

SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Economic Development & Planning
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Theresa Ward, Commissioner, Department of Economic Development and Planning
Sarah Lansdale, Director of Planning

Notice of Meeting

September 15, 2017 4:00 p.m.

**Arthur Kunz Library
H. Lee Dennison Building, 2nd Floor
Veterans Memorial Highway, Hauppauge, NY**

Tentative Agenda Includes:

1. Public Portion
2. Work Session - Section A 14-21A of the Suffolk County Administrative Code
 - Pilgrim State Property - Heartland Town Square, Town of Islip
0500 07100 0100 010008 et al

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Theresa Ward
Deputy County Executive and Commissioner

Division of Planning
and Environment

STAFF REPORT SECTION A14-21A OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

-Heartland Town Square Addendum to the 1/4/17 Staff Report-

Initial Heartland Town Square Project Information:

Please see the attached January 4, 2017 SCPC Staff Report and the attached February 1, 2017 Addendum for the Pilgrim State Property – Heartland Town Square Application.

Current Action Before the Suffolk County Planning Commission:

On December 29, 2016 the Suffolk County Planning Commission received a referral from the Islip Town Board pursuant to Section A14-14 of the Suffolk County Administrative Code for the Heartland Town Square project. The Suffolk County Planning Commission considered the matter at their regularly scheduled meetings of January 4th and February 1st of 2017. At the meeting of February 1, the Commission unanimously resolved to approve the referral of the Heartland Town Square development project with eight conditions and thirteen comments (see attached exhibits).

The Islip Town Board, on July 18, 2017 resolved to grant the Heartland Town square project; limited to 113 acres that constitutes Phase 1 of Development Unit 1A of the Heartland Town Square petition to the Town. The Islip Town Board in their approving resolution overrode the conditions imposed by the Suffolk County Planning Commission stating that "...such conditions are inconsistent with Town policy, outside the Town of Islip's jurisdiction, addressed more appropriately in the within covenants and/or inappropriate for a land use application..." (see attached exhibits). A "Report of the Town Board Decision" written by the Town of Islip pursuant to Section A14-16 of the Suffolk County Administrative Code was filed with the Suffolk County Planning Commission on August 11, 2017 (see attached exhibits).

Correspondence was received by the Suffolk County Planning Commission from the Town of Huntington on August 31, 2017 pursuant to Section A14-21A of the Suffolk County Administrative Code (see attached exhibits) prompting procedures including a special meeting/work session on September 15, 2017, a public hearing on September 19, 2017 and a scheduled second special meeting on September 25, 2017 (45 days from receipt of the "Report of the Town Board Decision").

Overview of the Effect of the Current Action:

Below is a summary of the proposed Heartland Town Square development that is within 500 feet of the Town of Huntington municipal boundary. Please note that this summary information is based on information from the Form Based Code Appendix (prepared by RTKL Inc. revised on June 28, 2015) for the Heartland Town Square project and was provided to the Suffolk County Planning Commission by the Town of Islip on October 27, 2016.

Summary of Proposed Development within 500 Feet of the Town of Islip/Huntington Municipal Boundary:

- The approximate area of the Heartland Town Square subject property within 500 feet of the Town of Islip/Town of Huntington municipal boundary is 1,500,000 square feet or 34.4 acres.
- The approximate area of the Heartland Town Square property that is located in DUI-A Phase I (the location of the Town of Islip approved change of zone) and is within 500 feet of the Town of Islip/Town of Huntington municipal boundary is 400,000 square feet or 9.2 acres.
- The Form Based Code shows that only residential units, open space areas and roadways are proposed within 500 feet of the Town of Islip/Town of Huntington Municipal Boundary.
 - In **Phase I** there are approximately 172 units located within the 500 feet boundary (note this calculation is based on the approximate percentage of the specific Development Unit which falls within the 500 feet boundary multiplied by the total units in the Development Unit):
 - These units are from the following proposed Development Units:
 - DU1A-23 (35 total units x 80 % within the 500 ft boundary = approx. 28 units)
 - DU1A-25A (13 total units x 100 % within the 500 ft boundary = approx. 13 units)
 - DU1A-25B (207 total units x 40 % within the 500 ft boundary = approx. 83 units)
 - DU1A-27 (64 total units x 75 % within the 500 ft boundary = approx. 48 units)

Vehicle Trip Generation Calculations:

- Vehicle trip generation for the proposed Heartland Town Square Development within the 9.2 acres of the Heartland Town Square Approved Change of Zone calculated for the 172 units using an average weekday trip multiplier from the Institute of Traffic Engineers (ITE) Trip Generation (6th Edition) manual:

$$172 \text{ Attached Units} \times 5.86 = 1,008 \text{ trips per day}$$

- Vehicle trip generation for the proposed Heartland Town Square Development within the 9.2 acres of the Heartland Town Square Approved Change of Zone calculated for 319 units (based on all of the units in DU1A-23, DU1A-25A, DU1A-25B, DU1A-27) using an average weekday trip multiplier from the Institute of Traffic Engineers (ITE) Trip Generation (6th Edition) manual:

$$319 \text{ Attached Units} \times 5.86 = 1,869 \text{ trips per day}$$

- Vehicle trip generation for the 9.2 acres of the as of right build out for the AAA Residential Zoning residential zoning district which was in place prior to the Heartland Town Square Change of Zone proposed Heartland Town Square Development using an average weekday trip multiplier the Institute of Traffic Engineers (ITE) Trip Generation (6th Edition) manual:

9.2 acres x 43,560 ft/acre = 400,752 square feet
400,752 square Feet X 0.8 (multiplier to reduce for roads and drainage) = 320,602 square feet
320,602 square feet/40,000 square feet = 8 lots
8 lots x 9.57 = 76.6 trips/day

Wastewater Generation Calculations:

- Wastewater generation for the proposed Heartland Town Square Development within the 9.2 acres of the Heartland Town Square Approved Change of Zone calculated for the 172 units:

DU1A-23 - 28 units x 300 gallons/day = 8,400 gallons/day
DU1A-25A - 13 units x 300 gallons/day = 3,900 gallons/day
DU1A-25B - 83 units x 225 gallons/day = 18,675 gallons/day
DU1A-27 - 48 units x 300 gallons/day = 14,400 gallons/day

172 units estimated total gallons per day = 45,375 gallons/day

- Wastewater generation for the proposed Heartland Town Square Development within the 9.2 acres of the Heartland Town Square Approved Change of Zone calculated for the 319 units:

DU1A-23 - 35 units x 300 gallons/day = 10,500 gallons/day
DU1A-25A - 13 units x 300 gallons/day = 3,900 gallons/day
DU1A-25B - 207 units x 225 gallons/day = 46,575 gallons/day
DU1A-27 - 64 units x 300 gallons/day = 19,200 gallons/day

319 units estimated total gallons per day = 80,175 gallons/day

- Wastewater generation for the 8 single family residential units for the 9.2 acres of the as of right build out for the AAA Residential Zoning residential zoning district which was in place prior to the Heartland Town Square Change of Zone calculated:

8 units X 300 gallons per day = 2,400 gallons/day

ZSR-17-02

Resolution No. ZSR-17-02 of the Suffolk County Planning Commission Pursuant to Sections A14-14 to thru A14-25 of the Suffolk County Administrative Code

- WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received on 12/29/2016 at the offices of the Suffolk County Planning Commission with respect to the application of “**Pilgrim State Property – Heartland Town Square**” located in the Town of Islip, and
- WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **February 1, 2017**, now therefore, be it
- RESOLVED, that the Suffolk County Planning Commission hereby adopts the report of its staff, as the report of the Commission, Be it further
- RESOLVED, pursuant to Section A14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law, the referring municipality within thirty (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action, and be it further
- RESOLVED, that the Suffolk County Planning Commission **Approves** the referral of Pilgrim State Property, Heartland Town Square from the Town of Islip for the application to 1.) amend the Zoning Chapter (68) of the Code of the Town of Islip to establish a Pilgrim State Planned Redevelopment District (PSPRD) and 2.) to change the zoning classification of certain parcels comprising approximately 452 acres of land to said PSPRD and for 3.) adoption of the Conceptual Master Plan for the proposed Heartland Town Square development project with the following conditions as modifications and with the following comments:

Conditions:

1. Fifteen 15% of all residential units shall be set aside as workforce housing units.

Reason:

The Suffolk County Legislature amended §740-45, to set affordable housing requirement for out of district sewer connections to 15%. The amendment is applicable to formal certification by the Sewer Agency after the effective date. The petitioners are proposing 10% of the units to be affordable units.

2. Development of the Heartland Town Square project shall provide connection to the Deer Park LIRR train station via paved street access for vehicles, bicyclists, and pedestrians through the Heartland Business Center and for possible other future transportation uses.

Reason: This will reduce the need for motor vehicles and the shuttle bus from entering state and county road right of way and reduce trip generation onto said roadways.

3. The approval of Heartland Town Square application shall comply with the conditions of mitigation as enumerated by the SEQRA Findings Statement.

Reason: Efforts of the Town Board and Town Planning Board through the numerous meetings, hearings and work sessions have resulted in reasonable and rational mitigations and warranties to monitor the subject development application and make appropriate adjustments as future situations may dictate.

4. The Town of Islip shall continue to monitor traffic issues as the project proceeds and shall establish periodic milestone reviews commencing at 50% occupancy.

Reason: Earlier monitoring of transportation metrics to measure the effectiveness of proposed mitigations is warranted. The same rationale applies to continuous milestone reviews as the project proceeds to Phases 2 & 3. The effectiveness of congestion mitigations should be tested over time.

5. The Town of Islip shall examine the water drawdown from the project in terms of long term area impacts, in terms of surrounding impacts, not site specific impacts, in cooperation with the Suffolk County Water Authority.

Reason: Contributing to Regional monitoring of groundwater level impacts and effects on fresh surface water bodies is sound planning, particularly with respect to large projects with treated waste water discharges directed to Suffolk County Bays and the Atlantic Ocean.

6. Applicant shall use Rain Sensors to control irrigation needs where applicable.

Reason: Notwithstanding other conservation techniques, irrigation of landscaped areas is likely to be the biggest component of groundwater use. Additional irrigation methods are to be considered.

7. Applicant shall look into the feasibility of putting the traffic light at the entrance to Pilgrim State Property from Commack Road, (CR4) at the commencement of the project.

Reason: Left turn movements from the subject property are problematic to and from CR4 in the existing condition. Facilitating the traffic signal will alleviate turn movements issues sooner than later.

8. The Petitioner shall certify to the Town of Islip Building Department that all contractors and subcontractors for all retail, commercial and industrial work on the Heartland project are participants in an apprenticeship training program approved and certified by either New York State Department of Labor or United States Department of Labor.

Reason: Assurance to Industry safety standards and a high quality of workmanship are more readily adhered to via apprenticeship training.

Comments:

1. Further investigation of the feasibility of LIRR passenger rail connection to the Heartland Town Square development site and improvement of the Heartland Station in the future should be investigated prior to approval of Phases 2 and the improvement of DU3. A right-of-way should be established and maintained for future rail linkage.
2. The Suffolk County Planning Commission offers the following comments on the proposed Article:
 - a. The authority to approve incremental development in the proposed Article is delegated to either the Commissioner of Planning or the Planning Board but it is not clear which one under what circumstance.
 - b. There are no architectural elements in the code.
 - c. The code should provide for a mechanism of certainty in maintaining concierge and shuttle services.
 - d. Additional Parking Demand Reduction Techniques should be considered including a covenanted program to require separate fees for parking and encouraging the utilization of pre-tax transit commuter benefits as long as they exist.

- e. The proposed Use Regulations within the intended Article attempt to prohibit use. It would be easier to list the permitted uses intended for the PSPRD and expressly prohibit all uses not enumerated. This would shorten the legislation and in this way evolving land use trends not envisioned by code as prohibited (oxygen bars, vape shops, etc.) could be accepted via the use variance process. This would better allow for an analysis of the proposed use, including the uniqueness and frequency of the request its potential harmful effects and the likelihood that the use will or will not alter the essential character of the neighborhood.
3. The applicant should be advised to contact the Suffolk County Department of Health Services and the Suffolk County Department of Public Works for wastewater treatment considerations of the proposed HTS development.
4. The applicant should be advised to contact the Suffolk County Department of Public Works and the NYS Department of Transportation for approvals for coordination of all roadway congestion mitigations itemized on page 18-20 of the Town of Islip SEQRA Findings Statement for HTS Dated November 17, 2014.
5. The applicant should be encouraged to contact Suffolk County Transit to coordinate bus accommodations for the proposed development and future Bus Rapid Transit (BRT) accommodations for the proposed development.
6. The applicant should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.
7. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.
8. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to public safety and universal design and incorporate where practical, applicable elements contained therein.
9. Recognition of the Suffolk County designated Prime Farm Soils occurring on site is warranted and a greater effort to incorporate options for community gardening or other appropriate uses of the farm soil should be included in planning additional amenities for the "Common Areas."
10. The applicant should be encouraged to revisit and explore the feasibility of some form of restricted access for the improved Fish Path signalized intersection into the Heartland Town Square.
11. The applicant should meet with the Nassau Suffolk Building Trades under the direction and guidance of the Suffolk County Commissioner of Labor in order to ensure an agreement is reached between the Applicant and the affiliates of the Nassau Suffolk Building Trades related to an individual or master labor plan between the Nassau Suffolk Building Trades and the Applicant.
12. The Applicant should continuously monitor the wastewater flow from Phase I buildout and report use generated flow from the development for information related to the initiation of Phase 2.
13. The Town of Islip should reconsider that section of the EIS dealing with tax impacts upon the Brentwood School District and look again at the issue and the tax analysis. The Town should also consider reservation of land for a possible new school.
- The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:
<http://www.suffolkcountyny.gov/Portals/0/planning/Publications/SCPCguidebk12r.pdf>

Pilgrim State Property – Heartland Town Square**Meeting Date: February 1, 2017****COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

| | AYE | NAY | RECUSED | ABSENT |
|--|------------|------------|----------------|---------------|
| ANDERSON, RODNEY – At Large | X | | | |
| CASEY, JENNIFER - Town of Huntington | X | | | |
| CHARTRAND, MATTHEW - Town of Islip | X | | | |
| CHU, SAMUEL – Town of Babylon | X | | | |
| CONDZELLA, JOHN – Town of Riverhead | X | | | |
| ESPOSITO, ADRIENNE - Villages over 5,000 | X | | | |
| FINN, JOHN - Town of Smithtown | X | | | |
| GERSHOWITZ, KEVIN G.- At Large | X | | | |
| KAUFMAN, MICHAEL - Villages under 5,000 | X | | | |
| KELLY, MICHAEL – Town of Brookhaven | X | | | |
| KITT, ERROL – At Large | X | | | |
| KRAMER, SAMUEL – Town of East Hampton | X | | | |
| MOREHEAD, NICHOLAS – Town of Shelter Island | X | | | |
| PLANAMENTO, NICHOLAS - Town of Southold | X | | | |
| VACANT - Town of Southampton | | | | |

Motion: Commissioner Chartrand

Present: 14

Seconded: Commissioner Chu

Absent: 0

Voted: 14

Recused: 0

DECISION: Approved

July 18, 2017

WHEREAS, 22-50 Jackson Avenue Associates, L.P., is the owner of the approximate 452.0-acre parcel located at the former Pilgrim State Psychiatric Center, east and west of the Sagtikos State Parkway, south of the Long Island Expressway and north of the Heartland Industrial Park Hamlet in Brentwood, Town of Islip, Suffolk County Tax Map Numbers: District 500-Section 71 Block 1- Lots 10.2, 10.8, 13.6, 13.15 and 13.16 (portion of former Pilgrim State Psychiatric Center site); and

WHEREAS, 22-50 Jackson Avenue Associates, L.P., applied to the Islip Town Board seeking to amend Chapter 68 of the Islip Town Code in order to establish the Pilgrim State Planned Redevelopment District ("PSPRD") and a subsequent change of zone from the Residential "AAA" to a newly established PSPRD; and

WHEREAS, the application further seeks redevelopment of the reclassified parcel in accordance with the PSPRD and the master plan prepared by RTKL, Inc., dated 2/18/2015 and as amended by the Town of Islip Planning Staff July 2017; and

WHEREAS, in accordance with 6 NYCRR §617.11 and after due notice and hearings, the Town Board has previously considered the DGEIS and FGEIS for the within application of 22-50 Jackson Avenue Associates, L.P., and certified that it has met the requirements of 6 NYCRR Part 617 pursuant to a Findings Statement dated November 17, 2014; and

WHEREAS, the Islip Planning Board held a public hearing on April 16, 2015, to review the within application and on August 18, 2016, recommended that the Islip Town Board approve a change of zone with respect to Phase 1 of Development Unit 1A; and

WHEREAS, pursuant to the Suffolk County Administrative Code, the application was referred to the Suffolk County Planning Commission and after consideration by the Commission at its January 4, 2017, and February 1, 2017, meetings adopted a resolution approving the referral subject to certain conditions; and

WHEREAS, the Town Board held a public hearing on April 26, 2017, to consider the within application; and

WHEREAS, at the conclusion of said public hearing, the Islip Town Board unanimously voted to reserve decision.

NOW, THEREFORE, on motion of Supervisor Carpenter seconded by Councilperson Cochrane, Jr.,; be it

RESOLVED, the application of 22-50 Jackson Avenue Associates, L.P., for amendments to Chapter 68 of the Code of the Town of Islip, including the zoning map, to establish the Pilgrim State Planned Redevelopment District ("PSPRD") is hereby GRANTED as attached hereto; and

BE IT FURTHER RESOLVED that a change of zone from Residential "AAA" to the newly established PSPRD is hereby GRANTED solely with respect to the 113 acres which constitute Phase 1 of Development Unit 1A as depicted on the "Overall Phasing Diagram"

contained within page 3 of the Appendix to the PSPRD and containing all of Development Unit 1A as specified on page 7 of the Master Plan entitled "Proposed Development Tabulation" with the exception of proposed parcels DU1A-10, DU1A-13, DU1A-19, DU1A-20, DU1A-21 and DU1A-22 as same do not fall within Phase 1; and

BE IT FURTHER RESOLVED that the Town Board hereby adopts the Conceptual Master Plan prepared by RTKL, Inc., dated 2/18/2015 and as amended by the Town of Islip Planning Staff July 2017 and further permits the applicant to redevelop Phase 1 of Development Unit 1A in accordance with the PSPRD and the said master plan; and

BE IT FURTHER RESOLVED that the Town Board further overrides the conditions imposed by Resolution ZSR-17-02 of the Suffolk County Planning Commission unless explicitly contained herein because such conditions are inconsistent with Town policy, outside the Town of Islip's jurisdiction, addressed more appropriately in the within covenants and/or inappropriate for a land use application; and

BE IT FURTHER RESOLVED that a decision with respect to the remainder of the application is reserved until such time as Phase 1 of Development Unit 1A is substantially complete; and

BE IT FURTHER RESOLVED that this application is granted subject to compliance with the following:

If the above application is granted by the Town Board, the applicant shall record the following covenants and restrictions, together with a metes and bounds description of the 113 acres constituting Phase 1 of Development Unit 1A as depicted on the "Overall Phasing Diagram" contained within page 3 of the Appendix to the PSPRD, with the Suffolk County Clerk within 180 days of the Town Board's decision. It is understood that the grant will be ineffective and that no Subdivisions, Building Permits or Certificates of Occupancy will be issued for the above application unless and until such restrictions are properly recorded and verified. Additionally, no Building Permits or Certificates of Occupancy will be issued for the above application unless and until all required infrastructure improvements are made, or a Standby Irrevocable Letter of Credit sufficient to finance said improvements is posted with the Town. The applicant shall improve the property in accordance with the Town of Islip Subdivision and Land Development Regulations and the Pilgrim State Planned Redevelopment District zoning code and to abide by all conditions stated in the following stipulations. It is also understood that the applicant has a continuing obligation to comply with these conditions in the future, and failure to comply is a violation of Town Code. The following restrictions shall be placed on the Building Division property card. Violation of any restrictions may result in reverting of undeveloped property back to Residential AAA by the Town Board after due public hearing.

DEED COVENANTS AND RESTRICTIONS

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Administrative

1. A change of zone from Residential AAA District to Pilgrim State Planned Redevelopment District (PSPRD") for the 113 acre parcel constituting Phase 1 of Development Unit 1A as depicted on the "Overall Phasing Diagram" contained within page 3 of the Appendix to the PSPRD is granted as part of this application. The total building area shall not exceed the maximum square footage permitted

within Phase 1 as it relates to Town Center DU-1A of the PSPRD ordinance. The height of any building shall not exceed an effective height of ten (10) stories.

2. The applicant/owner shall develop Phase 1 of Development Unit 1A in accordance with the Master Plan and Design Guidelines except as modified herein. No more than 1,500 residential units shall be issued a Certificate of Occupancy until at least 400,000 square feet of office or retail space is substantially completed. All office space shall be Class "A" office space as defined in the PSPRD zoning code.
3. Except as provided herein, applicant/owner agrees to comply in all respects with the Subdivision and Land Development Regulations unless specifically exempted by the PSPRD (e.g. exterior lighting) and the Islip Town Code.
4. All necessary sanitary sewer, stormwater and approved public roadways and any other publicly used infrastructure to support the Town Center DU-1A can be located inside or outside the boundaries of Phase 1 of DU-1A.
5. Applicant/owner and/or a property owners association to be duly formed shall permanently maintain all improvements to the reasonable satisfaction of the Town. The Town or its designee reserves the right to enter onto the subject property after fifteen (15) days written notice sent certified mail, return receipt requested to the then owner at the address as it appears on the Town Assessment roll to remove litter, debris, graffiti (without permission of the owner) or to maintain or replace any fencing and plantings if it is found that these improvements are not being maintained and shall bill owner or add this cost to the property's tax bill for all expenses.

6. Applicant/owner agrees to provide, maintain and/or install, at the sole cost of the applicant/owner, any other mitigation measures for the proposed project as described in the Findings Statement of the State Environmental Review process.

Blighted Premise Mitigation

7. To address blighted conditions in the hamlet of Brentwood, the applicant will expend no less than \$2 million to purchase and renovate blighted properties surrounding the development. No more than 1,500 residential units will be issued Certificates of Occupancy until such expenditure is made. The purchases and renovations made herein will be done in consultation with the Town's Community Development Agency and not without the written approval of the Town's Planning Commissioner.

Civic Lands

8. Applicant/owner shall dedicate to the Town of Islip 8.9 acres of land which is suitable for municipal services and civic uses, including but not limited to fire substation, ambulance, police substation, and post office. Said dedication shall be at no cost to the Town of Islip. A public or private school is expressly excluded from this dedicated acreage. Said lands shall be located within close proximity to Development Unit 1A and as presently depicted on the Master Plan provided same is deemed buildable by the Town of Islip. Said lands shall be devoid of any demolition and debris. The dedication shall be completed prior to the issuance of any building permits in the Town Center DU-1A. The landowner / applicant shall construct a dedicated public roadway connecting the dedicated civic lands to the Town Center DU-1A on or before the completion of the structure(s) to be built on said land.

Construction

9. The landowner/applicant shall submit a detailed construction access route plan prior to the issuance of any subdivision or site plan approvals. The Fish Path connection to

Commack Road shall not be utilized by any construction vehicles. The landowner shall utilize Crooked Hill Road or a temporary access route to the Long Island Expressway Service Road as construction routes for Town Center DU-1A.

Exterior Signage

10. All exterior signs shall be subject to review and approval by the Town of Islip Planning Department prior to the issuance of any sign permits. The Planning Department shall review the signs for design compatibility, color, materials, height, and size in accordance with PSPRD.

Housing

11. Ten percent (10%) of all residential units shall be set aside as affordable housing for families earning between 80 percent and 100 percent of the Area Median Income (AMI), as determined annually by the U.S. Department of Housing and Urban Development (HUD). The affordable housing units shall be implemented within each site plan on a proportionate basis. The developer/applicant and subsequent landowners shall comply with the Town's Affordable Housing regulations as to ensure continued compliance.
12. Ten percent (10%) of all residential units shall be for-sale (fee simple ownership) units. These fee simple ownership units are not required to be proportionately distributed among each site plan but shall be clustered into individual ownership buildings.

Open Space & Parkland

13. The PSPRD shall observe the following existing vegetative buffers in accordance with the Master Plan:

- a. 200 feet along the west side of Sagtikos Parkway right-of-way.
- b. 130 feet west of Commack Road right-of-way at the northwestern portion of the property.
- c. 40 feet north of residences along Commack Road right-of-way in DU-1.

The landowner/applicant may construct passive stormwater management basins and bioswales in accordance with the PSPRD regulations. These facilities shall not adversely impact the vegetative buffer to surrounding roads and will be excluded from open space calculations.

- 14. Applicant shall set aside a proportionate amount of the approximately 90 acres of existing vegetation for preservation abutting DU-1A, of which approximately 48.5 acres shall be Pitch Pine-Oak Forest, prior to the issuance of any building permits. A homeowners association or business improvement district shall own and maintain all passive natural buffers and preserved open space in perpetuity. The 90 acres contemplated herein are not required to be contained within DU1-A but instead shall be set aside in accordance with the Master Plan.
- 15. Publicly accessible parks within DU-1A shall be designated with any subdivision of the property in accordance with the Subdivision and Land Development Regulations (e.g. minimum of 5% of the DU-1A development or individual site plan). The Planning Board may permit the payment of park mitigation fees in lieu of the minimum required publicly accessible parkland.
- 16. The development shall not disturb the cemetery interments located to the north of the DU-1A.

Roadways

17. The landowner/applicant shall construct public road improvements and right of way dedications linking Fish Path Road to Commack Road, Crooked Hill Road, and the Sagtikos Parkway to the Town Center DU-1A public Ring Road.
18. All roads, except those specifically mentioned herein, shall be privately owned and maintained in perpetuity by the PSPRD landowners and developed in accordance with the PSPRD and Islip Town Subdivision & Land Development Regulations. Roads shall include bike paths and/or pedestrian walkways, and street trees. Those roads offered for dedication to the Town shall be limited to the Ring Road and roads that directly connect to the Sagtikos Parkway, Crooked Hill Road and Commack Road (see attached Exhibit A in Appendix). Existing trees along K Road in the Town Center DU-1A shall be preserved in accordance with the Master Plan.
19. Landowner/applicant shall improve the necessary public road right of way of the Pilgrim State Hospital roadway network and Commack Road ingress/egress for the PSPRD prior to the filing of any site plans. Commack Road shall not be utilized during initial construction. The landowner/applicant shall fully improve all roadways providing access to any building(s) prior to issuance of certificates of occupancy. An Irrevocable Letter of Credit may be sufficient if the Town Engineer and the Planning Commissioner find completion of roads can be completed at a later date (eg. final asphalt lift, street tree planting). No roads shall be signalized that do not meet minimum traffic warrants.

Sanitary Sewer Capacity

20. In the event the calculated cumulative sewage flow for the development reaches 1.0 million gallons per day (mgd) by Suffolk County Department of Health Services and/or Department of Public Works standards, this will be compared to the actual flow measured at the pump station. This procedure will continue until Heartland Town Square's calculated flow reaches 1.6 mgd, at which point the project will be allowed to continue if the actual flow is less than the calculated value. If the calculated value is more than 1.6 mgd, the applicant will be required to purchase additional flow from the Suffolk County Sewer Agency prior to the further issuance of building permits.

Town Staff, Vehicle & Equipment Mitigation

21. Annually for the first five years of construction, applicant/owner shall pay a lump sum payment prior to the adoption of the Town's annual operating budget in an amount equal to the projected cost of the staff, vehicles, and equipment specifically related to the construction of the Heartland project less the projected fees to be collected in connection with the development. Said funds shall be held in a segregated trust account to be used by the Town to fund the cost of additional Town staff, vehicles and equipment to review and supervise the construction of the Town Center DU-1A, or in the alternative and in the Town's sole discretion, to hire such consultants, experts, entities and/or individuals as it may deem necessary to provide such services specified above. Should the Town elect to proceed with an outside consultant, the entity or individual shall be selected through a Request for Proposal, Request for Qualifications or any other similar competitive process. The

applicant/owner hereby authorizes the Town Comptroller to utilize said payment for the purpose stated herein.

Traffic Mitigation

22. When 70 percent of the building space associated with Phase 1 of Development Unit 1A, exclusive of civic space, is issued a Certificate of Occupancy, the Town Board shall retain a licensed traffic engineer at the landowner/applicant's sole cost and expense to conduct traffic volume counts at all of the access points to the Heartland Town Square development during the weekday afternoon peak hour (PM peak). If these traffic counts show that the internal capture rates applied in the FGEIS are not accurate – i.e., that the number of external trips is greater than that projected in the FGEIS – the Town Board has the authority to modify the density of the remaining office and retail space within Phase 1 Development Unit 1A commensurate with the difference between the projected internal capture rate and the actual internal capture rate.
23. Applicant/owner shall contribute nine million (\$9,000,000) dollars for off-site impacts to surrounding Town roads, to be paid at a rate of \$2.00 per square foot of gross floor area at the time an approved building permit is issued until the full nine million dollars is fulfilled. Nothing herein shall preclude the Town Board from requiring the remaining off-site roadway improvement fee specified in the Findings Statement dated November 17, 2014, should development proceed beyond Phase 1 of Development Unit 1A.

Transportation

24. A privately owned and operated shuttle bus shall be operated that will circulate through the Town Center DU-1A with direct service to the Deer Park Long Island Rail Road Station. Said shuttle shall be a transit-style bus which complies with the Americans with Disabilities Act (ADA). Hours of operation shall be based upon the train schedule of the Station. The shuttle bus service shall be operating when 500 of the planned residential units are issued certificates of occupancy within the Town Center DU-1A. Prior to the issuance of said certificates of occupancy, the landowner/applicant must submit a detailed arrangement as specified in the Findings Statement to the Commissioner of Planning for his/her approval. In addition, a privately financed transportation manager shall be provided to advise transportation options, such as the shuttle and zip cars, for residents, employees and visitors of DU1-A.
25. The landowner/applicant shall establish a dedicated busway excluding other motor vehicles between the PSPRD and the Deer Park Train Station prior to subsequent PSPRD Development Units / Phases.

Site Plan Requirements

26. Prior to the issuance of any building permit of any parcel the following shall be submitted to the Town of Islip Planning Department for review and approval:
- a. A site plan in compliance with PSPRD section 68 (pages 41-43) _____ showing the improvements specified in the Subdivision and Land Development Regulations including but not limited to: building locations, parking, curbs, sidewalks, curb cuts, landscaping, and stormwater drainage. The site plan shall

also include a table listing the proposed square footage of all proposed office, retail, and civic space and the number of rental and/or residential units in accordance with the PSPRD Master Plan.

- b. Exterior architectural drawings with sample building materials and colors of all proposed buildings and accessory structures. The Planning Department shall review said drawings for overall design, color, materials, and design and location of any exterior mechanical equipment. Said plan shall also show the following design elements:

- i. All exterior mechanical equipment shall be screened from public view and for sound attenuation purposes.
- ii. Building(s) shall be designed to meet the minimum requirements of Sections 4 through 7 of ASHRAE Standard 62.1-2007, Ventilation for Acceptable Indoor Air Quality or the New York State Mechanical Code or by LEED.

- c. A landscaping plan indicating in detail the proposed landscaping treatment in accordance with the PSPRD. Said landscaping plan shall also show the following plantings/design elements:

- i. Street trees shall be installed and maintained a maximum of 60' on center along all private and public roadways within the PSPRD. 50% of the distance between street trees shall be improved with in-ground plantings, planters, street furniture.
- ii. Said plan shall exclude the use of invasive species as defined by the Department of Planning.

- d. All proposed garbage dumpster locations shall be approved by the Town Engineer and shall be enclosed within a building, behind screen walls or a durable non-fence enclosure with opaque gates. Dumpsters shall be emptied on a regular basis to prevent overflow. Multiple tenants within any building shall be required to use a common dumpster, if appropriate, and shall not cause additional multiple dumpsters to be located on the subject property that are not enclosed in an approved location and as described above. The subject site shall be maintained in a neat, clean, and litter free condition.
27. No more than 1 convenient parking space per residential unit shall be provided within an approved site plan. Any additional residential parking spaces in excess of the 1 space per unit shall be located within a ¼ of a mile away within DU-1 from a subject building and shall be charged a fee. Zip car (or similar car sharing) parking spaces and bicycle storage facilities shall be provided in the site plan review process. Additional reserved commercial parking spaces shall be located within ¼ mile of the related commercial use and within the Town Center DU-1. All parking spaces that receive a waiver of installation must have an approved site within ¼ mile where the parking could be located.
28. All stormwater drainage shall be contained on-site within the Town Center DU-1 or related preserved open space owned by the landowner/applicant in accordance with the current Subdivision and Land Development Regulations. In addition, applicant/owner agrees to incorporate non-point source pollution mitigation into the overall drainage plan by incorporating one or more of the following stormwater mitigation techniques:

- a. Natural retention area(s) such as vegetated swales and bioretention cells/rain gardens
- b. Permeable/porous pavement surfaces
- c. Manufactured treatment devices, i.e. catch basin inserts designed to filter hydrocarbons and other pollutants from stormwater runoff.

Bioswales may be incorporated into the Town Center portion of the development, along two north-south streets, running from the northernmost portion of the ring road, southward to the area just north of the proposed 100-foot-wide open space buffer areas, adjacent to the Pilgrim campus. The proposed bioswales may be incorporated into the overall landscape design and stormwater drainage system. Use of bioswales may be considered as part of the drainage concepts for other areas of the property at the time of site plan review.

Solid Waste

- 29. Solid wastes generated by the proposed development will be collected and disposed at a licensed facility by a private carting company. Recycling will be performed in accordance with the Town of Islip Code. The applicants will encourage recycling by providing conveniently located areas of sufficient size with compactors and containers of sufficient capacity to separate wastes into the different forms of recyclable materials. Compactors will be provided for cardboard-type waste.

Following approval of such Declaration of Covenants and Restrictions by the Town Attorney, said instrument shall be recorded in the Suffolk County Clerk's Office by the applicant, at the applicant's sole cost and expense.

Upon a vote being taken, the result was: carried unanimously 5-0



TOWN OF ISLIP
DEPARTMENT OF PLANNING AND DEVELOPMENT

Angie M. Carpenter, Supervisor
Ron Meyer, Commissioner

August 11, 2017

Ms. Sarah Lansdale
Director
Suffolk County Division of Planning and Environment
H. Lee Dennison Building - 11th Floor
100 Veterans Memorial Hwy
P.O. Box 6100
Hauppauge, NY 11788-0099

Hand Delivered

RE: Heartland Town Square; File No IS-16-03
Report of Town Board Decision

RECEIVED
SUFFOLK COUNTY
DEPT. OF PLANNING
2017 AUG 11 PM 3:39

Dear Ms. Lansdale:

The Town of Islip has prepared the Heartland Town Square Report on Final Action pursuant to Section A 14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law. The enclosed narrative outlines the Town Board's action.

Please do not hesitate to contact my office at 631-224-5450 should you have any questions regarding this matter.

Sincerely,

Ron Meyer
Commissioner

cc: Angie Carpenter, Supervisor
John DiCioccio, Town Attorney

655 MAIN STREET • ISLIP • LONG ISLAND • NEW YORK 11751
TEL: (631) 224-5450 FAX: (631) 224-5444

Heartland Town Square

Report of Final Action by Town of Islip

Pursuant to the Town Board Resolution dated July 18, 2017, the conditions imposed by Resolution ZSR-17-02 of the Suffolk County Planning Commission were overridden unless same was explicitly contained therein. The Board specified that such conditions are inconsistent with Town policy, outside the Town of Islip's jurisdiction, addressed more appropriately in the Town Board imposed covenants and/or inappropriate for a land use application.

Condition 1. Fifteen 15% of all residential units shall be set aside as workforce housing units.

Reason: Based upon the Town Board's analysis during the SEQRA process, it has determined that the needs of the Town would be better served by providing 10 percent of the residential units in Heartland Town Square as workforce housing. The 10% requirement is more consistent with Town policy and in line with the provisions of the Islip Town Code. Moreover, the income range of 80-100% AMI will serve a larger population that has greater needs for affordable housing and is more locally appropriate.

In addition, by Resolution # 46-2004, a Conceptual Certification was issued by the Suffolk County Sewer Agency on December 20, 2004, over 12 years ago (see Appendix Q [Volume 2 of 9] of the Draft Generic Environmental Impact Statement [DGEIS] for Heartland Town Square and Appendix WR-2 of the Final Generic Environmental Impact Statement [FGEIS]). At that time, the Suffolk County Planning Commission's (SCPC) recommended percentage of affordable housing in a proposed development was 10%, to which Heartland Town Square conforms.

In the culmination of the environmental review process, the Town Board's Findings Statement (Page 12) indicates the following with respect to workforce housing:

"...10 percent of the residential units shall be workforce units. As noted previously, the Town will continuously monitor and evaluate the proposed project as it progresses, and will consider adjustments to this housing mix in consideration of and response to future economic/market conditions and other relevant factors, as governed by the conditions and criteria set forth herein" (emphasis added)

Thus, it is clear that, based upon the Town Board's analysis, it has determined that the needs of the Town would be better served by providing 10 percent of the residential units in Heartland Town Square as workforce housing.

Condition 2. Development of the Heartland Town Square project shall provide connection to the Deer Park LIRR train station via paved street access for vehicles, bicyclists, and pedestrians through the Heartland Business Center and for possible other future transportation uses.

The Town Board addresses this Condition in Covenant number 25 which requires the developer to "establish a dedicated busway excluding other motor vehicles between the PSPRD and the Deer

Park Train Station prior to subsequent PSPRD Development Units / Phases.” The Board intended to separate pedestrian users from conflicting vehicular traffic within the Heartland Business Center.

In addition, the Board imposed Covenant number 24 which requires “a privately owned and operated shuttle bus shall be operated that will circulate through the Town Center DU-1A with direct service to the Deer Park Long Island Rail Road Station.” As explained in the FGEIS on Page 18 and in Response to Comment TR-33, “Heartland Town Square will operate a shuttle bus that will circulate through Heartland Town Square and will serve as a direct shuttle to the Deer Park Long Island Rail Road (LIRR) Station. Based on the proximity of the Deer Park Station and the proposed roadway connection between Heartland Town Square and the LIRR, the shuttle service will afford residents a safe, reliable and convenient transportation alternative to access the LIRR in a matter of minutes without the need to worry about parking.

Thus, the Town Board sufficiently provides for connection to the Deer Park LIRR station.

Condition 3. The approval of Heartland Town Square application shall comply with the conditions of mitigation as enumerated by the SEQRA Findings Statement.

The Town Board addresses this Condition in Covenant number 6 which states that “Applicant/owner agrees to provide, maintain and/or install, at the sole cost of the applicant/owner, any other mitigation measures for the proposed project as described in the Findings Statement of the State Environmental Review process.” This covenant is consistent with the State Environmental Quality Review Act (SEQRA) implementing regulations at 6 NYCRR Part 617.11(d)(5) require compliance with the Findings Statement.

Condition 4. The Town of Islip shall continue to monitor traffic issues as the project proceeds and shall establish periodic milestone reviews commencing at 50% occupancy.

The Town Board addresses this Condition in Covenant number 22 but utilizes 70% as the threshold to review traffic impacts. The Town selected 70% to ensure that the appropriate mix of uses would be occupied, such that traffic generation, representative of the true mixed-use nature of Heartland Town Square, would be accurately reflected in the traffic counts.

As part of its GEIS process, which took over 11 years to complete, and as documented on Pages 11- 12 of the Town Board’s Findings Statement:

“When 70 percent of the space associated with Phase I is occupied, traffic volume counts shall be conducted at all of the access points to the Heartland Town Square development during the weekday afternoon peak hour (PM peak), at the applicants’ expense. If these traffic counts show that the internal capture rates applied in the FGEIS are not accurate – i.e., that the number of external trips is greater than that projected in the FGEIS – the Town Board can then modify the density of the office development in Phases II and/or III, commensurate with the difference between the projected internal capture rate and the actual internal capture rate. The PM peak was

selected as the monitoring period because it produces the highest levels of site-generated traffic and is the critical period for identifying project impacts. A reduction in the density of office space was chosen as being most appropriate among the various components of the proposed development, if an adjustment is needed, because this use will have the greatest effect on external trips to and from the proposed development – i.e., a higher percentage of office-generated trips are external trips; whereas, in general, a higher rate of trips occurs internally between retail and residential uses.”

In addition, should the traffic counts not match what was predicted during the SEQRA process, the Town Board has the authority to modify the office and/or retail density remaining within Phase 1 Development Unit 1A commensurate with the difference between the projected internal capture rate and the actual internal capture rate.

Condition 5. The Town of Islip shall examine the water drawdown from the project in terms of long term area impacts, in terms of surrounding impacts, not site specific impacts, in cooperation with the Suffolk County Water Authority.

The Town finds that the Suffolk County Water Authority is better suited to monitor water drawdown as same which is traditionally under the jurisdiction of the Water Authority. As such, this condition will be better addressed by the Water Authority. Imposition of this condition as recommended by the County would place an undue burden on the Town and create a redundancy in bureaucratic functions.

Moreover, the Town of Islip has already examined the issue of long-term water drawdown in the GEIS (see Section 4.2.4 of the DGEIS, subsections entitled “Consumptive Use and Regional Impact,” which includes a description of the groundwater model as well as the modeling results, and Responses to Comments WR-1, WR-69, WR-98 and GN-13 in the FGEIS). Response GN-13 indicates that “the applicants and their representatives have met with and continue to meet with the SCWA to discuss water modeling, water conservation and water supply matters.”

In addition, and based on the analyses and modeling contained in the aforesaid DGEIS and FGEIS, the Town Board Findings Statement, at Page 24, concluded:

“Modeling was conducted to address concerns regarding potential impacts to groundwater levels and surface water (specifically Deer Lake) associated with the withdrawal of water from the aquifer to serve the Heartland Town Square development. The results of this modeling, presented in the DGEIS, demonstrate that groundwater levels and surface waters will not be significantly impacted by water use at Heartland Town Square, and that any changes to groundwater levels will be small when compared again to historic fluctuations in the water table. In addition, to assist with the monitoring of groundwater, at the time the first site plan is approved by the Town of Islip, Heartland Town Square will install a monitoring well on site for SCDHS or United States Geological Survey to use in mapping the water table.”

It is also noteworthy that the applicant met with the Suffolk County Water Authority during the GEIS process. Further, the SCWA issued a Letter of Water Availability, which is included in Appendix R of the DGEIS and Appendix WR-1 of the FGEIS.

Condition 6. Applicant shall use Rain Sensors to control irrigation needs where applicable.

As indicated in the response to Comment WR-70 in the FGEIS, “[r]ain sensors are planned for irrigation control, and sprinkling hours will be adjusted to accommodate comments that may be issued by the SCWA).” As such, rain sensors are planned for irrigation control and native species will be utilized to the maximum extent practicable. This condition would be impracticable for the Town to enforce and therefore unreasonable to require as a covenant.

Condition 7. Applicant shall look into the feasibility of putting the traffic light at the entrance to Pilgrim State Property from Commack Road (CR4) at the commencement of the project.

The installation of a traffic light, at any location in Suffolk County, must be supported by a traffic warrant analysis. Thus, a traffic light at the Commack Road location can only be installed when warranted. However, the Town determined that signaling a residential area in a neighboring community is insensitive to the community given that traffic impacts will not be realized at the initiation of the project and better routes for construction access can be located to minimize the impacts to the nearby residences.

Moreover, an extensive and comprehensive traffic impact study was prepared as part of the GEIS process (see Sections 3.8, 4.8 and 5.8, and Appendix M [Volumes 3 through 5 of 9] of the DGEIS), as well as numerous responses to comments and Appendices TR-1, TR-2, TR-3 and TR-4 of the FGEIS (which provides extensive supplemental traffic analyses). Among other parties, the Suffolk County Department of Public Works (SCDPW) and its consultants reviewed and commented upon the traffic analyses. No comments were received that supported the concept of installing a traffic light at Commack Road at the commencement of the Heartland Town Square development. The Town Board’s Findings Statement indicates the traffic signal at Commack Road at the entrance to the Pilgrim State Property should be “implemented by the end of Phase I build-out.”

As far as traffic impacts associated with construction at the commencement of the project, the Town Board, in Covenant number 9, required the developer to submit a detailed construction access route plan prior to the issuance of any subdivision or site plan approvals. The Town Board further prohibited the developer from utilizing the Fish Path connection to Commack Road for construction vehicles so a traffic light at the onset will not be necessary.

Condition 8. The Petitioner shall certify to the Town of Islip Building Department that all contractors and subcontractors for all retail, commercial and industrial work on the Heartland project are participants in an apprenticeship training program approved and certified by either New York State Department of Labor or United States Department of Labor.

The Town Board finds it inappropriate to mandate or require contractors and subcontractors to participate in an apprenticeship program through a land use application as same is not reasonably related to the use of the land. However, it is anticipated that the developer, successors, and lien holders will be seeking Town of Islip IDA tax considerations and labor provisions will be visited at that time.

Further, as cited on Page 5 of the Suffolk County Planning Commission Guidebook (July 2012), according to New York's General Municipal Law (GML), "the fundamental purpose of the Suffolk County Planning Commission referral process is 'to bring pertinent inter-community and county-wide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction.'"

A condition that contractors and subcontractors working on the Heartland Town Square development be participants in an approved apprenticeship training program is not related to "planning, zoning, site plan and subdivision considerations" and there is no reasonable nexus between the participation of contractors and subcontractors for all retail and commercial work on the property (there is no industrial work proposed) in an apprenticeship training program and the zoning approval of the subject property. Conditioning the zoning approval upon participation in an apprenticeship training program does not meet the stated purpose of the SCPC referral process, as it is outside the purview of the SCPC as set forth in the Suffolk County Planning Commission Guidebook and further outside the purpose of a regional planning commission as set forth in General Municipal Law 239-1(2).



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FPetrone@huntingtonny.gov

FRANK P. PETRONE

Supervisor

Ms. Sarah Lansdale
Director of Planning
100 Veterans Memorial Hwy.
11th floor
P.O. Box 6100
Hauppauge, NY 11788

August 31, 2017

RECEIVED
SC ECO DEV & PLANNING
2017 AUG 31 AM 10:19

RE: Islip Town Board
Heartland Town Square
(aka Jackson Avenue Associates, LP)

Action: Change of Zone

From Res AAA to PSPRD

Tax Map No.: 0500 71000 0100 010002 et al

S.C.P.D. File No.: IS-16-03

Dear Ms. Lansdale,

The Town of Huntington acknowledges receipt of your letter dated August 15, 2017 serving official notice that the Islip Town Board has taken action with respect to the zoning for the Heartland Town Square Project. This correspondence is forwarded to your attention in accordance with Section A14 - 21 of the Suffolk County Administrative Code.

The Town of Huntington's position on this project has been communicated repeatedly to the Town of Islip and its various boards, both verbally and in writing, and remains unchanged. We have had several conversations with Town of Islip representatives since receipt of your August 15, 2017 correspondence to determine whether the Town of Huntington concerns will be addressed during future review of this project by Islip Planning Department processes. Our hope was to obtain firm commitments from the Town of Islip to address our concerns regarding impacts to Commack Road during the site plan review process. Unfortunately, the Town of Islip was unable to give us solid commitments.

To recap our position: We recognize the right and authority of a Town to control its own zoning. And we also recognize and support efforts to stimulate jobs, create new opportunities, revive communities and address changing housing demands. However, we also believe that a proposal as transformational as Heartland demands planning that considers the effects not only within the borders of an individual town, but on the surrounding communities as well. We believe the infrastructure must be planned, developed and built for all phases of the proposal before construction of the first project phase begins. Those who live in communities adjacent to the project, as well as those who would become the first residents of the new community, have a



right to know and expect that the necessary infrastructure has been put in place for the entire project in advance, and not planned and implemented on an as-you-go, reactive-rather-than-forward-looking basis.

Our chief and overriding concern has been the traffic effects of the project on the surrounding areas, most notably, from our perspective, Commack Road and the Sagtikos Parkway.

Seven years ago, the Town of Huntington advised the Suffolk County Planning Commission that the county and towns surrounding Heartland needed to reach a consensus on infrastructure improvements and begin those improvements BEFORE any decision is made by the Town of Islip. We agree with the Suffolk County Planning Commission's call for a feasibility study to consider locating a traffic light at the Commack Road entrance to the intended development and disagree with the Islip Town Board's contention that installing a traffic light at this location at this stage of the project is, to use the Islip Town Board's words, "insensitive to the community."

Our community – the residents on or near the Huntington side of Commack Road – would like to see traffic mitigation measures from the outset of the project, and while we support the Islip board's decision to prohibit the use of the Fish Path connection to Commack Road for construction vehicles, we do not believe that goes far enough toward addressing our residents' concerns about traffic effects throughout the Phase One construction.

We were encouraged that the Islip Town Board recognized the potential traffic effects by calling for a new traffic study during the Phase One construction to evaluate the accuracy of the internal capture rate forecasts. However we do not believe the subsequent modification of the density of future commercial development will do anything to remedy what will by then be an existing problem.

Overall, we also see no answer to the crucial issue of how Heartland will manage the enormous structural demands this massive project will have on the Sagtikos Parkway; the Long Island Expressway and its Service Roads; and Commack Road, Crooked Hill Road and other local roads.

Our residents, in particular, are concerned about the project's effect on Commack Road. As we noted two years ago, full access to Commack Road will severely impact residents for whom Commack Road provides access and egress, as well as affecting anyone who drives on Commack Road.

Already, traffic on Commack Road, as well as Crooked Hill Road, has been severely affected by the commercial development of the shopping centers that include Costco, Target, Shop Rite, WalMart, Kohl's, Home Depot and Lowe's. Traffic has significantly increased since the new Chick Fil-A opened on Commack Road, as well as the stores that have recently opened in the reconstructed shopping center adjacent to it. Traffic now backs up onto Commack and Crooked Hill Roads as motorists attempt to get to those locations. Heartland residents spilling out onto Commack Road to reach those or other destinations will make a bad situation even worse unless plans that address this issue are formalized and implemented now.

So, just as we did two years ago, and five years before that, we continue to ask: Are the public improvements that will be necessary to support this project going to be planned and implemented? When will the highway upgrades be designed and built? Will they be built at all? Who will pay for these major upgrades? We do not believe the \$25 million required from the developer will be sufficient to cover the necessary work. What will happen when that funding runs out? When, if ever, will funding be appropriated to widen the Sagtikos Parkway?

We in Huntington recognize the need for all Long Island towns to reassess the suburban paradigm and adjust zoning and codes to meet changing demands. We have faced these questions ourselves as we continue to revitalize Huntington Station and as we adjust codes to create affordable housing in our downtowns, where market forces are setting the cost of apartments in new mixed-use buildings beyond the reach of those just entering the workforce. Most recently, for example, we tweaked the affordable housing section of our code to require that 20 percent of the housing units in mixed-use buildings be set aside as affordable. We also have longstanding apprenticeship requirements for all commercial and mixed-use buildings of 100,000 square feet or more.

We in Huntington applaud efforts to make Long Island as enticing a place for our children as it was for our parents, and understand that frequently, that calls for undertaking bold measures and thinking out of the box.

However, we in Huntington also are keenly aware how important it is to assess and address the consequences of those actions, not to stall progress but to ensure that as we move along the path of progress, we do not create new challenges that push our current residents to the shoulder.

We appreciate the Suffolk County Planning Board taking one more look at this project, just to be sure that the needs of all county resident have been appropriately considered as things proceed.

Very truly yours,

A handwritten signature in black ink, appearing to read "Frank Petrone", written in a cursive style.

FRANK P. PETRONE
Supervisor

cc: Huntington Town Board
Supervisor Angie Carpenter
Chairman Edward Friedland
Chief Planner, Andrew P. Freleng



Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Theresa Ward
Commissioner

Division of Planning
and Environment

STAFF REPORT
SECTIONS A14-14 THRU A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

-Heartland Town Square February 1, 2017 Addendum to the 1/4/17 Staff Report-

Overview: The Suffolk County Planning Commission on October 31, 2016 received a referral from the Town of Islip known as Heartland Town Square. The referral was deemed to be complete with a full statement of facts on December 29, 2016. On January 4, 2017 at their regularly scheduled meeting the Suffolk County Planning Commission, considered the referral and resolved to adjourn the meeting and continue deliberations at their regularly scheduled meeting of February 1, 2017 in order to enable the Commission members additional time to further review and consider the documents of the referral submitted by the Town of Islip. Subsequently, requests for additional information and clarifications from some Suffolk County Planning Commission members were forwarded to Commission staff. Planning staff of the Town of Islip and the County of Suffolk coordinated and compiled the response with the inquiries and provide the following addition to the staff report:

1. Water Resources:

1a. Request for Information on the Suffolk County Sewer Agency Conceptual Approval for the Heartland Town Square Project

Response - See the attached Suffolk County Sewer Agency Conceptual Approval

1b. What does a Suffolk County Sewer Agency Conceptual Approval Mean?

Response - Conceptual Certification by the Suffolk County Sewer Agency is not binding and is typically used by developers to progress with their project (engineering and financing) until SEQRA is completed and they return to the agency for final approval. In the interest of good planning, and in order to minimize potential hardship on applicants, it is the policy of the Suffolk County Sewer Agency, upon review of an application in its early stages, to give applicants an indication of what method of wastewater disposal the Agency would like to see for a particular project, thereby giving applicants an indication of the action the Agency might take if it were to pass upon the application at the time of final review. At the time Heartland Town Square received conceptual certification (2004), such certifications did not expire.

1c. Request for information on the litigation between the petitioner and the Suffolk County Water Authority:

Response provided by the Town of Islip – The Town of Islip was not a party to this lawsuit and does not have the requested information.

1d. What are the improvements needed to ensure an adequate water supply and is the SCWA planning to implement these identified improvements?

Response from the Town of Islip - See Pages 141 to 152 and Pages 166 to 181 of the Final Generic Environmental Impact Statement (FGEIS)
[\(http://projects.vhb.com/Heartland/FinalGEIS/\)](http://projects.vhb.com/Heartland/FinalGEIS/)

1e. Groundwater levels may be impacted by maximum water use. Deer Lake, a series of lakes (Guggenheim Lakes) north of Southern State Parkway at the northern end of Sampawams Creek may see a drawn down impact during times of drought. Can the project developer provide any plan to assist with mitigating this potential impact?

Response from the Town of Islip - See Pages 141 to 152 and pages 181 to 182 of the Final Generic Environmental Impact Statement (FGEIS)
[\(http://projects.vhb.com/Heartland/FinalGEIS/\)](http://projects.vhb.com/Heartland/FinalGEIS/)

1f. Can you quantify approximately what percentage of stormwater will be treated through green methodologies? What are the primary green infrastructure methodologies that will be used?

Response from the Town of Islip - A specific percentage cannot be quantified. For the Heartland Town Square project the Town of Islip's Subdivision and Land Use Regulations requires that stormwater runoff must be contained within a landscaped recharge area. In addition, the Heartland Town Square project has proposed to use the designated preserve areas for stormwater recharge.

1g. When will the repairs to the Bergen Point Outfall pipe be completed?

Response from Suffolk County Department of Public Works - The replacement design is nearing completion and bids are expected to be received in mid-2017 with a construction schedule of 3.5 years from that time. The outfall replacement is not critical to minor increases in flow of a few mgd.

1h. Has there been an assessment concerning the increase in sludge removal that would occur at the Bergen Point STP? Will there be an increase in truck traffic to the Babylon community?

Response from Suffolk County Department of Public Works - The increase in sewage flow from Heartland will not materially change the system components used where there is no capacity issues with the Blend Tanks and we use 50% of the Belt Filter Presses. It is also noted that the volume of scavenger waste received has decreased over the past 6 years by as much as 15%.

1i. What is the status of upgrades to the Bergen Point STP? (for both quantity and quality of treated effluent?)

Response from Suffolk County Department of Public Works - Treatment quality has not been an issue where the SPDES permit limits are consistently met. The treatment plant is currently being expanded from the permitted 30.5 million gallons per day (mgd) to 40.5 mgd with completion expected by early 2018. There remains capacity in the facility at this time with current flows approximately 25 mgd. Capital projects continue to provide a useful and efficient service life.

1j. Will the Bergen Point connection be complete prior to occupation of the phase one for Heartland? What is the status of the old Pilgrim State STP? Is it still operating? If so, was it upgraded?

Response from Suffolk County Department of Public Works - The Pilgrim WWTP has been abandoned for more than 15 years. An on-site pumping station, which is the responsibility of Suffolk County staff conveys sewage to the Bergen Point WWTP. Sewage flow from the site are approximately 0.3 mgd.

2. Site Conditions:

2a. Request for information on the subsurface conditions including the tunnel system

Response - Page 3-10, section 3.1.2 and Appendix G of the Draft Generic Environmental Impact Statement (DGEIS) for Heartland Town Square (<http://projects.vhb.com/Heartland/DraftGEIS/>), Pages 132-139 of the Final Generic Environmental Impact Statement (FGEIS) (<http://projects.vhb.com/Heartland/FinalGEIS/>) and Page 20 of the Finding Statement address the subsurface conditions including the tunnel system and the Petitioners plans to remove and address asbestos and hazardous materials

2b. Is the Town aware of any questions regarding the physical integrity of the Water Tower which is focal point of DU -1?

Response from the Town of Islip – The Town is not aware of any structural deficiencies to the water tower. In addition, as part of the DU-1 development process the water tower will have to be rendered safe pursuant to the Town of Islip Building Code.

2c. What is the Town doing with respect to Federal designated historic highways (Sagtikos Parkway) and what is being done with respect to maximizing the historic aspects of the project?

Response from the Town of Islip – The EIS process resulted in preservation buffer areas along the Sagtikos Parkway. Any other changes to the Sagtikos Parkway would be regulated by New York State. In addition, the Heartland Town Square project does propose to incorporate a number of historic elements into the project including maintaining the water tower, rehabilitating the former power plant structure and preserving the potter's field.

3. Monitoring/Evaluations

3a. How will the Town conduct monitoring and evaluations [beyond the initial milestones for traffic and wastewater]? What are the criteria for evaluating the projects impacts? Will the Town agree to provide an evaluation or report to the public and Suffolk County on a periodic basis such as every 2 or 3 years?

Response from the Town of Islip – This is an Islip Town Board policy decision. In addition, page 46 of the Form Based Code provides a mechanism via GIS to monitor the spatial relationships over time of the build out process.

3b. Has the Town of Islip given thought to creating an Office, Committee or other interim body (i.e., to remain in existence during the 15 or more years) which will address issues surrounding Heartland as they arise, or will issues be addressed on an ad hoc basis?

Response from the Town of Islip – Issues will be addressed by the Planning Board and reviewed during the subdivision process. It is anticipated that the existing Town organization can handle this review.

3c. What means will the public have to bring to the Town matters of concern relating to the project (particularly relating to issues surrounding the construction process) and will steps be taken to insure that they will be addressed expeditiously?

Response from the Town of Islip – It is anticipated that the Town of Islip will have onsite construction trailer(s) to provide an onsite presence (i.e. Building Inspector staff, Fire Marshall staff, etc). The Town will also have its normal process in which the Building Inspector, Fire Marshall, etc. can be contacted. In addition, the Town has a Constituent Service office which allows the public to contact the Town on matters of concern.

3d. In view of the concerns raised by the Town of Huntington, has any thought been given to creating a mechanism through which areas of concern to the Town of Huntington (or any other adjacent Towns) may be raised, addressed and remedied?

Response from the Town of Islip – The SEQRA process including the public hearings has been concluded. The Suffolk County Planning Commission is another mechanism where regional issues can be addressed. In addition, other municipalities have the opportunities to reach out to the Islip Planning Department as well as the Town Board to discuss Intermunicipal issues.

3e. The Findings Statement, page 9, identifies that a private shuttle bus will be operated through Heartland Town Square and serve as a direct shuttle to the Deer Park LIRR. However, it is unclear when the shuttle will begin operation and if it will run 7 days per week. At the SCPC meeting on Jan 4, 2017 the SCPC was informed that the shuttle would not begin operation until the first phase was approximately 70-75% occupied. Since the first phase will have 3504 residential units that means there will be no shuttle service until 2,628 units are filled. These units alone can result in 4,000 or more residents. What accommodations will be made for the newer residents?

Response from the Town of Islip – the completed Environmental Impact Statement (EIS) requires that the Shuttle Service operate 24 hours a day. Additional specifics of the Shuttle Service including its route, frequency, start of operation, service operator, etc. will be determined in the Town Board process.

3f. What weight does the [Islip Town] Planning Board recommendation have on the [Islip] Town Board process?

Response from the Town of Islip – the Islip Town Planning Board issued an advisory recommendation to the Islip Town Board.

4. Brentwood School District

4a. General Request for information related to the Heartland Town Square Project and the Brentwood School District

Response – See Page 3-193 to Page 3-202, Page 4-251 to Page 4-268 and Page 7-1 to Page 7-63 of the Draft Generic Environmental Impact Statement (DGEIS) for Heartland Town Square (<http://projects.vhb.com/Heartland/DraftGEIS/>), Pages 401-412 of the Final Generic Environmental Impact Statement (FGEIS) (<http://projects.vhb.com/Heartland/FinalGEIS/>) and Pages 14 and 31 of the Findings Statement address the Heartland Town Square project and the Brentwood School District.

4b. The Brentwood School district is very concerned that they may need room to expand. If so, is there a contingency plan [in the proposed action] if that need is realized?

