family housing units (having no garages or driveways) with playground areas, an on-site community building, manager's apartment, sewage treatment plant (STP-within the northern portion of the site), recharge basin (within the northwestern portion of the site) and parking for 243 vehicles. The applicant proposes 26 one-bedroom units, 92 two-bedroom units, 52 three-bedroom units and 8 four-bedroom units.

The 14.574 acre subject parcel is zoned R-3M Garden Apartment Special District and is located on the northwest corner of Elwood Road (CR 10) and Pulaski Road (CR 11) in East Northport designated on the Suffolk County Tax Map as 0400-114-04-007.

By way of a May 16, 1989 court ordered decision from the United States District Court, the Town Board was ordered to rezone the subject parcel from R-40 to R-3M within thirty (30) days. The Town Board complied by way of the June 6, 1989 Notice of Enactment (89-ZM-254-E-134).

All boundaries of the R-3M zoned subject property are residentially zoned. North and west of the subject property are R-40 zoned parcels, to the east are R-10 zoned parcels, and to the south are R-5 zoned parcels. Directly north of the subject property is the Long Island Railroad (LIRR) tracks and the Long Island Lighting Company (LILCO) Elwood substation. North of the LIRR property is the Northport High School. East across Elwood Road is the Pulaski Road Elementary School. Properties south and west of the subject site are developed residential properties with the exception of a non-conforming service station at the southwest corner of Elwood and Pulaski Roads.

Review of the Town's Assessment and Building and Housing Department records revealed that there is no past record of grants, permits or certificate of occupancy/use having been issued for the subject site.

The proposed development plan may require changes from that which was submitted to comply with the Town's Zoning Ordinance, drainage requirements, and requirements of other involved agencies. As identified in the attached June 9, 1995 and June 15, 1995 Planning Department letters and the attached June 13, 1995 Planning Department memorandum copied to the applicant, the Site Plan currently under review by the Planning Department does not comply with section 198-47 of the Town Zoning Ordinance and site design and layout changes are recommended.

NATURAL RESOURCE DESCRIPTION: With the exception of an approximate ten to thirty foot wide peripheral manipulated wooded buffer (consisting primarily of Norway Maple trees, Knotweed, Ragweed, Garlic Mustard, Sphagnum mosses and Poison Ivy), the subject property is characteristic of a meadow type environment. This meadow area is successional and is the result of prior agricultural use, later abandoned and/or untended and left to grow natural. Discussion with other Town employees indicates that the

southeast corner of the site was also used as a staging area for adjacent roadway construction/repaving work. This is evidenced by way of a loose overgrown gravel surface found in this area. Vegetation observed on the subject property on 6/15/95 is a follows: norway maple, mulberry, hickory, catalpa, sassafras, black cherry, choke cherry, american crabapple, japanese crabapple, red cedar, smooth sumac, winged sumac, dogwood, silktree, white pine, scarlet oak, beech, autumn olive, russian olive, privet, bayberry, arrowwood, tartarian honeysuckle, japanese honeysuckle, rose species, prickly brambles, greenbrier, fox grape, asiatic bittersweet, virginia creeper, poison ivy, vetches, partridge pea, indian hemp, common ragweed, mulleins, mugwort, goldenrods, knotweed, cinquefoils, trefoils, clovers, morning glory, asters, daisies, yarrow, queen anne's lace, deptford pink, garlic mustard and sphagnum mosses (underlined species are state protected). Animals observed on the subject property are a follows: eastern cottontail rabbit, gray squirrel, common crow, european starling, house sparrow, red-winged blackbird, common flicker, northern cardinal, mourning dove, northern mockingbird, gray catbird, american goldfinch, yellow warbler, common yellowthroat and tufted titmouse. The above plant and animal species lists are not intended to be an exhaustive list and other species may be found on the subject site.

Although there is some mounding of soil toward the western and southwestern portions of the subject property, site topography is generally flat. The railroad tracks directly north are elevated roughly five (5) feet from that of the subject site.

IMPACT ON LAND: The proposed action calls for development of the entire property, in six separate phases. Although the current plan indicates that 62.2 percent of the property will be open space, none of the existing naturalized vegetation will remain. The proposed open areas will consist of bermed buffers used to screen the buildings from parking areas, surrounding properties, a recharge basin, and interior common areas. The plan calls for extensive landscaping throughout the site, but none of the existing naturalized meadow vegetation is proposed for retention.

Theoretically the maximum potential dwelling yield for the site, under its R-3M zoning classification is one unit per every 3,000 square feet of site area or (14.5 dwelling units/acre) 211 units. Based on the site plan submitted, virtually the entire subject property will be regraded to accommodate the proposed site development. This may pose substantial surface water run-off and visual impacts. The recharge basin proposed for the northwest corner of the site will be designed to collect all on-site surface-water run-off from proposed asphalt parking areas and roof run-off from the residential units. If additional parking is deemed necessary, expansion of the recharge basin may be required to handle the additional surface water run-off.

According to the EAF Part I, if construction starts in April 1996, the completion date of the final phase is expected to be in January of 2002. Assuming this schedule is achieved, the site will be under construction for a minimum of five years, nine months and typically temporary impacts associated with construction will potentially become long term impacts. These impacts include noise and dust from construction vehicles and activities, erosion and sedimentation from clearing, grading and stockpiling of soil, and impacts to aesthetics. These impacts will effect residents of earlier constructed units as well as the residents of, and visitors to, the surrounding community.

As part of the site plan review process, the applicant will be required to submit a grading and drainage plan to include erosion/sedimentation control measures (i.e. swales, berms, vehicle washout areas, hay bales, silt fences, etc.) for review and approval.

Impacts that need to be considered:

1. Change in neighborhood/site drainage patterns;
    a. existing drainage patterns (acceptable/unacceptable),
    b. drainage needs for proposed project,
    c. effects of changes, if necessary, on surrounding drainage patterns,
    d. install drainage in phases or during initial phase (which is more desirable), — if in phases, how much area for each,
    e. minimize impacts?
2. Loss of existing habitat/vegetation;
    a. is any of the existing site vegetation desirable to save,
    b. if so how can it be saved,
    c. clear entire site in phases or all at once, other related concerns having to do with potential for run-off and flooding,
    d. include native plants as well as those tolerant of drought and free from known pests (to reduce fertilizer and pesticide use) in landscape plan,
    e. effect on migratory as well as resident bird population,
        1. loss/gain,
        2. desirability,
    f. minimize impacts?
3. sediment and erosion control methods;
    a. during construction (short term),
    b. after construction (Long term),
    c. effect on earlier phases from construction activities of later phases,
    d. minimize impacts?
4. aesthetics;
    a. change in views from loss of open space,
    b. landscaping to include berming and tree planting or not,
    c. landscaping — how, where and when (phases or upon completion of the entire project)?
    d. storage of top soil and construction materials for each phase,
    e. construction entrance,
    f. berm and or landscaping to shield future residents from STP, railroad and LILCO right-of-way (needed/not needed, how),
    g. orientation of buildings for pleasing look and conserve energy,
    h. minimize impacts?

<u>IMPACT ON WATER:</u> Surface Water—The proposal will not affect any body of water designated as protected under Articles 15, 24, 25 of the NYS Environmental Conservation Law (ECL), or the Huntington Town Code. Proposed asphalt pavement for drives and on-site parking will result in a change to the site's existing patterns of surface water run-off. In order to mitigate surface water run-off impacts, the applicant is proposing an on-site drainage collection system and recharge basin designed to handle run-off from all the site's proposed impervious surfaces. In order to comply with the Town's parking standards, additional on-site pavement may be necessary. This additional pavement will most likely require re-design of the proposed recharge basin in order to handle the increased volumes of surface water generated.

Due to the magnitude of the project and the substantial grading activities required for the various proposed structures, the proposed action may result in substantial erosion and sedimentation of the existing soils on the site.

Groundwater—The EAF Part I indicates that the site proposal will generate approximately 45,000 gallons of wastewater per day. This wastewater is proposed for on-site treatment and discharge by way of a proposed sewage treatment plant (STP).

As proposed, the STP does not meet the setbacks required by the Suffolk County Department of Health Services (SCDHS) for sewage treatment processes enclosed in a building. The County's "Standards for Approval and Construction of Sewage Collection Systems and Treatment Works," notes that an enclosed STP must be 200 feet from a habitable structure or building set back and 150 from property lines. The proposed STP is within 95 feet of the LILCO substation property line and 30 feet of the LIRR right-of-way. The proposed STP is also within 100 feet of the high school property located immediately north of the rail road tracks. If the proposal to locate the STP as shown is to be approved, the applicant must request a variance of the proposed setbacks for the northern and eastern property lines from the SCDHS.

According to the above referenced SCDHS standards (Appendix B, Page 5), "Separation distances ... are considered to be the minimum allowable and are based upon a typical system being well operated and judiciously maintained. Every reasonable effort should be expended to provide separation distances in excess of those tabulated. The Department [SCDHS] reserves the right to require all remedial actions necessary, including but not limited to, enclosing of odor causing facilities and the installation of adequate ventilation and odor destruction equipment should objectionable conditions arise during actual plant operation. Approval of water pollution control plant site location and design shall not be interpreted as relieving the owner from responsibility for remedial action should objectionable conditions arise in the future (emphasis added)."

The adequacy of the STP design must be reviewed by the appropriate agencies including SCDHS and New York State Department of Environmental Conservation (NYSDEC, State Pollution Discharge Elimination System (SPDES) Permit) to insure protection of groundwater resources as well as to protect public health and safety. Mitigation to potential groundwater concerns, acceptability of an on-site STP and proposed on-site location of the STP are under the purview of the Suffolk County Department of Health Services (SCDHS) and must therefore comply with SCDHS requirements.

Issues for concern from the installation of an STP;

1. proximity of STP to recharge basin and school grounds,
2. potential to adversely effect ground water,
3. potential for odors,
4. variances needed from SCDHS, and effects therefrom,
5. since the STP is shown as part of Phase II, will the STP be functional upon completion and occupation of the first residential units (Phase I)? If not, how will the dwellings in Phase I be served when they are completed? Will the Phase I units ever connect to the STP?
6. minimize impacts?

According to SCDHS, a one on twenty (1:20) foot grade must be maintained from the edge of the proposed Sewage Treatment Plant's leaching basins to the edge of the stormwater recharge basin. Grading and

drainage plans must be coordinated with various reviewing agencies (Town, SCDHS) to insure both adequate drainage facilities and protection of surface and groundwater resources.

Comments from SCDHS have not yet been received by the Planning Department. Issues regarding use and location of an STP in connection with the site's proposed recharge basin must be determined prior to approval of the site plan as the density and design of the site will depend on that which can be approved by the SCDHS.

IMPACT ON PLANTS AND ANIMALS: In order to accommodate the proposal, virtually all of the site's vegetation will be removed. This will reduce the site's area for natural wildlife habitat (see plant and wildlife listings identified in the Natural Resource Description above). The action will also will result in the reduction of one or more species (i.e. bayberry, dogwood, crabapple, etc.) listed on the New York State Department of Environmental Conservation Protected Native Plants list. In addition, the subject property provides valuable meadow habitat more typical in rural rather than suburban areas. The variety of species found on site are often considered weeds and typically eliminated when landscaping the suburban residential property.

Issues concerning loss of NYS protected species;

1. retain some, yes/no,
    a. if yes - how (explore alternatives such as landbank parking, etc.),
    b. if yes then where,
    c. if no - why,
2. include protected plant species in planting plan for the site,
3. minimize impacts?

Meadow vegetation could possibly be preserved near and around the recharge basin and/or STP, however would not be practical in areas associated with yards and common recreational areas. The proposed landscape plan for the property currently includes a diverse list of plantings, most of which are ornamental trees and shrubs designed for aesthetic and screening purposes. Although no threatened or endangered animal species were observed during site visits to the subject property, due to the nature of the open meadow character, it is possible that protected wildlife species may occasionally use the subject property for its resources.

IMPACT ON AESTHETIC RESOURCES: The site proposal will result in a physical change to the subject property from that of a vacant undeveloped parcel to a high density residential development. However, the applicant is proposing a plan which is less intense than the maximum allowed by the R-3M zoning.

The proposed site development plan shows a minimum of fifty (50) foot setbacks on the south, west, and eastern property lines with substantial landscaping around the perimeter of the property. Additional landscaping may be required to screen the proposed STP from view of the school, and proposed residences. The R-3M zoning requires a minimum of thirty (30) foot front and long street side yard setbacks, a twenty-five (25) foot rear yard building setback and a twelve (12) foot interior side yard setback. Landscaping is proposed on a peripheral berm which will provide screening to mitigate visual impacts of the proposed housing density, required parking areas and drives. Although the R-3M zone allows buildings up to three (3) stories, or 45 feet, in height, the proposed units will be two (2) story, townhouse-like design which would be generally not in keeping with the detached single family homes in the area. However, it may be possible, because of the self imposed two (2) story limit, to keep the massing and design of the buildings not totally out of character with the existing neighborhood.

Impacts on aesthetic resources during construction need to be addressed as a result of the proposed phased construction. Items to consider include retention of existing vegetation, location of staging areas, and fencing of temporary construction boundaries.

It is recommended, if determined necessary by the Planning Board for public hearing purposes, that the applicant directly consult with the Planning Department Staff to help design lay-out alternatives for internal site arrangement.

IMPACT ON OPEN SPACE AND RECREATION: According to the EAF Part 1, the applicant proposes to regrade and develop the entire 14.574 acre site without retaining any of the site's existing vegetation.

The 14.574 acre subject parcel is within the eastern half of a larger approximately 30 acre parcel designated as OSI #NE-27 in the 1974 Town of Huntington Open Space Index Report prepared by the Huntington Conservation Advisory Council. The property was described as "farmland and woods" and was given a priority rating of five, on a scale of one to six (1-6). According to the report "This priority applies to properties of value as open area because of proximity to parks, schools, or other land uses which will be enhanced by the additional open area. The action called for in these reviews will be on a case-by-case basis." Since the western portion of the Open Space Index parcel has already been developed (subdivision known as Stony Hollow Acres), the site proposal will result in a complete loss of a Town designated Open Space Index Parcel.

