

# SUFFOLK COUNTY PLANNING COMMISSION

c/o Suffolk County Department of Economic Development & Planning  
100 Veterans Memorial Highway, PO Box 6100, Hauppauge, NY 11788-0099  
T: (631) 853-5191 F: (631) 853-4767  
Theresa Ward, Commissioner, Department of Economic Development and Planning  
Sarah Lansdale, Director of Planning

## AGENDA

**February 7, 2018 at 2 p.m.**

**Maxine S. Postal Auditorium, Evans K. Griffing Building  
Riverhead County Center, 300  
Center Drive Riverhead, New York 11901**

1. Meeting Summary for December 2017
2. Public Portion
3. Chairman's Report
4. Director's Report
5. Guests
  - Moses Gates, RPA – Regional Plan Association
  - Chris Jones, RPA – Regional Plan Association
6. Section A 14-14 thru A 14-23 & A 14-25 of the Suffolk County Administrative Code
  - Lindenhurst Residences (75 East Hoffman LH, LLC), Village of Lindenhurst  
0103 10000 0400 045001 et al  
COZ to DRD for 312KGFA; 260 rental apartments
  - Islandia Village Commons, Village of Islandia  
0504-09000-0100-042 et al  
COZ to PDD for 720KGFA; Retail, 110 room hotel and 325 rental apartments
  - Plaza Auto Mall – Medford, Town of Brookhaven  
0200 73600 0100 002002  
COZ and Special Use Permit for Automobile Dealership/Outdoor Storage/Auction Facility
7. Section A-14-24 of the Suffolk County Administrative Code
  - None
8. Other Business
  - Election of Officers
  - 2018 Calendar
  - 2018 Rules of Proceedings

**NOTE:** The **next meeting** of the SUFFOLK COUNTY PLANNING COMMISSION will be held on **March 7, 2018 2 p.m.. Rose Caracappa Auditorium, W.H. Rogers Legislature Bldg., 725 Veterans Memorial Highway, Smithtown, NY**

# COUNTY OF SUFFOLK

Z-1



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Theresa Ward  
Deputy County Executive and Commissioner

Department of Economic Development and Planning  
Division of Planning and Environment

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

**Applicant:** 75 E. Hoffman LH, LLC (aka Lindenhurst Residences)  
**Municipality:** Inc. Village of Lindenhurst  
**Location:** s/e/corner Hoffman Ave (CR 12) and Smith Street

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**Received:** 12/28/2017  
**File Number:** Lt-18-01  
**T.P.I.N.:** 0103 10000 0400 045001  
**Jurisdiction:** Adjacent to County Route 12 (Hoffman Avenue)

### ZONING DATA

- Zoning Classification: Industrial & Residence C
- Minimum Lot Area: 7,500. Sq. Ft.
- Section 278: N/A
- Obtained Variance: N/A

### SUPPLEMENTARY INFORMATION

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

### SITE DESCRIPTION

- Present Land Use: Industrial
- Existing Structures: Yes: several 1,2 & 3 story brick, block and masonry buildings
- General Character of Site: gently sloping to the east
- Range of Elevation within Site: 10'-20' amsl
- Cover: ~ 90% impervious buildings and asphalt remainder  
invasive vegetation + creek surface

- Soil Types: Urban Land (Ur)
- Range of Slopes (Soils Map): 0-3%
- Waterbodies or Wetlands: Neguntatogue Creek (NYS DEC A-8)

#### **NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST**

- Type: COZ/Site Plan
- Layout: campus
- Area of Tract: 7.14 Acres
- Yield Map:
  - No. of Lots: 1
  - Lot Area Range: N/A
- Open Space: N/A

#### **ACCESS**

- Roads: Public
- Driveways: Private - internal circulation

#### **ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: flush grates - underground stormwater recharge system
  - Recharge Basins: no
- Groundwater Management Zone: VII
- Water Supply: Public
- Sanitary Sewers: Public

### **PROPOSAL DETAILS**

**OVERVIEW** – Petitioners request approval from the Incorporated Village of Lindenhurst Board of Trustees for a change of zone from Light Industrial (I) and Residential C (Res C) to Downtown Redevelopment District (DRD) on a 7.14 acre parcel. The petitioners also request along with the change of zone conceptual development plan and site development approval for the proposed Lindenhurst Residences project. Site development plan approval would allow for the construction of a 317,478 square foot, 4-story (53' high), 260 unit rental apartment building and a lower parking garage level. Indoor and outdoor amenities are also proposed including associated landscaping and parking.

It is the petitioner's belief that the proposed project is characterized as a Transit Oriented Development (TOD) and is pedestrian friendly by virtue of its location adjacent to the Long Island Railroad (LIRR) station and within the Village downtown. The petitioner puts forth that the proposed project is less than a quarter quarter-mile from the primary North/South Wellwood Avenue commercial corridor that would enable residents to walk to the various businesses and services offered in the downtown business district.

Access to the proposed residential development would be from three locations – East Hoffman Avenue, South Smith Street and South Pennsylvania Avenue. The site access from South Pennsylvania Avenue would be connected to the surface parking area on the site via a light-penetrating bridge over Neguntatogue Creek.

A total of 379 off street parking stalls would be provided as part of the proposed development. As demonstrated on submitted drawings for site plan approval by VHB Engineering (dated October 17, 2017), 339 standard parking spaces would be provided under the eastern wing of the proposed

building and in surface parking areas and the equivalent of 40 spaces would be land-banked.

Potable water to the proposed apartment complex will be supplied by the Suffolk County Water Authority. Approximately 59,175 gallons per day (gpd) of drinking water is anticipated to be used by the residential component of the development. In addition, it is also projected by the project sponsors that an additional 8,876 gpd of potable water would be used for irrigation purposes. According to the petitioner, this water demand would represent less than 0.04 percent of SCWA daily pumpage.

Sanitary waste generated by the proposed development would be discharged to the Southwest Sewer District (SCSD #3) for treatment, and two proposed new sanitary connections within South Smith Street and South Pennsylvania Avenue are propose to be constructed. Application materials referred to the Suffolk County Planning Commission by the Inc. Village of Lindenhurst indicate that the petitioners have received a letter from the Suffolk County Department of Public Works (SCDPW) indicating SCSD #3 has sufficient capacity to accommodate sewage generation from the proposed development.

Storm water runoff generated from the site is intended to be accommodated on site in an "underground stormwater recharge system" consisting of 844 one and a half foot tall precast storm "leaching galleys" in four subsurface clusters. Total depth of the underground storm water system is approximately 5.21 feet below grade. This would include 8 inches of pavement, 6 inches washed stone backfill, 24.5 inches storm galley (including access manhole) and 24 inches (minimum) of compact subgrade to the top of the ground water table.

According to the Grading and Drainage Plan (VHB Engineering - dated October 17, 2017) referred to the Suffolk County Planning Commission by the Inc. Village of Lindenhurst ground water on the proposed development site was encountered in subsurface investigations at depths ranging from 3'-3" to 6'-8" below existing grade.

The subject property is adjacent to East Hoffman Avenue to the north and then the Lindenhurst LIRR station. Just beyond to the north are industrial properties and then detached single family homes. The development site is adjacent to Pennsylvania Avenue to the east and industrial uses beyond. Adjoining the subject property to the south is a landscaping supply warehouse and beyond East Gates Avenue is an elementary school and associated recreational uses followed by single family residential uses. To the west the subject property is adjacent to South Smith Street. The Lindenhurst USPS and various industrial/commercial and residential uses are found to the west of the property.

The project site is found in the center of a corridor of Light Industrial District ("I") zoning. Residential RB (Residential/Business) and B (Business) zoning is found in the general area throughout.

The proposed "Lindenhurst Residences" project includes the demolition of the existing improvements on the subject property including seven brick, masonry, concrete block and wood framed buildings, as well as, asphalt paving, catch basins, storm drains, remaining utility connections (gas), buried storage tanks, and soils on site and in the creek. According to the petitioner approximately 13,000 tons of demolition debris and an estimated 289 tons of construction waste would be removed from the site. Asphalt paving that is removed would be ground up and be reused as recycled aggregate.

The petitioner has indicated that all potentially hazardous or toxic materials would be removed prior to demolition based on findings of Phase I and II Environmental Site Assessments (ESAs) performed for the subject property. It is noted by the petitioner that asbestos containing materials (ACMs) were identified in six of the existing buildings, and it is likely ACM is also present in the

seventh building; therefore, asbestos abatement would be performed. Polychlorinated biphenyl (PCB)-containing fluorescent light bulbs were also found in six of the existing buildings, and potential mercury-containing thermostats were found in all buildings. The aforementioned materials would be removed in accordance with recommended procedures.

The remainder of construction waste and demolition debris would be disposed of at a licensed municipal transfer facility or other facility licensed to receive such waste. The petitioner also indicates that should any other hazardous or toxic materials be encountered, they would be properly remediated by licensed and certified agents, and remediation operations would be performed in conformance with relevant regulations and under the supervision of the applicable agencies (e.g., Suffolk County Department of Health Services (SCDHS), NYS Department of Environmental Conservation (NYS DEC), etc.).

Restoration of Neguntatogue Creek is proposed to be undertaken and would involve the removal of existing non-native vegetation, culverts, and concrete banks and installation of native vegetation and bank stabilization measures. This is proposed to result in a net increase of 3,670 square feet of stream area. Neguntatogue Creek traversed the site north to south on portions of the eastern side of the subject site. The creek has been impacted by intrusion, constructed sloped concrete banks, diversions and sub-grade culverting. Ponds and wetlands associated with Neguntatogue Creek are located upstream and downstream of the subject property including the undeveloped Neguntatogue Park.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located in a NYS Critical Environmental Area or Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone VII. State and Town regulated freshwater wetlands occur on and near the subject property (Neguntatogue Creek).

## **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.

The character of the community in the immediate area of the subject development site for the Lindenhurst Residences project can be observed to consist of commercial, light industrial and institutional uses surrounding the LIRR station. Various residential uses comprise a large part of the overall area surrounding this core of commercial industrial land uses. The proposed residential rental apartment building is to be four stories (53') high and is taller than many of the buildings in the area. With respect to community character, it is hoped by the Inc. Village of Lindenhurst (as reported in Newsday 1/25/08) that this project forms the "catalyst for economic development in the village."

It is the belief of the Suffolk County Planning Commission staff that the proposed project can maintain a satisfactory community environment. Public convenience is not anticipated to be impacted to any great degree by the subject property. The proposed project is intended to be a walkable project to the Lindenhurst downtown and business district and mitigations for motor vehicle trip generation are proposed.

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** The Incorporated Village of Lindenhurst has no current Comprehensive Master Plan with specific recommendations for the area of the proposed development. The Village is currently undergoing a planning initiative that will identify underutilized properties and improve parking and lighting in the downtown area. Several

precursor plans to a Master Plan initiative have been prepared in the past and have been scantily implemented to date including a Downtown Business District Analysis (SCDEDP, 2000) a Village Local Waterfront Revitalization Plan (2009), a 2014 NY Rising Community Reconstruction Program Projects report, an updated County analysis and a village-conducted community survey in 2015 and in 2016 a Suffolk County Industrial Development Agency funded “Downtown Opportunity Analysis (RPA)”. The IDA report specifically identifies the area of the project site and recommends “re-designing East Hoffman Avenue as more of a pedestrian-friendly corridor for mixed-use development.”

In 2016 the Inc. Village of Lindenhurst considered Adoption of a “Downtown Redevelopment District (DRD) Floating zone ordinance, and reviewed a voluntary Draft Environmental Impact Statement (VDEIS) that proposed the establishment of certain property as a DRD, and Development of such property pursuant to DRD zoning. The proposed application is the subject of some of the analysis in the VDEIS.

### **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

Policies related to these priorities are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the above priorities.

As noted above, storm water runoff generated from the site is intended to be accommodated on site in an “underground stormwater recharge system” consisting of 844 one and a half foot tall precast storm “leaching galleys” in four subsurface clusters (see above). The Grading and Drainage Plan (VHB Engineering - dated October 17, 2017) referred to the Suffolk County Planning Commission by the Inc. Village of Lindenhurst reveals that ground water on the proposed development site was encountered in subsurface investigations at depths ranging from 3’-3” to 6’-8” below existing grade east to west. The “Typical Section for Recharge System” detail on the Plan indicates the depth of the system to be 5’-21” from grade. Significant dewatering, elevating the finished grade or both may be required to prevent the bottom of the recharge system from being in groundwater. The depth to groundwater in the area of the proposed garage is 3’-3”, the depth to groundwater in the area of the apartment building is 4’-4” and the depth to the top of the ground water table in the area of the largest group of precast leaching galleys is less than 4 feet. Therefore, if dewatering is required, it is the belief of staff that any dewatering related to construction or demolition activities should be pretreated pursuant to best management practices prior to any permitted discharge into Neguntatogue creek or the ground.

As indicated in referral material Neguntatogue Creek may currently be impacted due to nutrients from street storm water runoff and other non-point pollutant sources. The portion of Neguntatogue Creek on site flows south to the tidal portions of the creek and into Great South Bay, which contains many areas that are uncertified for shellfishing.

An opportunity exists for this project to incorporate best management practices (ex. bio-swales, rain

gardens, etc.) for the approximate 6 acres of proposed impervious surface. Green Infrastructure (GI) is described by the Environmental Protection Agency (EPA) as a solution that "...uses vegetation, soils, and natural processes to manage water and create healthier urban environments."

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, Green Infrastructure design elements contained therein. The storm water then may be directed to the creek. Any storm water discharge should be pretreated pursuant to best management practices prior to any permitted discharge into Neguntatogue creek or the ground.

According to the petitioner approximately 13,000 tons of demolition debris and an estimated 289 tons of construction waste would be removed from the site. Asphalt paving that is removed would be ground up and be reused as recycled aggregate. It is the belief of the staff that any environmental reports (indicating that all hazardous materials have been removed from the site and that any environmental hazards that could be aggravated by the demolition procedure have been removed and do not exist on site) should be made publicly available prior to final approval of the petition by the Inc. Village of Lindenhurst.

Waste water treatment and disposal issues should continue to be reviewed with the Suffolk County Department of Health Services, the Suffolk County Department of Public Works and the Suffolk County Sewer Agency and as early as possible.

Little mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable to non-residential uses.

Little mention is made in the referral materials to the Suffolk County Planning Commission from the Inc. Village of Lindenhurst on the "Lindenhurst Residences" project regarding the development proposal's conformance with the New York State Long Island Workforce Housing Act (New York State General Municipal Law, Article 16-A). The Act requires that "...a site plan for five or more residential units..." shall guarantee "...the set aside of at least ten percent of such units for affordable workforce housing..." This would equate to 26 units. It is recommended that the applicant make sure that the NYS Long Island Workforce Housing Act is followed if applicable. It is noted that there are no designated affordable "workforce" housing units and would encourage the applicant to engage in dialogue among the Village and the project sponsors with the Suffolk County department of Economic Development and Planning Division of Workforce Housing to explore options for a workforce housing component and financial and other incentives that could facilitate approvals, fast tracking and completion of the project and at the same time assist the County in achieving county-wide housing and economic development goals.

The proposed development property is served by Suffolk County (bus) Transit routes S-35 along Hoffman and Wellwood Avenues. The S-1B and S-20 leave from the Lindenhurst LIRR station. The various bus routes provide service to Pinelawn Cemetery, Great South Bay Shopping Center, Amityville LIRR station and downtown, Sunrise Mall, South Oaks Hospital, Brunswick Hospital and transfers to other lines and destinations.

The projects 379 proposed off-street parking spaces meet parking requirements for the proposed DRD for multifamily use. A Traffic Impact Study (TIS) was included in the Voluntary Draft Environmental Impact Statement for the proposed Lindenhurst Residences project. The purpose of the TIS was to determine whether any significant traffic impacts will result from the development and to propose and evaluate any required mitigation measures. It was determined in the TIS that following completion of the proposed development, the two signalized intersections of East Hoffman Avenue at South Wellwood Avenue and East Hoffman Avenue at South Pennsylvania Avenue

would operate at an overall intersection Level of Service C or better during all analysis periods. In addition, the two un-signalized intersections of East Hoffman Avenue at South Smith Street and East Hoffman Avenue at South Pennsylvania Avenue would operate in the build condition at an acceptable overall intersection Level of Service D or better during all periods analyzed. Moreover, the three proposed site access driveways located on East Hoffman Avenue, South Smith Street and South Pennsylvania Avenue operate at an acceptable overall intersection Level of Service D or better during all periods analyzed. The conclusions derived from the results of the TIS indicate that the motor vehicle trip generation from the proposed 260 unit apartment complex would not have any significant impact on the traffic operations in the area. Traffic generated by the proposed development can be accommodated by the adjacent roadway network with the proposed access plan. No mitigations to the transportation network are proposed.

The Petitioner suggests that the proposed 260-unit residential development is considered a Transit Oriented Development (TOD) given its proximity to multiple modes of public transportation. As a TOD, "it would generate lower levels of automobile traffic and parking demands than similar developments located farther away from mass transit options." There is an intuitive connection between constructing a building in a Transit Oriented District and a reduction in trip generation and needed parking stalls. This connection is formulated because it is perceived that by building in close proximity to mass transit, residents, employers and employees within the TOD will use more mass transit to and from work and other destinations thereby reducing car use. Suffolk County's own study, completed in May 2001, indicated that among working people in the housing complexes surveyed that were near railroad stations, 23% used the nearby railroad station to get to work (Suffolk County Planning, May 2001). A more recent study by researchers at the University of Denver that analyzed the 2009-2010 commute patterns of 3,400 employed locals who lived near light rail lines revealed that at the half-mile walk from transit 18% utilized the transit and at the 15-minute threshold 26 % used the transit. It can be observed however, that our most successful and vibrant of our TOD downtowns still have a significant congestion problem.

The Inc. Village of Lindenhurst should work with the project sponsor to incorporate into the project Parking Stall Demand Reduction (PSDR) strategies and methodologies for voluntary reduction of site generated single occupancy vehicles. It is believed that when PSDR supporting amenities are provided within developments, it becomes much easier for tenants to change their transportation choice. The concept is to require the project sponsor to offer new tenants a suite of alternative transportation options instead of getting a parking spot. So, a resident might get (among other incentives) a transit pass or a bike-share membership instead. When office buildings offer showers and secure bike parking they may expect to see an increase in walking and biking. Carpooling and vanpooling should increase when priority parking spaces are set aside for High Occupancy Vehicles (HOVs). Another option may be to "un-bundle" the cost of parking stalls reserved for a residential unit from the rent thereby allowing transit commuters the option of "renting" fewer parking spaces that may be allocated to the unit and reduce the unit rental cost. These are some of the examples that over time should reduce parking demand and promote car-free living.

Little discussion is made in the petition to the Town and referred to the Commission on public safety. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein

Little discussion is made in the petition to the Inc. Village of Lindenhurst and referred to the Commission on universal design. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.

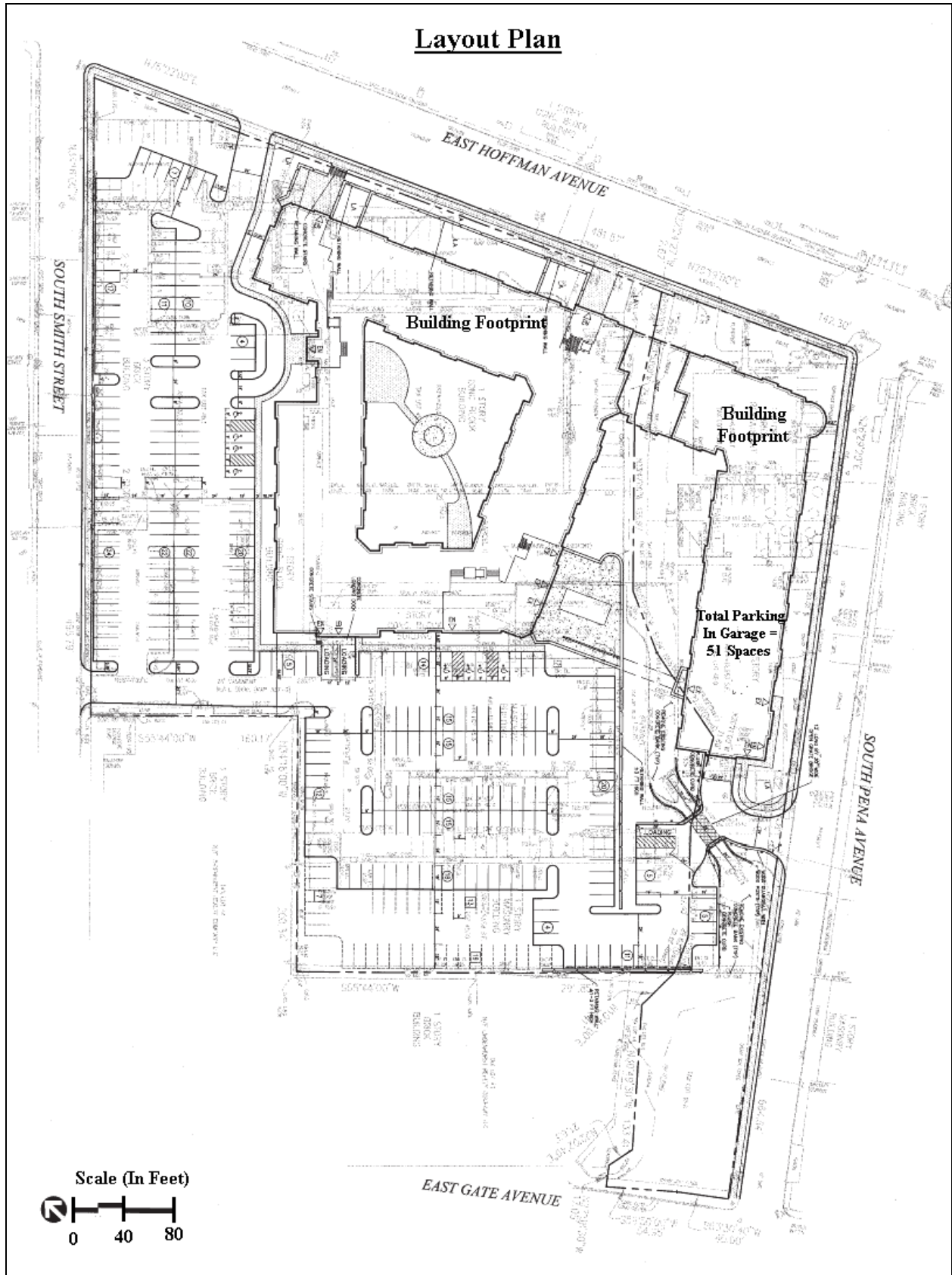
## STAFF RECOMMENDATION

**Approval** of the referral of “Lindenhurst Residences” change of zone, conceptual development plan and site development plan from the Incorporated Village of Lindenhurst with the following comments:

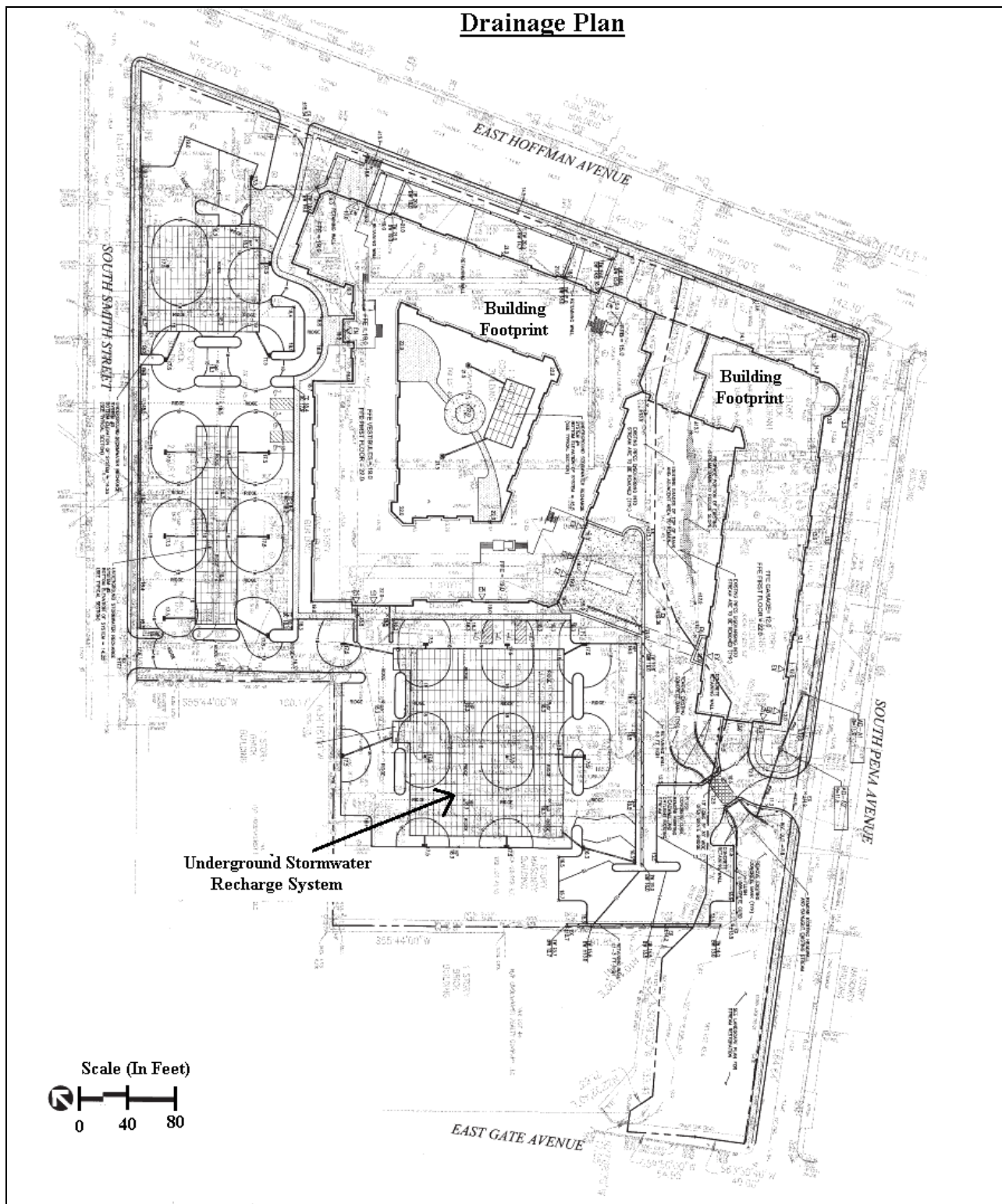
- 1) It is the belief of staff that any dewatering related to construction or demolition activities should be pretreated pursuant to best management practices prior to any permitted discharge into Neguntatogue creek or the ground.
- 2) Any storm water discharge should be pretreated pursuant to best management practices prior to any permitted discharge into Neguntatogue creek or the ground.
- 3) Any environmental reports (indicating that all hazardous materials have been removed from the site and that any environmental hazards that could be aggravated by the demolition procedure have been removed and do not exist on site) should be made publicly available prior to final approval of the petition by the Inc. Village of Lindenhurst.
- 4) Waste water treatment and disposal issues should continue to be reviewed with the Suffolk County Department of Health Services, the Suffolk County Department of Public Works and the Suffolk County Sewer Agency and as early as possible.
- 5) The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable to non-residential uses.
- 6) It is recommended that the petitioner make sure that the NYS Long Island Workforce Housing Act is followed if applicable. It is noted that there are no designated affordable “workforce” housing units and would encourage the applicant to engage in dialogue among the Village and the project sponsors with the Suffolk County department of Economic Development and Planning Division of Workforce Housing to explore options for a workforce housing component and financial and other incentives that could facilitate approvals, fast tacking and c completion of the project and at the same time assist the County in achieving county-wide housing and economic development goals.
- 7) The petitioner should contact Suffolk County Transit and explore bus service to the proposed Lindenhurst Residences project.
- 8) The Inc. Village of Lindenhurst should work with the project sponsor to incorporate into the project Parking Stall Demand Reduction (PSDR) strategies and methodologies for voluntary reduction of site generated single occupancy vehicles.
- 9) The petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
- 10) The petitioner should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.