Response from the Town of Islip – The FGEIS states that the Brentwood School District would be responsible for increased enrollment.

4c. The Findings Statement, page 31 discusses payments to the Brentwood UFSD which will receive a net annual tax benefit of almost \$29 million from the proposed development at build-out. However, it's unclear what the Brentwood UFSD will receive from phase one, can you please clarify how the payments will work?

Response from the Town of Islip – See Appendix CF -1 of the Final Generic Environmental Impact Statement (FGEIS) (<http://projects.vhb.com/Heartland/FinalGEIS/>)

5. Transportation

5a. What is the Town's basis for the belief that \$25 Million is a sufficient sum for the applicant to commit to provide required off site roadway improvements?

Response from the Town of Islip – Determined as part of the EIS process.

5b. Has the Town given any consideration given to the best use of this \$25 Million, i.e., State Highways vs. County Roads vs. Town Roads?

Response from the Town of Islip – Will be determined as part of the Town Board deliberation process.

5c. How would the Town like to see the \$25 Million allocated?

Response from the Town of Islip – Will be determined as part of the Town Board deliberation process.

5d. Why will traffic volume counts be conducted when Phase I is 70% occupied? How was 70% selected; won't we be able to extrapolate at a much earlier point in the occupancy of Phase 1?

Response from the Town of Islip – Determined as part of the EIS process.

5e. The Findings Statement, page 20 says the applicant has received a \$2.5 million grant from the Long Island Regional Economic Development Council (LIREDC) for the design and

implementation of the improvements to Crooked Hill Road. SCDPW has provided matching funds for this roadway improvement. However, what is the projected total cost for Crooked Hill Road improvements?

Response from Suffolk County Department of Public Works - \$ 8 million

5f. Since Commack Road is a County Road, will Suffolk County be providing any additional funds needed for necessary upgrades?

Response from Suffolk County Department of Public Works - There is \$ 5.5 Million scheduled in the 2017 Capital Program.

5g. There is concern that critical road work will not advance in time to accommodate occupancy of the first phase.

Response from Suffolk County Department of Public Works - Regarding CR 13, Crooked Hill Rd, the necessary will be completed long before the development generates sufficient traffic to warrant the improvements.

STAFF RECOMMENDATION

Approval of the application to amend the Zoning Chapter (68) of the Code of the Town of Islip to establish a Pilgrim State Planned Redevelopment District (PSPRD) and to change the zoning classification of certain parcels comprising approximately 452 acres of land to said PSPRD and for adoption of a Conceptual Master Plan for the proposed Heartland Town Square with the following modifications as conditions to the aforesaid approval and with the following comments:

Conditions:

1. Fifteen 15% of all residential units shall be set aside as workforce housing units

Reason:

The Suffolk County Legislature amended §740-45, to set affordable housing requirement for out of district sewer connections to 15%. The amendment is applicable to formal certification by the Sewer Agency after the effective date. The petitioners are proposing 10% of the units to be affordable units.

2. Development of the Heartland Town Square project shall provide connection to the Deer Park LIRR train station via paved street access for vehicles, bicyclists, and pedestrians through the Heartland Business Center.

Reason: This will reduce the need for motor vehicles and the shuttle bus from entering state and county road right of way and reduce trip generation onto said roadways.

3. The approval of Heartland Town Square application shall comply with the conditions of mitigation as enumerated by the SEQRA Findings Statement.

Reason: Efforts of the Town Board and Town Planning Board through the numerous meetings, hearings and work sessions have resulted in reasonable and rational mitigations and warranties to monitor the subject development application and make appropriate adjustments as future situations may dictate.

Comments:

1. Further investigation of the feasibility of LIRR passenger rail connection to the Heartland Town Square development site and improvement of the Heartland Station in the future should be investigated prior to approval of Phases 2 and the improvement of DU3.
2. Suffolk County Planning Commission staff offers the following additional comments on the proposed Article:
 - a. The authority to approve incremental development in the proposed Article is delegated to either the Commissioner of Planning or the Planning Board but it is not clear which one under what circumstance.
 - b. There are no architectural elements in the code.
 - c. The code should provide for a mechanism of certainty in maintaining concierge and shuttle services.
 - d. Additional Parking Demand Reduction Techniques should be considered including a covenanted program to require separate fees for parking and encouraging the utilization of pre-tax transit commuter benefits as long as they exist.
 - e. The proposed Use Regulations within the intended Article attempt to prohibit use. It would be easier to list the permitted uses intended for the PSPRD and expressly prohibit all uses not enumerated. This would shorten the legislation and in this way evolving land use trends not envisioned by code as prohibited (oxygen bars, vape shops, etc.) could be accepted via the use variance process. This would better allow for an analysis of the proposed use, including the uniqueness and frequency of the request its potential harmful effects and the likelihood that the use will or will not alter the essential character of the neighborhood.
3. The Petitioner should be advised to contact the Suffolk County Department of Health Services and the Suffolk County Department of Public Works for wastewater treatment considerations of the proposed HTS development.
4. The Petitioner should be advised to contact the Suffolk County Department of Public Works and the NYS Department of Transportation for approvals for coordination of all roadway congestion mitigations itemized on page 18-20 of the Town of Islip SEQRA Findings Statement for HTS Dated November 17, 2014.
5. The petitioner should be encouraged to contact Suffolk County Transit to coordinate bus accommodations for the proposed development and future Bus Rapid Transit (BRT) accommodations for the proposed development.
6. The petitioner should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.
7. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.
8. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to public safety and universal design and incorporate where practical, applicable elements contained therein.

9. Recognition of the Suffolk County designated Prime Farm Soils occurring on site is warranted and a greater effort to incorporate options for community gardening or other appropriate uses of the farm soil should be included in planning additional amenities for the "Common Areas."
10. The petitioner should be encouraged to revisit and explore the feasibility of some form of restricted access for the improved Fish Path signalized intersection into the Heartland Town Square.

SUFFOLK COUNTY SEWER AGENCY
RESOLUTION NO. 46-2004, GRANTING CONCEPTUAL CERTIFICATION
TO THE CONNECTION OF HEARTLAND TOWN SQUARE (IS-1455)
TO SUFFOLK SEWER DISTRICT NO. 3 - SOUTHWEST

WHEREAS, HEARTLAND TOWN SQUARE is proposed build-out of the former Pilgrim State Psychiatric to include residential, retail, office space, restaurants, theatres, hotels, an aquarium and a museum, in Islip, New York, situated on property identified on the Suffolk County Tax Map as District 0500, Section 071.00, Block 01.00, Lot 010.003, and

WHEREAS, the sewage flow from the HEARTLAND TOWN SQUARE is expected to be one million six hundred thousand gallons per day (1,600,000 gpd), and

WHEREAS, THE HEARTLAND TOWN SQUARE has a reserved and committed capacity of 471,000 gpd, that was received from NYS Office of Mental Health as a product of the purchase of the former Pilgrim State Psychiatric Center, and

WHEREAS, THE HEARTLAND TOWN SQUARE is not located within the boundaries of Suffolk County Sewer District No. 3 - Southwest (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, THE HEARTLAND TOWN SQUARE has applied to this Agency for permission to connect its one million one hundred twenty-nine thousand gallons per day (1,129,000 gpd) flow to the sanitary sewerage facilities of the District, and

WHEREAS, the Bergen Point sewage treatment plant of the District has sufficient capacity in excess of its own needs to accept the sewage which is expected to emanate from the HEARTLAND TOWN SQUARE when fully developed, and

WHEREAS, inasmuch as the SEQRA process for the aforesaid connection has not been completed, this Agency cannot, at this time, approve the said connection, and

WHEREAS, in the interest of good planning, and in order to minimize potential hardship on applicants, it is the policy of this Agency, upon review of an application prior to the completion of the SEQRA process, to give applicants an indication of what method of wastewater disposal this Agency would like to see for a particular project, thereby giving applicants an indication of the action that this Agency might take if it were to pass upon the application at the time of such review, and

WHEREAS, in furtherance of such policy, this Agency is desirous of giving the HEARTLAND TOWN SQUARE an indication of the action that this Agency might take regarding the proposed connection if the SEQRA process had been completed and this Agency were to pass upon the matter at this time,

NOW, THEREFORE, IT IS

RESOLVED, THE HEARTLAND TOWN SQUARE is not located within the boundaries of Suffolk County Sewer District No. 3 - Southwest (the "District")

RESOLVED, that this Agency hereby grants "conceptual certification" to the proposed connection of the HEARTLAND TOWN SQUARE to Suffolk County Sewer District No. 3 - Southwest, as aforesaid, and it is further

RESOLVED, that should the Suffolk County Sewer Agency grant Formal Approval to the HEARTLAND TOWN SQUARE project at some time in the future, such connection shall be subject to all the necessary connection fees.

RESOLVED, that

1. Such conceptual certification is not, and is not to be construed as, final approval, which can only be granted by this Agency after the SEQRA process for the proposed connection has been completed;
2. The applicant shall return to this Agency for such final approval;
3. The granting of conceptual certification as set forth herein shall not be binding upon this Agency when final approval is sought; and
4. The granting of conceptual certification does not constitute a position by this Agency, favorable or otherwise, with respect to local land use, zoning and/or subdivision requirements.

(Suffolk County Sewer Agency Meeting 12/20/04)

COUNTY OF SUFFOLK

Z-1



Steven Bellone
SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Theresa Ward
Commissioner

Division of Planning
and Environment

STAFF REPORT SECTIONS A14-14 THRU A14-24 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Pilgrim State Property - Heartland Town Square
Municipality: Islip
Location: South of the Long Island Expressway, southwest of Crooked Hill Road and west of Sagtikos State Parkway, and southeast of the intersection of Campus Rd and Sagtikos State Parkway, Brentwood

Received: 10/31/2016
File Number: IS-16-03
T.P.I.N.: 0500 07100 0100 010002
Jurisdiction: Adjacent to NYS Rte. 495 (Long Island Expressway); Sagtikos State Parkway, CR 13 (Crooked Hill Road); CR 4 (Commack Road); CR 106 (Campus Rd.); Adjacent to Town of Huntington; Adjacent to Town of Smithtown; Adjacent to State Land.

ZONING DATA

- Current Zoning Classification: Res AAA, Ind 2 & GSE
- Minimum Lot Area: 40,000. Sq. Ft.
- Section 278: N/A
- Obtained Variance: N/A

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: Yes
- Property has Historical/Archaeological Significance: Yes
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No
- SEQRA Information: Yes
- SEQRA Type: FGEIS and Findings Statement
- Minority or Economic Distressed: No

SITE DESCRIPTION

- Present Land Use: Vacant
- Existing Structures: Foundations, brick and steel power plant building.
- General Character of Site: Rolling
- Range of Elevation within Site: 80 - 125 amsl
- Cover: Pine Barrens woods, disturbed areas, brush, and turf.
- Soil Types: Carver Haven, Riverhead associations
- Range of Slopes (Soils Map): 0-35%
- Waterbodies or Wetlands: None

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Code amendment/change of Zone/Concept Master Plan with a Form Based Code
- Layout: Grid
- Area of Tract: 476.76 Acres
- Yield Map: 381 Lots
- Open Space: 151 Acres

ACCESS

- Roads: CR 4 (Commack Road); CR 13 Crooked Hill Road; Sagtikos State Parkway, CR 106 (Campus Rd.); and 495
- Driveways: Dedicated to the Town of Islip

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: CB - LP
 - Recharge Basins: Yes
- Groundwater Management Zone: I
- Water Supply: Public
- Sanitary Sewers: Public

PROPOSAL DETAILS

PROJECT CONTEXT

The project site for the proposed Heartland Town Square (HTS) development is bound to the north by the Long Island Expressway (NYS 495) and Crooked Hill Road (CR13) and is located in the Town of Islip. To the east the development site is bound by Sagtikos State Parkway and Crooked Hill Road. Approximately 700 acres of open space is presently owned by the NYSDEC to the southwest. This includes the former Edgewood State Hospital property and adjacent lots. Also adjacent and to the west are detached single family homes in the Town of Huntington-East Half Hollow Hills. Located to the south there is a 300+ acre industrial subdivision, the Heartland Industrial Park. In the south the Sagtikos State Parkway Right-of-Way widens and borders the proposed Pilgrim State Planned Redevelopment District (PSPRD) and the parkway bisects the southern part of the PSPRD. Southeast of the development area (DU4) the property is bordered by detached single family home development in Edgewood-Brentwood.

The Town of Huntington municipal line borders the subject property to the west. The Town of Smithtown borders the subject development site to the north along the LIE right-of-way. To the east, across Crooked Hill Road, is the Suffolk County Community College.

The majority of the proposed PSPRD and the subject area is zoned Residential AAA (Single Family Dwelling-40,000 SF minimum lot area). The "Gateway Area" is zoned Industrial-2 and General

Service (GSE). Lands in the Town of Huntington to the west are zoned R-20 (1/2 acre zoning) and R15 (1/3 acre zoning). To the south (Town of Islip) is located Industrial-1; applicable to the Heartland Industrial Park. To the east in the Town of Islip, beyond Suffolk Co. Community College, is found detached single family Residential-A (11,250 minimum lot area), Residential-B (7,500 SF minimum lot area) as well as some additional General Service, Business and multi-family zoning districts.

The Pilgrim State Psychiatric Center opened in 1931 on 825 acres. By 1954 the facility housed more than 13,000 psychiatric patients in what was, at the time, the largest hospital of any type in the world. The hospital had its own police and fire department. A rail spur off the Long Island Railroad main was constructed to the property with its own passenger station at Pilgrim. Over the years mental health practices changed and Pilgrim's population steadily declined. Many buildings were closed in the 1970s and 1980s. The farming section of the hospital grounds was sold and became the Western Campus of Suffolk Community College in 1974. Service to Pilgrim Railroad station ended in 1978. In 2002, a 454-acre portion of the Pilgrim State Hospital property was sold to the petitioner by New York State. Since that time many buildings on the site have been demolished and cleared. The Pilgrim State Psychiatric Center remains open, with approximately 380 inpatient beds as well as 4 outpatient treatment centers. The HTS FGEIS notes that the existing NYS-owned Pilgrim State Psychiatric Center, which is adjacent to the HTS property, includes a 10-story building on the eastern portion of the Pilgrim State property and a 9-story building located closer to Commack Road. In addition, later in this Report it is noted that the existing water tower on the HTS property is proposed to be incorporated into the proposed development and its height equivalent of 13 stories.

The subject petition for change of zone to the Pilgrim State Planned Redevelopment District was filed with the Islip Town Board in April 2003. On September 9, 2003 the Town issued a Positive Declaration pursuant to the State Environmental Quality Review Act (SEQRA). The Environmental Impact Statement (EIS) process was completed (including several versions of a Draft EIS, a Generic EIS, and public hearings on scope, content and adequacy. Written comment periods were also included in the environmental review process) with a Final EIS (June 20, 2014) and the Town of Islip Findings Statement November 17, 2014. Subsequent to the Town adoption of the Finding Statement the petition was referred internally to the Town of Islip Planning Board by the Islip Town Board for review and recommendations. The Town of Islip Planning Board conducted a public review of the petition and released its report and recommendations on August 18, 2016. The Suffolk County Planning Commission received the referral on October 31, 2016 and the referral was complete upon notice to the public on or about but no later than, December 25, 2016; ten days prior to the regularly scheduled meeting of the Suffolk County Planning Commission, January 4, 2016. The SEQRA written record and background materials can be found at the following links:

Heartland DGEIS: <http://projects.vhb.com/Heartland/DraftGEIS/>

Heartland Town Square FGEIS: <http://projects.vhb.com/Heartland/FinalGEIS/>

PROJECT OVERVIEW

With this application the Petitioners seek three actions:

1. Amendment to the Zoning Law of the Town of Islip (Chapter 68 of the Code of the Town of Islip) to create a Pilgrim State Planned Redevelopment District (PSPRD);
2. Change of zone approval from the Islip Town Board from Residence AAA District to the newly created Pilgrim State PRD on approximately 480.92 acres (454.92 Pilgrim property + 26 acre Gateway Property) of land in the hamlet of Edgewood; and .
3. Conceptual Master Plan approval for the Proposed Heartland Town Square development proposal.

The project location includes three lots comprising parts of the former Pilgrim State Psychiatric Center and approximately ten lots comprising a Town of Islip Declared blighted area known as the "Islip Gateway Community Improvement Area" located along Crooked Hill Road South of the Long Island Expressway (see Tax Map attached).

As part of the Petition the area identified in Finding of Blight for the Islip Gateway Community Improvement Area was included in the PSPRD. Accordingly, a potential development scenario was considered for the Gateway Area that was consistent with the PSPRD, and impacts associated therewith were evaluated as part of the overall SEQRA process for the creation of the PSPRD, and development under this zoning.

The Heartland Town Square project proposes to construct a mixed-use development to be built over a period of 15 or more years in three distinct phases that includes a total of 9,000 residential units, 1,000,000 SF of retail space, 3,239,500 SF of Class "A" office space, and 215,500 SF of Civic space. The "Gateway Area" includes an additional 800,000 SF of Office, 30,000 SF of Retail and an additional 130 residential units. The petitioner puts forth that the design is modeled on a number of existing, successful "smart-growth" developments throughout the US though the development is a unique interpretation based on local conditions and has its own specific features and characteristics.

As noted above, a Conceptual Master Plan has been prepared by the Petitioner which illustrates a theoretical maximum development potential for the proposal under the new zoning district (see attached). The development of Heartland Town Square is proposed to be divided into three phases with the following development breakdown among the three phases:

| | Heartland Town Square: | Gateway Area: |
|--------------------|------------------------|---------------|
| Phase 1 | | |
| Office: | 626,000 SF | N/A |
| Retail: | 560,000 SF | N/A |
| Civic: | 105,500 SF | N/A |
| Residential Units: | 3,504 units | N/A |
| Phase 2 | | |
| Office: | 1,602,322 SF | 400,000 SF |
| Retail: | 391,930 SF | 30,000 SF |
| Civic: | 5,000 SF | 0 SF |
| Residential Units: | 3,472 unit | 130 units |
| Phase 3 | | |
| Office: | 1,011,178 SF | 400,000 SF |
| Retail: | 48,070 SF | 0 SF |
| Civic: | 105,000 SF | 0 SF |
| Residential Units: | 2,204 units | 0 units |

The Heartland Town Square layout includes four development patterns or neighborhood designs, known as Development Units. The Development Units are distributed throughout the three phases of the project. The development units are organized around their own unique open spaces and have varying densities and heights. The Development Units are linked by a street grid built upon the existing grid of streets established by the former (greater) Pilgrim State Psychiatric Center (Dormitory Authority of the State of New York). In addition, the Development Units are linked with a new "Ring Road", located along the periphery of the site. As indicated in the Town of Islip Findings Statement for the Heartland Town Square (November 17, 2014 page 3) "The Ring Road allows for

the distribution of traffic around the edges of the site and will provide access to the south through Heartland Business Center to Deer Park train station.”

The four Development Units are described as follows (more detailed descriptions can be found in the FGEIS (Building Stories Plan and the Proposed Development Tabulation by Phase and the Town of Islip Finding Statement for Heartland Town Square Nov 17, '14 pgs. 4 and 26):

DU (Development Unit)1 – Mixed Use Town Center Neighborhood: DU1 is intended to be the most dense and walkable portion of the proposed development. The Floor Area Ratio (FAR, the ratio of gross building floor area to total land area) is proposed to be 0.89 in the amended Conceptual Master Plan presented in the FGEIS. The DU1 is intended to include the taller buildings of the development proposal. “Mid-rise towers”, seven to thirteen (13) stories, and up to 165 feet in height and is intended in the more central portion of the Town Center around the existing water tower (12 stories) which is proposed to remain and become a focal point for the neighborhood. The remainder of the DU is proposed to be mostly “low-rise” development up to six stories and 80 feet in height. DU1 includes residential townhouses, retail, office and hotel uses.

DU2 – Mixed-Use Office District Neighborhood: DU2 is conceived as a mixed-use office district that will contain predominately office use in the north, transitioning to more residential uses at the south end near “G” Road. The District will include office, retail and residential uses. DU2 is intended to act as a transition from the mixed-use commercial activities at the north, to more residential uses at the south. DU2 is more linear than the Town Center, with a “signature” office tower (14 to 20 stories tall), proposed as its centerpiece to be situated at the entrance from Sagtikos State Parkway. A site for a larger retail anchor is located in the northern portion of DU2, adjacent to an entry off Crooked Hill Road. Additional neighborhood retail nodes are located in the center of DU2 around the signature office tower complex and in the southern portion of DU2 within the residential portion of the district. The FAR of 0.86 is lower than the FAR for DU1. The tallest building proposed for the site, the “signature” office tower, is proposed to be set back more than 600 feet from Sagtikos Parkway. The remainder of the buildings comprising DU2 are generally “low rise” buildings proposed to be up to six stories (80 feet). DU2 is also characterized by significant buffering along the Sagtikos Parkway right-of-way and along a portion of the west side, adjacent to the Pilgrim campus. DU2 has several unique open spaces including plaza space on an axis with the entry to the property from the Sagtikos Parkway. On the south side of DU2 are two additional open space areas that are dispersed among the residential buildings.

DU3 – Arts Center Residential Neighborhood: DU3 is located on the Conceptual plan in the southwest corner of the subject parcel and is to be primarily residential in nature. All of the buildings proposed within DU3 (on the west side of Sagtikos State Parkway) are “low rise” structures (up to six stories - 80’). The conceptual plan for DU3 is oriented around a large open space that is located in front of the existing power plant building (the power plant building is to be renovated as part of Phase 1 development as gallery space/work space for artists). The “cornerstone use” in this neighborhood is the adaptive reuse of the power plant. In addition, an approximate 8.9 acres area for civic community facilities is provided on the western edge of DU3. The proposed FAR for DU3 is 0.61 and is intended to be reflective of the distance from the Town Center.

DU4 – Residential Neighborhood: DU 4 is located on the east side of Sagtikos Parkway and is planned as a predominately residential neighborhood with a small amount of neighborhood retail space located in the northeastern corner. DU4 is proposed to be designed to relate to the existing residential areas to the south and east. Building height is proposed to be no more than six stories in this neighborhood. The FAR for DU4 is 0.72 and is purported to be consistent with the proximal distance to the Town Center.

Affordable Housing

The petitioner is proposing 10% of the 9,130 residential units (913 units) to be included as affordable units.

Environmental Remediation

As reported above, the PSPRD property is comprised of thirteen (13) tax map lots. The applicant is proposing to complete the demolition of any existing buildings, structure, tunnels, etc., on site in accordance with the prevailing environmental laws and regulations. The Petitioner has evaluated options for addressing project-related recycling and reuse of construction and demolition debris that has not already been removed from the site. The petitioner has prepared an asbestos-containing materials (ACM) program and asbestos abatement was conducted as applicable prior to the demolitions of the buildings that have been removed from the site. Also, based upon the geotechnical requirements of the proposed project, concrete tunnels and their interior contents (e.g. pipes, electrical wiring, ACM, underground storage tanks, transformer fluids, etc.) will be disposed in accordance with prevailing regulations. Preliminary analysis conducted by the petitioner indicated that much of the materials were not suitable for reuse as road base. The petitioner proposed to use appropriate construction and demolition materials to fill voids on the site such as those in the underground utility tunnels.

Remediation of Potential Environmental Concerns (PECs) and Recognized Environmental Conditions (RECs) on site are to be consistent with a Facility Closure Plan (FCP) proposed and prepared by the petitioner. The Facility Closure Plan will include health and safety measures and methodologies for addressing the identified PECs and RECs. As part of the normal building permitting process, the Facility Closure Plan will summarize closure requirements for PECs and RECs and will identify the regulatory agencies having oversight (SCDHS, NYS DEC, OSHA, etc.).

Parking, Traffic Generation, Site Access, and Mitigations

Off street parking for the proposed Heartland Town Square Conceptual Plan is indicated to be 27,650 spaces (EAF Part 1 pg. 5) and will be designed to be in conformance with the adopted PSPRD. Existing off street parking stalls at the project site has been estimated to be approximately 3,000 spaces. For the PSPRD, the minimum number of on-site parking spaces will be determined by the proposed PSPRD "Use District Regulations" and will allow for adjustments in accordance with "Smart Growth" principals for reducing parking demand.

Seven points of access to and from the overall development site for Heartland Town Square are proposed and demonstrated on the Conceptual Plan for the development project. Two points of access to CR 13, Crooked Hill Road; one point of access to Sagtikos State Parkway; two points of access to CR 106, Campus Road ("G"-Road); one access point to CR 4, Commack Road; and one access point to the Long Island Expressway South Service Road, NYS Rt. 495 are shown. The proposal also includes an extension of interior streets southward to provide connection to the Deer Park LIRR train station via access through the Heartland Business Center (see attached "Street Hierarchy Map").

The Islip Town Board retained its own transportation consultant to review the analyses prepared by the petitioner's transportation consultant. As a result 30 intersections and seven roadways were analyzed utilizing a software program called "Vissim" that simulates conditions on a roadway and evaluates its ability to accommodate existing and future traffic volumes. The "Synchro" program was used for intersections.

Examining three peak-hour periods: weekday morning (AM), weekday evening (PM), and Saturday midday, and utilizing a 0.65 percent annual growth in background traffic volumes and trip generation

volumes from other planned developments, the proposed Heartland Town Square projected volumes were calculated at the full occupancy of Phase 1 and the overall project (all three phases) to 2023 and 2038 respectively. The “internal capture”, which accounts for project-generated traffic that travels between different uses on the subject property and does not leave the site (and therefore, does not affect off-site roadway and intersections) was assumed at:

Phase I: 12.5% for AM Peak; 20.0% for PM peak, and 21.8% for Saturday peak

Full Build Out: 10.9% for AM peak, 19.2% for PM peak, and 24.4% for Saturday peak

Moreover, a detailed analysis, separately, examining the unique factors pertaining to the various proposed uses (residential, office, retail, and civic) was performed to derive the directional trip distribution of project-generated traffic (i.e. the routes that this traffic would take, and the intersections and roadways segments that would be traversed, in traveling to and from the site).

Predictions of peak-hour trip generation volumes (entering and exiting the subject property) for the proposed project were calculated based on empirical data for various land uses (e.g. residential townhouses, general office building, shopping center, civic use, and hotel) in Trip Generation, published by the Institute of Transportation Engineers (ITE), with gross totals as follows:

| Peak Hour (Trip Generation) | Full Occupancy for Phase 1 | Full Occupancy for All 3 Phases |
|-----------------------------|----------------------------|---------------------------------|
| AM Peak | 2,300 | 6,041 |
| PM Peak | 4,062 | 9,252 |
| Saturday Peak | 3,962 | 7,003 |

As indicated in the Islip Town Board SEQRA Findings Statement for the Heartland Town Square Project, physical roadway improvements are required in the area surrounding development site property, not only due to traffic associated with the development of Heartland Town Square, but also due to circumstances that are not related to the proposed action, including traffic conditions that already exist, as well as traffic due to ambient increases in traffic in the future and new traffic that is expected to generated by other developments.

The Findings Statement indicates that both New York State and Suffolk County have recognized that there are existing deficiencies in the roadway network surrounding the subject property, unrelated to the proposed development. Both the NYSDOT and SCDPW have committed to participating in the improvement of the roadway infrastructure to address these deficiencies and improve future conditions, as is indicated in correspondence that is included in the FGEIS.

There are 22 roadway improvements that are recommended and assumed to be implemented by the end of Phase 1 build out. These are summarized on pages 18-20 of the Town of Islip Findings Statement and enumerated below.

The subject development area is serviced by Suffolk County Transit bus S-33 along Commack Road and S-41 along Crooked Hill Road. These routes provide access to Suffolk Community College west, the Commack Shopping Plaza, the Huntington Square Mall and points north along Larkfield Road to the Northport LIRR station and the US VA Medical Center. In addition, these two routes include destinations to Suffolk County offices in Hauppauge, Tanger Outlets south to the Wyandanch LIRR station and the Bay Shore LIRR station. No bus access is provided directly south to the LIRR Deer Park station.

The LIRR Deer Park station is more than a mile to the south and is the closest train station to the project site. A rail spur off the Long Island Railroad main line was constructed to the property in the early 1930's with its own freight (coal) siding and a passenger station at Pilgrim. Service to this station ended in 1978. A section of the rails continues to exist as a freight siding on the east side of the Heartland Industrial Park. On the subject property, the rails have since been removed and no

recorded rail easements to the subject property from the main line of the LIRR can be located by Suffolk County Division of Real Property. There is evidence of a recorded taking by the New York State Department of Mental Hygiene in 1929 (Liber 1539 page 446).

As-of-right development under the existing Residence AAA zoning has been determined in the EIS process to be approximately 381 single family homes. An additional 130 apartments, 800,000 SF of office/commercial and 30,000 SF retail can be derived from the "Gateway Area"). The DGEIS analyzed the proposed trip generation under existing zoning as follows:

PM Peak Hour Trip Generation Summary - Yield Map

| Use Type Size | Exiting Trips | Entering Trips | Trips Total |
|--------------------------------|---------------|----------------|-------------|
| Zone 1 Single Family 68 Units | 43 | 25 | 68 |
| Zone 2 Single Family 78 Units | 50 | 29 | 79 |
| Zone 3 Single family 235 Units | 50 | 88 | 238 |
| Gateway Area Retail 30,000 SF | 54 | 59 | 113 |
| Office/Comm. 800,000 SF | 203 | 989 | 1,192 |
| Residential 130 Units | 45 | 22 | 67 |
| Total all trips | 545 | 1,212 | 1,757 |

(source: Heartland Town Square Draft Generic Environmental Impact Statement – March 2009
Town of Islip, Suffolk County, Section 7.2.8 Page 7-17)

Water, Wastewater, and Stormwater

Potable water is to be supplied to the Heartland Town Square development by the Suffolk County Water Authority. The Authority has indicated that "it is reasonable to anticipate that the Heartland Town Square Project will utilize on the order of 2,000,000 gallons of water per day once it is completed. The Water Authority will be able to supply the required water provided the appropriate mitigation measures...are identified and made part of the project." The authority has indicated during the SEQRA process that the withdrawal of 2 million gallons per day "represents a significant withdrawal". The Water Authority indicated that the aquifer can provide the water but to mitigate the localized impact to the area aquifer, the Authority recommended spreading the withdrawal to include a new wellfield on the northern portion of the Heartland Town Square Project near the State cemetery. The Authority indicated that "there are a number of infrastructure improvements that will be necessary in order to provide adequate water to meet the projects domestic, commercial and fire flow requirements. Improvements necessary that are directly related to the project are a cost that shall be the responsibility of the developer."

All sanitary wastewater generated by the proposed Heartland Town Square development is to be directed to the Southwest Sewer District (SCSD #3). It should be noted that the subject development site is not located within the boundaries of Suffolk County Sewer District No. 3-Southwest and is an "out of district extension". It is estimated that the total flow could range from 1.6 to 2.5 million gallons per day. The Bergen Point Sewage Treatment Plan of the SWSD #3 has recently expanded its capacity by 10 million gallons and has sufficient capacity in excess of its own needs to accept the sewage flow expected to emanate from the development project. In 2004 the petitioner was granted Conceptual Certification to connect to the district. It was found that the property had a reserved and committed capacity of 471,000 gallons per day that was received from the NYS Office of Mental Health as a product of the purchase of the former Pilgrim State Psychiatric Center. The petitioner will be responsible for providing, at their expense, any upgrades or

improvements that are necessary to the area pumping station, as the development project progresses, after completion of an engineering study under the oversight of the Suffolk County Department of Public Works.

Storm water runoff generated on the Heartland Town Square development site is proposed to be discharged into the ground on site via a network of drywells and recharge basins constructed in accordance with prevailing regulations. The petitioner indicates that the project will utilize appropriate green infrastructure measures that have been incorporated into the updated New York State Storm Water Design Manual. In addition, the petitioner has indicated the intent to utilize native vegetation “to the maximum extent practicable” and will employ drip irrigation in order to minimize the use of irrigation water and limit the migration of fertilizers and landscaping chemicals.

Environmental Setting

The proposed project site is not located in a Suffolk County Planning Commission regulated Suffolk County Pine Barrens Zone but is adjacent to the Oak Brush Plains habitat. The Oak Brush Plains is characterized as shrubby heath-oak brush thickets and constitutes the largest single area of its kind on Long Island. As such, the Oak Brush Plains are designated as a NYS Critical Environmental Area (CEA) for habitat and groundwater resources. Endangered, Threatened and Protected plant and animal species occur in the CEA, and was examined as part of the environmental review process. The subject parcel is located over a State Special Groundwater Protection Area (SGPA) referred to as the Oak Bush Plains SGPA. This SGPA is located in Hydro-geologic Zone I. The Oak Brush Plains SGPA Plan (LIRPB, '92) land use recommendations for the project development site calls for a mix of; Open Space (cemetery), High Density Residential (north end), Commercial & Industrial (along Crooked Hill Road, CR 13), Government Highway Facilities (recharge basin), Institutional (Psychiatric Center) and Utilities (at the time, Multi-town Solid Waste Management Authority Property at the south end). No local or State designated wetlands occur on or adjacent to the subject site. Federal US Fish and Wild Life Maps have mapped the former wastewater leaching fields adjacent and to the southwest as upland fresh water wetlands.

Review Process to Date

The culmination of almost 14 years of regulatory review has resulted in the Town of Islip SEQRA Findings Statement (see attached) and review and recommendations of the Islip Town Planning Board. The process has resulted in amendments to the original DEIS plan to include in the SEQRA Findings Statement (adopted by the Islip Town Board November 17, 2016) the following:

- Modification of the proposed action at the Towns request to include the Gateway Area as part of the Conceptual Master Plan
- Provide for Phasing of the development
- Reallocation of the development density within the site, shifting the greatest mix of land uses and higher densities to the Town Center in DU 1 and away from the other DUs
- Adjusting the density for greater setbacks along the Sagtikos Parkway and adjacent to residential neighborhoods to the northwest and southeast of the subject property
- Incorporation existing vegetation into the proposed development to a greater degree than in the previous plan
- Modification in the height of buildings on the plan to the majority of the buildings to be low rise (maximum of six stories, 80 feet in height)
- Set aside of approximately 8.9 acres for civic use
- Operation of a private shuttle bus that will circulate through HTS and will serve as a direct shuttle to the Deer Park Long Island Rail Road Station
- Concierge service intended to advocate Transportation Demand management strategies

- and parking stall demand reduction techniques
- Petitioners commitment of \$2 million to purchasing and renovating blighted properties within the Gateway Area
- The Petitioner will develop at least 200,000 SF of retail space and 200,000 SF of office space at the same time that residential development is commenced for Phase 1
- When 70 percent of the space associated with phase 1 is occupied, traffic volume counts will be conducted at all access points to the Heartland Town Square development during the weekday afternoon peak hour at the applicant's expense
- As permits are sought for each new building in HTS, sewage flow will be calculated and monitored and actual flow measured at the pump station will be compared to projected flow
- A minimum of 10 percent of the residential units in HTS will be for-sale units
- Ten (10) percent of the residential units shall be workforce housing units
- The petitioner will comply with the requirements of the Purchase and Sale Agreement executed between New York Stat and the petitioner with respect to all easements
- The petitioner will provide \$25 million toward required off-site roadway improvements

Traffic impact analysis indicated that physical roadway improvements to surrounding roadways will be required for the development of the proposed Heartland Town Square development project (see Town of Islip Finding Statement for Heartland Town Square Pgs 18-20). The proposed roadway mitigations assumed to be implemented by the end of Phase 1 build-out (with the proviso of the 70% monitoring program) include:

- A. Commack Road at LIE North Service Road – add SB right turn lane; add WB through lane
- B. Commack Road at LIE South Service Road – add EB through lane and right turn lane; add NB right-turn lane
- C. Commack Road at Pilgrim site access – signalized intersection; add NB through lane; add SB through lane; add second WB left turn lane
- D. Crooked Hill Road at LIE North Service Road – add one SB lane; widen/reconstruct WB approach to provide three lanes
- E. Crooked Hill Road underpass at LIE – provide second SB lane under bridge by re-striping within existing pavement width
- F. Crooked hill road south of LIE – widen Crooked Hill Road to four lanes plus turn lanes from LIE to existing pilgrim entrance
- G. LIE EB ramps to SB Sagtikos Parkway – construct new spur from existing ramp to Crooked Hill Road; align new ramp spur with proposed signalized intersection at HBS access point
- H. Crooked Hill road at existing Pilgrim access – signalize intersection; reconstruct EB approach
- I. Crooked Hill Road south of existing Pilgrim access – widen and lengthen bridge to accommodate additional lanes on both roadways
- J. Crooked Hill Road bridge over Sagtikos Parkway – widen and lengthen bridge to accommodate additional lanes on both roadways
- K. Crooked Hill Rad at Community College Dr/G Road – widen intersection approaches to provide NB, SB and EB dual left turn lanes; add SB and EB right-turn lanes
- L. Sagtikos Parkway between Southern Parkway and Long Island Avenue – add third lane in each direction on Sagtikos Parkway
- M. Sagtikos Parkway interchange at Pine Aire Drive/Long Island Avenue – reconstruct parkway bridges over LIRR and Pine Aire Drive; modify Pine Air Drive ramps; provide EB right-turn lane and WB left-turn lane on Pine Air Drive at Sagtikos Parkway ramps; extend Long Island Avenue to Sagtikos Parkway and construct new interchange with Sagtikos Parkway
- N. Sagtikos Parkway between Long Island Ave and Community Dr/G Road – add third lane in each direction on Sagtikos Parkway
- O. Sagtikos Parkway at Community Drive/G Road – widen and lengthen G Road bridge over Sagtikos Parkway; remove existing ramps and construct new diamond interchange

- P. Sagtikos Parkway between Community Drive/G Road and LIE – add third lane in each direction on Sagtikos Parkway; modify existing NB Sagtikos on-ramp from Crooked Hill Road to permit truck access to LIE from Crooked Hill Road
- Q. G Road west of Sagtikos Parkway – widen G road through HTS access points
- R. Long Island Avenue at Executive Drive – add SB left turn lane
- S. Pine Aire Drive at Executive Drive – add 2nd SB let-turn lane
- T. LIE South Service Road between Commack Road and Crooked Hill Road – construct access driveway from LIE south Service Road to Heartland Town Square
- U. Heartland Access Road – Construct access road between Heartland Industrial Park and G Road

Additional roadway improvements that are recommended and assumed to be implemented by Full Build-Out (end of Phase 3) are further itemized as follows:

- V. Crooked Hill Road at new DU4 Access Road – construct new signalized intersection
- W. G Road/community College Drive at DU 4 Access – construct news access to HTS
- X. New connector-distributor roadway to SB Sagtikos Parkway – construct C-D road parallel to SB Sagtikos Parkway between existing off-ramp to HTS and G road
- Y. Sagtikos Parkway between LIE and Northern Parkway – add third lane in each direction on Sagtikos Parkway
- Z. LIE WB ramp to SB Sagtikos Parkway – construct new ramp spur to Crooked Hill Road from existing WB LIE to SB Sagtikos Parkway ramp, aligned with HTS northerly access (signalized) on Crooked Hill Road

The Islip Town Planning Board reviewed the Heartland Town Square Proposal by public hearing and meetings on April 16, and June 18, of 2015 and on July 14, 2016. After review and consideration, the Islip Town Planning Board recommended to the Town Board that the application be granted, limiting the development to 52 acres within the phase 1 parameters subject to covenants and restrictions drafted on August 18 2016 (see attached). The Planning Board put forth among other points, that the Town Board should require of the petitioner to covenant that:

- 1. 200,000 square feet of both office and retail development be built at the commencement of construction along with residential development
- 2. The commission of a traffic study at 70% completion of Phase 1 to verify the traffic impacts and mitigations are in line with those identified
- 3. Verification that the sewage flow will not exceed the 1.6 million gallons per day for the total project
- 4. 10% of all residential units be set aside for workforce housing
- 5. Maintaining buffers along the perimeter of the property
- 6. The provision of a shuttle bus to facilitate mass transit and the reduction of automobile use

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-I provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment.

Inter-community issues have been identified in the SEQRA process for the Heartland Town Square proposal and include motor vehicle traffic, noise, building height and impacts to the character of area downtown business districts.

Suffolk County Department of Economic Development and Planning studies have noted that the four western Suffolk Towns have more than 30 downtown centers. Many of these downtowns have succeeded in becoming centers of entertainment, culture, and dining. The retail space proposed in the Heartland Town Square project when complete is larger than the combined space of two of the largest downtowns in western Suffolk County: Huntington and Bay Shore, or larger than downtown Babylon, Bay Shore and Smithtown combined. The retail component at buildout would be approximately similar in gross floor area to the Walt Whitman Mall (Huntington). The addition of the proposed Heartland retail component would in effect, create a new downtown. The retail space proposed would represent one-eighth of all the downtown retail space in the entire County and one-fourth of all the downtown space in the four western Towns.

The Heartland Town Square project has been phased into three parts to allow for the gradual growth of retail to match the gradual growth of new residents to the area. Phase 1 of the proposed development is intended to construct no more than between 200,000 to 560,000 gross square feet of retail space. This is to match an estimated population of 5,399 people filling 3,504 residential units. Moreover, the DGEIS indicates that the Heartland Town Square is designed as a "Lifestyle Center" and is intended to include "specialty retailers and restaurants ...that are likely to locate at Heartland Town Square" and is "not anticipated to be a competitive threat to the neighborhood-type retailers currently serving the surrounding communities" (DGEIS pgs. 239-242).

The SEQRA FEIS process and Findings Statement addressed these issues and mitigations have been incorporated into the proposal by the Town Board and Planning Board (see above) to alleviate potential adverse effects associated with inter-community impacts, community character and public convenience.

It is the belief of the staff that the proposed action could be compatible with adjacent land uses. It is also the belief of the staff that the proposed project can be designed to be in harmony with the existing character of the area.

PREVIOUS LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The 1976 hamlet plan for Brentwood within the Town of Islip Comprehensive Plan recommended that industrial development take place on the entire 420 acres of vacant land that eventually became Heartland Industrial Park. A major overhaul of the road network serving the area was recommended, much of which has not taken place despite the development of the industrial park to the south. An additional road linking the northern portion of Heartland Industrial Park to both Commack Road and to College Road was suggested in that plan. From this new road, it was recommended that additional access to the Sagtikos Parkway be established northeast of the proposed industrial area. The 1976 Plan also recommended that the Sagtikos Parkway interchange at Pine Aire Drive be expanded, and additional access to the Parkway be established from a road linking an upgraded Long Island Avenue west of the Parkway with an upgraded Suffolk Avenue east of the Parkway. A major sports facility was proposed for the property in the Town of Babylon that is now the Edgewood State Preserve. The Plan called for a multi-town solid waste management site to be located in the northeast corner of the Town of Babylon and partly in the Town of Huntington, to collect waste from the Towns of Babylon, Huntington, and Islip. The property is now part of the State of New York Edgewood Preserve. The Plan also recommended that institutional uses continue to occupy the entire Pilgrim State property. The portion of the Pilgrim State property east of Sagtikos Parkway was proposed to be used for recreation and open space purposes.

A 1984 report by Fourth Senate District Citizens Task Force on the Pilgrim/Edgewood State Property made several recommendations about the New York State properties in the area. The report recommended that the Long Island Correctional Facility on the western side of the Pilgrim State Hospital property be closed. It was felt that the entire Pilgrim facility would eventually be closed, and that some of the facility's buildings be converted for use as senior housing, frail elderly

housing, and a nursing home for veterans. It was recommended that the Edgewood Hospital buildings be demolished. The report also recommended against the use of the property for a multi-town solid waste management site, but rather that the property should be preserved as open space. The report recommended that Suffolk Avenue be extended westward to meet Long Island Avenue in one straight line to Commack Road, with an overpass at Sagtikos Parkway. Other road and intersection improvements for the area were recommended, and the report stated that the Long Island Railroad station should remain in Deer Park near Deer Park Avenue. The development of the Heartland Industrial Park was supported.

The 1989 Town of Islip Comprehensive Plan Progress Report also suggested that industrial development take place in what is now the Heartland Industrial Park, and that institutional uses continue to occupy the entire Pilgrim State property. The northwestern portion of the Heartland Industrial Park was recommended for institutional use. The portion of the Pilgrim State property east of Sagtikos Parkway was proposed to be used for recreation and open space purposes.

The Creation of the Pilgrim State Planned Redevelopment District (PSPRD) is proposed by amendment to the Zoning Law of the Town of Islip. An anticipated new article; "Use District Regulations: Pilgrim State Planned Redevelopment District" was proposed by the applicant and reviewed and revised by the Town Planning Department for consideration by the Town Board (see attached Use District Regulations; Pilgrim State Planned Redevelopment District).

The proposed new Article to the Islip Zoning Law is structured as a "Form Based Code." A Form Based Code (FBC) is a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code (source: Form Based Codes Institute). The proposed FBC for the PSPRD includes a Legislative intent, boundary descriptions for the various DUs, definitions, use regulations, buffers and court yard dimensional requirements, addresses heights of buildings, process for site plans as subdivisions, lighting standards and sight standards.

The regulations and FBC are based on the terminology that the HTS development is based on the organizing principle of Transit Oriented Design. In 2013, the Urban Land Institute published, "Pedestrian and Transit Oriented Design" co-authored by Reid Ewing, renowned urban planning expert and University of Utah research professor, and Keith Bartholomew, professor and associate dean of the College of Architecture and Planning at the University of Utah. "Since 2000, a number of tools for measuring the quality of the walking environment have emerged. A literature review yielded a list of 51 perceptual qualities of the urban environment. Of the 51, eight were selected for further study based on the importance assigned to them in the literature and the following five were successfully measured in a manner that met tests of validity and reliability:

- (1) imageability (the quality of a place that makes it distinct, recognizable, and memorable),
- (2) enclosure (refers to the degree to which streets and other public spaces are visually defined by buildings, walls, trees, and other vertical elements),
- (3) human scale (refers to a size, texture, and articulation of physical elements that match the size and proportions of humans and, equally important, correspond to the speed at which humans walk),
- (4) transparency (refers to the degree to which people can see or perceive what lies beyond the edge of a street or other public space and, more specifically, the degree to which people can see or perceive human activity beyond the edge of a street or other public space),
- (5) complexity (the visual richness of a place),

Transit Oriented Development is development located within a convenient walking distance (i.e. ¼ to 1/2 mile source: Jeff Speck) from a new or existing mass transit center.

For the PSPRD, the minimum number of on-site parking spaces will be determined by the proposed PSPRD "Use District Regulations" and will allow for adjustments in accordance with Smart Growth principals for reducing parking demand. Automobile ownership and use will be discouraged by:

- Onsite concierge office with a transportation manager who will provide information to residents regarding the availability of public transportation
- Operating a private shuttle bus within heartland town square
- Encouraging bicycle use, including onsite bicycle lanes and bicycle storage facilities
- Providing "zip cars", ride sharing or the like
- Arranging car pools or ride sharing for residents and employees within Heartland Town Square and providing only one convenient parking space per residential unit, with additional parking spaces available at a fee and at a more remote location

Suffolk County Planning Commission staff offers the following additional comments on the proposed Article:

1. The authority to approve incremental development in the proposed Article is delegated to either the Commissioner of Planning or the Planning Board but it is not clear which one under what circumstance
2. There are no architectural elements in the code.
3. The code should provide for a mechanism of certainty in maintaining concierge and shuttle services
4. Additional Parking Demand Reduction Techniques should be considered including a covenanted program to require separate fees for parking and encouraging the utilization of pre-tax transit commuter benefits as long as they exist.
5. The proposed Use Regulations within the intended Article attempt to prohibit uses. It would be easier to list the permitted uses intended for the PSPRD and expressly prohibit all uses not enumerated. This would shorten the legislation and in this way evolving land use trends not envisioned by code as prohibited (oxygen bars, vape shops, etc.) could be accepted via the use variance process. This would better allow for an analysis of the proposed use, including the uniqueness and frequency of the request its potential harmful effects and the likelihood that the use will or will not alter the essential character of the neighborhood.

The proposed zoning legislation, including the actual text of the new zoning district and the Design Guidelines, will be subject to further review and revision by the Town. After the zoning legislation has been finalized and adopted by the Town Board (including Town Board adoption of the PSPRD zoning, application of the zoning to the HTS property, and approval of the revised Conceptual Master Plan, the petitioners will be required to obtain site plan approval from the Commissioner of the Department of Planning and Development or the Planning Board for each phase or sub-phase of development proposed in the future development approvals. A sub-phase or phase may consist of one building, multiple buildings, one block, multiple blocks or any level of development up to an entire phase as to be shown on the on the Overall Phasing Diagram ultimately approved by the Town Board.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability

4. Housing Diversity
5. Transportation, and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the above policies:

Environmental Protection and Setting

Regarding Environmental Protection, as noted above, a Facility Closure Plan (FCP)/Health and Safety Plan (HASp) is warranted for protection of workers and future residents with respect to demolition of remaining buildings and removal and containment of construction/demolition debris.

The subject parcel is located over a State Special Groundwater Protection Area (SGPA) referred to as the Oak Bush Plains SGPA. The subject development proposal includes directing wastewater out of the SGPA to SCSD #3 Southwest, and includes provisions to preserve natural oak-brush plains habitat.

Wastewater

In 2004 the petitioner was granted Conceptual Certification by the Suffolk County Sewer Agency to connect to SCSD #3 Southwest. The project site is not located within the boundaries of the Suffolk County Sewer District. There is no indication in the referral material to the Suffolk County Planning Commission regarding the duration of the “conceptual certification”. At the time the conceptual certification was issued, there were no expirations. Expirations to conceptual certifications were only added relatively recently. No extension was required. As long as it was essentially the same project, conceptual certification continued. The connection fee in effect at the time of the conceptual certification was locked in.

Stormwater

Storm water runoff generated on the Heartland Town Square development site is proposed to be discharged into the ground on site via a network of drywells and recharge basins constructed in accordance with prevailing regulations. The petitioner indicates that the project will utilize appropriate green infrastructure measures that have been incorporated into the updated New York State Storm Water Design Manual. In addition, the petitioner has indicated the intent to utilize native vegetation “to the maximum extent practicable” and will employ drip irrigation in order to minimize the use of irrigation water and limit the migration of fertilizers and landscaping chemicals. There is no indication if the petitioner has reviewed the Suffolk County Planning Commission publication on Managing Stormwater-Natural vegetation and Green Methodologies.

Soils

It is noted that the soils on the subject property include Haven and Riverhead associations that are classified as Prime Farm Soils in Suffolk County. Greater effort to incorporate options for community gardening or other appropriate uses of the farm soil should be included in planning additional amenities for the “Common Areas.”

Energy Efficiency

Little mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission.

Economic Impact

With respect to economic development, at proposed build out, the project is expected to generate approximately \$29 million in net property tax revenues to Brentwood School District, \$1.8 million for the Town of Islip General Fund, \$168,000 for Town Excluding Villages, \$1.0 million for Combined Highway, \$280,000 for Street Lighting District, \$2.2 Million for Brentwood Fire District, \$483,000 for Brentwood Ambulance District, and proportional amounts for other taxing districts. (source: Findings Statement, page 29)

At project buildout the proposed HTS is expected to generate 25,000 permanent full-time, on-site job equivalents and an estimated 34,000 indirect (off-site) jobs to support HTS residents and businesses. Moreover, the proposed development is expected to generate 13,000 construction jobs. (source: Findings Statement, page 29).

Housing

With respect to Housing Diversity, it is important to note that the subject development site is not located within the boundaries of Suffolk County Sewer District No. 3-Southwest and is an “out of district extension.” The recently amended Section 740-45 of the Suffolk County Administrative Code (12-20-16) requires out of district extensions to provide 15% of the residential units to be set aside for affordable housing purposes. The amendment is applicable to formal certification by the Sewer Agency after the effective date. The petitioners are proposing 10% of the units to be affordable units.

Transportation

In terms of transportation, the proposed Heartland Town Square development complex is serviced by Suffolk County Bus Transit routes S-33 and S-41. In addition, future plans for the Suffolk County Bus Rapid Transit route on Sagtikos State Parkway are to have the BRT service the Heartland Town Square development. The applicants have committed to operate a shuttle bus between Heartland Town Square and Deer Park Train station starting in phase 1 of the proposed development this shuttle bus will be coordinated with the LIRR schedule. The petitioner should coordinate with Suffolk County Transit the various buses and shuttle potential to maximize the transit oriented benefits of the project design.

The 2014 Suffolk County Bus Rapid Transit (BRT) Feasibility Study regarding the Sagtikos Parkway BRT and its connection to Heartland reads:

“The [proposed] Deer Park-Kings Park (via Sagtikos Parkway) corridor connects the Suffolk County Community College’s Brentwood Campus with the Deer Park and Kings Park LIRR stations, Tanger Outlets in Deer Park and the proposed Heartland Town Center development. BRT service could be extended south to Babylon, to connect with the frequent LIRR service along the electrified Babylon Branch and north to Nissequogue State Park. During the summer, an extension to Bay Shore would allow connections with Fire Island Ferry service.

Initial implementation of BRT service on this corridor would occur in conjunction with the completion of the initial phase of the Heartland Town Center development, with the expansion of BRT service planned in concert with additional expansion of the Heartland development.”

Operators of motor vehicles leaving the Heartland Town Square development wishing to travel westbound will have several options including Fish Path to Commack Road, the proposed new access to the LIE south service Road to Crooked Hill Road and then left under the LIE to the North

Service Road, access to Crooked Hill Road from the two new points of access and then north or south to the LIE, Sagtikos Parkway, Sunrise Highway or Sothern State Parkway.

It is noted that there is correspondence in the FGEIS about creating a single point of access to Commack Road from the existing Pilgrim Psychiatric Center via Fish Path. However, impacts on adjacent roads and entrances would need to be further studied.

It has been reported that a rail spur off the Long Island Railroad Main Line was constructed to the property with its own passenger station at Pilgrim. A portion of a physical rail spur exists today along the east side of the Heartland Industrial park. There are rail-freight cars stacked on the siding. It is not clear if the line is utilized today by industry in the park to load and off load freight. The physical rail road tracks terminate at the southern property line to the subject development site. On site, the route where the rail once ran is over grown with vegetation to the old passenger station. The spur that branched off to the coal fired power plant no longer exists, with the exception of the concrete and brick abutments for the raised track used to offloading coal. Staff has been unable to determine at this time if there is a right-of-way on the subject property granted to the MTA, Long Island Rail Road, or an entity involved in freight transport by rail. Further investigation of the feasibility of LIRR passenger rail connection to the Heartland Town Square development site and improvement of the Heartland Station in future should be investigated prior to approval of Phases 2 and the improvement of DU3.

The Conceptual Master Plan proposal for the Development of Heartland Town Square includes an extension of interior streets southward to provide connection to the Deer Park LIRR train station via access through the Heartland Business Center. In fact, an actual physical street connection has been informally improved (asphalt paved) and is in use at this time. This connection should be formalized in the early stages of Phase 1 and made safe for motor vehicle, bicycle and pedestrian travel.

Public Safety and Universal Design

Little discussion is made in the petition to the Town and referred to the Commission on public safety and universal design.

STAFF RECOMMENDATION

Approval of the application to amend the Zoning Chapter (68) of the Code of the Town of Islip to establish a Pilgrim State Planned Redevelopment District (PSPRD) and to change the zoning classification of certain parcels comprising approximately 452 acres of land to said PSPRD and for adoption of a Conceptual Master Plan for the proposed Heartland Town Square with the following modifications as conditions to the aforesaid approval and with the following comments:

Conditions:

1. Fifteen 15% of all residential units shall be set aside as workforce housing units

Reason:

The Suffolk County Legislature amended §740-45, to set affordable housing requirement for out of district sewer connections to 15%. The amendment is applicable to formal certification by the Sewer Agency after the effective date. The petitioners are proposing 10% of the units to be affordable units.

2. Development of the Heartland Town Square project shall provide connection to the Deer Park LIRR train station via paved street access for vehicles, bicyclists, and pedestrians through the Heartland Business Center.

Reason: This will reduce the need for motor vehicles and the shuttle bus from entering state and county road right of way and reduce trip generation onto said roadways.

3. The approval of Heartland Town Square application shall comply with the conditions of mitigation as enumerated by the SEQRA Findings Statement.

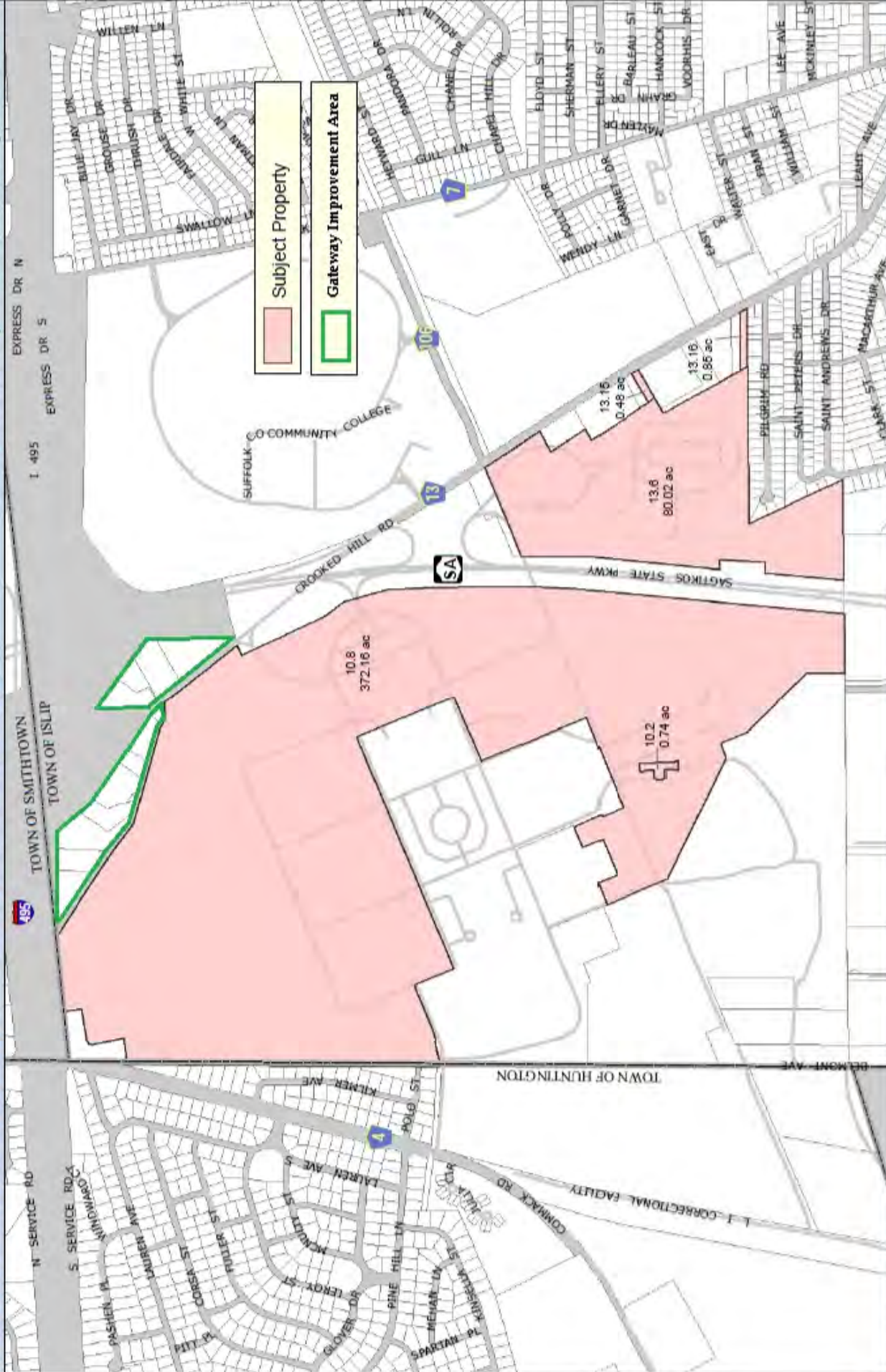
Reason: Efforts of the Town Board and Town Planning Board through the numerous meetings, hearings and work sessions have resulted in reasonable and rational mitigations and warranties to monitor the subject development application and make appropriate adjustments as future situations may dictate.

Comments:

1. Further investigation of the feasibility of LIRR passenger rail connection to the Heartland Town Square development site and improvement of the Heartland Station in the future should be investigated prior to approval of Phases 2 and the improvement of DU3.
2. Suffolk County Planning Commission staff offers the following additional comments on the proposed Article:
 - a. The authority to approve incremental development in the proposed Article is delegated to either the Commissioner of Planning or the Planning Board but it is not clear which one under what circumstance.
 - b. There are no architectural elements in the code.
 - c. The code should provide for a mechanism of certainty in maintaining concierge and shuttle services.
 - d. Additional Parking Demand Reduction Techniques should be considered including a covenanted program to require separate fees for parking and encouraging the utilization of pre-tax transit commuter benefits as long as they exist.
 - e. The proposed Use Regulations within the intended Article attempt to prohibit use. It would be easier to list the permitted uses intended for the PSPRD and expressly prohibit all uses not enumerated. This would shorten the legislation and in this way evolving land use trends not envisioned by code as prohibited (oxygen bars, vape shops, etc.) could be accepted via the use variance process. This would better allow for an analysis of the proposed use, including the uniqueness and frequency of the request its potential harmful effects and the likelihood that the use will or will not alter the essential character of the neighborhood.
3. The Petitioner should be advised to contact the Suffolk County Department of Health Services and the Suffolk County Department of Public Works for wastewater treatment considerations of the proposed HTS development.
4. The Petitioner should be advised to contact the Suffolk County Department of Public Works and the NYS Department of Transportation for approvals for coordination of all roadway congestion mitigations itemized on page 18-20 of the Town of Islip SEQRA Findings Statement for HTS Dated November 17, 2014.