The property is apparently used for unauthorized recreational activities including bicycle and possible motorbike riding, parties, and bonfires. Various trails, ramps and makeshift "bridges" were observed on the site for use by cyclists. Remains of a beer keg, chairs, cups and other debris were located in a charred pile near the southwest corner of the LILCO property. Several well-worn trails are observed throughout the property. The western edge of the property is apparently used for some type of landscaping activities.

As a result of the proposed action, the positive attributes associated with open space, including physical and psychological relief from the built environment, diversity of visual experience, protection of natural resources, and groundwater recharge will be impacted. The loss of open space will be somewhat mitigated by the proposed landscaped, bermed buffers provided around the site's perimeter as a result of the larger than required setbacks shown on the plan. The recharge basin will provide groundwater recharge for the site. Impacts will include loss of open space and wildlife habitat, of value to the neighborhood as open area, visual link to the community's agricultural past, and change in the character of the neighborhood.

IMPACT ON TRANSPORTATION: The proposed action will result in an alteration of present traffic patterns. The EAF Part I (B)(1)(g) indicates that the maximum number of vehicular trips per hour resulting from the proposed action is expected to be 110. The site development plan shows a curb cut onto Elwood Road and an emergency fire access onto Pulaski Road. Since the parcel fronts two (2) county roads, Suffolk County Department of Public Works will ultimately determine the location and design of the site's ingress and egress. Input from the fire prevention bureau and local fire department will also be used to insure that site access and internal circulation will be adequate for emergency vehicles.

Access and internal circulation issues to be considered as follows;

1. internal road and structure design for fire equipment (trucks, ladders, etc.),
2. delivery truck access,

3. possible school bus access,
4. exit and entrance alternatives,
5. emergency alternatives,
6. minimize impacts?

The 1993 Update to the Comprehensive Plan indicates that both Elwood and Pulaski Roads were operating at "fair" capacity in the vicinity of the subject site. Like almost all other roads within the Town, they are expected to be operating at poor capacity by the year 2000 (1993 Comprehensive Plan Update, Figures 2-4 and 2-6). The Comprehensive Plan Update included specific recommendations for Pulaski Road, but not Elwood. It states, "This roadway (Pulaski) corridor experiences operation deficiencies at signalized intersections. Capacity should be increased at critical intersections through the use of flared approaches. Exclusive left turn lanes should be provided as required. Retail and industrial development should be discouraged through appropriate land use regulation (pg. 2-10)." The proposed action is consistent with these recommendations in that it consists of residential development, not commercial or industrial. **The County Department of Public Works will determine if any roadway improvements (such as road widening) will be required as a result of the proposed action. Traffic mitigation measures as required by the SCDPW should be implemented as part of the site plan review.** Input from SCDPW has not yet been received by the Planning Department.

IMPACT ON ENERGY AND UTILITIES: The proposal will have an affect on the communities sources of fuel, energy and water. The subject site lies within the supply boundaries of the Long Island Lighting Company (LILCO) and the Suffolk County Water Authority (SCWA). **The applicant must obtain letters of permission/availability from LILCO and the water district for an expansion of their respective fuel/energy and water needs prior to site development. As addressed in the SEQRA scoping form, alternative energy conservation techniques (orientation, type of fuel, etc.) may also have to be addressed during the project review in order to provide the most efficient cost effective project that also conserves resources to the greatest extent practicable.**

NOISE AND ODOR IMPACTS: The proposed action will likely involve temporary noise impacts as a result of construction. Due to the proposed phased development, these impacts will be relatively long term (a minimum five years, nine months) and will impact existing residents as well as new residents occupying housing provided by the earlier phases. **Compliance with the Town's noise ordinance, which limits construction activities to weekdays between 7:00 a.m. and 6:00 p.m., will ameliorate the potential noise impacts associated with construction activities.** The applicant should clarify the intensity of noise generated from the subject site during its proposed development stages and indicate what measures will be instituted in order to ensure safe, orderly and relatively unobtrusive development of the subject property in comparison with the rest of the neighborhood.

The site development should also take into consideration noise that is typically generated from the adjacent railroad. The subject property's existing tall peripheral vegetation may currently help to serve existing neighboring communities to the west and south as both visual and noise screening buffers from the LIRR property located contiguously to the north as well as provide habitat for local wildlife. The proposal to remove virtually all existing vegetation as a result of site regrading would inadvertently remove a portion of an existing vegetative noise barrier. Alternatives which include retaining as much existing on-site vegetation as is possible during construction and upon completion of the new development, to ameliorate visual and noise impacts to the greatest extent practicable as well as partially preserving an existing wildlife habitat, should be explored.

A noise impact analysis should be performed to determine if temporary and/or permanent noise screening buffers on the subject property will be needed to protect nearby residential properties and residences proposed for the subject property, and, if so, at what time during the development stage(s) of the subject property should these noise screening buffers be installed.

Potential odor impacts associated with the sewage treatment plant (STP) are difficult to assess. Theoretically, if the STP is a well designed system that is properly operated and judiciously maintained, odor impacts should not be significant. However, the potential exists for malfunctions and other situations which may result in odor problems due to the presence of the STP. Suffolk County Department of Health Services reserves the right to require all remedial actions necessary to correct problems associated with the operation of the STP. A remedial plan should be in place prior to the operation of the STP to insure that any odor or other complaints are quickly addressed.

IMPACT ON PUBLIC HEALTH: The Town has no record of any structures or uses other than agriculture for the subject property. Use of herbicides and pesticides for crop protection was routine practice when the subject property was used as farmland. There is anecdotal information regarding the site's use as a staging area for Suffolk County Department of Public Works. A site visit revealed areas of gravel/asphalt, soil compacting, and relatively sparser vegetative growth in the southeast corner of the site which is consistent with the account of the site's use for a staging area. Several areas of dumping were also noted on the site, although it was not extensive. The Town of Huntington's Division of Code Enforcement has records of debris dumping on the site, primarily dirt and construction debris, which were later removed from the property. New York State Department of Environmental Conservation and Suffolk County Department of Health Services have no record of any hazardous substances or spills being reported for this site (John Conover, NYSDEC, pers. comm. 6/15/95, Otto Rettinburg, SCDHS, pers. comm. 6/15/95).

New York State spill response records show six (6) spills/leaks and other incidents for the LILCO substation property immediately adjacent to the northeast corner of the subject property. These reports include failed or leaking fuel tanks, transformer explosion and fire, and contaminated soil removal (NYSDEC spill numbers 90-03538, 90-10514, 90-07807, 86-00750, 88-10042, 87-9398). In addition, contaminants from the Long Island Rail Road, whose tracks are situated immediately along the site's northern boundary, may be present on the subject property.

Excavation of the soil for berms, basements, foundations and/or crawl spaces, recharge basins and typical grading activities could expose contaminants in the soil that may adversely impact public health and safety. This is a concern both during and after construction. Construction workers, school children, pedestrians and eventual residents of the site may be unknowingly exposed to hazardous substances if present on the site. In order to insure public health and safety, particularly for construction workers and future residents of the subject property, systematic soil testing by a competent testing facility should be conducted on the property to insure that pesticides, herbicides, PCB's, and other contaminants are either not present or present in such small concentrations that they are not significant, in the soil. Levels of contaminants, if any, should be compared with the guidelines in the January 24, 1994 NYSDEC Division Technical and Administrative Guidance Memorandum (TAGM): Determination of Soil Cleanup Objectives and Cleanup Levels available from the NYSDEC. Remediation, if necessary, shall be directed by the New York State Department of Environmental Conservation.

The proximity of the subject site to the LILCO substation is a potential concern. The proposed community building, with day care facility, is to be located immediately adjacent to the substation. Studies regarding

impacts of electromagnetic fields to human health are inconclusive. In addition, potential for spills and transformer accidents at the substation pose a threat to adjacent properties. Two schools are in close proximity to the substation and children attending these schools are subject to the same potential impacts that any residents of the subject property may be. However, alternative site development plans should be explored which will provide the maximum distance of any habitable structure from the LILCO substation, STP, and Long Island Railroad right-of-way in order to best protect health and safety of future residents of the housing units.

The proximity of the proposed STP to the proposed recharge basin and the existing school poses a potential health impact should there be a spill at the sewage plant. Alternatives for avoiding such hazard should be explored in order to minimize the possibility of such occurring.

IMPACT ON GROWTH AND COMMUNITY CHARACTER: The proposed action will create a demand for additional community services such as schools, police protection, and fire fighting purposes. The 1993 Update to the Comprehensive Plan (pg. 6-1) states, "Reflective of its status as a mature, stable community,. the Town of Huntington has a well established network of facilities which provide a variety of education (schools, libraries) and public safety (police, fire) services. The stock of community facilities was largely developed by 1965, and is well-located with respect to service area populations. Given the relatively small increase (3%) in population projected for the year 2000, there is little need to plan for and develop significantly greater numbers of facilities."

The actual impact of the proposed housing development on community services, particularly schools, will depend on the number of residents in various age classes and the services needed by each group.

RECOMMENDATION FOR SEQRA DETERMINATION:

Due to the potential for environmental impacts as discussed above and evaluated pursuant to SEQRA section 617.11, it is recommended that a positive declaration be issued and an Environmental Impact Statement be prepared for the proposed action.

The EIS should be narrowly scoped to specifically address the potential impacts identified in the EAF parts II and III and provide mitigation for these impacts in the form of studies, alternative designs and densities, schedule of activities and Remediation, if necessary. Since the site design is dependent on approval from a variety of agencies including the Suffolk County Department of Public Works, Suffolk County Department of Health Services, New York State Department of Environmental Conservation and the Town of Huntington Planning Board, alternative designs should be presented which best meets the requirements of all involved agencies as well as provides for a site design that meets the needs of the existing and future community.

State Environmental Quality Review

FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasureable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE — Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

☐ A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.

☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a CONDITIONED negative declaration will be prepared.*

☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

* A Conditioned Negative Declaration is only valid for Unlisted Actions

RECEIVED
JUL 7 1995

Matinecock Court Site Plan

Name of Action

HUNTINGTON TOWN
PLANNING DEPT

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

LAND DESIGN ASSOC 516-549-4564 06/30/1995 14:11 P02

PART I - PROJECT INFORMATION

Responsibility of project sponsor to complete

NOTICE: This document is designed to assist in determining whether the proposed action may have a significant effect on the environment. Complete the entire form, Parts A thru E. Answers to the questions hereon will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts II and III of the Full EAF. It is expected that completion of the Full EAF will be dependent on information currently available and will not usually involve new studies, research or investigation. If the project sponsor determines that information not currently available and requiring additional work is needed and should be supplied, then he/she does so in his/her own discretion. Please answer N.A. to any question below that does not apply.

Name of Action: Matinecock Court

Suffolk County Tax Map Number: 400-114-4-7

Location: Pulaski and Elwood Roads - East Northport, NY
(Street) (Hamlet)

Applicant/Sponsors Information:

Name: Housing Help, Inc. Phone: (516) 754-0373

Street Address: 91-101 Broadway - Suite 6

City/State/Zip: Greenlawn, NY 11740

Owner Information (if different than Applicant/Sponsor):

Name: _____ Phone: (___)_____

Street Address: _____

City/State/Zip: _____

Use the last page or the back of this form to answer questions for which there is insufficient space on the form to include all pertinent information.

Description of Action:

Development of an affordable housing community consisting of 179 housing units, 243 parking spaces, 1,500 +/- LF of roadway and 63% open space.

A. Site Description:

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: CHECK ALL THAT APPLY ✓

Urban	Industrial	Commercial	Residential
Rural (non-farming)	Forest	Other (specify): Old Field	Agriculture

2. Total Acreage of Project Area: 14.57 acres.

APPROXIMATE ACRES	PRESENT		COMPLETED PROJECT	
Meadow or Brushland	14.57	acres	---	acres
Forest	---	acres	---	acres
Agriculture	---	acres	---	acres
Wetland	---	acres	---	acres
Water Surface Area	---	acres	---	acres
Unvegetated	---	acres	---	acres
Roads, Buildings, etc.	---	acres	5.35	acres
other (indicate) LANDSCAPED	---	acres	9.22	acres

Source: NYSEQR Form 14-16-2 C(87)-7a, revised 6/87 and 12/91 (Huntington Town Planning Dept.)

3. What is the predominant soil type(s) on the project site? Haven Loam (HaA)
Soil Drainage:

Well Drained	Moderately Drained	Poorly Drained
% 100	%	%

4. Approximate percentage of proposed project site with slopes:

0 to 10%- 100 %	10 to 15%- %	15% or greater- %

5. Is project site contiguous to or substantially contiguous to (i.e., across the street etc.), or contain a building, site or district on the State or National Registers of Historic Places or on the Register of Natural Landmarks?
☐ Yes ☒ No

6. Is project site contiguous or substantially contiguous to or is it occupied by an historic building or landmark as designated pursuant to Article VI of the Town Code?
☐ Yes ☒ No

7. Is the project site within a one mile radius of an archaeologically significant site or multiple site zone, as has been identified by the New York State Office of Parks, Recreation and Historic Preservation using the "circles and squares" method of evaluation?
☐ Yes ☒ No

8. What is the depth of the Water Table? 40 feet
and to Groundwater? 40 feet

9. Is project site located over a primary, principle or sole source aquifer? ZONE I
☒ Yes ☐ No

10. Do hunting, fishing or shell fishing opportunities presently exist on the project site?
☐ Yes ☒ No
If yes will they continue after completion of project?
☐ Yes ☐ No

11. Does project site contain any species of plant or animal life that is identified as protected, threatened or endangered?
☐ Yes ☒ No
If yes then indicate authority _____ and identify each species: _____

12. Are there any unique or unusual land forms on the project site? (e.g., Cliffs, dunes, etc.)
☐ Yes ☒ No
Indicate which: _____

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
☒ Yes ☐ No *If yes explain on the back of this form.* OSE NE 27
If yes will the use continue at the completion of the project?
☐ Yes ☐ No

14. Does the site presently include views known to be important to the community?
☐ Yes ☒ No
If yes will the views be retained with the completion of the proposed project?
☐ Yes ☐ No

15. Name(s) of streams and or rivers within or contiguous to project area: None

A. Name of water body to which the stream/river is tributary: _____

Source: NYSEQR Form 14-16-1 (8/87)-7c, revised 6/87 and 12/91 (Huntington Town Planning Dept.)