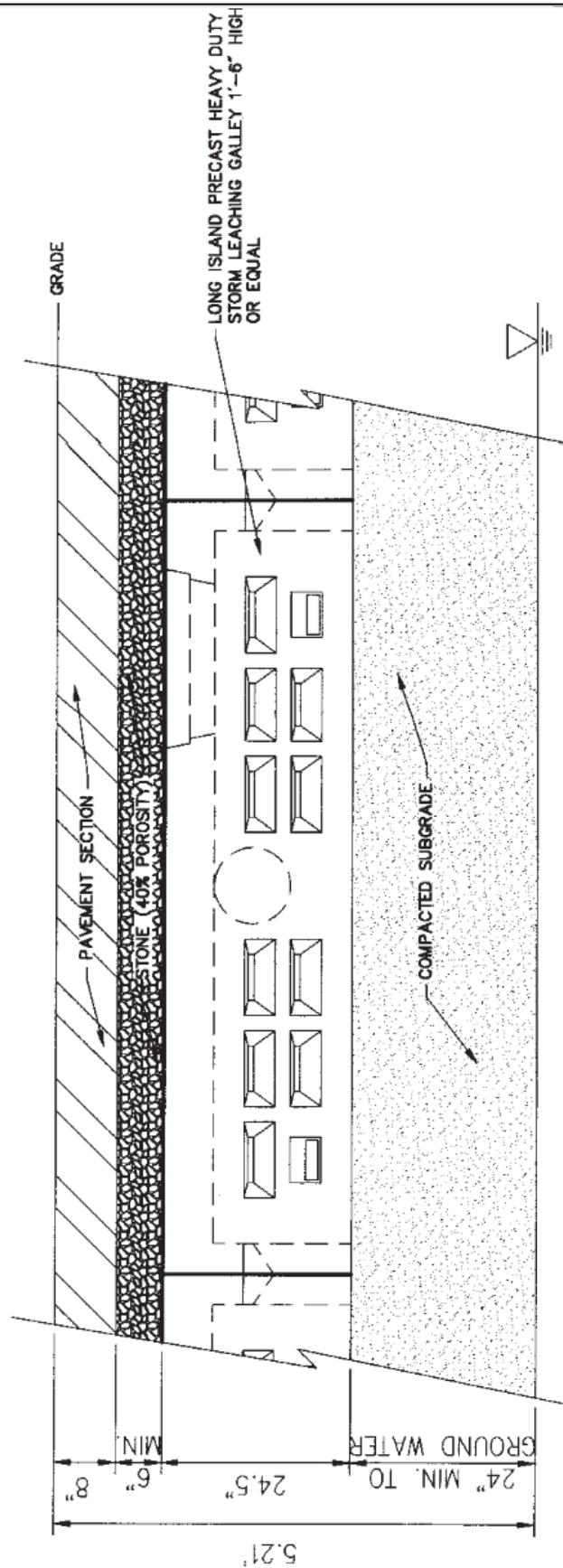
## Layout Plan



## Drainage Plan



# **TYPICAL SECTION FOR RECHARGE SYSTEM**



# Proposed Adoption of “Downtown Redevelopment District (DRD)” Floating Zone, Establishment of Certain Property as a DRD, and Development of Such Property Pursuant to DRD Zoning

Incorporated Village of Lindenhurst  
Suffolk County, New York

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PREPARED FOR

Board of Trustees  
Incorporated Village of Lindenhurst  
430 South Wellwood Avenue  
Lindenhurst, New York 11757

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PREPARED BY



**VHB Engineering, Surveying and  
Landscape Architecture, P.C.**

100 Motor Parkway  
Suite 135  
Hauppauge, NY 11788

October 2016



**VOLUNTARY DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**PROPOSED ADOPTION OF "DOWNTOWN REDEVELOPMENT DISTRICT (DRD)"  
FLOATING ZONE, ESTABLISHMENT OF CERTAIN PROPERTY AS A DRD,  
AND DEVELOPMENT OF SUCH PROPERTY PURSUANT TO DRD ZONING**

**INCORPORATED VILLAGE OF LINDENHURST  
SUFFOLK COUNTY, NEW YORK**

**LEAD AGENCY:**

Incorporated Village of Lindenhurst  
Board of Trustees  
430 South Wellwood Avenue  
Lindenhurst, NY 11757

Contact: Gerard J. Glass, Village Attorney  
72 East Main Street, Suite 3  
Babylon, NY 11702  
(631) 321-1400

**LOCATION OF PROPOSED  
DRD DEVELOPMENT:**

7.14± acres located at 75 East Hoffman Avenue, between South Smith Street and South Pennsylvania Avenue, Incorporated Village of Lindenhurst, Suffolk County, New York

**SUFFOLK COUNTY  
TAX MAP NUMBERS OF  
PROPOSED DRD  
DEVELOPMENT:**

District 103 – Section 10 – Block 4 – Lots 045.001, 045.003 and 045.006 through 045.010

**APPLICANT FOR PROPOSED  
DRD DEVELOPMENT:**

75 E. Hoffman LH, LLC  
Stony Brook Technology Center  
45 Research Way, Suite 100  
East Setauket, New York 11733

Contact: John M. Wagner, Esq.  
Certilman Balin  
(631) 979-3000

**PREPARER & CONTACT:**

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Director of Environmental Services  
(631) 787-3469

With technical input from:

**Environmental Consultant**

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**Legal/Environmental - Regulatory**

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(631) 300-1010

**Landscape Architect**

J.E. Morgan & Associates  
144B Mariners Way  
Port Jefferson, New York 11777  
(631) 392-1200

**DATE OF PREPARATION:**

October 2016



**AVAILABILITY OF DOCUMENT:**

This document is a Voluntary Draft Environmental Impact Statement (VDEIS) prepared in accordance with 6 NYCRR §617.9. It is submitted for treatment by the lead agency as an “Environmental Assessment Form” for the purposes of determining significance pursuant to 6 NYCRR §617.6(a)(4).

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# 1.0

## Executive Summary

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### 1.1 Introduction

This Voluntary Draft Environmental Impact Statement (VDEIS) has been prepared in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 New York Codes, Rules and Regulations (NYCRR) Part 617 for the action contemplated herein. This VDEIS was prepared in accordance with 6 NYCRR §617.6(a)(4), which states “an agency may waive the requirement for an EAF if a draft EIS is prepared or submitted. The draft EIS may be treated as an EAF for the purpose of determining significance.” This VDEIS sets forth existing conditions of the subject property and surrounding area, evaluates the potential significant adverse impacts associated with implementation of the proposed action, provides mitigation measures for those impacts identified as significant and adverse, and considers alternatives to the proposed action.

The proposed action consists of the adoption, by the Village Board of Trustees of the Village of Lindenhurst (the “Village Trustees”), of a “floating zone” district in the Village of Lindenhurst (the “Village”) to be known as the “Downtown Redevelopment District (DRD),” the establishment, as a DRD, of approximately 7.14 acres of contiguous land bounded on the north by East Hoffman Avenue, on the east by South Pennsylvania Avenue, on the west by South Smith Street and Parcel No. 0103-010.00-04.00-044.000 on the Suffolk County Tax Map, and on the south by East Gates Avenue and Parcel No. 0103-010.00-04.00-044.000 (hereinafter the “subject property” or the “site”), as shown on Figures 1 and 2, and the proposed future development of the subject property, pursuant to the DRD zoning, as a 260-unit rental residential community to be known as the “Lindenhurst Residences” (also referred to in this VDEIS as the “proposed development”).

The subject property is designated as Parcel Nos. 0103-010.00-04.00-045.001, -045.003, and -045.006 through -045.010 on the Suffolk County Tax Map (see Figure 2), and is primarily within the Village’s Industrial Zoning District, with the exception of a portion of Tax Parcel 045.006 (at the southeast corner of the subject property), which is within the Village’s “C” Residence Zoning District.

This Executive Summary is designed solely to provide an overview of the proposed action, a brief summary of the potential adverse impacts identified and mitigation measures proposed, as well as alternatives considered. Review of the Executive Summary is not a substitute for the full evaluation of the proposed action performed in Sections 2.0 through 9.0 of this VDEIS.

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## 1.2 Brief Site History and Existing Conditions

The 7.14±-acre subject property is on the south side of East Hoffman Avenue, opposite the Lindenhurst Long Island Rail Road (LIRR) station, between South Smith Street, to the west, and South Pennsylvania Avenue, to the east.

Historically, the surrounding area was primarily an agricultural community until the 1860s, when the completion of a single railroad track in 1867 improved access to Lindenhurst and led to increased commercial development in the vicinity of the train station.<sup>1</sup> According to information from Sanborn Fire Insurance Maps,<sup>2</sup> the subject property, itself, has been developed with manufacturing uses since at least 1902. By 1968, maps indicate that a portion of the site was occupied by the Lakeville Industrial Park lofts, which contained industrial uses. Residential dwellings adjoined the site to the west beginning in 1902. Beyond the residential development, between 1902 and 1968, were additional manufacturing uses, followed by further commercial/industrial development and accessory structures in the surrounding area. By 1908, adjoining railroad tracks had been constructed to the north of the subject property.

The site is currently developed with commercial and light industrial uses, vacant buildings, and small undeveloped wooded areas proximate to Neguntatogue Creek. Seven buildings (on seven tax map parcels) totaling 90,473 SF of building coverage (with primarily one-story structures and a three-story section of one structure) currently comprise the subject property. Sheds, metal containers, concrete curbs and walkways, and limited landscaping are also located on the overall subject property. In addition, parking areas are located throughout the site, proximate to the existing buildings, providing a total of 182 standard parking spaces and two handicapped parking spaces. An internal private road, known as Mal Drive, which is associated with a maintenance agreement and access easement is also present on the site.

Neguntatogue Creek traverses the site on portions of tax lots 045.007, 045.008, 045.009 and 045.010, and through the length of tax lot 045.006. On a portion of the subject property, the creek is diverted east-southeast for approximately 90 linear feet by a sub-grade culvert that runs beneath asphalt pavement. The creek exits the culvert in



<sup>1</sup> New York State Governor's Office of Storm Recovery (prepared by Jacobs and Cameron Engineering & Associates, LLP), *Village of Lindenhurst NY Rising Community Reconstruction Plan*, March 2014; available from [www.stormrecovery.ny.gov/nysrcr](http://www.stormrecovery.ny.gov/nysrcr).

<sup>2</sup> FPM Group, *Phase I Environmental Site Assessment*; Ronkonkoma, NY: March 2015.

the southeastern portion of the site, where it continues above-ground between sloped concrete banks, and then runs along the undeveloped western length of tax lot 045.006. The New York State Department of Environmental Conservation (NYSDEC) regulates Neguntatogue Creek as both a stream and a wetland.

The land uses in the area immediately surrounding the subject property include: East Hoffman Avenue to the north, followed by the Lindenhurst LIRR station and elevated train tracks, with office and commercial uses, fuel storage tanks and a public parking lot beyond; South Smith Street to the west, followed by the Lindenhurst United States Post Office (USPS), a two- to three-family residence, a tax preparation business, a taxi and limousine company, and a multifamily residential building; a vacant light industrial building and a landscaping supply warehouse use to the southwest, followed by South Smith Street, a vacant lot and the Edward F. Kienle Lindenhurst Youth Center building and outdoor basketball courts, located beyond; South Pennsylvania Avenue to the east, followed by a self-storage facility, a printing company, and a food importing company; and East Gates Avenue to the south, followed by the Alleghany Avenue Elementary School.

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## **1.3 Proposed Action and Project Description**

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### **1.3.1 Adoption of the Proposed Downtown Redevelopment District (DRD) Floating Zone**

The proposed action includes the adoption of the DRD (see Appendix B for the full text of the proposed district), as a “floating zone.” The purpose and goals of the DRD, are to encourage residential development and redevelopment on properties within walking distance of the LIRR station and the central business district of the Village (i.e., proximate to the intersection of North/South Wellwood and East/West Hoffman Avenues), and to allow for mixed uses within the downtown area. The DRD sets forth a specific application and review process, as well as various criteria (including dimensional and related regulations) that the Village Trustees would apply when reviewing an application for establishment, extension, or expansion of a DRD, which are summarized below.

Based on the requirements of the proposed DRD, the provisions of same would only be applicable to one or more parcels of land, located within the area of the Village bounded on the north by East Hoffman Avenue, on the east by South Pennsylvania Avenue, on the south by East Gates Avenue, and on the west by South High Street, and having a minimum land area of six acres. A DRD may also be extended or expanded by the developer, or an affiliate thereof, of an existing DRD, to include land, without a minimum lot area, that adjoins the existing DRD, within the above-described area.

Application for a DRD would include submission of a conceptual development plan for the proposed site of such DRD. The maximum building or structure height permitted in a DRD would be 60 feet.<sup>3</sup> Parking requirements for each of the uses in a DRD would be, for retail and office uses, the greater of one public space per 250 square feet (SF) of floor area devoted to such use or the number of existing public parking spaces located on the property proposed to be established as a DRD or added to an existing DRD, and for multifamily residential uses, one space per unit. For all other uses parking requirements would be determined by the Village Trustees during the site development approval process.

With respect to approvals, the establishment of a DRD by local law granting a change-of-zone and the approval, or approval with modifications, of a conceptual development plan by the Village Trustees would authorize an applicant to proceed with the detailed design of the proposed development in accordance with the concept plan and the procedures and requirements of the DRD, and to seek site development approval from the Village Trustees. The approval of a DRD would expire five years (or seven years for a phased development plan) after the granting of the zone change to DRD if the applicant has not received site development approval. In addition, if a proposed DRD development involves a subdivision, final subdivision plat approval from the Village Trustees must be received prior to the commencement of any development. The Village Trustees may also, at its discretion, refer an application to the Village of Lindenhurst Planning Board (Planning Board) for its review and/or recommendation.

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### 1.3.2 Establishment of the Subject Property as a DRD

The Applicant, 75 E. Hoffman LH, LLC, proposes, upon adoption of the DRD by the Village Trustees, to apply to the Village Trustees to establish, as a DRD, the subject property, which is currently zoned Industrial (with the exception of a portion of one tax lot that is zoned "C" Residence). Should the Village Trustees, in the future, choose to establish other properties as DRDs, or to expand the aforesaid proposed DRD, these actions would be considered separately, and would be subject to their own site-specific environmental reviews. Further, future establishment of a new DRD would require that the minimum six-acre site size for establishment as a DRD be met. It would be speculative, at this time, to assume that the proposed DRD would be expanded to include other lands, or that any other lands would be established as a new DRD and to include such lands or their possible future development in the environmental review for the proposed action.



<sup>3</sup> Building height would comply with Section 193-1(B) of the Village Code, which states that "the height of a building shall be measured from the crown of the road in front of the building to the highest point of the building, provided that chimneys, spires, towers, elevator penthouses, tanks and similar projections shall not be included in the height." As described later in this section, the proposed building would not exceed this height requirement.

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### 1.3.3 Development of the Subject Property in Accordance with DRD Zoning

In addition to the adoption of the DRD, the proposed action includes establishment of the subject property as a DRD, approval of a conceptual development plan for the proposed “Lindenhurst Residences” rental residential community, and site plan approval to allow for demolition of the existing improvements on the subject property and the construction of the proposed 260-unit “Lindenhurst Residences” project, with a lower parking garage level and upper roof deck level, both indoor and outdoor amenities, and associated landscaping and surface parking.

The proposed transit-oriented multifamily “Lindenhurst Residences” residential building would be 337,399± gross square foot (GSF) and 54 feet, 10 inches in height.<sup>4</sup> The proposed 260 units are anticipated to generate approximately 508 residents. The following are the unit types, sizes (in SF), and anticipated rental rates for the residential rental units, which would be offered at market rates:

- Studio units would range from approximately 584 SF to 601 SF in size and would have rents averaging approximately \$2,141 per month.
- One-bedroom units would range from approximately 692 SF to 852 SF in size and would have rents averaging approximately \$2,409 per month.
- One-bedroom units with dens would be approximately 870 SF in size and would have rents averaging approximately \$2,745 per month.
- One-bedroom units with lofts would be approximately 1,140 SF in size and would have rents averaging approximately \$3,174 per month.
- Two-bedroom units would range from approximately 1,112 SF to 1,192 SF in size and would have rents averaging approximately \$3,185 per month.
- Three-bedroom units would range from approximately 1,240 SF to 1,645 SF in size and would have rents averaging \$3,278 per month.

The indoor and outdoor amenities proposed for the “Lindenhurst Residences” project would include a coffee bar, office and conference space, a 3,160 SF lounge/fitness area, a gaming area, an outdoor pool and patio, an elevated walkway spanning the stream bank, a rooftop deck with kitchenette, a landscaped courtyard with reflecting pool, and a naturalistic outdoor area around a restored Neguntatogue Creek.

The proposed planting design would provide the proposed development with vegetative screening, parking island plantings, buffer plantings adjacent to the existing creek, and various foundation plantings. The landscape concept would feature abundant planting beds to limit the use of fertilizer-dependent turf and

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<sup>4</sup> The 54 foot, 10 inch building height is measure from the average grade. Based on the Village criteria for determining building height, the maximum height of the proposed building is 57 feet 6 inches, as measured from the lowest point of grade on South Pennsylvania Avenue.

provide maximum pervious area. Screening would be provided in the form of evergreen plantings along the southern portion of the site, and street trees are proposed along East Hoffman Avenue and South Pennsylvania Avenue. The existing creek that runs through the site would be preserved and protected from upland improvements with the installation of a plant buffer consisting of native plant species. Revegetation would aid in stabilizing the bank of the creek and mitigating paved or concrete banks that currently exist.

A total of 381 parking spaces would be provided on-site as part of the proposed action. Specifically, 51 parking spaces (including four handicapped-accessible spaces) would be provided under the eastern wing of the proposed building, 291 parking spaces (including eight handicapped-accessible spaces) would be installed in surface parking areas, and the equivalent of 39 spaces would be landbanked, to be paved only if determined necessary by the Village. In addition, three loading bays would be provided on the site; two loadings bays would be located along the southwest portion of the proposed building and one loading bay would be in the southeast portion of the proposed surface parking lot. In addition to the off-street parking included in the proposed development, on-street, parallel parking would continue to be available along the roadways near the subject property and could be used, as available, by residents of the "Lindenhurst Residences."

Vehicular access to the residential development would be from three locations – East Hoffman Avenue, South Smith Street and South Pennsylvania Avenue. The site access from South Pennsylvania Avenue would be connected to the surface parking area on the site via a light-penetrating bridge over Neguntatogue Creek.

Security would be provided for the proposed building during operations and during construction, as internal finishes are installed. Specifically, closed-circuit television (CCTV) cameras and security gates would be installed at the garage level of the building. With respect to fire protection, the building would contain automatic sprinkler systems, smoke detectors and fire alarms in conformance with the current New York State Uniform Fire Prevention and Building Code, as well as Suffolk County's regulations. Additionally, a fire standpipe system would be provided, as requested by the Fire Marshal.

The subject property is within the service area of the Suffolk County Water Authority (SCWA), Distribution Area 12 and the Suffolk County Southwest Sewer District (Southwest SD) No. 3. Therefore, the proposed "Lindenhurst Residences" project would be served by public water and sewer services. Anticipated potable water demand is 59,175± gallons per day (gpd), based on sanitary flow, with an additional 8,876.25± gpd used for irrigation purposes during the growing season. Based on the proposed uses, the anticipated sewage flow has been calculated at 59,175 gpd. Sewage would be disposed of via connection to the Southwest SD and ultimately would be discharged to the Bergen Point Wastewater Treatment Plant (WWTP).

The majority of stormwater runoff generated by the proposed development (based on a two-inch rainfall) would be contained and recharged on-site through the use of subsurface infiltration systems (i.e., leaching galleys). Based on the topography of the site, a portion of the projected stormwater runoff (approximately 5.9 percent of the total required storage volume) would be discharged over land and via an 8-inch PVC pipe to the surface waters of Neguntatogue Creek, in accordance with NYSDEC permissions.

Based on the proposed uses, the anticipated solid waste generation would be  $0.90\pm$  tons per day.<sup>5</sup> Solid waste would be collected and disposed of by private carters, in accordance with all applicable procedures and regulations.

In addition, the proposed action would be served by PSEG-Long Island for electricity needs and National Grid for natural gas.

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## 1.4 Purpose, Need and Benefits

As outlined above, the purpose of adopting the DRD is to encourage residential development and redevelopment on properties within walking distance of the LIRR station and the central business district of the Village, and to allow for mixed uses within the downtown area. The purpose of the proposed “Lindenhurst Residences” project, in particular, is to redevelop a group of partially vacant and underutilized buildings into a high-quality residential transit-oriented development (TOD) directly across the street from the Lindenhurst station of the Babylon Branch of the LIRR. This residential development and its location proximate to the central business district would support the desire of the Village to revitalize its downtown by attracting a population that wants to live in a walkable community that has shops, restaurants and other amenities. The proposed action, including the “Lindenhurst Residences” project has been designed to meet the local Village needs as well as the broader needs of the Town of Babylon, Suffolk County, and the region, to attract and retain young working singles, couples and families, as well as provide opportunities for seniors or retirees to downsize from their single-family homes to a relatively maintenance-free community.

Based upon recent research into Long Island housing needs and preferences and U.S. Census information for the Village, the following conclusions can be made:

- The demand for multifamily rental housing (as well as owner housing) will continue to grow as the demographics on Long Island, and the rest of the region, continue to shift.