5. The petitioner should be encouraged to contact Suffolk County Transit to coordinate bus accommodations for the proposed development and future Bus Rapid Transit (BRT) accommodations for the proposed development.
6. The petitioner should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.
7. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.
8. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to public safety and universal design and incorporate where practical, applicable elements contained therein.
9. Recognition of the Suffolk County designated Prime Farm Soils occurring on site is warranted and a greater effort to incorporate options for community gardening or other appropriate uses of the farm soil should be included in planning additional amenities for the "Common Areas."
10. The petitioner should be encouraged to revisit and explore the feasibility of some form of restricted access for the improved Fish Path signalized intersection into the Heartland Town Square.

Town of Islip - Suffolk County, New York

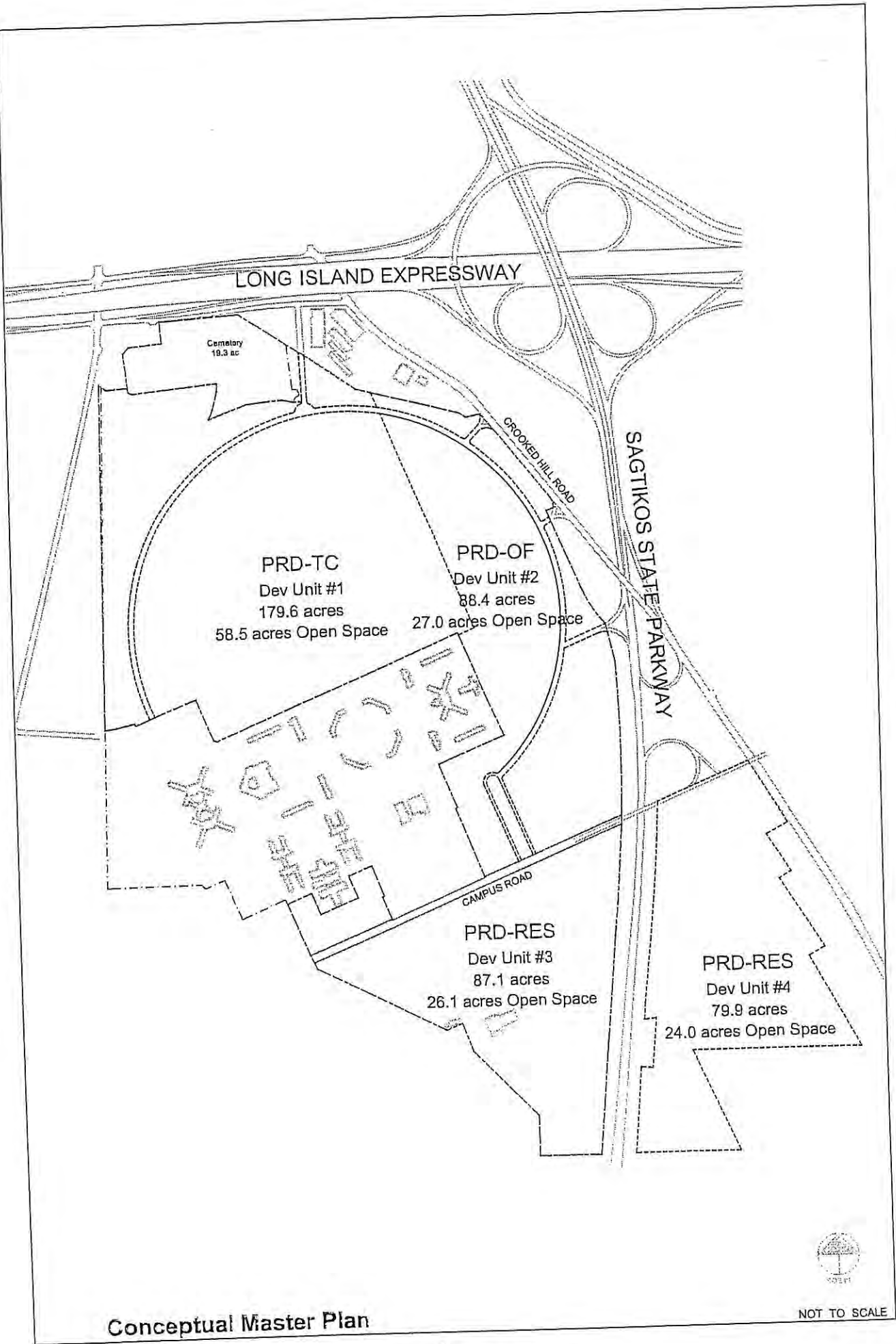


DOUGLAS JIM, COUNTY OF SUFFOLK, ILL.
 I, Douglas Jim, County of Suffolk, Illinois, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of Suffolk, Illinois, and that the same is a true and correct copy of the original as the same appears in the records of the County of Suffolk, Illinois.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Suffolk, Illinois, this 1st day of January, 1911.

Douglas Jim, County of Suffolk, Illinois.

SCTM No.: 0500 07100 0100 0100002,
0500 07100 0100 0100008,
0500 07100 0100 013006,
0500 07100 0100 013015
0500 07100 0100 013016



LONG ISLAND EXPRESSWAY

Cemetery
19.3 ac

CROOKED HILL ROAD

SAGTIKOS STATE PARKWAY

PRD-TC
Dev Unit #1
179.6 acres
58.5 acres Open Space

PRD-OF
Dev Unit #2
88.4 acres
27.0 acres Open Space

PRD-RES
Dev Unit #3
87.1 acres
26.1 acres Open Space

PRD-RES
Dev Unit #4
79.9 acres
24.0 acres Open Space

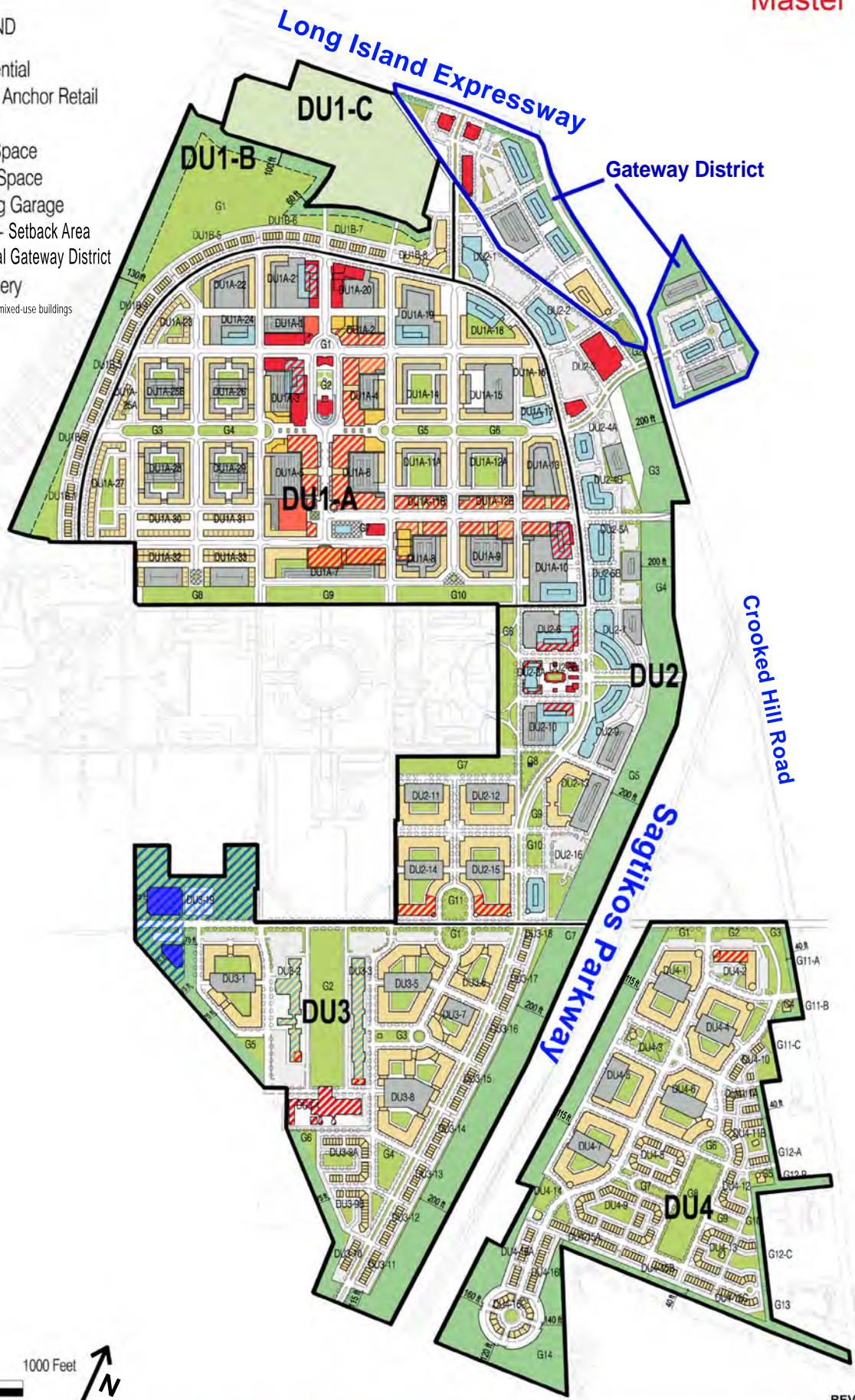
CAMPUS ROAD



LEGEND

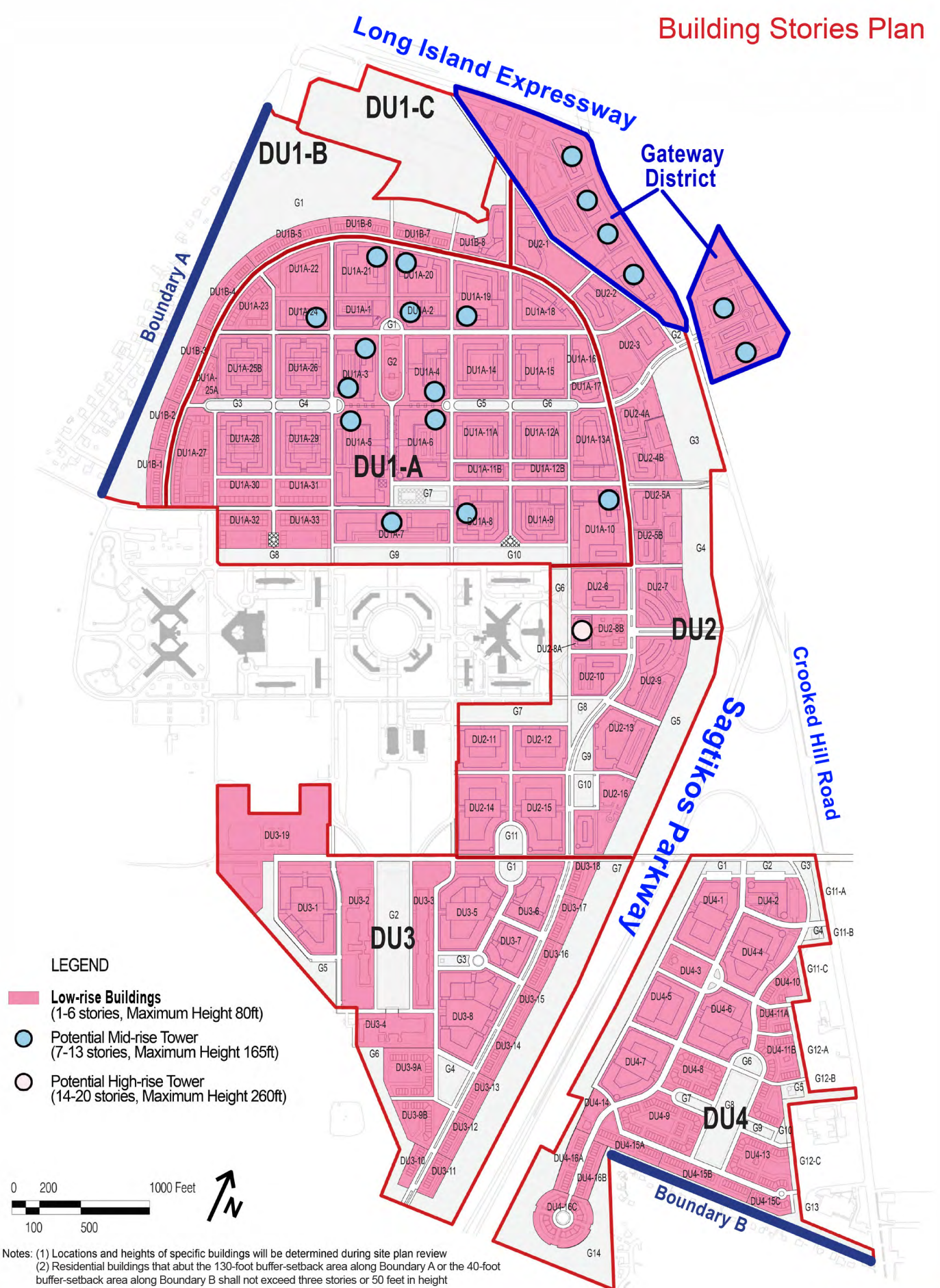
- Residential
- Inline / Anchor Retail
- Office
- Civic Space
- Open Space
- Parking Garage
- Buffer - Setback Area
- Potential Gateway District
- Cemetery

note: cross-hatches denote mixed-use buildings



Heartland Town Square - Brentwood, New York





Heartland Town Square - Brentwood, New York

RTKL

Overall Phasing Diagram

LEGEND

- Phase I
- Phase II
- Phase III

TOTAL ALL PHASES

| | |
|---|------------------|
| DU1 (DU1-A, DU1-B) | |
| Office (sq.ft) | 1,380,400 |
| Retail (sq.ft) | 838,100 |
| Residential (sq.ft) | 5,117,117 |
| Residential Units (#) | 4,264 |
| *Civic (sq.ft) | 85,500 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 7,421,117 |

TOTAL ALL PHASES

| | |
|---|------------------|
| DU2 | |
| Office (sq.ft) | 1,769,425 |
| Retail (sq.ft) | 141,500 |
| Residential (sq.ft) | 1,348,800 |
| Residential Units (#) | 1,192 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 3,259,726 |

TOTAL ALL PHASES

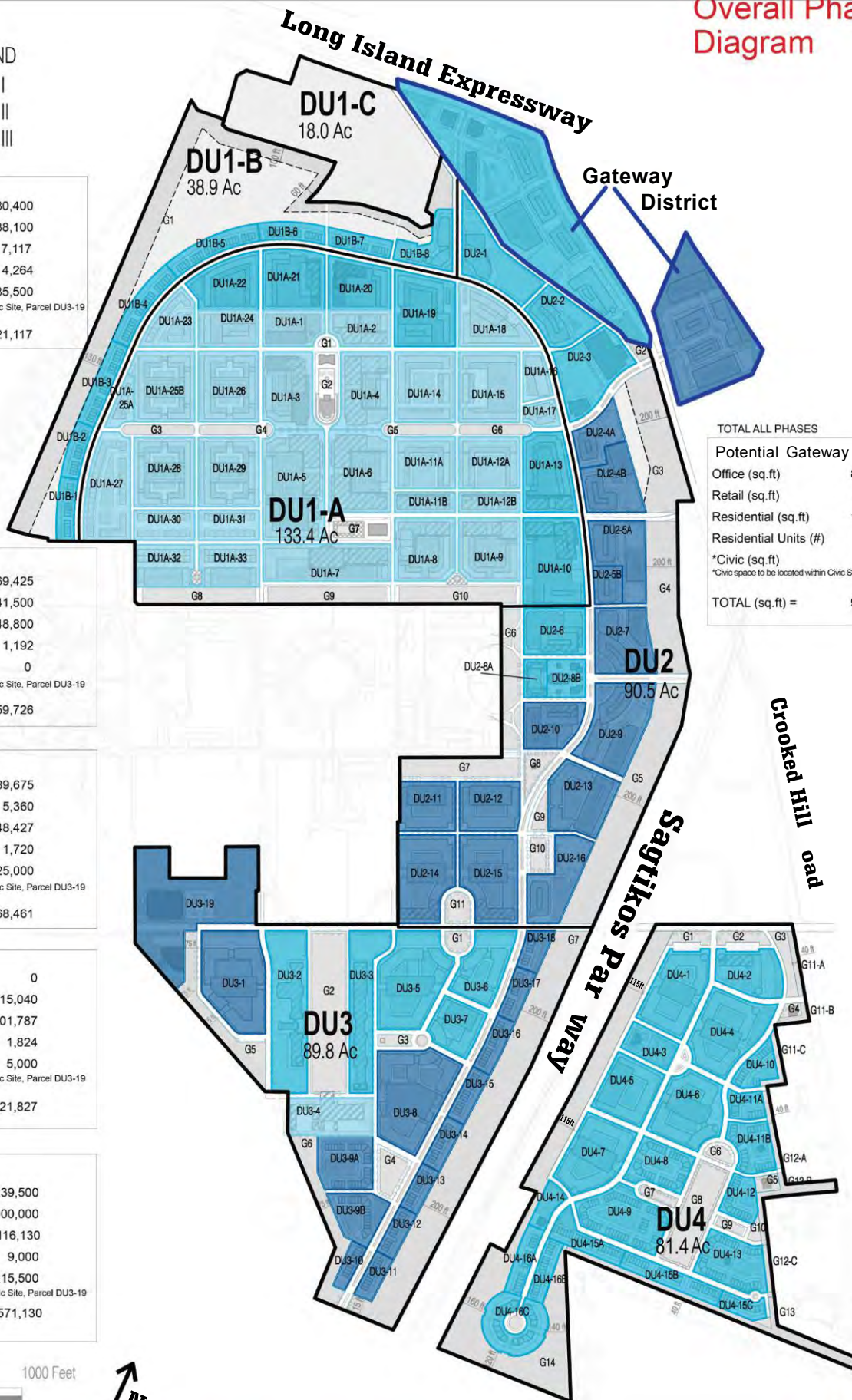
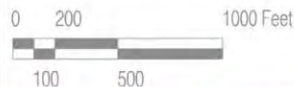
| | |
|---|------------------|
| DU3 | |
| Office (sq.ft) | 89,675 |
| Retail (sq.ft) | 5,360 |
| Residential (sq.ft) | 2,148,427 |
| Residential Units (#) | 1,720 |
| *Civic (sq.ft) | 125,000 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 2,368,461 |

TOTAL ALL PHASES

| | |
|---|------------------|
| DU4 | |
| Office (sq.ft) | 0 |
| Retail (sq.ft) | 15,040 |
| Residential (sq.ft) | 2,501,787 |
| Residential Units (#) | 1,824 |
| *Civic (sq.ft) | 5,000 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 2,521,827 |

TOTAL ALL PHASES

| | |
|---|-------------------|
| TOTALS (DU'S 1, 2, 3, 4) | |
| Office (sq.ft) | 3,239,500 |
| Retail (sq.ft) | 1,000,000 |
| Residential (sq.ft) | 11,116,130 |
| Residential Units (#) | 9,000 |
| *Civic (sq.ft) | 215,500 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 15,571,130 |



TOTAL ALL PHASES

| | |
|---|----------------|
| Potential Gateway District | |
| Office (sq.ft) | 800,000 |
| Retail (sq.ft) | 30,000 |
| Residential (sq.ft) | 147,121 |
| Residential Units (#) | 130 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 977,121 |

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Heartland Town Square - Brentwood, New York

RTKL

Phase I Diagram

LEGEND

Phase I

DU1 - PHASE I

| | |
|---|------------------|
| Office (sq.ft) | 606,000 |
| Retail (sq.ft) | 560,000 |
| Residential (sq.ft) | 4,088,500 |
| Residential Units (#) | 3,504 |
| *Civic (sq.ft) | 85,500 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 5,340,000 |

DU2 - PHASE I

| | |
|---|----------|
| Office (sq.ft) | 0 |
| Retail (sq.ft) | 0 |
| Residential (sq.ft) | 0 |
| Residential Units (#) | 0 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 0 |

DU3 - PHASE I

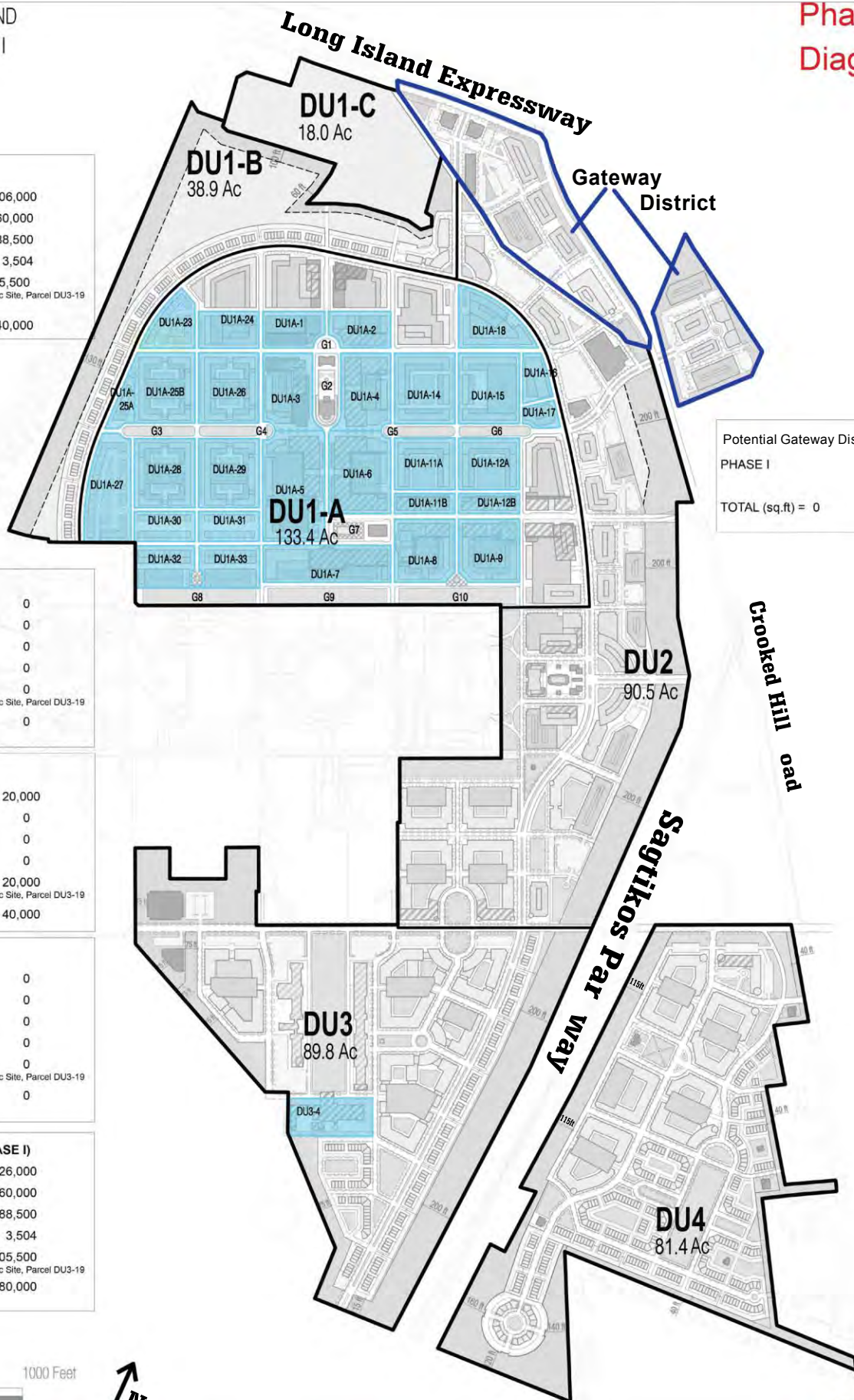
| | |
|---|---------------|
| Office (sq.ft) | 20,000 |
| Retail (sq.ft) | 0 |
| Residential (sq.ft) | 0 |
| Residential Units (#) | 0 |
| *Civic (sq.ft) | 20,000 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 40,000 |

DU4 - PHASE I

| | |
|---|----------|
| Office (sq.ft) | 0 |
| Retail (sq.ft) | 0 |
| Residential (sq.ft) | 0 |
| Residential Units (#) | 0 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 0 |

TOTAL (DU'S 1,2,3,4 PHASE I)

| | |
|---|------------------|
| Office (sq.ft) | 626,000 |
| Retail (sq.ft) | 560,000 |
| Residential (sq.ft) | 4,088,500 |
| Residential Units (#) | 3,504 |
| *Civic (sq.ft) | 105,500 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 5,380,000 |



Potential Gateway District
PHASE I
TOTAL (sq.ft) = 0

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Heartland Town Square - Brentwood, New York

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Phase II Diagram

LEGEND

Phase II

DU1 - PHASE II

| | |
|---|------------------|
| Office (sq.ft) | 774,400 |
| Retail (sq.ft) | 278,100 |
| Residential (sq.ft) | 1,028,617 |
| Residential Units (#) | 760 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 2,081,117 |

DU2 - PHASE II

| | |
|---|----------------|
| Office (sq.ft) | 758,247 |
| Retail (sq.ft) | 93,431 |
| Residential (sq.ft) | 0 |
| Residential Units (#) | 0 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 851,678 |

DU3 - PHASE II

| | |
|---|------------------|
| Office (sq.ft) | 69,675 |
| Retail (sq.ft) | 5,360 |
| Residential (sq.ft) | 1,004,071 |
| Residential Units (#) | 887 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 1,079,105 |

DU4 - PHASE II

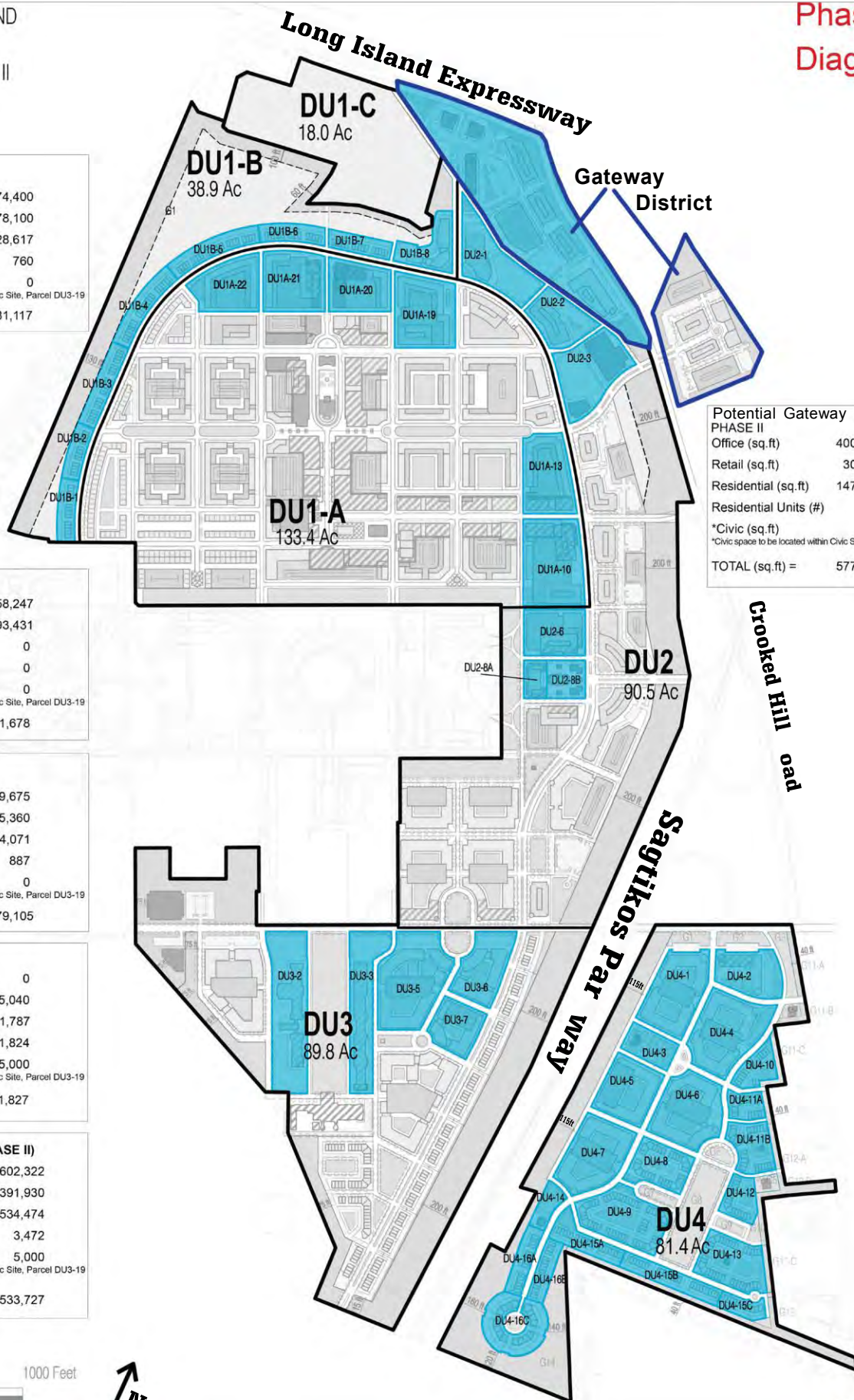
| | |
|---|------------------|
| Office (sq.ft) | 0 |
| Retail (sq.ft) | 15,040 |
| Residential (sq.ft) | 2,501,787 |
| Residential Units (#) | 1,824 |
| *Civic (sq.ft) | 5,000 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 2,521,827 |

TOTAL (DU'S 1,2,3,4 PHASE II)

| | |
|---|------------------|
| Office (sq.ft) | 1,602,322 |
| Retail (sq.ft) | 391,930 |
| Residential (sq.ft) | 4,534,474 |
| Residential Units (#) | 3,472 |
| *Civic (sq.ft) | 5,000 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 6,533,727 |

Potential Gateway District - PHASE II

| | |
|---|----------------|
| Office (sq.ft) | 400,000 |
| Retail (sq.ft) | 30,000 |
| Residential (sq.ft) | 147,121 |
| Residential Units (#) | 130 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 577,121 |



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Heartland Town Square - Brentwood, New York

RTKL

LEGEND

Phase III

Phase III Diagram

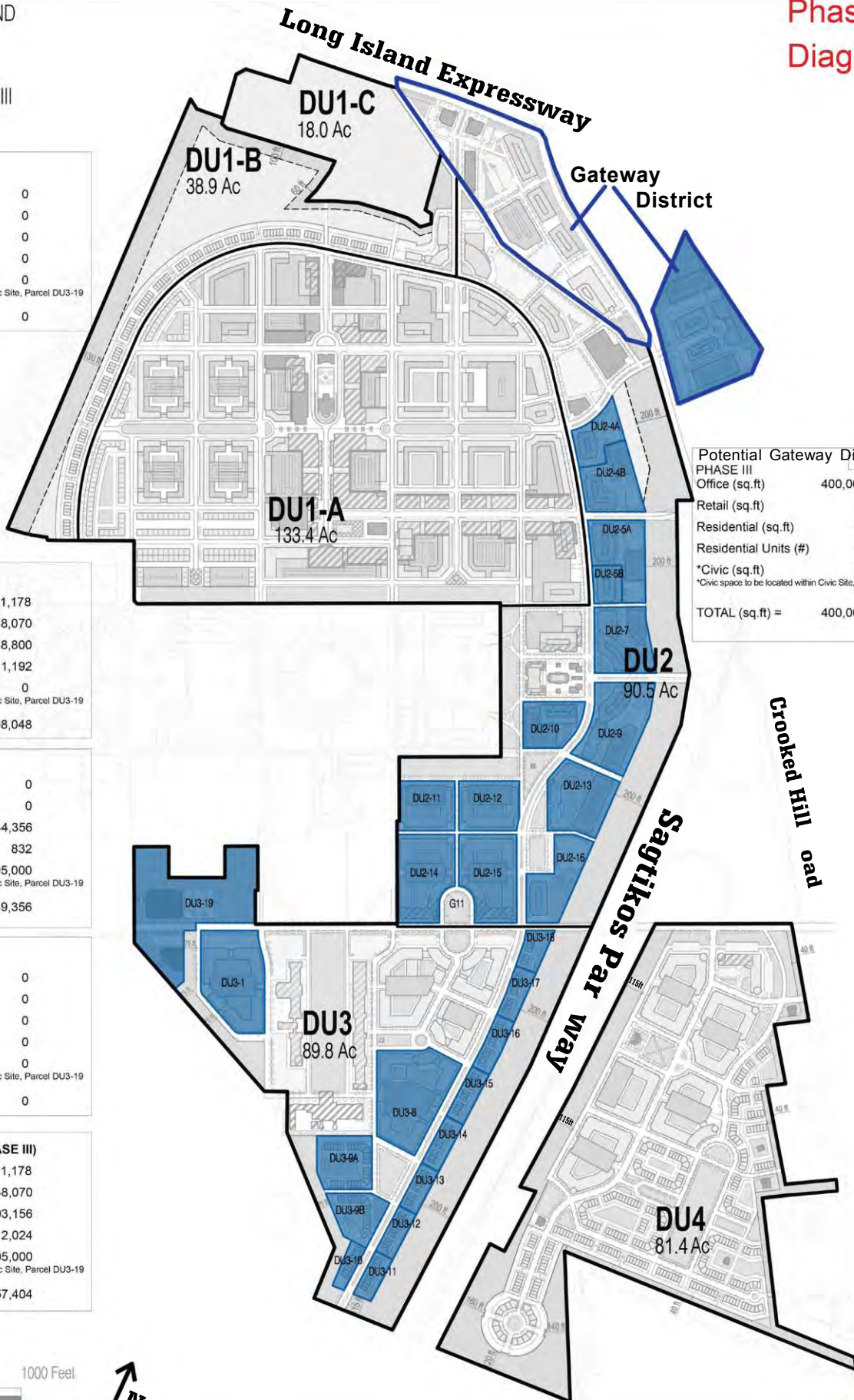
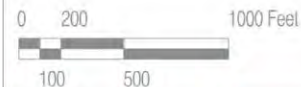
| | |
|---|---|
| DU1 - PHASE III | |
| Office (sq.ft) | 0 |
| Retail (sq.ft) | 0 |
| Residential (sq.ft) | 0 |
| Residential Units (#) | 0 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 0 |

| | |
|---|-----------|
| DU2 - PHASE III | |
| Office (sq.ft) | 1,011,178 |
| Retail (sq.ft) | 48,070 |
| Residential (sq.ft) | 1,348,800 |
| Residential Units (#) | 1,192 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 2,408,048 |

| | |
|---|-----------|
| DU3 - PHASE III | |
| Office (sq.ft) | 0 |
| Retail (sq.ft) | 0 |
| Residential (sq.ft) | 1,144,356 |
| Residential Units (#) | 832 |
| *Civic (sq.ft) | 105,000 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 1,249,356 |

| | |
|---|---|
| DU4 - PHASE III | |
| Office (sq.ft) | 0 |
| Retail (sq.ft) | 0 |
| Residential (sq.ft) | 0 |
| Residential Units (#) | 0 |
| *Civic (sq.ft) | 0 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 0 |

| | |
|---|-----------|
| TOTAL (DU'S 1,2,3,4 PHASE III) | |
| Office (sq.ft) | 1,011,178 |
| Retail (sq.ft) | 48,070 |
| Residential (sq.ft) | 2,493,156 |
| Residential Units (#) | 2,024 |
| *Civic (sq.ft) | 105,000 |
| *Civic space to be located within Civic Site, Parcel DU3-19 | |
| TOTAL (sq.ft) = | 3,657,404 |



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Heartland Town Square - Brentwood, New York

RTKL

Heartland Town Center, Brentwood New York

FGEIS Revised Conceptual Master Plan - Proposed Development Tabulation, by

Phase **rev June 28th 2015** - Proposed Development Tabulation *prepared by RTKL Inc.*

| Parcel Information | | | Plot Information | | Building Information | | | Land use Distribution | | | | |
|--------------------------|-------|--------------------------------------|------------------|--------------|----------------------------|------------------|------------------|-----------------------|----------------|---------------------|-----------------------|---------------|
| Development Unit | Phase | Parcel Description | Area (SF) | Area (Acres) | Building Footprint (sq.ft) | Range of Stories | Total BUA | Office (sq.ft) | Retail (sq.ft) | Residential (sq.ft) | Residential Units (#) | Civic (sq.ft) |
| DU-1 | | | | | | | | | | | | |
| DU1A-1 | I | Retail | 82,815 | 1.9 | 30,800 | 1 to 6 | 88,700 | | 88,700 | | | |
| DU1A-2 | I | Mixed-Use Residential | 83,155 | 1.9 | 35,500 | 7 to 13 | 159,500 | | 29,900 | 129,600 | 114 | |
| DU1A-3 | I | Mixed-Use Signature Office | 148,178 | 3.4 | 67,500 | 7 to 13 | 462,600 | 308,200 | 46,100 | 108,300 | 96 | |
| DU1A-4 | I | Mixed-Use Residential | 150,225 | 3.4 | 78,100 | 7 to 13 | 259,800 | | 56,900 | 202,900 | 179 | |
| DU1A-5 | I | Mixed-Use Residential | 260,184 | 6.0 | 122,400 | 7 to 13 | 281,200 | | 86,400 | 194,800 | 172 | |
| DU1A-6 | I | Mixed-Use Residential | 196,332 | 4.5 | 95,600 | 7 to 13 | 306,800 | | 73,900 | 232,900 | 206 | |
| DU1A-7 | I | Mixed-Use Residential | 182,252 | 4.2 | 81,800 | 7 to 13 | 288,500 | | 48,600 | 239,900 | 212 | |
| DU1A-8 | I | Mixed-Use Residential | 145,897 | 3.3 | 60,900 | 7 to 13 | 254,500 | | 34,000 | 220,500 | 195 | |
| DU1A-9 | I | Mixed-Use Grocery | 147,650 | 3.4 | 74,900 | 1 to 6 | 164,900 | | 26,800 | 138,100 | 122 | |
| DU1A-11A | I | Residential | 121,286 | 2.8 | 31,500 | 4 to 6 | 200,200 | | | 200,200 | 177 | |
| DU1A-11B | I | Mixed-Use Residential | 47,256 | 1.1 | 24,500 | 1 to 6 | 92,600 | | 22,100 | 70,500 | 62 | |
| DU1A-12A | I | Residential | 121,727 | 2.8 | 32,100 | 4 to 6 | 206,300 | | | 206,300 | 182 | |
| DU1A-12B | I | Mixed-Use Residential | 47,725 | 1.1 | 25,400 | 1 to 6 | 96,200 | | 23,000 | 73,200 | 65 | |
| DU1A-14 | I | Residential | 165,504 | 3.8 | 46,500 | 4 to 6 | 262,900 | | | 262,900 | 232 | |
| DU1A-15 | I | Residential | 166,147 | 3.8 | 36,700 | 4 to 6 | 211,800 | | | 211,800 | 187 | |
| DU1A-16 | I | Residential | 45,804 | 1.1 | 13,100 | 1 to 6 | 46,500 | | | 46,500 | 41 | |
| DU1A-17 | I | Residential | 31,161 | 0.7 | 118,300 | 4 to 6 | 94,400 | | | 94,400 | 83 | |
| DU1A-18 | I | Mixed-Use Office | 127,705 | 2.9 | 41,800 | 4 to 6 | 234,600 | 155,400 | | 79,200 | 70 | |
| DU1A-23 | I | Residential Townhouse | 84,895 | 1.9 | 27,800 | 1 to 6 | 55,600 | | | 55,600 | 35 | |
| DU1A-24 | I | Mixed-Use Office | 85,511 | 2.0 | 23,500 | 4 to 6 | 163,700 | 142,400 | | 21,300 | 20 | |
| DU1A-25A | I | Residential Townhouse | 34,488 | 0.8 | 10,000 | 1 to 6 | 20,000 | | | 20,000 | 13 | |
| DU1A-25B | I | Residential | 167,179 | 3.8 | 66,400 | 4 to 6 | 234,200 | | | 234,200 | 207 | |
| DU1A-26 | I | Residential | 163,187 | 3.7 | 66,000 | 4 to 6 | 232,600 | | | 232,600 | 205 | |
| DU1A-27 | I | Residential Townhouse | 172,189 | 4.0 | 51,000 | 1 to 6 | 102,000 | | | 102,000 | 64 | |
| DU1A-28 | I | Residential | 162,020 | 3.7 | 66,400 | 4 to 6 | 234,200 | | | 234,200 | 207 | |
| DU1A-29 | I | Residential | 162,020 | 3.7 | 66,000 | 1 to 6 | 232,600 | | | 232,600 | 205 | |
| DU1A-30 | I | Residential Townhouse | 70,193 | 1.6 | 26,200 | 1 to 6 | 52,400 | | | 52,400 | 33 | |
| DU1A-31 | I | Residential Townhouse | 70,193 | 1.6 | 24,800 | 1 to 6 | 49,600 | | | 49,600 | 31 | |
| DU1A-32 | I | Residential Townhouse | 94,868 | 2.2 | 35,700 | 1 to 6 | 71,400 | | | 71,400 | 45 | |
| DU1A-33 | I | Residential Townhouse | 97,039 | 2.2 | 35,300 | 1 to 6 | 70,600 | | | 70,600 | 44 | |
| G1 | I | Open Space | 5,410 | 0.1 | 0 | | 0 | | | | | |
| G2 | I | Water Tower Plaza | 62,935 | 1.4 | 15,600 | | 15,600 | | 15,600 | | | |
| G3 | I | Open Space | 25,725 | 0.6 | 0 | | 0 | | | | | |
| G4 | I | Open Space | 20,886 | 0.5 | 0 | | 0 | | | | | |
| G5 | I | Open Space | 22,394 | 0.5 | 0 | | 0 | | | | | |
| G6 | I | Open Space | 25,614 | 0.6 | 0 | | 0 | | | | | |
| G7 | I | Town Square | 54,463 | 1.3 | 8,000 | | 8,000 | | 8,000 | | | |
| G8 | I | Open Space | 84,338 | 1.9 | 0 | | 0 | | | | | |
| G9 | I | Open Space | 94,209 | 2.2 | 0 | | 0 | | | | | |
| G10 | I | Open Space | 90,978 | 2.1 | 0 | | 0 | | | | | |
| DU1A-10 | II | Mixed-Use Office | 197,704 | 4.5 | 40,200 | 7 to 13 | 361,300 | 298,600 | 24,700 | 38,000 | 34 | |
| DU1A-13 | II | Mixed-Use Residential | 145,335 | 3.3 | 108,800 | 4 to 6 | 253,200 | | 19,700 | 233,500 | 206 | |
| DU1A-19 | II | Mixed-Use Office | 165,215 | 3.8 | 48,400 | 7 to 13 | 390,800 | 293,600 | | 97,200 | 86 | |
| DU1A-20 | II | Mixed-Use Hotel | 115,552 | 2.7 | 40,800 | 4 to 6 | 255,600 | | 217,100 | 38,500 | 34 | |
| DU1A-21 | II | Mixed-Use Office | 142,616 | 3.3 | 39,900 | 7 to 13 | 262,400 | 182,200 | 16,600 | 63,600 | 56 | |
| DU1A-22 | II | Residential | 122,438 | 2.8 | 31,200 | 1 to 6 | 112,900 | | | 112,900 | 99 | |
| Roads & ROW | | | 799,562 | 18.4 | | | | | | | | |
| DU-1A Sub-Total | | | 5,810,159 | 133.4 | 1,849,400 | | 6,890,700 | 1,380,400 | 838,100 | 4,672,200 | 4,019 | 0 |
| DU-1A PHASE I | | | 4,921,299 | 113.0 | 1,540,100 | | 5,254,500 | 606,000 | 560,000 | 4,088,500 | 3,504 | 0 |
| DU-1A PHASE II | | | 888,860 | 20.4 | 309,300 | | 1,636,200 | 774,400 | 278,100 | 583,700 | 515 | 0 |
| DU-1A PHASE III | | | 0 | 0.0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 |
| DU-1B | | | | | | | | | | | | |
| 1 | II | Townhouses | 43,297 | 1.0 | 11,760 | 1 to 6 | 35,280 | | | 35,280 | 14 | |
| 2 | II | Townhouses | 38,431 | 0.9 | 10,080 | 1 to 6 | 30,240 | | | 30,240 | 12 | |
| 3 | II | Townhouses | 59,944 | 1.4 | 18,480 | 1 to 6 | 55,440 | | | 55,440 | 22 | |
| 4 | II | Townhouses | 61,554 | 1.4 | 17,640 | 1 to 6 | 52,920 | | | 52,920 | 21 | |
| 5 | II | Townhouses | 66,132 | 1.5 | 18,481 | 1 to 6 | 55,443 | | | 55,443 | 22 | |
| 6 | II | Townhouses | 47,605 | 1.1 | 12,598 | 1 to 6 | 37,794 | | | 37,794 | 15 | |
| 7 | II | Townhouses | 45,460 | 1.0 | 12,600 | 1 to 6 | 37,800 | | | 37,800 | 15 | |
| 8 | II | Residential | 77,530 | 1.8 | 28,000 | 4 to 6 | 140,000 | | | 140,000 | 124 | |
| G1 | II | Buffer - Setback Area and Open Space | 1,124,282 | 25.8 | | | | | | | | |
| Roads & ROW | | | 130,739 | 3.0 | | | | | | | | |
| DU-1B Gross Total | | | 1,694,974 | 38.9 | 129,639 | | 444,917 | 0 | 0 | 444,917 | 245 | 0 |
| DU-1B PHASE I | | | 0 | 0.0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 |
| DU-1B PHASE II | | | 1,694,974 | 38.9 | 129,639 | | 444,917 | 0 | 0 | 444,917 | 245 | 0 |
| DU-1B PHASE III | | | 0 | 0.0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 |
| DU-1C Cemetery | | | | | | | | | | | | |
| DU-1C Subtotal | | | 785,110 | 18.0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 |
| DU1 Sub-Total | | | 8,290,243 | 190.3 | 1,979,039 | | 7,335,617 | 1,380,400 | 838,100 | 5,117,117 | 4,264 | 0 |
| DU-1 PHASE I | | | 5,706,409 | 131.0 | 1,540,100 | | 5,254,500 | 606,000 | 560,000 | 4,088,500 | 3,504 | 0 |
| DU-1 PHASE II | | | 2,583,834 | 59.3 | 438,939 | | 2,081,117 | 774,400 | 278,100 | 1,028,617 | 760 | 0 |
| DU-1 PHASE III | | | 0 | 0.0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 |

| Parcel Information | | | Plot Information | | Building Information | | | Land use Distribution | | | | |
|--------------------|-------|-------------------------|------------------|--------------|----------------------------|------------------|-----------|-----------------------|----------------|---------------------|-----------------------|---------------|
| Development Unit | Phase | Parcel Description | Area (SF) | Area (Acres) | Building Footprint (sq.ft) | Range of Stories | Total BUA | Office (sq.ft) | Retail (sq.ft) | Residential (sq.ft) | Residential Units (#) | Civic (sq.ft) |
| DU-2 | | | | | | | | | | | | |
| G2 | I | Buffer - Setback Area | 10,052 | 0.2 | | | | | | | | |
| G3 | I | Buffer - Setback Area | 253,472 | 5.8 | | | | | | | | |
| G4 | I | Buffer - Setback Area | 191,134 | 4.4 | | | | | | | | |
| G5 | I | Buffer - Setback Area | 322,603 | 7.4 | | | | | | | | |
| G6 | I | Open Space | 100,986 | 2.3 | | | | | | | | |
| G7 | I | Open Space | 97,480 | 2.2 | | | | | | | | |
| G8 | I | Open Space | 30,749 | 0.7 | | | | | | | | |
| G9 | I | Open Space | 24,948 | 0.6 | | | | | | | | |
| G10 | I | Open Space | 28,957 | 0.7 | | | | | | | | |
| G11 | I | Open Space | 28,761 | 0.7 | | | | | | | | |
| 1 | II | Office | 143,767 | 3.3 | 32,100 | 4 to 6 | 128,400 | 128,400 | | | | |
| 2 | II | Office | 97,083 | 2.2 | 33,300 | 1 to 6 | 66,600 | 66,600 | | | | |
| 3 | II | Retail | 163,258 | 3.7 | 56,264 | 1 to 6 | 56,264 | | 56,264 | | | |
| 6 | II | Mixed-Use Office | 109,479 | 2.5 | 49,689 | 4 to 6 | 298,134 | 283,227 | 14,907 | | | |
| 8A | II | Highrise Tower | 33,897 | 0.8 | 14,360 | 14 to 20 | 287,200 | 280,020 | 7,180 | | | |
| 8B | II | Plaza Retail Pavilions | 56,795 | 1.3 | 7,540 | 1 to 6 | 15,080 | | 15,080 | | | |
| 4A | III | Office | 75,570 | 1.7 | 17,684 | 1 to 6 | 70,736 | 70,736 | | | | |
| 4B | III | Office | 121,451 | 2.8 | 30,084 | 1 to 6 | 120,336 | 120,336 | | | | |
| 5A | III | Office | 130,249 | 3.0 | 30,309 | 1 to 6 | 121,236 | 121,236 | | | | |
| 5B | III | Office | 41,544 | 1.0 | 19,603 | 1 to 6 | 58,809 | 58,809 | | | | |
| 7 | III | Office | 141,357 | 3.2 | 49,004 | 1 to 6 | 164,636 | 164,636 | | | | |
| 9 | III | Office | 185,874 | 4.3 | 48,793 | 1 to 6 | 163,510 | 163,510 | | | | |
| 10 | III | Mixed-Use Office | 96,929 | 2.2 | 37,940 | 4 to 6 | 227,640 | 218,155 | 9,485 | | | |
| 11 | III | Residential | 107,700 | 2.5 | 39,370 | 4 to 6 | 196,850 | | | 196,850 | 174 | |
| 12 | III | Residential | 115,191 | 2.6 | 40,423 | 4 to 6 | 202,115 | | | 202,115 | 179 | |
| 13 | III | Residential | 153,765 | 3.5 | 43,345 | 4 to 6 | 216,725 | | | 216,725 | 191 | |
| 14 | III | Mixed-Use Residential | 177,796 | 4.1 | 77,645 | 4 to 6 | 388,225 | | 19,411 | 368,814 | 326 | |
| 15 | III | Mixed-Use Residential | 177,544 | 4.1 | 76,694 | 4 to 6 | 383,470 | | 19,174 | 364,297 | 322 | |
| 16 | III | Office | 129,607 | 3.0 | 23,440 | 1 to 6 | 93,760 | 93,760 | | | | |
| Roads & ROW | | | 592,716 | 13.6 | | | | | | | | |
| DU-2 Gross Total | | | 3,940,714 | 90.5 | 727,587 | | 3,259,726 | 1,769,425 | 141,500 | 1,348,800 | 1,192 | 0 |
| DU-2 PHASE I | | | 1,681,858 | 38.6 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 |
| DU-2 PHASE II | | | 604,279 | 13.9 | 193,253 | | 851,678 | 758,247 | 93,431 | 0 | 0 | 0 |
| DU-2 PHASE III | | | 1,654,577 | 38.0 | 534,334 | | 2,408,048 | 1,011,178 | 48,070 | 1,348,800 | 1,192 | 0 |
| DU-3 | | | | | | | | | | | | |
| 4 | I | *Arts Center | 123,870 | 2.8 | 40,000 | 1 to 6 | 20,000 | 20,000 | | | | |
| G1 | I | Open Space | 18,861 | 0.4 | | | | | | | | |
| G2 | I | Open Space | 223,795 | 5.1 | | | | | | | | |
| G3 | I | Open Space | 15,494 | 0.4 | | | | | | | | |
| G4 | I | Open Space | 46,210 | 1.1 | | | | | | | | |
| G5 | I | Buffer - Setback Area | 103,543 | 2.4 | | | | | | | | |
| G6 | I | Buffer - Setback Area | 106,263 | 2.4 | | | | | | | | |
| G7 | I | Buffer - Setback Area | 559,494 | 12.8 | | | | | | | | |
| 2 | II | *Artist Live Work Lofts | 226,095 | 5.2 | 51,010 | 1 to 6 | 102,020 | 33,157 | 2,551 | 66,313 | 59 | |
| 3 | II | *Artist Live Work Lofts | 161,151 | 3.7 | 56,182 | 1 to 6 | 112,364 | 36,518 | 2,809 | 73,037 | 65 | |
| 5 | II | Residential | 217,801 | 5.0 | 89,355 | 4 to 6 | 446,775 | | | 446,775 | 395 | |
| 6 | II | Residential | 118,619 | 2.7 | 56,222 | 4 to 6 | 281,110 | | | 281,110 | 248 | |
| 7 | II | Residential | 86,938 | 2.0 | 34,209 | 4 to 6 | 136,836 | | | 136,836 | 121 | |
| 1 | III | Residential | 219,149 | 5.0 | 75,000 | 4 to 6 | 375,000 | | | 375,000 | 331 | |
| 8 | III | Residential | 240,778 | 5.5 | 100,500 | 4 to 6 | 402,000 | | | 402,000 | 355 | |
| 9A | III | Townhouses | 111,741 | 2.6 | 26,062 | 1 to 6 | 78,186 | | | 78,186 | 31 | |
| 9B | III | Townhouses | 83,400 | 1.9 | 16,591 | 1 to 6 | 49,773 | | | 49,773 | 20 | |
| 10 | III | Townhouses | 27,278 | 0.6 | 7,560 | 1 to 6 | 22,680 | | | 22,680 | 9 | |
| 11 | III | Townhouses | 35,722 | 0.8 | 8,400 | 1 to 6 | 25,200 | | | 25,200 | 10 | |
| 12 | III | Townhouses | 37,800 | 0.9 | 9,240 | 1 to 6 | 27,720 | | | 27,720 | 11 | |
| 13 | III | Townhouses | 36,000 | 0.8 | 8,400 | 1 to 6 | 25,200 | | | 25,200 | 10 | |
| 14 | III | Townhouses | 39,600 | 0.9 | 9,240 | 1 to 6 | 27,720 | | | 27,720 | 11 | |
| 15 | III | Townhouses | 41,760 | 1.0 | 10,080 | 1 to 6 | 30,240 | | | 30,240 | 12 | |
| 16 | III | Townhouses | 43,156 | 1.0 | 10,920 | 1 to 6 | 32,760 | | | 32,760 | 13 | |
| 17 | III | Townhouses | 40,873 | 0.9 | 9,239 | 1 to 6 | 27,717 | | | 27,717 | 11 | |
| 18 | III | Townhouses | 38,239 | 0.9 | 6,720 | 1 to 6 | 20,160 | | | 20,160 | 8 | |
| 19 | III | Civic | 386,953 | 8.9 | 52,500 | 1 to 6 | 215,500 | | | | | 215,500 |
| Roads & ROW | | | 522,102 | 12.0 | | | | | | | | |
| DU-3 Gross Total | | | 3,912,685 | 89.8 | 677,430 | | 2,458,961 | 89,675 | 5,360 | 2,148,427 | 1,720 | 215,500 |
| DU-3 PHASE I | | | 1,719,632 | 39.5 | 40,000 | | 20,000 | 20,000 | 0 | 0 | 0 | 105,500 |
| DU-3 PHASE II | | | 810,604 | 18.6 | 286,978 | | 1,079,105 | 69,675 | 5,360 | 1,004,071 | 888 | 5,000 |
| DU-3 PHASE III | | | 1,382,449 | 31.7 | 350,452 | | 1,359,856 | 0 | 0 | 1,144,356 | 832 | 105,000 |

| Parcel Information | | | Plot Information | | Building Information | | | Land use Distribution | | | | |
|-----------------------|-------|-----------------------|------------------|--------------|----------------------------|------------------|------------------|-----------------------|----------------|---------------------|-----------------------|---------------|
| Development Unit | Phase | Parcel Description | Area (SF) | Area (Acres) | Building Footprint (sq.ft) | Range of Stories | Total BUA | Office (sq.ft) | Retail (sq.ft) | Residential (sq.ft) | Residential Units (#) | Civic (sq.ft) |
| DU- 4 | | | | | | | | | | | | |
| 1 | II | Residential | 158,183 | 3.6 | 71,494 | 4 to 6 | 357,469 | | | 357,469 | 316 | |
| 2 | II | Residential | 105,744 | 2.4 | 30,080 | 4 to 6 | 150,400 | | 15,040 | 135,360 | 120 | |
| 3 | II | Pavilion | 57,459 | 1.3 | 3,000 | 1 to 6 | 0 | | | 0 | | |
| 4 | II | Residential | 181,067 | 4.2 | 68,000 | 4 to 6 | 340,000 | | | 340,000 | 300 | |
| 5 | II | Residential | 121,384 | 2.8 | 44,000 | 4 to 6 | 220,000 | | | 220,000 | 194 | |
| 6 | II | Residential | 161,977 | 3.7 | 68,000 | 4 to 6 | 340,000 | | | 340,000 | 300 | |
| 7 | II | Residential | 154,421 | 3.5 | 70,500 | 4 to 6 | 317,250 | | | 317,250 | 280 | |
| 8 | II | Townhouses | 91,947 | 2.1 | 29,937 | 1 to 6 | 89,811 | | | 89,811 | 36 | |
| 9 | II | Townhouses | 153,993 | 3.5 | 47,279 | 1 to 6 | 141,837 | | | 141,837 | 56 | |
| 10 | II | Townhouses | 48,865 | 1.1 | 10,920 | 1 to 6 | 32,760 | | | 32,760 | 13 | |
| 11A | II | Townhouses | 36,703 | 0.8 | 13,740 | 1 to 6 | 41,220 | | | 41,220 | 16 | |
| 11B | II | Townhouses | 74,355 | 1.7 | 21,565 | 1 to 6 | 64,695 | | | 64,695 | 26 | |
| 12 | II | Townhouses | 51,027 | 1.2 | 12,567 | 1 to 6 | 37,701 | | | 37,701 | 15 | |
| 13 | II | Townhouses | 118,377 | 2.7 | 32,012 | 1 to 6 | 96,036 | | | 96,036 | 38 | |
| 14 | II | Pavilion | 33,499 | 0.8 | 2,000 | 1 to 6 | 2,000 | | | 2,000 | | |
| 15A | II | Townhouses | 60,531 | 1.4 | 15,960 | 1 to 6 | 47,880 | | | 47,880 | 19 | |
| 15B | II | Townhouses | 68,603 | 1.6 | 21,000 | 1 to 6 | 63,000 | | | 63,000 | 25 | |
| 15C | II | Townhouses | 32,584 | 0.7 | 9,874 | 1 to 6 | 29,622 | | | 29,622 | 12 | |
| 16A | II | Townhouses | 45,985 | 1.1 | 12,600 | 1 to 6 | 37,800 | | | 37,800 | 15 | |
| 16B | II | Townhouses | 41,746 | 1.0 | 12,600 | 1 to 6 | 37,800 | | | 37,800 | 15 | |
| 16C | II | Townhouses | 106,486 | 2.4 | 23,182 | 1 to 6 | 69,546 | | | 69,546 | 28 | |
| G1 | II | Open Space | 18,792 | 0.4 | | | | | | | | |
| G2 | II | Open Space | 23,589 | 0.5 | | | | | | | | |
| G3 | II | Open Space | 28,472 | 0.7 | | | | | | | | |
| G4 | II | Open Space | 9,606 | 0.2 | | | | | | | | |
| G5 | II | Open Space | 14,942 | 0.3 | | | | | | | | |
| G6 | II | Open Space | 19,486 | 0.4 | | | | | | | | |
| G7 | II | Open Space | 15,544 | 0.4 | | | | | | | | |
| G8 | II | Open Space | 131,232 | 3.0 | | | | | | | | |
| G9 | II | Open Space | 13,116 | 0.3 | | | | | | | | |
| G10 | II | Open Space | 8,354 | 0.2 | | | | | | | | |
| G11A | II | Buffer - Setback Area | 16,419 | 0.4 | | | | | | | | |
| G11B | II | Buffer - Setback Area | 11,056 | 0.3 | | | | | | | | |
| G11C | II | Buffer - Setback Area | 18,180 | 0.4 | | | | | | | | |
| G12A | II | Buffer - Setback Area | 19,725 | 0.5 | | | | | | | | |
| G12B | II | Buffer - Setback Area | 43,515 | 1.0 | | | | | | | | |
| G12C | II | Buffer - Setback Area | 11,818 | 0.3 | | | | | | | | |
| G13 | II | Buffer - Setback Area | 106,018 | 2.4 | | | | | | | | |
| G14 | II | Buffer - Setback Area | 558,381 | 12.8 | | | | | | | | |
| Roads & ROW | | | 1,132,736 | 26.0 | | | | | | | | |
| DU-4 Sub-Total | | | 3,547,536 | 81.4 | 620,310 | | 2,516,827 | 0 | 15,040 | 2,501,787 | 1,824 | 0 |

| | | | | | | | | | | | | |
|-----------------------|------------------|-------------|----------------|--|------------------|----------|---------------|------------------|--------------|----------|----------|----------|
| DU-4 PHASE I | 0 | 0.0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DU-4 PHASE II | 3,547,536 | 81.4 | 620,310 | | 2,516,827 | 0 | 15,040 | 2,501,787 | 1,824 | 0 | 0 | 0 |
| DU-4 PHASE III | 0 | 0.0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Development Unit | Area (SF) | Area (Acres) | Building Footprint (sq.ft) | Total BUA | Office (sq.ft) | Retail (sq.ft) | Residential (sq.ft) | Residential Units (#) | Civic (sq.ft) |
|---------------------------|-------------------|--------------|----------------------------|-------------------|------------------|------------------|---------------------|-----------------------|----------------|
| Total DU'S 1,2,3,4 | 19,691,178 | 452.0 | 4,004,366 | 15,571,130 | 3,239,500 | 1,000,000 | 11,116,130 | 9,000 | 215,500 |

| | | | | | | | | | |
|-------------------------------|------------------|--------------|------------------|------------------|------------------|----------------|------------------|--------------|----------------|
| DU'S 1,2,3,4 PHASE I | 9,107,899 | 209.1 | 1,580,100 | 5,274,500 | 626,000 | 560,000 | 4,088,500 | 3,504 | 105,500 |
| DU'S 1,2,3,4 PHASE II | 7,546,253 | 173.2 | 1,539,480 | 6,528,727 | 1,602,322 | 391,930 | 4,534,474 | 3,472 | 5,000 |
| DU'S 1,2,3,4 PHASE III | 3,037,026 | 69.7 | 884,786 | 3,767,904 | 1,011,178 | 48,070 | 2,493,156 | 2,024 | 105,000 |

| | | | | | | | | | |
|--|------------------|-------------|----------------|----------------|----------------|---------------|----------------|------------|----------|
| Potential Gateway District (Gateway Area) | | | | | | | | | |
| Gateway Area Sub-Total | 1,187,636 | 27.3 | 187,889 | 977,121 | 800,000 | 30,000 | 147,121 | 130 | 0 |

| | | | | | | | | | |
|-------------------------------|----------------|-------------|----------------|----------------|----------------|---------------|----------------|------------|----------|
| GATEWAY AREA PHASE I | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| GATEWAY AREA PHASE II | 792,663 | 18.2 | 126,368 | 577,121 | 400,000 | 30,000 | 147,121 | 130 | 0 |
| GATEWAY AREA PHASE III | 394,973 | 9.1 | 61,521 | 400,000 | 400,000 | 0 | 0 | 0 | 0 |

| | | | | | | | | | |
|--------------------------------|-------------------|--------------|------------------|-------------------|------------------|------------------|-------------------|--------------|----------------|
| Total with Gateway Area | 20,878,814 | 479.3 | 4,192,255 | 16,548,251 | 4,039,500 | 1,030,000 | 11,263,251 | 9,130 | 215,500 |
| TOTAL AREA PHASE I | 9,107,899 | 209.1 | 1,580,100 | 5,274,500 | 626,000 | 560,000 | 4,088,500 | 3,504 | 105,500 |
| TOTAL AREA PHASE II | 8,338,916 | 191.4 | 1,665,848 | 7,105,848 | 2,002,322 | 421,930 | 4,681,595 | 3,602 | 5,000 |
| TOTAL AREA PHASE III | 3,431,999 | 78.8 | 946,307 | 4,167,904 | 1,411,178 | 48,070 | 2,493,156 | 2,024 | 105,000 |

Note: Civic Space to be located within Civic Site DU3-19

Average size for multifamily dwelling = 1,131.7
Average Size for townhouse = 2,520.0

Notes:

*These are existing buildings and proposed for adaptive reuse as part of the development

**Open Space Total for DU1 excludes cemetery

Sidewalk planting area in each parcel is assumed as a percentage of the total sidewalk area in that parcel =

0.70

Green yard area in all parcels is assumed as a percentage of the total yard area in that parcel =

0.80

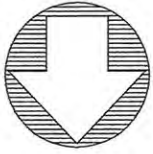
Each townhouse unit is assumed to have a front and back yard area = 43,560

SCALE: 1" = 700'



LEGEND

- URBAN COLLECTOR
- TOWN CENTER MAIN STREET
- TOWN CENTER BOULEVARD
- URBAN ACCESS ROADWAY
- NEIGHBORHOOD ROAD



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PROPOSED ROADWAY NETWORK

Heartland Town Square

FIGURE 2-11

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
APPLICATION OF 22-50 JACKSON AVENUE ASSOCIATES, L.P.
AND PILGRIM EAST, L.P.
FOR HEARTLAND TOWN SQUARE
TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK**

**TOWN BOARD OF THE TOWN OF ISLIP
FINDINGS STATEMENT**

Date: November 17, 2014

This Findings Statement is issued pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act – SEQRA) and the implementing regulations therefor at 6 NYCRR Part 617.