16. Names and s (acres) of Lakes, ponds and o r wetland areas within or contiguous to project area. None

17. Is the project site served by existing public utilities or are such utilities readily available to the site?

☒ Yes ☐ No

a) If yes is there sufficient capacity to allow the proposed project to connect?

☒ Yes ☐ No

b) If yes will improvements be necessary to allow connection?

☒ Yes ☐ No

18. Is project site located in or substantially contiguous to (e.g., across the street etc.) a Critical Environmental Area (CEA) designated pursuant to Article 8 of the ECL and 6 NYCRR 617 (SEQRA)?

☐ Yes ☒ No

19. Has the project site ever been used for disposal of solid or hazardous waste?

☐ Yes ☒ No

B. Project Description:

1. Physical dimensions and scale of project (fill in dimensions as appropriate)

a) Total contiguous and/or substantially contiguous (e.g., across the street) acreage owned or controlled by the project sponsor is 14.57 acres.

b) Project acreage to be developed initially is 2.92 acres and ultimately is 14.57 acres.

c) Acreage to remain undeveloped upon completion of project is 0 acres.

d) Length of project in miles is NA miles. (If appropriate)

e) If project will result in enlargement of a facility indicate the percent expansion here: NA %

f) For commercial/industrial indicate, if any, the number of off-street parking spaces existing: 0 proposed: 243 and required by Code: 238/ 547

g) Estimate the maximum vehicular trips that will be generated per hour upon completion of project 110 trips/hour.

h) If the proposed project is residential indicate below the number and type of housing units below:

	One Family	Two Family	Multi-Family	Attached Cluster
Initially			57	
Ultimately			179 (22 bldgs)	

i) Dimensions, in feet, the largest proposed structure:

25 height; 40 width, 135 length.

J) If non-residential indicate the gross floor area of proposed building:

N/A sq.ft.

k) If commercial/industrial indicate the "Floor Area Ratio": N/A FAR.

(Proposed building area in square feet divided by lot area in square feet)

l) Linear feet of frontage on any road in the Town is 1500 +/- feet.

2. How much natural material (e.g., rock, earth, sand, etc.) will be removed from the project site? 0 tons, 0 cubic yards.

3. Will disturbed areas be reclaimed?

☒ Yes ☐ No ☐ N/A

a) If yes indicate here the intended purpose for reclamation: Buildings and landscaped areas

b) Will top soil and/or upper subsoil be stock piled for reclamation?

☒ Yes ☐ No

4. Indicate here if many acres of vegetation (trees, shrubs, ground cover) will be removed from the project site during construction: 14.57 acres.

5. Will mature forest (over 100 years old) or other locally important vegetation and/or NYS protected native plants be removed by the proposed project?

☐ Yes ☒ No

6. If the proposed project is multi phased then:

a) Total number of phases are 6.

b) Anticipated starting date phase one is: Month April Year 1996

c) Approximate completion date of final phase is: Month Jan Year 2002

d) Is the first phase functionally dependent on the following Phase(s).

☐ Yes ☒ No

7. Estimate the number of jobs generated: during construction 287; if industrial/office or retail indicate number of jobs generated when complete 12

8. If any indicate the number of jobs that will be eliminated by the proposed project if it is implemented: 0

9. Will the proposed project require relocation of any other projects or facilities?

☐ Yes ☒ No

If yes, explain here: _____

10. Does the proposed project involve a liquid waste discharge to a body of water?

☐ Yes ☒ No

a) If yes, indicate volume per day (_____ gallons), & type (sewage, industrial) _____

b) If yes, indicate into what body of water the discharge will take place:

_____

11. Is subsurface liquid waste disposal involved?

☒ Yes ☐ No

If yes, indicate volume per day (apprx. 45,000 ~~when complete~~ gallons), type (storm water, sewage, industrial): sanitary

12. Will the surface area of an existing body of water increase, decrease or will the bottom become deeper as a result of the proposed project?

☐ Yes ☒ No *If yes, explain on back of this form.*

13. Is any portion of the proposed project within either a 50 year or 100 year flood plain?

☐ Yes ☒ No If yes which: _____ Year flood plain.

14. If implemented will the project generate solid waste?

☒ Yes ☐ No

a) If yes, estimated amount per month will be 43.8 tons.

b) If yes, will an existing solid waste facility be used?

☒ Yes ☐ No If yes, provide name and location here: _____

Town of Huntington Resource Recover Plant -

East Northport, New York

15. Will any wastes *not* go into a sewage disposal system, a sanitary landfill, resource recovery facility or be recycled?

☐ Yes ☒ No

If yes, explain: _____

16. Indicate the volume of solid waste that will be recycled by the completed project each month: 7 +/- tons.

Source: NYSEQR Form 14-16-1 (2/87)-74, revised 6/87 and 12/91 (Huntington Town Planning Dept.)

To be answered only if the project is one that will operate a facility that disposes of solid waste

17. Will the project involve the handling and disposal of solid waste?

☐ Yes ☒ No

a) If yes, what is the anticipated rate of disposal? _____ tons/month

b) If yes, and landfilling is proposed, what is the site life? _____ years.

18. Is the project expected to use herbicides or insecticides on a regular basis for other than normal landscape maintenance?

☐ Yes ☒ No

19. If implemented will project routinely produce odors?

☐ Yes ☒ No

20. Is project expected to produce operating noise which exceeds local ambient noise levels?

☐ Yes ☒ No

21. Will project result in increased energy usage for other than ordinary lighting and heating requirements?

☐ Yes ☒ No

If yes, indicate Type(s): _____

22. If water supply is from wells indicate pumping capacity: NA gallons/minute.

23. Total anticipated water usage will be 50,000 gallons per day. 300 gpd/dwelling

24. Does the project involve local, state or federal funding?

☒ Yes ☐ No

If yes, Explain Monies to be requested from both the State and Federal governments through existing subsidy programs

25. Approvals required:

Agency			Type of Approval	Submittal Date
Town Board	☐Yes	☒No		
Planning Board	☒Yes	☐No	Planning submitted	
Town ZBA	☐Yes	☒No		
Health Department	☒Yes	☐No	Sanitary	
Other Local Agencies	☒Yes	☒No	Building Dept	
State Agencies	☒Yes	☐No	SPDES - NYSDEC	
Federal Agencies	☐Yes	☒No		
Other Regional	☒Yes	☐No	SC Sewer Agency	

C. Zoning and Planning Information

1. Does the proposed action involve a planning or zoning decision?

☒Yes ☐No

Indicate which of the following: ✓ Check All that Apply

Zoning Amendment	Zoning Variance	Special Use Permit	Subdivision
Site Plan X	New or Updated Master Plan	Resource Management Plan	Other

If other, explain: _____

2. What is the existing zoning classification(s) of the subject site? R-3M

3. In your opinion, what is the estimated maximum potential development of the subject site at the existing zoning? 211 units

Source: NYSEQR Form 14-16-2 (2/87)-7c, revised 6/87 and 12/91 (Huntington Town Planning Dept.)

4. If a zone change is proposed what zoning classification is requested and, in your opinion, what is the estimated maximum development potential of the subject site?
Explain: 211 = full potential (1 unit per 3,000 SF of developable area)

5. Is the proposed action consistent with the recommended uses in adopted local land use plan(s)?
☒Yes ☐No

6. What are the predominant land uses and zoning classifications within a 1/4 mile radius of the proposed action? List residential, educational

7. In your opinion, is the proposed project compatible with adjoining/surrounding land uses within 1/4 mile of the subject site?
☒Yes ☐No

8. If the proposed action is a subdivision of land how many lots are proposed and what is the minimum lot size proposed? Explain: NA

9. Will the proposed action require the extension of an existing sewer district or authorization for formation of a new sewer or water district?
☒Yes ☐No

10. Will the proposed action create a demand on any community provided services (recreation, education, police, fire protection etc.)?
☒Yes ☐No
If yes, is the existing capacity of the utility or service sufficient to handle the project demand?
☒Yes ☐No

11. Will the proposed action result in generation of vehicular traffic significantly above present levels?
☐Yes ☒No
a) If yes, is the existing infrastructure (roads, signals, signage, etc.) adequate to handle the additional traffic?
☐Yes ☐No On what authority is this opinion offered?
b) Will improvements be necessary?
☐Yes ☐No If yes to either a) and/or b) provide the basis for such opinion and agency name and documentation that supports the conclusion:

D. Additional Information and Details

Attach an addendum with any additional information needed to clarify your project. If there may be adverse impacts associated with the proposal, discuss those impacts and the measures which you will undertake to mitigate or avoid them.

Source: NYSEQR Form 14-16-2 (8/87)-7c, revised 6/87 and 12/91 (Huntington Town Planning Dept.)

E. Verification

I hereby certify that I have filled out the above form for the action known as:

Matinecock Court

and to the best of my knowledge all of the answers are true.

Name: Robert Mannielio (Print or type name) Date: JUNE 1995

Signed: [signature] (Preparer) Title: President

If the Applicant/Sponsor did not fill out this form then the following verification must be signed.

I am the applicant/sponsor of the proposed project described above and I hereby certify that I have given the above signed individual/company permission to fill out this form on my behalf. I further certify that the above signed consultant has made me aware of the questions on this form and explained the answers that have been provided, and I understand the proposed project and the answers provided on this form.

Name: SUSAN R. LAGVILLE (Print or type name) Date: 6/7/95

Signed: [signature] (Applicant/Sponsor) Title: Exec Director

Source: NYSEQR Form 14-16-2 (2/87)-7e, revised 6/87 and 12/91 (Huntington Town Planning Dept.)

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumlative effects.

Instructions (Read carefully) –

a. Answer each of the 19 questions in PART 2. Answer Yes if there will be any impact.

b. Maybe answers should be considered as Yes answers.

c. If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.

d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.

e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
1. Will the proposed action result in a physical change to the project site? ☐NO ☑YES				
Examples that would apply to column 2				
• Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.	☐	☐	☐Yes	☐No
• Construction on land where the depth to the water table is less than 3 feet.	☐	☐	☐Yes	☐No
• Construction of paved parking area for 1,000 or more vehicles.	☐	☐	☐Yes	☐No
• Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.	☐	☐	☐Yes	☐No
• Construction that will continue for more than 1 year or involve more than one phase or stage.	☐	☑	☑Yes	☐No
• Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.	☐	☐	☐Yes	☐No
• Construction or expansion of a sanitary landfill.	☐	☐	☐Yes	☐No
• Construction in a designated floodway.	☐	☐	☐Yes	☐No
• Other impacts Loss of Open Space / Field Habitat	☐	☑	☑Yes	☐No
2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) ☑NO ☐YES				
• Specific land forms:	☐	☐	☐Yes	☐No

IMPACT ON WATER	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated By Project Change
3 Will proposed action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL) ☑NO ☐YES			
Examples that would apply to column 2			
• Developable area of site contains a protected water body.	☐	☐	☐Yes ☐No
• Dredging more than 100 cubic yards of material from channel of a protected stream.	☐	☐	☐Yes ☐No
• Extension of utility distribution facilities through a protected water body.	☐	☐	☐Yes ☐No
• Construction in a designated freshwater or tidal wetland.	☐	☐	☐Yes ☐No
• Other impacts: _____			
4 Will proposed action affect any nonprotected existing or new body of water? ☑NO ☐YES			
Examples that would apply to column 2			
• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	☐	☐	☐Yes ☐No
• Construction of a body of water that exceeds 10 acres of surface area.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
5 Will Proposed Action affect surface or groundwater quality or quantity? ☐NO ☑YES			
Examples that would apply to column 2			
• Proposed Action will require a discharge permit. SPDES	☐	☑	☑Yes ☐No
• Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	☐	☐	☐Yes ☐No
• Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	☐	☐	☐Yes ☐No
• Construction or operation causing any contamination of a water supply system.	☐	☐	☐Yes ☐No
• Proposed Action will adversely affect groundwater. ? STP	☐	☑	☑Yes ☐No
• Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	☐	☐	☐Yes ☐No
• Proposed Action would use water in excess of 20,000 gallons per day. 50,000 g.p.d.	☑	☐	☑Yes ☐No
• Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	☐	☐	☐Yes ☐No
• Proposed Action will require the storage of petroleum or chemical product greater than 1,100 gallons.	☐	☐	☐Yes ☐No
• Proposed Action will allow residential uses in areas without water and/or sewer services.	☐	☐	☐Yes ☐No
• Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	☐	☑	☑Yes ☐No
• Other impacts: Construction of Source; Treatment Plant on site			
6 Will proposed action alter drainage flow or patterns, or surface water runoff? ☐NO ☑YES			
Examples that would apply to column 2			
• Proposed Action would change flood water flows.	☐	☐	☐Yes ☐No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
Proposed Action may cause substantial erosion.	☑	☐	☑Yes	☐No
• Proposed Action is incompatible with existing drainage patterns.	☑	☐	☑Yes	☐No
• Proposed Action will allow development in a designated floodway.	☐	☐	☐Yes	☐No
• Other impacts:	☐	☐	☐Yes	☐No