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<sup>5</sup> A factor of 3.5 pounds per capita (projected population of 508) was used. Generation factor from Salvato, J. (2003). Solid Waste Management. In Environmental Engineering (5th ed.). Hoboken, N.J.: Wiley

- There is a lack of multifamily housing, including multifamily rental units, on Long Island and within most Long Island communities.
- There is a growing desire of many people to live in walkable mixed-use areas that are located close to public transportation in order to ease commuting and to provide a non-automobile-dependent lifestyle.
- Zoning can be used as a tool to help create the type of walkable communities that are desired by a growing number of people, ranging from millennials to seniors.
- Of the currently occupied units in Lindenhurst, approximately 21 percent are renter-occupied.
- In Lindenhurst, only five percent of the housing units in the Village are in buildings of more than four units. Almost 79 percent of all units are within single-family attached or detached homes.
- Of the 1,880 renter-occupied units within the Village, approximately 82 percent are within single-family detached/attached or two-family homes.
- Approximately 82 percent of the units in the Village are over 50 years old.
- The population of the Village declined two percent between 2000 and 2010.
- The median age in the Village has been rising, and rose from 35.8 years in 2000 to 40.3 years in 2010, to an estimated 42.5 years in 2014. This is higher than in the greater Town of Babylon (39.5 years) or in Suffolk County (40.3 years).

The Village of Lindenhurst currently contains a considerable population that works elsewhere, i.e., the Village serves as a commuter hub to other employment centers in Suffolk and Nassau Counties, as well as to New York City. Thus, constructing residences proximate to a commuter rail station (the Lindenhurst LIRR station) would enable workers to live within walking distance to transit in order to travel to work. This would help to eliminate vehicle trips and congestion on local and area roadways.

The proposed “Lindenhurst Residences” project, included as part of the proposed action, is intended to help fill this housing gap and meet these needs by providing a high-quality rental residential development across the street from the Lindenhurst LIRR station and less than a quarter-mile from the primary commercial corridor (North/South Wellwood Avenue) in the Village’s downtown. The Applicant for the proposed development believes that such development would attract young singles and couples just starting out, as well as seniors who may want to downsize and rid themselves of the responsibility of single-family home ownership. Thus, it is expected that the proposed action would not burden the local school district, would generate a substantial amount of property taxes, would provide a population to patronize the downtown (the revitalization of which has been the recent focus of Village efforts, through the formation of the Lindenhurst Economic Development Committee [LEDC]<sup>6</sup> and an Architectural Review Board), would renew an underutilized industrially-zoned area, and would provide the opportunity to lower vehicle miles traveled (VMTs) due to the proposed development’s location adjacent to the LIRR



<sup>6</sup> According to the Village website, “the Lindenhurst Economic Development Committee (LEDC) has been given the task of researching, reviewing and presenting recommendations to the Lindenhurst Village Board on issues of economic growth and the future development of the Village of Lindenhurst.”

Lindenhurst station and within downtown Lindenhurst, thus minimizing the impact on the environment. The proposed community would provide vibrant, transit-oriented residential uses, streetscape amenities, and landscaping in downtown Lindenhurst, on a site that currently does not add to the downtown feel of Lindenhurst, since it is comprised of mostly industrial-type uses and surface parking lots.

Other benefits of the proposed “Lindenhurst Residences” project would include:

- Restoration of the part of Neguntatogue Creek (in coordination with the USACE and the NYSDEC) that passes through the subject property, which would enhance the wetland functional capacity of the creek
- An increase in assessed value and property taxes compared to the existing conditions
- The creation of approximately 660 jobs during the construction period.<sup>7</sup>

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## 1.5 Demolition and Construction

Upon obtaining all necessary approvals, the Applicant for the proposed development would proceed with the demolition and construction phase of the proposed “Lindenhurst Residences” project. At this time, it is expected that construction would occur in one phase and would begin in January, 2019 and be completed in January, 2021. During the construction process, it is expected that the proposed development would generate approximately 660 construction jobs.<sup>7</sup>

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<sup>7</sup> Project construction job figure provided by the Applicant, “based on developer estimates from like-kind projects.”

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## 1.6 Required Permits and Approvals

The following permits and approvals are required for implementation of the proposed action:

### Required Permits and Approvals

Agency	Required Permit/Approval
Village Board of Trustees	Adoption of Proposed Downtown Redevelopment District (DRD) Floating Zone, Establishment of the Subject Property as a DRD, Conceptual Development Plan Approval, Site Development Plan Approval
Village Department of Public Works (Highway and Sanitation)	Street Opening/Excavation Permit
Suffolk County Planning Commission	Referrals for Changes of Zone and Site Plan Approval
Suffolk County Department of Public Works	Highway Work Permit
Suffolk County Water Authority	Water Connection
Suffolk County Department of Health Services	Water Supply and Sanitary Disposal Approval
Suffolk County Sewer Agency	Sewer Connection
New York State Department of Environmental Conservation (NYSDEC)	Notice of Intent-SWPPP; SPDES General Permit for Stormwater (GP-0-15-002)

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## 1.7 Potential Impacts and Proposed Mitigations Measures

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### 1.7.1 Soils and Topography

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#### 1.7.1.1 Soils

The subject property is comprised of the following series and mapping units: Urban land (Ur) and Riverhead and Haven soils, graded, zero to eight percent slopes (RhB). Virtually all of the site is comprised of Ur soils, with minimal areas proximate to the site's southwest and southeast property lines consisting of RhB soils. Neither of the soils/land types found at the subject property are natural, as the underlying soil types have been completely disturbed by previous development. On-site investigations were conducted by Vachris Engineering, P.C. ("Vachris") to characterize soils on the subject property and identify any potential engineering limitations. Vachris drilled five test borings to depths of between 20 and 27 feet below grade surface (bgs) throughout the subject property to characterize the underlying soils. Overall, the borings indicated that the site consists of fill material comprised of sand, with varying amounts of silt, gravel, and clay, roots and various debris.

Any limitations presented by the soil types at the subject property would be overcome through additional site preparation, and the use of best management practices (BMPs), and thus, would not pose a significant adverse impact to on-site or adjacent soils. The site would be engineered with consideration for the existing conditions of on-site soils and depth to groundwater. With respect to recommendations based on on-site soil borings, spread footings would be utilized where necessary for the proposed structure, and would be founded below the fill and peat layers. In addition, there would be dewatering, if necessary, during construction to ensure structural capacity of soils.

In order to reduce the potential for erosion and sedimentation as a result of land disturbance activity, various control measures would be implemented prior to and during construction of the proposed development. In accordance with the NYSDEC State Pollutant Discharge Elimination System (SPDES) GP-0-15-002 (or most current version), prior to the commencement of construction activity at the subject property, a Stormwater Pollution Prevention Plan (SWPPP) would be developed and submitted to both the Village and the NYSDEC. In addition, BMPs would be implemented to reduce the potential for erosion and sedimentation due to construction activity.

As there would be no significant impact to any naturally-occurring soils, and recommendations from on-site soil investigations would be adhered to, there would be no significant adverse impacts with respect to soils. In addition, with erosion and sediment control measures employed, no significant adverse soil erosion or sedimentation related impacts are expected as a result of the proposed development.

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#### 1.7.1.2 Topography

The topography of the subject property is fairly level, with the most variation in elevations in the vicinity of the creek. The highest elevations of approximately 16 to 19 feet above mean sea level (amsl) in the northwestern portion of the site and the lowest elevations in the eastern portion of the site in the vicinity of the creek ranging from approximately 8 to 13 feet amsl.

Development of the subject property would require the import of approximately 32,900 cubic yards (CY) of fill to achieve proposed grades. In addition, a 90±-foot culverted section of the on-site creek would be daylighted, and existing concrete stream banks would be removed to allow for regrading, resulting in gentler stream banks.

Although the existing slopes would be altered as part of the proposed development, the site had been substantially graded and disturbed in connection to its historic use. Therefore, no significant adverse impacts to topography are expected as a result of the proposed action.

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### 1.7.1.3 Subsurface Conditions

Due to historic industrial and commercial activities at the subject property, environmental investigations conducted by Vachris and FPM Group (FPM), including soil and groundwater sampling, were conducted to determine if above-ground or underground storage tanks (ASTs or USTs), on-site stormwater and sanitary structures, or any hazardous materials were currently present on the subject property, or if any soil or groundwater contamination had occurred.

Based on the results of the above-referenced environmental investigations, the Applicant would ensure that any recognized environmental conditions (RECs) were addressed. Specifically, excavated soils and other identified materials would be disposed of at a licensed facility; an existing leaching pool would be remediated in accordance with Suffolk County Department of Health Services (SCDHS) guidance; and asbestos-containing materials (ACMs) would be abated by a licensed asbestos contractor.

As the recommendations from the environmental investigations would be addressed before construction activities commence, it is anticipated that implementation of the proposed action would not impact, or be impacted by, subsurface conditions at the subject property.

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## 1.7.2 Water Resources

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### 1.7.2.1 Groundwater

Based on the United States Geological Survey's (USGS) *Water Table and Potentiometric Surface Altitudes in the Upper Glacial, Magothy, and Lloyd Aquifers beneath Long Island, New York, April-May 2010*, groundwater beneath the site generally flows in a southeasterly direction, toward Neguntatogue Creek, eventually discharging into Great South Bay. Groundwater in the locations where Vachris performed soil borings was encountered at depths from approximately three feet to seven feet bgs.

The subject property is within Hydrogeologic Zone VII, according to the *Long Island Comprehensive Waste Treatment Management Plan (the 208 Study)*, and Groundwater Management Zone (GWMZ) Zone VII, as designated by the Suffolk County Sanitary Code (SCSC), which both indicate its location within a shallow groundwater flow system. The proposed "Lindenhurst Residences" project would be consistent with the prevailing codes and regulations of SCSC Articles 6, 7 and 12, as well as with other relevant groundwater studies, including the *208 Study*, the *Suffolk County Comprehensive Water Resources Management Plan (Comprehensive Water Resources Plan)*, the *Nonpoint Source Management Handbook (the Handbook)*, and the *Long Island Segment of the Nationwide Urban Runoff Program (NURP Study)*. Thus, no significant adverse

impacts to groundwater resources are anticipated as a result of implementation or operation of the proposed action.

## **Sewage Disposal**

The existing businesses operating on the site generate an estimated 12,413± gpd of sanitary wastewater, and are served by on-site sanitary sewer lines that connect to Southwest SD sewer mains beneath South Smith Street and South Pennsylvania Avenue.

The proposed “Lindenhurst Residences” project is expected to generate an estimated 59,175 gpd of sanitary waste, and would be discharged to the Southwest SD for treatment, and the two proposed new sanitary lines within South Smith Street and South Pennsylvania Avenue would be constructed in accordance with applicable requirements. In addition, according to correspondence from the Suffolk County Department of Public Works (SCDPW), dated August 12, 2015, the Southwest SD has sufficient capacity to accommodate sewage generation from the proposed “Lindenhurst Residences” project. Based on the foregoing analyses, there would be no significant adverse impact to groundwater resources due to sewage disposal associated with the proposed development.

## **Water Supply**

The existing uses on the subject property have a potable water demand of 12,413± gpd. Water is supplied to the existing uses on the subject property by on-site water mains that connect to water mains beneath South Smith Street and South Pennsylvania Avenue.

The proposed “Lindenhurst Residences” project is expected to use an estimated 59,175 gpd of drinking water, approximately 21.6 million gallons per year, less than 0.03 percent of SCWA’s annual pumpage. It is also projected that an additional 8,876.25 gpd of potable water would be used for irrigation purposes during the irrigation season, or approximately six months during the late spring through early fall. Thus, the maximum water demand during the irrigation season is expected to be approximately 68,052 gpd, which would still represent less than 0.04 percent of SCWA daily pumpage.

In order to minimize water demand, the proposed landscaping would consist of native species to the maximum extent practicable. In addition, the proposed buildings would incorporate high efficiency, water-saving fixtures. Finally, the Applicant for the proposed development would confirm that SCWA has sufficient capacity to accommodate the proposed development’s demand prior to implementation of the proposed action. Based on the foregoing analyses, no significant adverse impacts associated with water usage or the projected increase in water demand are expected as a result of implementation of the proposed action.

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### 1.7.2.2 Stormwater

The volume of existing stormwater runoff from present site conditions is calculated to be 45,420± cubic feet (CF), based on storage for a two-inch rainfall. Currently, stormwater management infrastructure on the subject property consists of a minimal number of drywells, which collect and recharge stormwater runoff beneath the site. A majority of the existing runoff flows to the on-site creek through multiple discharge pipes.

The proposed stormwater management system for the proposed development would include 833 leaching galleys, which would be designed to accommodate a total of 39,984± CF of stormwater. In addition, based on the topography of the site, stormwater runoff from an approximately 12,153-SF area of the parking lot would sheet flow into Neguntatogue Creek, and a 1,590±-SF portion of the landscaped area located immediately adjacent to the east side of the building along South Pennsylvania Avenue would be collected by area drains and discharged into the creek via an 8-inch PVC pipe.<sup>8</sup> Discharge to the creek would be allowed, based on prior consultations with the NYSDEC. It should be noted that groundwater was encountered in subsurface investigations at depths ranging from 3 feet-3 inches to 6 feet-8 inches below existing grade. The proposed stormwater infrastructure (i.e., leaching galleys) would be installed a minimum of two feet above groundwater to allow for filtration before runoff would be discharged.

As the proposed development involves soil disturbance of one or more acres, coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP0-15-002) would be obtained. A SWPPP would be developed at the time the site plan is finalized, in accordance with the requirement of the GP-0-15-002 and Chapter 160 of the Village of Lindenhurst Village Code (Village Code) (Stormwater Management and Erosion and Sediment Control), and under the guidelines of the *NYS Stormwater Manual (most recent edition)*.

All erosion and sedimentation control measures would be installed and maintained in accordance with the Preliminary Erosion & Sediment Control Plan and/or as indicated within the *New York Standards and Specifications for Erosion and Sediment Controls*. In addition, the *NYS Stormwater Manual*, which provides standards and specifications for selection and design of stormwater management practices to comply with State stormwater management performance standards, would also be used in preparing the SWPPP.



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<sup>8</sup> The total amount of stormwater volume that would be discharged to Neguntatogue Creek represents approximately 5.9 percent of the total required storage volume.

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### 1.7.2.3 Surface Water and Wetlands

The subject property is traversed by a portion of Neguntatogue Creek, which is regulated by the NYSDEC as both a stream and a wetland (under Articles 15 and 24, respectively, of the Environmental Conservation Law [ECL]). As the proposed development would involve disturbance within the creek (e.g., removal of existing non-native/invasive vegetation and stormwater outfalls, bank stabilization efforts, etc.) and in the surrounding 100-foot adjacent area (overall re-development of the site), a NYSDEC Article 15 Stream Disturbance Permit, Article 24 Freshwater Wetland Permit and Section 401 Water Quality Certification would be required for the proposed action. A permit application package is currently being prepared for submission to the NYSDEC.

In addition, as the aforementioned creek is likely regulated as a “water of the United States” under Section 404 of the Clean Water Act (pending a Jurisdictional Determination by the United States Army Corps of Engineers [USACE]), a USACE permit would be required for the proposed action. Based on the proposed work activities, the proposed action could potentially be accomplished under USACE Nationwide Permit No. 13 (Bank Stabilization), or through a USACE Individual Permit. A permit application package is currently being prepared for submission to the USACE.

Neguntatogue Creek is degraded in its current condition. It is anticipated that removal of the existing culvert and concrete banks and revegetation of the stream bank would result in decreased stormwater velocity to downstream waters. These actions would also expand stormwater and floodwater storage capacity, and result in improved functionality for modification of water quality. Along with the overall proposed reduction in impervious surfaces at the subject property and within the wetland adjacent area, implementation of the Preliminary Landscape Concept would result in improved functionality with respect to vegetative diversity and wildlife habitat capacity of Neguntatogue Creek and the site as a whole. The proposed building would result in 72± linear feet of shading to Neguntatogue Creek, while daylighting of 90± linear feet of the creek would occur through removal of an existing culverted creek section. As a result, a net decrease of 18± linear feet of shading would occur. A 24-foot wide vehicular bridge constructed of light-penetrable decking material would be installed along the daylighted portion of the creek, and a 7-foot wide pedestrian bridge constructed of light penetrable decking would be installed further upstream, at an elevation of 9.5 feet above the top of the creek banks. All of the above improvements and activities would be subject to review and potential amendment by the USACE and NYSDEC during the permitting process with the two agencies.

Based on the foregoing analysis, no significant adverse impacts to surface waters and/or wetlands are anticipated as a result of the proposed action. Rather, notable improvements to the existing wetland functional capacity of Neguntatogue Creek are

expected to result from development of the proposed “Lindenhurst Residences” project.

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## 1.7.3 Zoning, Land Use and Community Character

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### 1.7.3.1 Zoning

Currently, the subject property is primarily in the Industry Zoning District, while a small portion, proximate to East Gates Avenue, is in the “C” Residence Zoning District. The proposed action includes the adoption of the DRD as a “floating zone,” and establishment of the subject property as a DRD, which would allow for a multifamily residential rental TOD on the subject property. The DRD zoning would complement the existing conditions of surrounding zoning. Further, the establishment of the subject property as a DRD would also allow for economic development of underutilized industrially-zoned tax parcels, comprising the subject property, and provide for a development that would create an environment with visual continuity and a pedestrian-friendly streetscape along the well-used East/West Hoffman commercial corridor.

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### 1.7.3.2 Land Use and Community Character

Currently, as previously described, the land use of the property consists of commercial and light industrial uses and a portion of Neguntatogue Creek. Several of the existing buildings on the site are currently vacant. Subsequent to the establishment of the subject property as a DRD, the land use would change from light industrial and commercial to a multifamily rental residential use with substantial enhancements to the on-site portion of Neguntatogue Creek.

The “Lindenhurst Residences” project includes the demolition of the existing seven buildings and other improvements on the subject property, and the redevelopment of the site with a transit-oriented multifamily residential development and amenities, within a 54±-foot-10-inch-tall,<sup>9</sup> 337,399±-GSF-building. The 260 residential rental units are proposed to consist of 11 studio units, 142 one-bedroom units, 15 one-bedroom units with dens, 5 one-bedroom units with lofts, 75 two-bedroom units, and 12 three-bedroom units. A total of 381 parking spaces would be provided. Some of the parking (51 spaces) would be located under the eastern wing of the building, and the remainder would be in surface parking lots south and west of the building. In addition, 39 parking spaces would be landbanked in order to minimize impervious surfaces. In addition to the off-street parking, on-street, parallel parking would continue to be available near the subject property and could be used, as available, by residents of the “Lindenhurst Residences.”



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<sup>9</sup> The 54-foot, 10 inch building height is measure from the average grade. Based on the Village criteria for determining building height, the maximum height of the proposed building is 57 feet 6 inches, as measured from the lowest point of grade on South Pennsylvania Avenue.

Indoor and outdoor amenities associated with the residential development would also be constructed. The proposed planting design is one that provides the proposed residential development with various planting areas including screening, parking island plantings, buffer plantings adjacent to the existing creek, and various foundation plantings.

Impervious surface on the overall 7.14±-acre subject property would decrease by nearly 20 percent under the proposed action, and the proposed landscaping would increase the pervious areas at the subject property. The removal of impervious surfaces provides a beneficial impact on the environment.

The development of a rental, multifamily residential development complements and adds to the mix of uses within the downtown Lindenhurst area. This residential development, and its location in the downtown and proximate to the central business district, would support the desire of the Village to revitalize its downtown by attracting a population that wants to live in a walkable community that has shops, restaurants and other amenities. In terms of community character, the addition of a larger scale residential building in the downtown area of the Village would blend with the density and character of this area of Lindenhurst. The subject property is located along a downtown/commercial corridor in the Village, and in addition commercial uses in the downtown, residential uses are also present in the surrounding area. The proposed development, a multifamily TOD, would complement existing multifamily uses located west of the subject property along South Smith Street and School Street, as well as residential apartments that are located above commercial uses in mixed-use buildings throughout the downtown area, and single-, two- and three-family detached residential uses that are located throughout the Village.

Based on the foregoing analysis, and as the proposed “Lindenhurst Residences” project would be located within downtown Lindenhurst, in an area that is appropriate for TOD multifamily residential developments, there would be no significant adverse impacts with respect to land use and community character.

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### 1.7.3.3 Relevant Land Use Plans

The proposed “Lindenhurst Residences” project was evaluated for consistency with the following comprehensive planning documents: *Village of Lindenhurst NY Rising Community Reconstruction Plan*; the 2015 and 2000 *Village of Lindenhurst Downtown Business District Analysis* reports; the LEDC Summary of Responses; *Town of Babylon Draft Comprehensive Plan Summary*; *Suffolk County Comprehensive Master Plan 2035: Framework for the Future*; and *Smart Communities Through Smart Growth: Applying Smart Growth Principles to Suffolk County Towns and Villages*.

The proposed “Lindenhurst Residences” project would be consistent with the above documents, due to the following project characteristics:

- The proposed development would include a comprehensive stormwater management system that would collect and recharge the majority of stormwater runoff on-site, with a limited amount discharging to the creek (as permitted by the NYSDEC), and, thus, runoff would not be permitted to run overland and to adjacent roadways and potentially cause flooding.
- Implementation of the proposed action would result in an increase in property taxes of \$1,982,065 that would provide revenues to the applicable jurisdictions and community service providers.
- The construction of proposed “Lindenhurst Residences” project would increase the population residing in downtown Lindenhurst by over 500 people, less than a quarter-mile from the primary North/South Wellwood Avenue commercial corridor. Therefore, it is expected that the residents of the proposed “Lindenhurst Residences” project would patronize the downtown businesses, thereby improving the local Village economy.
- The proposed “Lindenhurst Residences” project would incorporate sustainability measures into the building and site design to maximize water and energy efficiency. A sustainable design, undergrounding of overhead power lines, and a stormwater management system designed with input from the NYSDEC would ensure that the proposed action would result in a resilient re-use of the subject property.
- The proposed new rental apartments could provide a contemporary higher-density housing option within the Village, which is identified as a needed housing type by various research.
- Given the site’s proximity to the LIRR, and since the majority of Lindenhurst residents who commute to work on public transportation use the LIRR, the proposed development would provide a convenient housing option for commuters.
- The habitat and wetland function of Neguntatogue Creek would be improved.

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## 1.7.4 Transportation

A Traffic Impact Study (TIS) was prepared by VHB to provide a comprehensive evaluation of the potential traffic impacts associated with the proposed mixed-use development. The analysis of future conditions, with and without the proposed development (“Build” and “No-Build” conditions, respectively), was performed to evaluate the effect of the proposed development on future traffic conditions in the area. The No-Build Condition represents the future traffic conditions that can be expected to occur, even if the proposed development is not constructed.

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### 1.7.4.1 No-Build Condition

In order to account for increases in general population and background growth not related to the proposed “Lindenhurst Residences” project, an annual growth factor of

1.25 percent was applied to the existing traffic volumes, for a total growth rate of 7.5 percent based on the anticipated Build year of 2021.

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#### 1.7.4.2 Build Condition

The Institute of Transportation Engineers (ITE) publication, *Trip Generation, 9th Edition*, a nationally recognized and adopted reference for forecasting trip generation was used to estimate the peak number of weekday a.m., weekday p.m. and Saturday midday trips for the proposed development. ITE Land Use #220 “Apartment” was used to estimate the number of trips generated by the proposed 260 apartments. The available studies on TODs show a reduction in vehicle trips by as much as 50 percent compared to non-TOD developments. In order to take a conservative approach, this study assumes, due to proximity to mass transit, a reduction in trip generation of 25 percent during a.m. and p.m. peak periods and 15 percent during Saturday midday peak period.

The 260-unit TOD is projected to generate 108 trips (31 entering & 77 exiting) during the a.m. peak hour, 131 trips (80 entering & 51 exiting) during the p.m. peak hour and 115 trips (57 entering & 58 exiting) during the Saturday midday hour.

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#### 1.7.4.3 Level of Service Analysis

The signalized intersections of East Hoffman Avenue at South Wellwood Avenue operates at an overall intersection LOS C during all periods analyzed. There would be no change in LOS from No-Build to the Build condition. When compared to the No-Build, the Build condition overall intersection delay would increase by 0.4 seconds, 0.5 seconds and 0.8 seconds during weekday a.m., p.m. and Saturday midday peak hours, respectively. East Hoffman Avenue at South Pennsylvania Avenue operates at an overall intersection LOS A during all periods analyzed. There would be no change in LOS from No-Build to the Build condition. When compared to the No-Build, the Build condition overall intersection delay would increase by 0.2 seconds, 0.3 seconds and 0.3 seconds during weekday a.m., p.m. and Saturday midday peak hours, respectively. Due to the minimal increases in vehicle delay no mitigation would be required.