Name of Action: Application for Amendments to the Zoning Chapter of the Code of the Town of Islip (Chapter 68 of the Code of the Town of Islip), Including the Building Zone Map, to Establish a Pilgrim State Planned Redevelopment District (PSPRD) and to Change the Zoning Classification of Certain Parcels, Comprising Approximately 452 Acres and Now Classified as “Residence AAA,” so as to Include Such Parcels in the Newly-Established PSPRD District, and for Adoption of a Conceptual Master Plan for the Proposed Heartland Town Square on Said Parcels Comprising Approximately 452 Acres and the Adjacent “Islip Gateway Community Improvement Area” Comprising Approximately 24 Acres of Land which Has Been Declared to be Blighted by the Town of Islip.

Location: Approximately 452.0-acre parcel located at the former Pilgrim State Psychiatric Center, east and west of the Sagtikos State Parkway, south of the Long Island Expressway and north of the Heartland Industrial Park Hamlet of Brentwood, Town of Islip, Suffolk County Tax Map Numbers: District 500 – Section 71 – Block 1 – Lots 10.2, 10.8, 13.6, 13.15 and 13.16 (portion of former Pilgrim State Psychiatric Center site); and approximately 24 acres of blighted land known as the “Islip Gateway Community Improvement Area,” located along Crooked Hill Road, South of the Long Island Expressway, Suffolk County Tax Map Numbers: District 500 – Section 71 – Block 1 – Lots 1-7, 8.1, 8.2, 9.1, 9.2, 14 and 15.

Lead Agency: Town Board of the Town of Islip

Address: Town Hall
655 Main Street
Islip, New York 11751

Contact: Richard Zapolski, P.E., Commissioner
Town of Islip, Department of Planning and Development

Telephone No.: (631) 224-5450

SEQR Status: Type I

The Town Board of the Town of Islip (the “Islip Town Board” or “Town Board”), as lead agency, subsequent to review of the Draft Generic Environmental Impact Statement (the “DGEIS”) and the Final Generic Environmental Impact Statement the “(FGEIS”), collectively the “EIS” or “GEIS”, hereby certifies that:

- it has considered the relevant environmental impacts, facts and conclusions disclosed in the DGEIS and FGEIS;
- it has weighed and balanced relevant environmental impacts with social, economic and other considerations;
- the requirements of 6 NYCRR Part 617 have been met;
- consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action described below is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating, as conditions to the decision, those mitigative measures that were identified as practicable during the environmental review process and as set forth herein.

The basis of the foregoing findings is set forth as follows.

DESCRIPTION OF THE PROPOSED ACTION

The Proposed Action consists of the following components:

- (1) Amendment of the Code of the Town of Islip, Chapter 68, by adopting a new zoning district, the Pilgrim State Planned Redevelopment District (PSPRD);
- (2) Change of the zoning classification of the aforementioned parcels of land owned by 22-50 Jackson Avenue Associates, L.P., and Pilgrim East, L.P., totaling approximately 452 acres, from Residence AAA to PSPRD; and
- (3) Adoption of the Conceptual Master Plan, as amended and presented in the FGEIS, for Heartland Town Square for the approximately 452-acre property owned by 22-50 Jackson Avenue Associates, L.P., and Pilgrim East, L.P. and the approximately 24-acre "Islip Gateway Community Improvement Area" (the "Gateway Area").

The proposed Heartland Town Square development, as presented in the amended Conceptual Master Plan in the FGEIS, consists of a mixed-use development, to be built over a period of 15 or more years in three distinct phases, which includes 9,000 residential units, 1,000,000 square feet of retail space, 3,239,500 square feet of Class "A" office space, and 215,500 square feet of civic space on an approximately 8.9-acre parcel to be dedicated for public use.

The FGEIS also analyzes a reasonable redevelopment scenario for the Gateway Area under the proposed PSPRD zoning, consisting of 800,000 square feet of office space, 30,000 square feet of retail space, and 130 residential units. No application is pending at this time for the redevelopment of this land.

Since the build-out of the subject property would extend for 15 or more years, it is not feasible to predict at this time how the site will ultimately be developed in terms of the specific location of every building and ancillary facility, the specific number of stories of every building, etc. Accordingly, a Conceptual Master Plan has been prepared, which is accompanied by, among other things, a Proposed Development Tabulation. The Conceptual Master Plan illustrates a theoretical maximum development potential for Heartland Town Square, as quantified above.

The development of Heartland Town Square is proposed to be divided into three phases with the following development breakdown among the three phases:

Phase I:

| | |
|--------------------|---------------------|
| Office: | 626,000 square feet |
| Retail: | 560,000 square feet |
| Civic: | 105,500 square feet |
| Residential Units: | 3,504 units |

Phase II:

| | |
|--------------------|-----------------------|
| Office: | 1,602,322 square feet |
| Retail: | 391,930 square feet |
| Civic: | 5,000 square feet |
| Residential Units: | 3,472 units |

Phase III:

| | |
|--------------------|-----------------------|
| Office: | 1,011,178 square feet |
| Retail: | 48,070 square feet |
| Civic: | 105,000 square feet |
| Residential Units: | 2,024 units |

Although draft PSPRD zoning legislation has been included in the FGEIS, finalization and adoption of the proposed amendment to the Town of Islip Zoning Code will be undertaken as a separate step in the approval process after review under SEQRA has been completed with the adoption of this Findings Statement. Given the characteristics of Heartland Town Square, as a mixed-use, "smart-growth" community, where various uses can be found in, for example, the same building, a form-based zoning approach is warranted for the PSPRD district. Accordingly, Design Guidelines (dated December 2012, as included in the FGEIS) have been prepared to govern future development under the PSPRD zoning.

Adoption of and adherence to these Design Guidelines – in conjunction with adoption of the text which will be added to the Zoning Code to create the PSPRD district, amendment of the Zoning Map to apply PSPRD zoning to the approximately 452-acre Heartland Town Square property (and possibly at some future time to the Gateway Area), and adoption of the Conceptual Master Plan – is part of the Proposed Action.

In keeping with the form-based approach, the Conceptual Master Plan (and the accompanying proposed Development Tabulation), together with the Phasing Diagrams and Building Stories Plan, will serve as a “regulating plan” for development throughout Heartland Town Square. The regulating plan defines the ranges of heights and densities and general types of uses preferred for each of the four proposed development units (see below). It allows for mixed-use, vertically-integrated buildings and neighborhoods. The Design Guidelines define the characteristics of each development unit, including: the layout of the street system, with five types of streets/roadways within the development; various types of open spaces within each development unit; and interconnections between the development units and between Heartland Town Square and the surrounding area. Together, the Conceptual Master Plan, supporting plans and documents described above, and the PSPRD (which incorporates the Design Guidelines) define the character of each of the development units and the sense of the overall community. Building form standards and specific permitted uses are addressed in the text of the PSPRD, and the Design Guidelines are incorporated into that zoning district. As noted above, the proposed zoning legislation, including the actual text of the new zoning district and the Design Guidelines, will be subject to further review and revision by the Town. After the zoning legislation has been finalized and adopted by the Town Board, site plan review and approval, and then the building permit application and approval process, will have to be completed before any development under the proposed action can proceed.

Although modeled on a number of existing, successful “smart-growth” developments throughout the U.S. (e.g., Reston Town Center, Virginia; Addison Circle, Texas; City Place, Florida; Legacy Town Center, Texas; and Atlanta Station, Georgia), it is important to recognize that Heartland Town Square is a unique development with its own specific and special features and characteristics. Furthermore, this is a large, complex project, for which precise outcomes cannot possibly be definitively determined at this time; this is the overriding reason that the SEQRA process occurred by means of a Generic EIS rather than a project-specific EIS. Therefore, it is appropriate and necessary for the Town to retain flexibility to continuously monitor and evaluate the project as it progresses through its 15-plus-year, three-phase implementation period, so that practical adjustments can be made as needed in response to future economic/market conditions, actual developmental synergies that occur among the different uses and geographic components of the project, and other relevant factors. Such adjustments, for example, may affect the ultimate mix of housing units, distribution of development density throughout the project site, phasing and similar details, as governed by the conditions and criteria set forth herein.

Heartland Town Square is organized into four distinct neighborhoods, or Development Units, as follows:

- DU1 – Mixed-Use Town Center Neighborhood, the most dense and walkable portion of the proposed development
- DU2 – Mixed-Use Office Center Neighborhood, interconnecting DU1 and DU3
- DU3 – Arts Center Residential Neighborhood
- DU4 – Residential Neighborhood, separated from DU1, DU2 and DU3 by Sagtikos Parkway

The neighborhoods of Heartland Town Square are linked by a street grid which is intended to be pedestrian-friendly. In addition, DUs 1, 2, and 3 are linked with a “Ring Road,” located along the periphery of the site. The Ring Road allows for the distribution of traffic around the edges of the site and will provide access to the south through Heartland Business Center to Deer Park train station. In addition, the plan for Heartland Town Square builds upon the existing grid of streets established by Pilgrim State Psychiatric Center. Some of these streets retain established street trees. The plan for Heartland Town Square incorporates existing street trees into two new green space areas that will become a feature of the Town Center.

Each of the four neighborhoods of Heartland Town Square is organized around its own unique open spaces. These open spaces give each neighborhood a special identifying feature and unique character. In addition, the open spaces help support the creation of varying environments and different scales of residential development. The four Development Units are described as follows:

Development Unit 1 (DU1) – Mixed-Use Town Center Neighborhood

DU1 is conceived as a mixed-use district that can accommodate a range of compatible land uses, mixing employment opportunities with housing, retail, entertainment, and cultural uses. The objective is to create a pedestrian-friendly infrastructure that encourages street life, business activity, and a self-policing environment, which incorporates distinctive “people places” that function as the focus for community life, special events, celebrations, and festivals.

The retail space in the Town Center is organized along an L-shaped main street, which provides a wide variety of shops, restaurants, and stores, which are intended to serve residents, on-site workers, and visitors. The main street is a pedestrian friendly environment that will feature two significant open spaces, the northern and southern open spaces. The southern open space is located at the corner of the L-shaped main street, and will feature a retail pavilion overlooking this open space. The northern open space is the centerpiece of the retail environment, and is focused around the existing water tower, which will be retained as an iconic marker for the retail district as well as the entire Heartland Town Square community. In addition to the main street streetscapes and plazas, DU1 has other open spaces that help to give identity to this neighborhood. Two other open spaces are proposed around trees from the existing east-west streets that will tie into the Town Center. These two “green” streets will become significant community open spaces. In addition, DU1 provides significant buffer areas adjacent to the existing Pilgrim campus, south of DU1 as well as to the existing residential areas to the west and northwest of the Town Center. The increase in floor area ratio (FAR, the ratio of gross building floor area to total land area) from 0.70 in the Conceptual Master Plan presented in the DGEIS to 0.89 in the amended Conceptual Master Plan presented in the FGEIS is consistent with “smart growth” principles.

Development Unit 2 (DU2) – Mixed-Use Office District Neighborhood

DU2 is conceived as a mixed-use office district that will contain predominately office use in the north, transitioning to more residential uses on the south side near “G” Road. In this way, DU2 acts as a transition from mixed-use commercial activities on the north, to more residential uses on the south. DU2 is more linear than the Town Center, with a “signature” office tower as its centerpiece. In addition, DU2 borders the Sagtikos Parkway, and a 200-foot buffer has been provided from the existing Sagtikos Parkway right-of-way. DU2 also provides a buffer along a portion of the west side, adjacent to Pilgrim campus. In addition to commercial office and residential uses, DU2 has some provision for retail uses. A site for a larger retail anchor is located in the northern portion of DU2, adjacent to an entry off Crooked Hill Road. This site could accommodate a grocery store or another retail anchor use. Additional neighborhood retail nodes are located in the center of DU2, around the “signature” office tower complex, and in the southern portion of DU2 within the residential portion of the district. The decrease in FAR from 0.90 (DGEIS) to 0.86 (FGEIS), lower than the FAR for DU1, is logical in light of its distance from the Town Center.

DU2 is characterized by several unique open spaces. A significant plaza space has been located on axis with the existing entry to the property from the Sagtikos Parkway. This plaza will form the foreground of the “signature” high-rise office tower which will create an iconic entry into Heartland Town Square. This entry plaza will be flanked by lower scale office buildings, which may have ground-level retail fronting on this plaza space, similar in some respects to the arrangement that is used around Rockefeller Center. On the south side of DU2 are two additional open space areas that are located amidst the residential buildings in that portion of the site. In addition, a significant buffer is provided in the eastern portion of DU2, adjacent to the easternmost edge of the property (along the Sagtikos Parkway right-of-way).

Development Unit 3 (DU3) – Arts Center Residential Neighborhood

DU3 is located in the southwestern quadrant of the site, and is primarily residential in nature. The plan for DU3 is oriented around the large open space that is located in front of the existing power plant building. This building is proposed to be retained and redeveloped as a community arts center. The large open space in the foreground of the arts center may become a type of “Arts Park”, a flexible space that may be used for special events associated with the arts center. This space will become the centerpiece of DU3 and may become a community gathering place. In addition, an approximately 8.9-acre area for civic/community facilities is provided on the western edge of DU3, which could accommodate a variety of future civic/community needs, while also providing a separation between the residential components of DU3 and the potential future Intermodal Facility that may be developed off-site to the

west of DU3. DU3 also maintains a 200-foot buffer on the east side adjacent to the Sagtikos Parkway right-of-way. The decrease in FAR from 0.87 (DGEIS) to 0.61 (FGEIS), substantially lower than DU2, is also a reasonable revision, based on the greater distance of this area from the Town Center. The cornerstone use in this neighborhood is the adaptive reuse of the power plant, which is to be rehabilitated for use as gallery space/work space for artists.

Development Unit 4 (DU4) – Residential Neighborhood

DU4 is located on the east side of Sagtikos Parkway and is planned as a predominately residential neighborhood, with a small amount of neighborhood retail space located in the northeast corner. This residential neighborhood relates to the existing residential areas located to the south and east of the site. The centerpiece of DU4 is a large community open space which will be located in the center of this district. This open space will incorporate some of the existing established trees. DU4 also proposes a significant buffer from the Sagtikos Parkway right-of-way on the west side of the district, as well as a consistent buffer along the eastern and southern sides of the district. The FAR was also decreased here, from 0.83 (DGEIS) to 0.72 (FGEIS), again consistent with the fact that this area is not in close proximity to the Town Center. This proposed density will be subject to further consideration of more specific details that are revealed during the forthcoming review and finalization of PSRD zoning legislation.

As part of the DGEIS and FGEIS prepared for Heartland Town Square, the Town of Islip also evaluated the potential for the rezoning of the Gateway Area to PSRD and the ultimate redevelopment of this land in accordance with the PSRD. The Gateway Area consists of approximately 24 acres along Crooked Hill Road, south of the Long Island Expressway and proximate to Heartland Town Square. This area was defined in the report entitled *Finding of Blight for the Islip Gateway Community Improvement Area* (the “Finding of Blight report”). At the time of preparation of the Heartland Town Square EIS, the Town of Islip was considering means to facilitate redevelopment of portions of the Gateway Area so that blighted conditions, as identified in the Finding of Blight report, could be eliminated. Because including possible rezoning to PSRD was being considered to effectuate this revitalization goal, the Town Board was required to evaluate the potential rezoning to PSRD and the potential development of the area under this zoning pursuant to SEQRA and its implementing regulations. Accordingly, a reasonable, potential development scenario was considered for the Gateway Area, which is consistent with the PSRD, and the impacts associated therewith were evaluated as part of the overall SEQRA process for the creation of the PSRD and development under this zoning. The development scenario evaluated for the Gateway area includes 800,000 square feet of office space, 30,000 square feet of retail space, and 130 residential units, with an assumed phasing as follows: Phase I – no development in the Gateway Area; Phase II – 400,000 square feet of office space, 30,000 square feet of retail space, and 130 residential units; and Phase III – 400,000 square feet of office space.

SUMMARY OF SEQRA PROCESS

In April 2003, the applicants submitted a change of zone petition to rezone the Heartland Town Square property to PSRD. Upon review of the petition, the Town Board, as the lead agency under SEQRA, issued a Positive Declaration on September 9, 2003, which required the preparation of a Draft Environmental Impact Statement (DEIS). A formal scoping process was conducted by the Town Board to identify impact issues that required evaluation in the DEIS. These impact issues were outlined in a Final Scope and are as follows: Land; Water; Air; Plants and Animals; Aesthetic Resources; Open Space and Recreation; Critical Environmental Areas; Transportation; Energy; Noise and Odor; and Growth and Character of the Community or Neighborhood.

The applicants submitted an initial DEIS document in April 2005 and a revised DEIS document in June 2007. In an effort to address technical questions raised by the Town relating to the traffic impact analysis, the proposed mitigation for traffic impacts and sewer discharge, and project phasing, the applicants prepared an *Addendum to the Draft Environmental Impact Statement for Proposed Heartland Town Square* (the “Addendum”). The Addendum was incorporated into another revised DEIS document prepared by the applicants in December 2008.

Based on discussions between the applicants and Town representatives during the Town’s review of the various DEIS documents, the proposed action was modified at the Town’s request to: (a) include the Gateway Area as part of the Conceptual Master Plan for Heartland Town Square; and (b) provide for phasing. The December 2008 DEIS document included both of these items; and upon review of that document, the Town determined that the applicants should submit

an amended petition to address the inclusion of the Gateway Community Improvement Area and the proposed phasing. On that basis, the applicants submitted an “Amended Support Petition” to the Town Board on March 3, 2009, and then submitted a “Further Amended Support Petition” on March 10, 2009 (collectively referred to as the “Amended Petitions”). Upon review of the Amended Petitions, the Town Board issued a positive declaration on March 10, 2009 which, among other things, required the preparation of a Draft Generic Environmental Impact Statement (DGEIS) to evaluate the impacts associated with the implementation of the PSPRD, and development of Heartland Town Square and redevelopment of the Gateway Area under PSPRD zoning, in accordance with the Conceptual Master Plan.

The DGEIS was accepted as complete by the Islip Town Board on April 14, 2009. A public hearing was held on May 28, 2009 and the comment period ended on August 27, 2009. Subsequent to the close of the public comment period for the DGEIS, the applicants worked with the Town to address the comments received and to revise the Conceptual Master Plan (from the one presented in the DGEIS, upon which public comments were made) in consideration of the issues raised.

As with the DGEIS, the applicants submitted a preliminary version of the FGEIS to the Town. Through a series of comments from the Town’s consultants and meetings between representatives of the Town and the applicants, the FGEIS document was amended and submitted for the Town Board’s consideration. By resolution adopted on April 24, 2014, the FGEIS was accepted as complete for the purposes of SEQRA, and was circulated to involved agencies and interested parties shortly thereafter. The FGEIS distribution list included all recipients to which the DGEIS was issued, as well as a number of additional parties who expressed interest during the review of the DGEIS. The availability of the FGEIS was also announced via the requisite notices.

The SEQRA regulations do not require that a lead agency make provisions for commentary on an FEIS (or FGEIS). However, in light of the magnitude of the proposed project and level of interest expressed throughout the process, including extensive comments submitted regarding the DGEIS, the Town Board affirmatively established a period during which comments on the FGEIS would be accepted, expiring on June 20, 2014, a period of 57 days after acceptance of the FGEIS. In response to this invitation and opportunity for commentary regarding the FGEIS, five pieces of correspondence were submitted to the Town of Islip, discussed as follows:

- A. Letter from William Hillman, P.E., Chief Engineer, Suffolk County Department of Public Works (SCDPW), dated June 20, 2014 – This letter subsequently was rescinded by correspondence dated July 25, 2014 from Gilbert Anderson, Commissioner, SCDPW, which stated, in relevant part, that, “the items within the [June 20] letter were addressed in the February 2014 FGEIS to our satisfaction and any further discussion is redundant.”
- B. Letter from Carrie Meek-Gallagher, Chief Sustainability Officer, Suffolk County Water Authority (SCWA), dated June 10, 2014 – This letter requests that, “Payment of the relevant surcharges [by the applicants to SCWA] should be a condition of any approvals for the proposed project so that the impacts to the surrounding community are mitigated and the developer pays the costs related to the demands created by the project.” Attached to SCWA’s letter was a judgment issued by the Supreme Court of the State of New York sustaining SCWA’s legal authority to impose surcharges for the proposed project. While the viability of the proposed development and this Findings Statement are contingent upon the provision of an adequate water supply, the DGEIS and FGEIS establish that this objective is achievable and that potential impacts can be mitigated with the implementation of certain improvements to the water supply system. The issuance of building permits by the Town will require SCWA’s confirmation of water availability. However, any action that may be necessary to uphold or enforce the cited Court judgment regarding the source of funding for these improvements will be entirely under the control of SCWA and presumably will be taken by SCWA at the appropriate time, and is not a proper subject to be addressed by the Town of Islip in its SEQRA findings statement.
- C. Letter from Elsa Ford, 18 Stockton Street, Brentwood, NY, undated, received by the Town of Islip on June 20, 2014 – This letter pertains to energy conservation, “green building design”, and recycling and proper disposal of demolition debris. These topics were adequately addressed in the FGEIS, particularly Section 4.22 (*Energy/Green Buildings/Sustainability*) and Section 4.3 (*Construction/Demolition*). It should be pointed out that energy conservation requirements in the New York State Building Code are rapidly evolving and advancing, requiring compliance with increasingly more stringent standards. Each building in the proposed development will be required to conform to the energy conservation and green building standards that are in effect at the time that the respective building permit is issued.

D. Letter from Frank P. Petrone, Supervisor, Town of Huntington, dated June 19, 2014 – This letter asserts that the FGEIS is deficient with respect to “SEQR and Segmentation,” “Environmental Review,” and “Substantial Change.” Each of these issues is discussed below:

- SEQR and Segmentation – The Town of Huntington’s letter states that, “...the Heartland Project FGEIS leaves the project entirely dependent upon the actions of third parties, transportation projects to be completed by New York State and Suffolk County over which the Heartland project developer has neither control nor can guaranty commencement or completion... the Heartland project is segmented from its necessary transportation components, in clear violation of SEQR.” Not only does this statement ignore that large development projects are almost always dependent upon roadway improvements undertaken by transportation agencies, but it fails to acknowledge that the applicants have committed to providing \$25 million toward required off-site roadway improvements.
- Environmental Review – As presented in the Town of Huntington’s letter, this issue is simply a further elaboration on the claim of segmentation, stating that, “...an environmental review of [the proposed roadway] improvements MUST be included in (and performed with) the Heartland Project FGEIS. However, this has not been the case here. Instead, the environmental impact of these massive, costly, and (for FGEIS purposes) necessary transportation improvements have been completely ignored...” This hyperbolic assertion is patently wrong, as the FGEIS contains a full, supplemental traffic impact analysis (in Appendix TR-1), as well as responses to all comments (in Section 4.21) which were received regarding the traffic impact analysis presented in the DGEIS. Furthermore, the position staked in the Town of Huntington’s letter seems to suggest that the SEQRA process should be put on hold until the involved transportation agencies have completed their design and review process, which not only would be entirely impractical but also would directly contravene directives set forth under SEQRA specifying that:
 - “The basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of state, regional and local government agencies at the earliest possible time” [emphasis added, 6 NYCRR §617.1(c)]; and
 - “An EIS facilitates the weighing of social, economic and environmental factors early in the planning and decision-making process” [emphasis added, 6 NYCRR §617.2(n)].

It also is important to note that review of the proposed action was conducted by means of a Generic EIS, which the SEQRA regulations, at 6 NYCRR §617.10(a), specify, “may be broader, and more general than site or project specific EISs and should discuss the logic and rationale for the choices advanced. They may also include an assessment of specific impacts if such details are available. They may be based on conceptual information in some cases...” These guidelines were applied in preparing and reviewing the subject DGEIS and FGEIS. Furthermore, the pertinent SEQRA regulations, at 6 NYCRR §617.10(c) through (e), specifically contemplate that future or supplemental review may be required due to the generic nature of the information and analyses inherent to GEISs.

It is also worth pointing out that contrary to the claim in the Town of Huntington’s letter that there is not a commitment to the necessary roadway improvements, the two agencies which would be responsible for undertaking these improvements, the New York State Department of Transportation (NYSDOT) and SCDPW, have issued letters committing to their participation. NYSDOT chose not to comment on the FGEIS. As indicated above, SCDPW affirmatively stated that the FGEIS was satisfactory. Notwithstanding the continued protestations from the Town of Huntington, the detailed analysis contained in the DGEIS and FGEIS and the affirmations from the involved roadway agencies provide a reasonable and sufficient basis for findings.

- Substantial Change – The Town of Huntington’s letter asserts that “substantial changes were incorporated into the Heartland Project FGEIS from the prior DGEIS, including substantial changes to the traffic analysis.” However, the letter cites only one such purported “substantial change”, the provision of full access between the proposed development and Commack Road, which was not included in the proposed action as presented in the DGEIS. In fact, the FGEIS comprehensively analyzes and discusses this project modification, such that decision-making will be based on adequate information regarding this particular issue. Furthermore, the Town of Huntington asserts that this “substantial change” justifies that, “THE FGEIS SHOULD AND MUST BE LEFT OPEN FOR LONGER, TO ALLOW A REASONABLE AND

ACCEPTABLE PERIOD FOR PUBLIC REVIEW AND COMMENT.” This ignores that the Islip Town Board, as indicated above, provided an actual review and comment period of 57 days for the FGEIS, which is longer than the minimum time required under SEQRA for the review of a **DGEIS** and more than five times longer than the minimum ten-day period which is provided for in the SEQRA regulations, at 6 NYCRR §617.11(a), for the lead agency to, “consider the final EIS before issuing its written findings statement.” Additionally, it is noteworthy that the Town of Huntington has not taken the opportunity to submit any further commentary regarding the FGEIS in the months that have elapsed since the close of the FGEIS comment period.

- E. Memorandum from GPI to Tony Aloisio [Director, Department of Planning & Environment, Town of Huntington], dated June 12, 2014, Subject: Traffic Study Review, Heartland Town Square FGEIS, which subsequently was forwarded to the Town of Islip – The information contained in this memorandum is addressed as follows:
- Segmentation – The discussion of this issue in the GPI memorandum parallels the Town of Huntington’s June 19 letter, which is addressed above.
 - Information Included in FGEIS – A number of comments in the GPI memorandum inquire about information which, in fact, is included in the FGEIS.
 - Technical Differences of Opinion – Some of the commentary in the GPI memorandum hints at a difference of professional opinion regarding the technical information and analyses in the FGEIS. However, the transportation components of the FGEIS, and the DGEIS before it, were reviewed on behalf of the Town of Islip by Dunn Engineering Associates, thus ensuring that the content of transportation-related documents received from the applicant was independently vetted and confirmed before being released to the public.
 - Revisions in FGEIS as Compared to DGEIS – The GPI memorandum makes note of the FGEIS’s proposal to provide project access via Commack Road, an issue which was touched upon in the Town of Huntington’s letter, as addressed above. The memorandum also identifies other differences between the analyses presented in the FGEIS versus the DGEIS, such as an expansion of the roadway network included in the study and changes in methodologies. However, such revisions were incorporated into the FGEIS in specific response to comments regarding the DGEIS or to take advantage of improved analytical tools which became available in the intervening years between the preparation of the DGEIS and FGEIS.
 - Expansion of Scope – Some of the comments in the GPI memorandum seek to expand the scope of the FGEIS’s analysis. The FGEIS did, in fact, broaden upon the Final Scope which was the basis of the DGEIS when deemed appropriate by the Town of Islip, as in the case of the aforementioned expansion of the roadway network included in the study. However, it is not reasonable to entertain requests for scope expansion after a final EIS has been released for public review, and particularly considering that the SEQRA review in this case included an extensive public scoping process prior to the preparation of the DGEIS.
 - Summary of Other Pertinent Information Presented in the FGEIS – The section of the GPI memorandum under this heading contains a series of 12 statements regarding information in the FGEIS, which do not comprise commentary or questions meriting analysis or consideration in this Findings Statement.

As set forth above, the submissions received during the extended period of consideration/review for the FGEIS do not establish that any substantive issues were not adequately addressed in the DGEIS and FGEIS. Accordingly, it is concluded that statements in some of those submissions asserting that further review and/or analysis is required prior to the issuance of this Findings Statement are unfounded, and it is reaffirmed that the DGEIS and FGEIS suffice as a valid basis for decision-making under SEQRA.

AMENDMENTS TO PROPOSED DEVELOPMENT, AS PRESENTED IN FGEIS PLAN VERSUS DGEIS PLAN

One of the fundamental differences between the Conceptual Master Plan presented in the DGEIS and the revised Conceptual Master Plan presented in the FGEIS (the “FGEIS Plan”) is that, in response to comments regarding the DGEIS, the revised Conceptual Master Plan reallocated the development density within the site, shifting the greatest mix of land uses (including residential, office, retail, entertainment, lodging) and higher densities to the Town Center in DU1 and away from the other DUs. Overall, the proposed development transitions to lower density away from the center of the subject property. The revised Conceptual Master Plan further provides for a development density that is more concentrated in the Town Center and less concentrated toward the periphery of DU1. The same is true for DU2 (the mixed-use office district), where the density is concentrated near the entrance from the Sagtikos Parkway, which constitutes the approximate center of this more linear development unit. The intensity of development is lower in DU3 and DU4, which are more traditional residential neighborhoods.

Adjusting the density in the FGEIS Plan allows for greater vegetated setbacks along the Sagtikos Parkway and adjacent to the residential neighborhoods to the northwest and southeast of the subject property, increasing the buffering of these areas from the proposed development. As a result, the overall open/green space of the site has been increased from approximately 30 percent to approximately 35 percent.

The following table presents the differences in setback/buffer width for the Conceptual Master Plan in the DGEIS versus the revised Conceptual Master Plan in the FGEIS:

| | Minimum Setback in DGEIS Plan | Minimum Setback in FGEIS Plan |
|---|--|--|
| Sagtikos Parkway (West Side - DU2 and DU3) | 75 feet | 200 feet |
| Sagtikos Parkway (East Side - DU4) | 45 feet | 115 feet |
| Northwest Corner (near Commack Road (DU1-B) | 130 feet | 130 feet |
| Southeastern Corner (DU4) | 16 feet | 40 feet |

The revised Conceptual Master Plan also incorporates existing vegetation into the proposed development to a greater degree than in the previous plan. The revised Conceptual Master Plan will retain rows and stands of existing trees in key green spaces, including some of the existing tree stands along Road “K” which will become the centerpiece of two new green spaces that will tie residential neighborhoods into the Town Center in DU1-A, and tree groupings in the existing central green of DU4 which will be preserved as a focal point for a new community space in that area.

The range in potential number of stories and the locations of taller buildings have been modified in the revised Conceptual Master Plan. Under the currently proposed plan, the majority of the buildings will be “low-rise” (maximum of six stories, 80 feet in height). At selected locations within DU1 and DU2, taller mid-rise towers are proposed. In DU1, the tallest building proposed is a “mid-rise” tower (seven to 13 stories, up to 165 feet in height). In DU2, the tallest building proposed is the high-rise “signature” tower (14 to 20 stories, up to 260 feet in height), which is located at the main entry to the site from Sagtikos Parkway; all other buildings proposed in DU2 are “low-rise”. In DU3 and DU4, all buildings are proposed to be “low-rise”. Overall, the buildings around the periphery of the site are lower than those located toward the center of each development unit.

Another change in the revised Conceptual Master Plan is that approximately 8.9 acres in DU3 have been specifically set aside for civic uses. This area can be developed, as needed, with a fire and/or ambulance substation, police substation, post office, library, or other community facilities. The Town intends to facilitate the implementation of such public improvements through the imposition of impact or mitigation fees (which commonly have been applied to other large development projects in the Town), or other appropriate mechanism, at the time of development.

The revised Conceptual Master Plan includes enhanced measures which provide or encourage alternative modes of transportation, which it is expected will reduce the number of project-generated trips. These measures were clarified within the FGEIS and include:

- **Private Shuttle Bus** – Heartland Town Square will operate a shuttle bus that will circulate through Heartland Town Square and will serve as a direct shuttle to the Deer Park Long Island Rail Road (LIRR) Station.

- Biking – Heartland Town Square will be designed to accommodate bicycles, and security racks will be provided throughout the community, thereby reducing internal vehicular trips.
- Public Transportation – In addition to being near the Deer Park LIRR Station, two bus routes run through the subject property, and other proximate routes can be extended into the property if warranted by the demand created by Heartland Town Center (which is expected to employ almost 26,000 persons within its boundaries) and other nearby employment centers and destinations (e.g., Heartland Business Center, Hauppauge Industrial Park, County and State Facilities, Suffolk County Community College, Tanger Outlets).
- Ride-Sharing – NYSDOT advises major employers on Travel Demand Management (TDM), specifically means to reduce automobile use. One TDM recommendation is for businesses to coordinate efficient travel (e.g., by encouraging carpooling through incentives) and to provide parking disincentives (such as the parking policies discussed below).
- Concierge Services – The staff of Heartland Town Square will include a transportation manager, who will be trained in TDM and will provide advice with respect to public transportation, the private bus service within Heartland Town Square, bicycle options and “zip cars”, and will arrange carpools for Heartland Town Square residents and employees.
- Walking – Because of the mixed-use nature of the proposed development and because the streetscape will be enhanced with street markets, outdoor cafes, art performances, sidewalk commerce, attractive landscaping and street furniture, walking within the Heartland Town Square will be naturally encouraged.
- Parking Policies – The applicants are contemplating adopting specific policies to discourage automobile ownership by residents. Most residents will be provided with one convenient parking space per unit. Additional parking spaces would be assigned in more remote, satellite locations, and would require the payment of a fee.

Based upon discussions between the applicants and the Town of Islip, the revised Conceptual Master Plan includes 900 units of new workforce housing (ten percent of the housing units proposed), as compared to 1,890 workforce units proposed in the DGEIS plan. Additionally, at the Town’s request, the applicants have committed \$2 million to purchasing and renovating blighted properties within the Gateway Area, to address issues set forth in the Finding of Blight report discussed earlier in this Findings Statement, thereby advancing the goal of community revitalization. The applicants have begun to fulfill this commitment by purchasing a 1.25-acre parcel (SCTM No. 500-71-1-6) for \$750,000. The Town will continue discussions with the applicants to formulate a refined plan of action to maximize the socioeconomic and community revitalization benefits being provided by the applicants and their proposed development.

CONDITIONS AND CRITERIA UNDER WHICH FUTURE ACTIONS WILL BE UNDERTAKEN OR APPROVED, INCLUDING REQUIREMENTS FOR ANY SUBSEQUENT SEQRA COMPLIANCE

In order to ensure that all potentially significant adverse impacts are appropriately mitigated as the proposed development proceeds, the Islip Town Board has set forth conditions and criteria under which future actions would be undertaken/approved, including those conditions that would necessitate additional SEQRA compliance. These conditions and criteria have been formulated in accordance with the implementing regulations of SEQRA, at 6NYCRR §617.10(c) and (d), which states:

“(c) Generic EISs...should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance...”

(d) When a final generic EIS has been filed under this part:

(1) No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;

(2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;

(3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts;

(4) A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts."

Based on the analyses contained in the DGEIS and FGEIS, the following represents the conditions and thresholds, which, if met, would eliminate the need for further SEQRA compliance or further approval from the Town Board.

- The development of Heartland Town Square and the Gateway Area shall not exceed the parameters set forth in the following table, except that any development not conducted in an earlier phase may be conducted in a subsequent phase, and this restriction does not preclude the division of any phase of development into sub-phases:

| | | |
|---------------------------|----------------------------------|-------------------------|
| TOTAL DEVELOPMENT: | <u>Heartland Town Square</u> | <u>Gateway Area</u> |
| Office: | 3,239,500 square feet | 800,000 square feet |
| Retail: | 1,000,000 square feet | 30,000 square feet |
| Civic: | 215,500 square feet | 0 square feet |
| Residential Units: | 9,000 units | 130 units |
| PHASE I: | <u>Heartland Town Square</u> | <u>Gateway Area</u> |
| Office: | 626,000 square feet | N/A |
| Retail: | 560,000 square feet | N/A |
| Civic: | 105,500 square feet | N/A |
| Residential Units: | 3,504 units | N/A |
| PHASE II: | <u>Heartland Town Square</u> | <u>Gateway Area</u> |
| Office: | 1,602,322 square feet | 400,000 square feet |
| Retail: | 391,930 square feet | 30,000 square feet |
| Civic: | 5,000 square feet | 0 square feet |
| Residential Units: | 3,472 units | 130 units |
| PHASE III: | <u>Heartland Town Square</u> | <u>Gateway Area</u> |
| Office: | 1,011,178 square feet | 400,000 square feet |
| Retail: | 48,070 square feet | 0 square feet |
| Civic: | 105,000 square feet | 0 square feet |
| Residential Units: | 2,024 units | 0 units |

- The applicants shall develop at least 200,000 square feet of retail space and 200,000 square feet of office space at the same time that residential development is commenced for Phase I, in order to ensure commercial ratables for the various taxing districts at the first stage of development.
- When 70 percent of the space associated with Phase I is occupied, traffic volume counts shall be conducted at all of the access points to the Heartland Town Square development during the weekday afternoon peak hour (PM peak), at the applicants' expense. If these traffic counts show that the internal capture rates applied in the FGEIS are not accurate – i.e., that the number of external trips is greater than that projected in the FGEIS – the Town Board can then modify the density of the office development in Phases II and/or III, commensurate with the difference between the projected internal capture rate and the actual internal capture rate. The PM peak was selected as the monitoring period because it produces the highest levels of site-generated traffic and is the critical period for identifying project impacts. A reduction in the density of office space was chosen as being most appropriate among the various components of the proposed development, if an adjustment is needed,

because this use will have the greatest effect on external trips to and from the proposed development – i.e., a higher percentage of office-generated trips are external trips; whereas, in general, a higher rate of trips occurs internally between retail and residential uses.

To illustrate the effect of changes in the rate of internal capture on the level of office space permitted, two theoretical examples were examined. If the internal capture rate used in the traffic analyses is not achieved, the potential reduction in office space that could be required by the Town Board was calculated for internal capture rates of 10 percent and 15 percent. The FGEIS, using an internal capture rate of 20 percent, forecasts a total external trip volume of 7,439 trips (combined entering and exiting) for the PM peak hour. If the actual internal capture rate was found to be only 10 percent at 70 percent occupancy of Phase I, the resulting PM peak hour volume would be 8,327 trips. If the actual internal capture rate was found to be only 15 percent at 70 percent occupancy of Phase I, the resulting PM peak hour volume would be 7,864 trips. In each case, the peak volumes generated by the proposed project would exceed those assumed and evaluated in the traffic impact analyses. If such a scenario were to occur, a reduction of office space could be applied to reduce the number of trips back to the level studied in the traffic analyses. In the case of a 10 percent internal capture rate, office space would have to be reduced to a degree sufficient to eliminate 888 external trips in the PM peak hour in order to attain the 7,439 external trips assumed in the FGEIS; while a 15 percent internal capture rate would require a reduction of office space sufficient to eliminate 425 external trips. Utilizing the data in ITE's *Trip Generation*, a reduction of 880,000 square feet of office space would equate to a reduction of 888 external trips, which would offset the excess external trip generation under a scenario of 10 percent internal capture; while a reduction of 446,000 square feet of office space would equate to a reduction of 425 external trips, which would offset the excess external trip generation for a 15 percent internal capture rate.

The protocol described above for adjusting Phase II-III office floor area to compensate for higher-than-expected site-generated traffic is based on current conditions. The Town reserves the right to consider making appropriate adjustments to other uses to achieve the intended objectives, based on future conditions at the time of the evaluation, as governed by the conditions and criteria set forth herein.

- Thirty-five percent of the total land area shall be open space, which shall be defined for the purposes of the proposed action as including parks and buffers, plazas and courtyards, and yard areas, as set forth in the FGEIS.
- A vegetated buffer of 200 feet in width shall be maintained along the existing right-of-way of the west side of Sagtikos Parkway, as shown in the revised Conceptual Master Plan.
- A vegetated buffer of 130 feet in width shall be maintained at the northwestern portion of the subject property, where the property abuts residential properties within the Town of Huntington.
- A vegetated buffer of 40 feet in width shall be maintained at the southern and eastern portions of DU4 in the Town of Islip, where it abuts residential properties and properties along Crooked Hill Road, respectively.
- A minimum of 10 percent of the residential units in Heartland Town Square shall be for-sale units; and 10 percent of the residential units shall be workforce units. As noted previously, the Town will continuously monitor and evaluate the proposed project as it progresses, and will consider adjustments to this housing mix in consideration of and response to future economic/market conditions and other relevant factors, as governed by the conditions and criteria set forth herein.
- The applicants shall commit \$2 million to purchasing and/or renovating blighted properties proximate to the Heartland Town Square development, in consultation with the Town of Islip.
- As permits are sought for each new building in Heartland Town Square, sewage flow will be calculated using Suffolk County Department of Health Services flow factors, both for that new building and the cumulative total for the overall development to date. Flow at the sewage pump station will also be monitored and compared to the calculated flow. When the calculated flow reaches 1.0 million gallons per day (mgd), which is approximately equal to the Phase I flow, this will be compared to the actual flow measured at the pump station. This procedure will continue until Heartland Town Square's calculated flow reaches 1.6 mgd, at which point the project will be allowed to continue if the actual flow is less than the calculated value; otherwise, the applicants would be required to purchase additional flow from the Suffolk County Sewer Agency.

- Heartland Town Square shall operate a shuttle bus to Deer Park LIRR Station, which will be coordinated with the train schedule at said station. The details of this arrangement – including the precise timing for the start of shuttle operations, bus routes, schedules, etc. – will be addressed at the appropriate time in the future.
- Specific policies shall be employed to discourage automobile ownership by residents of Heartland Town Square. Residents will be provided with one convenient parking space per unit. Any additional parking spaces will be assigned in more remote, satellite locations (i.e., no closer than three blocks from the residence of the person requesting such additional parking).
- Additional measures to discourage automobile ownership shall include having a concierge office which shall include a transportation manager who shall: (a) provide information to residents with respect to availability of public transportation, the private shuttle bus within Heartland Town Square, bicycle options (including on-site bicycle lanes and bicycle storage facilities), and availability of “zip cars”; and (b) arrange car pools for residents and employees within Heartland Town Square.
- The applicants shall provide \$25 million toward required off-site roadway improvements at Phase III. The Town will require that this contribution be distributed among all three development phases, to which the applicants have agreed in concept. The details of the phasing of this funding from the applicants will be addressed prior to the initiation of Phase I development.
- The Town intends to facilitate the implementation of public facilities and services necessary for the proposed development – including, but not limited to, construction of facilities on the 8.9-acre parcel to be donated for these purposes – through the imposition of impact or mitigation fees (which commonly have been applied to other large development projects in the Town), or other appropriate mechanism, at the time of development. It is also anticipated that impact/mitigation fees, or other appropriate mechanism, will be used to provide the Town with funding for technical and administrative staff and associated resources necessary to properly review project submissions during site plan and building permit phases and to oversee and manage project construction.
- The applicants shall comply with the requirements of the Purchase and Sale Agreement executed between New York State and the applicants, dated May 16, 2001, as amended January 2002, with respect to easements.

In the event that any of the above conditions are contravened, additional SEQRA compliance may be necessary in accordance with 6NYCRR §617.10(d)(2) through (4), given the actual development plan proposed and the associated potential environmental impacts associated therewith.

The applicants will be required to obtain site plan approval from the Commissioner of the Department of Planning and Development or the Planning Board for each phase or sub-phase of development proposed in the future development approvals (i.e., after the Town Board adopts the PSPRD zoning, applies the zoning to the Heartland Town Square property, and approves the revised Conceptual Master Plan and supporting plans and documentation, as described above). A sub-phase or phase may consist of one building, multiple buildings, one block, multiple blocks or any level of development up to an entire phase as shown on the Overall Phasing Diagram ultimately approved by the Town Board.

SUMMARY OF THE BENEFITS OF THE PROPOSED HEARTLAND TOWN SQUARE DEVELOPMENT

The following summarizes the primary benefits of the proposed Heartland Town Square development:

- Heartland Town Square is a mixed-use, “smart-growth” redevelopment, which will return an underutilized property to productive re-use.
- The proposed development includes 8,100 rental housing units. Rental housing is in short supply in the Long Island region, where single-family homes predominate.
- The proposed development includes 900 affordable workforce rental housing units. Affordable rental housing is in short supply in the region.

- At project build-out, the proposed development is expected to generate approximately \$29 million in net property tax revenues to Brentwood School District (i.e., the difference between gross property taxes generated by the proposed development and the cost to the School District to provide educational services to the school-aged residents of the project).
- At project build-out, the proposed development is expected to generate property tax revenues of approximately \$1.8 million for Town of Islip General Fund, \$168,000 for Town Excluding Villages, \$1.0 million for Combined Highway, \$280,000 for Street Lighting District, \$2.2 million for Brentwood Fire District, \$483,000 for Brentwood Ambulance District, and proportional amounts for other taxing districts.
- At project build-out, the proposed development is expected to generate 26,000 permanent full-time, on-site job equivalents and an estimated 34,000 indirect (off-site) jobs to support Heartland Town Square residents and businesses.
- The proposed development is expected to generate an average of approximately 880 construction jobs per year throughout the projected 15-year-plus build-out period.

ALTERNATIVES ANALYZED IN THE GEIS

As with the analysis of the proposed action, all alternatives, except No-Action, assume development of the Gateway Area with 800,000 square feet of office/commercial space, 30,000 square feet of retail space, and 130 residential units.

- **No-Action** – Site remains in existing condition.
- **Redevelopment under existing Residence AAA zoning** – 381 single-family homes, 130 apartments, 800,000 square feet office/commercial, and 30,000 square feet retail.
- **Development under Special Groundwater Protection Area Plan** – 1,498 apartments, 2.76 million square feet institutional, 800,000 square feet office/commercial, and 30,000 square feet retail.
- **Redevelopment of the Former PSPH parcel under Preliminary Re-Utilization Master Plan for Office of Mental Health (1996)** – 1 million square feet sports/family entertainment, 40,000 square feet retail, 550,000 square feet office, 360,000 square feet industrial/research & development, and 400 units clustered housing.
- **Alternative to Phase III of Heartland Town Square: industrial rezoning for multi-tenant office/industrial uses** – 1.02 million square feet retail, 6,480 residential units, 105,000 square feet civic space, 4.21 million square feet office/commercial, and 934,510 square feet industrial.

ANALYSIS RESULTS, IMPACTS AND MITIGATION MEASURES

Traffic (as Presented in the Supplemental Traffic Analysis in the FGEIS)

Traffic was one of the most significant issues evaluated in the SEQRA process for the proposed action. To ensure that these impacts were comprehensively and carefully evaluated, as discussed earlier, the Islip Town Board retained its own transportation consultant, Dunn Engineering Associates (DEA), to review the analyses prepared by the applicants' transportation consultant. As a result of DEA's review, additional analyses were required, and were prepared in consultation with DEA. The DGEIS analyzed 21 intersections. Based on review and input from DEA, nine intersections were added and included in supplemental traffic impact analysis presented in the FGEIS. The FGEIS also includes updated analyses of Sagtikos Parkway from Northern State Parkway to Southern State Parkway, the Long Island Expressway (LIE) between Commack Road and Wicks Road, Northern State Parkway from Exit 42 to Exit 46, and Southern State Parkway from Exit 41 to Exit 42.

The methodologies used and assumptions in the FGEIS's Supplemental Traffic Impact Analysis, which were reviewed and accepted by DEA, included, but were not limited to, the internal capture rate and the modal splits to be used in the analyses. Roadways (including Sagtikos, Northern State and Southern State Parkways, and the LIE) were analyzed

using a software program called Vissim, which simulates conditions on the roadway and evaluates its ability to accommodate existing and future traffic volumes. The Synchro program was used for intersections.

The information contained in the Supplemental Traffic Analysis (June 2013), as presented in FGEIS Appendix TR-1, is summarized as follows:

Analysis Parameters and Methodologies

- Assumes build-out of Phase I by 2017 and overall project build-out (all three phases) by 2027; although the applicants anticipate that full occupancy of Phase I and the overall project (all three phases) would not occur until 2023 and 2038, respectively.
- Includes 28 signalized intersections and two currently un-signalized intersections, as follows:
 - Commack Road at: (a) Long Island Expressway (LIE) North Service Road, (b) LIE South Service Road, (c) Pilgrim Site Access (un-signalized), (d) Long Island Avenue, (e) Grand Boulevard, (f) Nicolls Road, (g) Crooked Hill Road, (h) Bay Shore Road, and (i) Burlington Drive;
 - Crooked Hill Road at: (a) LIE North Service Road, (b) LIE South Service Road, (c) Wicks Road, (d) G Road/Community College Drive, and (e) Pilgrim Site Access (un-signalized);
 - Long Island Avenue at Executive Drive;
 - Pine Aire Drive at: (a) Executive Drive, (b) Southbound Sagtikos Parkway Ramp, (c) northbound Sagtikos Parkway Ramp, and (d) Fifth Avenue;
 - Wicks Road at: (a) Suffolk Avenue, (b) Community College Drive, (c) Express Drive South, and (d) Motor Parkway;
 - Route 231 (Deer Park Ave) at: (a) Bay Shore Road, (b) Grand Boulevard, and (c) Nicolls Road; and
 - Carll's Path at: (a) Nicolls Road, (b) Grand Boulevard, (c) Bay Shore Road, and (d) Long Island Avenue.
- Also includes the following limited-access highways: Sagtikos Parkway from Northern Parkway to Southern Parkway; LIE from west of Commack Road to east of Wicks Road; Northern Parkway from Commack Road (Exit 43) to Sagtikos Parkway (Exit 45); and Southern Parkway from Bay Shore Road (Exit 41) to Fifth Avenue (Exit 42).
- Examines three peak-hour periods: weekday morning (AM), weekday evening (PM), and Saturday midday. The weekday midday period was not analyzed in the FGEIS because the DGEIS analysis revealed that the study locations did not experience any additional impacts during the midday period that were not already identified for AM, PM or Saturday peaks.
- Existing traffic counts were recorded for the study intersections and roadway segments for the DGEIS. These data were updated by supplemental counts recorded in 2010 at key locations.
- Future No-Build projections of traffic conditions included a 0.65 percent annual growth in background traffic volumes and trip generation volumes from other planned developments identified through discussions with the Planning Departments in the Towns of Islip, Huntington, Smithtown and Babylon.
- Predictions of peak-hour trip generation volumes (entering and exiting the subject property) for the proposed project were calculated based on empirical data for various land uses (e.g., residential townhouses, general office building, shopping center, civic use, and hotel) in *Trip Generation*, published by the Institute of Transportation Engineers (ITE), with gross (unadjusted) totals as follows:

| Peak Hour (Trip Generation) | Full Occupancy for Phase I | Full Occupancy for All 3 Phases |
|-----------------------------|----------------------------|---------------------------------|
| AM Peak | 2,300 | 6,041 |
| PM Peak | 4,062 | 9,252 |
| Saturday Peak | 3,962 | 7,003 |

- An adjustment was made for the effect of “internal capture”, which accounts for project-generated traffic that travels between different uses on the subject property and does not leave the site (and, therefore, does not affect off-site roadways and intersections). Although ITE data suggest an internal capture rate of 33 percent, it was agreed, based on the results of the analysis, that the following internal capture rates would be used:
 - Phase I: 12.5% for AM peak, 20.9% for PM peak, and 21.8% for Saturday peak.
 - Full Build-Out (Phases I-III): 10.9% for AM peak, 19.2% for PM peak, and 24.4% for Saturday peak.

All results in the FGEIS’s Supplemental Traffic Analysis are based on the “conservative” internal capture rates specified above.

- The analysis does not take credit for “pass-by” traffic (i.e., vehicles present on the project area roadway system under the No-Build scenario that would be diverted to the project site in the project Build scenario and which, therefore, would not be “new” traffic on surrounding roadways), nor for the use of mass transit by Heartland Town Square residents and workers.
- A detailed analysis, separately examining the unique factors pertaining to the various proposed uses (residential, office, retail, and civic), was performed to derive the directional trip distribution of project-generated traffic (i.e., the routes that this traffic would take, and the intersections and roadway segments that would be traversed, in traveling to and from the site).

Intersection Analysis Results

- The following intersections have poor overall operation (*un-signalized intersection operations are based on stop-controlled approaches) under the 2010 Existing condition, which would continue in the 2017 No-Build condition (shown as Level of Service, LOS, in the table below) or would deteriorate to LOS E or F under the 2017 No-Build condition (as compared to the Existing condition, shown as LOS→LOS)

| Intersection (2017 No-Build Condition) | AM Peak | PM Peak | Saturday Peak |
|---|----------------|----------------|----------------------|
| Commack Road at LIE North Service Road | E→F | | |
| Commack Road at LIE South Service Road | | F | D→E |
| Commack Road at Pilgrim Site Access (un-signalized*) | F | F | |
| Commack Road at Grand Blvd | | | E→F |
| Commack Road at Bay Shore Road | E | F | D→E |
| Crooked Hill Road at Pilgrim Site Access (un-signalized*) | | E | |
| Long Island Ave at Executive Drive | | D→F | |
| Wicks Road at Motor Parkway | F | F | |
| Route 231 at Grand Boulevard | F | E→F | E |
| Route 231 at Nicolls Road | | E | |
| Route 231 at Bay Shore Road | | E | E |

- With the recommended improvements identified for Phase I, the Phase I Build analysis shows that a number of intersections would experience improved LOS (as compared to the 2017 No-Build condition, shown as LOS→LOS in the table below), a number of intersections would continue to experience poor operating conditions (shown as *E* or *F*), and two intersections would experience deteriorated LOS (shown as *LOS→LOS*):

| Intersection (Phase I Build Condition) | AM Peak | PM Peak | Saturday Peak |
|---|---------|---------|---------------|
| Commack Road @ LIE North Service Road | F→C | D→C | |
| Commack Road @ LIE South Service Road | C→B | F→D | E→C |
| Commack Road @ Grand Boulevard | | E→D | *F* |
| Commack Road @ Long Island Avenue | | *E* | |
| Commack Road @ Bay Shore Road | *E* | *F* | *E* |
| Long Island Ave @ Executive Drive | | F→D | |
| Pine Aire Drive @ Southbound Sagtikos Ramps | F→A | D→B | B→A |
| Pine Aire Drive @ Northbound Sagtikos Ramps | F→A | C→A | |
| Pine Aire Drive @ Fifth Ave | | *D→E* | |
| Wicks Road @ Motor Parkway | *F* | *F* | |
| Route 231 @ Bay Shore Road | | *E* | *E* |
| Route 231 @ Grand Boulevard | *F* | *F* | *E* |
| Route 231 @ Nicolls Road | | *E→F* | |

- With the recommended improvements identified for Phases II and III, analysis of the Full-Build condition shows that a few intersections would experience improved LOS (as compared to the 2027 No-Build condition, shown as LOS→LOS in the table below), a number of intersections would continue to experience poor operating conditions (shown as *E* or *F*), and ten intersections would experience deteriorated LOS (shown as *LOS→LOS*):

| Intersection (Full-Build, Phase I-III, Build Condition) | AM Peak | PM Peak | Saturday Peak |
|---|---------|---------|---------------|
| Commack Road @ LIE North Service Road | | *C→E* | |
| Commack Road @ LIE South Service Road | | *E→F* | |
| Commack Road @ Grand Blvd | | *E* | F→D |
| Commack Road @ Long Island Avenue | | F→E | *D→E* |
| Commack Road @ Bay Shore Road | *F* | *F* | *E* |
| Crooked Hill Road @ LIE North Service Road | | *B→E* | |
| G Road @ Sagtikos Parkway NB Ramps | | *B→E* | |
| Pine Aire Drive @ Fifth Avenue | | *E→F* | |
| Wicks Road @ Suffolk Avenue | | *C→E* | |
| Wicks Road @ Motor Parkway | *F* | F→E | |
| Route 231 @ Bay Shore Road | | *E* | *E* |
| Route 231 @ Grand Boulevard | *F* | *F* | *E→F* |
| Route 231 @ Nicolls Road | | *F* | |

Analysis Results for Limited-Access Highway Operation

- Advanced modeling software (Vissim) was used to analyze operating conditions on Sagtikos Parkway in both directions between Northern Parkway and Southern Parkway and the LIE in the area of the Sagtikos Parkway interchange. The model computes travel time between various points on the study roadways based on traffic

volumes, roadway geometry (i.e., number of lanes, lane width, alignment, configuration of interchanges, etc.) and other relevant parameters.

- With the recommended improvements, travel times on the study area highways for the Phase I Build condition generally will be similar to, or slightly better than, the 2017 No-Build condition, except that travel times will be: (a) decreased along the length of northbound Sagtikos Parkway during the AM peak; and (b) increased on the northernmost segment of northbound Sagtikos Parkway (in the vicinity of the LIE and New Highway) during the PM peak.
- With the recommended improvements, travel times on study area highways for the Full-Build (all three phases) condition generally will be similar to the 2027 No-Build condition.