IMPACT ON AIR

7. Will proposed action affect air quality? ☑NO ☐YES

Examples that would apply to column 2

• Proposed Action will induce 1,000 or more vehicle trips in any given hour.	☐	☐	☐Yes	☐No
• Proposed Action will result in the incineration of more than 1 ton of refuse per hour.	☐	☐	☐Yes	☐No
• Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.	☐	☐	☐Yes	☐No
• Proposed action will allow an increase in the amount of land committed to industrial use.	☐	☐	☐Yes	☐No
• Proposed action will allow an increase in the density of industrial development within existing industrial areas.	☐	☐	☐Yes	☐No
• Other impacts:	☐	☐	☐Yes	☐No

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species? ☑NO ☐YES

Examples that would apply to column 2

• Reduction of one or more species listed on the New York or Federal list, using the site over or near site or found on the site.	☐	☐	☐Yes	☐No
• Removal of any portion of a critical or significant wildlife habitat.	☐	☐	☐Yes	☐No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	☐	☐	☐Yes	☐No
• Other impacts:	☐	☐	☐Yes	☐No

9. Will Proposed Action substantially affect non-threatened or non-endangered species? ☐NO ☑YES

Examples that would apply to column 2

• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	☐	☑	☑Yes	☐No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	☐	☑	☑Yes	☐No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will the Proposed Action affect agricultural land resources? ☑NO ☐YES

Examples that would apply to column 2

• The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	☐	☐	☐Yes	☐No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
• Construction activity would excavate or compact the soil profile of agricultural land.	☐	☐	☐Yes ☐No
• The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	☐	☐	☐Yes ☐No
• The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping) or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff)	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No

IMPACT ON AESTHETIC RESOURCES

11. Will proposed action affect aesthetic resources? ☐NO ☑YES
(If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)
Examples that would apply to column 2

• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	☑	☐	☑Yes ☐No
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	☐	☐	☐Yes ☐No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	☐	☐	☐Yes ☐No
• Other impacts: Conversion of naturalized open area to man-made developed site	☐	☑	☑Yes ☐No

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? ☑NO ☐YES
Examples that would apply to column 2

• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	☐	☐	☐Yes ☐No
• Any impact to an archaeological site or fossil bed located within the project site.	☐	☐	☐Yes ☐No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No

IMPACT ON OPEN SPACE AND RECREATION

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? ☐NO ☐YES
Examples that would apply to column 2

• The permanent foreclosure of a future recreational opportunity.	☑	☐	☐Yes ☑No
• A major reduction of an open space important to the community.	☑	☐	☑Yes ☐No
• Other impacts: Loss of site on Open Space Index	☐	☑	☑Yes ☐No

*NE 27

	1 Signal to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
IMPACT ON TRANSPORTATION			
14. Will there be an effect to existing transportation systems? ☐NO ☑YES			
Examples that would apply to column 2			
• Alteration of present patterns of movement of people and/or goods.	☐	☑	☑Yes ☐No
• Proposed Action will result in major traffic problems.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
IMPACT ON ENERGY			
15. Will proposed action affect the community's sources of fuel or energy supply? ☑NO ☐YES			
Examples that would apply to column 2			
• Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.	☐	☐	☐Yes ☐No
• Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.	☐	☐	☐Yes ☐No
• Other impacts: _____	☐	☐	☐Yes ☐No
NOISE AND ODOR IMPACTS			
16. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? ☐NO ☑YES			
Examples that would apply to column 2			
• Blasting within 1,500 feet of a hospital, school or other sensitive facility.	☐	☐	☐Yes ☐No
• Odors will ~~occur~~ may routinely (more than one hour per day). ?	☑	☐	☑Yes ☐No
• Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.	☐	☐	☐Yes ☐No
• Proposed Action will remove natural barriers that would act as a noise screen.	☑	☐	☑Yes ☐No
• Other impacts: Temporary construction impacts	☑	☐	☐Yes ☑No
IMPACT ON PUBLIC HEALTH			
17. Will Proposed Action affect public health and safety? ☐NO ☑YES			
Examples that would apply to column 2			
• Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.	☐	☐	☐Yes ☐No
• Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)	☐	☐	☐Yes ☐No
• Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.	☐	☐	☐Yes ☐No
• Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste. dumping Fertilizers, pesticides from previous farming activities - tests to insure safety of future residents	☑	☐	☑Yes ☐NO
• Other impacts: _____	☐	☐	☐Yes ☐No

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

18. Will proposed action affect the character of the existing community? ☐NO ☑YES

Examples that would apply to column 2

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
• The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.	☐	☐	☐Yes ☐No
• The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.	☐	☐	☐Yes ☐No
• Proposed action will conflict with officially adopted plans or goals.	☑	☐	☐Yes ☑No
• Proposed action will cause a change in the density of land use.	☑	☐	☑Yes ☐No
• Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.	☐	☐	☐Yes ☐No
• Development will create a demand for additional community services (e.g. schools, police and fire, etc.)	☑	☐	☑Yes ☐No
• Proposed Action will set an important precedent for future projects.	☑	☐	☐Yes ☑No
• Proposed Action will create or eliminate employment. Construction Jobs	☑	☐	☐Yes ☐No
• Other impact _____	☐	☐	☐Yes ☐No

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? ☐NO ☑YES

Public concern over traffic, sewage treatment facility and LILCO substation

If Any Action in Part 2 Is Identified as a Potential Large Impact or If You Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact.
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachment)

STIPULATION OF SETTLEMENT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----------x
HOUSING HELP, INC.,

Plaintiff,

-against-

THE TOWN OF HUNTINGTON, NEW YORK, THE PLANNING BOARD OF THE TOWN OF HUNTINGTON, NEW YORK, THE COMMUNITY DEVELOPMENT AGENCY OF THE TOWN OF HUNTINGTON, NEW YORK STATE DIVISION OF HOUSING & COMMUNITY RENEWAL, NEW YORK STATE HOUSING TRUST FUND CORPORATION and JOSEPH LYNCH,

CV 97-3430 (ERK) (VVP)

Defendants.
----------x

STIPULATION OF SETTLEMENT AND
CONSENT DECREE IN FULL SETTLEMENT OF CLAIMS BY PLAINTIFF AGAINST DEFENDANTS THE TOWN OF HUNTINGTON, NEW YORK, THE PLANNING BOARD OF THE TOWN OF HUNTINGTON, NEW YORK, and THE COMMUNITY DEVELOPMENT AGENCY OF THE TOWN OF HUNTINGTON, NEW YORK

I. INTRODUCTION

The purpose of this consent decree is to set forth the full and final terms by which the named plaintiff Housing Help, Inc. ("HHI") and defendants, the Town of Huntington, New York (the "Town"), the Planning Board of the Town of Huntington, New York (the "Planning Board"), and the Community Development Agency of the Town of Huntington, New York ("CDA") (hereinafter collectively referred to as the "Town Defendants") have settled and resolved the claims which were raised in the action styled above.

This consent decree is entered into voluntarily by the parties hereto. It is not intended, nor is it to be construed as an admission of liability, fault, wrongdoing, discriminatory or retaliatory conduct, or misconduct of any kind by any of the Town Defendants, express or implied, or as an admission of any allegation made against any of the Town Defendants by HHI. This consent decree shall have no precedential value whatsoever, nor may it be utilized or admitted in any matter, action, or proceeding, other than one commenced by one of the parties hereto, to enforce the terms hereof.

II. NATURE OF THE CASE AND IMPACT OF THIS SETTLEMENT DECREE

In this action, HHI contends that all defendants have engaged in racial discrimination based on "intent and effect" and have retaliated unlawfully with regard to HHI's effort to develop housing affordable to low and moderate income households in the Town of Huntington, at a 14.8-acre parcel at the intersection of Elwood and Pulaski Roads, to be known as "Matinecock Court".

HHI and the Town Defendants have determined that it is in their mutual best interest that this action, as between these parties, be resolved and concluded at this time, upon the terms and provisions set forth herein, with the objective of increasing the amount of affordable housing in the Town of Huntington.

The parties hereto understand and acknowledge that notwithstanding this Consent Decree, this action will proceed against all defendants other than the Town Defendants (i.e., the "State Defendants"), until final determination, including all appeals.

This Decree may be entered without further findings of fact and conclusions of law having been made and entered by the Court. The terms of the settlement set forth below resolve and settle all claims between HHI and the Town Defendants which were raised in this action, to the extent allowable by law.

In consideration of the mutual promises, representations, and commitments set forth herein, HHI releases each and all of the Town Defendants as to any and all claims which were asserted against the Town Defendants in the Third Amended and Supplemental Complaint, and in the various administrative complaints referenced in § VII hereof.

The parties agree to execute and file appropriate papers to dismiss HHI's claims against the Town Defendants, in accordance with this Consent Decree.

III. RELIEF WITH RESPECT TO THE MATINECOCK COURT DEVELOPMENT

A. The Nature of the Development.

HHI hereby represents that, subject to obtaining necessary financing, it intends to construct housing affordable to low and moderate income households at the Matinecock Court site (the "Development"), consisting of no more than 155 residential units, with 50% of all such units to be rental units and 50% of all such units to be equity units.[1]

The Town Board and the CDA represent that they hereby express their support for the Development described above, although neither the Town Board nor the CDA has made any independent analysis or determination with regard to the feasibility of the proposed Development. The Town Board and CDA leave to the Planning Board the responsibility for evaluating in accordance with all applicable laws, codes, regulations, and ordinances any proposed site plan to be submitted by HHI pursuant to, and in accordance with, this Consent Decree.

It is understood that the equity (ownership) units at the Development will require that each owner will obtain his or her own mortgage and that each owner will get individual and separate title to his or her own unit. The equity units shall not mean a limited equity cooperative,

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[1] The odd number unit in the development shall be a unit for the superintendent of the development. Thus, for example, if the development is 155 units, seventy-seven (77) units will be rental units, seventy-seven (77) units will be equity units, and the remaining unit shall be a rental unit reserved for the superintendent.

in which the owner does not obtain his or her own mortgage. It is further understood that the equity units will be structured legally to ensure their continuing affordability to low and moderate income households over time.

The Town Defendants hereby express their support for the Development described above, subject to the additional terms, provisions, and representations set forth below, and provided that the construction and operation of the Development is consistent with all applicable laws, codes, regulations, and ordinances of the Town, the County of Suffolk, and the State of New York, including, but not limited to, environmental, sanitary, and building laws, codes, regulations and ordinances.

B. **Suffolk County Sewer Agency.**

It is understood by all parties that HHI may be required to secure relief from the Suffolk County Sewer Agency in order to proceed with the Matinecock Court Development as described herein. HHI acknowledges that no representations regarding the likelihood of such relief being granted by the Suffolk County Sewer Agency have been made to it by any of the Town Defendants. The Town Defendants shall not oppose any application by HHI to said Sewer Agency in this regard, or act, in any way, to undermine or adversely affect such application.

C. **Community Center.**

HHI shall include in its plans for the Development a Community Center and will utilize its best, good faith efforts to secure funding for the construction of such center. The purpose of the Community Center will be to provide various activities, meetings and services for the residents of the Development and for other Huntington Town residents, as appropriate and consistent with regulations and requirements imposed by the state or federal agencies which may fund the Community Center.

If HHI is unable, despite its best, good faith efforts, to secure funding for the Community Center, it may proceed with the Development without the center and none of the parties hereto will be relieved of any of their obligations as set forth herein.

Nothing herein is intended, or shall be deemed to constitute the approval by the Town Defendants of any particular activity to be conducted at the Community Center. Nor shall anything herein preclude the Town from financially participating in the development of the Community Center, at the Town's sole discretion, if such Town participation is needed to ensure access to the Community Center by the community at large.

D. Citizen's Advisory Committee.

Once HHI receives a commitment for the funding of the Development proposed above, it shall form a Citizen's Advisory Committee (the "CAC") regarding the Development within thirty (30) days of securing said commitment. The CAC's mission shall be to advise and assist HHI with respect to issues pertaining to the design, layout, use of property and landscaping of the Development during the planning, design, construction and operation of the Development. Although the CAC shall not possess decisionmaking authority as to these issues, HHI agrees to consider, in good faith, all reasonable suggestions and submissions of the CAC, regarding the issues set forth above, and to work cooperatively with the CAC. After such consideration, the decision of HHI shall be final. The CAC shall have no input concerning the selection of tenants or other residents of the Development.

The CAC shall be comprised of seven members. Three of these members shall be selected by the Board of Directors of HHI. Three additional members shall be selected by the Huntington Town Board from the community at large, who are not affiliated with HHI or the Town government. The seventh member of the CAC shall be either James Morgo, President of the Long Island Housing Partnership, or, if Mr. Morgo is unavailable or unwilling, for any

reason, to serve as the seventh member, then Peter Elkowitz, Executive Vice President of the Long Island Housing Partnership, shall be the seventh member.

The CAC shall meet on a monthly basis, or more frequently as the CAC may decide. Special meetings may be called by a majority of the CAC. Roberts' Rules of Order shall govern the operation of the CAC. The CAC shall convey its advice to HHI regarding the issues it may consider, within a reasonable period. If the CAC fails to convey its advice within such reasonable period, HHI may proceed with the implementation of decisions for the Development in the absence of CAC's recommendations.

E. The SEQRA and Site Plan Processes.

Nothing contained herein shall be construed or shall operate as a waiver or satisfaction of HHI's obligation to comply with and participate in the State Environmental Quality Review Act ("SEQRA") process and the site plan review process with respect to the Development. In this regard, defendant Planning Board reserves the right to assert "Lead Agency" status in connection with the SEQRA process. HHI also reserves the right to request that an agency or body other than the Planning Board be designated Lead Agency and/or another agency or body may claim the right to serve as a Lead Agency in said process. Nothing contained herein, however, is to be construed as conferring upon the Planning Board the exclusive right to serve as Lead Agency in the SEQRA process, and nothing contained herein shall constitute or be deemed a waiver, approval, or satisfaction of any requirement or element of the SEQRA process or the site plan review process with regard to the Development.