The critical approaches at the unsignalized intersections East Hoffman Avenue at South Smith Street and South Smith Street at East Gates Avenue, would operate in the Build Condition at an acceptable overall intersection LOS D or better during all periods analyzed. It is important to note the analytical methodologies used for the analysis of unsignalized intersections use conservative parameters such as long critical gaps. Actual field observations indicate that drivers on minor streets generally accept shorter gaps in traffic than those used in the analysis procedures and therefore experience less delay than reported by the analysis software. Therefore, the results of

this analysis are very conservative and delay on these approaches would likely be less than what is presented in this analysis.

Finally, the critical approaches and movements at the three proposed site accesses would operate at an acceptable LOS C or better during all analysis periods.

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#### 1.7.4.4 Off-Street Parking and Site Circulation

The proposed development would provide 342 constructed spaces, which is 82 more constructed spaces than the 260 spaces that would be required by the proposed DRD. In addition, there would be 39 landbanked spaces that could be constructed if it is determined that more parking is needed to accommodate the parking demand after the project is completed. Of the 342 paved parking spaces that would be provided, 12 would be handicapped-accessible spaces. A total of 51 of the 342 constructed spaces would be located under the east wing of the proposed building, within a parking garage.

Based on other parking demand studies VHB has conducted at similar transit-oriented multifamily developments, and review of published resources, it is anticipated that the number of proposed parking spaces would be adequate to serve the proposed development. Further, on-street parking is, and would likely continue to be available in the vicinity of the proposed development. However, these on-street spaces are not owned or controlled by the Applicant for the proposed development. Since the proposed off-street parking would exceed the required parking, pursuant to the DRD, and the estimated parking demand for the proposed development, and because the on-street parking spaces would not solely be used by the proposed “Lindenhurst Residences,” on-street spaces were not included in the parking analysis. Finally, the configuration of the proposed garage parking layout under the east wing of the building, drive aisles, site access points and internal site roadways would provide for adequate on-site circulation.

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#### 1.7.4.5 Public Transportation

In addition to the LIRR service to Lindenhurst, which is directly across East Hoffman Avenue from the subject property, the proposed “Lindenhurst Residences” project would be well served by Suffolk County Transit buses.

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#### 1.7.4.6 Conclusions

Overall, the analysis concluded the traffic generated by the proposed action could be accommodated by the adjacent roadway network with the proposed access plan identified herein, and the traffic associated with the proposed “Lindenhurst Residences” project is not expected to result in any significant change in the frequency or severity of accidents in the area.

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## 1.7.5 Socioeconomics

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### 1.7.5.1 Population

Upon implementation of the proposed action, and approval of the proposed project, the subject property would be redeveloped with a multifamily residential use that would result in a permanent resident population at the subject property (including school-aged children). The “Lindenhurst Residences” project is projected to generate a residential population of 508± persons, of which approximately eight would be school-aged children.

The projected population at the proposed “Lindenhurst Residences” project would represent an increase of approximately two percent over the most recent (2014) population in the Village. This population would introduce vitality to downtown Lindenhurst, which would represent a positive impact. However, the projected population increase would not be a large enough increase to result in any potential significant adverse impacts to the surrounding area.

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### 1.7.5.2 Employment

Upon implementation of the proposed action, the current commercial and industrial uses on the subject property, would no longer operate at the site. However, it is expected that the existing business, and associated 112 jobs, would relocate elsewhere within the Village or to a nearby community.

Development and operation of the proposed “Lindenhurst Residences” project would result in the creation of new jobs. Construction of the proposed development would provide approximately 660 temporary jobs (i.e., during the construction period), as provided by the Applicant’s calculations, based upon similar projects. According to the Applicant, the proposed residential development would support 47 direct long-term employment opportunities, as well as 23 indirect long-term employment opportunities. Thus, the 260-unit residential community is expected to generate approximately 70 permanent (direct and indirect) jobs.

As such, it is anticipated that the proposed “Lindenhurst Residences” project would provide employment opportunities to people in the surrounding area of the subject property, resulting in a beneficial economic impact.

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### 1.7.5.3 Property Taxes

According to market/tax analysis for the proposed development, the full market value of the proposed “Lindenhurst Residences” project would be \$52,109,276. The projected assessed value of the proposed development would be \$620,100 for the

Town of Babylon and \$880,647 for the Village of Lindenhurst. Based on the foregoing, implementation of the proposed action is anticipated to result in total annual property tax revenues of \$1,982,065 at the subject property, representing a net increase of \$1,596,000 over existing conditions. With no changes in assessments, these rates are likely to increase over time. Thus, implementation of the proposed action is expected to have a positive fiscal impact, including that increased tax revenues would benefit the community service providers (e.g., police, fire protection and ambulance providers and the local school district) serving the site.

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## 1.7.6 Community Facilities and Services

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### 1.7.6.1 Educational Facilities

The Lindenhurst Union Free School District (UFSD) serves the subject property. Currently the subject property does not generate school-aged children. It is expected that eight school-aged children would reside at the subject property upon implementation of the proposed action. Based on the 2012-2013 estimated instructional expenditure per general education student for the UFSD of \$12,268, the proposed action's total impact to the UFSD is projected to be \$98,144. Based on the portion of the program costs paid by the local real estate property tax of approximately \$7,729 per pupil, that impact would be \$61,832. The total tax revenues projected to be provided to the UFSD is \$1,406,986, which is \$1,136,071 more than the existing taxes. Therefore, implementation of the proposed action is expected to have a net positive fiscal impact of \$1,074,240 on the Lindenhurst UFSD.

Further, based on the declining student enrollment within the UFSD over the last decade (i.e., a decrease of over 1,100 students over that time period), the projected addition of eight school-aged children resulting from the proposed action is not expected to adversely impact capacity within this district.

Based on the foregoing, no significant adverse impacts to the Lindenhurst UFSD are anticipated as a result of the proposed action.

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### 1.7.6.2 Police Protection

The Suffolk County Police Department (SCPD) – 1<sup>st</sup> Precinct, which serves the subject property, is expected to receive approximately \$181,133 annually from the proposed action, which is approximately \$146,256 a year higher than the existing condition. This additional tax revenue is expected to assist in off-setting the cost of the potential provision of additional police services to the proposed “Lindenhurst Residences” project. Furthermore, security measures would be employed at the proposed development, including CCTV cameras and security gates at the garage level of the building. In addition, correspondence from Inspector Mathew Lewis, Commanding

Officer of the SCPD – 1<sup>st</sup> Precinct, dated May 25, 2016, indicated that the “SCPD has capacity to adequately serve the project.” Therefore, the proposed action is not anticipated to result in any adverse impacts to police.

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### 1.7.6.3 Fire Protection and Emergency Medical Service

The Lindenhurst Fire Department provides fire protection and emergency medical service to the subject property. The proposed action would provide approximately \$154,377 in property taxes to the Village General Fund, annually, which should help to off-set the potential costs in providing additional fire protection and ambulance services to the proposed development (approximately \$122,449 a year higher than the existing condition. This additional tax revenue is expected to assist in off-setting the cost of the provision of additional fire protection and ambulance services to the proposed development.

Furthermore, the proposed building would be constructed to the latest New York State Building and Fire Code, and would be sprinklered. All access drives would be compliant with regulations and standards required for firefighting equipment and emergency service vehicles, and full vehicular circulation is provided throughout the subject property. Based on the foregoing, the proposed action would not have any adverse impacts with respect to fire protection and emergency medical services.

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## 1.7.7 Noise

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### 1.7.7.1 Noise Chapter of the Code of the Incorporated Village of Lindenhurst

The Village’s noise ordinance would be used as guidance for establishing the hours of construction activities, which indicates in §113-4 that noises due to construction activities are permitted between the hours of 7:00 a.m. and 9:00 p.m. Construction of the proposed “Lindenhurst Residences” project would comply with the relevant Village noise regulations. Further, under post-development conditions, as the proposed action would be a residential use, typical noises associated with the proposed “Lindenhurst Residences” project would also comply with the Village’s noise schedule in Chapter 113 of the Village Code.

Thus, no impacts associated with noise generation from construction of the proposed “Lindenhurst Residences” are expected.

Construction activities for development of the proposed “Lindenhurst Residences” project may result in temporary increases of nearby sound levels. The proposed action is expected to generate typical sound levels from construction activities. Due to the

location of the subject property along a commercial/industrial corridor and across from the LIRR tracks, it is unlikely that noises associated with construction of the proposed development would result in significant adverse impacts. Construction activities beyond normal daytime work hours would be minimized to the extent practicable and would adhere to local noise regulations. Construction vehicles and equipment would be required to maintain their original engine noise control equipment. In addition, the Applicant for the proposed development would employ BMPs to reduce or minimize noise from construction activities.

After construction of the proposed development is complete, the noise conditions of the site would be characteristic of a residential use. While existing noises generated from the industrial and commercial uses on the subject property may, at times, exceed ambient noise levels, the ambient noise from the proposed “Lindenhurst Residences,” would likely be limited to noises typical of such uses (e.g., landscape equipment, music, loud talking, etc.). The proposed “Lindenhurst Residences” project’s outdoor recreational area and roof deck would be expected to generate similar such noise, as typical of residential uses.

Overall, and based on the foregoing, the proposed development would not be anticipated to generate significant adverse noise impacts, given the residential nature of the development, and thus, would not pose a significant adverse impact to neighboring sensitive noise receptors. With respect to potential noise impacts to future residents of the proposed “Lindenhurst Residences” project, the proposed development would be constructed across East Hoffman Avenue from the LIRR tracks. Therefore, potential noise impacts to future residents could include a combination of noise from traffic along surrounding roadways, people talking on the subject property, including in the outdoor recreational area and on the roof deck, and noise generated by arriving, departing, and passing LIRR trains. The design of the building would employ BMPs such that interior noise levels would be minimized to the extent practicable.

Given implementation of BMPs in building construction, it is anticipated that there would not be significant adverse noise impacts, including those to future residents of the proposed “Lindenhurst Residences” project due to operation of the LIRR.

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### 1.7.8 Aesthetics and Visual Resources

The proposed “Lindenhurst Residences” project would include a blend of architectural styles with the intent of breaking down the overall massing of the proposed residences. Without attempting to strictly adhere to a traditional or contemporary design, the design of the proposed “Lindenhurst Residences” would be more transitional. The proposed building would reach a top height of 54-feet-10-

inches<sup>10</sup> with brick generally along the first and second floors, a mix of white stucco and grey wood paneling along the third and fourth floors, as well as grey colored roofing material. The scale of the proposed “Lindenhurst Residences” project design would be benefited by the various unique details that would be found throughout the building, and would be of a design that portrays one identity throughout. These varying unique elements would break down the scale of the building and provide for a number of different experiences. Each corner on East Hoffman Avenue would have its own distinguishing element.

The building height, at almost 55 feet above average grade, would be one of the taller buildings in the area. It should be noted that there are several three-story buildings along East and West Hoffman Avenue, north and south of the LIRR. With regard to building mass, there are several existing buildings in the area that have large building coverages, including the neighboring self-storage facility to the east, the former supermarket to the north of the LIRR tracks, and the adjacent industrial building to the south of the subject property. Further, while the proposed building is larger in scale than most of the buildings in the area, its location along East Hoffman Avenue, in the vicinity of the LIRR, is appropriate, as most of the larger buildings within the Village are situated along the major transportation corridors. Also, several techniques and materials have been incorporated into the design of the proposed development that would help to soften the appearance and scale of the proposed residential building. The proposed development would include the implementation of comprehensive landscaping, especially along East Hoffman Avenue, as well as within the courtyard and the outdoor area surrounding the restored creek. While the proposed building would still be visible in the surrounding area, the landscaping and architectural style of the building would create a vibrant appearance and an attractive streetscape.

Overall, the proposed “Lindenhurst Residences” project would enhance the appearance of the property and improve the aesthetic character of the area. Therefore, no significant adverse visual impacts are anticipated.

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## 1.8 Cumulative Analysis

The DRD may be established, extended, or expanded within the area bounded on the north by East Hoffman Avenue, on the east by South Pennsylvania Avenue, on the south by East Gates Avenue, and on the west by South High Street. Any area proposed for expansion or extension of a DRD must be located within these boundaries and must adjoin (i.e., be located either adjacent to or across the street from) an existing DRD. The minimum land area required for the establishment of a DRD is six acres, except that there is no minimum land area required for the addition

▼  
<sup>10</sup> The 54 foot, 10 inch building height is measure from the average grade. Based on the Village criteria for determining building height, the maximum height of the proposed building is 57 feet 6 inches, as measured from the lowest point of grade on South Pennsylvania Avenue.

of lands to an existing DRD where such addition is being proposed by the developer of the existing DRD, or by an affiliate under common ownership or control with such developer. However, any site proposed for establishment of a DRD must be of such shape, dimension, topography, and location as would allow for an appropriate and attractive development.

In addition to the subject property, the boundaries of the proposed DRD include:

- The parcel between the subject property, South Smith Street and East Gates Avenue, which is approximately 2.20 acres
- The parcels between East Hoffman Avenue and East Gates Avenue and between South High Street and Travis Street, which total approximately 4.53 acres
- The parcels between East Hoffman Avenue and East Gates Avenue and between Travis and Smith Streets, which comprise approximately 4.19 acres.<sup>11</sup>

The area that could potentially be rezoned to DRD is limited in size and location (specifically, proximate to the LIRR). Based on the review of potential eligible areas, as described above, it does not appear that the creation of the DRD within the Village of Lindenhurst would establish a significant precedent for future development actions within the Village.

The DRD, as a floating zone, is subject to approval by the Village Trustees in each case and in accordance with an approved conceptual development plan. Moreover, any future development or redevelopment of a parcel(s) under the proposed DRD would be subject to an environmental review process, as required by the proposed DRD. Therefore, if the DRD is adopted by the Village of Lindenhurst, site-specific review of future proposed projects would provide a means for control over and comprehensive environmental review by the Village.

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## 1.9 Alternatives and Their Impacts

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### 1.9.1 No-Action Alternative

Under the no-action alternative for the proposed project development, which is required to be discussed, the site would remain as it is currently developed. The no-action alternative is inconsistent with the Applicant's right to pursue development/redevelopment of the site, does not meet the objectives of the Applicant, would result in adverse financial impacts to the Applicant, and, as such, is not viewed

▼  
<sup>11</sup> These figures do not include the area of the roadways.

to be a feasible alternative by the Applicant. Nevertheless, as required, the no-action alternative and its potential impacts are discussed below.

Implementation of the no-action alternative would result in no disturbance to the land. As such, the on-site soils and topography (grade) would remain unchanged. Thus, there would be no significant adverse impact to soils or topography. With respect to environmental conditions, since the no-action alternative involves leaving the site as is, potentially hazardous materials on the site would remain, if, or until, the buildings are redeveloped or removed.

Under the no-action alternative, the existing uses on the site would continue to demand potable water (currently 12,413± gpd) and generate sewage effluent (currently 12,413± gpd). Water would continue to be supplied by the SCWA, and sewage effluent would be disposed of via connection to the Southwest SD. Drainage would continue to occur via on-site stormwater drainage structures and sheet flow into Neguntatogue Creek. While there would be no change in the quantity of stormwater runoff, the quality may continue to degrade, as the existing buildings continue to deteriorate. Despite continued, and potentially increasing adverse impacts related to stormwater quality and conditions within the Neguntatogue Creek, the no-action alternative would be unlikely to result in a significant adverse impact on water resources.

Under the no-action alternative, the site would continue to be zoned predominantly industrial and occupied by several industrial and commercial uses, within seven buildings. The southeastern portion of the site, which is currently undeveloped and zoned as “C” Residence, would remain undeveloped in the no-action alternative, similar to the proposed action. While viable businesses are present on the site, several of the existing buildings (or portions of buildings) are vacant. For analysis purposes, it was assumed that the vacant spaces would not be reoccupied, since the market for the redevelopment of industrial properties with industrial uses is limited. The predominantly industrial character of the site would not change under the no-action alternative, since there would be no change to the existing development. Under the no-action alternative, there would be no redevelopment of the site into a cohesive, attractive residential community, as would occur in the proposed action. Although, the no-action alternative would not pose the same benefits to land use, zoning, and community character that could be afforded by the proposed action, conditions would be unchanged compared to current uses, and; therefore, the no-action alternative would have no significant adverse impact on land use, zoning, and community character.

Under the no-action alternative, traffic and parking conditions associated with current on-site activities would be unchanged compared to current conditions. The two existing signalized intersections would operate at an overall intersection LOS D or better, and the two unsignalized intersections would operate at an acceptable overall intersection LOS C or better. As such, the no-action alternative would have no significant adverse impact on transportation.

Consistent with the existing condition, the no-action alternative would not establish residential units on the subject property. Since multifamily housing would not be developed on the site, the no-action alternative would not help to provide housing alternatives to the predominately single-family, for-sale housing stock that exists in the Village. Although the no-action alternative would not provide the same socioeconomic benefits, as the proposed action, such as increased tax revenues, it would support more full-time equivalent jobs and would not change conditions compared to existing uses. Therefore, the no-action alternative would have no significant adverse impact on socioeconomics resources.

The operation of the subject property, under the no-action alternative, would be consistent with existing conditions, therefore, there would be no change in demand for community services and facilities. Further, because there would continue to be no permanent population or school-aged children associated with the site, there would be no need for educational services, as would be the case under the proposed action. The site requirements with respect to police and fire protection, as well as emergency medical services, would be consistent with current conditions under the no-action alternative. Therefore, no significant adverse impact to community services would be expected under the no-action alternative.

Noise levels associated with the existing condition are minimal and do not represent a significant adverse impact on the subject property or surrounding areas. Since there would be no change in the use of the subject property under the no-action alternative, the ambient noise levels on the site would not change. Therefore, the no-action alternative would have no significant impact on noise.

The aesthetics of the site under the no-action alternative would be consistent with the existing condition. As there would be no change to aesthetics, the subject property would maintain a visual character that would continue to negatively contribute to the overall appearance of the surrounding area. Furthermore, the comprehensive landscaping plan that would provide aesthetic benefits under the proposed action would not occur in the no-action alternative. Although under the no-action alternative, the aesthetics would be less visually pleasing than those associated with the proposed action. Further, since the conditions would be consistent with what currently exists, and on-site buildings may continue to deteriorate and invasive thicket vegetation would persist without being managed, there potentially could be significant adverse impact on aesthetics and/or visual resources due to the no-action alternative.

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### 1.9.2 Maximum Development Under Prevailing Zoning

The Maximum Development Under Prevailing Zoning alternative examines the potential impacts associated with developing the Industrial-zoned portion of the subject property with an office building, which is one of the uses permitted in the

Industrial Zoning District. Due to the presence of the creek on the “C” Residence-zoned tax lot 045.006, as well as its size and configuration, it is unlikely that it could be developed. Therefore, consistent with both the existing condition and the proposed action, this alternative assumes the residentially-zoned portion of tax lot 045.006 would remain undeveloped. Based on the Village Code zoning requirements, including a maximum permitted 50 percent building coverage and a height limit of 24 feet, and considering the need for one parking space per 150 square feet of building area, the resulting alternative would consist of a 100,000-SF, two-story office building (50,000-SF footprint) with 667 associated parking spaces, most, if not all of which are proposed to be surface parking spaces.

The impacts to soils and topography from implementation of this alternative would be similar to those of the proposed action, as much of the site would be regraded in connection with the redevelopment. However, nearly the entire subject property has been previously disturbed by various earth-moving and construction activities, no significant impact to any naturally-occurring soils or topographic features would be expected to occur. It is anticipated that the majority of parking in this alternative would be surface parking, and, therefore, there would be less pervious surface (and less landscaping) in this alternative, than that associated with the proposed development. Consistent with the proposed action, an erosion and sedimentation control plan would be developed and implemented as part of the overall SWPPP. The measures included in the plan would be similar to those for the proposed action. With respect to subsurface conditions, the same investigations/remediation required for the proposed action would be undertaken upon implementation of this alternative.

In general, impacts to groundwater for this alternative would be similar to those associated with the proposed action, since both development scenarios would be connected to public water and served by the municipal sewer system. Furthermore, development would occur in accordance with the *208 Study*, the *NURP Study*, the *Handbook*, and applicable regulations. Post-construction sanitary sewage generation for this alternative would be approximately 6,000 gpd, which is approximately 53,000 gpd less than the proposed action (59,175± gpd) would generate. Water use (less irrigation) would be approximately the same as sewage generation, which would also be less than usage associated with the proposed action. As with the proposed action, a SWPPP would be prepared, which would include erosion and sedimentation controls, methods to accommodate stormwater during construction, and post-construction stormwater management controls. The installation of leaching galleys and regrading activities would control and direct water flow on-site to minimize the impacts associated with overland flow.

Since office buildings are permitted within the Industrial Zoning District, the proposed use would be compatible with the zoning. Other offices are located within the general area, so that the use would blend with the uses in the surrounding area. However, most of the offices, industrial, and even retail uses (with a few exceptions) do not contain as large areas of surface parking. In addition to its consistency with existing land use and zoning, this alternative would have no significant adverse

impact on community character. Although the 50,000 SF (footprint) office building would be larger than the existing individual structures on the subject property, the overall square footage of the subject property occupied by the building would be approximately the same as under current conditions. Further, the use and size of the structure would be consistent with existing commercial and industrial development in the vicinity of the subject property. Consolidating development on the subject property into one building, compared to the seven existing smaller buildings, could give the subject property a less densely developed appearance, thereby, potentially improving community character.

This alternative is anticipated to generate 149 vehicle trips in the a.m. peak hour, and 142 vehicle trips in the p.m. peak hour.<sup>12</sup> Both of these figures are higher than the proposed action (108 in the a.m. peak hour and 131 in the p.m. peak hour)<sup>13</sup> The Saturday peak hour generation for the office building would be 43, which is much lower than the proposed action (115). In addition, while the proposed action would include 381 parking spaces (of which 39 would be landbanked), an office building of this size would require 667 parking spaces, 75 percent more than proposed. It is assumed that most, if not all of these parking spaces would be surface spaces, while 51 spaces of the total 342 surface parking spaces in the proposed action would be under the building.

A 100,000-SF office building is expected to generate approximately 300 permanent jobs. This is higher than that of the proposed action, which is projected to generate 47 full time equivalent jobs. Unlike the proposed action, there would be no permanent population or school-aged children associated with implementation of this alternative. This alternative is estimated to have a full market value of \$16,012,174, which would generate \$609,051± in annual property taxes; which is an increase of \$222,987± over the existing condition. Therefore, based on the above, it is expected that this alternative would not have a significant adverse impact on socioeconomics. However, it should be noted that the proposed “Lindenhurst Residences” project would result in greater tax benefits to the various taxing jurisdictions (revenues of \$1,373,014± per year higher) as compared to the Maximum Development Under Prevailing Zoning alternative.

Since the operation of the site under this alternative would not involve substantially different uses as under the existing conditions, there would be no change in demand for community services and facilities. Further, there would continue to be no permanent population associated with the site, therefore, there would be no need for educational services. The site requirements with respect to police and fire protection, as well as emergency medical services, would be consistent with current conditions under this alternative. Therefore, no significant adverse impact to community services would be expected under this alternative.



<sup>12</sup> The ITE trip generation rates for the office building were adjusted down by 5% for the weekday peak hours and 0% for the Saturday peak hour to account for the effect of transit-oriented development.

<sup>13</sup> The ITE trip generation rates for apartment rentals were adjusted down by 25% for the weekday peak hours and 15% for the Saturday peak hour to account for the effect of transit-oriented development.

Since the subject property would be developed with an office building, not a use known for generating significant noise, it is not expected that this alternative would result in either a significant change in noise from the existing condition, or a significant noise impact, in general. The development of the office building would be consistent with commercial and industrial uses in the vicinity of the subject property, and it is anticipated that associated noise would be consistent or less than that generated elsewhere in the industrially-zoned area.

The two-story office building would fit in with the aesthetic character of the subject property and surrounding area, as most of the buildings in the area are either one or two stories in height. Most of the buildings in the area (whether office, industrial or retail) do not have large open parking areas (with a few exceptions). An office building with approximately 667 surface parking spaces would have a different aesthetic character than other uses in the neighborhood, although there are a number of smaller surface parking areas associated with buildings located in the surrounding area. The consolidation of development on the subject property into one building (instead of the existing seven smaller buildings), would give the site a less densely developed appearance. Further, although the office building would likely be constructed in a style similar to existing development on the site and the surrounding area, the newer structure would support improved aesthetics conditions. As such, this alternative would have no significant impact on aesthetics and/or visual resources.

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## **1.10 Use and Conservation of Energy**

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### **1.10.1 Energy Consumption and Energy Providers**

Currently, PSEG-Long Island and National Grid provide electricity and natural gas service, respectively, to the subject property, and would continue to serve the site upon implementation of the proposed action.

Development of the proposed “Lindenhurst Residences” project would likely increase energy use on the subject property. The Applicant would also consult with PSEG-Long Island and National Grid, prior to development, to obtain confirmation that the aforementioned providers would be able to accommodate energy needs for the proposed “Lindenhurst Residences” project.