Recommended/Proposed Roadway Improvements

- The traffic impact analyses indicate that physical roadway improvements are required in the area surrounding the Heartland Town Square property, not only due to traffic associated with the development of Heartland Town Square, but also due to circumstances that are not related to the proposed action, including traffic conditions that already exist, as well as traffic due to ambient increases in traffic in the future and new traffic that is expected to be generated by other developments.

Both the NYSDOT and Suffolk County have recognized that there are existing deficiencies in the roadway network surrounding the subject property, unrelated to the proposed development. Both of these agencies have committed to participating in the improvement of the roadway infrastructure to address these deficiencies and improve future conditions, as set forth in correspondence which is included in the FGEIS. The applicants will continue to work with Suffolk County, New York State and the Federal government to identify means of addressing existing traffic capacity deficiencies.

- The traffic impact analysis results assume that roadway improvements will be implemented to mitigate operating deficiencies under the No-Build condition, as well as impacts that will result from project-generated traffic.
- The total cost of the recommended roadway improvements is estimated at between \$200 million and \$225 million.
- Both NYSDOT and SCDPW have issued letters committing to their participation in the required roadway improvements. The Town is relying on the commitment of these two agencies to undertaking the roadway improvements identified in the FGEIS's supplemental traffic impact analysis which are needed to mitigate the traffic impacts of the proposed development; and this Findings Statement is based on the assumption that these measures will be implemented in a timely manner as set forth in the FGEIS.
- The applicants have committed \$25 million toward required **off-site** roadway improvements. The specific improvements to be undertaken with this \$25 million funding are not defined at this time, and will be decided through discussions among the involved agencies.
- Roadway improvements which are recommended and assumed to be implemented by the end of Phase I build-out are summarized as follows (NB = northbound, SB = southbound, EB = eastbound, WB = westbound):
 - A. Commack Road at LIE North Service Road – add SB right-turn lane; add WB through lane
 - B. Commack Road at LIE South Service Road – add EB through lane and right turn lane; add NB right-turn lane
 - C. Commack Road at Pilgrim site access – signalize intersection; add NB through lane; add SB through lane; add second WB left-turn lane
 - D. Crooked Hill Road at LIE North Service Road – add one SB lane; widen/reconstruct WB approach to provide three lanes
 - E. Crooked Hill Road underpass at LIE – provide second SB lane under bridge by re-striping within existing pavement width
 - F. Crooked Hill Road south of LIE – widen Crooked Hill Road to four lanes plus turn lanes from LIE to existing Pilgrim entrance

- G. LIE EB ramps to SB Sagtikos Parkway – construct new spur from existing ramp to Crooked Hill Road; align new ramp spur with proposed signalized intersection at Heartland Town Square access point
 - H. Crooked Hill Road at existing Pilgrim access – signalize intersection; reconstruct EB approach
 - I. Crooked Hill Road south of existing Pilgrim access – widen Crooked Hill Road to provide two lanes in each direction plus turn lanes
 - J. Crooked Hill Road bridge over Sagtikos Parkway – widen and lengthen bridge to accommodate additional lanes on both roadways
 - K. Crooked Hill Road at Community College Dr/G Road – widen intersection approaches to provide NB, SB and EB dual left-turn lanes; add SB and EB right-turn lanes
 - L. Sagtikos Parkway between Southern Parkway and Long Island Avenue – add third lane in each direction on Sagtikos Parkway
 - M. Sagtikos Parkway interchange at Pine Aire Drive/Long Island Avenue – reconstruct parkway bridges over LIRR and Pine Aire Drive; modify Pine Aire Drive ramps; provide EB right-turn lane and WB left-turn lane on Pine Aire Drive at Sagtikos Parkway ramps; extend Long Island Avenue to Sagtikos Parkway and construct new interchange with Sagtikos Parkway
 - N. Sagtikos Parkway between Long Island Ave and Community Dr/G Road – add third lane in each direction on Sagtikos Parkway
 - O. Sagtikos Parkway at Community Drive/G Road – widen and lengthen G Road bridge over Sagtikos Parkway; remove existing ramps and construct new diamond interchange
 - P. Sagtikos Parkway between Community Drive/G Road and LIE – add third lane in each direction on Sagtikos Parkway; modify existing NB Sagtikos on-ramp from Crooked Hill Road to permit truck access to LIE from Crooked Hill Road
 - Q. G Road west of Sagtikos Parkway – widen G Road through Heartland Town Square access points
 - R. Long Island Avenue at Executive Drive – add SB left-turn lane
 - S. Pine Aire Drive at Executive Drive – add 2nd SB left-turn lane
 - T. LIE South Service Road between Commack Road and Crooked Hill Road – construct access driveway from LIE South Service Road to Heartland Town Square
 - U. Heartland Access Road – construct access road between Heartland Industrial Park and G Road
- Additional roadway improvements which are recommended and assumed to be implemented by Full Build-Out (end of Phase III) are summarized as follows:
- V. Crooked Hill Road at new DU4 Access Road – construct new signalized intersection
 - W. G Road/Community College Drive at DU4 Access – construct new access to Heartland Town Square
 - X. New connector-distributor roadway to SB Sagtikos Parkway – construct C-D road parallel to SB Sagtikos Parkway between existing off-ramp to Heartland Town Square and G Road
 - Y. Sagtikos Parkway between LIE and Northern Parkway – add third lane in each direction on Sagtikos Parkway
 - Z. LIE WB ramp to SB Sagtikos Parkway – construct new ramp spur to Crooked Hill Road from existing WB LIE to SB Sagtikos Parkway ramp, aligned with Heartland Town Square northerly access (signalized) on Crooked Hill Road

Other Traffic Mitigation Measures

- As discussed in more detail in the section of this Findings Statement titled, “Conditions and Criteria Under Which Future Actions Will Be Undertaken or Approved, Including Requirements for Any Subsequent SEQRA Compliance”, when Phase I of Heartland Town Square is 70 percent occupied, the applicants will conduct counts of vehicles entering and exiting Heartland Town Square during the PM peak hour. If the observed volume of entering/exiting traffic is greater than the volume projected in the FGEIS Supplemental Traffic Analysis, this would indicate that the internal capture rates (i.e., project-generated traffic that does not leave the site) used in the Analysis were over-estimated. Under these circumstances, the Town Board can then modify the density of office development in Phases II and/or III, commensurate with the difference between the projected internal capture rate and the actual internal capture rate.
- NYSDOT has acknowledged a capacity problem on Sagtikos Parkway, and has allocated \$3.41 million in the current fiscal year to commence a preliminary engineering study and an additional \$10.952 million after 2015 for design of a Parkway improvement project.

- NYSDOT has also recognized deficiencies in other portions of the roadway network surrounding the subject property, and has indicated its intention to work with the Long Island Regional Economic Development Council (LIREDC), the Nassau/Suffolk Transportation Coordinating Committee, Suffolk County and the Town of Islip to prioritize programming needs that promote economic growth in the region.
- The applicants have received a \$2.5 million grant from the LIREDC for the design and implementation of improvements to Crooked Hill Road. SCDPW has provided matching funds for this roadway improvement grant.
- The applicants have committed to operate a shuttle bus between Heartland Town Square and Deer Park train station starting in Phase I of the proposed development. This shuttle will be coordinated with the LIRR schedule.
- Automobile ownership and use will be discouraged by:
 - on-site concierge office with a transportation manager who will provide information to residents regarding the availability of public transportation;
 - operating a private shuttle bus within Heartland Town Square;
 - encouraging bicycle use, including on-site bicycle lanes and bicycle storage facilities;
 - providing “zip cars” or the like;
 - arranging car pools for residents and employees within Heartland Town Square; and
 - providing only one convenient parking space per residential unit, with additional parking spaces available at a fee and at a more remote location.
- The proposed development will implement shared parking principles, which are based on the concept that a combination of uses requires fewer parking spaces than the sum of the parking required for the individual uses. This is due to differences in time-of-day, day-of-week, and monthly peaking characteristics of each use. A simple example is that office-related parking demand peaks on weekdays and experiences a lull on weekends, whereas retail-related parking demand peaks on weekends. Thus, to a certain degree, the same parking spaces which are used by office tenants during the week can be used by shoppers on the weekend. As the exact buildings, uses, sizes and locations cannot be determine since the project will be developed over many years, specific parking requirements will be determined as detailed site plans are developed and application is made to the Town for site plan approval, based upon the criteria and methodology contained within the PSPRD.

Construction and Demolition

- As part of site development, the project sponsor has evaluated options for addressing project-related recycling and reuse of construction and demolition debris that has not already been removed from the site (e.g., demolition debris from the underground utility tunnels, where removal is required for geotechnical purposes, debris from internal roadways and infrastructure that requires removal). Although the preliminary analysis conducted by the applicants indicated that the materials were not suitable for reuse as road base, the applicants will use these materials to fill voids on the site (such as those in the underground utility tunnels), consistent with prevailing environmental laws and regulations.
- The applicants will inspect tunnels (and any other interior areas) for asbestos and other hazardous materials prior to closure or abandonment. As indicated in the DGEIS and FGEIS, an extensive asbestos-containing material (ACM) sampling program was conducted on the site, and asbestos abatement was conducted as applicable prior to the demolition of the buildings which have been removed from the site. Also, based upon the geotechnical requirements of the proposed project, the concrete tunnels, and their interior contents (e.g., pipes, electrical wiring, ACM) will be removed in areas beneath the footprints of buildings or other load-bearing structures, with all of the excavated materials handled and disposed in accordance with prevailing regulations. In sealed-in areas where load-bearing capacity is not an issue (e.g. landscaped areas, parking lots, etc.), any liquid-type wastes (e.g., transformer fluids) will be disposed in accordance with prevailing regulations prior to sealing of the tunnels. Any ACM present in portions of the tunnels scheduled to be sealed-off will be left in-place, thereby encapsulating same, consistent with prevailing environmental laws and regulations.
- Potential environmental concerns (PECs) and recognized environmental conditions (RECs) remaining on the subject property during construction will be outlined as part of a Facility Closure Plan which, as necessary, will

include health and safety measures and methodologies for addressing the identified PECs and RECs. The Facility Closure Plan will also summarize closure requirements for PECs and RECs and will identify the regulatory agencies having oversight – e.g., Suffolk County Department of Health Services (SCDHS) and New York State Department of Environmental Conservation (NYSDEC), as required. The protocols for addressing identified PECs and RECs will be reviewed by the appropriate regulatory agencies to ensure minimal on-site and off-site impact.

- Any documented impacts to soil and groundwater on the site (as identified in the various studies conducted and included in the DGEIS/FGEIS, documented spills, etc.) will be addressed under appropriate NYSDEC supervision. However, should an underground storage tank be discovered during demolition, grading, soil scraping (removal of surface soils), and/or excavation prior to and/or during construction, SCDHS will be notified and the tank will be registered, if warranted. Tank removal will be conducted under the supervision of SCDHS; and should contaminants associated with leaks and/or spills be observed, SCDHS or applicants will notify NYSDEC, which will ultimately determine the necessary remedial actions associated with any spill incidents. Should any propane tanks be discovered, the Town of Islip Fire Marshal will be notified, as this agency maintains jurisdiction in these instances. These items will be outlined in a Facility Closure Plan (as described above), as a contingency for undocumented tanks that may be present on the site.
- Construction of the proposed Heartland Town Square development will adhere to the Town of Islip Noise Ordinance (Chapter 35 of the Town of Islip Code), which regulates noise generated during construction (with construction hours limited to 7:00 a.m. to 8:00 p.m., weekdays). Construction will occur in phases, thereby moderating the level of noise during construction.
- The applicants will mitigate potential dust and air quality impacts during construction by reducing the area of ground surface exposed at any given time, preventing the tracking of dirt and debris onto roadways by installing construction pads at construction entrances, and providing street sweeping, as required, and utilizing construction equipment meeting applicable emissions standards. Other mitigation for construction activity will be undertaken to reduce fugitive dust emissions and mobile source emissions. A water truck will be provided, as necessary, in order to wet down exposed soils, and seeding or stabilizing disturbed soils as soon as possible subsequent to their exposure. These measures will, at a minimum, be employed to address construction-related impacts with respect to air quality.
- During the public comment period on the DGEIS, the New York State Office of Mental Health (NYSOMH) raised questions about coordination prior to and during construction to ensure that there are no significant impacts to the remaining operations at Pilgrim State Psychiatric Center and that proper access to that facility is maintained. The applicants will establish a procedure for consultations with representatives of NYSOMH regarding the construction process. The applicants are committed to amicably resolve issues brought to their attention by NYSOMH. The first meeting will take place prior to the initiation of any construction activities. Furthermore, the existing entrance to the Pilgrim Campus along Commack Road will remain intact during the demolition and construction phases.
- In accordance with Occupational Safety and Health Administration (OSHA) requirements, worker safety and protection of underground utilities will be top priorities during construction. These items will be addressed in a Health and Safety Plan (HASP) prepared by the developer or its consultants in order to provide a safe working environment for on-site construction workers. The HASP will outline, among other things, utility hazards that exist within the working environment during construction and demolition phases. The HASP will also include preventative measures to protect the worksite infrastructure including utilities through safety meetings and safety practices. In addition, protection of existing utility infrastructure will be outlined in a construction plan that will be prepared when the exact configuration of the Heartland Town Square development is determined. Specifically, prior to the commencement of construction, the applicants will locate and fully map all on-site utilities and provide measures for protection of same.

Phasing

- The proposed project will be developed in three distinct phases, and each phase will be gradually implemented over the course of approximately five years. As a general matter, this will provide the opportunity to make adjustments during the site plan review process in response to conditions or circumstances which may arise requiring attention as the development progresses.

- As discussed in more detail in the “Traffic” section of this Findings Statement, the applicants will conduct traffic counts at all access points for the subject property when 70 percent of the space associated with Phase I is occupied. The data produced by these observations will be used to determine whether the number of external trips is greater than what was projected in the FGEIS; and if that is the case, the level of office space approved for future phases could be reduced by the Town Board to ensure that the ultimate levels of external traffic under Full Build do not exceed those studied.
- As discussed in more detail in the “Water Resources” section of this Findings Statement, a phased approach also will be implemented with respect to sewage flow, with project demand being evaluated as permits are sought for each building within the development and actions taken in cooperation with SCDHS, SCDPW and SCSA to ensure adequate system capacity as the development progresses.
- During the public comment period on the DGEIS, concerns were raised regarding the economic benefits projected by the applicants, and how they may not be realized, if the applicants chose not to develop the commercial and/or retail uses as they develop the residential uses (i.e., there would be residential demand for services without projected revenues from the commercial/retail development). To address this issue, the applicants have committed to develop at least 200,000 square feet of retail space and 200,000 square feet of office space at the same time that residential development is commenced for Phase I. The precise details regarding the timing of the development of this retail/office component during Phase I, in reference to the development of Phase I’s residential component, will be decided at the appropriate time in the future.

Land Use and Zoning

- In an effort to enhance the “smart-growth” benefits of Heartland Town Square (e.g., increased walkability, less dependence on the automobile, and ability to live, work and play within the property), the design of the Conceptual Master Plan has been modified as part of the SEQRA process. In the modified plan, the Town Center provides a high-density core and mix of uses within a walkable community, and follows many of the main tenets of “new urbanism”, including walkability (whereby amenities and accessory facilities are located within a ten-minute walk of home and work), connectivity (i.e., an interconnected street grid, hierarchy of streets, and high quality pedestrian network), mixed and diverse uses (i.e., mix of uses within neighborhoods, blocks and buildings, and diversity of population, by income, age and culture), and increased density (more buildings, residences, shops, and services closer together for ease of walking, to enable a more efficient use of services and resources, and to create a more convenient, enjoyable place to live). The proposed development, including the Town Center, also supports the concepts of “smart-growth” as set forth by the U.S Environmental Protection Agency (USEPA) through its Smart Growth Network. Most of USEPA’s “smart-growth” principles coincide with those of “new urbanism”, including walkability, mix of land uses, compact building design, and fostering of distinct and attractive communities with a strong “sense of place”.

Increased density and mixed uses are the primary factors influencing the degree to which people walk rather than drive. An important benefit of a higher density, mixed-use development is the synergistic effects among the various uses. As indicated in *Retrofitting Suburbia*, “one can identify a cycle of supporting uses: residential attracts retail, retail supports office, office supplies restaurants, and coming, full circle, restaurants attract residential use. These synergies are most effective when the uses are close together and it is convenient to easily move from one to the other. This is especially true of ‘vertical mixed use,’ where different activities are stacked within the same building and integrated into urban streets with ground level retail and office and residential above.” The revised Conceptual Master Plan for Heartland Town Square, especially within the Town Center, incorporates a number of vertically-integrated buildings.

- In order to minimize potential impacts with respect to land use (as well as visual resources) at the site perimeters, the revised Conceptual Master Plan shifts the density of the development more toward the Town Center in the northern portion of the site, more toward the center within each development unit, and more toward the center of the overall site and away from the periphery. This has allowed the retention of greater wooded/vegetated setbacks along Sagtikos Parkway, the northwestern portion of the site (near Commack Road) and the southeastern portion of the site adjacent to the residential neighborhood.
- The Heartland Town Square property is situated within an urban renewal area, and the proposed development will significantly increase the tax base of the Town of Islip and create thousands of construction jobs and almost

26,000 full time job equivalents at full development. Moreover, Heartland Town Square is a redevelopment of a formerly intensively developed site, and does not entail the development of pristine land.

- The proposed development will not disturb the cemetery on the subject property.
- The *Marketability Study* prepared on the applicants' behalf by Metropolitan Valuation Services (MVS) in March 2010, as updated by letter from MVS dated May 24, 2013, demonstrates the need and demand for the various land uses (residential, office and retail) comprising the proposed development. Considering the large size and scope, and long time frame for build-out of the proposed development, the *Marketability Study* focuses on the current market conditions and forecasts for marketability of Phase I of the project over the next five to seven years. This time horizon includes the anticipated approval of the project, the construction of Phase I and projected absorption of the first phase.
- The majority of buildings across the Heartland Town Square site are "low-rise" (maximum of six stories, 80 feet in height). At selected locations within DU1 and DU2, 13 "mid-rise" towers (seven to 13 stories, up to 165 feet in height) and a single high-rise "signature" tower (14 to 20 stories, up to 260 feet in height) are proposed. The majority of the office and residential buildings respect the height of the Pilgrim State buildings that are to remain. Very few will be higher, and these are proposed as icons to help to establish the identity for Heartland Town Square. There will be clusters of mid-rise towers within the Town Center (interior to the subject property) and some taller buildings along the interior, closer to the existing Pilgrim facility. In addition, with the exception of the "signature" tower and one "mid-rise" mixed-use office tower, the tallest structures ("mid-rise" towers) will be clustered around the existing water tower (Water Tower Plaza), which has been designed to be the focal point of the Town Center. These buildings are located at the central portion of the Town Center, significantly set back from all the surrounding roadways. Thus, the revised Conceptual Master Plan and Building Stories Plan provide for the majority of the proposed buildings to be no taller than the existing buildings within the remaining Pilgrim State campus. The actual height of each building in the proposed development will be decided during site plan review, at which time relevant factors will be taken into consideration to minimize visual and related impacts – e.g., by limiting building height in the vicinity of existing neighborhoods around the periphery of the site.
- Based upon discussion with the Town, the applicants have committed to providing ten percent of the total residential units as rental, multi-family, workforce housing as part of the Heartland Town Square development. This equates to 900 units (913 units if the Town Board ultimately decides to rezone the Gateway Area to PSPRD and that parcel is redeveloped according to the Revised Conceptual Master Plan). The workforce units will be dispersed throughout the Heartland Town Square community and will not be distinguishable from the market-rate units. The workforce rental units will be marketed to those earning between 100 percent and 120 percent of the Area Median Income (AMI), as determined annually by the U.S. Department of Housing and Urban Development (HUD). Housing is defined as affordable by HUD if an occupant spends no more than 30 percent of the household income on such housing. Thus, the rental costs for the workforce housing will be based on that limitation. The applicants are contemplating using the services of the Long Island Housing Partnership (LIHP), or similar not-for-profit housing organization acceptable to the Town of Islip, to assist in the development of the workforce housing program. In consultation with and to the satisfaction of the Town, LIHP (or other not-for-profit) would assist with the initial and on-going income-qualification of renters, and any other parameters that the Town may wish to evaluate and/or monitor.

The proposed housing mix presented in the FGEIS and set forth herein, including the proportion of work-force and rental units, was arrived at based on current circumstances. The Town, in cooperation with the applicants, will review the relevant circumstances as the actual development is proceeding and will re-evaluate and may consider adjustments to the housing mix at that time, as governed by the conditions and criteria set forth herein.

- To address blighted conditions in the area of the subject site, based upon discussions with the Town, the applicants have committed \$2 million to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.
- Based upon discussions with the Town, ten percent of the residential units within Heartland Town Square will be owner-occupied units.

- The New York State Office of Mental Health (NYSOMH) has easements within the subject property. The applicants will comply with agreements executed between the NYSOMH, in accordance with the terms of the Purchase and Sale Agreement, pursuant to which the applicants acquired the property.

Topography/Grading

- Re-grading is necessary in the areas proposed for development in order to establish proper elevations for roads, building footprints, drainage infrastructure, and other facilities. However, every effort will be made to minimize the impact to areas that are not being developed in order to retain as much existing vegetation as possible within these areas. In addition, vegetated areas designated to be preserved (e.g., buffers) will be staked prior to grading activities to ensure that they are not inadvertently disturbed during grading.

Water Resources

- Modeling was conducted to address concerns regarding potential impacts to groundwater levels and surface water (specifically Deer Lake) associated with the withdrawal of water from the aquifer to serve the Heartland Town Square development. The results of this modeling, presented in the DGEIS, demonstrate that groundwater levels and surface waters will not be significantly impacted by water use at Heartland Town Square, and that any changes to groundwater levels will be small when compared again to historic fluctuations in the water table. In addition, to assist with the monitoring of groundwater, at the time the first site plan is approved by the Town of Islip, Heartland Town Square will install a monitoring well on site for SCDHS or United States Geological Survey to use in mapping the water table.
- The Heartland Town Square property is situated within the Oak Brush Plains Special Groundwater Protection Area (SGPA), which is designated as Critical Environmental Area. The proposed project involves the redevelopment of land that was already developed when the SGPA was adopted. Moreover, approximately 35 percent of property will be open space at build-out of the proposed development, in keeping with the recommendations of the *SGPA Plan*.
- The proposed development will be connected to the municipal (Suffolk County) sewer system and, as a result, sanitary wastewaters generated by the project will not infiltrate into the ground at the subject location. Furthermore, prior to occupancy, the site will be fully remediated to accommodate the proposed uses, in accordance with the applicable regulatory requirements. Such remediation will remove residual on-site environmental contamination and, thus, will benefit groundwater quality. Stormwater runoff generated on the redeveloped site will be discharged into the ground via a network of drywells and recharge basins constructed in accordance with prevailing regulations. This stormwater management system will trap sediment in catch basins and similar structures, making maintenance more efficient and localized, thereby preventing sediment (and associated urban stormwater contaminants) from infiltrating into the ground and protecting water quality in the aquifer. A number of studies, including the *Soil Survey of Suffolk County, New York*, the *Long Island Segment of the Nationwide Urban Runoff Program*, and the *Long Island Sound Study*, have validated the effectiveness of the sandy soils on Long Island in filtering recharged stormwater. Appropriate “green” infrastructure measures, which have been incorporated into the updated *New York State Stormwater Design Manual*, will be considered as part of the final design.
- The applicants have committed to using native vegetation “to the maximum extent practicable” in order to minimize the use of irrigation water, fertilizers and landscaping chemicals. The species, quantities and locations of all proposed plantings will be submitted for review and approval by the Town at the time of site plan submission.
- The Heartland Town Square development will employ drip irrigation, will preserve over 86 acres of woodland/natural buffer, and will use water-conserving fixtures (in accordance with applicable building code requirements) in both residential and non-residential spaces.
- Preliminary computations indicated that Heartland Town Square could generate as much as 2.5 mgd of sanitary wastewater when all proposed buildings are occupied at build-out. However, with the use of water conserving fixtures, the applicants estimate that total sewage discharge will be approximately 1.6 mgd. At the time of the initial investigation of total project wastewater flow, concern was expressed by SCDHS and SCDPW that the

flow proposed was not based on SCDHS design requirements. Because of the size of the project and duration of the proposed build-out, the project is proposed in three phases. SCDPW and SCDHS have agreed that as permits are sought for each new building in Heartland Town Square, sewage flow will be calculated using SCDHS flow factors, both for that new building and the cumulative total for the overall development to date. Flow will also be monitored at the sewage pump station and compared to the calculated flow. When the calculated flow reaches 1.0 mgd (which is approximately equal to the Phase I flow), this will be compared to the actual flow measured at the pump station. This procedure will continue until Heartland Town Square's calculated flow reaches 1.6 mgd, at which point the project would be allowed to continue if the actual flow is less than the calculated value; otherwise, the applicants would be required to purchase additional flow from the SCSA. The continued monitoring, and review of data by SCDPW and SCDHS, will ensure that there are no significant adverse impacts to the Southwest Sewer District facilities. Moreover, if the sanitary flow from Heartland Town Square exceeds 1.6 mgd, the applicant will be required to purchase additional flow.

- The capacity of the existing pumping station will be further evaluated during sewer design. The engineering design will evaluate the existing pumps and their capacity, their ultimate capacity (improved), the present flow data, capacity of the existing force main, etc. The applicants will be responsible for providing, at their expense, any upgrades or improvements that are necessary to the pumping station after completion of an engineering study under the oversight of SCDPW, as the agency responsible for operating this station.

Ecology

- In total, approximately 90 acres of existing vegetation will be preserved upon implementation of the proposed action. Of this acreage, approximately 48.5 acres will be Pitch Pine-Oak Forest. The preserved habitats are expected to continue to support a similar assemblage of plant and animal species, though individual population densities of resident species will be reduced. However, much of the on-site acreage of Pitch Pine-Oak forest that will be preserved has directly contiguous, off-site counterparts of this same community type (including the protected 800+-acre Edgewood Preserve) to which wildlife could emigrate.
- Much of the existing perimeter vegetation on the subject property is comprised of Pitch Pine-Oak Forest, particularly along the eastern and northwestern boundaries of the site. Thus, many native plant species, including pitch pines and oaks, will be left intact on the periphery of the site. Furthermore, minimum setbacks will be preserved along property boundaries, as set forth in the following table, which will serve to protect natural vegetation:

| Perimeter Boundary | Minimum Setback |
|--|-----------------|
| Sagtikos Parkway (West Side – DU2 and DU3) | 200 feet |
| Sagtikos Parkway (East Side – DU4) | 115 feet |
| Northwest Corner (near Commack Road – DU1-B) | 130 feet |
| Southeastern Corner (DU-4) | 40 feet |

- In the short term, it is anticipated that the habitats being preserved on the Heartland Town Square property and surrounding the site, including the Edgewood Preserve, will experience a temporary increase in wildlife species during the construction phase of the proposed action, due to emigration of individuals from the subject property. Subsequently, it is anticipated that competition for available resources within these surrounding habitats will result in a small net decrease in local population size for most species, until equilibrium between wildlife populations and available resources is achieved. Following completion of the proposed action, it is expected that individuals of most wildlife species currently existing on site will return to the post-construction habitats. Ultimately, it is not expected that the proposed development will result in significant adverse impacts to the overall diversity of local and regional wildlife populations.
- Two of the three rare plant species observed on the site, showy aster and slender pinweed, were found to be growing in several locations close to the boundaries of the subject property. As much of the existing perimeter vegetation will be preserved as part of the proposed action, it is anticipated that the occurrences of these two species will be preserved as well. As the third plant species observed on the site, little-leafed tick-trefoil, is found most often in dry woods habitat (and was observed on the site in clearings within Pitch Pine Oak Forest), it is also likely that occurrences of this plant will be retained within the approximately 48.5 acres of Pitch Pine Oak forest to be preserved on the site. Furthermore, little-leafed tick-trefoil has also been reported to be

present on the adjacent Edgewood Preserve. The preservation of the approximately 48.5 acres of Pitch Pine-Oak Forest will also continue to provide habitat for the red-banded hairstreak butterfly, the single rare animal species observed on the site.

- Rows and stands of existing trees will be retained at several locations in the revised Conceptual Master Plan for incorporation into green spaces/parks. This includes incorporation of some of the existing tree stands along Road “K” as the centerpiece of two new park spaces that will tie residential neighborhoods into the Town Center in DU1-A. In DU4, stands of trees in the existing central green area will be preserved and become a focal point for a new community space in that area. In addition to these key central areas, a large number of trees will be preserved around the perimeter of the site to act as buffers.
- It is anticipated that approximately 77.6 acres of the redeveloped site will contain landscape vegetation. To mitigate potential impacts associated with fertilization and irrigation, the applicants will use native vegetation in their landscape plans, “to the maximum extent practicable”.

Aesthetics/Visual Impacts

- In order to minimize potential visual impacts from off-site viewing locations, as explained earlier in this Findings Statement, the proposed development provides continuous buffer areas on both the east and west side of Sagtikos Parkway, adds a buffer area on the southern edge of DU4, maintains a 130-foot minimum setback along the west side of DU1-B (near Commack Road), increases the open space along the northwest border of DU1-B, adjacent to the southern portion of the existing cemetery, and provides additional buffer areas along the southern and western borders of DU3.
- The revised Conceptual Master Plan presented in the FGEIS increases the perimeter buffers, as compared to the plan presented in the DGEIS, as follows:
 - along Sagtikos Parkway, on west side of DU2 and DU3 – increased from 75 feet to 200 feet
 - along Sagtikos Parkway, on east side of DU4 – increased from 45 feet to 115 feet
 - in southeast corner of site (DU4) – increased from 16 feet to 40 feet
- In an effort to minimize potential visual impacts from surrounding areas, the revised Conceptual Master Plan predominantly proposes “low-rise” buildings (up to six stories and 80 feet in height) throughout the property. “Low-rise” development will be located adjacent to the surrounding residential areas. The taller buildings (“mid-rise” towers, seven to 13 stories, up to 165 feet in height) will be located in the more central portion of the Town Center around the existing water tower (shown on the revised Conceptual Master Plan as “Water Tower Plaza”) which is proposed to remain and become a focal point for the community. The tallest building proposed for the site, the “signature” office tower, will be set back more than 600 feet from Sagtikos Parkway. Therefore, there would not be a concentration of tall buildings along the Parkway, and the existing vegetated buffer will assist in screening the development from that roadway.
- All of the buildings proposed within DU3 (on the west side of Sagtikos Parkway) and DU4 (on the eastern side of Sagtikos Parkway, close to the residential neighborhood) are “low-rise”.
- In order to ensure that the aesthetic objectives of Heartland Town Square are achieved and that the development is aesthetically appealing, Design Guidelines have been prepared and incorporated into the proposed PSPRD zoning to provide guidance for, among other things, the design and architecture of the site. All future development under the PSPRD zoning will be reviewed by the Town for consistency with the Design Guidelines.
- The internal location of the most intense uses (Town Center) and the increased vegetated buffers along the property lines, especially in the northwestern and southeastern portions of the site, will assist in mitigating impacts generated by on-site lighting.
- The Design Guidelines provide concepts to minimize glare and light trespass into neighboring areas and also encourage energy conservation in Heartland Town Square. The proposed zoning includes lighting regulations, and applications made for site plan review within Heartland Town Square will be required to comply with such lighting regulations. Detailed lighting standards/regulations for Heartland Town Square will be prepared,

subject to review and finalization by the Town, in conjunction with the review and finalization of the zoning text and Design Guidelines.

Historic Resources

- Most of the buildings that stood on the portion of the former Pilgrim State Psychiatric Center (PSPC) property proposed for development with Heartland Town Square have been demolished. While the Pilgrim State property has been determined to be eligible for listing on the National Register of Historic Places, a private property owner is not required to retain and reuse the buildings on the site. A letter dated January 2, 2003 from The Society for the Preservation of Long Island Antiquities regarding the status of buildings at the site, which was included in the FGEIS, concluded that buildings 18, 22, 23 and 24 at the Sagtikos Parkway entrance to the PSPC site should not be characterized as a landmark worthy of preservation and no public purpose would be served by the retention of these buildings. The architecture of these buildings is similar to and consistent with the architecture of the main Pilgrim campus, which still exists and operates today, and which is not part of the proposed action. Additionally, a museum has been established at Building 45 which documents the history and architecture of PSPC.
- As part of the Heartland Town Square development, the former water tower and the power plant are proposed to be preserved and adaptively reused. The water tower in the Town Center (DU1-A) and the power plant in DU3 are envisioned to become centerpieces of their respective development units, along with two linear east-west parks with trees leading to the Town Center in DU1 and the trees within the open space in DU4.

Open Space

- Over 60 percent of the subject property has been previously developed as part of PSPC. As part of the Heartland Town Square development, 151 acres are proposed as open space.
- Heartland Town Square will include neighborhood parks, designed to have areas that accommodate adult gatherings and provide both active and passive short-term activities serving a neighborhood walking distance within a half-mile radius. Various neighborhood parks will contain play areas for children, shelter structures, open space, and multiple-use paved areas for court games. In addition to land specifically devoted for active recreation, there are other open space areas which will be used for more informal recreation such as dog walking, picnicking and light exercise. These include natural landscape areas, landscaped buffer zones, and boulevard medians. They may also accommodate hiking and nature trails.
- Plazas and courtyards will be provided throughout the mixed-use and commercial areas of Heartland Town Square. These will be small-scale spaces, plazas, pocket parks and similar areas which will create “people places”. Such areas will provide useful open space for the office tenant population (for lunch breaks, mid-day concerts, etc.), as well as heavily landscaped spaces for programming special events and community-based activities (art fairs, farmers markets, festivals, etc.).
- Privately owned yard areas within Heartland Town Square will contribute to the overall open space network.
- Open space within Heartland Town Square has been designed to conform to the recommendations of the National Recreation and Parks Association (NRPA). The NRPA is an organization that has prepared a nationally-recognized program identifying needed parks and recreational facilities. The NRPA’s recommended levels of service standards are as follows:

| | |
|---------------------|-----------------------------------|
| Neighborhood Parks: | 1.0 to 2.0 acres/1,000 population |
| Community Parks: | 5.0 to 8.0 acres/1,000 population |
| Trails: | 0.5 mile/1,000 population |

According to the standards developed by NRPA, the total open space need of the 20,000±-person Heartland Town Square community is approximately 125 acres (or 6.25 acres per 1,000 people). The overall proposed development provides a total of approximately 151 acres of parks and buffers, plazas and courtyards, and yard areas, not including the cemetery (which will be preserved) or sidewalk planting areas. Therefore, the open space ratio is approximately 7.5 acres per 1,000 people, which exceeds the open space ratio recommended by NRPA.

Energy/Sustainability

- The applicants are proposing to use natural gas within the development. Once specific development plans are submitted to the Town of Islip, the applicants will work with National Grid to determine the degree to which natural gas lines will have to be installed or relocated. It is expected that existing gas lines, which are located within the street system, will need to be relocated, since the proposed street network differs from the existing street system on the site.
- The development of Heartland Town Square will comply with all applicable regulations with respect to energy conservation, including energy-saving lighting fixtures and water-conserving fixtures. Other potential options that will be explored – and implemented, if financially feasible – include alternative energy sources, technical and financial assistance to utilize energy-efficient technologies, and the development of a smart utility grid. As site plans are prepared and as the project progresses over time and technologies advance, the applicants will re-evaluate energy-conservation measures and alternative energy sources, and will incorporate additional energy conservation measures that are deemed to be financially feasible at that time. The applicants will also continue to work with Long Island Power Authority (LIPA)/PSE&G-Long Island to investigate energy reduction techniques, and are also willing to negotiate with LIPA/PSE&G Long Island to provide land for a substation, if required.
- Bioswales will be incorporated into the Town Center portion of the development, along two north-south streets, running from the northernmost portion of the ring road, southward to the area just north of the proposed 100-foot-wide open space buffer areas, adjacent to the Pilgrim campus. According to the Natural Resources Conservation Service of the United States Department of Agriculture, once established, bioswales require less maintenance than turf grass because they need less water and no fertilizer. Native grasses and other native species are adapted to local rainfall patterns and resist local pests, disease and weed infestations. The proposed bioswales will be incorporated into the overall landscape design and stormwater drainage system. Use of bioswales will be considered as part of the drainage concepts for other areas of the property at the time of site plan review.
- A greenhouse gas (GHG) emissions analysis associated with expected energy consumption and project-related vehicle miles traveled (VMT) has been prepared. As a “smart-growth” development, it is expected that Heartland Town Square will have lower GHG emissions than a traditional, non-“smart-growth” development of the same size due to reductions in electrical energy usage and reductions in vehicle miles traveled. In relative terms, the energy savings for Heartland Town Square is expected to result in approximately 24,000 to 37,000 megawatt-hours less electrical energy usage per year than a traditional development of the same magnitude, which translates to a reduction of 18 to 28 percent in GHG emissions. In terms of GHG emissions associated with vehicle trips, there would conservatively be an average 20 percent reduction in trip generation with a “smart-growth” development, which translates to a commensurate reduction in GHG emissions from vehicle trips, when compared to a traditional, non-“smart-growth” development of the same magnitude.

Noise

- A revised noise analysis was prepared, based on the revised traffic analyses conducted for the FGEIS. In addition to noise associated with vehicular traffic generated by the proposed project, stationary noise sources within the development were also considered. The FGEIS noise analysis used the NYSDEC policy guidance for “Assessing and Mitigating Noise Impacts” (October 2000), which provides the following thresholds of significant noise increases:
 - an increase in noise levels of less than 3 dBA (A-weighted decibels) associated with the proposed development, as compared to conditions without the development, should have no discernable effect on receptors;
 - an increase ranging from 3 dBA to 6 dBA may have potential for adverse noise impact only in cases where the most sensitive of receptors are present;
 - an increase of more than 6 dBA may require a closer analysis of impact potential depending on existing sound pressure levels and the character of surrounding land use and receptors; and

- an increase of 10 dBA deserves consideration of avoidance and mitigation measures in most cases.

The nearest noise-sensitive receptors with the greatest potential to be impacted by the proposed project were identified, and existing noise levels during weekday AM Peak and PM Peak and Saturday midday periods were measured. Increases in noise levels due to on-site operations and increases due to site-generated traffic in 2027 (at full project build-out) were then estimated. Based upon the analysis, the fully built-out Heartland Town Square development may result in increases of up to 3 dBA above the No Build (i.e., without the project) noise levels in the project study area, well below the 6 dBA impact threshold established by NYSDEC. Increases for partial development (Phases I and II) can be expected to be lower than that under the fully-built condition (Phase III). Therefore, no significant noise impact is expected to result from the proposed action.

- No major noise-generating equipment or activity with the potential to create a noise impact is proposed as part of Heartland Town Square. Typical heating, ventilating and air-conditioning (HVAC) equipment, meeting American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards, when properly installed and operated, do not create noise impacts. The operation of such equipment in the proposed development will conform to the Town of Islip's noise ordinance (Chapter 35 of the Town Code).
- The revisions to the Conceptual Master Plan, as presented in the FGEIS, including the widening of vegetated buffers around the site perimeter, as described earlier in this Findings Statement, will help to provide additional noise attenuation for neighboring properties.

Socioeconomics

- The Heartland Town Square development is expected to result in significant economic benefits to the Town of Islip and the region. On an annual basis, within the first five years, the proposed action is projected to generate approximately \$15.8 million in property taxes for numerous taxing jurisdictions. By completion, it is estimated that Heartland Town Square will generate over \$50 million in property taxes to the various jurisdictions. Further, the estimated annual sales tax revenues generated by the residents of Heartland Town Square at the end of the 15+-year build-out are estimated to be approximately \$16.6 million, of which Suffolk County's share will be approximately \$8.2 million per year. The proposed retail space at Heartland Town Square is projected to generate a total of \$23.3 million in annual sales tax revenue by completion of the 15+-year build-out, of which Suffolk County's share will be almost \$11.5 million per year, based upon current rates and distribution. The fiscal analysis performed as part of the GEIS indicates that, at build-out, the Brentwood School District will receive almost \$29 million annually in net property taxes (i.e., in excess of the added costs to the school district to educate the school-age children generated by Heartland Town Square). Moreover, the presence of Heartland Town Square is anticipated to stimulate business activity throughout the immediate community. Expanded business activity indirectly brought about by Heartland Town Square equates to additional property taxes for the school district and other taxing jurisdictions.

The magnitude of the projected fiscal benefits was questioned during the SEQRA process, due to a concern about tax abatements. However, tax abatements should not affect the revenue projections because it will take fifteen or more years for full build-out of the development. Tax benefits (i.e., 485[b]) decrease annually over a ten-year period. As time goes on, not only will there be greater tax revenues by reason of reduction of abatements, there will be additional tax revenue from the additional construction during the same time. It should also be noted that 485(b) tax abatements apply to real property constructed, altered, installed, or improved for the purpose of commercial, business or industrial activities, and the Assessor of the Town of Islip would determine if such abatements are granted. Accordingly, overall, Heartland Town Square will have a significantly positive tax impact.

- One of the major benefits of Heartland Town Square will be the creation of jobs both during construction and in the completed development. These new jobs will contribute to the economic well-being of Brentwood and the surrounding communities. Overall, based upon the applicants' estimated \$3.7 billion dollar investment in construction over the course of the 15+-year build-out period, Heartland Town Square is anticipated to generate more than 13,000 construction jobs. The number of permanent jobs within the first five years of development is estimated at more than 5,400, with a payroll of approximately \$220 million. Upon completion of the final phase of development, it is estimated that Heartland Town Square will generate more than 25,000 permanent jobs, with a direct payroll of \$1.3 billion.

Heartland Town Square will provide myriad jobs opportunities that span all industry sectors. The categories with the highest number of projected jobs include: professional and technical services (which is currently one of Long Island's fastest growing industries), information industries, administrative and support services, health care and social assistance, educational services, retail, financial and investment services, and arts and entertainment. The Town of Islip, through its Industrial Development Agency and other available means, intends to facilitate the establishment of businesses and employment opportunities that maximize the proposed action's economic and community revitalization benefits for Brentwood, the Town and the region.

It is intended that national companies in all fields, as well as "start-ups" that are born from the myriad research centers and universities on Long Island, will occupy the office space at Heartland Town Square, along with national retailers, and national restaurant and entertainment chains which will lease space in the Town Center. Heartland Town Square will be positioned to attract cutting-edge technology firms desirous of capitalizing on the "brain power" available in world renowned Long Island research institutions. In addition, new businesses in emerging industries formed by local entrepreneurs are also anticipated to rent space within Heartland Town Square. In order to keep this "brain power" on Long Island, Heartland Town Square will provide a diversity of housing types (including a significant number of rentals), which will cover many price points that are designed to attract households in different income classes and at different stages in their lives.

Overall, Heartland Town Square is anticipated to become an economic engine that will spur the creation of employment opportunities and new enterprises within the Town of Islip, which will result in positive economic benefits to the Town, County, region and State, as a whole.

- During the SEQRA process, questions were raised regarding the marketability of the proposed development. An extensive *Marketability Study* and update were prepared to evaluate market feasibility, and it was determined that market conditions will support the proposed project.

The first phase of the proposed development will include a 560,000-square-foot shopping area. This will be an open-air retail property which in format will be a lifestyle center. Phases II and III include 440,000 square feet of retail space, which will be developed only if the office and residential components of those phases move forward.

The *Marketability Study* notes that the proposed development will increase the supply of rental housing, which is in demand on Long Island. The *Marketability Study* predicts that the residential component of Heartland Town Square will be absorbed at a brisk pace given the shortage of, and pent-up demand for, quality multi-family residential rental housing within the market area.

- According to the Long Island Index, almost half of people aged 18 to 34 can imagine themselves living in an apartment, condominium or townhouse in a local downtown area on Long Island. In addition, a majority of empty-nesters and seniors prefer to live in a neighborhood where the homes are close together and local stores are within walking distance, rather than one where homes are spread out and require driving. Heartland Town Square will provide this lifestyle, which is in demand.
- Questions were raised during the SEQRA process as to whether the proposed rental units will be affordable. The lack of affordable housing is a problem throughout Suffolk County, particularly in Brentwood. HUD has indicated that housing is affordable if it consumes no more than 30 percent of gross household income. In high-cost areas like Suffolk County, this standard can be stretched slightly so that households paying up to 35 percent of gross household income can be deemed to be living in affordable housing. However, as presented in the FGEIS, 40.3 percent of Suffolk County homeowners with a mortgage paid 35.0 percent or more of their household incomes for shelter. In Brentwood, 53.1 percent of homeowners with a mortgage paid 35 percent or more of their household income for shelter. Among renters, 49.6 percent of those in Suffolk County and 42.8 percent of those in Brentwood paid 35 percent or more of their household income for shelter. The workforce housing proposed for Heartland Town Square will help to address this situation through the provision of workforce rentals.

Ten percent of the units proposed for Heartland Town Square will be workforce units. Both the workforce rental units and the various market-rate ownership units will be affordable to those earning between 100 and

120 percent of the HUD Nassau-Suffolk median income. In addition, based upon requests from the Town, the applicants have committed \$2 million to purchasing and renovating blighted properties surrounding the development, which will aid in community revitalization.

- Various comments were received during the SEQRA process that questioned whether the fiscal benefits would be achieved, as the developer could, for example, only construct residential units which could have a financial impact on the school district without any offsetting tax revenue from retail or office space. In order to address this concern, the applicants will develop at least 200,000 square feet of retail space and 200,000 square feet of office space at the same time that residential development is commenced. This commitment will ensure commercial ratables for the school district (as well as other taxing jurisdictions) as school-aged children are generated by the residences.
- As specified in the DGEIS, the 3,239,500 square feet of proposed office space will be Class “A”.

Community Facilities and Services

- The subject property is situated within the Brentwood Union Free School District (UFSD). Using standard, widely accepted factors, it is estimated that approximately 1,807 school-aged children will be generated by the proposed development. The applicants anticipate that far fewer students will be generated, since the targeted markets for the proposed residential component of Heartland Town Square are young professionals and empty-nesters.

Even if the total projected number of students were to attend the Brentwood UFSD, the School District will receive a net annual tax benefit of almost \$29 million from the proposed development at build-out. This net tax benefit will enhance the ability of the School District to finance the upgrade and expansion of existing schools within the district. It will also afford the School District the ability to purchase property to construct additional school-related facilities, if needed. Since the time of the DGEIS public hearing, an amended and restated payment-in-lieu-of-taxes (PILOT) with a ten-year term has been agreed upon between the applicants and the School District. The first five years of payments are at a rate of \$3,650.44 per acre for 452 acres; and for the second five years of payments are at a rate of \$3,685.84 per acre for 452 acres. Full taxation of the Heartland Town Square development will occur after the tenth year of the agreement.

Furthermore, as described above, the applicants have committed to develop at least 200,000 square feet of retail space and 200,000 square feet of office space at the same time that residential development is commenced for Phase I of the proposed development, which will ensure commercial ratables for the Brentwood UFSD (as well as the various other taxing districts) at the first stage of development.

- The Suffolk County Police Department, will receive an estimated \$5.5 million in annual property tax revenues from Heartland Town Square, upon full build-out, increasing the Third Precinct budget by almost nine percent. The applicant is also proposing private security for the proposed development, which will assist in offsetting any project-related increase in demand for police services. The applicants will install a state-of-the-art surveillance system for the entire development; this includes the installation and monitoring of a video camera system on streets within Heartland Town Square.
- Based upon consultations with the Brentwood Fire District, and in order to minimize potential impacts to the fire district, the revised Conceptual Master Plan incorporates land for civic uses, such as a fire substation. Moreover, the Brentwood Fire District is anticipated to receive approximately \$2.2 million in annual property tax revenues at full build-out. It should also be noted that the Fire District currently handles ten-story buildings and other buildings that are “non-fireproof” within the Pilgrim State site. Therefore, the District has the capability of providing fire protection services to a wide variety of structures, such as those proposed within Heartland Town Square. All proposed buildings, including mid-rise towers and high-rise buildings, will be constructed to the New York State Building and Fire Code. All inhabited buildings and below-ground parking structures, if any, will contain a fire suppression system (sprinklers, etc.), in accordance with applicable, prevailing regulations. Commercial buildings will be outfitted with fire alarm control panels, as required by law.
- The applicants will continue to meet with the Brentwood Fire District to ensure that Fire District’s concerns are addressed. These meetings will occur during the site planning, building design, building construction and operational phases of the proposed development. The Brentwood Fire District will be invited to review design

plans and inspect the site to ensure that the appropriate emergency equipment and facilities are installed. These inspections will, in addition to ensuring that fire personnel have approved the equipment, allow such personnel to be familiar with alarm panel locations, fire exits, and the like. These measures will also facilitate response in an emergency.

During the specific design and site planning phases, the Fire District will also be consulted regarding fire hydrant and exterior standpipe placement, turning radii for emergency vehicles, and the need for special procedures in places of public assembly. In furtherance of fire protection, the community will not be gated, and there will be multiple access points for entry into and egress from the site should emergency situations arise.

- The Brentwood Legion Ambulance will receive approximately \$483,000 in annual property tax revenues at full build-out.
- The Town will coordinate with the applicants and involved emergency services providers, especially the local ambulance and fire agencies, to ascertain that adequate resources (e.g., facilities, equipment, training, etc.) are available to ensure public safety, both during project construction and at the time of building occupancy.
- The total amount of solid waste to be generated by the proposed development was estimated using National Solid Waste Management Association factors, including: 0.05 pounds per occupied square foot per week for general office; 0.22 pounds per occupied square foot per week for general retail, restaurants and cinemas; 0.04 pounds per occupied square foot per week for civic uses; four pounds per room per day for hotels; 2.5 pounds per person per day for studios/lofts; and four pounds per bedroom per day for all other residential units. Solid wastes generated by the proposed development will be collected and disposed at a licensed facility by a private carting company. Recycling will be performed in accordance with the Town of Islip Code. The applicants will encourage recycling by providing conveniently located areas of sufficient size with compactors and containers of sufficient capacity to separate wastes into the different forms of recyclable materials. Compactors will be provided for cardboard-type waste.

Air Quality

- To mitigate air quality impacts during construction, the following measures will be employed:
 - The construction of the proposed project will occur in phases. In each phase, the applicants will mitigate construction impacts by reducing the amount of disturbed land to a minimum, preventing the tracking of dirt and debris onto roadways and utilizing construction equipment with emissions meeting applicable standards.
 - Typical mitigation practices for construction activity will be employed to reduce fugitive dust emissions and mobile source emissions, including, as appropriate, wetting of disturbed soils, and seeding or stabilizing disturbed soils. Detailed erosion and sediment control plans will be prepared during site plan review.
- A revised assessment of traffic-related air quality impacts was prepared in conjunction with the revised traffic analysis as part of the FGEIS. The NYSDOT Environmental Procedures Manual (EPM), Chapter 1.1 details the criteria for determining if a project requires either a microscale analysis (which focuses on CO, PM₁₀ and PM_{2.5}) or a mesoscale analysis (which focuses on VOC and NO_x, in addition to PM₁₀ and CO).

Overall, the results of the FGEIS air quality analysis indicate that levels of CO, PM₁₀ and PM_{2.5} will not be significantly impacted by the increased traffic expected to be generated by the proposed development, and there will be no contravention of prevailing regulations. Vehicles traffic generated by the proposed development will emit NO_x and VOCs. NO_x and VOCs are precursors of low-level ozone (O₃) formation, which contributes to smog. As in the case with fine particulates, project-generated traffic is not expected to have a significant impact on ambient concentrations of NO_x or VOCs in the general area; and as such, the proposed development will not have a significant effect on O₃ levels. On the basis of these results, no air quality mitigation measures will be required beyond those which were included in the traffic analysis, as enumerated earlier in this Findings Statement. The proposed traffic-related mitigation measures will also mitigate air quality impacts.

FROM: TOWN OF ISLIP PLANNING BOARD - DRAFT STIPULATIONS

TO: TOWN BOARD

DATE: August 18, 2016

RE: *The proposed action involves amendments to the zoning chapter of the code of the Town of Islip (Chapter 68), including the zoning map, to establish the Pilgrim State Planned Redevelopment District ("PSPRD") and a change of zone for 133.4 acres of the 452 acre former Pilgrim State Hospital property from Residential AAA District to the newly established PSPRD, and the redevelopment of the reclassified parcels in accordance with the PSPRD and master plan (to be known as "Heartland Town Square") prepared by RTKL, Inc. dated 2/18/2015 and amended by Town Planning staff 7/13/2016 in order to permit the DU1-A Phase I construction of:*

A. Town Center (Development Unit 1) -- A mixed-use subdistrict that is intended to be developed with a range of compatible land uses, including retail, housing, hotel/lodging, office, in-home office, entertainment, and cultural uses.

The above sub districts comprise of a mixed-use development, to be built over a period of approximately 12 years in accordance with DU1-A, Phase I of the Master Plan(noted as DU1-A, Phase I in the August 2015 Heartland Design Guidelines submitted by the applicant and prepared by RTKL):

Phase I: Office: 606,000 square feet, Retail: 560,000 square feet, Civic: 105,500 square feet, Residential Units: 3,504 units; less the corresponding reductions in commercial square footage and residential units resulting from the lowered heights of the structures as approved by the Planning Board (approximately 1,865,657 sq. ft. reduction).

If the above application is granted by the Town Board, the applicant agrees to record the following covenants and restrictions with the Suffolk County Clerk within 90 days of the Town Board's decision. It is understood that the grant will be ineffective and that no Building Permits or Certificates of Occupancy will be issued for the above application until such restrictions are properly recorded and verified. Additionally, no Certificates of Occupancy will be issued for the above application until all required improvements are made, or a Standby Irrevocable Letter of Credit sufficient to finance said improvements is posted with the Town. The applicant agrees to improve the property in accordance with the Town of Islip Subdivision and Land Development Regulations and the Pilgrim State Planned Redevelopment District zoning code and to abide by all conditions stated in the following stipulations. It is also understood that the applicant has a continuing obligation to comply with these conditions in the future, and failure to comply is a violation of Town Code.

DEED COVENANTS AND RESTRICTIONS

1. A change of zone from Residential AAA District to Pilgrim State Planned Redevelopment District (PSPRD Phase I DU1-A [133.4acres]) is granted as part of

this application. The total building area shall not exceed the maximum square footage permitted in each sub-district of the PSPRD ordinance unless transfer of building area between Development Units is granted by the Town of Islip Planning Board.

2. Applicant/owner agrees to develop property in accordance with Phase I as detailed in the Conceptual Master Plan and Design Guidelines. At least 200,000 square feet of retail space and 200,000 square feet of office space shall be constructed at the same time that residential development is commenced for Phase I. All office space shall be Class "A" office space as defined in the PSPRD zoning code.
3. When 70 percent of the building and/or land space associated with Phase I is occupied, Town Board will retain a licensed traffic engineer to conduct traffic volume counts at all of the access points to the Heartland Town Square development during the weekday afternoon peak hour (PM peak), at the applicants' or current landowner(s)' expense. If these traffic counts show that the internal capture rates applied in the FGEIS are not accurate – i.e., that the number of external trips is greater than that projected in the FGEIS – and if the Planning Board and Town Board approve subsequent phases, then the Town Board can then modify the density of the commercial development in Phases II and/or III, commensurate with the difference between the projected internal capture rate and the actual internal capture rate.
4. Applicant/owner shall contribute twenty-five million (\$25,000,000.00) as directed by the Town Board after the granting of the Change of Zone, towards traffic improvements. The phasing of the funding shall be reviewed and approved by the Town Board prior to the granting of the change of zone. If the number of external trips is greater than projected in the FGEIS, the Town Board may require additional mitigation fees towards traffic improvements as necessary.
5. When the calculated cumulative sewage flow for the development reaches 1.0 million gallons per day (mgd), this will be compared to the actual flow measured at the pump station. This procedure will continue until Heartland Town Square's calculated flow reaches 1.6 mgd, at which point the project will be allowed to continue if the actual flow is less than the calculated value. If the calculated value is more than 1.6 mgd, the applicant will be required to purchase additional flow from the Suffolk County Sewer Agency prior to the further issuance of building permits.
6. Ten percent (10%) of all residential units shall be set aside as workforce housing for families earning between 60 percent and 80 percent of the Area Median Income (AMI), as determined annually by the U.S. Department of Housing and Urban Development (HUD). Ten percent (10%) of all residential units shall be for-sale units.
7. No more than 1 convenient parking space per residential unit shall be provided within 1/4 mile of a residential building. Additional residential spaces shall be located a minimum of 1/2 a mile away from a building and shall be charged a fee. Zip car (or similar car sharing) parking spaces and bicycle storage facilities shall be provided in

the site plan review process. Reserved commercial parking spaces shall be located within ¼ mile of the related commercial use and within the same development unit subdistrict as the commercial use.

8. The PSPRD shall observe the following vegetative buffers in accordance with the Conceptual Master Plan:
 - a. 200 feet along the west side of Sagtikos Parkway right-of-way.
 - b. 130 feet west of Crooked Hill Road right-of-way at the northwestern portion of the property.

Paved walking and biking trails, no wider than 10' in width, may be permitted upon review and approval of the Planning Board.

9. Roads shall be developed in accordance with the PSPRD. Roads shall include bike paths and/or pedestrian walkways, and street trees. Those offered for dedication to the Town shall have the minimum right of way width of 50' in order to qualify for New York State Road aid. Existing trees along K Road in DU1 shall be preserved in accordance with the Conceptual Master Plan.
10. Applicant shall provide motor vehicle access easements to the Pilgrim State Hospital roadway network and Commack Road prior to the filing of any site plan or subdivision applications.

A privately owned and operated shuttle bus shall be operated that will circulate through Heartland Town Square with direct service to the Deer Park Long Island Rail Road Station. Hours of operation shall be coordinated with the train schedule of the Station. The shuttle bus service shall be operating when 50% or more of the 3,504 planned residential units are issued certificates of occupancy within the initial construction phase (one). A privately financed transportation manager shall be provided to advise transportation options, such as the shuttle and zip cars, for residents, employees and visitors.

11. Each site plan submitted shall establish a minimum of 20% of the subject lot or building area, whichever is greater, for natural buffer or open space purposes within Construction Phase I of the PSPRD. Said open spaces shall be open to the public. Passive recreational rooftop areas inaccessible to the general public shall count for no more than 5% of that site's overall open space requirement. Applicant shall set aside approximately 90 acres of existing vegetation for preservation, of which approximately 48.5 acres shall be Pitch Pine-Oak Forest, prior to the issuance of any building permits. A homeowners association or business improvement district shall own and maintain all passive natural buffers and preserved open space in perpetuity.
12. Publicly accessible parks shall be designated with any subdivision of the property in accordance with the Subdivision and Land Development Regulations (e.g. minimum of 5% of the development or total project area). The Planning Board may permit the payment of community improvement fees in lieu of the minimum required publicly accessible parkland.

13. Prior to the issuance of any building permit of any parcel the following shall be submitted to the Town of Islip Planning Department for review and approval:
 - a. A site plan showing the improvements specified in the Subdivision and Land Development Regulations including but not limited to: building locations, parking, curbs, sidewalks, curb cuts, landscaping, and drainage. The site plan shall also include a table listing of all existing square footage of office, retail, and civic space and the number of residential units for the current phase of development along with the approved Development Tabulation of the current phase.
 - b. Exterior architectural drawings of all proposed buildings. The Planning Department shall review said drawings for overall design, color, materials, and design and location of any exterior mechanical equipment. Said plan shall also show the following design elements:
 - i. All exterior mechanical equipment shall be screened from public view and for sound attenuation purposes.
 - ii. Building(s) shall be designed to meet the minimum requirements of Sections 4 through 7 of ASHRAE Standard 62.1-2007, Ventilation for Acceptable Indoor Air Quality or the New York State Mechanical Code or by LEED.
 - c. A landscaping plan indicating in detail the proposed landscaping treatment in accordance with the PSPRD. Said landscaping plan shall also show the following plantings/design elements:
 - i. Street trees shall be installed and maintained a maximum of 60' on center along all internal roadways within the PSPRD. 50% of the distance between street trees shall be improved with in-ground plantings, planters, street furniture.
 - ii. Said plan shall exclude the use of invasive species as defined by the Department of Planning.
14. All proposed garbage dumpsters shall be located at the direction of the Town Engineer and shall be enclosed within a decorative or split faced concrete block enclosure with opaque gates. Dumpsters shall be emptied on a regular basis to prevent overflow. Garbage cans for customers shall be provided inside as well as outside of any proposed building(s) and shall be emptied on a regular basis. Multiple tenants within any building shall be required to use a common dumpster, if appropriate, and shall not cause additional, multiple dumpsters to be located on the subject property that are not enclosed in an approved location and as described above. The subject site shall be maintained in a neat, clean, and litter free condition.
15. All stormwater drainage shall be contained on-site in accordance with the current Subdivision and Land Development Regulations. In addition, applicant/owner agrees to incorporate non-point source pollution mitigation into the overall drainage plan by incorporating one or more of the following stormwater mitigation techniques:

- a. Natural retention area(s) such as vegetated swales and bioretention cells/rain gardens
 - b. Permeable/porous pavement surfaces
 - c. Manufactured treatment devices, i.e. catch basin inserts designed to filter hydrocarbons and other pollutants from stormwater runoff
16. The height of any building shall not exceed five (5) stories in height. If applicant seeks a building above (5) stories, applicant shall be required to obtain site plan review and approval of the Planning Board.
17. Applicant agrees to set aside 8.9 acres for municipal services and civic uses, including but not limited to fire substation, ambulance, police substation, post office, library and educational services. The dedication of three (3) acres land for fire and two (2) acres of land for ambulance services shall be completed prior to the issuance of any building permits.
18. All exterior signs shall be subject to review and approval by the Town of Islip Planning Department prior to the issuance of any sign permits. The Planning Department shall review the signs for design compatibility, color, materials, height, and size in accordance with PSPRD.
19. Except as provided herein, applicant/owner agrees to comply in all respects with the Subdivision and Land Development Regulations unless exempted by the PSPRD (e.g. exterior lighting) and the Islip Town Code.
20. The above restrictions shall be placed on the Building Division property card. Violation of any restrictions may result in reverting of undeveloped property back to Residential AAA after due public hearing.
21. Applicant/owner agrees to permanently maintain all improvements to the reasonable satisfaction of the Planning Board. The Town or its designee reserves the right to enter onto the subject property after fifteen (15) days written notice sent certified mail, return receipt requested to the then owner at the address as it appears on the Town Assessment roll to remove litter, debris, graffiti or to maintain or replace any fencing and plantings if it is found that these improvements are not being maintained and shall bill owner or add this cost to the property's tax bill for all expenses.