The parties acknowledge the Planning Board has previously conducted a Scoping Session pursuant to SEQRA in connection with HHI's June 1995 site plan submission to the Planning Board and that another scoping session is not required. All other public participation provisions as set forth in SEQRA shall remain applicable to the Development.

In the event that HHI submits a site plan application for 155 residential units at the Development, in accordance with the terms of this Consent Decree, the Planning Board shall not deny approval of HHI's site plan on the basis of the proposed density of the Development. It is further understood that the Planning Board will expedite the site plan review and SEQRA processes, to the extent permitted by law, consistent with the terms of the Partial Final Judgment dated May 16, 1989, and issued in connection with the Huntington Branch NAACP, et al. v. Town of Huntington, et al. (81 Civ. 0541) litigation. The procedures and requirements of the Planning Board as they apply to its site plan review process for the Development shall be no more demanding or stringent than the procedures and requirements applied to previous and current applications for developments which contain an affordable housing component.

F. Waiver of Fees.

The Town Board and the Town Planning Board shall authorize full waiver of certain fees and expenses in connection with the aforementioned site plan review process and SEQRA process as may be required by the Town Code. Such fees shall include: DEIS review fees customarily imposed by the Planning Board; FEIS preparation fees customarily imposed by the Planning Board; construction and inspection fees; park fees (if recreational facilities are otherwise adequately provided for in the Development); cash portion of bonding requirements; preliminary subdivision review fees; conditional final application review fees; and building and plumbing permit fees.

The Site Plan fee previously paid by HHI in connection with its June 1995 site plan submission to the Planning Board shall be accepted in full satisfaction of the fee otherwise required in conjunction with the site plan to be submitted for the proposed Development.

G. Support For Efforts to Secure Additional State and Federal Funding.

HHI represents that it intends to seek federal and/or state and/or private funding for the following aspects of the Development: construction of the residential units; construction of a

sewage treatment plant ("STP") at the Development site; construction of a community center for the proposed development; on and off site infrastructure improvements that may be necessary or desirable at the proposed Development; and landscaping at the proposed Development.

The Town Defendants hereby express their support for such funding efforts, and agree that HHI may submit this Consent Decree to potential funding sources as evidence of the Town Defendants' support.

Nothing contained herein, however, shall obligate any of the Town Defendants to contribute, pay for, subsidize, or approve any of the foregoing items except as expressly set forth herein.

H. Parking Requirements.

If HHI demonstrates, in conjunction with the proposed Development, that it has sufficient space at the Matinecock Court site for the number of parking spaces required by Town Code §198-44 through §198-49, as amended, the Planning Board shall permit HHI to "land bank" those parking spaces in excess of the number of spaces formerly required by those provisions of the Town Code, prior to the December 6, 1994 amendments thereto. If HHI is unable, however, to demonstrate that the site possesses sufficient space to accommodate the number of parking spaces required by Town Code §198-44 through §198-49, as amended, consistent with a proposal of a development of 155 units, a Community Center and a sewage treatment plant, then the Planning Board shall require land banking in numbers of parking spaces no greater than the site will accommodate and shall waive the need for any additional spaces. In no event, however, shall HHI be entitled to be relieved of the requirement of providing parking spaces in numbers sufficient to comply with the provisions of the Town Code as it existed prior to December 6, 1994.

I. **Real Estate Tax Assessment.**

HHI and its representatives have met with the Tax Assessor of the Town of Huntington to provide information regarding the cost of construction, estimated sale price of equity units, square footage, sale, resale, and rent restrictions and subsidies involved in the proposed Development in order to obtain an estimated assessed value of the equity and rental units in the proposed Development. Based on the representations made to the tax assessor, which were confirmed in a letter by HHI to the tax assessor, the tax assessor will provide HHI with a letter of intent (the "letter") which indicates that the real estate tax assessments pertaining to the Development will take into consideration the foregoing information provided to the Tax Assessor by HHI. It is understood and agreed that the Tax Assessor will abide by the representations made in the letter, and the representations may be enforced by this Court as appropriate. It is understood that the letter shall not be construed to be a real property tax exemption or abatement.

J. **Community Development Agency Support.**

Defendant CDA agrees that in the next annual update of its Consolidated Plan, HHI's proposed Development, as described herein, shall be referenced specifically. CDA agrees to amend its current Consolidated Plan so as to include a specific reference, to the extent permitted by law.

The CDA shall include in its applications for Community Development Block Grant ("CDBG") funds from the United States Department of Housing and Urban Development ("HUD") for each of the five consecutive fiscal years following the entry of this Consent Decree, commencing with the fiscal year beginning on August 1, 2001, requests for allocations of CDBG funds to defray qualified expenses associated with the Development, in the amount of $50,000 per year, or 5% of the CDA's total award of CDBG funds for that year, whichever is less. The CDA shall remit to HHI the monies so allocated by HUD in response to the CDA's aforesaid

requests, in accordance with, and unless otherwise prohibited by HUD guidelines. Within ten (10) days of the entry of this Consent Decree, HHI shall advise HUD, in writing, that it withdraws any and all objections previously made to CDA's application for CDBG funds for the fiscal year beginning August 1, 2000.

In addition to the foregoing, the CDA shall use its best, reasonable efforts to secure from HUD additional funds, other than CDBG funds, for employment positions required by HHI in connection with the operation of the proposed Development.

IV. OTHER RELIEF NOT RELATED TO MATINECOCK COURT.

After the entry of this Consent Decree The Town Defendants will make available to HHI, for purchase by HHI, the first three residential tax foreclosure properties that are made available to the Town by the County of Suffolk, which are acceptable to HHI for rehabilitation or new construction purposes for provision of housing to low and moderate income households. The purchase price for such properties shall be the out-of-pocket expense, if any, incurred by the Town in obtaining such properties from the County of Suffolk.

V. DURATION OF TOWN DEFENDANTS' LAND USE COMMITMENTS WITH RESPECT TO THE MATINECOCK COURT SITE.

This Consent Decree fully and finally resolves all of HHI's claims in this action against the Town Defendants. Nevertheless, the promises, commitments, and obligations of the Town Defendants which are set forth herein regarding the Development shall not remain in effect in perpetuity. In the event HHI prevails against the State Defendants, this decree will continue in effect so that funding for the Development may be obtained from the State Defendants and so that HHI has adequate time to obtain all approvals necessary to proceed with the project. Assuming that HHI proceeds with the Development with funds received from the State Defendants, then the Town Defendants' obligations will continue pursuant to the terms hereof.

Assuming HHI does not prevail with respect to its claims against the State Defendants, whether on trial or after all appeals have been exhausted, and assuming HHI does not settle with the State Defendants before that time, the parties recognize that HHI might pursue sources of funding for the development other than the State Defendants. In order that HHI be afforded adequate time to seek alternative funding, the obligations of the Town Defendants pursuant to this Consent Decree will remain in effect for eight (8) years, from the time that final judgment, after all appeals, is entered in this case, or from the time plaintiff's claims against the State Defendants are otherwise disposed of, unless HHI informs the Town Defendants earlier that it has abandoned its effort to construct the Development, as described herein.

For good cause shown, any party to this Consent Decree may apply to this Court for an alteration of this provision, as the result of significantly changed circumstances.

VI. JURISDICTION.

This Court has jurisdiction over the subject matter of this action and the parties hereto and shall retain jurisdiction of this action for purposes of entering all orders, judgments and decrees necessary to interpret, enforce and implement this decree.

Counsel for HHI and counsel for the Town Defendants may apply to this Court, upon ten (10) days' written notice to the other, for further orders and directives consistent with the terms of this decree, and/or for the enforcement of compliance therewith. Any claims of noncompliance with any provision of this decree shall be made only after counsel have conferred in an effort to resolve the problem without court intervention.

VII. ADMINISTRATIVE COMPLAINTS MADE BY PLAINTIFF

HHI acknowledges that it has previously complained, via formal and/or informal complaints and letters, to the U.S. Department of Housing and Urban Development (HUD) and/or the United States Department of Justice (DOJ) concerning the Town Defendants' acts or omissions regarding HHI's effort to obtain funding for, and to ultimately construct, the Development, and the CDA's acts or omissions regarding allocation of CDBG funds and/or inclusion of a reference to the Development in its Consolidated Plan and related updates.

HHI agrees that within ten (10) days of the date upon which this Consent Decree is executed, it will inform HUD and DOJ, in writing, with a copy to the Town Defendants' counsel, that each and all HHI's complaints, charges, and/or allegations with regard to Matinecock Court, have been resolved to HHI's satisfaction. Such letter or letters shall also include HHI's request that neither HUD nor DOJ commence any action or proceeding against any of the Town Defendants with regard to the proposed Matinecock Court Development.

VIII. FEES, COSTS AND EXPENSES.

The parties acknowledge that HHI's counsel is entitled to recover reasonable attorney's fees, costs, and disbursements, in connection with this action. The parties will endeavor to negotiate and agree upon the amount of such fees, costs, and disbursements; but acknowledge that if they fail to reach agreement, HHI may apply to this Court for a determination regarding the issue. In the event HHI makes such an application, and notwithstanding the foregoing provisions of this paragraph, the Town Defendants expressly retain their right to contest the

hourly rate asserted, the legal services for which compensation is sought, and the amount of costs and/or disbursements for which reimbursement is sought by HHI's counsel.

IX. ENTIRE AGREEMENT.

This consent decree constitutes the entire agreement between HHI and the Town Defendants, and may only be altered in writing, signed by or on behalf of each party hereto, with the approval of the Court.

X. COMMUNICATIONS

All communications between HHI, its counsel, any of the Town Defendants, or its counsel, pertaining to this Consent Decree, shall be made in writing and transmitted by overnight courier, or hand delivered to the addressees, as set forth below. All communications shall be deemed received by the recipient on the date of hand deliver, or, in the event of transmittal by overnight courier, on the day following deposit with such overnight courier:

Communications made from or on behalf of HHI to defendant Town of Huntington, shall be addressed to:

Town Supervisor
Huntington Town Hall
100 Main Street
Huntington, New York 11743-6991

With a copy to:

Town Attorney
Huntington Town Hall
100 Main Street
Huntington, New York 11743-6991

And a copy to:

Nixon Peabody LLP
990 Stewart Avenue
Garden City, New York 11530
Att: Michael S. Cohen, Esq.

Communications made from or on behalf of HHI to defendant Planning Board, shall be addressed to:

Huntington Planning Director
Huntington Town Hall
100 Main Street
Huntington, New York 11743-6991

With a copy to:

Town Attorney
Huntington Town Hall
100 Main Street
Huntington, New York 11743-6991

And a copy to:

Nixon Peabody LLP
990 Stewart Avenue
Garden City, New York 11530
Att: Michael S. Cohen, Esq.

Communications made from or on behalf of HHI to defendant Community Development Agency, shall be addressed to:

Community Development Agency of the Town of Huntington
Huntington Town Hall
100 Main Street – Room 309
Huntington, New York 11743-6991
Att: Executive Director

With a copy to:

Town Attorney
Huntington Town Hall
100 Main Street
Huntington, New York 11743-6991

And a copy to:

Nixon Peabody LLP
990 Stewart Avenue
Garden City, New York 11530
Att: Michael S. Cohen, Esq.

Communications made from or on behalf of any of the Town Defendants to HHI, shall be addressed to:

Housing Help, Inc.
91-101 Broadway
Suite 6
Greenlawn, New York 11740
Att: Executive Director

With a copy to:

Richard Bellman, Esq.
Steel, Bellman, Ritz & Clark, P.C.
225 Broadway, Suite 2501
New York, New York 10007-3088

Consented and agreed to this 10th day of October, 2000.

HOUSING HELP, INC.