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### **1.10.2 Energy Conservation and Sustainability Elements**

The following sustainability measures have been incorporated into the design of the proposed “Lindenhurst Residences” project:

#### Water Efficiency

- Outdoor: Greater than 50 percent of landscaped area would include native plants; less than 40 percent of landscaped area would be turf.
- Indoor: The building would incorporate high efficiency fixtures for lavatories, faucets, showers, and toilets, and would use ENERGY STAR dryers.

#### Sustainable Site Elements

- Rainwater management: Drainage systems at the site would include catch basins, trench basins, and leaching chambers, which would serve as permanent infiltration or collection features.
- Nontoxic pest control: Using solid concrete walls below grade, all cracks would be sealed at foundations, and all rain gutters and condensate lines would discharge a minimum of 24 inches from foundations.
- Heat island effect reduction: ENERGY STAR qualified roof products and pavers and plantings and landscaped areas would help maintain cooler temperatures, minimizing the heat island effect.
- The proposed development would be connected to the municipal sewer system, which is already connected to the subject property.

#### Access

- The building is located such that there would be excellent access to public transit (LIRR train station across the street; bus in close proximity), which would encourage residents' use of public transportation and potentially reduce the number of vehicles on nearby roadways, leading to less pollution, including carbon emissions.
- The location of the proposed building would provide pedestrian-friendly access to community resources and the local "downtown."

#### Energy

- There would be gas and electrical meters in each unit. Separate metering allows tenants to pay for the energy they actually use. It is anticipated that this would lead to lower utility usage, resulting in environmental benefits due to less pollution from energy creation.

#### Materials

- A construction waste management plan would be implemented.
- Asphalt pavement to be removed during demolition would be ground up and reused as recycled aggregate.
- The majority of materials would be sourced locally.

#### Indoor Environmental Quality and Energy Efficiency

- The proposed building would incorporate the following measures with regard to indoor air quality and energy efficiency:

- Ventilation to promote healthy indoor air quality through introduction of cleaner air
- Combustion venting to constrain the leakage of combustion gases in the building
- Garage pollutant protection to minimize exposure to indoor pollutants
- Air filtering to enhance the quality of indoor air
- Compartmentalization, which involves sealing gaps in interior building walls between individual apartments to minimize the “stack effect” (i.e., the tendency of temperature differences between the inside and outside of multi-level buildings to create pressure differences and drive air infiltration); inhibit the passage of secondhand smoke, odors, other pollutants between apartments; reduce sound transmission between apartments; impede the movement of pests and vermin between apartments; and improve fire safety, as the passage of high temperature smoke and gases would be prevented; and
- Balancing of heat and cooling distribution to enhance thermal comfort and energy efficiency by allowing for suitable circulation of space heating and cooling in the building.

#### Additional “Eco-Friendly” Attributes

- The proposed “Lindenhurst Residences” project would include habitat restoration of Neguntatogue Creek (in close coordination with the NYSDEC)
- The proposed building would provide for bicycle storage, to help encourage bicycle use and potentially reduce automobile use; and
- The on-site parking areas would include designation of parking spaces for “eco-friendly” vehicles.

# 2.0

## Description of the Proposed Action

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### 2.1 Introduction

This Voluntary Draft Environmental Impact Statement (VDEIS) has been prepared in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 New York Codes, Rules and Regulations (NYCRR) Part 617 for the action contemplated herein. This VDEIS was prepared in accordance with 6 NYCRR §617.6(a)(4), which states “[a]n agency may waive the requirement for an EAF if a draft EIS is prepared or submitted. The draft EIS may be treated as an EAF for the purpose of determining significance.” This VDEIS sets forth existing conditions of the subject property and surrounding area, evaluates the potential significant adverse impacts associated with implementation of the proposed action, provides mitigation measures for those impacts identified as significant and adverse, and considers alternatives to the proposed action.

The proposed action consists of the adoption, by the Village Trustees of the Village of Lindenhurst (the “Village Trustees”), of a “floating zone” district in the Village of Lindenhurst (the “Village”) to be known as the “Downtown Redevelopment District (DRD);” the establishment, as a DRD, of approximately 7.14 acres of contiguous land bounded on the north by East Hoffman Avenue, east by South Pennsylvania Avenue, west by South Smith Street and Parcel No. 0103-010.00-04.00-044.000 on the Suffolk County Tax Map, and south by East Gates Avenue and Parcel No. 0103-010.00-04.00-044.000 on the Suffolk County Tax Map (hereinafter the “subject property” or the “site”), as shown on Figures 1 and 2; and the proposed future development of the subject property, pursuant to the DRD zoning, as a 260-unit rental residential community to be known as the “Lindenhurst Residences” (also referred to in this VDEIS as the “proposed development”).

The subject property is designated as Parcel Nos. 0103-010.00-04.00-045.001, -045.003, and -045.006 through -045.010 on the Suffolk County Tax Map (see Figure 2), and is primarily within the Village's Industrial Zoning District. The exception is a portion of Tax Parcel 045.006 (at the southeast corner of the subject property), which is within the Village's "C" Residence Zoning District.



## Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757  
VHB Ref. 29685.00



1 inch = 164 feet  
0 55 110 220 Feet  
North American Datum, 1983 -  
New York Long Island State Plane

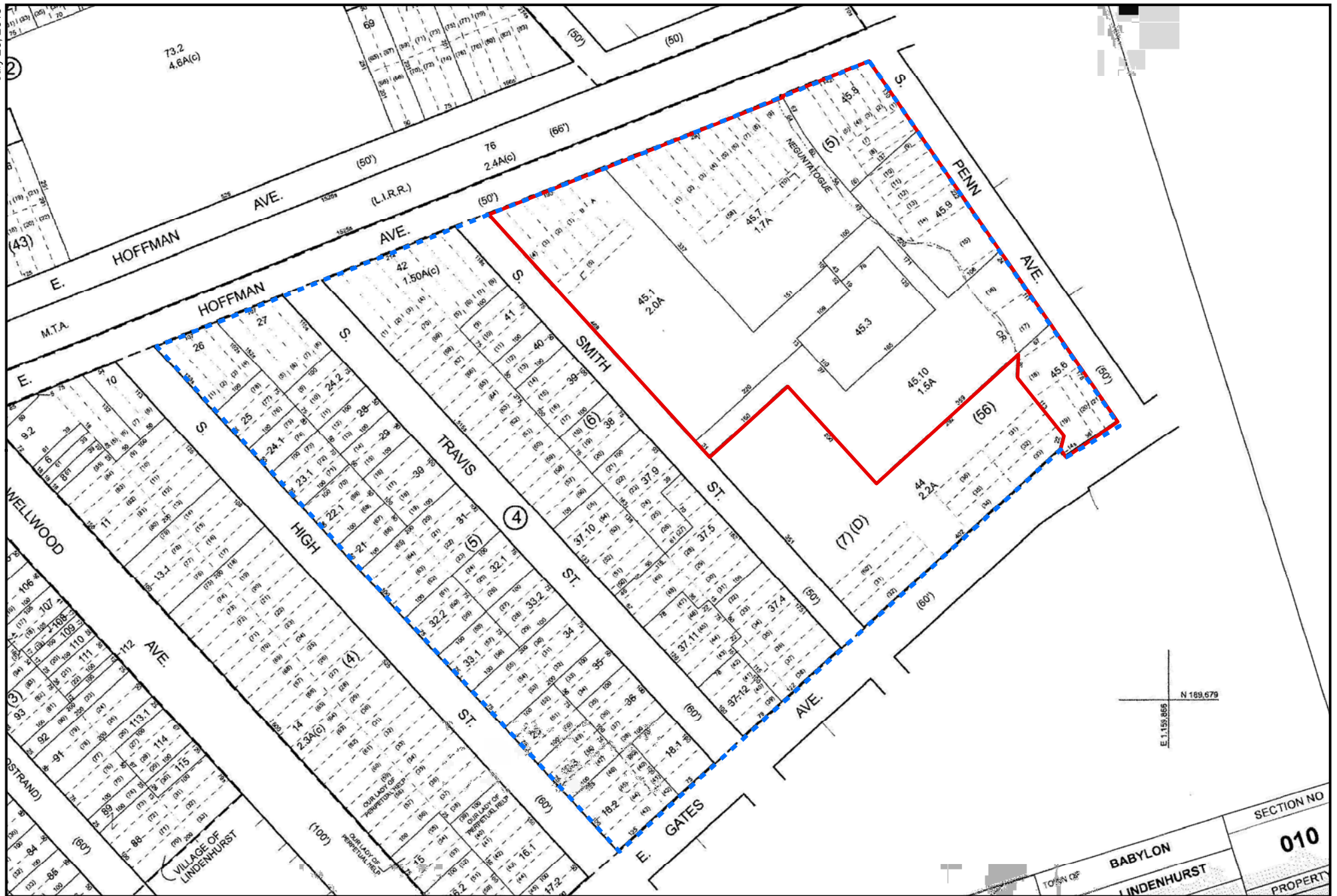
### Legend

Subject Property

Figure 1 - Site Location



SOURCES: (1) 2013 Aerial; 2013  
NYS Digital Ortho-imagery, NYSITS,  
2013. (2) Streets: NYSITS, 2014.



## Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757  
VHB Ref. 29685.00



1 inch = 194 feet  
0 65 130 260 Feet  
North American Datum, 1983 -  
New York Long Island State Plane

### Legend

- Subject Property
- Proposed DRD Boundary

SOURCE: (1) Suffolk County Real  
Property 2013 Town of Babylon Tax Map  
Album, District 0103, Section 010.00



Figure 2 - Suffolk County Tax Map Excerpt

## 2.2 Brief Site History and Existing Conditions

The 7.14±-acre subject property is on the south side of East Hoffman Avenue, opposite the Lindenhurst Long Island Rail Road (LIRR) station, between South Smith Street, to the west, and South Pennsylvania Avenue, to the east.

Historically, the surrounding area was primarily an agricultural community until the 1860s, when the completion of a single rail road track in 1867 improved access to Lindenhurst and led to increased commercial development in the vicinity of the train station.<sup>14</sup> According to information from the Sanborn Fire Insurance Maps, reviewed in the *Phase I Environmental Site Assessment*,<sup>15</sup> the subject property, itself, has been developed with manufacturing uses at least since 1902, at which time there were three buildings, heated by coal, comprising the Vulcanite Manufacturing Company, a manufacturer of metal novelties. By 1949, the subject property was occupied by Lakeville Manufacturing Company, a cabinet manufacturer, and then, by 1968, maps indicate that a portion of the site was occupied by the Lakeville Industrial Park lofts, which contained industrial uses.

Between 1902 and 1948, a railroad siding was located east of the buildings on the subject property. By 1908, there were two additional buildings associated with the manufacturing use on the subject property, by that time known as Vulcanite Manufacturing Company Mutual Risk. A water tank and an iron chimney were also located on the site from 1902 until approximately 1949. These structures are assumed to have been associated with the Vulcanite Manufacturing Company. Subsequent to the initial development of the site for manufacturing, additional uses of the site have included a variety of industrial, light industrial, warehouse/storage, and commercial uses. Various building configurations have been constructed at the subject property since its initial development.

Expansion of the main building on the site occurred by 1915, and, at 85 East Hoffman Avenue, the site was also developed with a building occupied by the Chas. Wood & Company, Lumber and Building Material operation. By 1925, structures associated with coal storage on the subject property were removed, and the building at 85 East Hoffman Avenue was identified as occupied by Suffolk Lumber Company. Maps from 1933 identified the building as the Nassau-Suffolk Lumber Supply Company.

Residential dwellings adjoined the site, to the west, beginning in 1902. Beyond the residential development, between 1902 and 1968, were additional manufacturing uses, followed by a pattern of further commercial/industrial development and accessory structures in the surrounding area. By 1908, adjoining railroad tracks had



<sup>14</sup> New York State Governor's Office of Storm Recovery (prepared by Jacobs and Cameron Engineering & Associates, LLP), *Village of Lindenhurst NY Rising Community Reconstruction Plan*, March 2014; available from [www.stormrecovery.ny.gov/nysrcr](http://www.stormrecovery.ny.gov/nysrcr).

<sup>15</sup> FPM Group, *Phase I Environmental Site Assessment*; Ronkonkoma, NY: March 2015.

been constructed to the north of the subject property, and accessory stables and coops were present to the west, along South Smith Street, although, between 1915 and 1933, the stables and coops were replaced by garages.

The subject property is comprised of seven tax map parcels within District 103, Section 10 and Block 4 of the Suffolk County Tax Map, as shown in Figure 2. Tax lots 045.001, 045.003 and 045.007 through 045.010, and a portion of tax lot 045.006 are within the Industrial Zoning District, and the southern portion of tax lot 045.006 is within the "C" Residence Zoning District. The site is currently developed with commercial, light industrial, and vacant uses, and also includes small undeveloped wooded areas proximate to Neguntatogue Creek. According to the Land Title Survey by Sidney B. Bowne & Son, LLP (see Figure 3 and Appendix A), there are seven existing buildings on the subject property, totaling 90,473 square feet ("SF") of building coverage on the site, as follows:

- Buildings 1 and 2 are located on tax lot 045.001
- Building 3 is located on tax lot 045.003
- Natural vegetation and a creek (the stream bank on-site consists of 183± feet of concrete banks and 487± feet of natural banks) are situated on tax lot 045.006
- Building 6 is located on tax lot 045.007
- Building 7 is located on tax lot 045.008
- Building 4 is located on tax lot 045.009
- Building 5 is located on tax lot 045.010

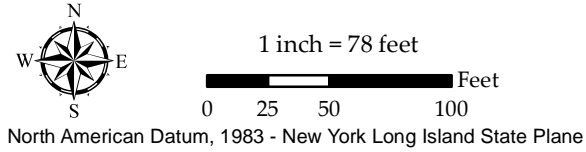
A description of each building is provided below.



Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst  
Suffolk County, NY 11757

VHB Ref. 29685.00



**Legend**  
[Red outline] Subject Property

Figure 3 - Survey

**SOURCE S:** (1) ALTA/ACSM Land Title Survey of property at 75 East Hoffman Ave., Sidney B. Bowne & Son, LLP., dated January 6, 2016.

- Building 1 – a 32,312±-SF, multi-level (one- to three-stories tall), brick and concrete block building, containing:
  - Lakeville Industries, Inc., a kitchen and bath showroom;
  - Madison Heights Fashion (owned by NYC House of Style), a warehouse for a second-hand apparel company; and
  - Vacant space.
  - Individualized Family Care, a special needs education facility was formerly a tenant of Building 1, however, the lease was terminated on May 31, 2016.
- Building 2 – a one-story, 4,754±-SF building, contains additional space for the companies housed in Building 1, as well as vacant space.
- Building 3 – a one-story, 12,982-SF masonry building, containing:
  - United Door Opening, warehouse space for the window and door company; and
  - RC Sports, an indoor sports training facility.
- Building 4 – a one-story, 12,983-SF masonry building, containing warehouse space for Lakeville Industries, Inc., the kitchen and bath showroom.
- Building 5 – a one-story, 25,958±-SF masonry building, containing warehouse space for Tribeka Nik, a supplier of second-hand books and textiles.
- Building 6 – a one-story, 25,814±-SF concrete block building, containing:
  - Saberin, a technology company that creates custom software for the financial industry;
  - POM Recoveries, an accounts receivable firm;
  - Lextron North, an office and machine shop for a light manufacturing company that creates electronic components; and
  - Vacant storage space.
- Building 7 – a one-story, 6,382-SF brick restaurant building, containing Duffy's Ale House restaurant (owned by Gatts LLC), which has seating for 235 patrons.

Sheds, metal containers, concrete curbs and walkways, and limited landscaping are also located on the overall subject property. In addition, parking areas are located throughout the site, proximate to the existing buildings, providing a total of 182 standard parking spaces and two handicapped parking spaces. An internal private road, known as Mal Drive, which is associated with a maintenance agreement and access easement, is also present on the site.

As shown above, the majority of the buildings on the subject property are occupied by commercial and industrial uses, which generate a total of 112 jobs, according to estimates from the current property owner (see Section 3.5.1 of this VDEIS for

additional details). As noted, portions of some buildings on the subject property are currently vacant.

Neguntatogue Creek, a New York State Department of Environmental Conservation (NYSDEC)-classified creek, also traverses the site on portions of tax lots 045.007, 045.008, 045.009 and 045.010, and through the length of tax lot 045.006. The creek flows southeasterly across the site from between Buildings 6 and 7, and continues southeasterly along the southwest elevation of Building 4, where sloped concrete banks have been installed along both sides of the creek. Proximate to the south corner of Building 4, the creek is diverted east-southeast for approximately 90 linear feet by a sub-grade culvert that runs beneath asphalt pavement. The creek exits the culvert proximate to the northeast corner of Building 5, where it continues above-ground between sloped concrete banks along the northeast elevation of Building 5. In the southeastern portion of the site, the creek runs along the undeveloped western length of tax lot 045.006. NYSDEC regulates Neguntatogue Creek as both a stream and a wetland. Therefore, consultations have been undertaken with the NYSDEC with respect to the proposed action. This is described in more detail in Section 3.2.2 of this VDEIS.

Existing land coverages on the subject property are described in Table 1 below.

**Table 1 - Existing Land Coverages**

Type of Coverage	Acres/(Percent)
Roads, Buildings and Other Paved Surfaces	5.88± / (82)
Forested	0.34± / (5)
Surface Water/Wetlands Area	0.40± / (6)
Unvegetated (rock, earth, fill)	0.06± / (1)
Landscaping	0.45± / (6)
<b>TOTAL</b>	<b>7.14± (100)</b>

Source: VHB

The land uses in the area immediately surrounding the subject property include: East Hoffman Avenue to the north, followed by the Lindenhurst LIRR station and elevated train tracks, with office and commercial uses, fuel storage tanks and a public parking lot located beyond; South Smith Street to the west, followed by the Lindenhurst United States Post Office (USPS), a two- to three-family residence, a tax preparation business, a taxi and limousine company, and a multifamily residential building; a vacant light industrial building and a landscaping supply warehouse use to the southwest, followed by South Smith Street, a vacant lot and the Edward F. Kienle Lindenhurst Youth Center building and outdoor basketball courts located beyond; South Pennsylvania Avenue to the east, followed by a self-storage facility, a printing company, and a food importing company; and East Gates Avenue to the south, followed by the Alleghany Avenue Elementary School. A detailed discussion of the existing land use of the subject property and the surrounding area is provided in Section 3.3.1.2 of this VDEIS.

Based on information provided by the Village<sup>16</sup>, and visual observations of the site and surrounding area, a 16-unit senior housing complex is currently under construction on South Smith Street, immediately west of the site. There are no other known planned developments in the vicinity of the subject property.

The subject property is within the jurisdiction of the following service providers:

- School: Lindenhurst Union Free School District (UFSD)
- Library: Lindenhurst Memorial Library
- Fire and Ambulance: Lindenhurst Fire Department
- Police: Suffolk County Police Department – First Precinct (SCPD – 1<sup>st</sup> Precinct)
- Water: Suffolk County Water Authority (SCWA)
- Sewer: Suffolk County Southwest Sewer District No. 3 (Southwest SD)

The parks and recreation and health care facilities that are available in the vicinity of the site are as follows:

- Irmisch Park, located on South 3<sup>rd</sup> Street, approximately 0.32-mile southwest of the site;
- Village Park, located on North Alleghany Avenue, approximately 0.25-mile north-northwest of the site;
- Fireman’s Park, located on Heiling Boulevard, approximately 0.62-mile north-northwest of the site;
- Neguntatogue Park, located on Lincoln Avenue, approximately 0.40-mile south-southeast of the site;
- Shore Road Park, located on South Bay Street, approximately 1.15 miles south of the site; and
- Good Samaritan Hospital Medical Center – Chronic Dialysis Center, located at 185 South 10<sup>th</sup> Street, approximately 0.68-mile west-southwest of the site.

A complete discussion of community facilities and utilities is included in Sections 3.2 (water, sewer, and stormwater), 3.6 (schools, police, fire and ambulance protection), and 9.0 (electricity and natural gas) of this VDEIS.

For the purposes of the land use and zoning analysis, as well as the review of aesthetics and visual resources, the study area for the proposed action includes an approximately half-mile radius around the subject property. The boundaries of the study area are roughly delineated by North/South Seventh Street to the west; Jerome



<sup>16</sup> Based on email correspondence dated June 20, 2016 from Katherine McCaffrey, Assistant to the Village Mayor.

Street to the north; North Jefferson Avenue to the east; and Liberty Avenue and Davenport Street to the south.

In addition, the existing transportation network in the vicinity of the subject property includes the following roadways:

- **County Road 12**, which is designated *Hoffman Avenue* east of South Strong Avenue. This road is also identified as West Hoffman Avenue until South Wellwood Avenue, and then as East Hoffman Avenue to Park Avenue, east of which it is designated as Rail Road Avenue. County Road 12 is an east-west arterial roadway under the jurisdiction of the Suffolk County Department of Public Works.
- **South Smith Street** is a short north-south local roadway. It runs south from an unsignalized T-intersection with East Hoffman Avenue to terminate at a dead end at the Lindenhurst Middle School.
- **South Pennsylvania Avenue** is a short north-south local roadway. It runs south from a signalized intersection with East Hoffman Avenue to East Gates Avenue. North of the intersection with East Hoffman Avenue, South Pennsylvania Avenue provides access to the rail station parking lot.
- **East Gates Avenue** is an east-west local roadway that extends from South 3<sup>rd</sup> Street to South Delaware Avenue.

A more detailed discussion of the roadways and intersections within the study area is provided in the Traffic Impact Study (TIS) in Appendix H of this VDEIS and in section 3.4 of this VDEIS.

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## 2.3 Proposed Action and Project Description

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### 2.3.1 Introduction

The proposed action consists of the following components:

- Adoption of the Downtown Redevelopment District (DRD) floating zone
- Establishment, as a DRD, of the subject property
- Development of the subject property in accordance with the DRD zoning

A discussion of each of the aforementioned components follows.

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### 2.3.2 Adoption of the Proposed Downtown Redevelopment District (DRD) Floating Zone

The proposed action includes the adoption of the DRD (see Appendix B for the full text of the proposed district) as a “floating zone.” The purpose and goals of the DRD, as detailed in Appendix B, are to encourage residential development and redevelopment on properties within walking distance of the LIRR station and the central business district of the Village (i.e., proximate to the intersection of North/South Wellwood and East/West Hoffman Avenues), and to allow for mixed uses within the downtown area. As shown in Appendix B, the DRD sets forth a specific application and review process, as well as various criteria (including dimensional and related regulations) that the Village Trustees would apply when reviewing an application for establishment, extension, or expansion of a DRD, which are summarized below.

Based on the requirements of the proposed DRD, the provisions of same would only be applicable to one or more parcels of land, located within the area of the Village bounded on the north by East Hoffman Avenue, on the east by South Pennsylvania Avenue, on the south by East Gates Avenue, and on the west by South High Street, and having a minimum land area of six acres. A DRD may also be extended or expanded by the developer, or an affiliate thereof, of the existing DRD to include land, without a minimum lot area, that adjoins the existing DRD, within the above-described area.

Application for a DRD would include submission of a conceptual development plan for the proposed site of such DRD, which could include such uses as attached or detached residences, including any combination of rental apartments and ownership units, as well as accessory parking, and, where appropriate, retail, office, and other uses. The maximum building or structure height permitted in a DRD would be 60 feet<sup>17</sup> Furthermore, parking requirements for each of the uses in a DRD would be, for retail and office uses, the greater of one public space per 250 square feet of floor area devoted to such use or the number of existing public parking spaces located on the property proposed to be established as a DRD or added to an existing DRD, and, for multifamily residential uses, one space per unit. For all other uses, parking requirements would be determined by the Village Trustees during the site development approval process.

With respect to approvals, the establishment of a DRD by local law granting a change-of-zone and the approval, or approval with modifications, of a conceptual development plan by the Village Trustees would authorize an applicant to proceed with the detailed design of the proposed development in accordance with the concept plan and the procedures and requirements of the DRD, and to seek site development



<sup>17</sup> Building height would comply with Section 193-1(B) of the Village Code, which states that “the height of a building shall be measured from the crown of the road in front of the building to the highest point of the building, provided that chimneys, spires, towers, elevator penthouses, tanks and similar projections shall not be included in the height.” As described later in this section, the proposed building would not exceed this height requirement.

approval from the Village Trustees. The approval of a DRD would expire five years (or seven years for a phased development plan) after the granting of the zone change to DRD if the applicant has not received site development approval. In addition, if a proposed DRD development involves a subdivision, final subdivision plan approval from the Village Trustees must be received prior to the commencement of any development. The Village Trustees may also, at their discretion, refer an application to the Village of Lindenhurst Planning Board (Planning Board) for its review and/or recommendation.