Applicant/Owner

Date

**ARTICLE _____: Use District Regulations: Pilgrim State Planned
Redevelopment District
[Added _____ by L.L. No. _____]**

§ 68-_____. Legislative Intent.

A. The primary intent of the Pilgrim State Planned Redevelopment District (“PSPRD”) is to allow for a mixed-use, “smart growth” redevelopment of approximately 452 acres, which were formerly part of the Pilgrim State Psychiatric Center, pursuant to (1) a “Master Plan,” Development Unit 1-4 and Gateway Area Building Stories, Street Type and Open Space Regulatory Plans; Subdistrict Specifications (hereinafter collectively designated the “Master Plan”), (2) the provisions of this Article and the “Regulating Plans” included in this Article, and (3) “Design Guidelines” for the PSPRD. The aforesaid “Master Plan” and “Design Guidelines” are annexed to this Article and indicate, among other things, the general locations of proposed subdistricts of the PSPRD, representative types and general locations of land uses in the proposed subdistricts of the PSPRD, and the general scale, sequencing, and intensity of development within each subdistrict of the PSPRD.

B. The PSPRD is intended primarily to foster “smart growth” redevelopment of abandoned and/or disused portions of a State psychiatric hospital site, which are now privately-owned. The PSPRD is designed to allow for creation of a new, efficiently-designed, transit-oriented and served multi-use community that includes residential facilities and retail and employment opportunities for residents and non-residents of the community, and that also minimizes adverse effects on the Town. The “smart growth” approach to community development, which facilitates community interaction, interdependence, and neighborhood spirit, encourages owners and occupants in the community to continually reinvest socially and materially in the community, thereby promoting the economic viability of the community.

C. The PSPRD is designed to result in a community of interconnected streets, laid out according to the aforesaid “Master Plan” (as it may have been amended) and the “Regulating Plans” included in this Article, which will allow for continuing flexibility in adapting to changing market conditions during the anticipated long-term implementation of the PSPRD development. The said community is designed to be socially and economically interconnected and to be pedestrian-friendly. Moreover, the layout of roadways, public spaces, and uses in the community, as well as the intended development of shared parking facilities and the use of traffic management programs, including shuttle buses for short trips to a nearby commuter rail station, will reduce the community’s dependence on automobiles and will, thereby, minimize potential traffic impacts from the new community.

D. This Article is enacted pursuant to Statute of Local Governments §10(6) and Municipal Home Rule Law §§10(1)(ii)(a)(14), 10(1)(ii)(d)(3), and 10(2), and is intended to and shall supersede Town Law §261-b (relating to incentive zoning), Town Law §261-c (relating to planned unit development zoning districts), Town Law §262 (relating to zoning districts), Town Law §§263 and 272-a (relating to comprehensive plans and zoning purposes), Town Law §269 (relating to zoning law conflicts), Town Law §§270 and 273 (relating to official maps and

changes thereto), Town Law §274-a (relating to site plan review and approval), Town Law §274-b (relating to special use permits) to the extent that this Article is inconsistent with such statutory provisions.

E. The provisions of the text, Regulating Plans, and other diagrams of this Article shall prevail over any inconsistent provisions of the “Master Plan” and “Design Guidelines” annexed to this Article.

§ 68-_____. Lands Included in the PSPRD upon Adoption of This Article.

A. The PSPRD includes the following parcels:

- (1) Parcels 0500-071.00-01.00-010.008 and 0500-071.00-01.00-010.002 on the Suffolk County Tax Map, which are, together, more particularly described as follows:

ALL those certain lots, pieces or parcels of land situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, as shown on a map entitled “Boundary Survey & Subdivision of a Portion of Pilgrim Psychiatric Center, Town of Islip, Suffolk County, New York State,” as prepared by Hawk Engineering, P.C., Binghamton, New York, dated March 5, 1998, and amended through February 14, 2000, bounded and described as follows:

BEGINNING at a 5/8 inch rebar with cap on the existing westerly boundary of Sagtikos State Parkway at its intersection with the division line between the property owned by the People of the State of New York, Pilgrim Psychiatric Center on the North and the Long Island State Park Commission Sagtikos State Parkway (Map 23R 1821, Parcel IV dated January 20, 1940) on the South;

Running thence South 89 degrees 25 minutes 34 seconds West along said division line a distance of 524.61 feet to a 5/8 inch rebar with cap;

Thence through said property owned by the People of the State of New York, Pilgrim Psychiatric Center the following thirty-one (31) courses and distances:

- (1) North 00 degrees 34 minutes 26 seconds West, a distance of 340.00 feet to a 5/8 inch rebar with cap;
- (2) North 45 degrees 11 minutes 47 seconds West, a distance of 774.45 feet to a 5/8 inch rebar with cap;
- (3) North 21 degrees 57 minutes 55 seconds West, a distance of 253.50 feet to a 5/8 inch rebar with cap;

- (4) South 68 degrees 02 minutes 05 seconds West, a distance of 143.78 feet to a 5/8 inch rebar with cap;
- (5) North 63 degrees 51 minutes 55 seconds West, a distance of 1224.63 feet to a 5/8 inch rebar with cap;
- (6) North 22 degrees 51 minutes 14 seconds West, a distance of 596.45 feet to a 5/8 inch rebar with cap;
- (7) North 66 degrees 57 minutes 11 seconds East, a distance of 215.87 feet to a 5/8 inch rebar with cap;
- (8) South 22 degrees 32 minutes 59 seconds East, a distance of 192.37 feet to a 5/8 inch rebar with cap;
- (9) North 67 degrees 27 minutes 57 seconds East, a distance of 348.58 feet to a 5/8 inch rebar with cap;
- (10) North 22 degrees 31 minutes 43 seconds West, a distance of 195.49 feet to a 5/8 inch rebar with cap;
- (11) North 66 degrees 57 minutes 13 seconds East, a distance of 204.36 feet to a 5/8 inch rebar with cap;
- (12) South 22 degrees 47 minutes 56 seconds East, a distance of 274.94 feet to a 5/8 inch rebar with cap;
- (13) South 67 degrees 12 minutes 05 seconds West, a distance of 16.50 feet to a 5/8 inch rebar with cap;
- (14) South 22 degrees 47 minutes 56 seconds East, a distance of 209.90 feet to a 5/8 inch rebar with cap;
- (15) North 67 degrees 10 minutes 15 seconds East, a distance of 881.68 feet to a 5/8 inch rebar with cap;
- (16) North 22 degrees 51 minutes 23 seconds West, a distance of 636.08 feet to a 5/8 inch rebar with cap;
- (17) North 66 degrees 51 minutes 43 seconds East, a distance of 14.23 feet to a 5/8 inch rebar with cap;
- (18) North 22 degrees 51 minutes 23 seconds West, a distance of 398.55 feet to a 5/8 inch rebar with cap;

- (19) North 67 degrees 08 minutes 55 seconds East, a distance of 632.52 feet to a chiseled x in concrete;
- (20) North 22 degrees 52 minutes 09 seconds West, a distance of 955.56 feet to a chiseled x in concrete;
- (21) South 67 degrees 10 minutes 47 seconds West, a distance of 2254.97 feet to a 5/8 inch rebar with cap at a point of curvature;
- (22) On a curve to the right having a radius of 18.97 feet, an arc distance of 29.82 feet to a 5/8 inch rebar with cap at a point of tangency, the last mentioned curve being subtended by a chord having a bearing of North 67 degrees 46 minutes 20 seconds West and a length of 26.84 feet;
- (23) North 22 degrees 44 minutes 45 seconds West, a distance of 372.53 feet to a 5/8 inch rebar with cap;
- (24) South 67 degrees 41 minutes 06 seconds West, a distance of 327.61 feet to a 5/8 inch rebar with cap;
- (25) South 67 degrees 33 minutes 26 seconds West, a distance of 104.33 feet to a 5/8 inch rebar with cap;
- (26) South 67 degrees 52 minutes 55 seconds West, a distance of 48.74 feet to a 5/8 inch rebar with cap;
- (27) South 69 degrees 30 minutes 58 seconds West, a distance of 57.67 feet to a 5/8 inch rebar with cap;
- (28) North 35 degrees 21 minutes 23 seconds West, a distance of 17.64 feet to a 5/8 inch rebar with cap;
- (29) South 75 degrees 42 minutes 45 seconds West, a distance of 88.54 feet to a 5/8 inch rebar with cap;
- (30) South 80 degrees 09 minutes 58 seconds West, a distance of 67.45 feet to a 5/8 inch rebar with cap; and
- (31) South 83 degrees 42 minutes 36 seconds West, a distance of 95.30 feet to a concrete monument with cap at its intersection with another division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the East and Section One, Northpoint Estates on the West, the last mentioned division line also being said Corporate Boundary between the Town of Islip on the East and the Town of Huntington on the West;

Thence North 00 degrees 25 minutes 42 seconds East along the last mentioned division line, a distance of 2899.79 feet to a concrete monument with cap at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the Southwest and the property now or formerly owned by the Long Island Expressway NYSDOT (Park & Ride) on the Northeast;

Thence South 54 degrees 52 minutes 18 seconds East along the last mentioned division line, a distance of 72.98 feet to a 5/8 inch rebar with cap at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the South and said property now or formerly owned by the Long Island Expressway NYSDOT (Park & Ride) on the North;

Thence North 86 degrees 50 minutes 21 seconds East along the last mentioned division line, a distance of 175.06 feet to a point at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the East and said property now or formerly owned by Long Island Expressway NYSDOT (Park & Ride) on the West;

Thence North 06 degrees 22 minutes 46 seconds West along the last mentioned division line, a distance of 284.81 feet to a 5/8 inch rebar with cap at a point of curvature at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the Southeast and said property now or formerly owned by Long Island Expressway NYSDOT (Park & Ride) on the Northwest;

Thence on a curve to the right having a radius of 47.13 feet, an arc distance of 74.60 feet to a 5/8 inch rebar with cap at a point of tangency at its intersection with another division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the South and said property now or formerly owned by Long Island Expressway NYSDOT (Park & Ride) on the North, the last mentioned curve being subtended by a chord having a bearing of North 38 degrees 59 minutes 05 seconds East and a length of 67.05 feet;

Thence North 84 degrees 20 minutes 06 seconds East along the last mentioned division line, a distance of 285.27 feet to a concrete monument with cap at its intersection with another division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the East and said property now or formerly owned by Long Island Expressway NYSDOT (Park & Ride) on the West;

Thence North 03 degrees 49 minutes 39 seconds West along the last mentioned division line, a distance of 182.85 feet to a 5/8 inch rebar with cap at its intersection with the existing southerly boundary of the Long Island Expressway;

Thence generally easterly along said Expressway the following three (3) courses and distances:

- (1) North 88 degrees 46 minutes 38 seconds East, a distance of 89.39 feet to a 5/8 inch rebar with cap at a point of curvature;
- (2) On a curve to the left having a radius of 5032.00 feet, an arc distance of 477.62 feet to a 5/8 inch rebar with cap, the last mentioned curve being subtended by a chord having a bearing of North 86 degrees 03 minutes 29 seconds East and a length of 477.44 feet; and
- (3) North 83 degrees 20 minutes 18 seconds East, a distance of 75.19 feet to a point at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the Southwest and the property now or formerly owned by V & C Holding Corp. on the Northeast;

Thence southeasterly along the last mentioned division line the following two (2) courses and distances:

- (1) South 58 degrees 09 minutes 20 seconds East, a distance of 152.97 feet to a 5/8 inch rebar with cap; and
- (2) South 56 degrees 59 minutes 29 seconds East, a distance of 479.80 feet to a 5/8 inch rebar with cap at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the Southwest and the property now or formerly owned by Brent Associates, Inc. on the Northeast;

Thence South 57 degrees 54 minutes 29 seconds East along the last mentioned division line and along the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the Southwest and the property now or formerly owned by Seymour Schachner on the Northeast, a distance of 281.20 feet to a 5/8 inch rebar with cap;

Thence continuing along the last mentioned division line the following two courses and distances:

- (1) South 54 degrees 01 minutes 29 seconds East, a distance of 253.00 feet to a concrete monument with cap; and
- (2) South 74 degrees 37 minutes 29 seconds East along the last mentioned division line and along the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the South and the property now or formerly owned by Vincent Garofalo and Angelina Garofalo on the North, a distance of 199.10 feet to

a concrete monument with cap at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the South and the property now or formerly owned by Contone Realty Corp. on the North;

Thence South 76 degrees 56 minutes 29 seconds East along the last mentioned division line and along the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the South and the property now or formerly owned by Antonio Cona and Michelina Cona on the North, a distance of 352.00 feet to a 5/8 inch rebar with cap at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the South and the property now or formerly owned by Leo Hiatriides and Marvin Padover on the North;

Thence South 75 degrees 59 minutes 21 seconds East along the last mentioned division line, a distance of 357.63 feet to a 5/8 inch rebar with cap at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the South and the property now or formerly owned by Louis Galasso on the North;

Thence generally easterly along the last mentioned division line the following two (2) courses and distances:

- (1) South 59 degrees 18 minutes 29 seconds East, a distance of 65.85 feet to a 5/8 inch rebar with cap; and
- (2) North 82 degrees 00 minutes 59 seconds East, a distance of 136.02 feet to a concrete monument with cap at its intersection with the existing southwesterly boundary of Crooked Hill Road;

Thence generally southerly along said Crooked Hill Road the following two (2) courses and distances:

- (1) South 41 degrees 33 minutes 28 seconds East, a distance of 94.36 feet to a 5/8 inch rebar with cap; and
- (2) South 38 degrees 43 minutes 33 seconds East, a distance of 910.96 feet to a 5/8 inch rebar with cap at its intersection with the existing Northwesterly boundary of Sagtikos State Parkway;

Thence along said Parkway the following six courses and distances;

- (1) South 66 degrees 59 minutes 13 seconds West, a distance of 99.16 feet to a concrete monument;

(2) South 23 degrees 15 minutes 15 seconds East, a distance of 715.62 feet to a 5/8 inch rebar with cap at a point of curvature;

(3) On a curve to the left having a radius of 1000.00 feet, an arc distance of 369.74 feet to a 5/8 inch rebar with cap, the last mentioned curve being subtended by a chord having a bearing of South 33 degrees 54 minutes 54 seconds East and a length of 367.63 feet;

(4) South 13 degrees 17 minutes 06 seconds East, a distance of 322.23 feet to a 5/8 inch rebar with cap at a point of curvature;

(5) On a curve to the right having a radius of 12,850.00 feet, an arc distance of 2323.49 feet to a 5/8 inch rebar with cap at a point of reverse curvature, the last mentioned curve being subtended by a chord having a bearing of South 01 degree 09 minutes 04 seconds West and a length of 2320.33 feet; and

(6) On a curve to the left having a radius of 38,150.00 feet, an arc distance of 1846.44 feet to the POINT OR PLACE OF BEGINNING, the last mentioned curve being subtended by a chord having a bearing of South 04 degrees 56 minutes 39 seconds West and a length of 1846.26 feet.

- (2) Parcel 0500-071.00-01.00-013.006 on the Suffolk County Tax Map, which is more particularly described as follows:

ALL those certain lots, pieces or parcels of land situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, as shown on a map entitled "Boundary Survey & Subdivision of a Portion of Pilgrim Psychiatric Center, Town of Islip, Suffolk County, New York State," as prepared by Hawk Engineering, P.C., Binghamton, New York, dated March 5, 1998, and amended through February 14, 2000, bounded and described as follows:

BEGINNING at a 5/8 inch rebar with cap on the existing Easterly boundary of Sagtikos State Parkway at its intersection with the division line between the property owned by the People of the State of New York, Pilgrim Psychiatric Center on the Southeast and the Long Island State Park Commission, Sagtikos State Parkway (Map 23R 1821, Parcel IV dated January 20, 1940) on the Northwest;

Running thence 67 degrees 12 minutes 33 seconds East along said division line, a distance of 432.28 feet to a 5/8 inch rebar with cap;

Thence North 67 degrees 12 minutes 33 seconds East through said property owned by the People of the State of New York, Pilgrim Psychiatric Center, a distance of 414.10 feet to a 5/8 inch rebar with cap at its intersection with the existing southwesterly boundary of Crooked Hill Road (CR 13);

Thence southeasterly along said southwesterly boundary the following two (2) courses and distances:

(1) South 32 degrees 56 minutes 01 seconds East, a distance of 83.83 feet to a 5/8 inch rebar with cap; and

(2) South 32 degrees 45 minutes 53 seconds East, a distance of 529.19 feet to a 5/8 inch rebar with cap;

Thence through said property owned by the People of the State of New York, Pilgrim Psychiatric Center the following six (6) courses and distances:

(1) South 60 degrees 46 minutes 11 seconds West, a distance of 216.77 feet to a 5/8 inch rebar with cap;

(2) South 33 degrees 33 minutes 15 seconds East, a distance of 372.57 feet to a 5/8 inch rebar with cap;

(3) South 60 degrees 46 minutes 11 second West, a distance of 119.27 feet to a 5/8 inch rebar with cap;

(4) South 33 degrees 33 minutes 15 seconds East, a distance of 691.43 feet to a 5/8 inch rebar with cap;

(5) South 60 degrees 46 minutes 11 seconds West, a distance of 156.66 feet to a 5/8 inch rebar with cap; and

(6) South 29 degrees 13 minutes 49 seconds East, a distance of 878.48 feet to a 5/8 inch rebar with cap at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the North and Dawn Park Subdivision on the South;

Thence South 89 degrees 30 minutes 13 seconds West along the last mentioned division line and along the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the North and Cantinor Estates Subdivision on the South, a distance of 1435.26 feet to a concrete monument at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the Southwest and said Cantinor Estates Subdivision on the Northeast;

Thence South 24 degrees 48 minutes 44 seconds East along the last mentioned division line, along the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the Southwest and Roland Park Section Two Subdivision on the Northeast, and along the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center Southwest and Roland Park Section One Subdivision on the Northeast, a distance of 935.67 feet to a concrete monument with cap at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the North and Victory Farms Section Three Subdivision on the South;

Thence South 89 degrees 30 minutes 01 seconds West along the last mentioned division line, a distance of 137.22 feet to a concrete monument at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center on the North and the property now or formerly owned by Emjay Properties on the South;

Thence South 89 degrees 16 minutes 05 seconds West along the last mentioned division line, a distance of 368.30 feet to a concrete monument at its intersection with the division line between said property owned by the People of the State of New York, Pilgrim Psychiatric Center North and the property now or formerly owned by Long Island State Park Commission Sagtikos State Parkway (Map No. 23R 1821 Parcel IV dated January 20, 1940) on the South;

Thence South 89 degrees 23 minutes 16 seconds West along the last mentioned division line, a distance of 384.65 feet to a concrete monument at its intersection with the above first mentioned easterly boundary of Sagtikos State Parkway;

Thence generally northerly along said boundary the following six (6) courses and distances:

- (1) On a curve to the right having a radius of 37,849.52 feet, an arc distance of 726.00 feet to a 5/8 inch rebar with cap, said curve being subtended by a chord having a bearing of North 04 degrees 08 minutes 24 seconds East and a length of 725.99 feet;
- (2) South 85 degrees 00 minutes 28 seconds East, a distance of 100.00 feet to a 5/8 inch rebar with cap;
- (3) North 04 degrees 59 minutes 32 seconds East, a distance of 420.00 feet to a 5/8 inch rebar with cap;
- (4) South 83 degrees 40 minutes 56 seconds West, a distance of 101.98 feet to a 5/8 inch rebar with cap;

(5) On a curve to the right having a radius of 37,849.52 feet, an arc distance of 684.19 feet to a 5/8 inch rebar with cap at a point of reverse curvature, the last mentioned curve being subtended by a chord having a bearing of North 05 degrees 48 minutes 47 seconds East and a length of 684.18 feet; and

(6) On a curve to the left having a radius of 13,150.48 feet, an arc distance of 1152.84 feet to the POINT OR PLACE OF BEGINNING, the last mentioned curve being subtended by a chord having a bearing of North 03 degrees 49 minutes 11 seconds East and a length, of 1152.47 feet.

- (3) Parcel 0500-071.00-01.00-013.015 on the Suffolk County Tax Map, which is more particularly described as follows:

All those certain lots, pieces, or parcels of land situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, as shown on a map entitled "Map of Property to be Acquired from New York State for Alternate Access Purposes," as prepared by Nelson & Pope, LLP, Melville, New York and dated July 7, 2004, bounded and described as follows:

Beginning at a point on the westerly side of Crooked Hill Road (County Road 13) distant 1,249 ± feet from the northeasterly end of the line connecting the northerly side of Pilgrim Road with the westerly side of said Crooked Hill Road:

Running thence South 60° 46' 11" West, 297.87 feet;

Thence North 33° 33' 15" West, 70.20 feet;

Thence North 60° 46' 11" East, 302.60 feet; and

Thence South 29° 41' 36" East, 70.00 feet to the point or place of beginning.

- (4) Parcel 0500-071.00-01.00-013.016 on the Suffolk County Tax Map, which is more particularly described as follows:

All those certain lots, pieces, or parcels of land situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, as shown on a map entitled "Map of Property to be Acquired from New York State for Alternate Access Purposes," as prepared by Nelson & Pope, LLP, Melville, New York and dated July 7, 2004, bounded and described as follows:

Beginning at a point on the westerly side of Crooked Hill Road (County Road 13) distant 117 ± feet from the northeasterly end of the line connecting the northerly side of Pilgrim Road with the westerly side of said Crooked Hill Road:

Running thence South 89° 30' 13" West, 525.67 feet;

Thence North 29° 13' 49" West, 79.83 feet;

Thence North 89° 30' 13" East, 525.44 feet; and

Thence South 29° 22' 36" East, 79.94 feet to the point or place of beginning.

§ 68-_____. Future Additions to the PSPRD.

A. The following parcels on the Suffolk County Tax Map, which are adjacent or proximate to the PSPRD defined in § 68-_____ of this Article, comprise a total of approximately 23.59 acres, and are shown on the aforesaid "Master Plan," are collectively designated, for purposes of this Article, as the "Gateway Area":

- (1) 0500-071.00-01.00-001.000;
- (2) 0500-071.00-01.00-002.000;
- (3) 0500-071.00-01.00-003.000;
- (4) 0500-071.00-01.00-005.000;
- (5) 0500-071.00-01.00-006.000;
- (6) 0500-071.00-01.00-007.000;
- (7) 0500-071.00-01.00-008.001;
- (8) 0500-071.00-01.00-008.002;
- (9) 0500-071.00-01.00-009.001;
- (10) 0500-071.00-01.00-014.000; and
- (11) 0500-071.00-01.00-015.001.

B. The aforesaid parcels in the Gateway Area are specifically not reclassified in the PSPRD by adoption of this Article, but may, upon application to the Town Board covering lands included in the Gateway Area and comprising a total area not less than 20 contiguous acres, be reclassified in the PSPRD following the adoption of this Article. Nothing in this Article shall prevent parcels in the Gateway Area from (1) continuing to be used pursuant to their zoning classifications as of the date of adoption of this Article, or (2) being changed in zoning classification, upon application to the Town Board, to any zoning district other than the PSPRD.

C. Any Gateway Area parcels reclassified in the PSPRD, pursuant to subsection "B" above, shall, following such reclassification, be subject to the development restrictions for the "Gateway District" of the PSPRD, set forth in § 68-_____ of this Article.

§ 68-_____. General Provisions.

- A. Development in the PSPRD shall be in accordance with the "Master Plan" described in Section 68-_____, above (as it may have been amended), the provisions of this Article and "Regulating Plans" included in this Article, and the "Design Guidelines" annexed to this Article, except to the extent that the provisions of such "Master Plan" or "Design Guidelines" are inconsistent with the text, "Regulating Plans," and other diagrams of this Article.

- B. The provisions of this Article shall supplant, supersede, and prevail over any other Chapters, Articles, and provisions of the Code of the Town of Islip and the Town of Islip Subdivision and Land Development Regulations pertaining to public street pavement cross sections and street lighting that (1) are inconsistent or in conflict with the aforesaid “Master Plan” (as it may have been amended), this Article, and/or the standards and procedures set forth herein, or (2) establish or impose regulations, requirements, prohibitions, standards, parameters, and/or procedures that are different from, or would be (if not supplanted and superseded, as set forth herein) in addition to, those regulations, requirements, prohibitions, standards, parameters, and/or procedures set forth in the aforesaid “Master Plan” and this Article.
- C. Except as specifically provided in this Article, the provisions of Chapters 11 (Conservation of Energy) of the Code of the Town of Islip and the Town of Islip Subdivision and Land Development Regulations pertaining to public street pavement cross sections and street lighting; Articles I (General Provisions), XXIX (Signs), XXX (Sight Obstructions, Fences and Walls), XXXI (Minimum Site Improvements; Minimum Development Standards for Property), XXXII (Arterial Highway Setbacks) and LII (Exterior Lighting Standards) of Chapter 68 (Zoning) of the Code of the Town of Islip; Sections 68-5, 68-6, 68-30.1, 68-30.3, 68-420.7, and 68-420.8 of Chapter 68 (Zoning) of the Code of the Town of Islip, the “Schedule of Sign Regulations” and “Guidelines for Exterior Lighting” set forth at the end of Chapter 68 (Zoning) of the Code of the Town of Islip; and the Town of Islip Subdivision and Land Development Regulations pertaining to public street pavement cross sections and street lighting shall have no application, force, or effect within the PSPRD.

§ 68-_____. Definitions.

As used in the “Master Plan” described in Section 68-_____ above (or any amendments thereto), this Article, and the “Regulating Plans” and other diagrams included in this Article, the following terms shall have the following meanings:

The definitions enumerated in the Town of Islip Zoning and Subdivision chapters shall apply unless defined below.

BOUNDARY A

The property line of the lands described in Section 68-_____, above, that is described as follows:

Beginning at a concrete monument with cap situated on the Corporate Boundary between the Town of Islip, on the east, and the Town of Hempstead, on the west, where the said Corporate Boundary intersects the southwesterly line of property now or formerly owned by the Long Island Expressway NYSDOT (Park & Ride), and running thence South 00 degrees 25 minutes 42 seconds West, along the said Corporate Boundary, a distance of 2,899.79 feet to another concrete monument with cap.

BOUNDARY B

The property line of the lands described in Section 68-_____, ~~above~~, that is described as follows: Beginning at a point on the westerly side of Crooked Hill Road (County Road 13) distant 117 +/- feet from the northeasterly end of the line connecting the northerly side of Pilgrim Road with the westerly side of said Crooked Hill Road, and running thence South 89 degrees 30 minutes 13 seconds West a distance of 1,960.93 feet to a concrete monument at the intersection of such line and the division line between property now or formerly owned by the People of the State of New York, Pilgrim Psychiatric Center, on the southwest, and the Cantinor Estate Subdivision, on the northeast.

BUILD-TO FRONTAGE

The percentage of the width of a frontage in which the ground floor façades of principal buildings must be located within a designated build-to zone.

BUILD-TO ZONE

The range of distances, as measured from the street right-of-way boundary, within which the ground floor façades of principal buildings must be located along frontages. Exception: Where there is open space between the street right-of-way boundary and a building, the build-to zone shall be measured from the inner line -- i.e., the line opposite and farthest from the street right-of-way boundary -- of such open space.

CLASS A OFFICE SPACE

Office space within buildings of distinctive architecture and the highest quality workmanship and materials throughout. The frame will be reinforced concrete or heavy fireproof steel. Marble or terrazzo floors in public areas, bronze elevator doors, and expensive lighting fixtures are utilized. The buildings may have special features such as an elaborate entrance, grand staircase, etc.

FRONTAGE

The side of a tract of land included in a site plan application that abuts a street right-of-way. The width of such frontage shall be defined by any two adjacent street right-of-way lines or lot lines.

GROSS FLOOR AREA

The total floor area including all levels or stories of a structure as measured from the exterior faces of the walls.

(1) Gross Floor area shall include but not limited to: (a) Primary

buildings/structures.

(b) Accessory buildings/structures, except as described below. (c)

Mezzanines.

(d) All ground-level covered or enclosed porches, patios and decks, except those exempted below.

- (e) Area under a gable, hip, gambrel or similar-type roof where there exists a floor-to- ceiling height of four feet six inches.
- (f) Cellars and basements habitable or occupied.

(2) The following structures shall not contribute towards gross floor area:

- (a) Non-habitable or unoccupied basements and cellars used for mechanical space, storage, or parking.
- (b) Decks provided that they are accessory to a permitted principle use and are not roofed over, covered, or enclosed.
- (c) Covered, unenclosed residential porches located in any portion of a front yard and which do not extend more than six feet from the front wall of the dwelling.
- (d) Any decorative or cantilevered architectural element protruding from any structure when not contributing more than 25% of the facial area of the wall of said building.
- (e) Cloth or similar fabric awnings attached to buildings for decorative purposes and which do not contain any signage or wording. Said awnings shall not expand the functional floor area of any use, including but not limited to public assembly, inventory storage, or shielding or screening of HVAC equipment.
- (f) Enclosures designed to conceal rooftop wireless communication facilities, provided enclosure does not serve any other purpose or use
- (g) Cornices, eaves, gutters, chimneys, bay windows, and fireplaces which extend no more than 48 inches from the exterior walls of a building.

LIVE/WORK UNIT

A single unit consisting of a home office, home-based business, or a home-based art/craft studio that is connected internally to a dwelling unit.

MASTERPLAN

The ‘Master Plan’ is defined as the Development Unit 1-4 and Gateway Area Building Stories, Street Type and Open Space Regulatory Plans; Subdistrict Specifications

OPEN SPACE

Area or horizontal space, including, but not limited to, buffer-setback areas, recreation areas (passive or active), plazas, courtyards, and rooftop open space areas, that is open to and unobstructed from the sky, except for canopies or other approved structures providing protection or shelter from sun or weather, and is accessible to and usable by persons occupying or using the lot, building, or structure that contains such space. Area developed as parks shall not be considered open space.

PARK

An area of land publicly dedicated or owned by a Homeowner Association in perpetuity

for the enjoyment of the public, having facilities for rest and recreation and containing natural vegetative and/or landscaped features.

PAVEMENT

The motor vehicle travel, parking lanes and on-road bike lanes of a private access or dedicated public street.

ROADWAY

The total width of a private access or dedicated street inclusive of motor vehicle travel and parking lanes, off-road bike lanes and pedestrian sidewalks.

STORY

That portion of a building included between the upper surface of a floor and the upper surface of the floor next above. For the top story of a building, the story shall be measured from the upper surface of the highest floor to the interior surface of the roof at the peak. If the interior height of the top story exceeds four feet six inches, then it shall be considered as a story on submitted plans. Mezzanines shall be defined and regulated under the New York State Building Code and the provisions of the ordinance.

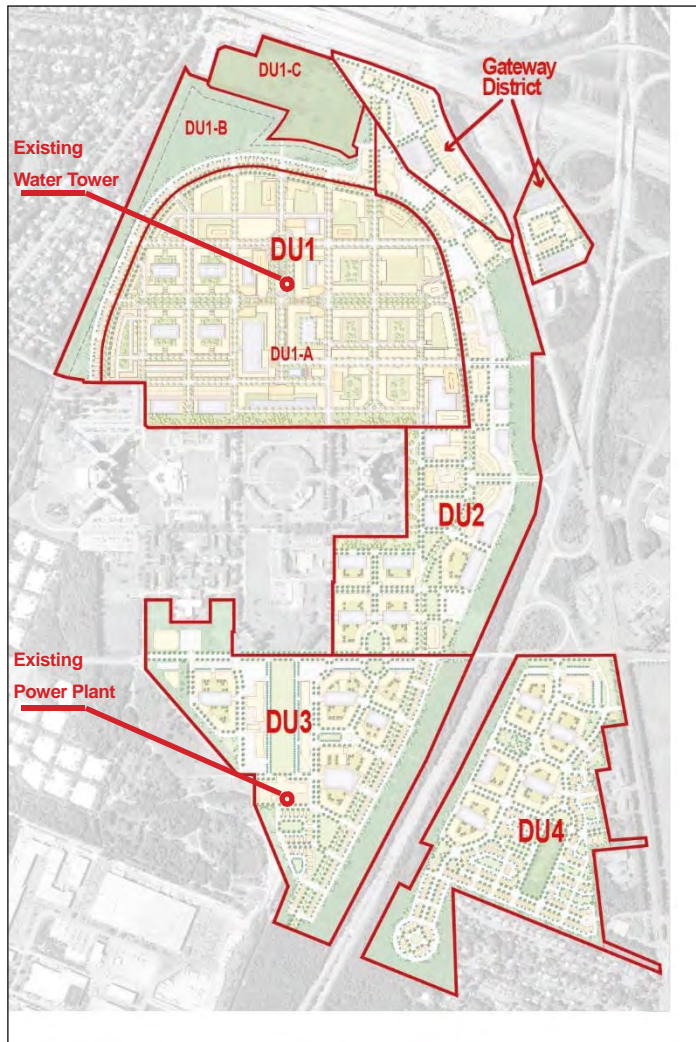
§ 68-_____. Designation of PSPRD Subdistricts.

The subdistricts of the PSPRD, as specified and depicted in the aforesaid “Master Plan” for the PSPRD and in the “Regulating Plans” included in this Article, are as follows:

- A. Town Center (Development Unit 1 or DU1) -- A mixed-use subdistrict that is intended to be developed with a range of compatible land uses, including retail, housing, hotel/lodging, office, in-home office, entertainment, and cultural uses. The objective of this subdistrict is to allow for creation of a pedestrian-friendly infrastructure that encourages street life, business activity, and a self-policing environment incorporating distinctive “people places,” which function as the focus for community life, special events, celebrations, and festivals.
- B. Mixed-Use Office (Development Unit 2 or DU2) -- A subdistrict that is intended to be developed predominantly as offices, but that will also include business support uses such as hotels, conference centers, retail stores, restaurants, and housing.
- C. Arts Center Residential (Development Unit 3 or DU3) -- A subdistrict that is intended to be developed predominantly as a traditional neighborhood development, with an emphasis on housing clustered around the adaptive re-use, as a cultural arts center, of an existing power plant, but will also include retail and civic uses.
- D. Residential (Development Unit 4 or DU4) -- A subdistrict that is intended to be developed predominantly as a residential neighborhood including apartments and condominiums, but that will also include neighborhood support uses such as retail stores.
- E. Gateway -- A subdistrict intended to be developed, if lands from the Gateway Area, as defined in this Chapter, are reclassified in the PSPRD, predominantly as a mixed-use area, with an emphasis on office development, but including residences, supporting retail, and hospitality uses.

§ 68-_____. The Regulating Plans.

The following “Regulating Plans” designate the aforesaid PSPRD subdistricts, the building stories limitations for each PSPRD subdistrict, the hypothetical street types for each PSPRD subdistrict, and the open spaces/buffers for each PSPRD subdistrict

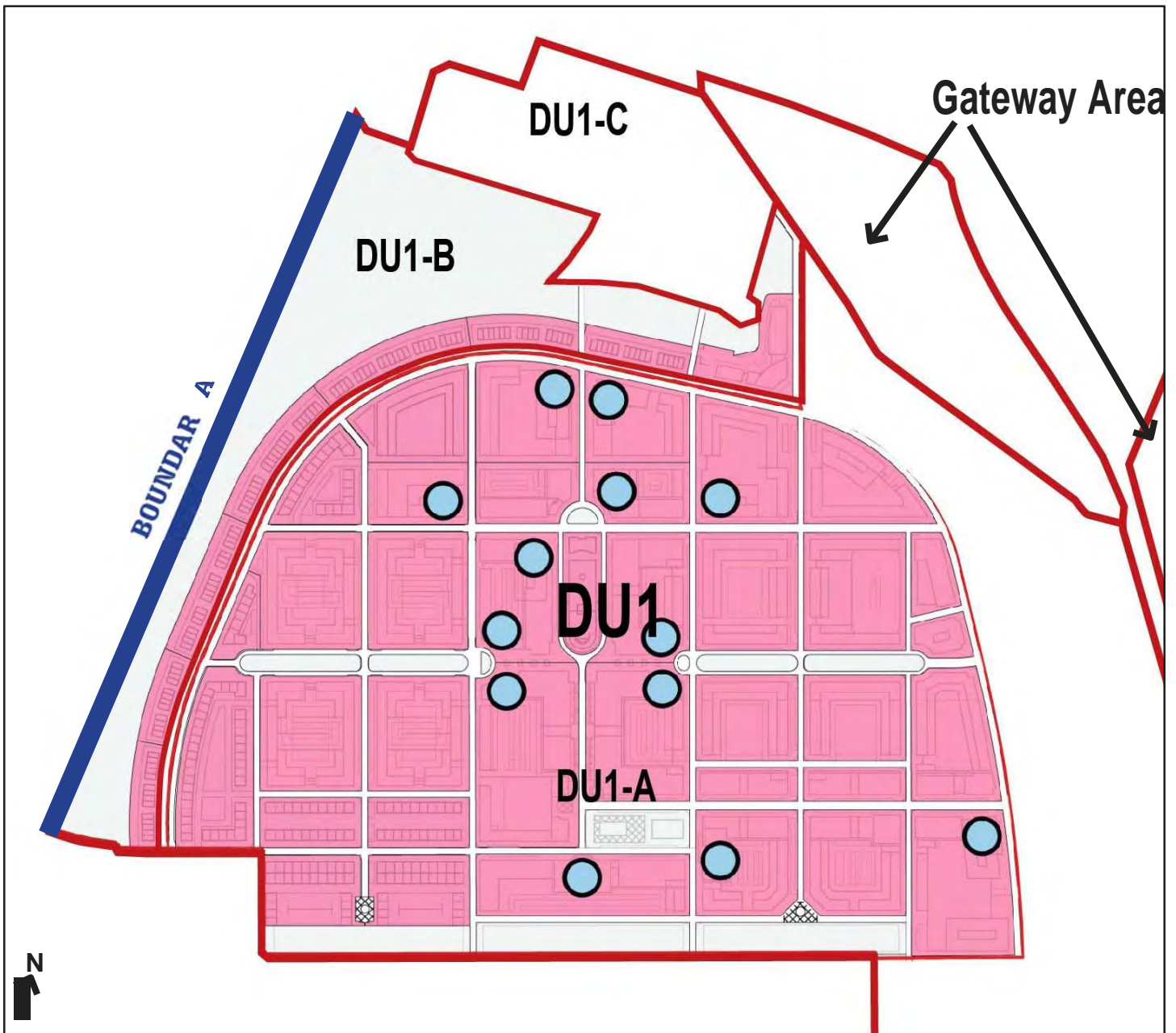


Designation of Subdistricts (Development Units)

The Pilgrim State Planned Redevelopment District (PSPRD), upon adoption of this article, is approximately 452 (+/-) acres, and is divided into four distinct subdistrict areas (Development Units or DUs), each with a different land use mix geared to different segments of the market. In addition to the 4 DUs, there are an additional 23.59 acres adjacent to the site which comprise a potential Gateway District. DU3 and DU4 emphasize housing and offer a varied mix of housing choices. DU2 emphasizes office use, and DU1 is the commercial heart of the community and is planned for a variety of retail and commercial options, as well as housing. Three of the Development Units are located to the west of the Sagtikos Parkway and are connected by a central organizing element – a circular boulevard. The fourth Development Unit (DU4) is a tract located east of the Sagtikos Parkway adjacent to the Suffolk Community College and connected to DU1, DU2, and DU3 along College Road. The potential Gateway District comprises two separate parcels adjacent to the site and is envisioned as a mixed-use area with an emphasis on office use.

The Master Plan sets forth five discrete subdistricts or development units, as follows:

- DU1 Town Center District
- DU2 Mixed-Use Office District
- DU3 Arts Center Residential District
- DU4 Residential District
- Gateway District



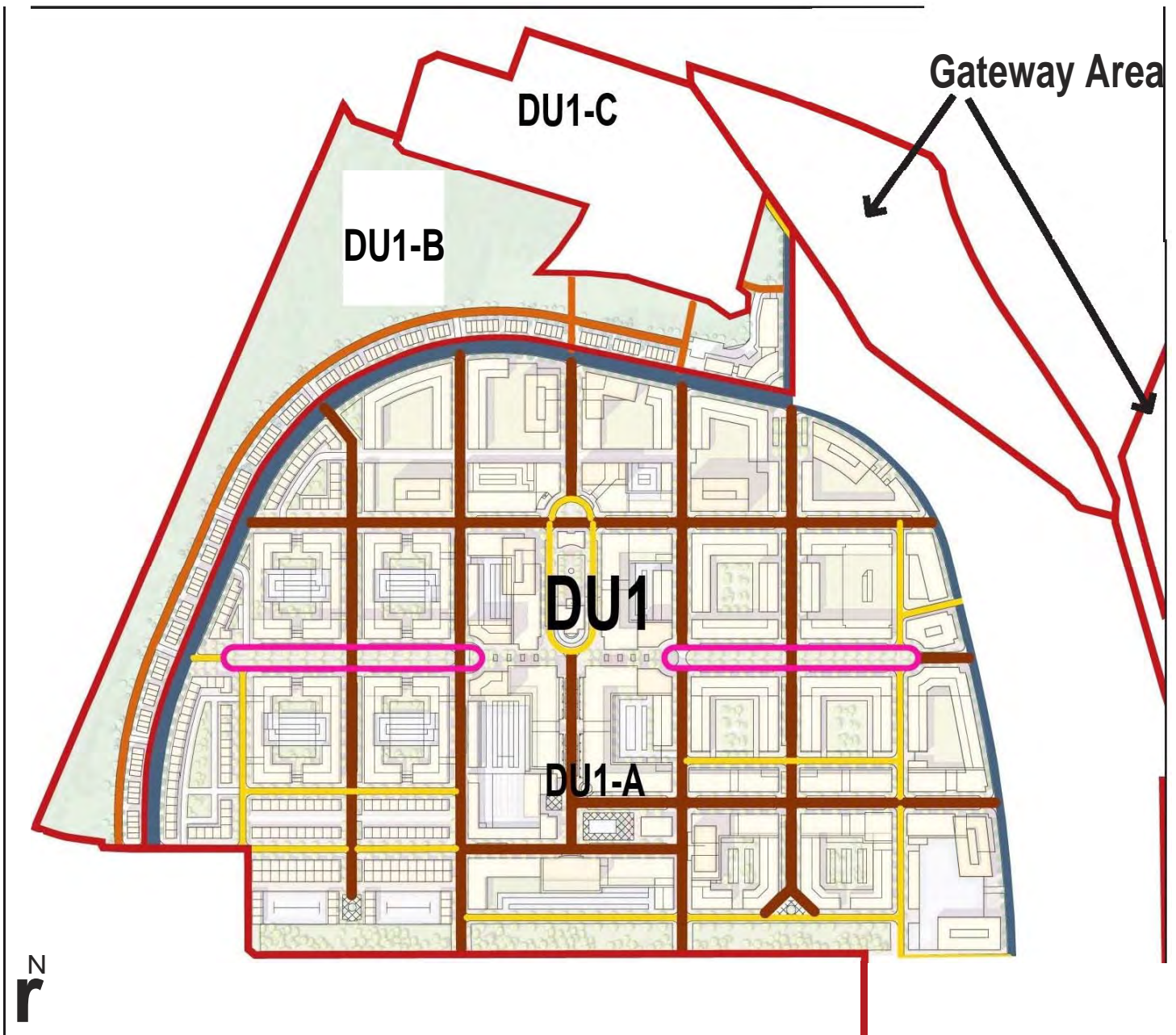
Legend

August 2015

- Low-rise Buildings (1-6 Stories, 80ft max)
- Potential Mid-rise Tower (7-13 Stories, 165ft max)

Note 1: Locations and heights of specific buildings will be determined during site plan review

Note 2: Residential buildings that abut the 130-foot buffer-setback area along Boundary A shall not exceed three stories or 50 feet in height

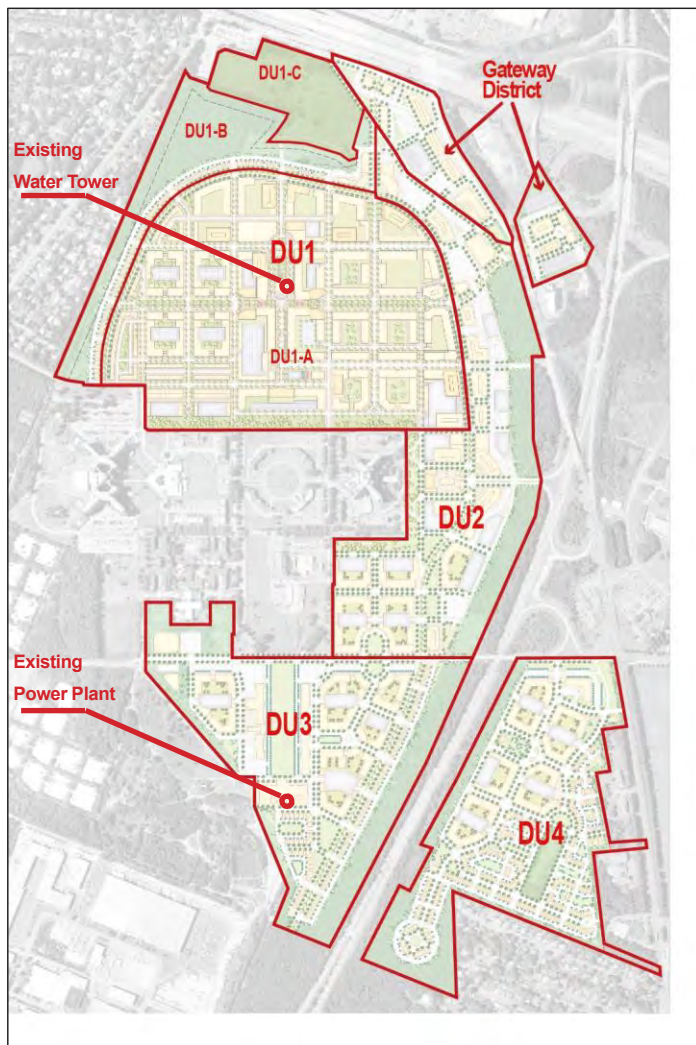


Legend

August 2015

| StreetType | Pavement |
|------------|----------|
| TypeA | 60Feet |
| TypeS | 40Feet |
| TypeC | 30Feet |
| TypeD | 24Feet |
| TypeE | 24Feet |

*Note: Locations of street types shown for illustrative purposes and subject to change
See street type sections for more detailed information*

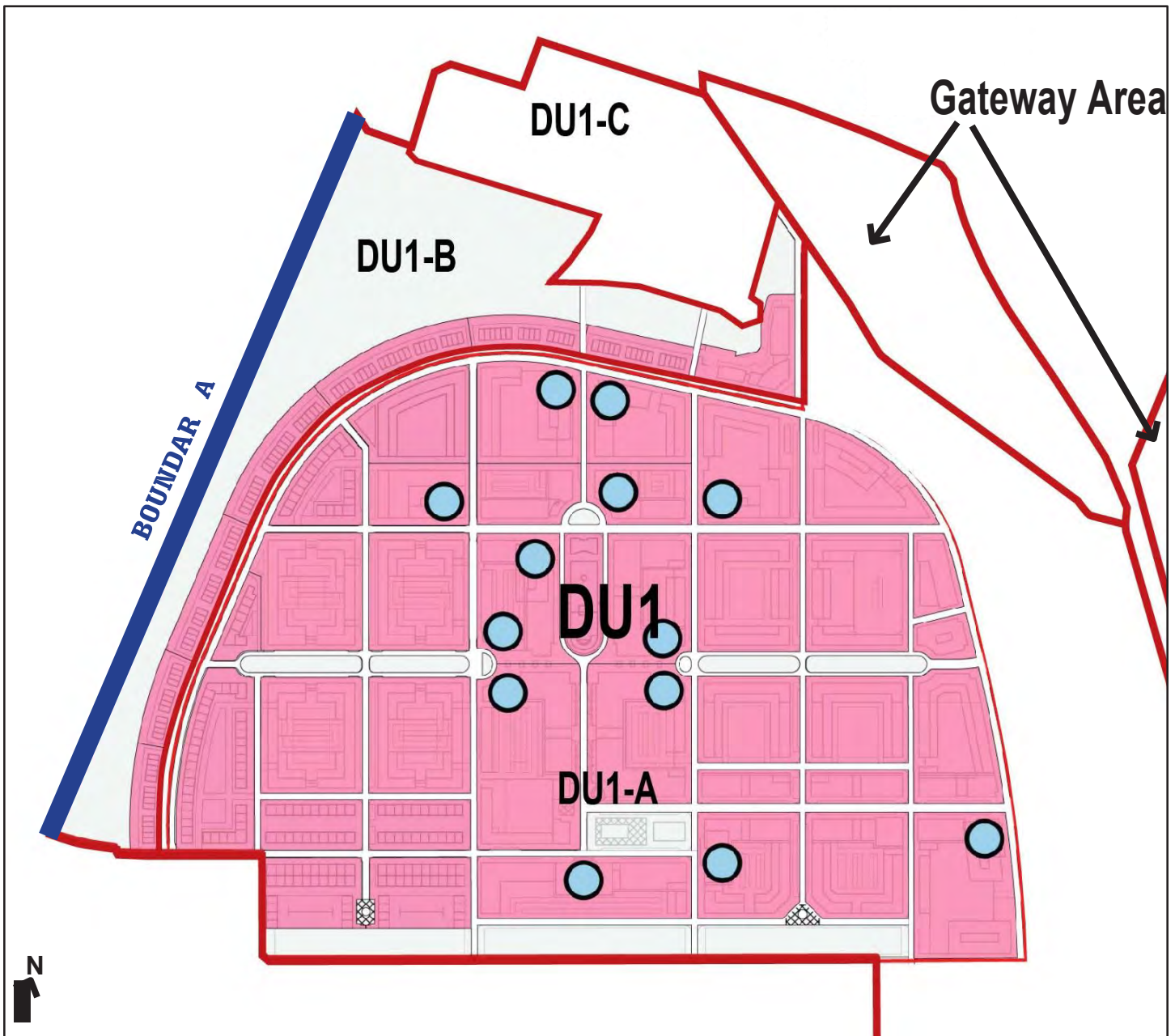


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The Master Plan sets forth five discrete subdistricts or development units, as follows:

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- DU3 Arts Center Residential District
- DU4 Residential District
- Gateway District

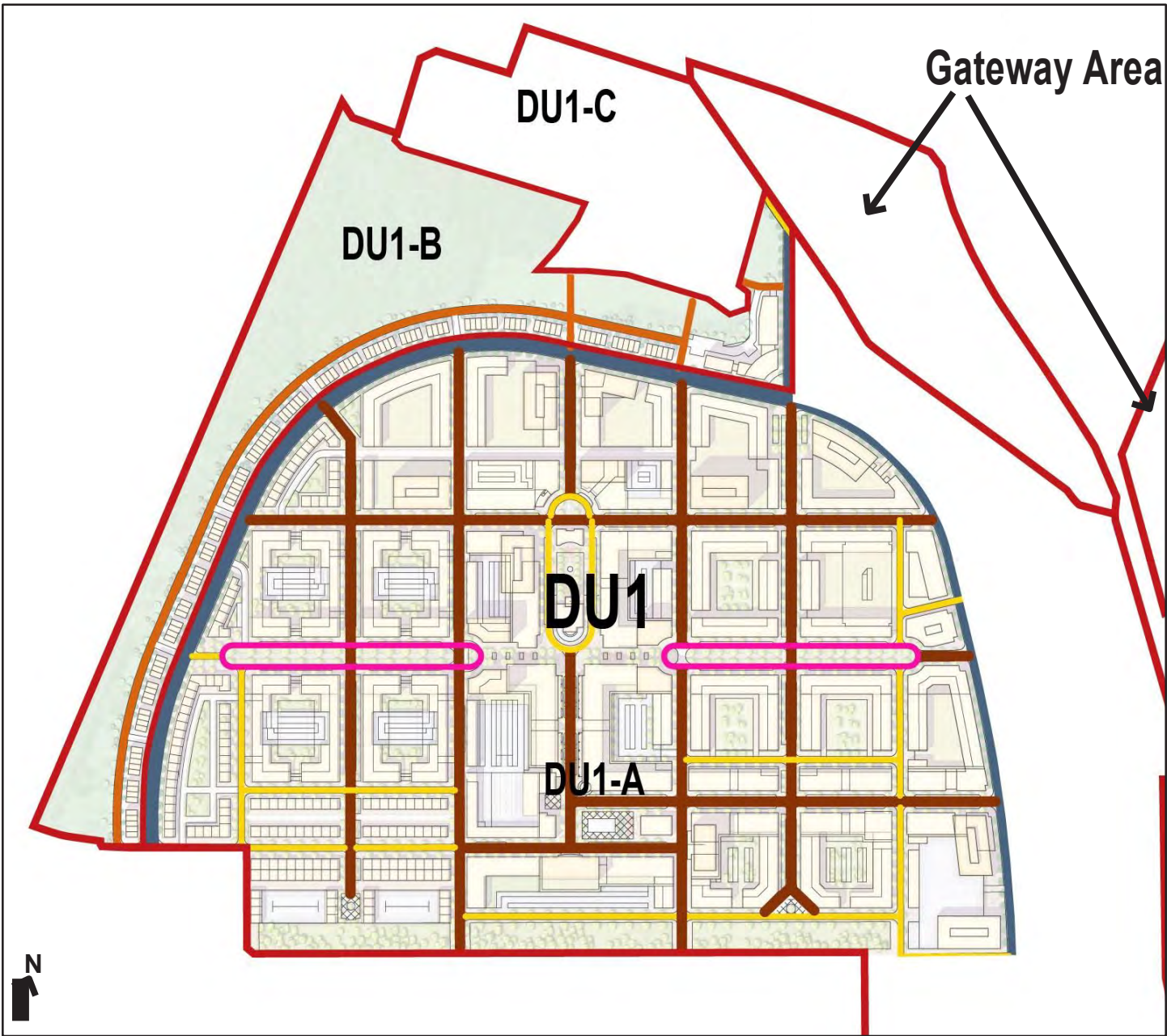


Legend

August 2015

- Low-rise Buildings (1-6 Stories, 80ft max)
- Potential Mid-rise Tower (7-13 Stories, 165ft max)

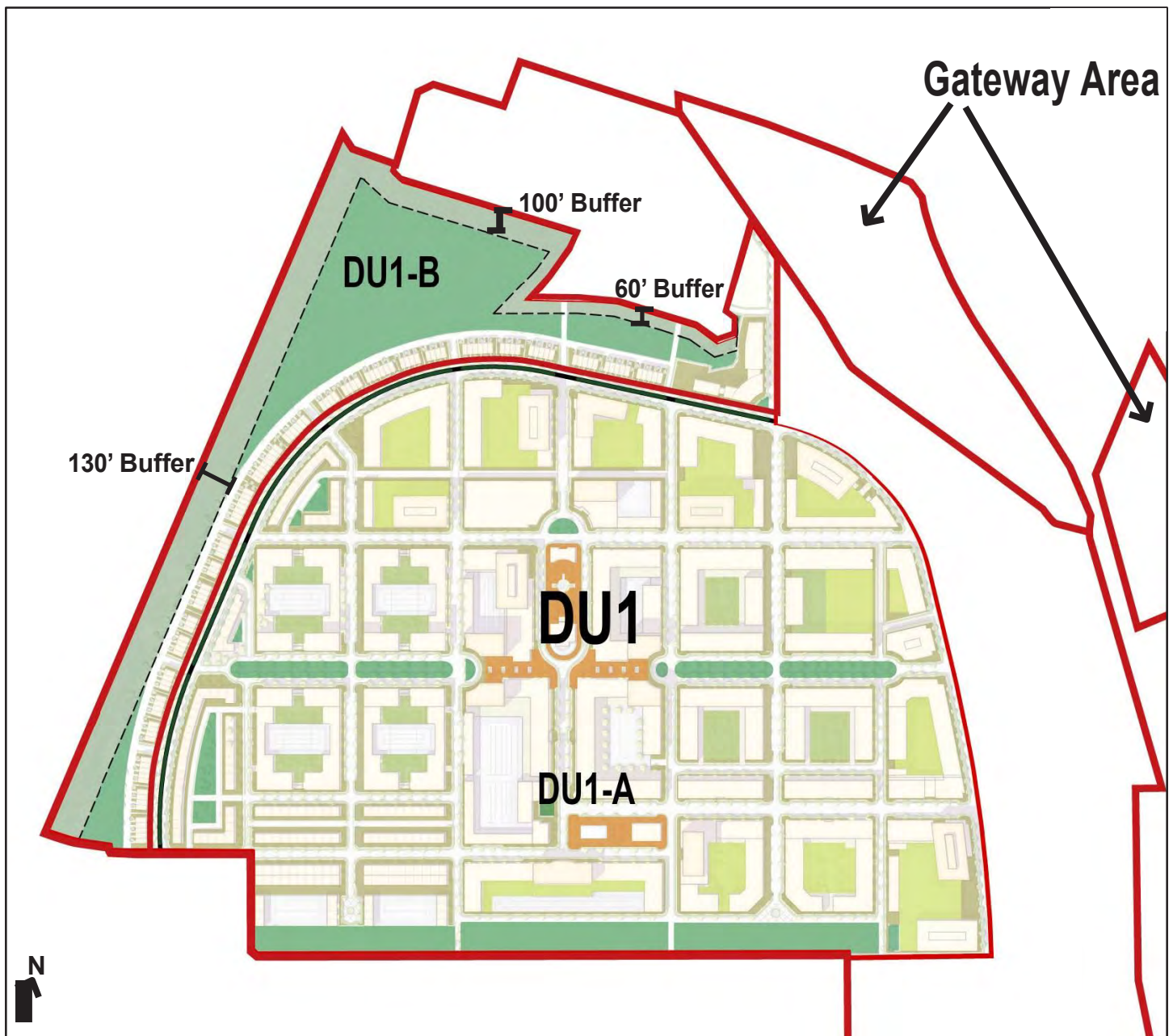
Note 1: Locations and heights of specific buildings will be determined during site plan review
 Note 2: Residential buildings that abut the 130-foot buffer-setback area along Boundary A shall not exceed three stories or 50 feet in height



Legend

| Street Type | Pavement |
|-------------|----------|
| Type A | 60 Feet |
| Type B | 40 Feet |
| Type C | 30 Feet |
| Type D | 24 Feet |
| Type E | 24 Feet |

*Note: Locations of street types shown for illustrative purposes and subject to change
See street type sections for more detailed information*