By: Ulysses H. Spicer
Ulysses Spicer, President

TOWN OF HUNTINGTON, NEW YORK

By: Frank P. Petrone
Frank P. Petrone, Town Supervisor

COMMUNITY DEVELOPMENT AGENCY
OF THE TOWN OF HUNTINGTON, NEW YORK

By: Frank P. Petrone
Frank P. Petrone, Chairman

PLANNING BOARD OF THE TOWN OF
HUNTINGTON, NEW YORK

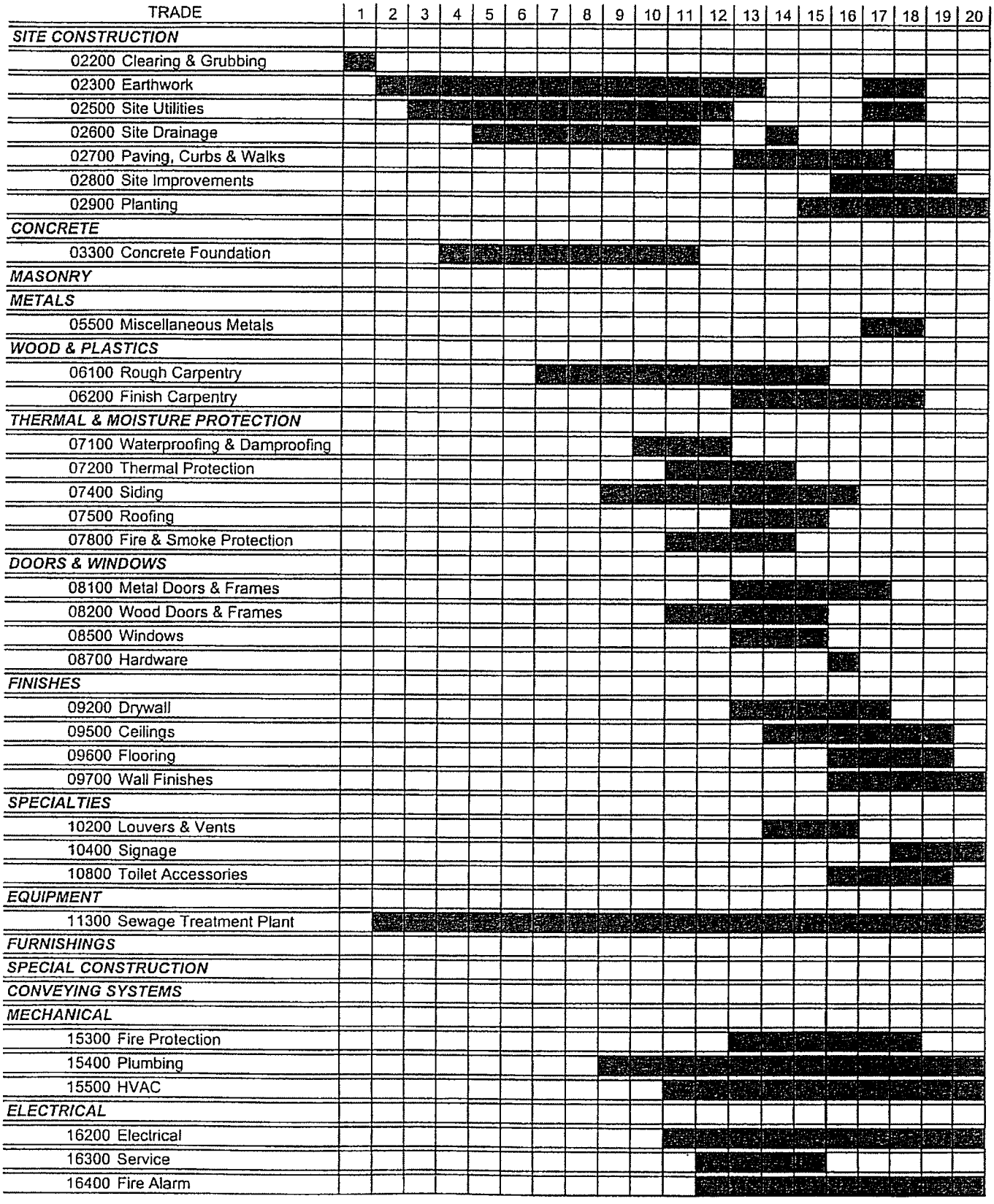
By: Tracy Edwards
Tracy Edwards, Chairperson
Tracey T.E.

So Ordered, this 11 of Oct, 2000.

Edward R. Korman
United States District Judge

APPENDIX B

MATINECOCK COURT
CONSTRUCTION SCHEDULE



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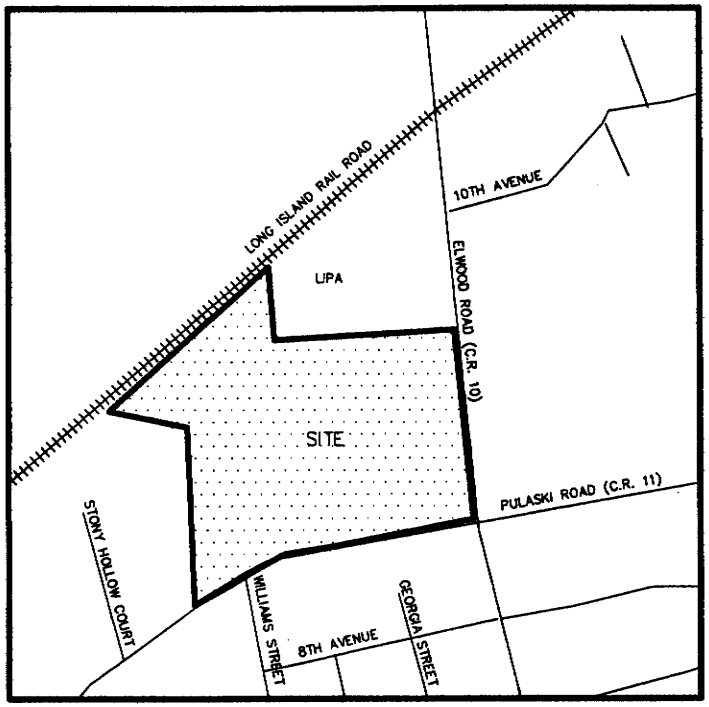


KEY MAP 1" = 600'

JOSEPH CELENTANO, P.E.
NY LIC. NO. 067235
HIRISE ENGINEERING, P.C.

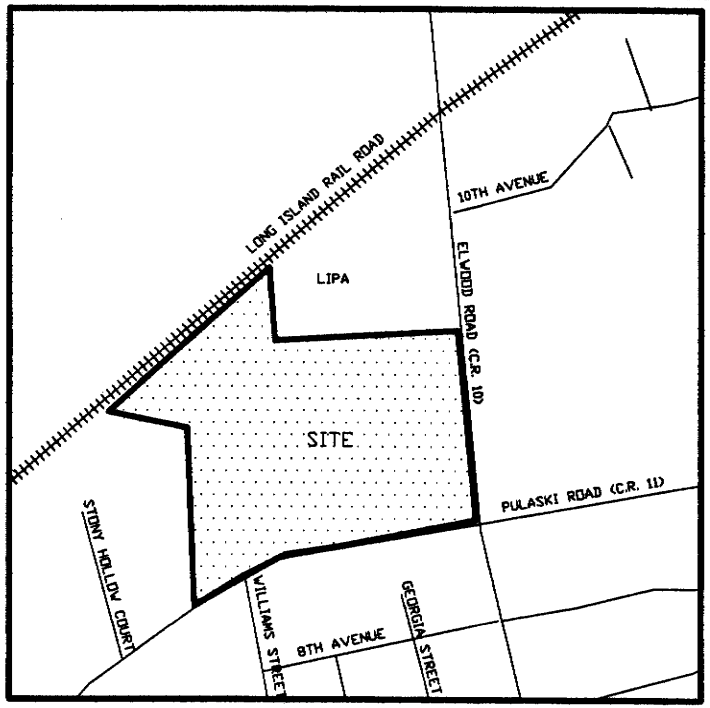
TEST HOLE # 3
EL= 228.1

	TOPSOIL & GRAVEL
	LOAM, TRACE GRAVEL
	MED. TO FINE BROWN SAND & SILT
6"	COARSE TO FINE BROWN & LIGHT BROWN SAND & GRAVEL, TRACE SILT
-20'	COARSE TO FINE BROWN & LIGHT BROWN SAND

TEST HOLE # 6
EL= 227.3

6"	TOPSOIL & GRAVEL
-1'	LOAM & GRAVEL
-4'	MED. TO FINE BROWN & DARK BROWN SAND & GRAVEL, TRACE SILT

GENERAL NOTES:



KEY MAP 1" = 600'

JOSEPH CELENTANO, P.E.
NY LIC. NO. 067235
HIRISE ENGINEERING, P.C.

MH 3
RIM EL. 226.50
INV. IN EL. 214.38
INV. OUT EL. 213.90

+228.00

4" RCP PIPE
PE 12.55%

+228.3

15' GATE

100LF-24" RCP PIPE

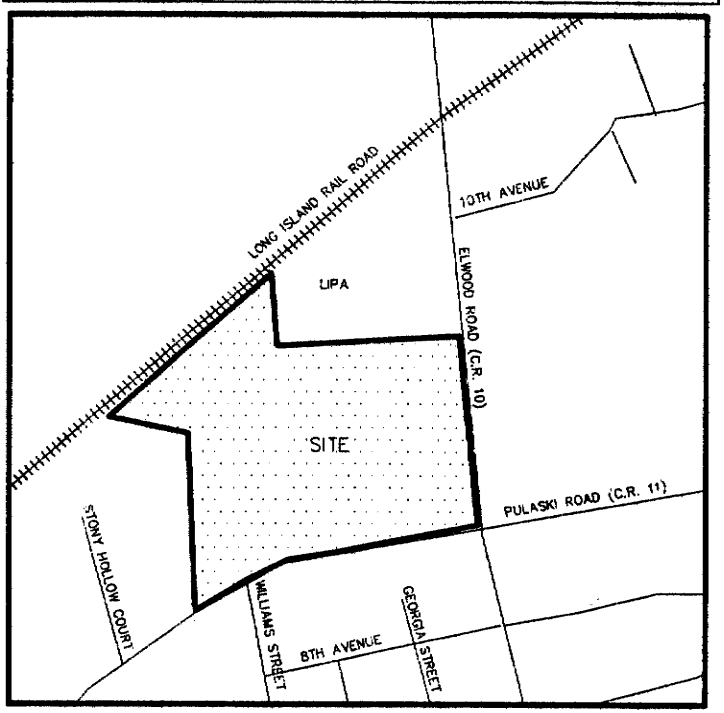
227.40+

+227.60

STANDARD HEADWALL
(SEE DETAIL)

6' BOA SURFACE FOR ENTIRE

GENERAL NOTES:



KEY MAP 1" = 600'

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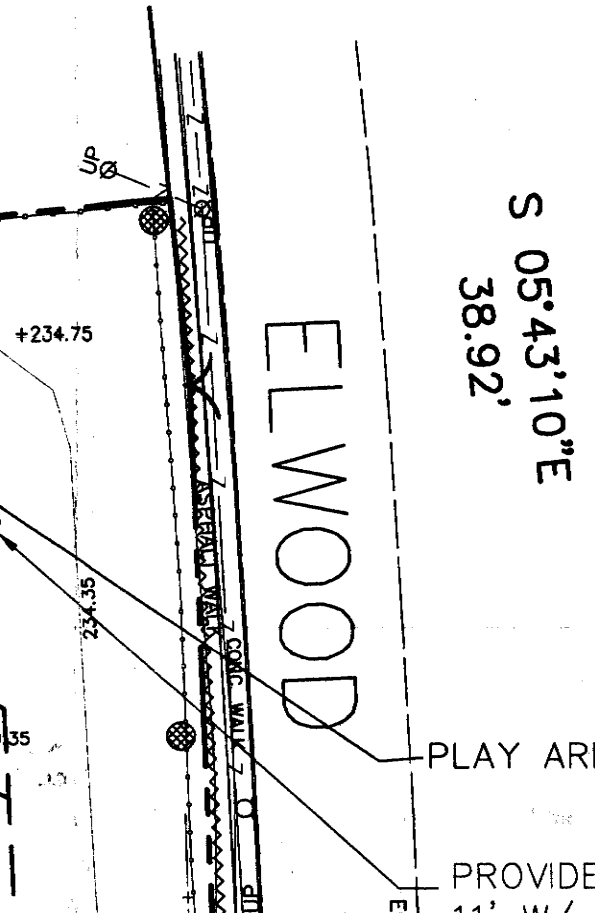
NY LIC. NO. 067235
HIRISE ENGINEERING, P.C.



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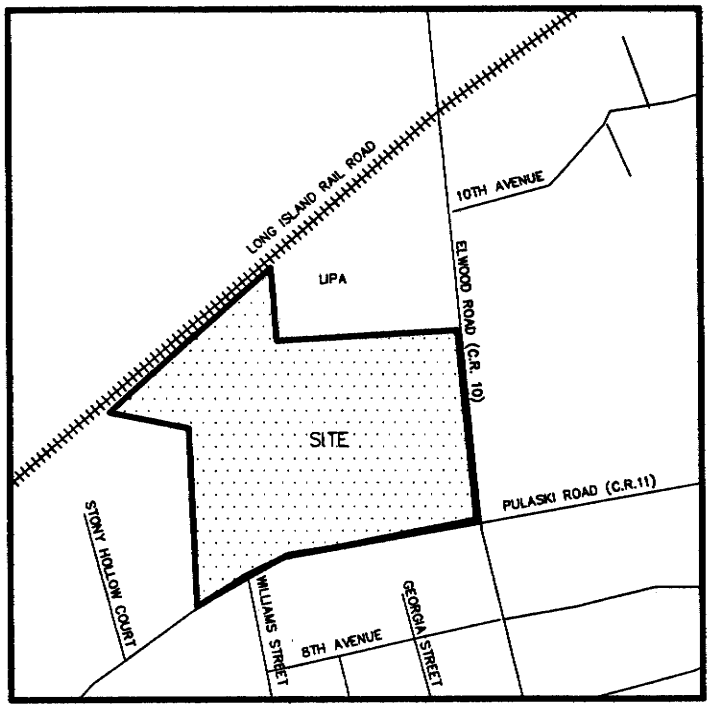