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### 2.3.3 Establishment of the Subject Property as a DRD

The Applicant, 75 E. Hoffman LH, LLC, proposes upon adoption of the DRD by the Village Trustees, to apply to the Village Trustees to establish, as a DRD, the subject property, which is currently zoned Industrial (with the exception of a portion of one tax lot that is zoned “C” Residence). As noted above, the tax parcels that comprise the subject property are: District 103 – Section 10 – Block 4 – Lots 045.001, 045.003 and 045.006 through 045.010. For the location of the tax parcels that comprise the subject property, and which the Applicant proposes to apply to establish as a DRD, see Figure 2. Should the Village Trustees, in the future, choose to establish other properties as DRDs, or to expand the aforesaid proposed DRD, these actions would be considered separately, and would be subject to their own site-specific environmental reviews. Further, future establishment of a new DRD would require that the minimum six-acre site size for establishment as a DRD be met. It would be speculative, at this time, to assume that the proposed DRD will be expanded to include other lands, or that any other lands would be established as a new DRD, and to include such lands or their possible future development in the environmental review for the proposed action (see Section 4.0 of this VDEIS for additional discussion).

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### 2.3.4 Development of the Subject Property in Accordance with DRD Zoning

The proposed action includes establishment of the subject property as a DRD, approval of a conceptual development plan for the proposed “Lindenhurst Residences” rental residential community, and site plan approval (or site development approval as identified in the proposed DRD code) to allow for the construction of the proposed “Lindenhurst Residences” project, which would consist of 260 residential rental apartments with a lower parking garage level and upper roof deck level, both indoor and outdoor amenities, and associated landscaping and parking (see Conceptual Site Plans in Appendix C).

The proposed “Lindenhurst Residences” project includes the demolition of the existing improvements on the subject property, described in Section 2.2 of this VDEIS,

and the redevelopment of the site with a transit-oriented multifamily residential development and amenities, as noted above, within a 337,399±-gross square foot (GSF)-building proposed to be 54 feet, 10 inches in height.<sup>18</sup> The residential units are proposed to consist of 11 studio units, 142 one-bedroom units, 15 one-bedroom units with dens, 5 one-bedroom units with lofts, 75 two-bedroom units, and 12 three-bedroom units. The 260 units are anticipated to generate approximately 508 residents (see Section 3.5.2.1 of this VDEIS for more details regarding population generation).

The following are the sizes (in SF) and anticipated rental rates for the residential rental units, which would be offered at market rates:

- Studio units would range from approximately 584 SF to 601 SF in size and would have rents averaging approximately \$2,141 per month.
- One-bedroom units would range from approximately 692 SF to 852 SF in size and would have rents averaging approximately \$2,409 per month.
- One-bedroom units with dens would be approximately 870 SF in size and would have rents averaging approximately \$2,745 per month.
- One-bedroom units with lofts would be approximately 1,140 SF in size and would have rents averaging approximately \$3,174 per month.
- Two-bedroom units would range from approximately 1,112 SF to 1,192 SF in size and would have rents averaging approximately \$3,185 per month.
- Three-bedroom units would range from approximately 1,240 SF to 1,645 SF in size and would have rents averaging \$3,278 per month.

Indoor amenities would include entrance lobbies, a coffee bar, a reception area, office and conference space, a mail room, a 3,160-SF lounge/fitness area that includes a fitness room with exercise machines, and a gaming area on the ground floor. In addition to amenities, the building would feature elevator lobbies, tenant storage rooms, trash rooms, mechanical rooms, maintenance areas, and electrical and telecommunication spaces. Outdoor amenities feature an outdoor pool and patio, an elevated walkway spanning the stream bank, a rooftop deck with kitchenette, various landscaping treatments, including a landscaped courtyard with reflecting pool, and a naturalistic outdoor area around a restored Neguntatogue Creek.

A Conceptual Landscape Plan was prepared by J.E. Morgan & Associates, dated July 28, 2016 (see Appendix C). The proposed planting design is one that provides the proposed development with vegetative screening, parking island plantings, buffer plantings adjacent to the existing creek, and various foundation plantings. A majority of the site has been designed with abundant planting beds, limiting the use of fertilizer-dependent turf while also providing several pervious areas. The proposed

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<sup>18</sup> The 54 foot, 10 inch building height is measure from the average grade. Based on the Village criteria for determining building height, the maximum height of the proposed building is 57 feet 6 inches, as measured from the lowest point of grade on South Pennsylvania Avenue.

parking islands have been planted with both flowering specimen trees and complementary shrubs while the proposed structures have been supplemented with numerous foundation plantings that include (for example) Japanese Holly, Roses, Boxwood, Southern Magnolia, fetter-bush and various other flowering perennials and groundcover species. Screening would be provided in the form of evergreen species, for example Japanese Cedar and Cherry Laurel, along the southern portion of the site, while upright and pyramidal Maples have been proposed as street trees along East Hoffman Avenue and South Pennsylvania Avenue. The existing creek that runs through the site would be preserved and protected from upland improvements with the installation of a plant buffer that consists of several native plant species, for example Little Bluestem, Switch Grass, Sweet Pepperbush, Dogwood and Shadbush. The proposed revegetation would aid in stabilizing the bank of the creek and mitigating paved or concrete banks that currently exist.

A total of 381 parking spaces would be provided as part of the proposed action. Specifically, 51 parking spaces (including four handicapped-accessible spaces) would be provided under the eastern wing of the proposed building, 291 parking spaces (including eight handicapped-accessible spaces) would be installed in surface parking areas; and the equivalent of 39 spaces would be landbanked, to be paved only if determined necessary by the Village. On-street parking is available in the vicinity of the site, however, those spaces are not owned or controlled by the Applicant for the proposed development and would not solely be used by the proposed "Lindenhurst Residences." In addition, three loading bays would be provided on the site; two loadings bays would be located along the southwest portion of the proposed building and one loading bay would be in the southeast portion of the proposed surface parking lot.

Access to the residential development would be from three locations – East Hoffman Avenue, South Smith Street and South Pennsylvania Avenue. The site access from South Pennsylvania Avenue would be connected to the surface parking area on the site via a light-penetrating bridge over Neguntatogue Creek.

Based upon the land title survey, dated January 6, 2016, (see Figure 3 and Appendix A) and the Preliminary Layout and Materials Plan (see Appendix C) prepared by VHB, last dated August 1, 2016, the following is a breakdown of the existing and proposed land use coverages on the subject property.

**Table 2 - Existing and Proposed Land Use Coverages**

Type of Coverage	Existing Acres/(Percent)	Proposed Acres/(Percent)
Roads, Buildings and Other Paved Surfaces	5.88± / (82)	4.60± / (64)
Forested	0.34± / (5)	0.24± / (3)
Surface Water/Wetlands Area	0.40± / (6)	0.40± / (6)
Unvegetated (rock, earth, fill)	0.06± / (1)	0 / (0)
Landscaping	0.45± / (6)	1.90± / (27)
<b>TOTAL</b>	<b>7.14± (100)</b>	<b>7.14± (100)</b>

Source: Based on the Land Title Survey dated January 6, 2016 by Sidney B. Bowne & Son, LLP

Security would be provided for the proposed building during operations and during construction, as internal finishes are installed. Security measures would include closed-circuit television (CCTV) cameras and security gates that would be installed at the garage level of the proposed building. With respect to fire protection, the building would contain automatic sprinkler systems, smoke detectors and fire alarms in conformance with the current New York State Uniform Fire Prevention and Building Code, as well as Suffolk County's regulations. Additionally, a fire standpipe system would be provided, as requested by the Fire Marshal.

The subject property is within the service area of the SCWA, Distribution Area 12 and the Suffolk County Southwest SD No. 3. Therefore, the proposed action would be served by public water and sewer services. Anticipated potable water demand is 59,175± gallons per day (gpd), based on sanitary flow, with an additional 8,876.25± gpd used for irrigation purposes during the growing season. Based on the proposed uses, the anticipated sewage flow has been calculated at 59,175 gpd; it would be disposed of via connection to the Southwest SD and ultimately would be discharged to the Bergen Point Wastewater Treatment Plant (WWTP). See Section 3.2.2.1 of this VDEIS for details of the water and sewer service for the proposed action.

The majority of stormwater runoff generated by the proposed action (based on a two-inch rainfall) would be contained and recharged on-site through the use of subsurface infiltration systems (i.e., leaching galleys). Based on the topography of the site, a portion of the projected stormwater runoff (approximately 5.9 percent of the total required storage volume) would be discharged over land and via an 8-inch PVC pipe to the surface waters of Neguntatogue Creek, in accordance with NYSDEC permissions. See Section 3.2.2.2 of this VDEIS for a detailed discussion of the proposed stormwater management system.

Based upon the proposed uses, the anticipated solid waste generation would be 0.90± tons per day.<sup>19</sup> Solid waste would be collected and disposed of by private carters, in accordance with all applicable procedures and regulations.



<sup>19</sup> A factor of 3.5 pounds per capita (projected population of 508) was used. Generation factor from Salvato, J. (2003). Solid Waste Management. In Environmental Engineering (5th ed.). Hoboken, N.J.: Wiley

In addition, the proposed action would be served by PSEG Long Island for electricity needs and National Grid for natural gas. Consultations with these agencies would be undertaken prior to implementation of the proposed action, and a discussion is included in Section 9.0 of this VDEIS.

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## 2.4 Purpose, Need and Benefits

As outlined above, the purpose of adopting the DRD is to encourage residential development and redevelopment on properties within walking distance of the LIRR station and the central business district of the Village, and to allow for mixed uses within the downtown area. The purpose of the proposed “Lindenhurst Residences” project, in particular, is to redevelop a group of partially vacant and underutilized buildings into a high-quality residential transit-oriented development (TOD) directly across the street from the Lindenhurst station of the Babylon Branch of the LIRR. This proposed residential development, and its location proximate to the central business district, would support the desire of the Village to revitalize its downtown by attracting a population that wants to live in a walkable community that has shops, restaurants and other amenities. The proposed action has been designed to meet the local Village needs as well as the broader needs of the Town of Babylon, Suffolk County, and the region, to attract and retain young working singles, couples and families, as well as provide opportunities for seniors or retirees to downsize from their single-family homes to a relatively maintenance-free community.

Long Island has been facing a paucity of both rental housing and multifamily housing units in recent decades, and the issue will continue to be exacerbated if Long Island remains on its course of developing a narrow range of housing options as it has in the past. The lack of rental housing is a problem that is being felt not only on Long Island, but across the Nation. As cited in *Long Island’s Rental Housing Crisis*<sup>20</sup> (the “RPA Rental Report”), “in the coming decade, the demand for rental housing will dramatically surge to reflect changing demographics, economic conditions, and housing preferences. The effect of this demand will be strongest in the high-cost metropolitan areas of the United States” (page 3).

Citing some statistics regarding rental housing on Long Island, the *RPA Rental Report* notes that approximately 21 percent of all homes on Long Island are rental, which is the lowest of any other suburban area in the metropolitan region. Rental housing availability in most individual Long Island communities is less than 21 percent, although, in 2014, the availability of such rental housing in the Village of Lindenhurst was right at 21 percent, according the American Community Survey. The limited supply of rental housing stock is exacerbated by a high demand for rental properties. Since its peak at 11.1 percent in 2009, the rental vacancy rate has fallen across the

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<sup>20</sup> Regional Plan Association, *Long Island’s Rental Housing Crisis*, (with the Long Island Community Foundation and the Ford Foundation), Long Island’s Rental Housing Crisis, September 2013. Available from <http://library.rpa.org/pdf/RPA-Long-Islands-Rental-Housing-Crisis.pdf>.

United States to an average of 7 percent by the end of 2015,<sup>21</sup> indicating that, nationally, the demand for rental units is increasing in relation to supply. In the Village of Lindenhurst, the rental vacancy rate was 4.9 percent, as of the 2010 Census.<sup>22</sup> Furthermore, Long Island has a vacancy rate of only 4.3 percent, which worsens the situation, as the demand for rental units is growing. If the vacancy rate in the Village, and on Long Island as a whole, has followed the national trend, it is likely that there are even fewer available rental units today, and thus, it is anticipated that the proposed action would provide a much needed housing type to the area.

According to the *RPA Rental Report*, over one-quarter of all rental homes on Long Island are concentrated in 10 communities. “That means that renters must often live far from their jobs or good schools, and that the burden of creating new rentals is falling on too few places” (page 3). Reinforcing this idea, according to *A Short Review of Multifamily, Rental Housing on Long Island*, based on research completed by the Long Island Index (2015), almost half of all buildings were in the downtowns. However, larger buildings have been constructed further from the downtowns, so communities are ending up with more apartment units away from the downtown than in it. So, for someone who is looking for an apartment today, there is a stronger likelihood that he/she will be located in an area farther from transit centers, restaurants, bars, movies, and places to meet friends.

In addition, the 2015 Long Island Index report notes that there are approximately 1,500 rental apartment buildings, containing nearly 88,000 apartments within Nassau and Suffolk Counties. More than half of these units (54 percent) are in Suffolk County. Of the 88,000 apartments in Nassau and Suffolk Counties, approximately 43 percent are one-bedroom apartments, 23 percent are studios, 31 percent are two-bedrooms, and approximately 3 percent are three-bedroom units. The study notes that this “housing stock tends to be older with fewer amenities or upgrades” (page 4). Furthermore, of all the rental units in the Long Island region, approximately 20 percent are restricted to seniors only, and another 10 percent are income-restricted or subsidized housing. This restriction of some rental units to seniors further limits the number of rental units available for young working singles, couples and families.

Overall, trying to rent an apartment on Long Island is difficult due to lack of supply and low vacancy rates, and, due to these factors, renting is expensive. Also, such apartments may not be located where renters want to live – in walkable, downtown areas. As indicated in the *RPA Rental Report*, “Long Island renters come in all ages, races, occupations and incomes” (page 4). In Nassau and Suffolk Counties a combined total of over 425,000 residents live in rental housing, and more than a third of the rentals are in single-family homes. As noted in the report, 28 percent of renters work in management and professional occupations, and 25 percent are in sales and



<sup>21</sup> US Census Bureau, *Residential Vacancies and Homeownership in the Fourth Quarter 2015* (accessed April 2016); available at <http://www.census.gov/housing/hvs/files/currenthvspress.pdf>.

<sup>22</sup> US Census Bureau, *Profile of General Population and Housing Characteristics: 2010, 2010 Census Summary File 1*. Accessed January 2016. Available at <http://www.census.gov/housing/hvs/files/currenthvspress.pdf>.

administrative jobs. On average, renters are younger than owners, but nearly half are over the age of 35. Furthermore, nearly one in five does not own a car.

The *RPA Rental Report* has found that,

*“Businesses depend on the availability of a workforce that ranges across ages and skill levels. Today’s young workers in their 20s and 30s who prefer to live in walkable neighborhoods with access to transit, and who rent before settling down with a family, find few housing options on Long Island. By expanding choices of where to live, a more balanced housing market on Long Island would revitalize downtowns, reduce congestion on the roads and allow multiple generations to live near each other...Rather than fighting demographic and economic trends, Long Island could adapt to them while maintaining its distinct character and way of life.”* (page 8)

While businesses depend on the availability of a workforce, the *RPA Rental Report* indicates that “every 100 new units of rental housing generates 32 local jobs, \$2.3 million in income and \$395,000 in tax revenue annually” (page 3). Therefore, the construction of rental units provides an economic and fiscal benefit to communities who choose to incorporate such housing.

According to the Long Island Index, “a 2011 poll found that 31 percent of Long Island residents could imagine living in an apartment, condo, or townhouse in a local downtown area. Despite this positive attitude toward downtown apartment living, only 21 percent of Long Island’s population actually lives within a half-mile of downtown centers, and only a portion of these live in multifamily buildings”<sup>23</sup> (page 9).

Based on its findings, the *RPA Rental Report* suggests that all levels of government should take action to create new rental housing to meet community needs. Localities can learn from places on Long Island that have already begun to welcome rental developments into their communities by doing the following: confirming that their zoning codes include the opportunity for multifamily housing to be developed by having multifamily zoning districts and/or parcels that are zoned for such; ensuring that local civic associations are included in decisions regarding zoning and specific projects; reviewing regulations, especially in downtowns and near transit stations, to guarantee that height, parking, density and other regulations do not hinder multifamily development; and by allowing for density bonuses to promote more affordable housing as part of new residential development (page 11).

A similar and related issue to the dearth of rental housing is the lack of multifamily housing (both rental and owner), in general. The key findings of the recently released report, published by the Long Island Index and prepared by HR&A and the Regional

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<sup>23</sup> Leonie Huddy of the Stony Brook University Center for Survey Research. *Residential Satisfaction and Downtown Development Survey: The View from Long Island and the NY Metro Area*. Long Island Index. 2011.

Plan Association in February 2016, and entitled *Long Island's Needs for Multifamily Housing: Measuring How Much We Are Planning to Build vs. How Much We Need for Long Island's Future* are as follows:

- While Long Island is building more rentals, co-ops, condos and other multifamily homes than it has in past decades, there is still an enormous gap between what is being produced and what the region needs.
- Long Island may gain up to 158,000 households over the next 15 years, but is likely to develop only 64,000 new housing units in its most optimistic scenario, leaving up to a 94,000-unit gap.
- Long Island's existing shortage of affordable rental housing is keeping young adults from striking out on their own and causing many to leave Long Island.
- Changing preferences indicate that over two-thirds of Long Island's 158,000 new households, or approximately 104,000 households, will prefer walkable mixed-use areas.
- Taking into account the 26,000 planned multifamily housing units, a gap of 72,000 units will remain in walkable mixed-use areas.
- Reasonable regulatory and policy solutions to build more unrestricted multifamily housing and create more development capacity can improve the overall health of Long Island's housing market, providing more affordable housing options to all residents. (page 5)

This study found that “most Americans would like to live in walkable mixed-use communities, where amenities, services, and their jobs are a short commute away. Younger households have traditionally driven this demand, but baby boomers’ preferences are beginning to change” (page 29).

Some of the zoning tools recommended in the Long Island Index report to achieve this type of development, specifically for downtowns and mixed-use areas that permit multifamily and mixed-use communities, include:

- Increasing lot coverage ratios
- Increasing building heights, and
- Allowing for smaller residential units (page 80).

Finally, the study notes that “downtowns and LIRR station areas have the potential to accommodate significantly more residential units through reasonable zoning changes” (page 81).

In addition to these reports, the March 2000 report prepared by the Suffolk County Planning Commission, entitled *Smart Communities Through Smart Growth: Applying Smart Growth Principles to Suffolk County Towns and Villages* (“Smart Growth Study”), offers recommendations regarding how to achieve smart growth in our local communities, indicating that,

*"[Smart Communities] recognize the interrelated web of housing, transportation, business facilities, open space and social interaction that enrich our lives, supports our economy and respects our natural resources." (page 26)*

The report also notes that "a significant aspect of Smart Growth recommends housing be located within walking distance or in the central part of a town for easy access to services, business, community and municipal facilities..." (page 15) The report goes on to state that changes in zoning ordinances can help to foster this type of development.

*"This action refers to allowing densities that are associated with traditional compact downtowns to be applied to residential and commercial development that occurs from new growth. A framework provided through local zoning codes can allow higher densities which use land more wisely. Higher densities would be allowed in areas located within the existing infrastructure enabling residents to walk to shopping, personal services, community centers and transportation facilities..." (page 9)*

Based upon the recent research into Long Island housing needs and preferences, the following conclusions can be made:

- The demand for multifamily rental housing (as well as owner housing) will continue to grow as the demographics on Long Island, and the rest of the region, continue to shift.
- There is a lack of multifamily housing, including multifamily rental units, on Long Island and within most Long Island communities.
- There is a growing desire of many people to live in walkable mixed-use areas that are located close to public transportation in order to ease commuting and to provide a non-automobile-dependent lifestyle.
- Zoning can be used as a tool to help create the type of walkable communities that are desired by a growing number of people, ranging from millennials to seniors.

In addition, based upon U.S. Census information regarding the Village of Lindenhurst:

- Of the currently occupied units in Lindenhurst, approximately 21 percent are renter-occupied.
- In Lindenhurst, only five percent of the housing units in the Village are in buildings of more than four units. Almost 79 percent of all units are within single-family attached or detached homes.
- Of the 1,880 renter-occupied units within the Village, approximately 82 percent are within single-family detached/attached or two-family homes.
- Approximately 82 percent of the units in the Village are over 50 years old.
- The population of the Village declined two percent between 2000 and 2010.
- The median age in the Village has been rising, and rose from 35.8 years in 2000 to 40.3 years in 2010, to an estimated 42.5 years in 2014. This is higher than in the greater Town of Babylon (39.5 years) or in Suffolk County (40.3 years).

It should also be noted that the Village of Lindenhurst currently hosts a considerable population who work elsewhere, i.e., the Village serves as a commuter hub to other employment centers in Suffolk and Nassau Counties, as well as to New York City. Thus, constructing residences in close proximity to a commuter rail station (the Lindenhurst LIRR station) would enable workers to live within walking distance to transit in order to travel to work. This would help to eliminate vehicle trips and congestion on roadways.

The proposed action, and particularly the proposed “Lindenhurst Residences” project included in the proposed action, are intended, in part, to fill this housing gap and meet these needs by providing a high-quality rental residential development across the street from the Lindenhurst LIRR station and less than a quarter-mile from the primary commercial corridor (North/South Wellwood Avenue) in the Village downtown. The Applicant for the proposed development believes that such development would attract young singles and couples just starting out, as well as seniors who may want to downsize and rid themselves of the responsibility of single-family home ownership. Thus, it is expected that the proposed action would not burden the local school district, would generate a substantial amount of property taxes, would provide a population to patronize the downtown (the revitalization of which has been the recent focus of Village efforts, through the formation of the Lindenhurst Economic Development Committee [LEDC]<sup>24</sup> and an Architectural Review Board), would renew an underutilized industrially-zoned area, and would provide the opportunity to lower vehicle miles traveled (VMTs) due to the proposed development’s location adjacent to the LIRR Lindenhurst station and within downtown Lindenhurst, thus minimizing the impact on the environment. The proposed community would provide vibrant, transit-oriented residential uses, streetscape amenities, and landscaping in downtown Lindenhurst, on a site that currently does not add to the downtown feel of Lindenhurst, since it is comprised of mostly industrial-type uses and surface parking lots.

Other benefits of the proposed “Lindenhurst Residences” project would include:

- Restoration of the part of Neguntatogue Creek that passes through the subject property, which would enhance the wetland functional capacity of the creek;
- An increase in assessed value and property taxes compared to the existing conditions; and
- The creation of 660 jobs during the construction period.<sup>25</sup>

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<sup>24</sup> According to the Village website, “the Lindenhurst Economic Development Committee (LEDC) has been given the task of researching, reviewing and presenting recommendations to the Lindenhurst Village Board on issues of economic growth and the future development of the Village of Lindenhurst.”

<sup>25</sup> Project construction job figure provided by the Applicant for the proposed development, “based on developer estimates from like-kind projects.”

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## 2.5 Demolition and Construction

Upon obtaining all necessary approvals, the Applicant for the proposed development would proceed with the demolition and construction phase of the proposed “Lindenhurst Residences” project. At this time, it is expected that construction would occur in one phase and would begin in January, 2019 and be completed in January, 2021. During the construction process, it is expected that the proposed development would generate approximately 660 construction jobs (based on the Applicant’s experience with similar projects).

Once this process begins, equipment, materials and/or vehicles would be staged, parked and loaded/unloaded within the subject property. Vehicle access during demolition and construction would be from South Smith Street, South Pennsylvania Avenue and East Hoffman Avenue. Parking and temporary storage would be accommodated at the interior of the subject property and all activity would be set back within the subject property and away from the property lines.

The first stage of the construction process would be demolition (approximately 60 days), which would commence with the removal of all potentially hazardous or toxic materials, based on the findings of the Phase I and II Environmental Site Assessments (ESAs) performed for the subject property. It is understood that asbestos containing materials (ACMs) were identified in six of the existing buildings, and it is likely ACM is also present in the seventh building; therefore, asbestos abatement would be performed. Polychlorinated biphenyl (PCB)-containing fluorescent light bulbs were also found in six of the existing buildings, and potential mercury-containing thermostats were found in all buildings. The aforementioned materials would be removed in accordance with recommended procedures. Should any other hazardous or toxic materials be encountered, they would be properly remediated by licensed and certified agents, and remediation operations would be performed in conformance with relevant regulations and under the supervision of the applicable agencies (e.g., Suffolk County Department of Health Services [SCDHS], NYSDEC).

It is estimated that approximately 577,395 pounds of construction waste, not including demolition debris, would be generated during construction. A construction waste management plan would be implemented, and the majority of construction materials would be sourced locally. It is estimated that 26 million pounds of demolition debris, inclusive of buildings, structures and pavement (and other than potentially-contaminated materials), would be removed from the site over the expected 60-day demolition period. Asphalt pavement that is removed would be ground up and be reused as recycled aggregate. The remainder of construction waste and demolition debris would be disposed of at a licensed municipal transfer facility or other facility licensed to receive such waste.