Legend

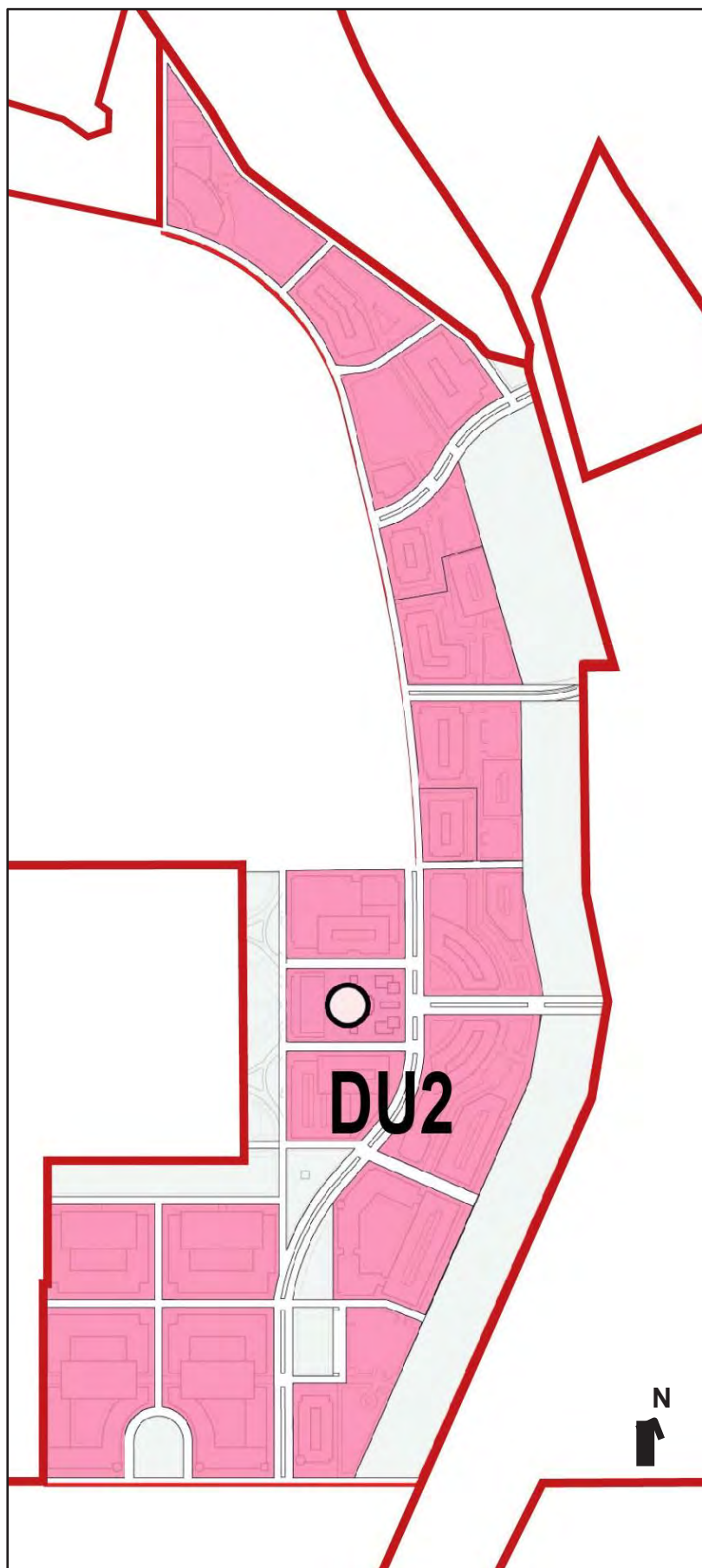
- Recreation Areas (Passive or Active)
- Courtyards
- Yard Areas
- Plazas
- Buffer - Setback Areas

August 2015

REGULATING PLANS - DU 2 BUILDING STORIES PLAN

Legend

-  Low-rise Buildings (1-6 Stories, 80ft max)
-  Potential High-rise Tower (14-20 Stories, 260ft max)

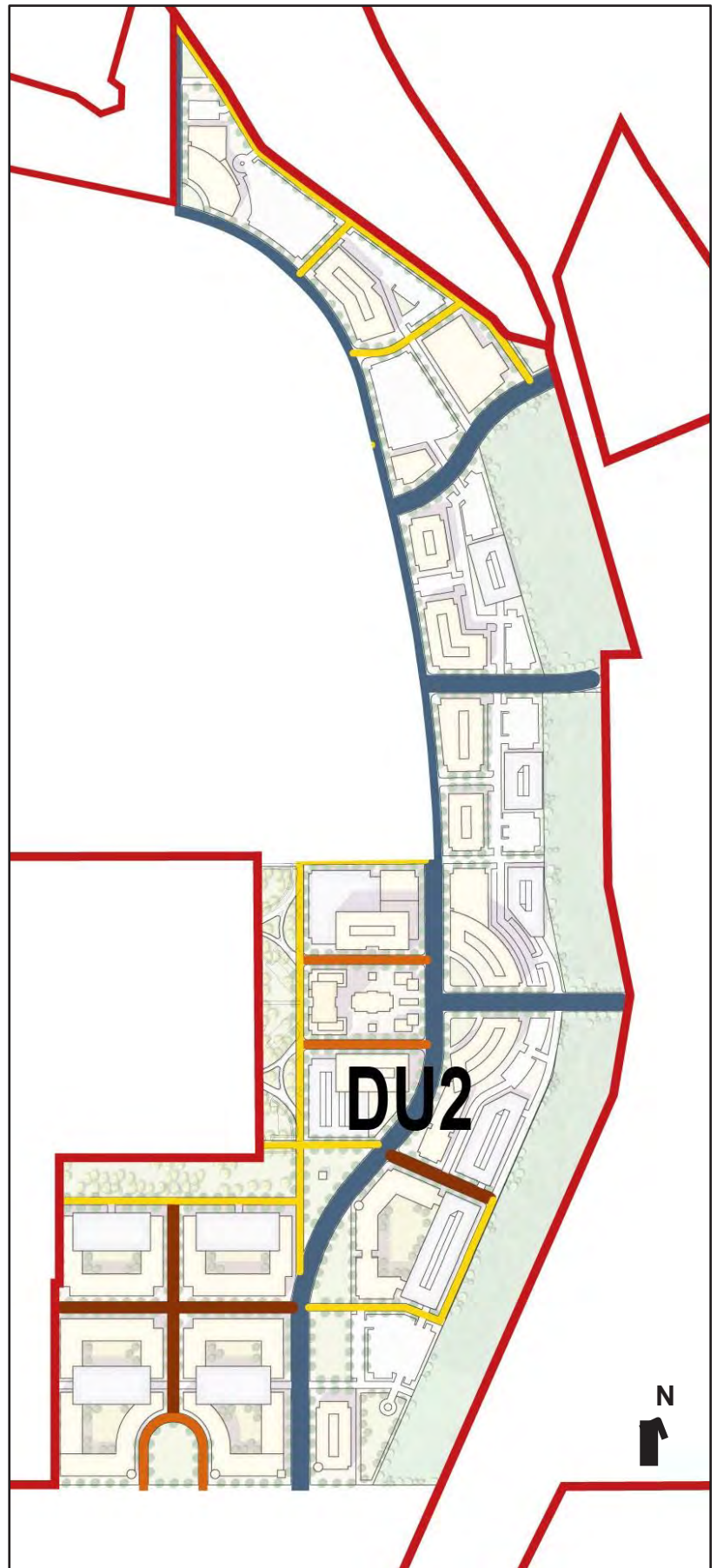


Note 1: Locations and heights of specific buildings will be determined during site plan review

August 2015

Legend

| Street Type | Pavement |
|-------------|----------|
| Type A | 60 Feet |
| Type B | 40 Feet |
| Type C | 30 Feet |
| Type D | 24 Feet |
| Type E | 24 Feet |

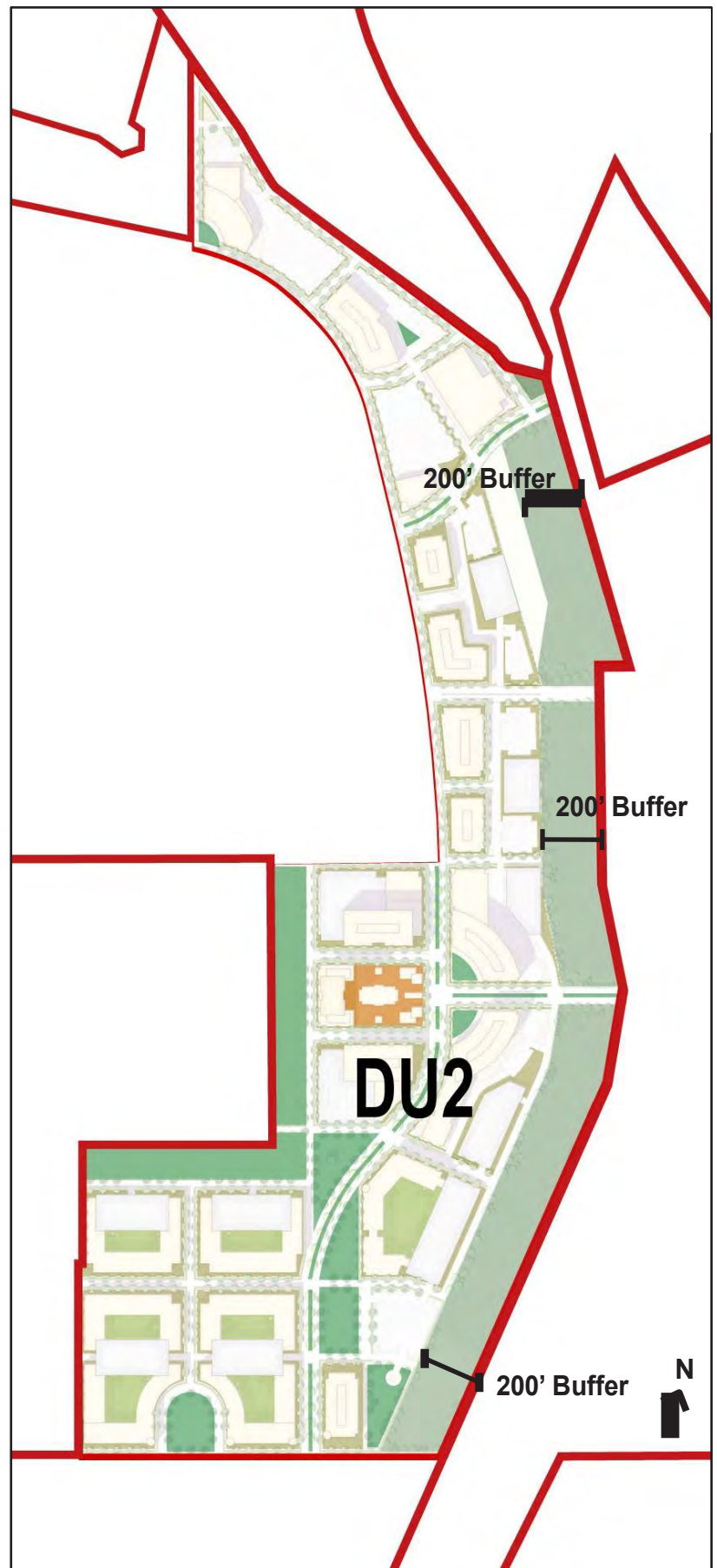


*Note: Locations of street types shown for illustrative purposes and subject to change
See street type sections for more detailed information*

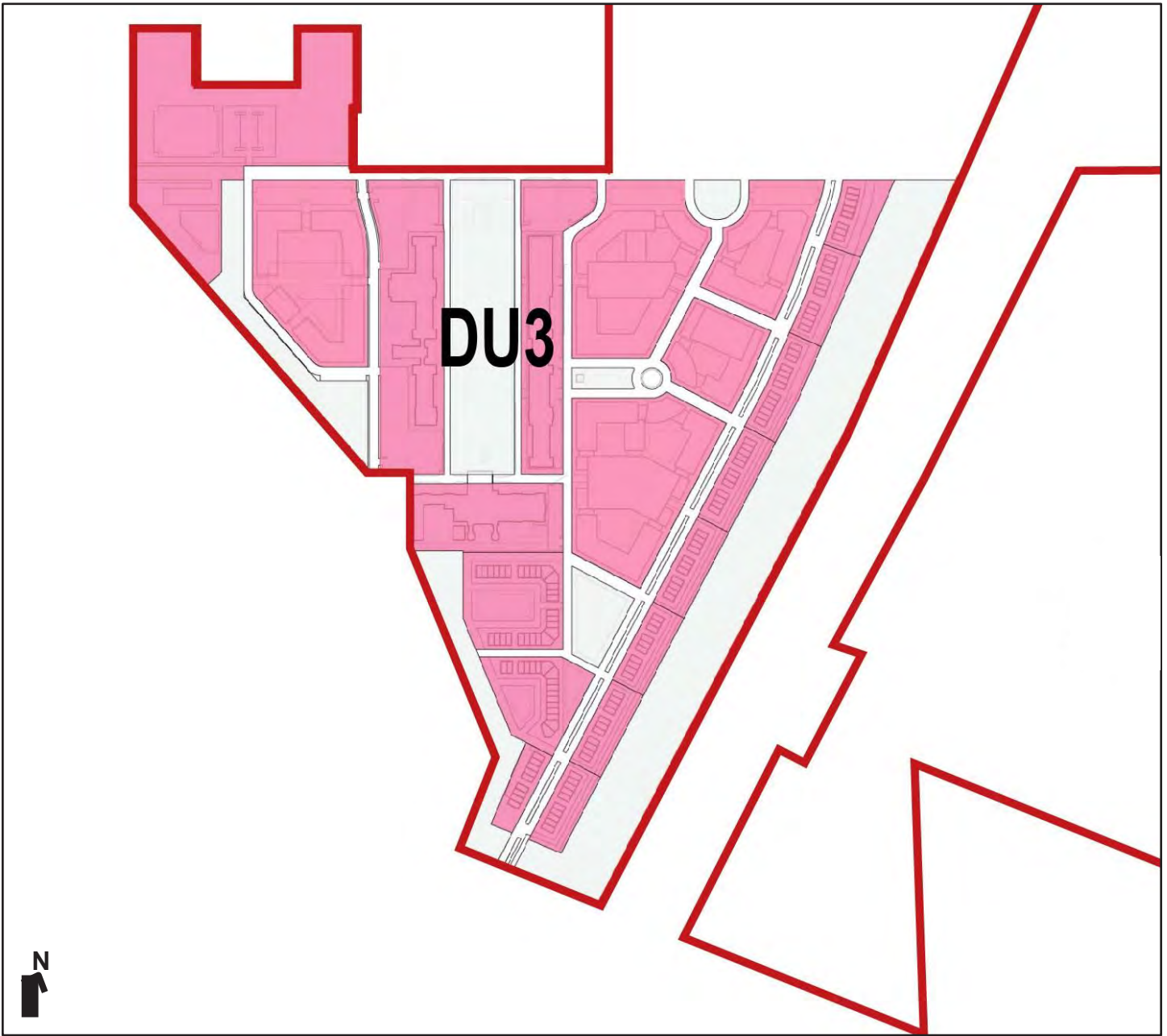
REGULATING PLANS - DU 2 OPEN SPACE PLAN

Legend


- Recreation Areas (Passive or Active)
- Courtyards
- Yard Areas
- Plazas
- Buffer - Setback Areas



August 2015

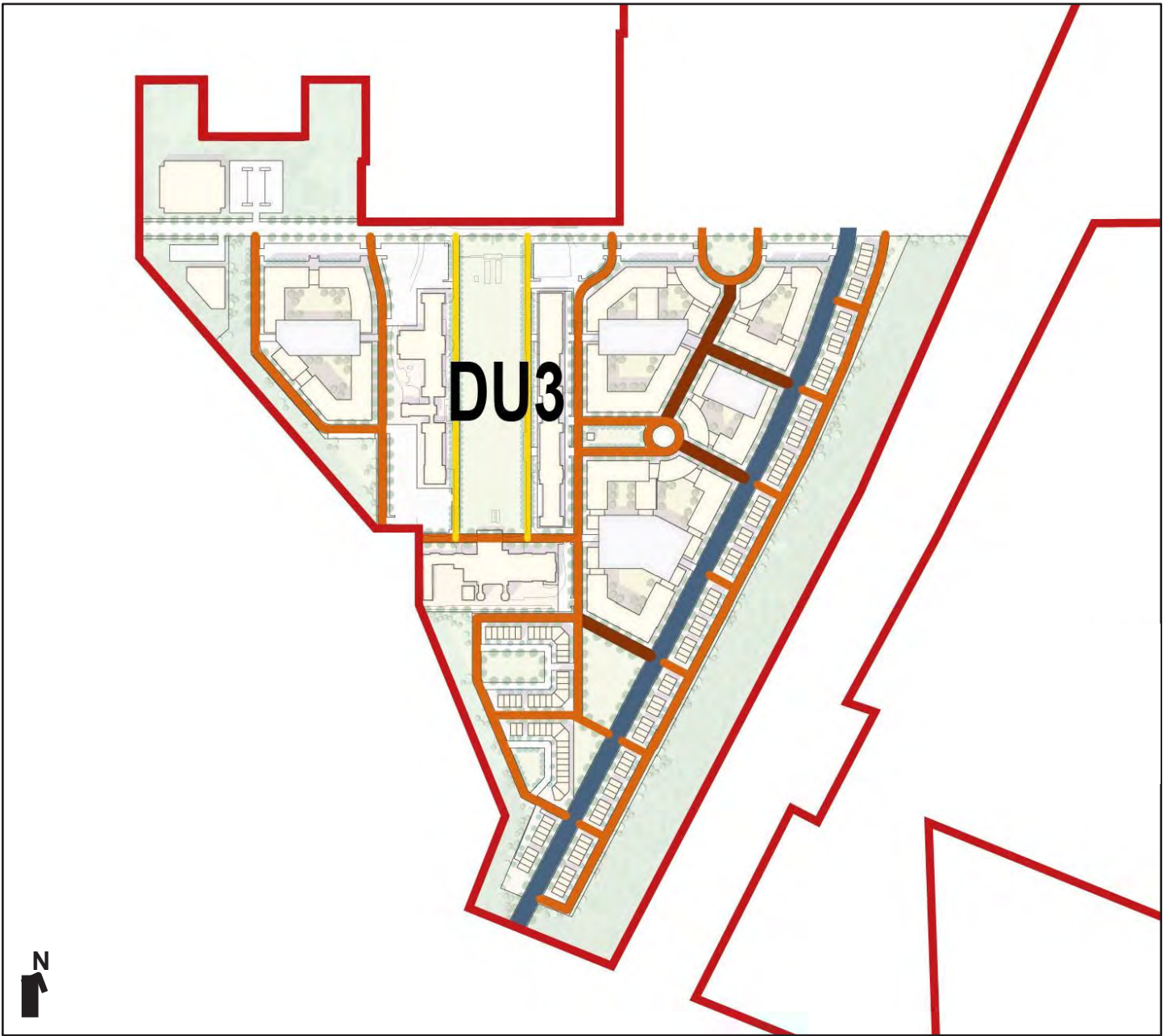


Legend

 Low-rise Buildings (1-6 Stories, 80ft max)

August 2015

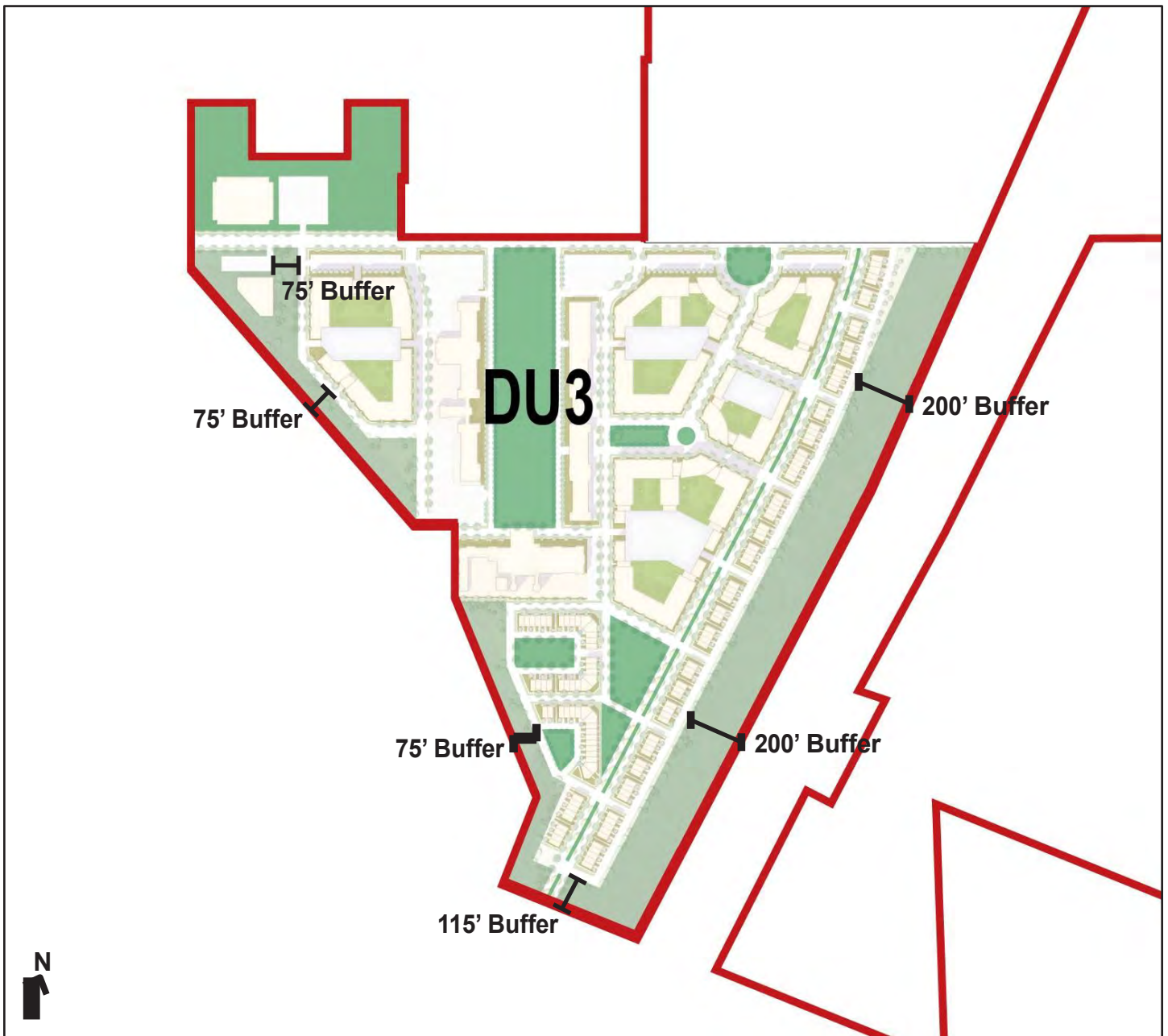
Note 1: Locations and heights of specific buildings will be determined during site plan review



Legend

| Street Type | Pavement |
|-------------|----------|
| Type A | 60 Feet |
| Type B | 40 Feet |
| Type C | 30 Feet |
| Type D | 24 Feet |
| Type E | 24 Feet |

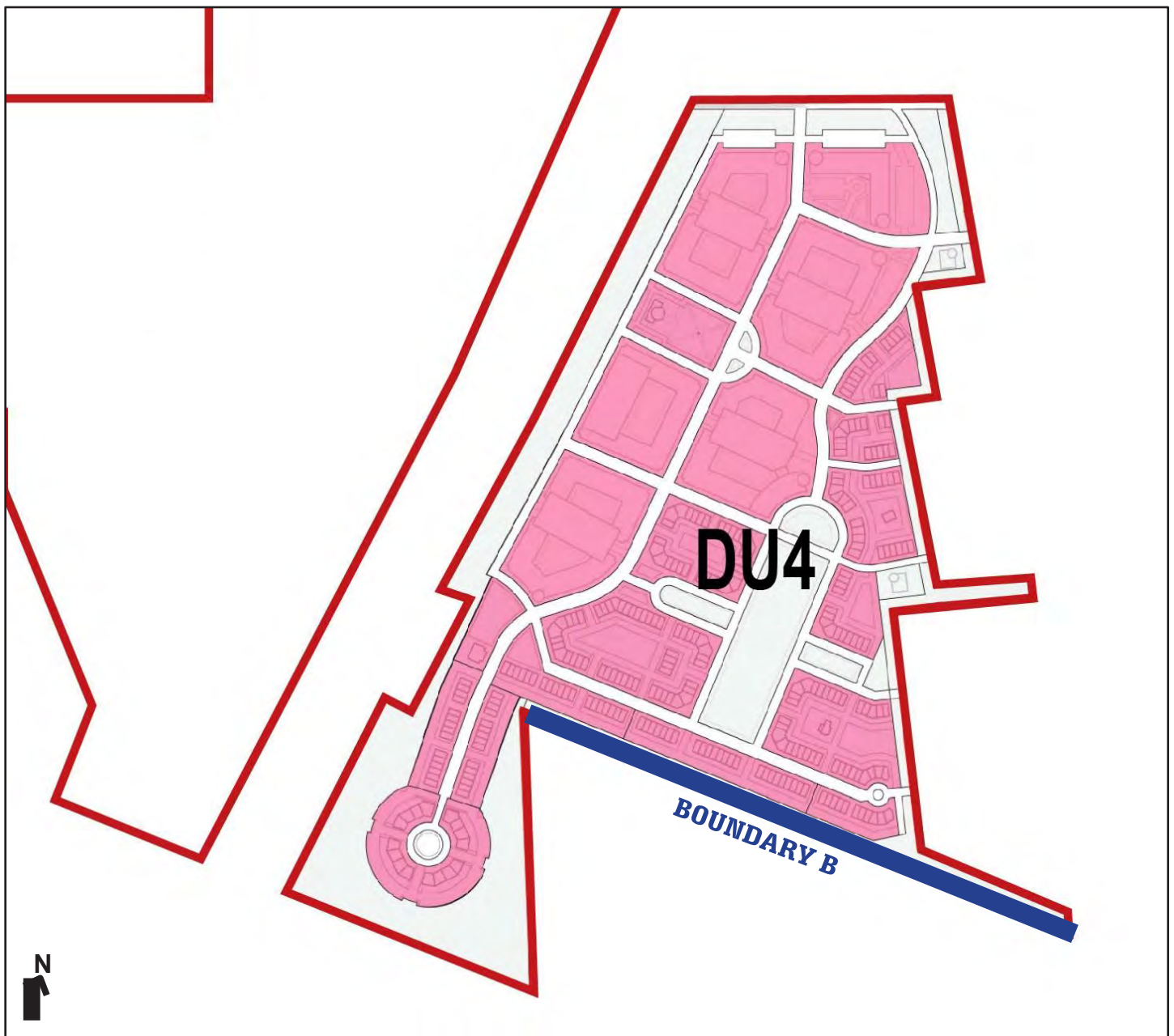
*Note: Locations of street types shown for illustrative purposes and subject to change
See street type sections for more detailed information*



Legend

- Recreation Areas (Passive or Active)
- Courtyards
- Yard Areas
- Buffer - Setback Areas

August 2015



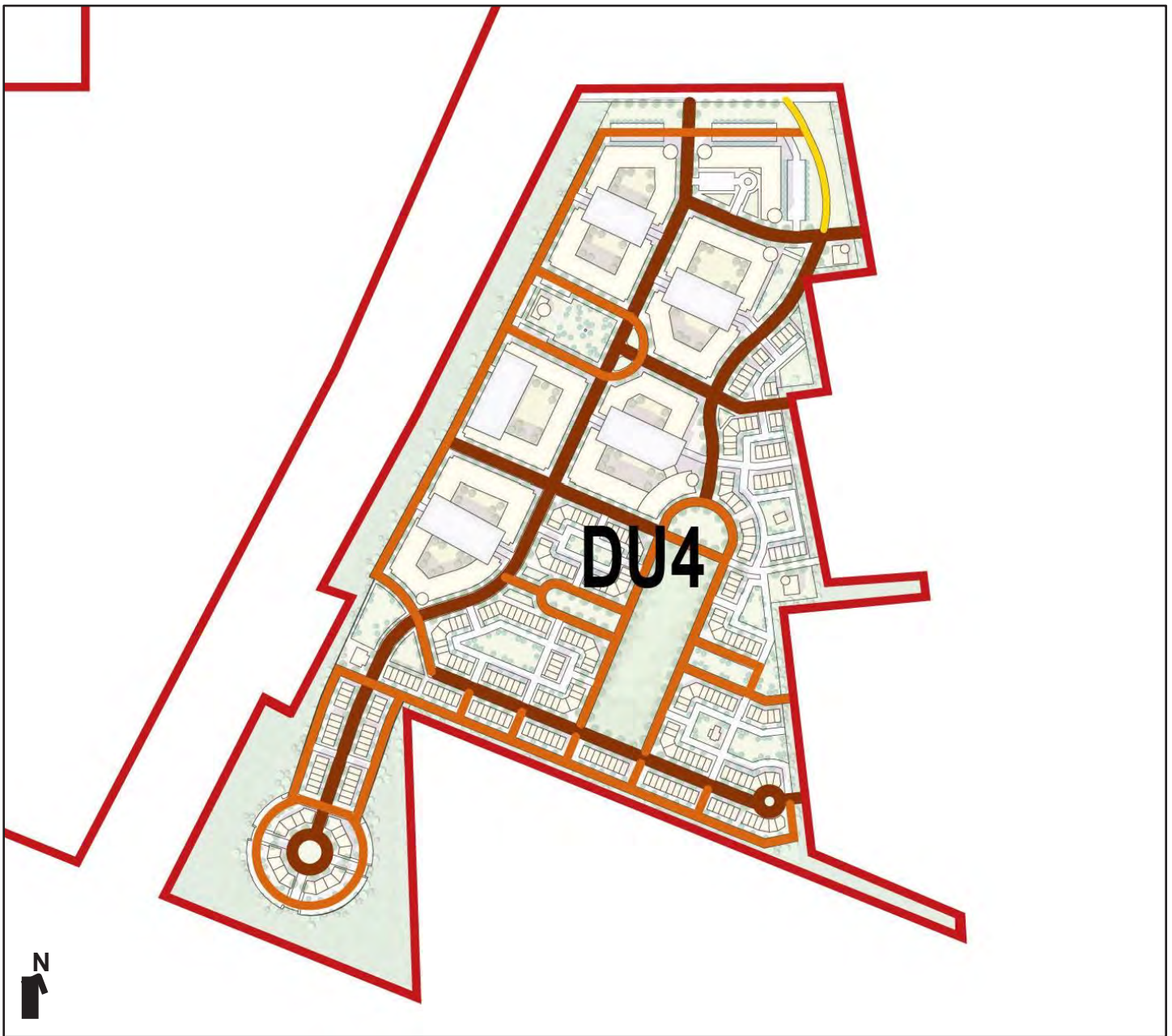
Legend

August 2015

Low-rise Buildings (1-6 Stories, 80ft max)

Note 1: Locations and heights of specific buildings will be determined during site plan review

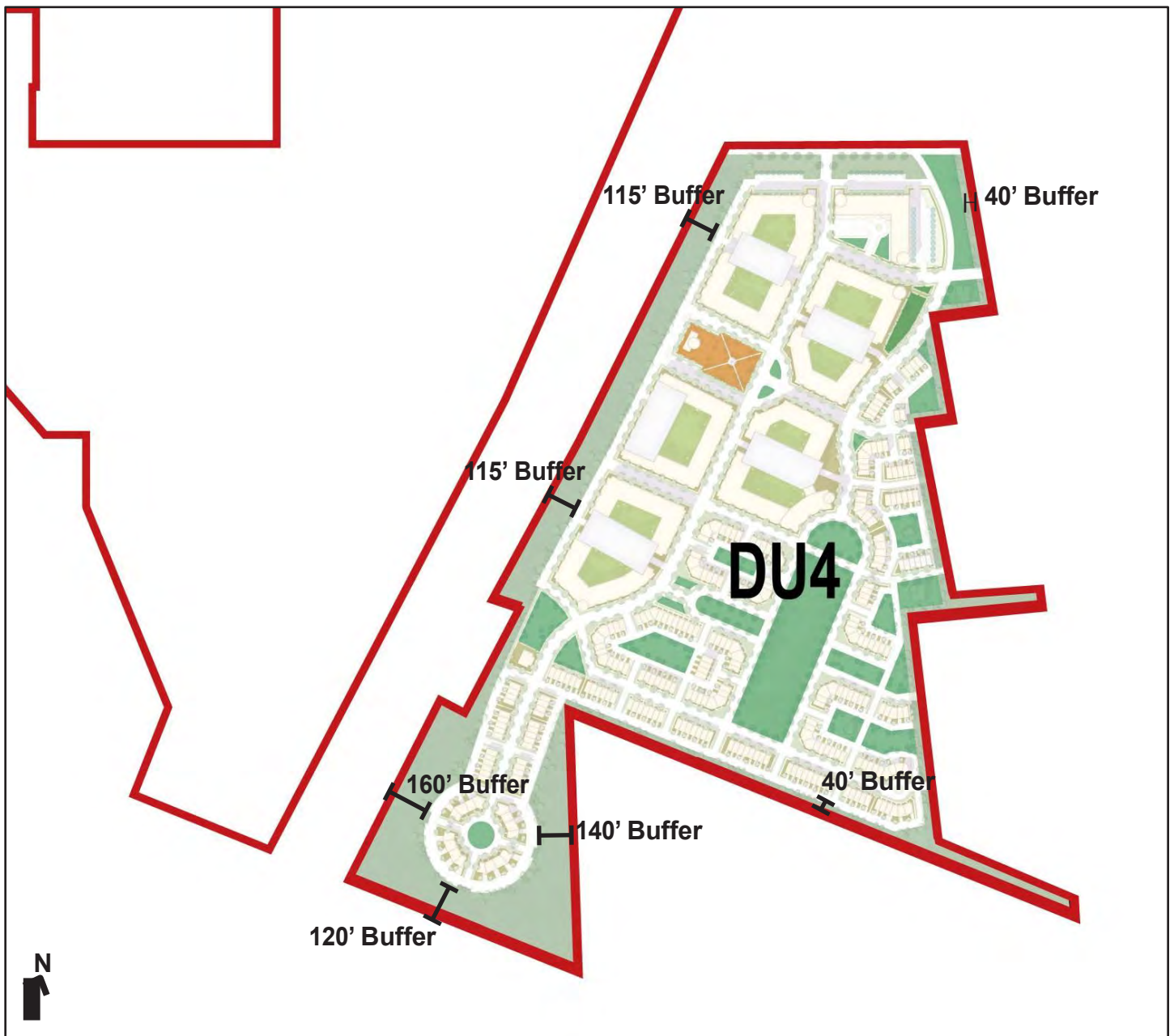
Note 2: Residential buildings that abut the 40-foot buffer-setback area along Boundary B shall not exceed three stories or 50 feet in height



Legend

| Street Type | Pavement |
|-------------|----------|
| Type A | 60 Feet |
| Type B | 40 Feet |
| Type C | 30 Feet |
| Type D | 24 Feet |
| Type E | 24 Feet |

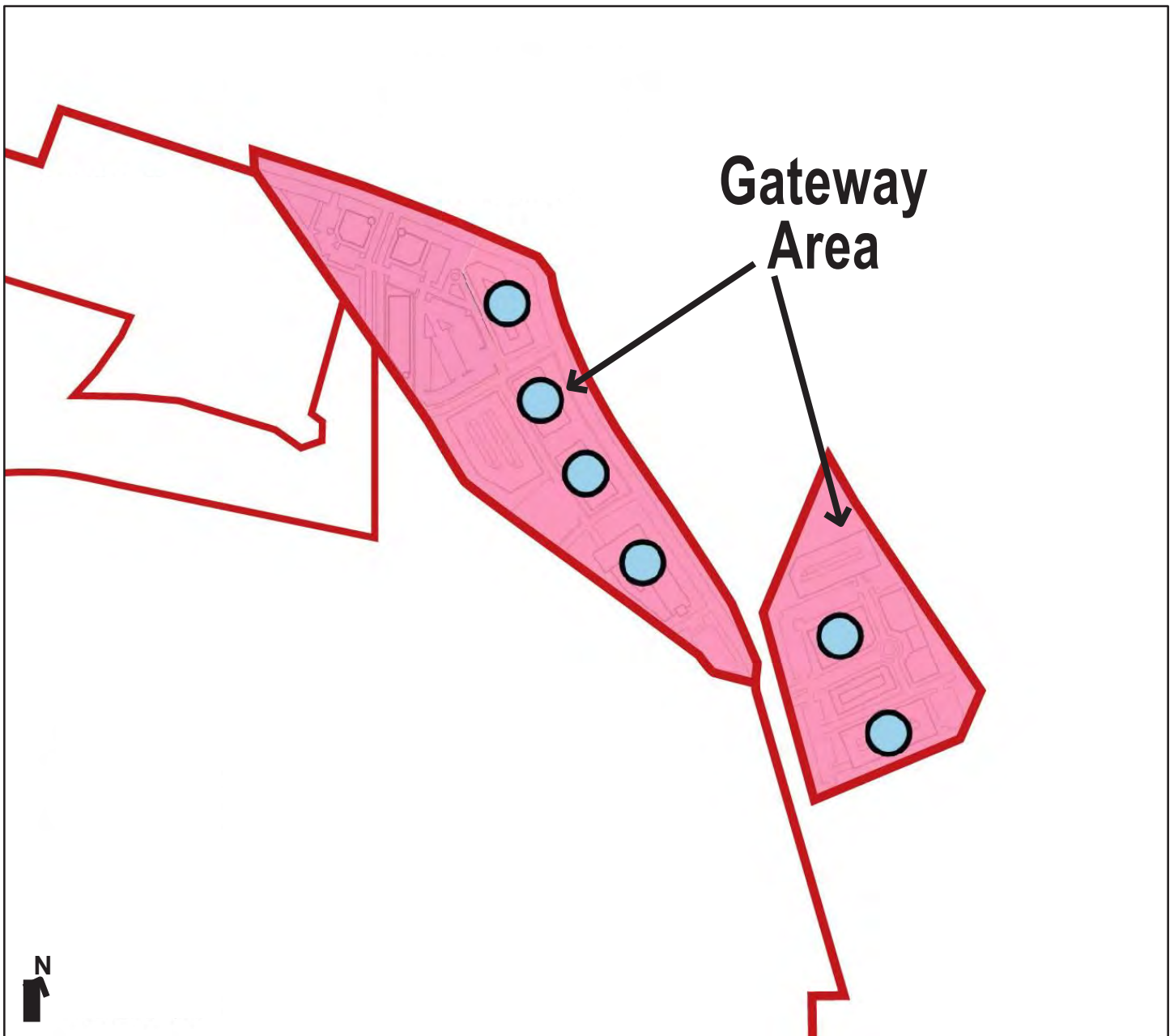
*Note: Locations of street types shown for illustrative purposes and subject to change
See street type sections for more detailed information*



Legend

- Recreation Areas (Passive or Active)
- Courtyards
- Yard Areas
- Plazas
- Buffer - Setback Areas

August 2015

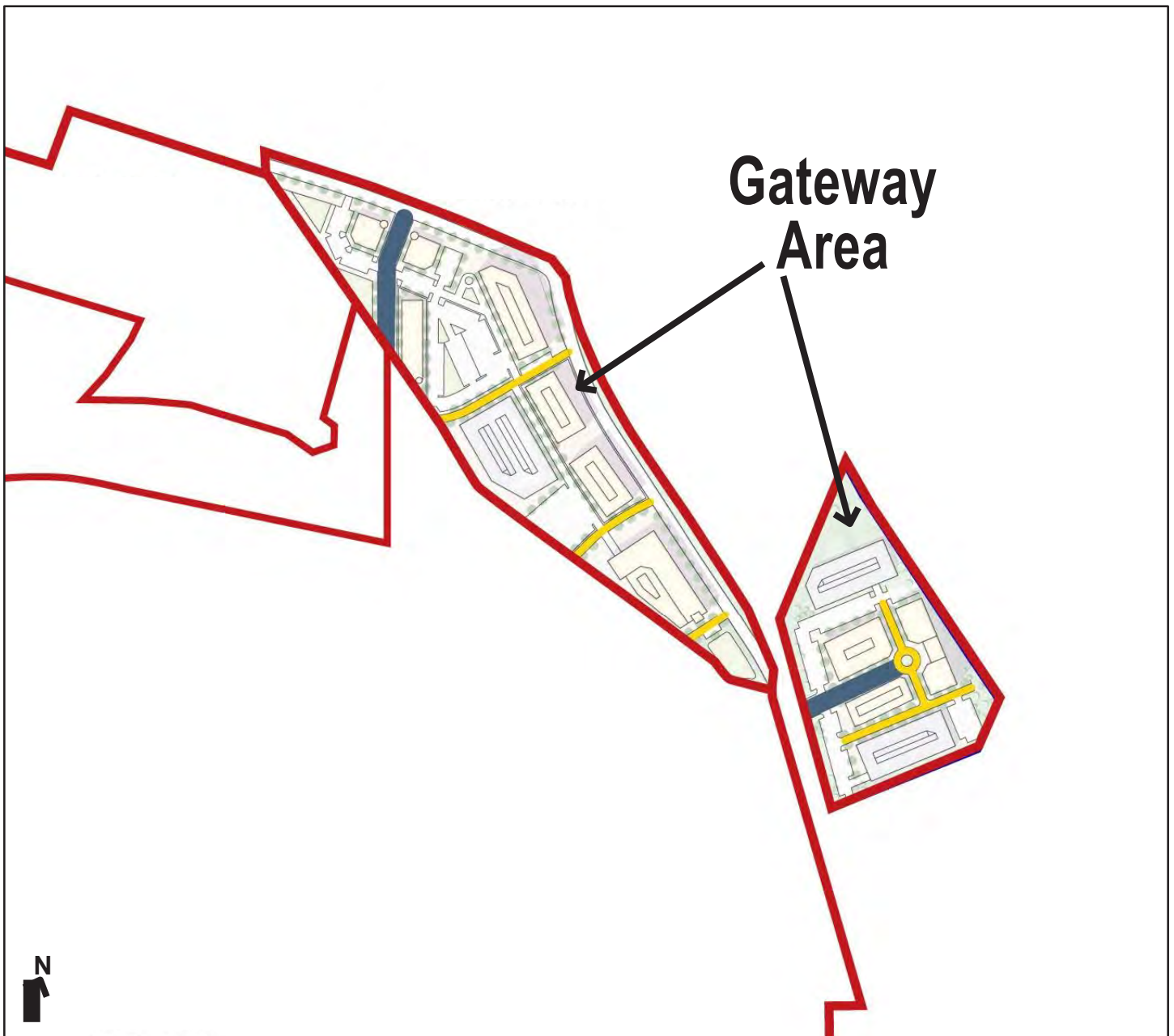


Legend

- Low-rise Buildings (1-6 Stories, 80ft max)
- Potential Mid-rise Tower (7-13 Stories, 165ft max)

August 2015

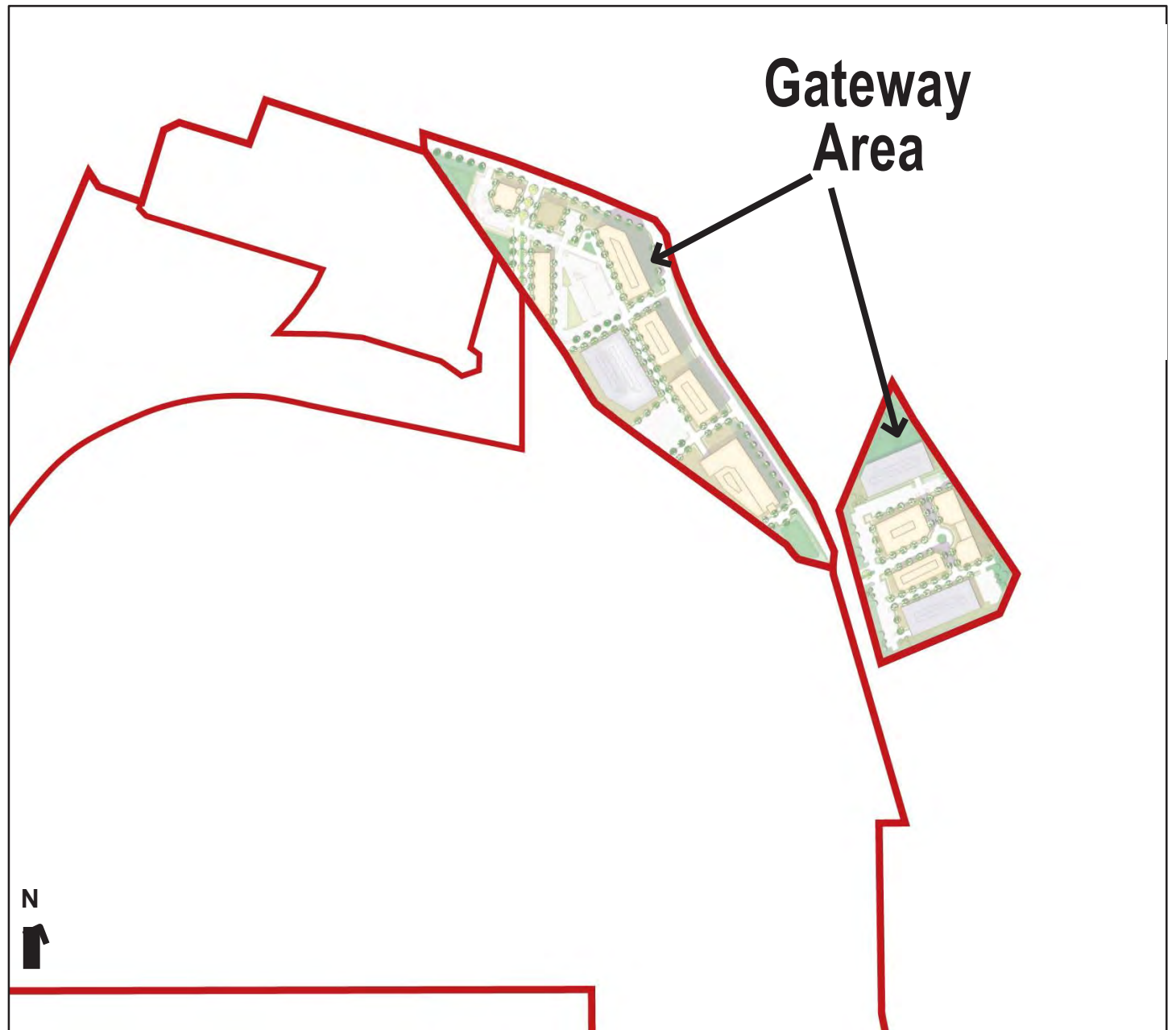
Note 1: Locations and heights of specific buildings will be determined during site plan review



Legend

| Street Type | Pavement |
|-------------|----------|
| Type A | 60 Feet |
| Type B | 40 Feet |
| Type C | 30 Feet |
| Type D | 24 Feet |
| Type E | 24 Feet |

*Note: Locations of street types shown for illustrative purposes and subject to change
See street type sections for more detailed information*

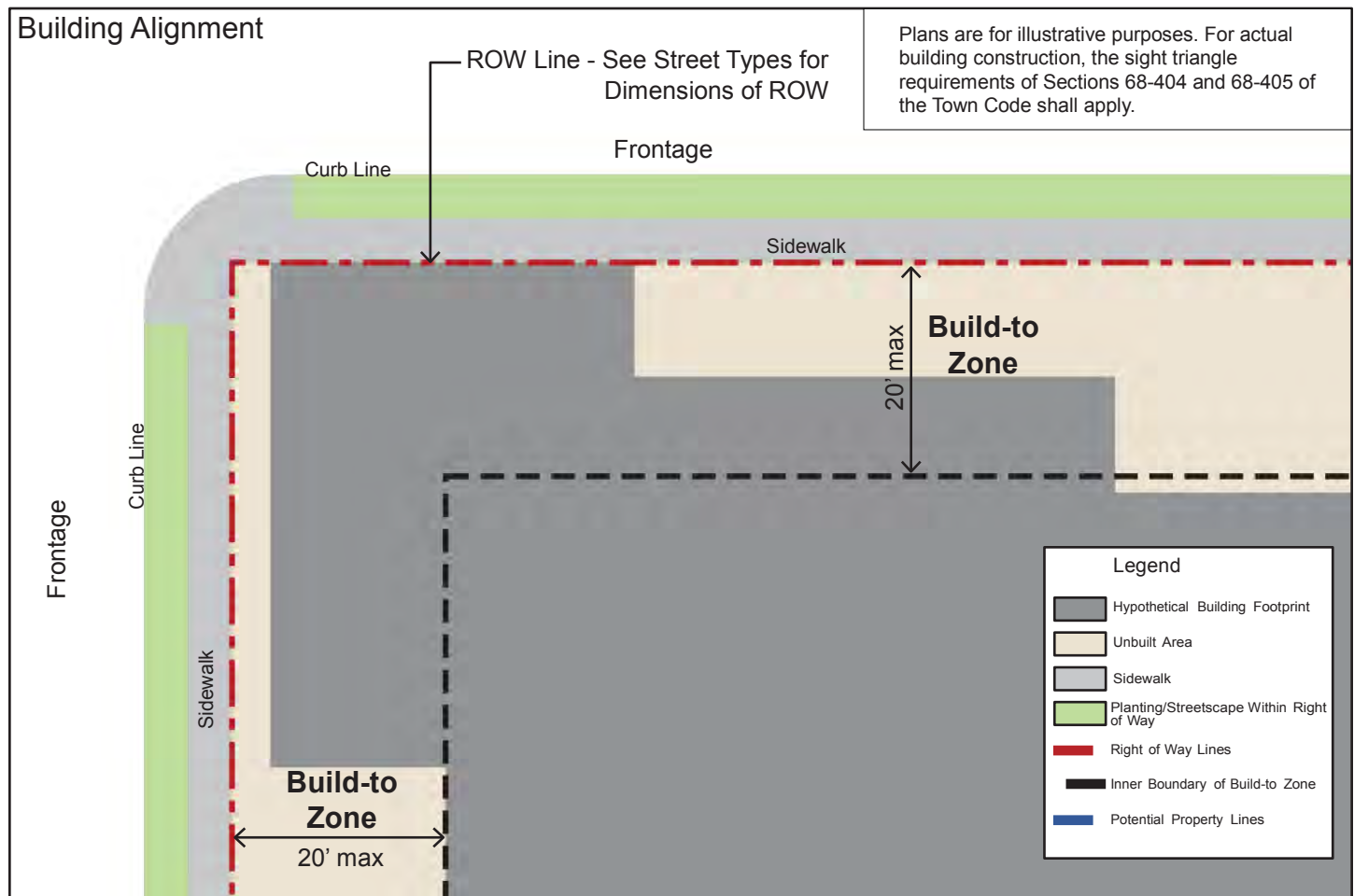


August 2015

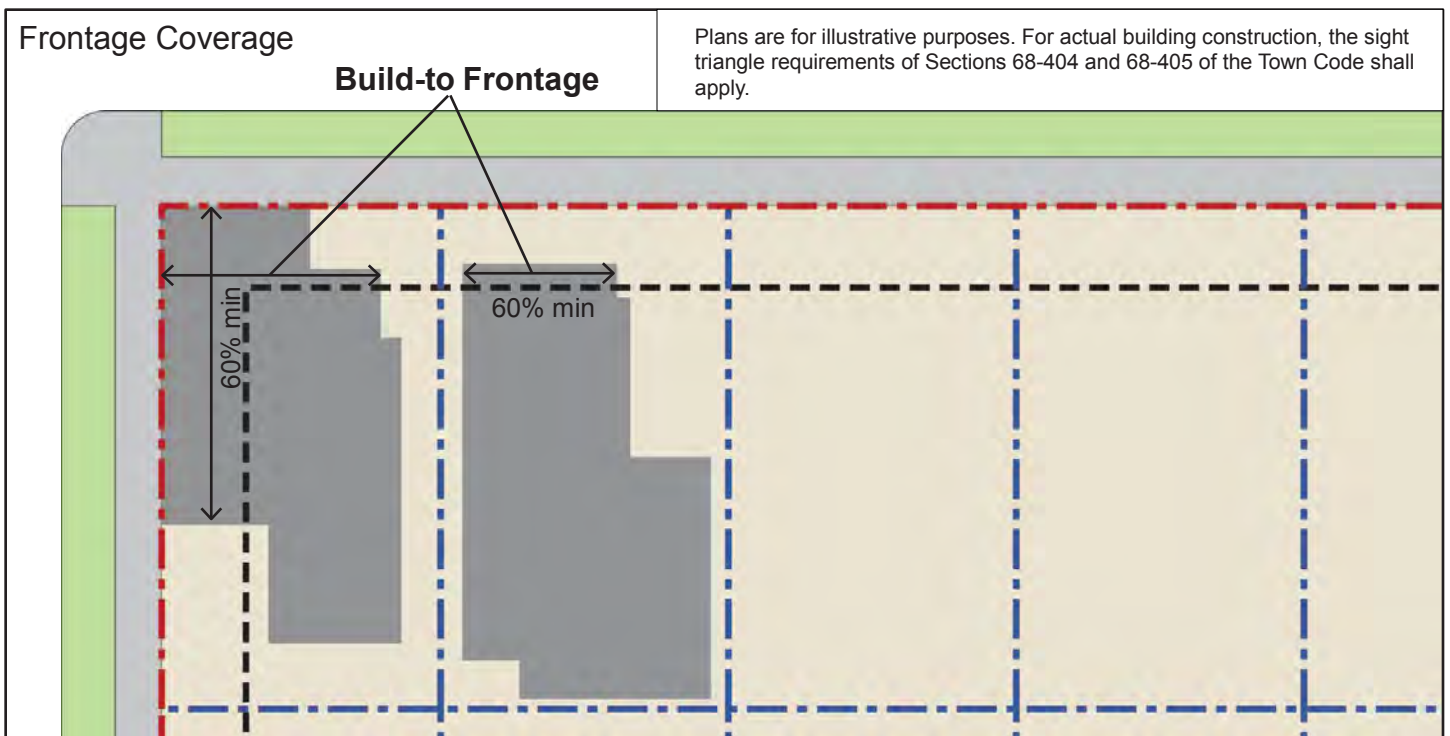
Legend

- Recreation Areas (Passive or Active)
- Courtyards
- Yard Areas
- Buffer - Setback Area

SUBDISTRICT SPECIFICATIONS - BUILDING ALIGNMENT AND FRONTAGE COVERAGE IN DU1 DU2 | DU3 | DU4 | GATEWAY DISTRICT



August 2015



DU1

Town Center (Development Unit 1 or DU1) -- A mixed-use subdistrict that is intended to be developed with a range of compatible land uses, including retail, housing, hotel/lodging, office, in-home office, entertainment, and cultural uses. The objective of this subdistrict is to allow for creation of a pedestrian-friendly infrastructure that encourages street life, business activity, and a self-policing environment incorporating distinctive "people places," which function as the focus for community life, special events, celebrations, and festivals.

A. USE

| | |
|-------------|-------------------------|
| Residential | Permitted at all levels |
| Commercial | Permitted at all levels |
| Office | Permitted at all levels |

B. BUILDING CONFIGURATION

(see Building Stories Plan for height limits)

| | |
|---------------------|-----------------------------|
| Max Height, feet | (See Building Stories Plan) |
| Max Height, stories | (See Building Stories Plan) |
| Min Height, stories | No Minimum |

C. ALIGNMENT - PRINCIPAL BUILDINGS

| | |
|-------------------|-------|
| Build-to Zone | 0-20' |
| Build-to Frontage | 60% |

D. STREETScape¹

| | |
|--------------|----------|
| Street Trees | 60' o.c. |
|--------------|----------|



Parking structures within development unit 1 shall be screened/wrapped within commercial/residential uses to provide a meaningful street wall

DU2

Mixed-Use Office (Development Unit 2 or DU2) -- A subdistrict that is intended to be developed predominantly as offices, but that will also include business support uses such as hotels, conference centers, retail stores, restaurants, and housing.

A. USE

| | |
|-------------|-------------------------|
| Residential | Permitted at all levels |
| Commercial | Permitted at all levels |
| Office | Permitted at all levels |

B. BUILDING CONFIGURATION

(see Building Stories Plan for height limits)

| | |
|---------------------|-----------------------------|
| Max Height, feet | (See Building Stories Plan) |
| Max Height, stories | (See Building Stories Plan) |
| Min Height, stories | No Minimum |

C. ALIGNMENT - PRINCIPAL BUILDINGS

| | |
|-------------------|-------|
| Build-to Zone | 0-20' |
| Build-to Frontage | 60% |

D. STREETScape¹

| | |
|--------------|----------|
| Street Trees | 60' o.c. |
|--------------|----------|



1. 50% of the distance between street trees shall be improved with in-ground plantings, planters, street furniture, or other structures

Note: Photographs are for illustrative purposes

DU3

Arts Center Residential (Development Unit 3 or DU3) -- A subdistrict that is intended to be developed predominantly as a traditional neighborhood development, with an emphasis on housing clustered around the adaptive re-use, as a cultural arts center, of an existing power plant, but will also include retail and civic uses.

A. USE

| | |
|-------------|-------------------------|
| Residential | Permitted at all levels |
| Commercial | Permitted at all levels |
| Office | Permitted at all levels |

B. BUILDING CONFIGURATION

(see Building Stories Plan for height limits)

| | |
|---------------------|-----------------------------|
| Max Height, feet | (See Building Stories Plan) |
| Max Height, stories | (See Building Stories Plan) |
| Min Height, stories | No Minimum |

C. ALIGNMENT - PRINCIPAL BUILDINGS

| | |
|-------------------|-------|
| Build-to Zone | 0-20' |
| Build-to Frontage | 60% |

D. STREETScape¹

| | |
|--------------|----------|
| Street Trees | 60' o.c. |
|--------------|----------|



DU4

Residential (Development Unit 4 or DU4) -- A subdistrict that is intended to be developed predominantly as a residential neighborhood including apartments and townhouses, but that will also include neighborhood support uses such as retail stores.

A. USE

| | |
|-------------|-------------------------|
| Residential | Permitted at all levels |
| Commercial | Permitted at all levels |
| Office | Permitted at all levels |

B. BUILDING CONFIGURATION

(see Building Stories Plan for height limits)

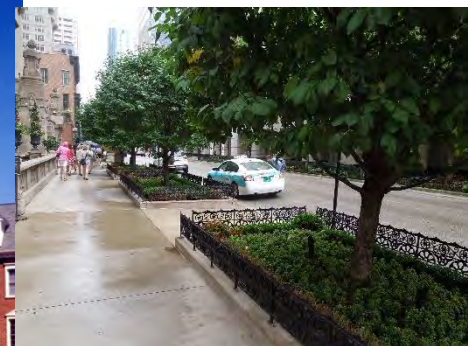
| | |
|---------------------|-----------------------------|
| Max Height, feet | (See Building Stories Plan) |
| Max Height, stories | (See Building Stories Plan) |
| Min Height, stories | No Minimum |

C. ALIGNMENT - PRINCIPAL BUILDINGS

| | |
|-------------------|-------|
| Build-to Zone | 0-20' |
| Build-to Frontage | 60% |

D. STREETScape¹

| | |
|--------------|----------|
| Street Trees | 60' o.c. |
|--------------|----------|



1. 50% of the distance between street trees shall be improved with in-ground plantings, planters, street furniture, or other structures

Note: Photographs are for illustrative purposes

GATEWAY DISTRICT

Gateway -- A subdistrict intended to be developed, if lands from the Gateway Area, as defined in this Chapter, are reclassified in the PSPRD, predominantly as a mixed-use area, with an emphasis on office development, but including residences, supporting retail, and hospitality uses.

A. USE

| | |
|-------------|-------------------------|
| Residential | Permitted at all levels |
| Commercial | Permitted at all levels |
| Office | Permitted at all levels |

B. BUILDING CONFIGURATION

(see Building Stories Plan for height limits)

| | |
|---------------------|-----------------------------|
| Max Height, feet | (See Building Stories Plan) |
| Max Height, stories | (See Building Stories Plan) |
| Min Height, stories | No Minimum |

C. ALIGNMENT - PRINCIPAL BUILDINGS

| | |
|-------------------|-------|
| Build-to Zone | 0-20' |
| Build-to Frontage | 60% |

D. STREETScape ¹

| | |
|--------------|----------|
| Street Trees | 60' o.c. |
|--------------|----------|



1. 50% of the distance between street trees shall be improved with in-ground plantings, planters, street furniture, or other structures

Note: Photographs are for illustrative purposes

§ 68-_____. PSPRD Use Regulations.

A. Any building, structure, or land in the PSPRD may be used for (1) any one or more of the permitted uses, accessory uses, special permit, and special exception uses allowed in any zoning district of the Town of Islip as of the date of adoption of this Article, without need for compliance with the criteria set forth for special permit or special exception uses, except with regard to retail fuel service stations, which are permitted subject to the provisions of Article XXVII of Chapter 68 (Zoning) of the Code of the Town of Islip, and except as specified in subsection “B,” below, and (2) live/work units, as defined in this Article.

B. The following uses are specifically prohibited in the PSPRD:

- (1) Adult uses of any kind, as defined in Section 68-341.1(B) of this Chapter.
- (2) Check-cashing, money-wiring, and/or money-transfer activities, except in Federally or New York State-chartered banks or as payment for goods or services.
- (3) Pawn shops and pawn brokerages.
- (4) Psychiatric, behavioral, and alcohol or substance-abuse clinics.
- (5) Airports;
- (6) Lumberyard or building materials establishments;
- (7) Commercial boat storage, indoor or outdoor;
- (8) Commercial shipyard or boat repair;
- (9) Ferry terminals, slips, landings, or facilities;
- (10) Marinas or marina wharfs;
- (11) Transfer stations/recycling centers;
- (12) Printing plants;
- (13) Mini-storage warehouses;
- (14) Sale, lease, or rental of heavy construction vehicles, emergency vehicles, unattached trailers, and related equipment;
- (15) Outside parking of unattached box trailers;
- (16) Flour or feed mills;
- (17) Gas manufacture from coal, coke, or petroleum;
- (18) Railway roundhouses or shops;

- (19) Commercial poultry, sheep, goat, fox, mink, chinchilla, and rabbit farms;
- (20) Production, processing, extraction, or permanent storage of radioactive materials;
- (21) All uses expressly prohibited in the Industrial 2 District, except for the following uses, which shall be permitted:
 - (a) one and two-family dwellings;
 - (b) apartment houses;
 - (c) garden apartments;
 - (d) hotels, motels, boardinghouses, and lodging houses;
 - (e) nursing, convalescent, and rest homes;
 - (f) hospitals and sanitariums;
 - (g) retail stores and groups of stores;
 - (h) personal service establishments;
 - (i) professional buildings;
 - (j) banks;
 - (k) medical centers or health clinics (other than psychiatric, behavioral, and alcohol or substance-abuse clinics, which are prohibited);
 - (l) philanthropic institutions;
 - (m) mortuary or undertaking parlors;
 - (n) game rooms;
 - (o) billiard halls;
 - (p) restaurants, fast-food;
 - (q) farmer's markets;
 - (r) motor vehicle dealerships, except that no such use shall include outdoor storage of motor vehicles;
 - (s) community or regional theaters;
 - (t) community buildings;

- (u) assembly and social recreation halls;
- (v) dance halls;
- (w) motorcycle dealerships
- (x) mixed-use buildings.