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JOSEPH CELENTANO, P.E.
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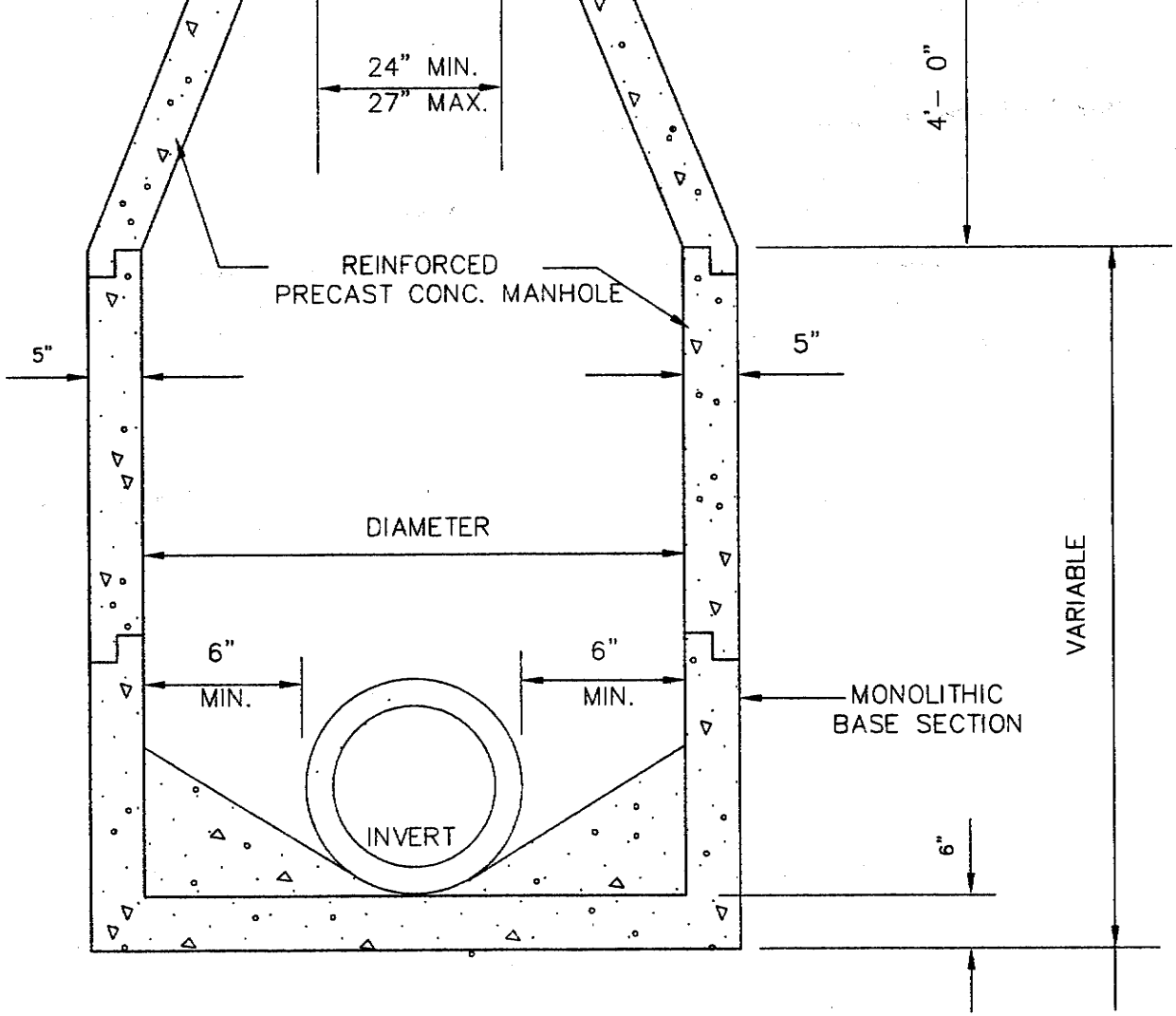

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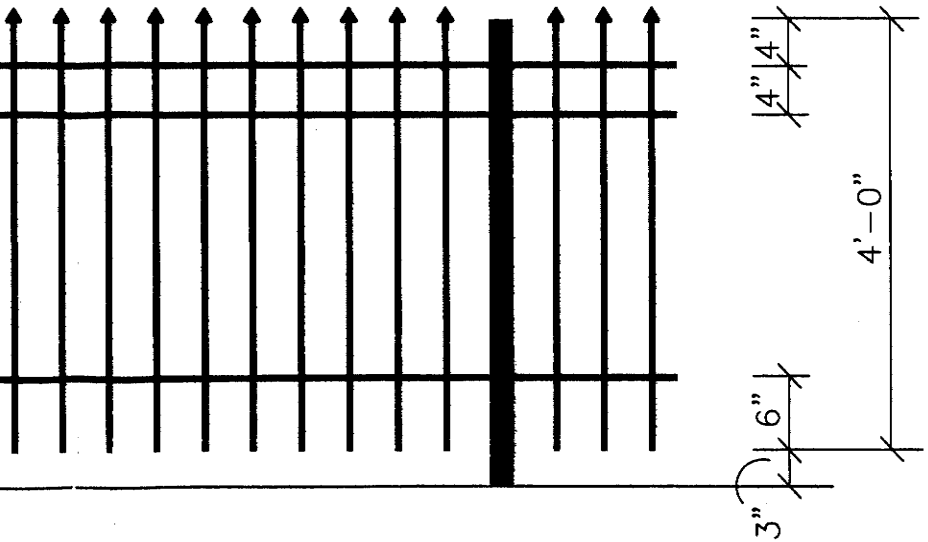

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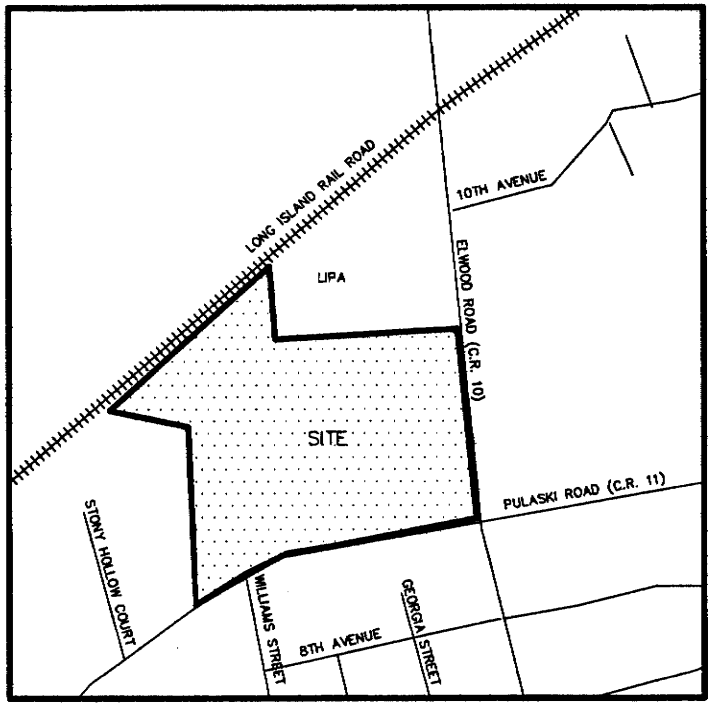

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JOSEPH CELENTANO, P.E.
NY LIC. NO. 067235
HIRISE ENGINEERING, P.C.

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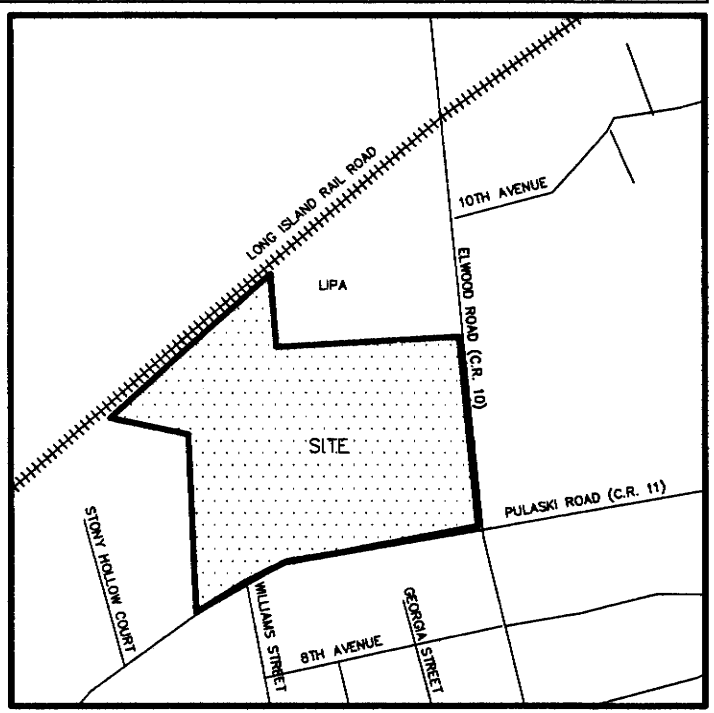

KEY MAP 1" = 600'

JOSEPH CELENTANO, P.E.
NY LIC. NO. 067235
HIRISE ENGINEERING, P.C.

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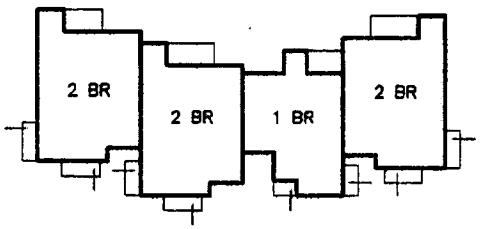

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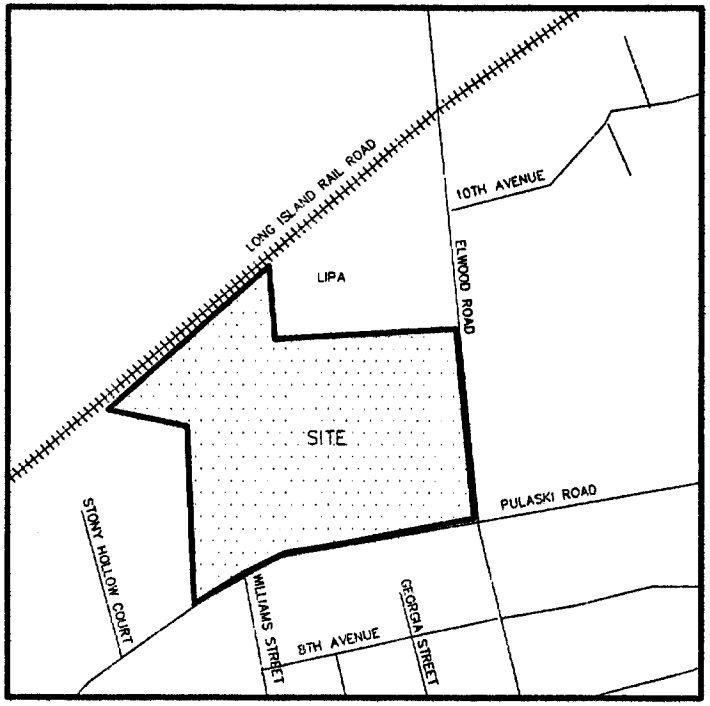

KEY MAP 1" = 600'

JOSEPH CELENTANO, P.E.
NY LIC. NO. 067235
HIRISE ENGINEERING, P.C.

WORK SHALL NOT BE GRANTED UNTIL ALL OF THE FOLLOWING

SHOP DRAWINGS AND SUBMITTALS HAVE BEEN SUBMITTED AND
E ENGINEER AND REGULATORY AGENCIES.

DOCUMENTS INCLUDING AS-BUILT PLANS, CERTIFICATIONS AND
DRAWING SETS HAVE BEEN RECEIVED AND APPROVED BY THE

PERATIONAL AND PERFORMANCE TESTING HAS BEEN PERFORMED,
OF REQUIRED PARTIES, AND APPROPRIATE TEST REPORTS HAVE
TO THE ENGINEER AND REGULATORY AGENCIES.

COMPLIANCE HAVE BEEN SUBMITTED ASSERTING THAT THE
PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE
CUMENTS. CERTIFICATES SHALL BE SUBMITTED BY EACH
D SUBCONTRACTOR ENGAGED IN THE PERFORMANCE OF THE
BE SIGNED BY AN AUTHORIZED OFFICER OF EACH CONTRACTOR /
AS WELL AS A NEW YORK STATE NOTARY PUBLIC.

CTOR'S RESPONSIBILITY TO CONDUCT HIS WORK IN A SAFE
MANNER. THE CONTRACTOR SHALL TAKE ALL NECESSARY
HAT THE SITE AND FACILITIES ARE MAINTAINED IN A SAFE
HAZARD TO EMPLOYEES, ENGINEER AND REGULATORY PERSONNEL
S TO THE SITE AND THE RESIDENTS OF THE SURROUNDING
ERAL CONDITIONS (PARAGRAPH 6.20 & 6.21) AND SPECIFICATION

ASTM 3034, SDR 35 PVC, UNI-BELL, JM "BLUE BRUTE" OR
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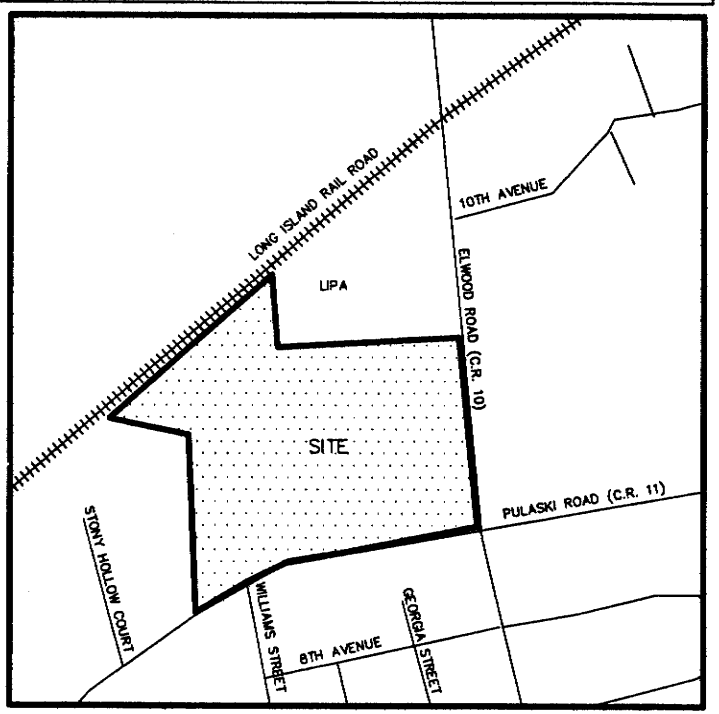