Once demolition has been completed, construction of the proposed development would begin. Construction would require use of a crane; there would be sheeting and

shoring; and there would not be pile driving. Trenching to install subsurface utilities would occur along South Smith Street, South Pennsylvania Avenue, and East Hoffman Avenue. There would be temporary sidewalk closings during a three-month period to accommodate these activities.

During the course of construction, there is a potential for soil erosion due to disturbance of the existing ground surface. As such, erosion and sedimentation control measures would be undertaken prior to and during construction. The proposed construction and development would be conducted in accordance with Chapter 160, *Stormwater Management and Erosion and Sediment Control*, of the Village of Lindenhurst Village Code (Village Code), which, in pertinent part, seeks to “to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the residents of the Village of Lindenhurst...”

In addition, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared, in accordance with the specifications in §160-6 of the Village Code, to address potential stormwater management issues during construction. Further discussion of the SWPPP and proposed erosion and sediment control measures is included in Section 3.1.2.1 of this VDEIS.

The following elements would constitute the major work, as well as the Best Management Practices (BMPs) included in the proposed development. Items may be performed simultaneously or out of sequence, as deemed necessary.

- Prior to construction, the Applicant for the proposed development would provide the Village with the name of a project contact and 24-hour contact information. During construction, the site contractor would be fully responsible to control potential sedimentation impacts from construction, such that sedimentation would not affect roads/highways and their drainage system, neighboring properties, and regulatory protected areas, whether such sedimentation is caused by water, wind, or direct deposit.
- The contractor would adhere to NYSDEC guidelines for erosion and sediment control.
- A preconstruction meeting would be conducted.
- The limits of construction would be flagged as necessary to facilitate the preconstruction meeting.
- The Village of Lindenhurst Agent, Zoning Enforcement Officer and Engineering Department would be notified 48 hours prior to commencement of any construction activity.
- A stabilized vehicle construction entrance/exit would be installed.
- Erosion and sediment controls would be installed in accordance with the erosion and sediment control plan for the site, including silt fence barriers and silt sacks.

- Clearing and grubbing would be completed.
- Work on the creek slope would be completed, only as approved by the NYSDEC.
- Rough grading of the site would be performed.
- Construction of the building and underground utilities, and installation of silt sack sediment traps in all new catch basins, would commence.
- The pavement base and first course of bituminous concrete would be installed.
- Landscaping and loam would be installed, and all disturbed areas would be seeded.
- The site would be stabilized, and then temporary erosion and sediment controls would be removed.
- Loaming and seeding of all disturbed areas would be conducted.
- When all other work has been completed, all paved areas would be repaired and swept in preparation for the final course of paving; the drainage system would be inspected and cleaned as needed.
- The final course of pavement would be installed.

The standards and specifications included in the *New York State Stormwater Management Design Manual* provide criteria on minimizing erosion and sediment impacts from construction activity involving soil disturbance. Therefore, implementation of a sequenced construction process and use of other BMPs, would ensure that the proposed action would minimize potential impacts with respect to erosion and sedimentation during the construction period. As the above measures would be implemented, significant adverse impacts associated with soil erosion and sedimentation are not anticipated during construction.

Construction activities associated with the proposed action could result in a temporary increase in air quality impacts. The primary source of potential emissions is from fugitive dust resulting from construction operations (e.g., clearing, grading). Fugitive dust consists of soil particles that become airborne when disturbed by heavy equipment operation or through wind erosion of exposed soil after groundcover (e.g., lawn, pavement) is removed. To minimize fugitive dust emissions, a water truck would be utilized (as needed) during construction activities where land surfaces would be disturbed. This construction-related air quality impact (i.e., fugitive dust) would be of relatively short duration. Additional construction mitigation measures would include ensuring that construction vehicles and equipment include and properly maintain emission control equipment, and that, where appropriate, vehicles would reduce idling on-site.

Overall, air quality in the area of the subject property would not be expected to be substantially affected by redevelopment activities because of emission control procedures and the temporary nature of construction activities. Emissions from the

operation of construction machinery (carbon monoxide, nitric oxide, nitrogen dioxide, particulate matter, volatile organic compounds [VOCs], and greenhouse gases) are short-term and not generally considered substantial.

The following measures would be implemented with respect to air quality impacts during the construction period:

- Emission controls for construction vehicles would include, as appropriate, proper maintenance of all motor vehicles, machinery, and equipment associated with construction activities, such as, the maintenance of manufacturer's muffler equipment or other regulatory-required emissions control devices.
- Construction vehicles and equipment would include and properly maintain emission control equipment and, where appropriate, vehicles would reduce idling on-site.
- Appropriate methods of dust control would be determined by the surfaces affected (i.e. roadways or disturbed areas) and would include, as necessary, the application of water, the use of stone in construction entrances and roads, and temporary and permanent vegetative cover.

With the implementation of the various mitigation measures, described above, no significant adverse construction-related air quality impacts would be expected.

Construction activities also may result in temporary increases of nearby sound levels due to the intermittent use of heavy machinery. The proposed action is expected to generate typical sound levels from construction activities, including foundation construction, truck movements, heavy equipment operations, and general construction activities. Heavy machinery, such as front end loaders, graders, bulldozers, and backhoes would be used intermittently throughout the proposed development's construction. Every reasonable attempt would be made to minimize construction noise impacts.

The following measures would be incorporated to minimize construction-related noise:

- Construction equipment would be required to have installed and properly operating noise muffler systems.
- Hours of construction would comply with Village requirements (Village Code Chapter 113, *Noise*).

With the implementation of the mitigation measures described above, no significant adverse construction-related noise impacts are anticipated.

Overall, during the construction period, vehicular traffic flow along adjacent roadways would be maintained, although there would be some sidewalk closures

during a three-month period; all construction equipment and materials staging would occur on-site; erosion and sediment control, air quality and noise control measures would be implemented; and the Applicant's construction manager would coordinate with the Village regarding construction timing and procedures, etc. Based on the foregoing, no significant adverse impacts associated with the construction phase of the proposed action are anticipated.

Additional discussion of soil and topographic impacts related to grading is included in Section 3.1.2 of this VDEIS.

## 2.6 Required Permits and Approvals

The following permits and approvals are required for implementation of the proposed action:

**Table 3 - Required Permits and Approvals**

Agency	Required Permit/Approval
Village Board of Trustees	Adoption of Proposed Downtown Redevelopment District (DRD) Floating Zone, Establishment of the Subject Property as a DRD, Conceptual Development Plan Approval, Site Development Plan Approval
Village Department of Public Works (Highway and Sanitation)	Street Opening/Excavation Permit
Suffolk County Planning Commission	Referrals for Changes of Zone and Site Plan Approval
Suffolk County Department of Public Works	Highway Work Permit
Suffolk County Water Authority	Water Connection
Suffolk County Department of Health Services	Water Supply and Sanitary Disposal Approval
Suffolk County Sewer Agency	Sewer Connection
New York State Department of Environmental Conservation (NYSDEC)	Notice of Intent-SWPPP; SPDES General Permit for Stormwater (GP-0-15-002)

# 3.0

## Existing Environmental Conditions, Potential Impacts and Proposed Mitigation Measures

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### 3.1 Soils and Topography

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#### 3.1.1 Existing Conditions

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##### 3.1.1.1 Soils

According to the *Soil Survey of Suffolk County, New York*<sup>26</sup> (*Soil Survey*), soils are classified according to distinct characteristics and placed (according to these characteristics) into “series” and “mapping units.” A “series” is a group of mapping units formed from particular disintegrated and partly weathered rocks which lie approximately parallel to the surface and which are similar in arrangement and differentiating characteristics such as color, structure, reaction, consistency, mineralogical composition and chemical composition. “Mapping units” differ from each other according to slope and may differ according to characteristics such as texture.

According to the *Soil Survey Geographic (SSURGO) Database for Suffolk County, New York*, the subject property is comprised of the following series and mapping units: Urban land (Ur) and Riverhead and Haven soils, graded, zero to eight percent slopes (RhB). As shown on Table 4 and in Figure 4, virtually all of the site is comprised of Ur soils, with minimal areas proximate to the site’s southwest and southeast property

▼  
<sup>26</sup> United States Department of Agriculture, Soil Conservation Service, *Soil Survey of Suffolk County, New York*, (Washington, D.C.: United States Department of Agriculture, 1975).

lines consisting of RhB soils. Relevant excerpts from the *Soil Survey* relating to the soil series and the specific mapping units are summarized below.

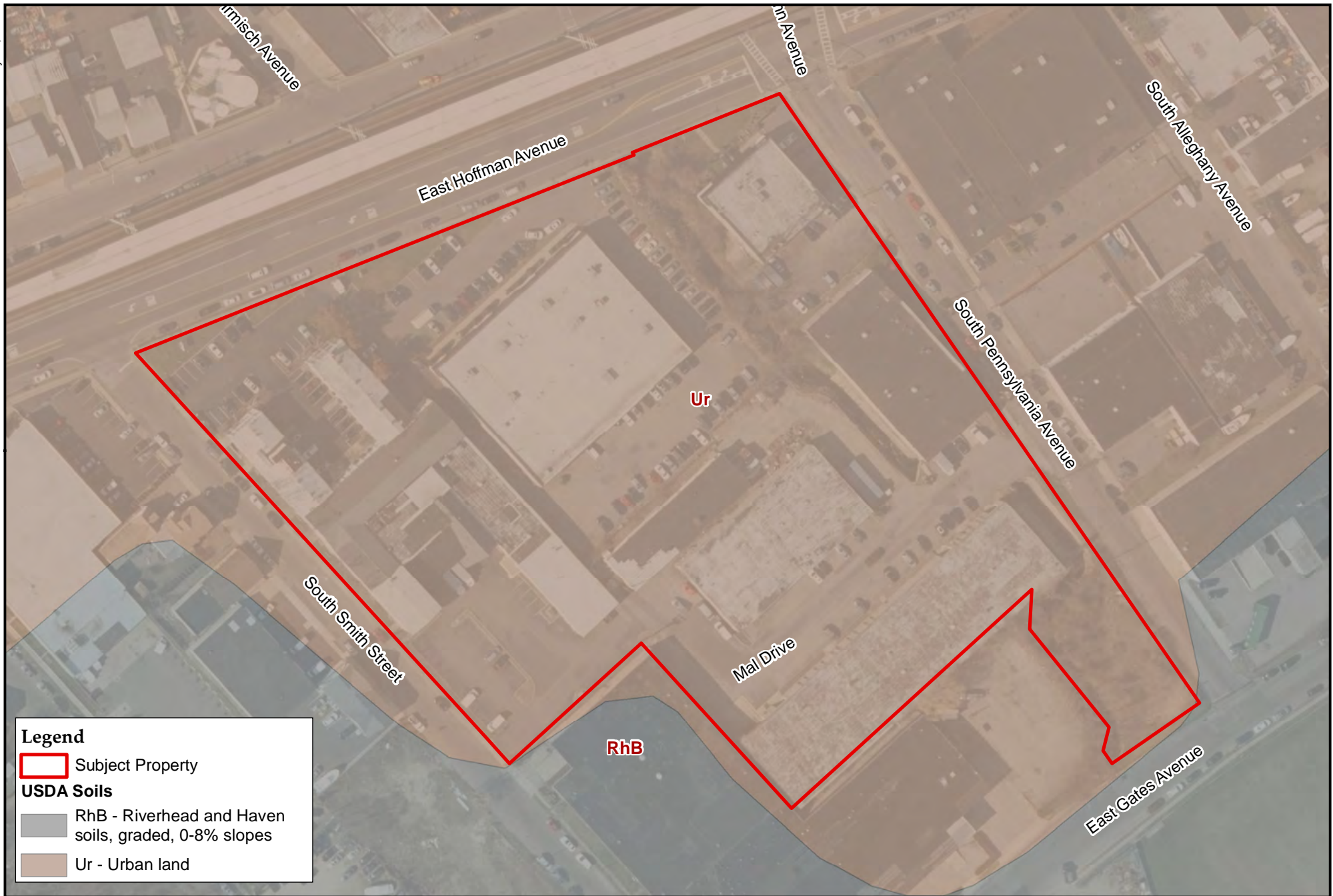
**Table 4 - Soils at the Subject Property**

Symbol	Soil Type	Approximate Acres	Approximate Site Percentage (%)
Ur	Urban land	7.14	~100
RhB	Riverhead and Haven soils, graded 0-8% slopes	>0.01	>0.01
<b>TOTAL</b>		<b>7.14*</b>	<b>100*</b>

Source: United States Department of Agriculture, Natural Resources Conservation Service, *Soil Survey Geographic (SSURGO) Database for Suffolk County, New York*. 2013.

Notes:

\*May not total due to rounding.



## Lindenhurst Residences

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1 inch = 115 feet

0 40 80 160 Feet

North American Datum, 1983 -  
New York Long Island State Plane

Figure 4 - Soils



**SOURCES:** (1) 2013 Aerial: 2013 NYS Digital Ortho -imagery, NYSITS, 2013. (2) Streets: NYSITS, 2014; (3) Soils: USDA, NRCS Soil Survey Geographic (SSURGO) Database for Suffolk County, NY, 2013.

### Urban land

*This map unit consists of areas where at least 85 percent of the surface is covered with asphalt, concrete or other impervious building material. These areas mostly are parking lots, shopping centers, industrial parks or institutional sites. Many are in the business centers in the villages and cities. Most areas are nearly level, and some are gently sloping. Many areas are rectangular or long and narrow and are mainly adjacent to local main thoroughfares. The areas range from about three acres to as much as several hundred acres. Included with this unit are small areas of soil that have not been appreciably altered or that are not under an impervious cover. These areas are mainly in lawns or other landscaped areas. Most of the included open areas are well drained Riverhead, Hempstead or Enfield soils or excessively drained Udipsamments. In many areas rapid or very rapid runoff prevents adequate discharge of runoff from intense rainstorms to safe outlets. A few areas are in low spots where seasonal wetness sometimes causes temporary flooding of the surface or frost heaving and subsequent breakup of surface pavements.*

### Riverhead and Haven soils, graded, 0 to 8 percent

*This mapping unit consists of areas of Riverhead sandy loam, of Haven loam, or of both, and have been altered by grading operations for housing developments, shopping centers, industrial parks, and similar nonfarm uses. In the western part of the County, the areas of this mapping unit are very large, and large acreages are used as sites for housing developments. Originally, the Riverhead and Haven soils in this unit each had the profile described as representative of its respective series, but grading operations have left a man-made profile that is significantly different. In places, the surface layer and the upper part of the subsoil have been removed, but in other places they have been left undisturbed. Undisturbed areas have been filled with soil material cut from adjoining high spots, but the Riverhead and Haven soils can be identified because sufficient diagnostic characteristics of the respective series remain.*

Based on the descriptions above, neither of the soils/land types found at the subject property are natural, as the underlying soil types have been completely disturbed by previous development. Furthermore, there are no separate characteristics for building site development or for water management listed for Ur soils, which as mentioned, comprise virtually the entire site.

According to the *Soil Survey*, “the objective of soil mapping is not to delineate pure taxonomic classes of soils, but rather to separate the landscape into segments that have similar use and management requirements.” Therefore, due to the generalities of the above-described mapping units, and the potential for actual on-site soils to differ from the *Soil Survey*, on-site investigations were conducted by Vachris Engineering, P.C. (“Vachris”) to characterize soils on the subject property and identify any potential engineering limitations. A copy of the soil boring results is included in Appendix D of this VDEIS.

Vachris drilled test borings to depths of between 20 and 27 feet below grade surface (bgs) in five locations throughout the subject property, as depicted in Figure 5, to characterize the underlying soils. A groundwater observation well was also installed at boring location B-3. Groundwater was generally encountered at the borings at

depths of between approximately three to seven feet bgs. A summary of the results of the borings is contained below, and the specific boring results are provided in Appendix D of this VDEIS.

The five borings were drilled in locations covered with asphalt pavement. Overall, the borings indicated that the site consists of fill material comprised of sand, with varying amounts of silt, gravel, and clay, roots and various debris. Fill soils were encountered from just below the surface to three to five feet bgs. At boring locations B-1 and B-4, fill material was followed by a six-inch layer of dark brown peat, mixed with sand, and silt and clay. According to the boring report prepared by Vachris, the peat appeared to be a part of the fill layer. Below the fill layer, and to the end the drilling depth, sand with varying amounts of gravel was found.

Based upon the boring results, Vachris made recommendations for development on the subject property. These recommendations, and the proposed development's consistency therewith, are provided in Section 3.1.2 of this VDEIS.



## Lindenhurst Residences

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1 inch = 125 feet  
0 40 80 160 Feet  
North American Datum, 1983 -  
New York Long Island State Plane

Figure 5 - Soil Boring Locations



SOURCES: (1) 2013 Aerial: 2013 NYS Digital Ortho-imagery, NYSITS, 2013. (2) Streets: NYSITS, 2014; (3) Soils: Soil borings location layer created by VHB in July 2016, based upon review of Vachris Engineering, P.C.'s Preliminary Geotechnical Investigations memorandum, dated February 9 2015.

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### 3.1.1.2 Topography

According to the description of the geology of Suffolk County, found in the *Soil Survey*<sup>27</sup> the Pleistocene epoch, which is the earth's most recent episode of global cooling, when many areas were covered with glaciers,<sup>28</sup> is divided into four major glacial stages, the Nebraskan, Kansan, Illinoian, and Wisconsin. The most recent, the Wisconsin, created the Long Island Sound and most of the topographic features of Suffolk County. Excerpts of the *Soil Survey* are provided below.

*"During the earlier part of the Wisconsin stage, the ice sheet moved to about the middle of the County and stopped, leaving a central ridge or terminal moraine. This ice sheet was called the Ronkonkoma sheet and the moraine, which runs the entire length of the County from the Nassau County line to Montauk Point, was given the same name. The glacier retreated from this point back to the north of Long Island and then re-advanced. The last advance terminated along the north shore and a hilly terminal moraine was formed. This last advance of the ice was called the Harbor Hill sheet, and the moraine was called the Harbor Hill Moraine.*

*After the two ice sheets reached their southern limits in the County, the sheets began to melt. As they melted, melt-water streams flowed south from the glaciers and carried a large volume of sand and gravel. This sand and gravel was deposited in a flat plain, developing what is known as an outwash plain. Two outwash plains are in the County, one between the Ronkonkoma moraine and the Atlantic Ocean and the other between the Harbor Hill moraine and the Ronkonkoma moraine.*

*After the retreat of the glaciers, recent developments further shaped Suffolk County as it exists today. Rainfall has eroded some of the hills and redeposited the material. The barrier beach is likely of recent origin and tidal marshes of the south shore are a recent geologic development. Other recent geologic changes consist of the joining of small nearby islands to the main island by sand bars which have risen above sea level. Examples of these connected islands are Lloyd Neck, Eatons Neck, Montauk Point, and North Haven.*

*Elevation in the County ranges from almost 400 feet at West Hills to sea level. The most prominent landforms in the County are the two morainic ridges with their uneven surfaces, the gently sloping outwash plains extending southward from the hills, the eroded head-lands along the northwestern shore line of the County, and the barrier beaches of the south shore and the tidal marshes. Fishers Island, Great Gull Island, Plum Island, Gardiners Island, Shelter Island, and Robins Island, all part of Suffolk County, have uneven landforms typical of the morainic deposits."*

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▼  
<sup>27</sup> United States Department of Agriculture, 1975.

<sup>28</sup> Ray, Louis, *The Great Ice Age*, Washington, D.C.: Department of the Interior, United States Geological Survey, 1992.

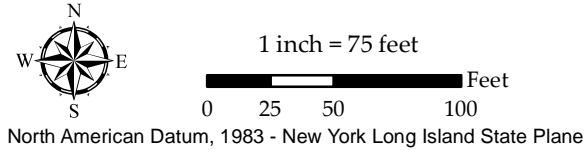
The topography of the subject property slopes downward from west to east, with the highest elevations of approximately 16 to 19 feet above mean sea level (amsl) in the northwestern portion of the site and the lowest elevations in the eastern portion of the site in the vicinity of the creek ranging from approximately 8 to 13 feet amsl (see Figure 6 and Appendix A).



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Legend

Subject Property

Figure 6 - Boundary and Topographic Survey



SOURCE: (1) Boundary & Topographic Survey of property known as 75 East Hoffman Ave., Sidney B. Bowne & Son, LLP., dated February 10, 2016.

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### 3.1.1.3 Subsurface Conditions

In order to evaluate existing subsurface conditions at the site, environmental reports were prepared. A Phase I ESA was prepared by FPM Group (FPM) in March 2015 (see Appendix D). The Phase I ESA includes a review of permits that have been issued for utility and drainage installations on-site, monitoring wells, underground storage tanks, spills, and hazardous waste records that exist for the site. According to site investigations conducted during the Phase I ESA, an above-ground storage tank (AST) containing fuel oil, an AST with unknown contents, and two fuel oil ASTs that are no longer in use are located on the subject property. There was no evidence of any other ASTs or underground storage tanks (USTs) currently on the subject property. In addition, oils and lubricants are stored in a locked flammables storage cabinet proximate to Building 6 (see Figure 7). Routine household cleaning supplies are also located throughout the buildings on-site.

Based upon site investigations, the Phase I ESA lists the following Recognized Environmental Conditions (RECs):

- Ten UST areas showed evidence of contamination in 1992.
- Two abandoned-in-place USTs were reportedly not tested.
- Sampling identified contamination in the seven groundwater monitoring wells installed on-site in response to a petroleum spill. Five wells, some of which were damaged, were observed in 2009. Damaged groundwater monitoring wells may still be present on the subject property.
- Impacted soils and contaminated groundwater were present in 1989 beneath two USTs that were proximate to Building 4.
- A 5,000-gallon former oil UST is potentially present at Building 1.
- On-site sanitary systems, associated with former commercial and industrial uses, are still present on the subject property.
- The current or former presence of halogenated solvents, ignitable waste, corrosive waste, acetone, methylene chloride, and fuel oil at the property, including petroleum in the groundwater, indicates that hazardous substances and/or petroleum products are present in the subsurface of the site.

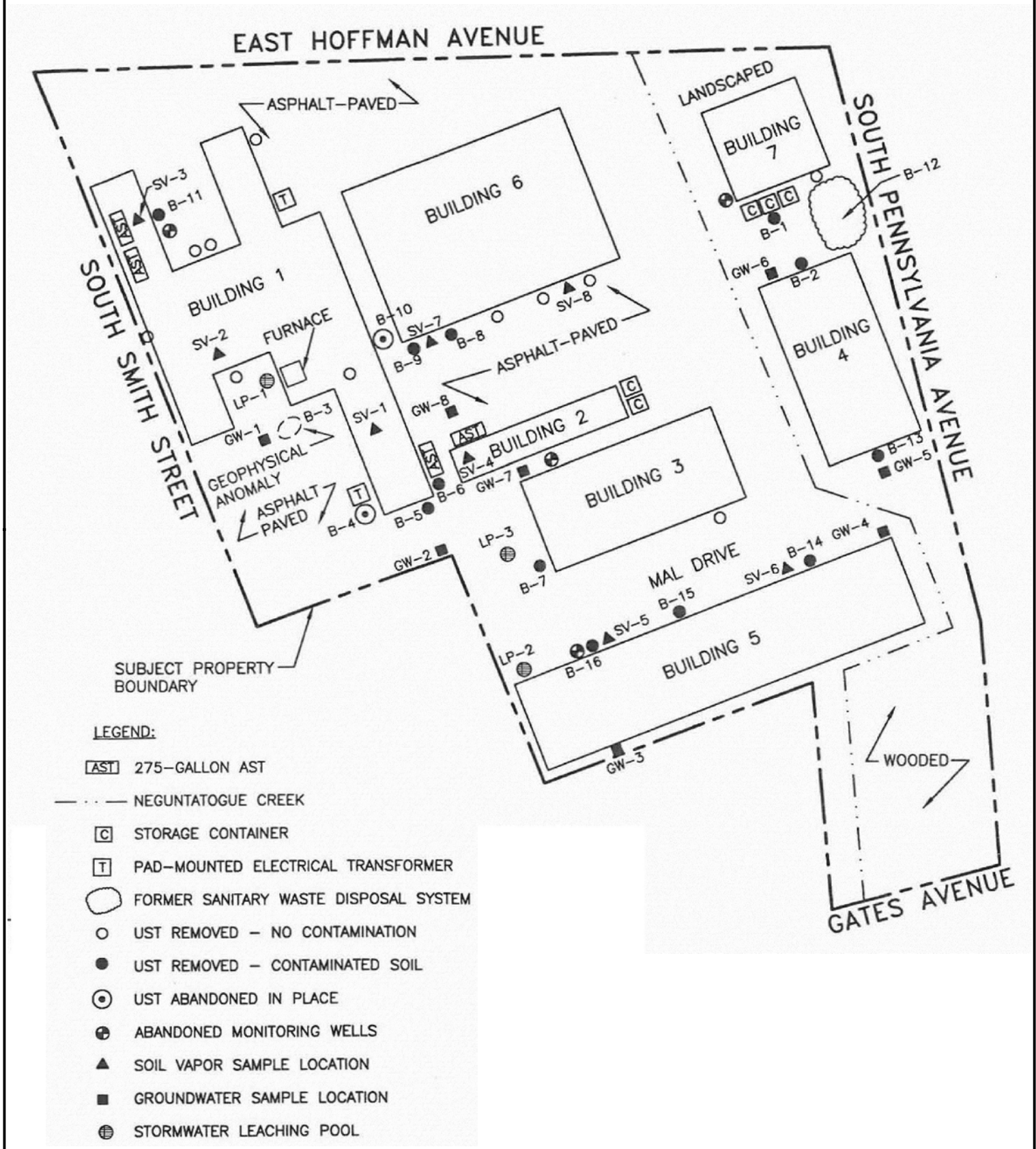
Based upon the above-referenced RECs, FPM made the following recommendations:

- A geophysical survey should be performed to identify the locations of the former on-site sanitary waste disposal systems that were not noted on the 1972 site plan. If the sanitary waste disposal systems are found, then sediment/soil sampling should be performed to evaluate their condition.
- A geophysical survey should be performed to determine the locations of the two abandoned USTs and soil sampling should be performed in these areas and in the

areas where soil contamination was previously reported to assess subsurface conditions.