C. Uses permitted by special permit of the Planning Board

- A. Retail fuel service stations and vehicle repair shops, unless allowed by special permit, after review and approval of the Planning Board, subject to compliance with the following criteria:
 - (a) A parking relaxation of no greater than 20%;
 - (b) A landscaping relaxation of no greater than 20%;
 - (c) Approval will not result in any on- or off-site traffic impacts, as determined by the Planning Board; and
 - (d) The use is consistent with the spirit and intent of the Town Code and the PSPRD Master Plan (as it may have been amended);

§ 68-_____. Number of Uses.

Any building or parcel within the PSPRD may contain any number of uses, as permitted by this Article.

§ 68-_____. Maximum Development.

Development within the PSPRD shall not exceed the following amounts:

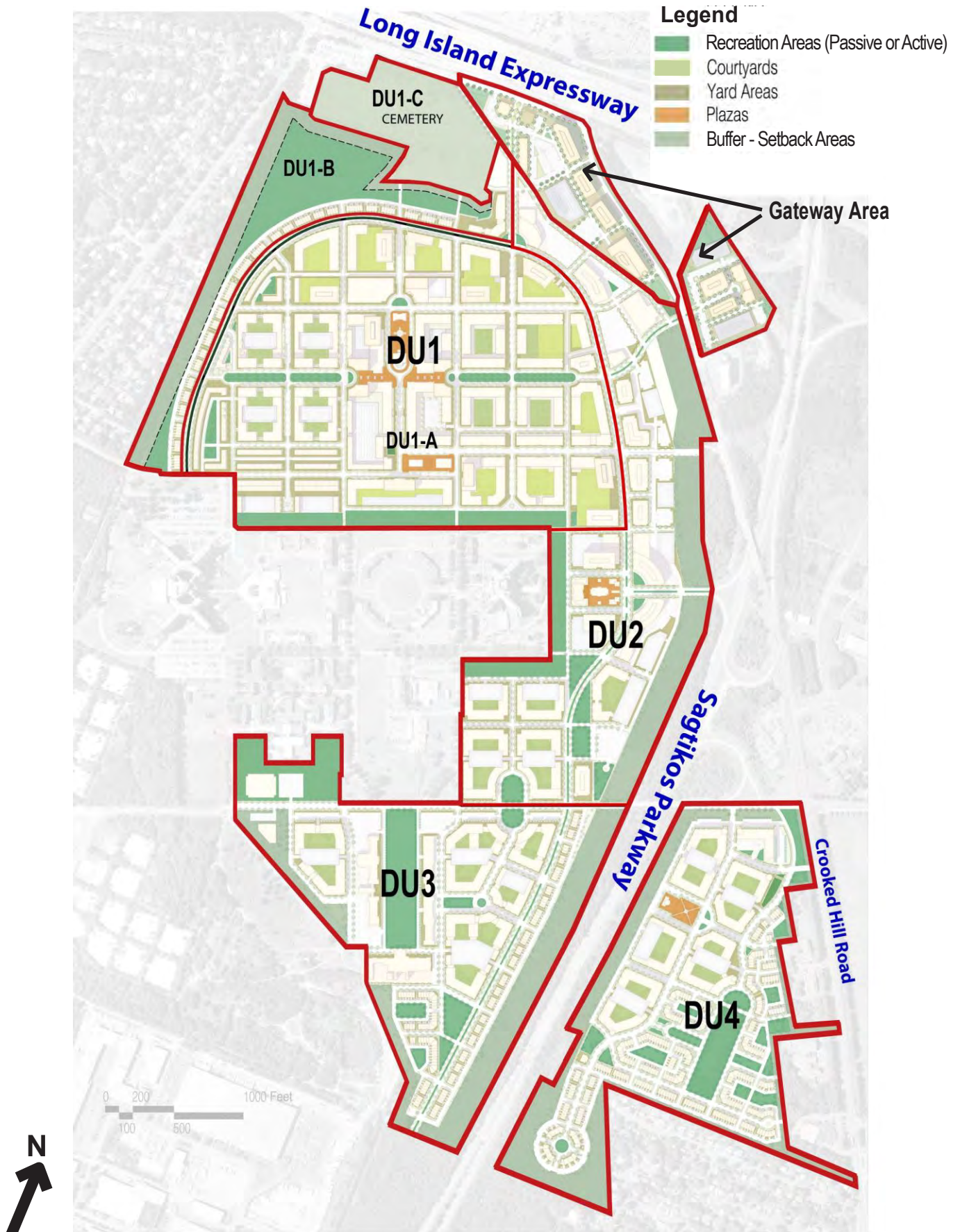
- A. Within the Town Center (Development Unit 1), the Mixed-Use Office District (Development Unit 2), the Arts Center Residential District (Development Unit 3), and the Residential District (Development Unit 4):
 - Office: 3,239,500 square feet
 - Retail: 1,000,000 square feet
 - Civic: 215,500 square feet
 - Residential: 9,000 units
- B. Within the Gateway Area:
 - Office: 800,000 square feet
 - Retail: 30,000 square feet
 - Civic: 0 square feet
 - Residential: 130 units

§ 68-_____. Buffer-Setback Areas.

In order to provide for suitable buffers and setbacks between PSPRD development and the areas surrounding the PSPRD, no buildings and structures, except for pathways, drainage facilities, and screening structures, shall hereafter be erected or placed within the measured buffer-setback areas shown along the external boundaries of the PSPRD zone in development units DU1-B, DU2, DU3, and DU4, as depicted on the “Open Space Plans” for such development units in the “Regulating Plans” included in this Article. All such buffer-setback areas shall be measured from the PSPRD boundaries as they exist on the date of adoption of this Article. The Commissioner of Planning and Development may approve detention/retention stormwater basins in buffer set-back areas which incorporate a staggered double row of 5’ high conifer trees creating a continuous screen around the perimeter of any basin. The bottom of any detention basin shall be top dressed and seeded. Commercial signage is prohibited within any buffer area. Non-commercial signage/wayfinding/directional signage is permitted with a Town sign permit.

§ 68-_____. Open Space Areas.

Areas of open space in the PSPRD, as defined in Section 68-_____, above, shall be of the following types and located in general conformance to the “Open Space Plan” for each development unit in the “Regulating Plans” included in this Article.



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All open spaces are provided within walking distance of the people they serve and are programmed to encourage a range of activities.

Recreation Areas (Passive or Active)

Flexible outdoor spaces, which may be paved or landscaped and may include plantings or be left as open grass areas. May be used for drainage.



Courtyards

Outdoor spaces, typically surrounded on at least three sides by buildings. Courtyards do not typically have direct street access. May be paved or landscaped and can include a water feature.



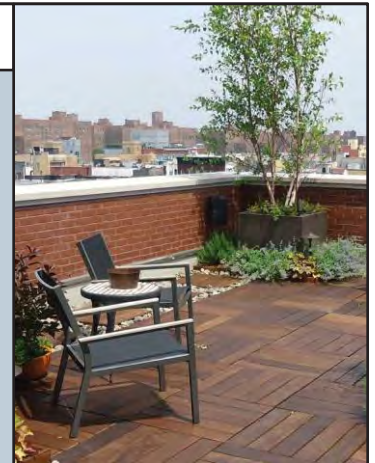
Yard Areas

Outdoor space between the property line and building setback. Privately owned spaces that may be landscaped at property owner's discretion.



Rooftop Open Space Areas

Outdoor areas atop buildings, with or without plantings, that are usable by the residents, occupants, or users of the buildings on which they are located for active or passive recreation.



Plazas

Hardscaped activity areas, typically with direct street access from one or more sides, which are to be focal points of the development. Areas should be predominately paved, and planters and water features are optional amenities.



Buffers - Setback Areas

Large predominately naturalized open areas. Mostly located around the edge of the development to minimize views of the development from the highway and adjoining neighborhoods. Pathways and some landscaping optional. May be used for drainage.



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§ 68-_____. Heights of Buildings and Structures.

The maximum heights of all new buildings and structures in the various PSPRD subdistricts shall be in accordance with the “Building Stories Plans” of the “Regulating Plans” included in this Article.

§ 68-_____. Site Plans.

A. Pursuant to Town Law §274-a, approval of site plans is hereby required as a condition for the issuance of building permits required for construction or development in the PSPRD, unless site plan review and approval is waived, as set forth herein.

B. The Commissioner of the Department of Planning and Development and the Planning Board are each hereby authorized to review and approve applications for site plan approval, or to grant waivers of site plan review and approval, in accordance with the procedures and standards set forth in this Section. The Planning Board shall review all site plans proposing any building above five stories.

C. Any number of buildings, structures, parking facilities, roadways, and open spaces, on any number of parcels within the PSPRD, whether or not divided by roadways or intervening parcels, may be included in a single application for site plan approval.

D. Applications for site plan approval in the PSPRD shall be processed and reviewed in accordance with the procedures and standards set forth in Chapter IV of the Town’s “Subdivision and Land Development Regulations,” except public road pavement widths and street lighting shall be in accordance with the PSPRD.

E. Prior to the approval of a site plan in any Phase of the PSPRD, (a) the site plan applicant shall provide a computation of the total amount of the Maximum Development set forth in §68-_____, above, broken down by the office, retail, civic, and residential components of such Maximum Development, that has been approved in all previously-issued site plan approvals, (b) the site plan applicant shall provide a Subdistrict Development Plan – in the form of an AutoCAD Dwg electronic file utilizing AutoCAD software with NAD 83 SP Long Island zone horizontal datum and NAVD 88 North America datum – for the specific PSPRD Subdistrict (i.e. DU1, DU2, DU3, DU4, or Gateway) in which the lands covered by the subject application are located, which Subdistrict Development Plan shall set forth the metes and bounds of the subdistrict boundaries, all existing streets, buildings, and reserved parking locations in the subdistrict, and all streets, buildings, and reserved parking locations proposed in the current site plan application, (c) the site plan applicant shall provide detailed plans of proposed street lighting and building signage, and (d) a road opening permit, pursuant to the Town’s “Subdivision and Land Development Regulations,” shall have been issued for road, drainage, and utility infrastructure necessary for that Phase. The Commissioner of the Department of Planning and Development or the Planning Board shall approve a proposed site plan if the Commissioner or the Planning Board determines that such site plan, and any buildings and structures proposed thereon, are consistent with the “Master Plan” and the “Design Guidelines” described in Section 68-_____, above (as they may have been amended), the provisions of this Article, the “Regulating Plans” included in this Article, the conditions of adoption of this Article, and the conditions of approval of any site plans, subdivisions, road openings, or variances previously approved for lands within the

PSPRD. In determining such consistency, the Commissioner of the Department of Planning and Development and the Planning Board shall consider existing or proposed parking, means of ingress and egress, signage, landscaping, drainage, architecture, and locations and dimensions of buildings and structures.

F. The Commissioner of the Department of Planning and Development (in the event no variances or relaxations of standards are required) or the Planning Board shall approve, approve with conditions, or deny approval of any proposed site plan within 60 days after submission of a complete application for site plan approval, or within such additional time as shall be consented to by the applicant. Failure of the Commissioner of the Department of Planning and Development or the Planning Board to act upon any application for site plan approval within the aforesaid periods shall not constitute approval of such site plan.

G. The Commissioner of the Department of Planning and Development or the Planning Board may, as a condition of approval of a site plan, require the applicant to post one or more performance bonds, or other security acceptable to the Town, in sufficient amount(s), to ensure that all parking, curbing, sidewalks, accessways, open spaces, landscaping, drainage, and sanitary sewers shown on the site plan will be satisfactorily installed. The applicant may apply to the Commissioner of the Department of Planning and Development and/or the Planning Board for release or reduction of such bonds as the improvements covered by such bonds are satisfactorily constructed.

H. A site plan approval for proposed development in the PSPRD shall expire three (3) years after the date of the approval unless, within such time, a valid building permit has been obtained in connection with such development. Notwithstanding the foregoing, the Commissioner of the Department of Planning and Development or the Planning Board may grant up to four extensions of such site plan approval, of 12 months each, for good cause shown by the applicant.

I. The Commissioner of the Department of Planning and Development or the Planning Board may waive the requirement for site plan review and/or approval for any previously approved site plan, except any detention/retention stormwater management basin or swale located in a buffer area pursuant to this Section, where:

- (1) The proposed development does not involve an increase of more than 200 square feet in gross floor area, as defined in this Article;
- (2) The change in use or occupancy involved in the proposed development does not require waiver or relaxation of any parking, area, setback, landscaping, or other applicable requirement and does not, in the determination of the Planning Board or the Commissioner of the Department of Planning and Development, increase the intensity of the use of the property; or
- (3) The Planning Board or the Commissioner of the Department of Planning and Development finds that the waiver will not significantly and adversely affect existing drainage, topography, traffic circulation, buffers, and other considerations of site plan approval set forth in this Section.

J. If a landowner in the PSPRD wishes to amend an approved site plan covering such landowner's property in the PSPRD, due to a change in circumstances or for any other reason, it may apply for such amendment to the official or board that approved the original site plan, and such application for amendment shall be reviewed and acted upon in accordance with the criteria and timing provisions set forth herein for the initial approval of site plans.

§68-_____. Subdivisions and Road Openings.

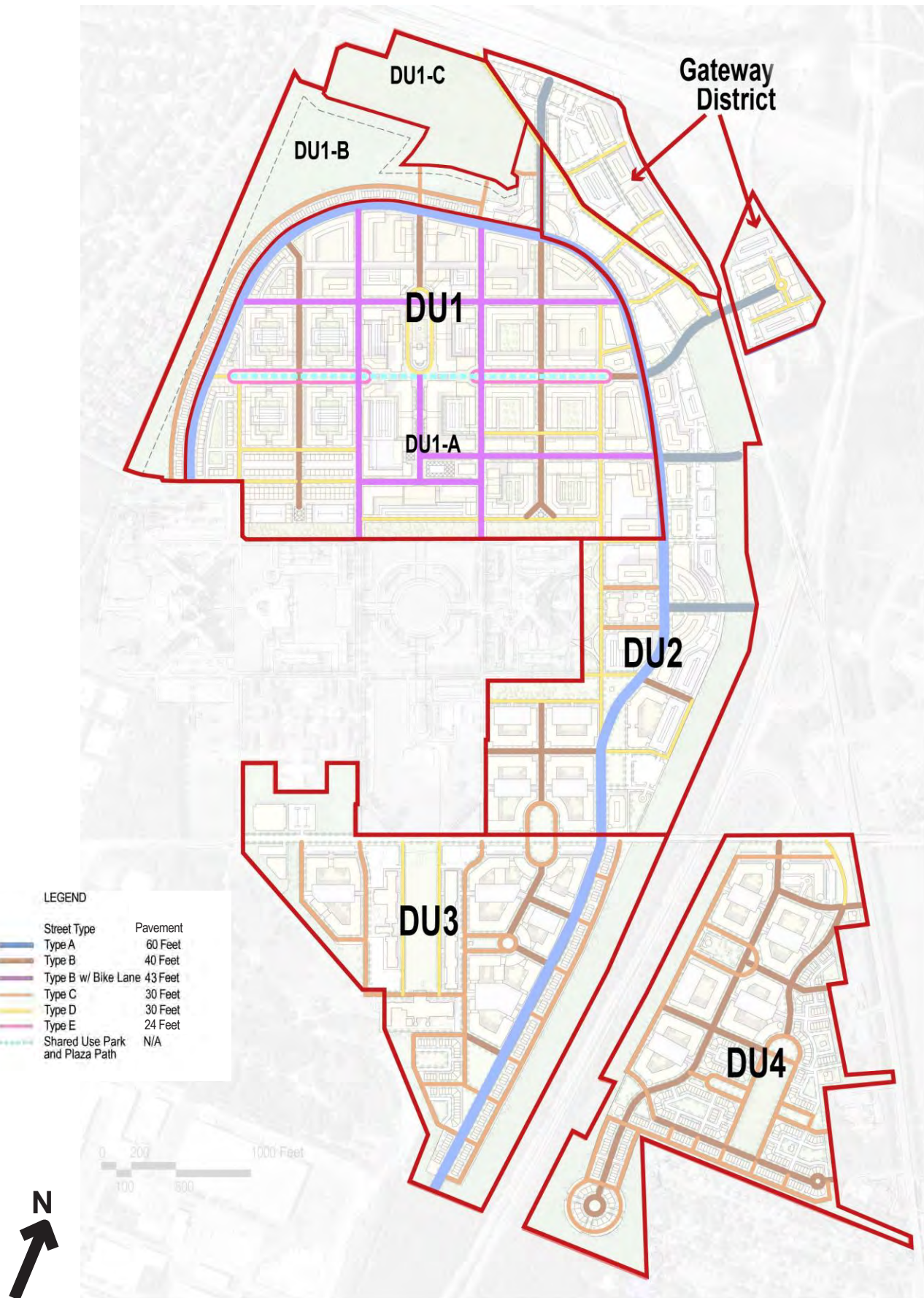
A. Except as set forth herein, the Planning Board and the Commissioner of the Department of Planning and Development shall process, review, and approve land subdivision applications and proposed road openings in the PSPRD pursuant to the procedures and standards set forth in the Town Law and the Town's "Subdivision and Land Development Regulations."

B. At the time of final approval of any subdivision application in the PSPRD, any of the total development set forth in Section 68-_____, above, that has not been previously developed or granted site plan approval shall be allocated by the owners of the land included in the PSPRD at the time of adoption of this Article or by their successors in interest to each of the proposed subdivision parcels, and such allocation shall be shown on the subdivision map and established by covenant, recorded with the Office of the Suffolk County Clerk, and a copy of such recorded covenant shall be filed with the Town Clerk and the Department of Planning and Development. Such covenant shall specifically acknowledge that the development allocation(s) therein are subject to amendment by subsequent agreement, by the owners of parcels in the PSPRD, to transfer such potential development between or among their respective parcels. In the event of any such subsequent agreement, the aforesaid recorded covenant shall be amended to reflect the modified development allocation(s), such amended covenant shall be recorded in the Office of the Suffolk County Clerk, and a copy of such recorded amended covenant shall be filed with the Town Clerk and the Department of Planning and Development.

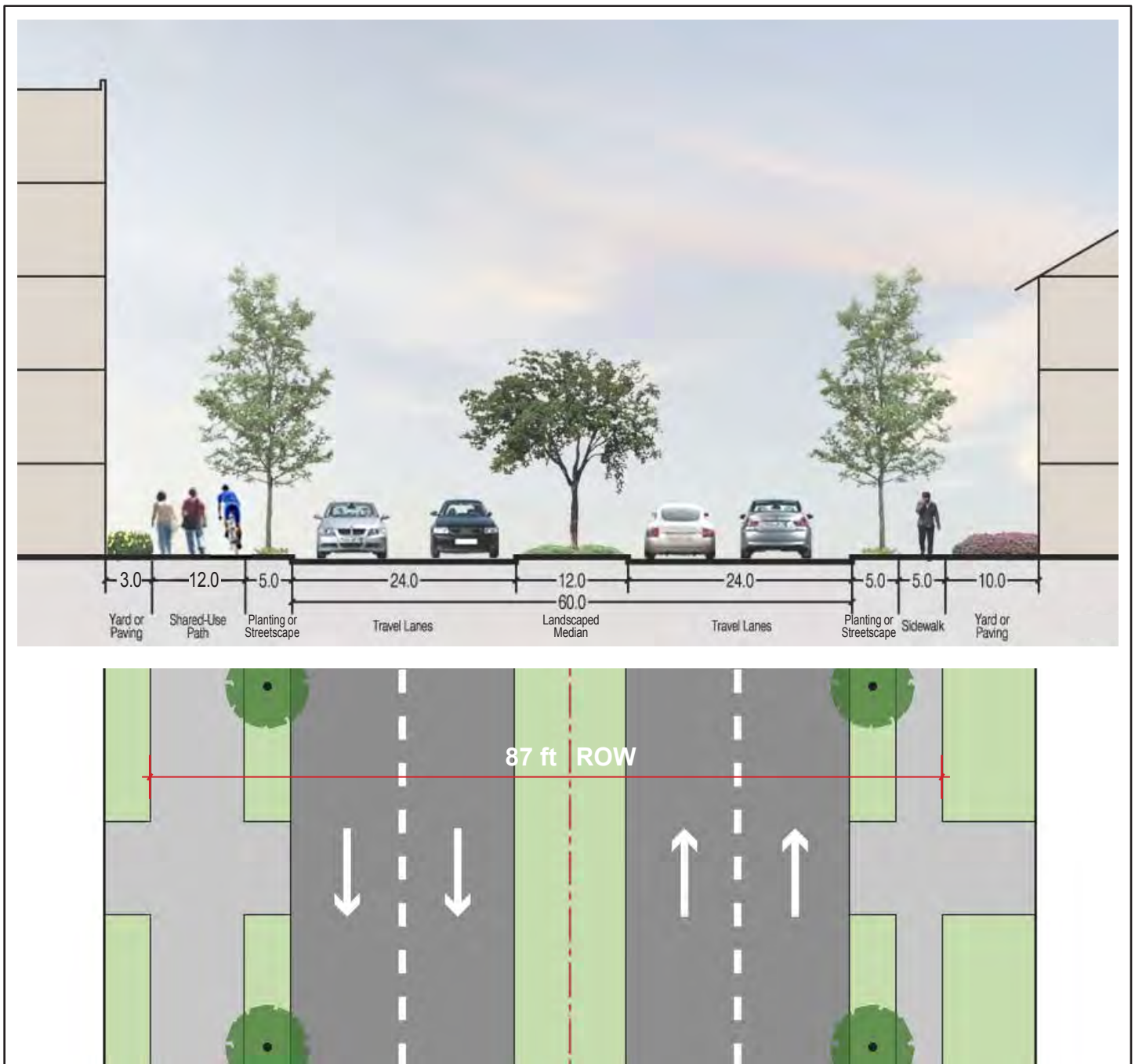
§ 68-_____. Roadways.

A. All roadways in the PSPRD shall be designed and constructed in accordance with (1) the street type designations set forth in the "Regulating Plans" included in this Article, (2) the following design specifications, and (3) the construction and materials standards set forth in the "Town of Islip Subdivision and Land Development Regulations." The Town may accept dedication of any or all of such roadways that are offered for dedication, so long as such roadways have a minimum right-of-way width of 50', comply with the design and construction specifications set forth in this Article and the construction and materials standards set forth in the "Town of Islip Subdivision and Land Development Regulations."

B. The design specifications for the street types in the PSPRD shall be as follows:



Note: Locations of street types shown for illustrative purposes and subject to change



August 2015

Street Type – A

Function: Ring Road

Design Speed: 30 to 35 mph

Bldg to Back of Curb (BOC): 20 feet typical

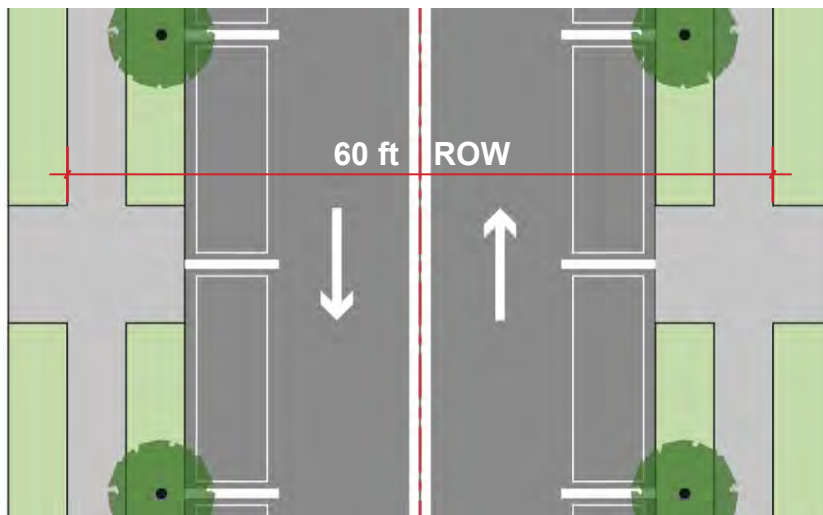
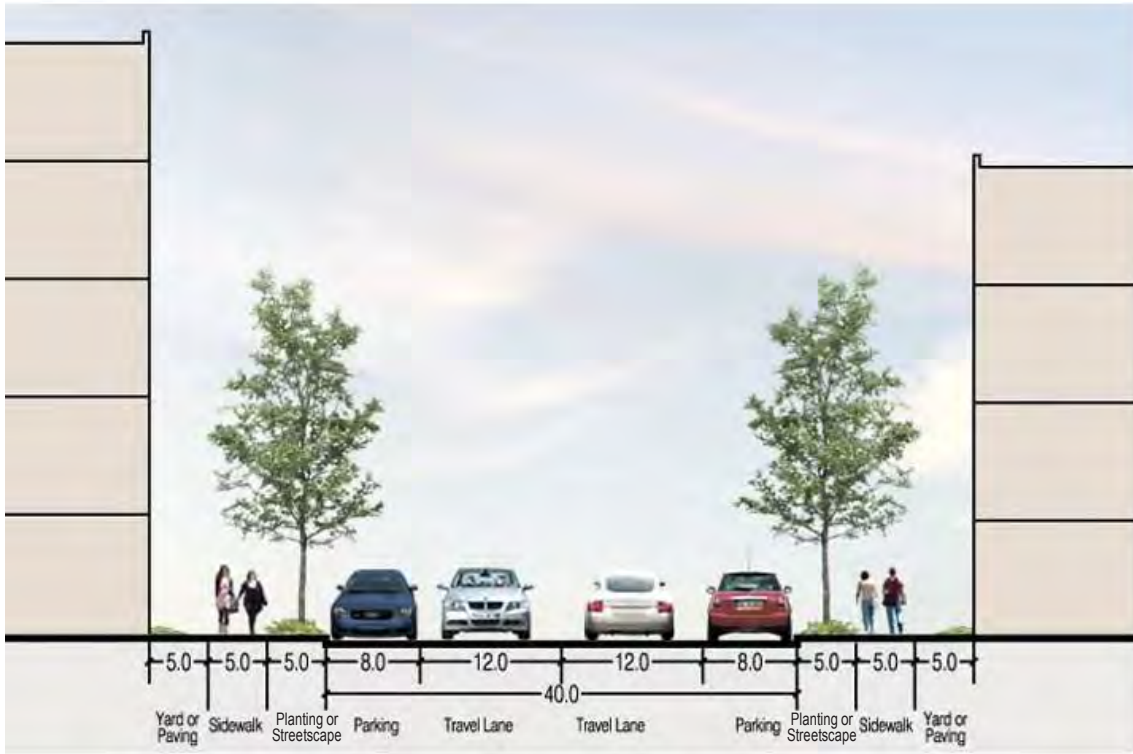
Curb to Curb: 60 feet

On-street Parking: N/A

Travel Lanes: 12 feet (2) each way (4) total

Median: 12 feet min

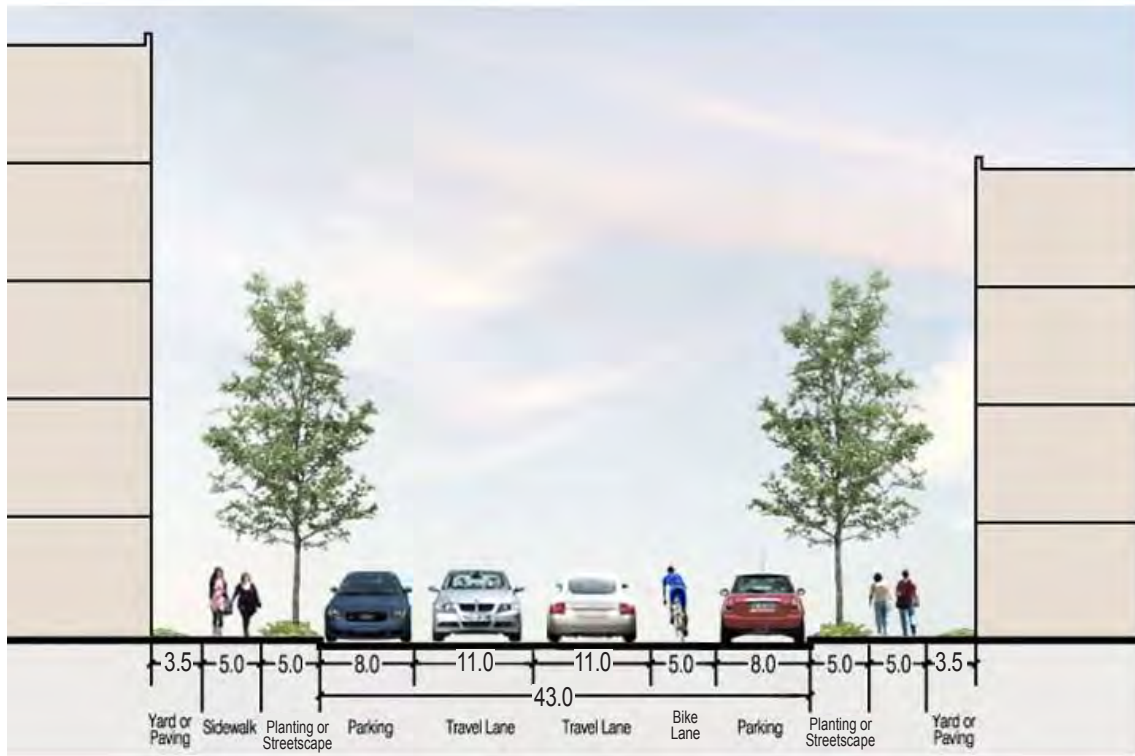
Total Right of Way (ROW): 87 feet typical



August 2015

Street Type – B

Function: 2-way Local Street with parking
 Design Speed: 15 to 20 mph
 Bldg to Back of Curb (BOC): 15 feet typical
 Curb to Curb: 40 feet
 On-street Parking: 8 feet
 Travel Lanes: 12 feet (1) each way (2) total
 Median: N/A
 Total Right of Way (ROW): 60 feet typical



August 2015

Street Type – B with Bike Lane

Function: 2-way Local Street with parking

Design Speed: 15 to 20 mph

Bldg to Back of Curb (BOC): 13.5 feet typical

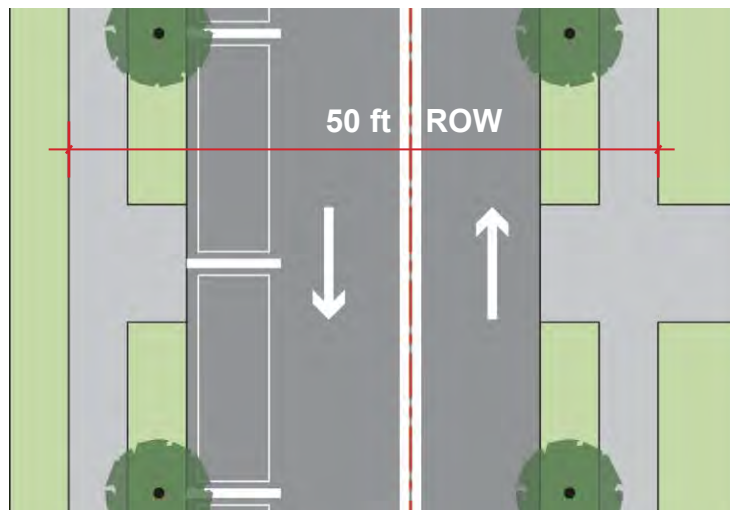
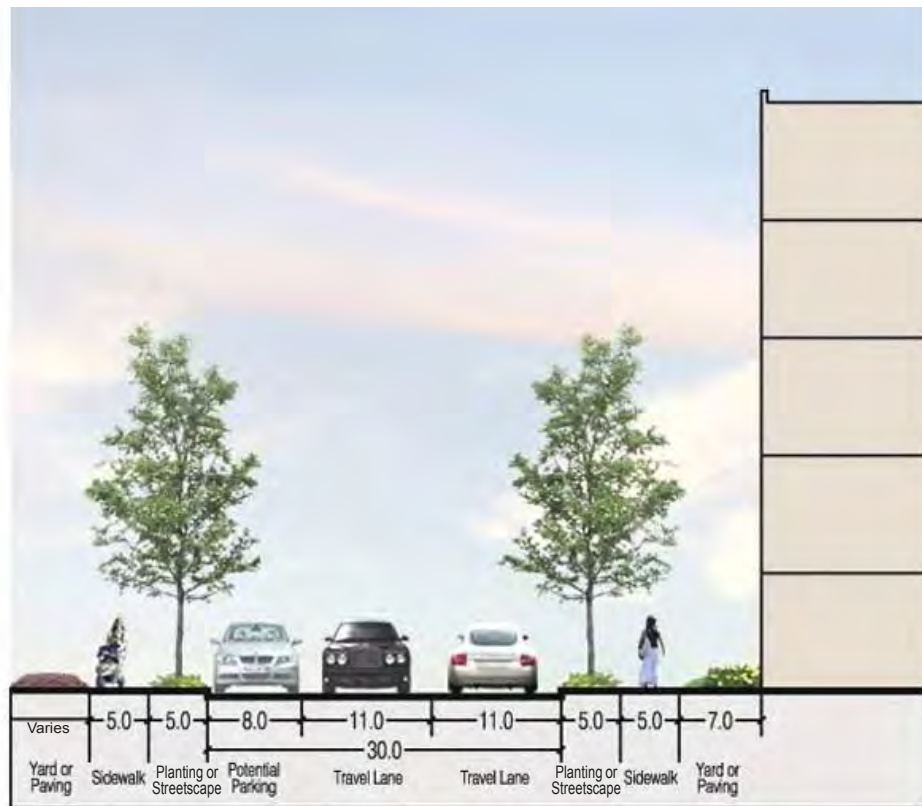
Curb to Curb: 43 feet

On-street Parking: 8 feet

Travel Lanes: 12 feet (1) each way (2) total

Median: N/A

Total Right of Way (ROW): 63 feet typical



August 2015

Street Type – C

Function: Alley / Yield Street

Design Speed: 5 to 10 mph

Bldg to Back of Curb (BOC): varies, 17 feet typical

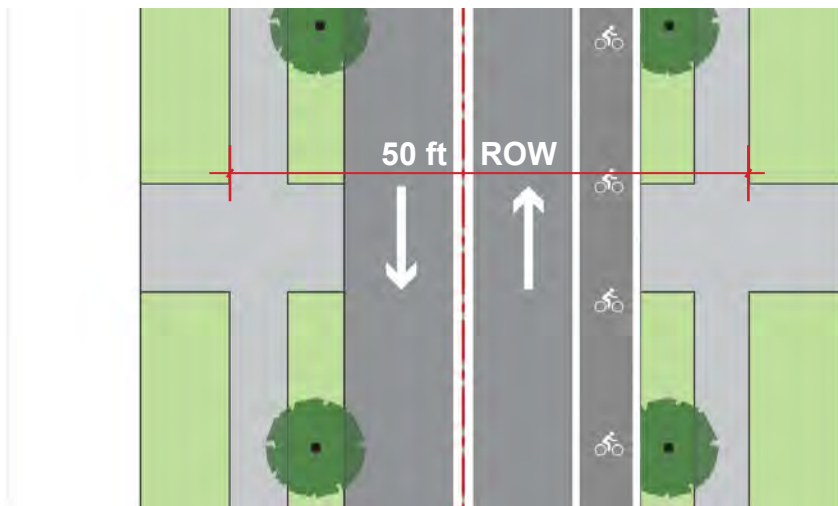
Curb to Curb: 30 feet

On-street Parking: 8 feet (potential parking lane)

Travel Lanes: 11 feet (1) each way (2) total

Median: N/A

Total Right of Way (ROW): 50 feet typical



August 2015

Street Type – D

Function: Local Street (without parking)

Design Speed: 15 to 25 mph

Bldg to Back of Curb (BOC): 17 feet typical

Curb to Curb: 30 feet

On-street Parking: N/A

Travel Lanes: 12 feet (1) each way (2) total

Median: N/A

Total Right of Way (ROW): 50 feet typical



August 2015

Street Type – E

Function: Park Street

Design Speed: 20 to 25 mph

Bldg to Back of Curb (BOC): 17.5 feet

Curb to Curb: 106 feet

On-street Parking: 9 feet

Travel Lanes: 13 feet (1) each way (2) total

Median: 62 feet min (central park)

Total Right of Way (ROW): 126 feet (including park)

§ 68-_____. Open Development Area.

Pursuant to Town Board resolution adopted pursuant to §280-a(4) of the New York State Town Law, after due referral to and report of the Planning Board, the PSPRD constitutes an open development area within the Town, wherein building permits may be issued for the erection of structures to which access is given by right-of-way or easement, upon such conditions and subject to such limitations as may be prescribed by general or special rule of the Commissioner of the Department of Planning and Development or the Planning Board.

§ 68-_____. Parking.

- A. Generally, parking requirements for proposed uses in the PSPRD shall be determined by the Commissioner of the Department of Planning and Development or the Planning Board during site plan review.
- B. The “smart growth” character and transit-oriented design of the PSPRD reduces the parking needs for individual uses in the PSPRD. Therefore, adherence to parking requirements for other zoning districts in the Town, as presented, for example, in the “Table of Minimum Required Parking Spaces” in the Town’s “Subdivision and Land Development Regulations,” would result in the provision of an excess of parking spaces and a consequent reduction in land available for open space, public spaces, landscaping, and streetscape in the PSPRD. To avoid such an undesirable condition, a special method for computing parking requirements in the PSPRD is provided in this section.
- C. Parking structures within development unit 1 shall be screened/wrapped within commercial/office/residential uses to provide a meaningful street wall.
- D. In the PSPRD, the minimum number of parking spaces for proposed uses shall be determined by calculating the aggregate parking required, as follows:
 - (1) Calculate the number of parking spaces required for each component use by applying the rates set forth in Table 1, below (for each proposed use not specifically listed in the table, use the rate listed in the table for the use that is most similar to the proposed use). These rates reflect a reduced parking demand because of the decreased motor vehicle trip-making associated with the availability of public transportation serving the PSPRD; and
 - (2) Add together the parking spaces required for each of the component uses to obtain the aggregate number of parking spaces required for all proposed uses.
- E. No parking shall be required for the following uses if the Commissioner of the Department of Planning and Development or the Planning Board determines they are accessory to a primary residential use:
 - (a) In-home offices and art studio spaces, provided they are meant for sole use by the home’s occupant(s), and do not regularly attract external employees or customers to the home; and

- (b) Below grade storage facilities, provided they are associated with individual residential units in the same building.
- F. Driveway, garage, and on-street parking spaces may be counted towards satisfying parking requirements under this Section, provided any driveway space must be on a driveway at least 20 feet deep.
- G. On-street parking spaces adjacent to a use(s) shall be allocated towards the required parking for such use(s) before a number of off-street parking spaces is determined for such use(s).
- H. Where a car-sharing service is proposed, each interior parking space dedicated to a car-sharing vehicle may be used to replace 15 required parking spaces.

Table 1: Required Parking Spaces for Individual Uses – PSPRD Zoning District.

| Component or Use Category | Unit or Measurement |
|---|---|
| Retail uses, including, but not limited to, florist shops, stationery/card stores, hardware/paint stores, specialty stores, bookstores, dry goods stores, clothing stores, bakeries, variety stores, drugstores, delicatessens, personal service shops and stores, photography studios/stores, business service establishments, appliance stores, sporting goods stores, department stores, sales kiosks, and convenience markets | 1 per each 250 square feet of gross floor area (GFA) for the first 500,000 square feet and 1 per each 350 square feet of GFA thereafter |
| Offices and banks | 1 per each 250 square feet of GFA for the first 500,000 square feet and 1 per each 350 square feet GFA thereafter |
| Medical, dental, veterinary offices, hospitals, and animal care centers | 1 per each 250 square feet of GFA |
| Restaurants, luncheonettes, cafes, quick-service restaurants, cafeterias, and similar uses | 1 per each 6 seats or 1 per 6 persons legally accommodated, whichever is less |
| Hotels | 0.75 per sleeping room or suite |
| Entertainment facilities, including, but not limited to, performing arts centers, live theatres, performance venues, and aquaria; assembly or social recreation centers; and auditoria | 1 per each 500 square feet of GFA, or 1 per each 4 seats, whichever is less |
| Day-care centers and nursery schools | 1 per each 400 square feet of GFA |
| For-profit charter schools | 1 per classroom |

| | |
|---|--|
| Residences, including, but not limited to, apartments and multi-family residences (but not including senior citizen apartments) | 1.5 per dwelling unit |
| Senior citizen apartments | 1 per dwelling unit |
| Assisted-living facilities and congregate-care facilities | 0.5 per unit, plus 1 per each 2 employees on maximum shift |
| Nursing homes | 0.2 per bed, plus 1 per each 2 employees on maximum shift |
| In-home offices and professional uses | 1 per each 500 square feet of GFA |
| Artists' lofts | 1 per each 500 square feet of GFA |
| Storage facilities | 1 per each 5,000 square feet of GFA |
| Museums and art galleries | 1 per each 400 square feet of GFA over 2,000 square feet |
| Health clubs and gymnasias | 1 per each 500 square feet of GFA |
| Bowling centers | 2 per alley |
| Recreational, sports, and fitness facilities | 1 per each 500 square feet of GFA |
| Conference centers | 1 per each 500 square feet of GFA |
| Community facility buildings, community service buildings, post offices | 1 per each 500 square feet of GFA |
| Houses of Worship | 1 per each 4 seats or 4 persons Legally accommodated |

- I. It is recognized, in view of the “smart growth” character and transit-oriented design of the PSPRD, that the amounts of parking spaces for proposed uses, as calculated above, may not be initially necessary, or may never be necessary, to provide for the actual parking needs of the proposed uses. During the site plan review process, a maximum of 50% reduction of parking required in Table 1 may be reserved. All approved site plans shall denote the location of any reserved parking. All reserved residential parking spaces shall be located within ½ mile of the related residential uses and within the same development unit subdistrict as the residential use. All reserved commercial parking spaces shall be located within ¼ mile of the related commercial use and within the same development unit subdistrict as the commercial use.
- J. Any site plan approval for proposed development in the PSPRD shall require that sufficient lands or facilities be reserved or set aside for the future provision of any required parking, as calculated under Subsections “C” through “G,” above, that is not required to be constructed pursuant to Subsection “I,” above. The locations of such lands or facilities for future provision of parking shall be shown on the approved site plan.
- K. Parking that is not initially constructed, pursuant to Subsection “H,” above, shall thereafter be constructed only upon written determination, by the Commissioner of the Department of Planning and Development or the Planning Board, that such unconstructed parking (or some portion thereof) has become actually necessary for the use(s) for which such parking was reserved. If no such written determination has been issued within seven (7) years after all certificates of occupancy have been issued for the buildings shown on an approved site plan, then the unconstructed parking shall be deemed to be unnecessary for the use(s) for which lands and/or facilities that were set aside or reserved shall be deemed released and may be used for any purpose(s) allowed by this Article or other applicable law, but may not exceed the maximum allowable gross floor area of the Pilgrim State Planned Redevelopment District.
- L. Lands and/or facilities set aside or reserved for possible future parking, pursuant to Subsection “I,” above, shall be released by the Commissioner of the Department of Planning and Development or the Planning Board, upon application of the owner of such lands or facilities or the site plan applicant whose application required such set-aside or reservation (or such applicant’s successor(s) in interest), upon a showing that the parking for which such lands or facilities were set aside is not or is no longer necessary for the use(s) for which such lands and/or facilities for future parking were set aside or reserved. Upon such release, the released lands or facilities may be used for any purpose(s) allowed by this Article or other applicable law.
- M. Parking spaces required under this Section need not be on the same parcel as the uses for which they are reserved, but shall be in accordance with Section 68-H relative to location within the same development unit subdistrict and distance from the affected residential and/or commercial uses.
- N. The Commissioner of the Department of Planning and Development or the Planning Board may grant waivers of the above parking requirements for good cause shown.
- O. The number and locations of all loading and unloading areas shall be subject to the

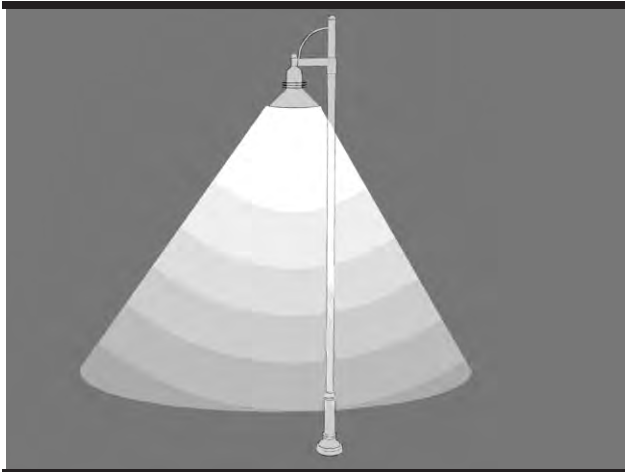
review of the Commissioner of the Department of Planning and Development or the Planning Board. All loading and unloading areas shall be screened

- P. Nothing in this Section or elsewhere shall preclude the owner(s) and/or operator(s) of the private or non-dedicated lands or facilities that are covered by or include the parking spaces required pursuant to this Section from charging fees for the use of such parking spaces.

§ 68-_____. Exterior Lighting.

- A. Recognizing the unique character and intent of the PSPRD, the exterior lighting regulations set forth in this section constitute the exclusive lighting standards and restrictions in the PSPRD, and supersede lighting regulations applicable in other zoning districts and the Town of Islip Subdivision and Land Development Regulations.
- B. A Town lighting district shall be established prior to the issuance of any certificate of occupancy to address the initial/continuous maintenance of exterior street lighting fixtures not consistent with the Town street lighting standards.
- C. Street lighting shall maintain an average illumination between 0.5 and 1.5 footcandles unless an alternative level of illumination is approved by the Commissioner of Planning and Development.
- D. Submittal Requirements: A lighting plan shall be submitted with each site plan that details the location and specifications of all lighting provided. An ISO footcandle diagram shall also be provided to indicate the level and extent of proposed lighting.

POST

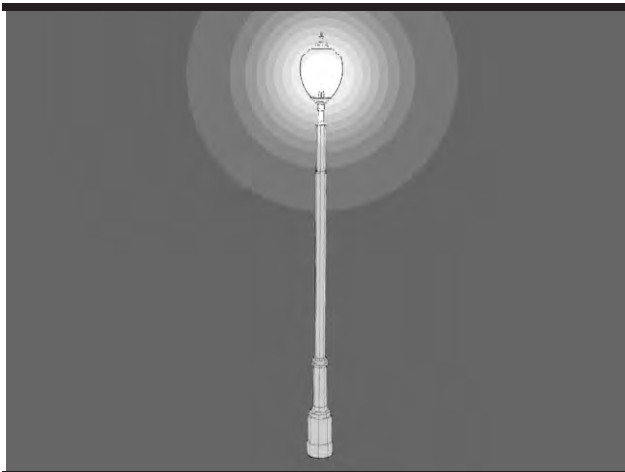


Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. Must not include direct illumination (i.e., spotlights) of any residential property outside the PSPRD. This restriction shall not preclude lighting from being visible from outside the PSPRD.
 2. Must maintain illumination levels consistent with those recommended in the most current IESNA (Illuminating Engineering Society of North America) Recommended Practices.
 3. 25' maximum light standard height.

COLUMN

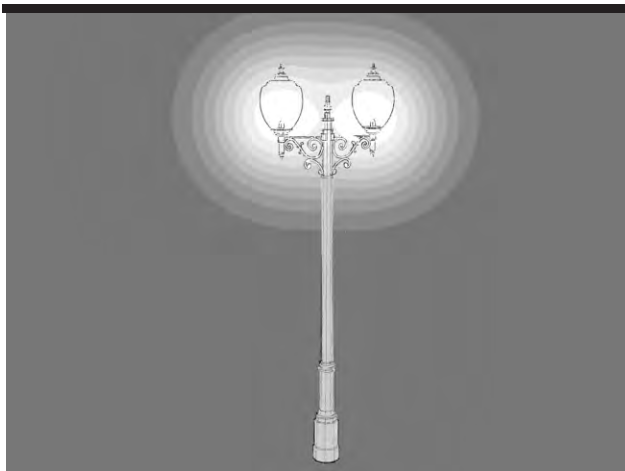


Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. Must not include direct illumination (i.e., spotlights) of any residential property outside the PSPRD. This restriction shall not preclude lighting from being visible from outside the PSPRD.
 2. Must maintain illumination levels consistent with those recommended in the most current IESNA (Illuminating Engineering Society of North America) Recommended Practices.
 3. 13' maximum light standard height.

DOUBLE COLUMN



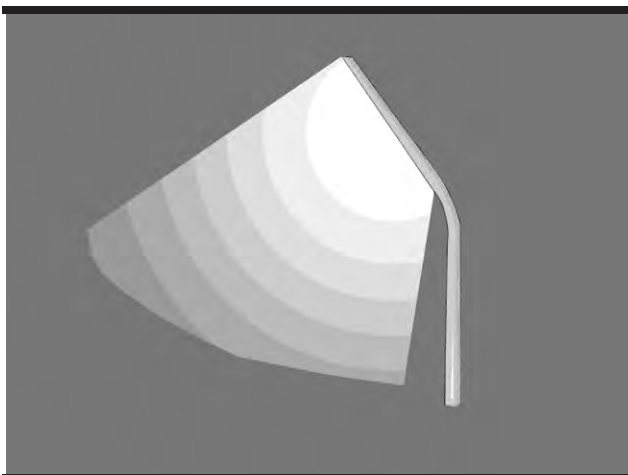
Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. Must not include direct illumination (i.e., spotlights) of any residential property outside the PSPRD. This restriction shall not preclude lighting from being visible from outside the PSPRD.
 2. Must maintain illumination levels consistent with those recommended in the most current IESNA (Illuminating Engineering Society of North America) Recommended Practices.
 3. 13' maximum light standard height.

June 28th 2015

REFLECTED DOWNLIGHT

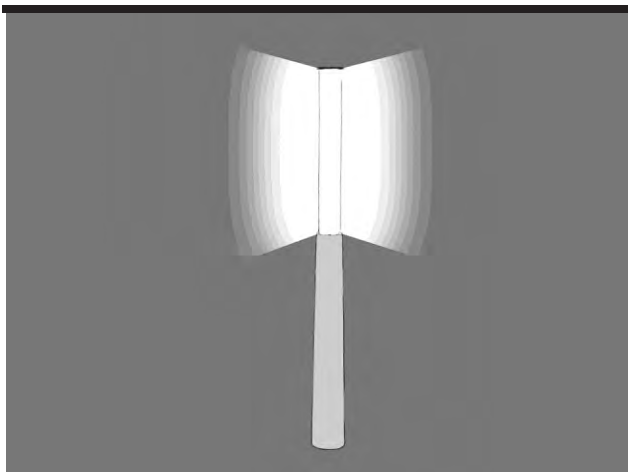


Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. Must not include direct illumination (i.e., spotlights) of any residential property outside the PSPRD. This restriction shall not preclude lighting from being visible from outside the PSPRD.
 2. Must maintain illumination levels consistent with those recommended in the most current IESNA (Illuminating Engineering Society of North America) Recommended Practices.
 3. Not permitted within a dedicated public street right-of-way.

LIGHT COLUMN

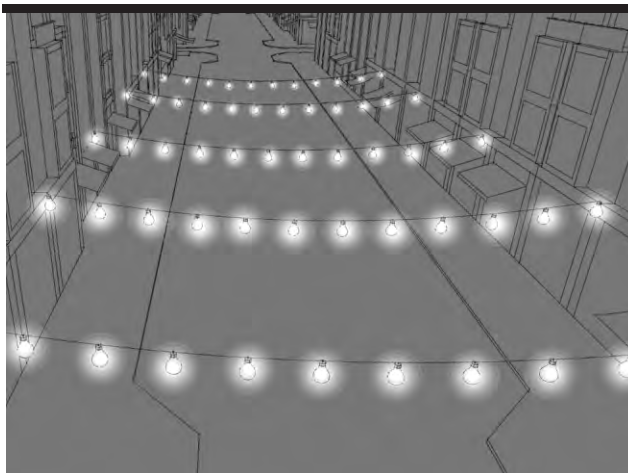


Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. Must not include direct illumination (i.e., spotlights) of any residential property outside the PSPRD. This restriction shall not preclude lighting from being visible from outside the PSPRD.
 2. Must maintain illumination levels consistent with those recommended in the most current IESNA (Illuminating Engineering Society of North America) Recommended Practices.
 3. Not permitted within a dedicated public street right-of-way.

HANGING LIGHTS



Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. Must not include direct illumination (i.e., spotlights) of any residential property outside the PSPRD. This restriction shall not preclude lighting from being visible from outside the PSPRD.
 2. Must maintain illumination levels consistent with those recommended in the most current IESNA (Illuminating Engineering Society of North America) Recommended Practices.
 3. Not permitted within a dedicated public street right-of-way.

Note: This is not an exhaustive list of acceptable lighting types but is intended for illustrative purposes.

June 28th 2015

§ 68-_____. Signs.

- A. Recognizing the unique character and intent of the PSPRD, the signage regulations set forth in this section constitute the exclusive signage standards and restrictions in the PSPRD, and supersede signage regulations applicable in other zoning districts.
- B. Temporary Signs
 - 1. Temporary sale or lease signs. A temporary, non-illuminated sign limited in area to 32 square feet, advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed. The sign shall be removed immediately upon sale or lease of the property or when construction of the contemplated improvements begin.
 - 2. Temporary construction signs. A temporary, non-illuminated sign limited in area to 32 square feet, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in progress.
- C. The following types of non-illuminated and illuminated signs shall be permitted in all PSPRD subdistricts, subject to a Town sign permit and to the conditions set forth below:

ADDRESS OR NAMEPLATE



Locations

Notes:

1. May not be in a paved area of any dedicated street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
3. May not be attached to a tree
4. May not use breakable glass in its construction, except for glass used in illumination
5. Maximum size of 20 square feet
6. Plastic sign panels and cabinet/sign boxes are prohibited
7. May not be immoral or obscene

DU1 DU2 DU3 DU4 GWY

AWNING WITH SIGN



Locations

Notes:

1. May not be in a non-sidewalk paved area of any dedicated street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
3. May not be attached to a tree
4. May not use breakable glass in its construction, except for glass used in illumination
5. Uplighting within awning is prohibited
6. May not be vinyl or plastic material
7. 9' Minimum clearance to sidewalk
8. May not be immoral or obscene

DU1 DU2 DU3 DU4 GWY

BAND SIGN



Locations

Notes:

1. May not be in a paved area of any dedicated street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
3. May not be attached to a tree
4. May not use breakable glass in its construction, except for glass used in illumination
5. 0.5' maximum sign square feet per linear length of tenant building façade
5. Plastic sign panels and cabinet/sign boxes are prohibited
5. May not be immoral or obscene

DU1 DU2 DU3 DU4 GWY

HANGING SIGN



Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. May not be in a non-sidewalk paved area of any dedicated street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
 2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
 3. May not be attached to a tree
 4. May not use breakable glass in its construction, except for glass used in illumination
 5. Minimum 9' clearance above sidewalk
 6. Maximum of 10 square feet per tenant facade
 7. May not be immoral or obscene

MARQUEE WITH SIGN



Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. May not be in a non-sidewalk paved area of any street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
 2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
 3. May not be attached to a tree
 4. May not use breakable glass in its construction, except for glass used in illumination
 5. Minimum 9' clearance above sidewalk
 6. Limited to 1 marquee sign per tenant facade
 7. Maximum size of 0.25 square feet per linear foot of tenant facade
 8. Plastic sign panels and cabinet/sign boxes are prohibited
 9. May not be immoral or obscene

OUTDOOR DISPLAY CASE



Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. May not be in a paved area of any street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
 2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
 3. May not be attached to a tree
 4. May not use breakable glass in its construction, except for glass used in illumination
 5. Maximum of 30 square feet per tenant facade
 6. Plastic sign panels and cabinet/sign boxes are prohibited
 7. May not be immoral or obscene

August 2015

WINDOW SIGN



Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. May not be in a paved area of any street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
 2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
 3. May not be attached to a tree
 4. May not use breakable glass in its construction, except for glass used in illumination
 5. Shall not exceed 35% of any individual window surface
 6. May not be immoral or obscene

BLADE SIGN



Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. May not be in a non-sidewalk paved area of any street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
 2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
 3. May not be attached to a tree
 4. May not use breakable glass in its construction, except for glass used in illumination
 5. Limit of 2 blade signs per building façade
 6. Maximum size of 40 square feet
 7. Minimum 9' sidewalk clearance
 8. May not be immoral or obscene

NEON SIGN



Locations

DU1 DU2 DU3 DU4 GWY

- Notes:
1. May not be in a paved area of any street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
 2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
 3. May not be attached to a tree
 4. May not use breakable glass in its construction, except for glass used in illumination
 5. May not exceed 35% coverage of any individual window surface
 6. Maximum size of 0.25 square feet per linear foot of tenant façade
 7. Exterior neon shall be enclosed to preclude bird nesting
 8. May not be immoral or obscene

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BUILDING FACADE SIGN



Locations

Notes:

1. No more than one such sign per each side of the building shall be placed above the sixth story of any building
2. No sign shall be placed on the roof of any building
3. No sign shall exceed 15 feet in height unless such exception is waived by the Commissioner of the Department of Planning and Development or the Planning Board.
4. Maximum size of 1.0 square feet of building facade length
5. No more than one such sign per each side of the building shall be placed above the sixth story of any building
6. No sign shall be placed on the roof of any building
7. May not be immoral or obscene

DU1 DU2 DU3 DU4 GWY

MFIA SCREEN



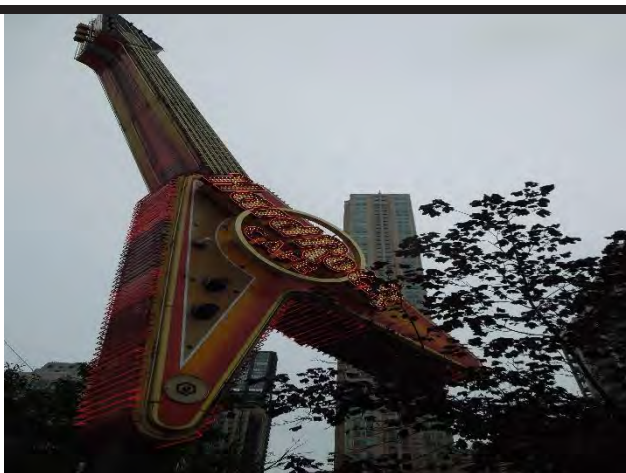
Locations

Notes:

1. May not be in a paved area of any dedicated street (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
2. A sign which motion pictures or video which requires electric energy to function
3. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
4. May not be attached to a tree
5. May not use breakable glass in its construction, except for glass used in illumination
6. Maximum of 0.5 square feet per linear foot of building facade
7. May not be immoral or obscene

DU1 DU2 DU3 DU4 GWY

FREE STANDING SIGN



Locations

Notes:

1. May not be in any dedicated street right-of-way (other than traffic control or construction signs), obstruct the visibility of drivers or conflict with or obstruct a traffic control device
2. May not obstruct a required window or door in such a manner as to prevent free egress or ingress
3. May not be attached to a tree
4. May not use breakable glass in its construction, except for glass used in illumination
5. No sign shall be located within a dedicated town right-of-way
6. Architecturally significant opaque base is required. Pylons are prohibited
7. Maximum height of 25'
8. Maximum of 250 square feet
- 9 May not be immoral or obscene.

DU1 DU2 DU3 DU4 GWY

MONUMENT SIGN



Locations

| DU1 | DU2 | DU3 | DU4 | GWY |
|-----|-----|-----|-----|-----|
|-----|-----|-----|-----|-----|

- Notes:
- 1. No sign shall be located within a dedicated town street right-of-way
 - 2. Maximum of 2 per building facade or property
 - 3. Maximum height of 9'
 - 4. Maximum 150 square feet per sign
 - 5. May not be immoral or obscene

Note: This is not an exhaustive list of acceptable signage types but is intended for illustrative purposes.

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§ 68-_____. Determinations by Planning Board.

Except as otherwise provided in this Article, all applications and other matters considered by the Planning Board for the PSPRD may be determined without a public hearing.

§ 68-_____. Amendment of “Master Plan.”

Upon application of the owners of the lands included in the PSPRD at the time of adoption of this Article or their successors in interest, the “Master Plan” described in Section 68-_____, above, may be amended by the Town Board, with or without a public hearing. The revision or relocation of buffer-setback areas and/or areas of open space, as well as modifications to streets or roadways on the “Master Plan,” shall not be considered amendments for purposes of this section, and may be approved by the Commissioner of the Department of Planning and Development or the Planning Board in the course of site plan review.

§ 68-_____. Severability.

If any clause, sentence, paragraph, section, or part of this Article shall be adjudged or determined by any Court of competent jurisdiction to be invalid, such judgment or determination shall not affect, impair, or invalidate the remainder of this Article, but shall be confined in its operation to the clause, sentence, paragraph, section, or part of this Article directly involved in said Court judgment or determination.