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NY LIC. NO. 067235
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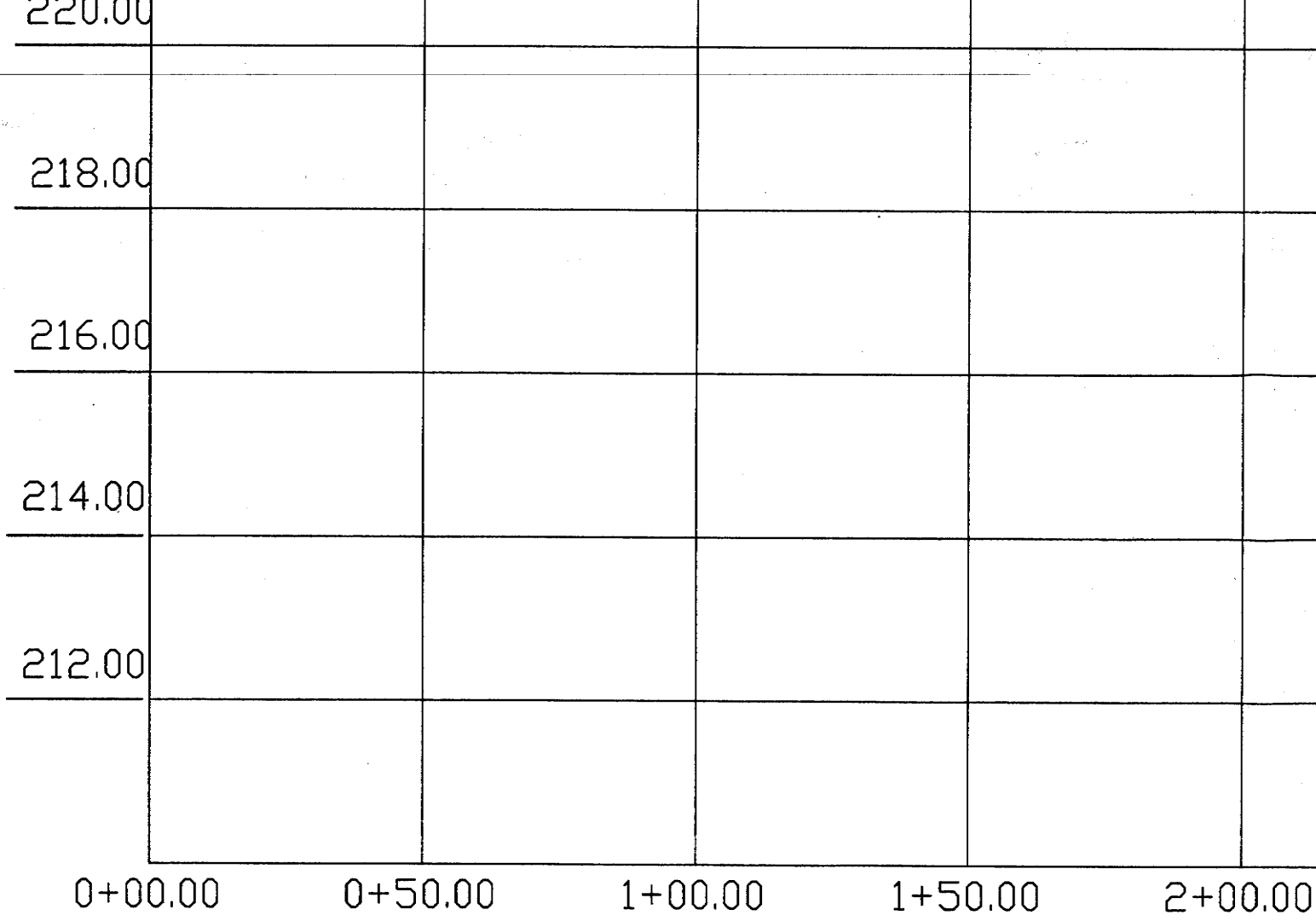

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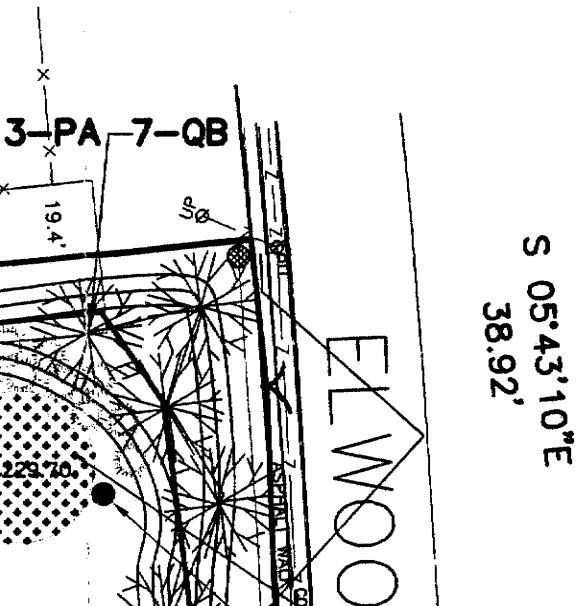
AL TREE (8' – 10')

TREE (5' – 6' Ht)
(6' – 8' Ht)



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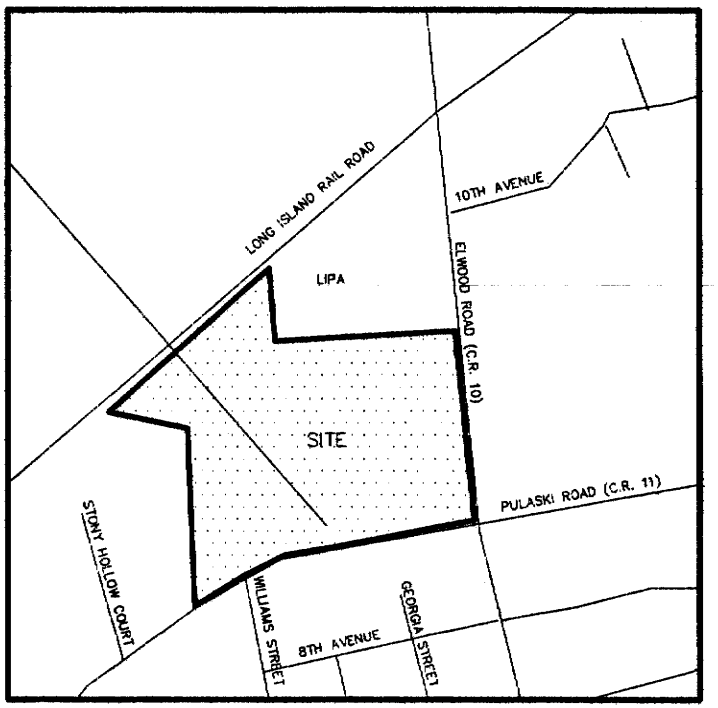

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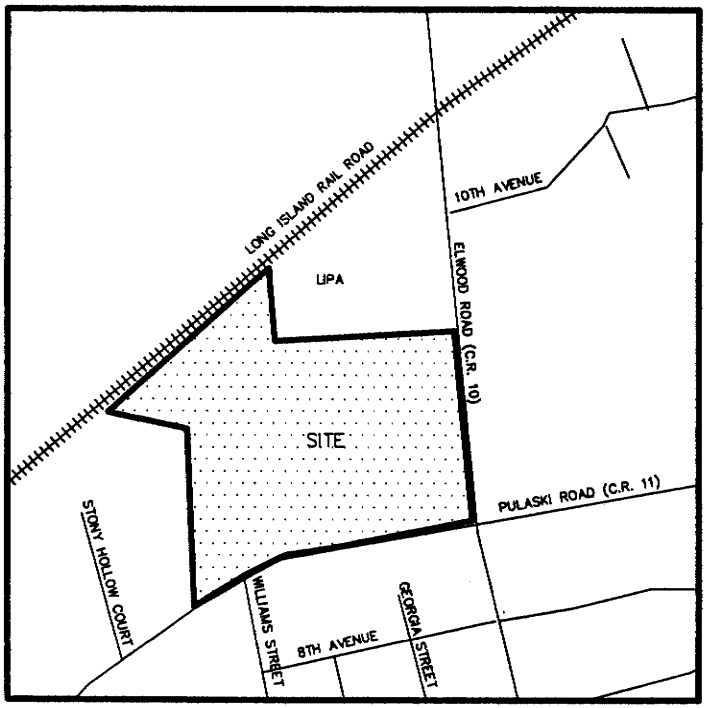
NY LIC. NO. 067235
HIRISE ENGINEERING, P.C.

GENERAL NOTES:



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JOSEPH CELENTANO, P.E.
NY LIC. NO. 067235
HIRISE ENGINEERING, P.C.

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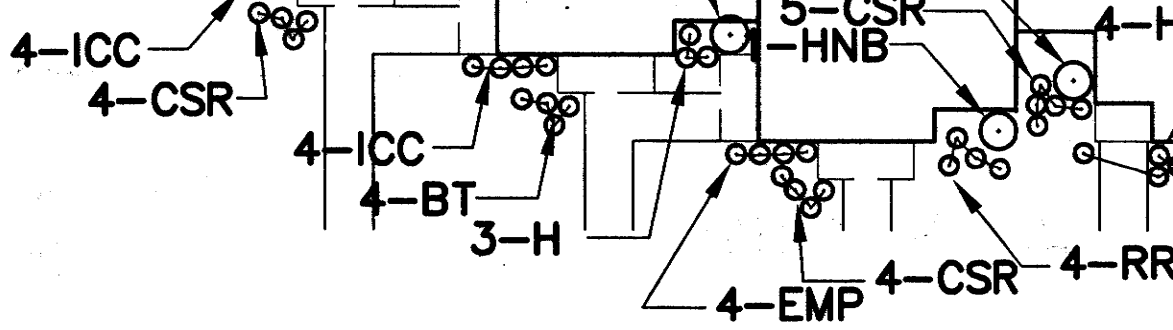

BLDG TYPE 4, 10 UNITS

LANDSCAPE LIST

Qty	Code	Generic Name	Common Name
13	Bt	Berberis Thunbergii Atropurpurea	Red Japanese Barberry
16	CSR	Cotoneaster Salicifolia 'Repens'	Willowleaf Cotoneaster
8	Emp.	Euonymus Manhatten 'Patens'	Manhatten Euonymus
13	H	Hosta Siebaldiana 'Elegans'	Bigleaf Hosta
8	ICC	Ilex Crenata Compacta	Japanese Holly
2	RRE	Rhododendron 'Roseum Elegans'	Pink Rhododendron
4	Vib	Viburnum Carlesi	Fragrant Viburnum
4	RR	Rosa Rugosa	Rugosa Rose

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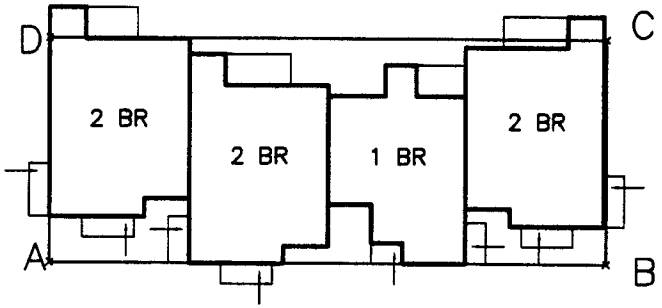
KEY/ BUILDING TYPE



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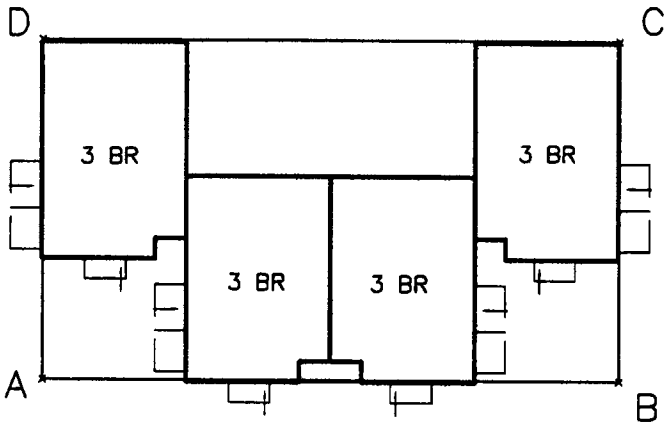

BLDG TYPE 2, 8 UNITS

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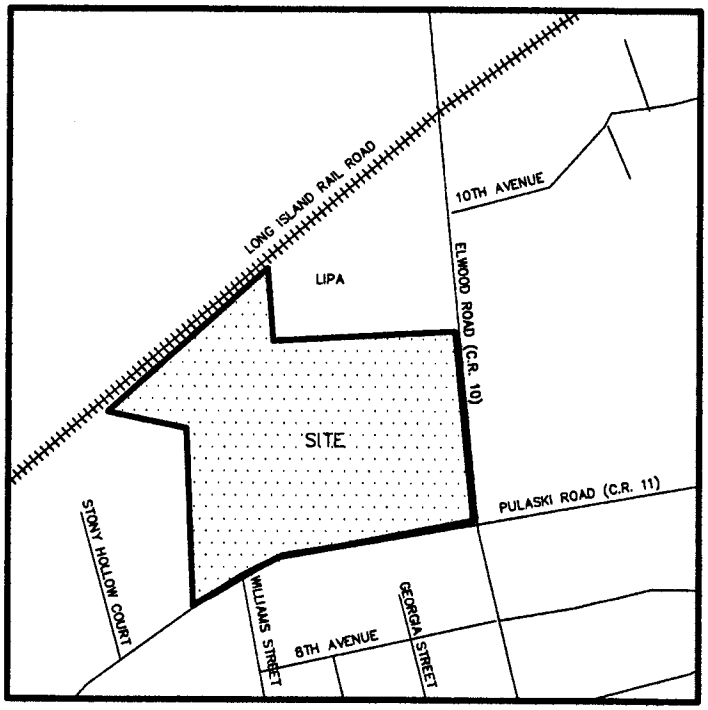

KEY MAP 1" = 600'

JOSEPH CELENTANO, P.E.
NY LIC. NO. 067235
HIRISE ENGINEERING, P.C.

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GARY CANNELLA & ASSOCCIATES
ARCHITECTS

55 KNICKERBOCKER AVENUE
BOHEMIA , NEW YORK 11716
(631) 563-5100 Fax(631)563-5102

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