- Groundwater sampling should be performed downgradient of the UST and waste management areas to assess current groundwater quality.
- A geophysical survey should be performed in proximity to Building 1 to assess the potential presence of a 5,000-gallon UST. If the UST is identified, then soil sampling should be performed to assess subsurface conditions.
- Prior to redevelopment, the remaining USTs and ASTs should be properly removed in accordance with applicable regulations and the PBS listing updated accordingly.
- Soil vapor sampling should be performed to assess whether former hazardous waste generation activities may have resulted in soil vapor contamination.
- Prior to redevelopment, an asbestos survey should be conducted by a licensed asbestos inspector. Any identified ACMs should be abated by a licensed asbestos abatement contractor.
- Prior to redevelopment, a lead-based paint survey should be conducted in Buildings 1 through 5 by a properly-qualified lead-based paint inspector. Any identified lead-based paint should be properly managed during redevelopment.
- Prior to redevelopment, the two transformers and fluorescent light ballasts should be assessed for the potential presence of PCBs. Any PCB-containing fixtures identified should be properly managed in accordance with applicable regulations.

FPM conducted Phase II ESA investigations in April and May 2015 (see Appendix D). The investigations included a geophysical survey, soil sampling, sampling of at-grade stormwater leaching pools, sampling proximate to on-site sanitary system leaching structures, groundwater sampling, and soil vapor sampling. A hazardous materials survey was performed that included an ACM survey and an inventory of fluorescent light bulbs, potential PCB-containing light ballasts, and potential mercury-containing thermostats. Figure 7 shows the Phase II ESA sampling locations and locations of identified subsurface structures, and the results of the investigations are provided below.



### Lindenhurst Residences

Figure 7 - Existing On-Site Structures

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Not to Scale



SOURCES: (1) FPM group, Phase II  
Investigation, May 20, 2015.

- All of the USTs, including the two reportedly abandoned-in-place, appear to have been removed. No evidence of the potential 5,000-gallon UST associated with Building 1 was identified and it was concluded that this UST may not have been installed
- None of the soil samples obtained from the vicinity of the former USTs where soil contamination was previously reported, or where the USTs were abandoned-in-place, exhibited any visual indications suggestive of potential petroleum contamination, with the exception of borings B-8, B-13, and B-16, where a fuel oil odor and/or staining were noted. Soil samples retained from the borings where a fuel odor and/or staining were noted did not exceed applicable regulatory agency criteria for petroleum-related VOCs and semi-volatile organic compounds (SVOCs). These results indicate that no soil contamination exceeding applicable regulatory criteria appears to be present in the former UST areas.
- Select leaching pools, including those in the vicinity of the two former sanitary waste disposal systems, were sampled, and none of the results exceeded the SCDHS Action Levels for leaching facilities, with the exception of chrysene in the LP-1 sample.
- Low concentrations of several SVOCs were identified in five of the eight groundwater samples at levels that exceed the NYSDEC Class GA Ambient Water Quality Standards and Guidance Values (Standards). The detected SVOCs are petroleum-related, and the locations where these detections were noted are apparently downgradient of areas where petroleum impacts were previously reported in association with USTs. No free-phase product was observed in any of the groundwater samples.
- Although low levels of 1, 1, 1-Trichloroethane (TCA), carbon tetrachloride (CT), and tetrachloroethene (PCE) were found in on-site soil vapor, New York State Department of Health (NYSDOH) guidance does not indicate that soil vapor intrusion (SVI) concerns are present. These results are consistent with the groundwater and leaching pool data, which do not indicate any concerns with the VOCs that typically result in SVI.
- Suspect ACMs were sampled in the seven buildings, including floor tiles and mastic, cove molding, sheetrock, spackle, insulation, tile grout, roofing materials, ceiling tiles, and flashing. The only ACMs identified include floor tiles in Buildings 1 through 6, roofing materials in Buildings 2, 3, 4, and 6, spackle in Buildings 2 and 4, joint and pipe insulation in Building 1, window and door caulking in Building 2, and carpet mastic in Building 4. No ACMs were identified in Building 7.
- The electrical wire insulation in Buildings 1 and 3 through 7 could not be sampled, as it was live. However, it should be assumed to be an ACM until the material can be sampled.
- PCB-containing fluorescent light bulbs were found in Buildings 1 through 6, and potential mercury-containing thermostats were identified in all of the buildings.

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## 3.1.2 Potential Impacts

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### 3.1.2.1 Soils

Virtually the entire subject property has been previously disturbed by various earth-moving and paving activities, as noted in Section 3.1.1.1 of this VDEIS. Therefore, as demonstrated by the soils/land types found on the site (see Section 3.1.1.1), none of the original soil types remain.

As described in Section 3.1.1.1, nearly the entire subject property consists of Ur soils, thus the proposed development would be located on this land type. The main characteristics are that this land type is largely covered with impervious surface, which produces rapid runoff (unless adequately managed), with some low wet areas. Most of the area is nearly level due to past site development activities. Therefore, while this land type would be considerably disturbed due to grading activities, there would be no significant impact to any naturally-occurring soils on the site. Low, wet areas on the site include the existing creek area. In addition, the *Soil Survey* indicates that limitations of Ur soils are variable for streets, parking lots and structures. However, any limitations presented by the soil types at the subject property would be overcome through additional site preparation, good engineering practices and the use of BMPs, and thus, would not pose a significant adverse impact to on-site or adjacent soils. On-site soil borings were performed, and the consultant, Vachris, provided site-specific recommendations with respect to development at the site, as presented below.

As noted, soil borings were performed in five locations on the subject property to determine structural engineering characteristics of the soils. Vachris provided recommendations with respect to on-site soils and development of the subject property. They are included below, followed by the proposed development's consideration thereof.

- *Spread footings may be considered for new structures at the property*
- *Spread footings should be founded below the fill and peat layers*
- *Minimal dewatering may be required during construction to achieve the level of the bearing stratum*

With respect to the above recommendations from Vachris, the site would be engineered with consideration for the existing conditions of on-site soils and depth to groundwater. Spread footings would be utilized where necessary for the proposed structure, and would be founded below the fill and peat layers. In addition, there would be dewatering, if necessary, during construction to ensure structural capacity of soils.

As there would be no significant impact to any naturally-occurring soils, and recommendations from on-site soil investigations would be adhered to, there would be no significant adverse impacts with respect to soils.

As part of the site design, all existing buildings and pavement would be removed and some existing on-site vegetation would be removed. Demolition, clearing, grading, and installation of utility and infrastructure improvements (e.g., drainage, retaining walls, building foundations, subsurface parking garage etc.) associated with the proposed development would result in soil disturbance across the subject property. Approximately 32,900 cubic yards (CY) of fill would be required at the site to achieve proposed grades.

The disturbance of soils can increase the potential for erosion, including wind erosion, and sedimentation-related impacts, on- and off-site, without proper controls. To reduce the potential for erosion and sedimentation as a result of land disturbance activity, various control measures would be implemented prior to and during construction of the proposed development. In accordance with the NYSDEC State Pollutant Discharge Elimination System (SPDES) GP-0-15-002 (or most current version), prior to the commencement of construction activity at the subject property, a SWPPP, would be developed and submitted to both the Village and the NYSDEC.

As indicated on the Preliminary Erosion and Sediment Control Plan in Appendix C, the proposed control measures would be consistent with the relevant portions of the NYSDEC's *New York Standards and Specifications for Erosion and Sediment Controls* (2005) (*NYS Standards and Specifications*), and would be regularly inspected and maintained (e.g., removal of accumulated sediment and debris from drainage structures, repair of damaged sediment barriers, etc.) to ensure proper function. Control measures would generally include the following:

- Erosion control measures would be installed as shown on the applicable plans and details prior to construction. Excavated material contained on the site would be surrounded by hay bales and/or silt fence as required. Silt fences and hay bales would be inspected after every storm and at the end of the working day.
- All construction activities would be sequenced, so as to minimize the size of exposed areas and the length of time that areas are exposed before they are covered, seeded, or otherwise stabilized to prevent erosion.
- Sediment would be contained within the construction site and away from all drainage structures. Temporary erosion controls would be installed at designated catch basin grates to prevent sediment from entering newly constructed or existing drainage systems.
- All slopes greater than 3:1 (horizontal to vertical) would be stabilized with seed and secured by geo-textile fabric, or rock rip-rap as required to prevent erosion during construction.
- Specific methods and materials employed in the installation and maintenance of erosion control measures shall conform to the *New York Guidelines for Erosion and Sediment Control*.

- Sediment barriers (silt fence, straw bales or approved equal) would be installed along the limits of disturbance for the duration of the work. No sediment from the site would be permitted to affect regulatory protected areas, whether sedimentation is called by water, wind, or direct deposit.
- Erosion control measures would be maintained with weekly inspection and within twelve hours of each storm. Maintenance measures would include, but not be limited to, cleaning of sediment basins or traps, cleaning or repair of sediment barriers, cleaning and repair of berms and diversions, and cleaning and repair of inlet protection. Sediments would be disposed of in an upland, such that they would not encumber other drainage structures and protected areas as outlined in the SWPPP.
- Stabilized construction entrances would be installed, as shown on plan.
- All adjacent public roads would be kept clean and free of sediment and debris at all times.
- Upon completion of construction and establishment of permanent ground cover, the contractor would remove and dispose of erosion control measures and clean sediment and debris from the drainage and sewer systems.

With erosion and sediment control measures employed, no significant adverse soil erosion or sedimentation related impacts are expected as a result of the proposed “Lindenhurst Residences” project.

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### 3.1.2.2 Topography

As with any typical development project, the disturbance of soils (as described above) and the grading of land are expected. Information regarding the proposed regrading of the subject property is presented in the Preliminary Grading and Drainage Plan (see Appendix C) and is summarized below.

Implementation of the proposed action would require the removal of all existing structures and paved areas, and clearing and regrading of a majority of the 7.14±-acre site. As indicated in Section 3.1.1.2 of this VDEIS, the subject property slopes downward from west to east, with the most variation in elevations in the vicinity of creek.

Development of the subject property would require the import of approximately 32,900 CY of fill to achieve proposed grades. In addition, a 90±-foot culverted section of the on-site creek would be daylighted, and existing concrete stream banks would be removed to allow for regrading, resulting in gentler stream banks.

Although the existing slopes would be altered as part of the proposed development, as described above and shown on the Preliminary Grading and Drainage Plan (see Appendix C), the site had been substantially graded and disturbed in connection to its historic use. Therefore, no significant adverse impacts to topography are expected as a

result of the proposed action. Furthermore, as described in Section 3.1.2.1 of this VDEIS, erosion and sediment control BMPs would be implemented to minimize potential impacts related to soil disturbance and earthwork to the maximum extent practicable.

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### 3.1.2.3 Subsurface Conditions

Based upon the Phase II ESA investigations (summarized in Section 3.1.1.3 of this VDEIS), FPM made recommendations with respect to development of the subject property, which are presented below, followed by the proposed development's compliance with same.

- *If visibly impacted soil in the former UST areas is disturbed during development of the proposed project, it must be properly removed and disposed offsite, in accordance with NYSDEC guidance*
- *LP-1, (as shown on Figure 7 in Section 3.1.1.3), should be remediated in accordance with SCDHS guidance*
- *ACMs identified during the Phase II ESA should be abated by a licensed asbestos abatement contractor.*

Prior to development of the site, the above-listed recommended actions would be performed. Excavated soils and other identified materials would be disposed of at a licensed facility. As the recommendations from the ESAs would be addressed before construction activities commenced, it is anticipated that implementation of the proposed action would not impact, or be impacted by, subsurface conditions at the subject property.

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### 3.1.3 Proposed Mitigation

No significant adverse impacts are expected to result from implementation of the proposed action with respect to soils, topography and subsurface conditions. However, the following measures have been incorporated into the proposed action to minimize potential for impacts:

- In accordance with General Permit GP-0-15-002, prior to the commencement of construction activity at the subject property, a SWPPP would be developed and submitted to both the Village and the NYSDEC.
- BMPs would be implemented to reduce the potential for erosion and sedimentation due to construction activity, to include:
  - Erosion control measures would be installed as shown on the applicable plans and details prior to construction. Excavated material contained on the site

would be surrounded by hay bales and/or silt fence as required. Silt fences and hay bales would be inspected after every storm and at the end of the working day.

- All construction activities would be sequenced, so as to minimize the size of exposed areas and the length of time that areas are exposed before they are covered, seeded, or otherwise stabilized to prevent erosion.
- Sediment would be contained within the construction site and away from all drainage structures. Temporary erosion controls would be installed at designated catch basin grates to prevent sediment from entering newly constructed or existing drainage systems.
- All slopes greater than 3:1 (horizontal to vertical) would be stabilized with seed and secured by geo-textile fabric, or rock rip-rap as required to prevent erosion during construction.
- Specific methods and materials employed in the installation and maintenance of erosion control measures shall conform to the New York Guidelines for Erosion and Sediment Control.
- Sediment barriers (silt fence, straw bales or approved equal) would be installed along the limits of disturbance for the duration of the work. No sediment from the site would be permitted to affect regulatory protected areas, whether sedimentation is called by water, wind, or direct deposit.
- Erosion control measures would be maintained with weekly inspection and within twelve hours of each storm. Maintenance measures would include, but not be limited to, cleaning of sediment basins or traps, cleaning or repair of sediment barriers, cleaning and repair of berms and diversions, and cleaning and repair of inlet protection. Sediments would be disposed of in an upland, such that they would not encumber other drainage structures and protected areas as outlined in the SWPPP.
- Stabilized construction entrances would be installed, as shown on the plan.
- All adjacent public roads would be kept clean and free of sediment and debris at all times.
- Upon completion of construction and establishment of permanent ground cover, the contractor would remove and dispose of erosion control measures and clean sediment and debris from the drainage and sewer systems.
- The recommendations made as a result of the soil and subsurface investigations would be adhered to, to the maximum extent practicable.

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## 3.2 Water Resources

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### 3.2.1 Existing Conditions

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#### 3.2.1.1 Groundwater

##### Characteristics

Long Island is located over a designated sole source aquifer, which means that groundwater is the single source of water supply. Thus, land uses have the potential to impact the quality of the water supply. According to NYSDEC,

*“the aquifers underlying Long Island are among the most prolific in the Country. Almost all of Long Island’s drinking water is from groundwater with surface water an insignificant contributor...The three most important Long Island aquifers are the Upper Glacial Aquifer, the Lloyd Aquifer, and the Magothy Aquifer.”<sup>29</sup>*

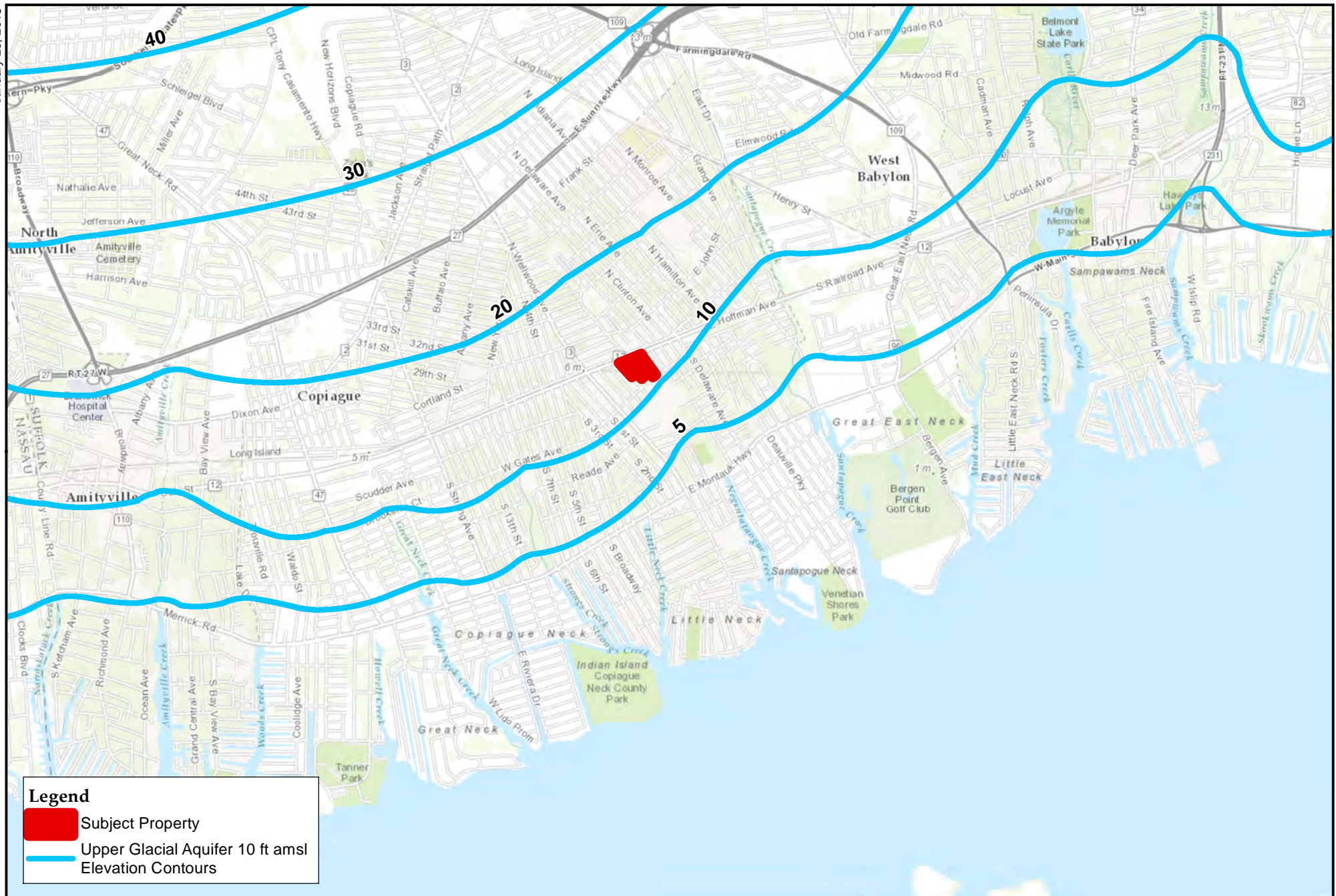
In recent years, suburbanization has caused contamination of areas of the Upper Glacial aquifer, since it is closest to the surface. The Magothy aquifer is the source of water for most of Nassau County, and portions of Suffolk County, including in the area of the subject property. Groundwater quality in the vicinity of the subject property, as determined by information from relevant groundwater studies, is discussed in the *Relevant Plans and Policies* subsection, below.

Groundwater flow on Long Island is characterized by a groundwater divide, extending east-west along its length. To the north of the groundwater divide, horizontal groundwater flow is generally to the north. In areas south of the divide, it is toward the south. Review of the United States Geological Survey’s (USGS) *Water Table and Potentiometric Surface Altitudes in the Upper Glacial, Magothy, and Lloyd Aquifers beneath Long Island, New York, April-May 2010* (see Figure 8) indicates that groundwater beneath the site generally flows in a southeasterly direction, toward Neguntatogue Creek, eventually discharging into Great South Bay.

As discussed in Section 3.1.1 of this VDEIS, soil borings were advanced by Vachris in five locations on the subject property. Groundwater in these locations was encountered at depths from approximately three feet to seven feet bgs (see Figure 5 in Section 3.1.1 of this VDEIS and Appendix D).

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▼  
<sup>29</sup> New York State Department of Environmental Conservation, *Long Island Aquifers* (accessed February 2016); available at <http://www.dec.ny.gov/lands/36183.html>.



## Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757  
VHB Ref. 29685.00



1 inch = 3,333 feet  
0 1,150 2,300 4,600 Feet  
North American Datum, 1983 -  
New York Long Island State Plane

Figure 8 - Water Table Contours



SOURCES: (1) Water Table data from 2010: USGS, 2013. (2) Basemap: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Iesri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, OpenStreetMap contributors, and the GIS Community.

## Relevant Plans and Policies

### Suffolk County Comprehensive Water Resources Management Plan (2015)

The *Suffolk County Comprehensive Water Resources Management Plan (Comprehensive Water Resources Plan)*, issued by SCDHS in March 2015,<sup>30</sup> provides an extensive review of Suffolk County's (County) groundwater quality and quantity issues and surface water impairments, as well as the programs that address them. The *Comprehensive Water Resources Plan* also includes goals and objectives designed to assure a viable, high quality groundwater resource for the future. The aforementioned goals and objectives, and the proposed "Lindenhurst Residences" project's consistency therewith, are evaluated in Section 3.2.2.1 of this VDEIS.

The *Comprehensive Water Resources Plan* was reviewed to determine whether there are any reported limitations to drinking water quality or quantity in the vicinity of the subject property. According to the *Comprehensive Water Resources Plan*, community supply well sampling in the vicinity of the subject property indicates very high quality groundwater, with respect to nitrate concentrations.

The subject property is not located within the specific areas of the County where results from private well sampling indicated that groundwater had been impacted by nitrates and pesticides. However, the fungicide Metalaxyl was detected below the maximum contaminant level (MCL) in samples from a SCDHS monitoring well located approximately 1.25 miles southeast of the subject property, which is downgradient of the site. The *Comprehensive Water Resources Plan* notes that resource management and pollution prevention programs have been implemented to protect groundwater from nitrate contamination. Sanitary wastewater management is indicated as the most important factor affecting nitrate levels, and centralized sewage treatment and collection systems utilizing secondary wastewater treatment processes are noted as reducing influent total nitrogen concentrations by 50 percent or less.

Several VOCs studied by the *Comprehensive Water Resources Plan* were not detected in area community supply or private wells, including tetrachloroethene (PCE), trichloroethene (TCE), trichloroethane (TCA) and methyl tert-butyl ether (MTBE). According to the *Comprehensive Water Resources Plan*, VOC concentrations are often found at their highest levels in wells that have industrial, commercial, transportation or institutional uses in their source water areas.

The *Comprehensive Water Resources Plan* also reviewed the quantity of groundwater in the County, with respect to the ability of the aquifer to supply the County's residents. The subject property is not in an area indicated as having potential quantity issues.



<sup>30</sup> County of Suffolk, *Suffolk County Comprehensive Water Resources Management Plan*, March 2015; available from <http://www.suffolkcountyny.gov/Departments/HealthServices/EnvironmentalQuality/WaterResources/ComprehensiveWaterResourcesManagementPlan.aspx>.

#### Long Island Comprehensive Water Treatment Management Plan (1978)

In 1978, Long Island was divided into eight hydrogeologic zones in the *Long Island Comprehensive Waste Treatment Management Plan (208 Study)*. According to the “Hydrogeologic Zones” map within the *208 Study*, the subject property is located within Hydrogeologic Zone VII (see Figure 9). Zone VII is in southern Nassau and southwestern Suffolk Counties, and encompasses an area that is predominately sewered. Zone VII is a South Shore shallow flow system that discharges into South Shore bays, and thus, nitrogen loading to groundwater in Zone VII will increase nitrogen loading to the bays. Zone VII south of the Magothy aquifer recharge area, and thus, potential contamination would affect the Glacial aquifer.

The *208 Study* lists structural, nonstructural, and non-point source control options and alternatives for wastewater management for each Hydrogeologic Zone. Non-point source controls must be regarded as an essential part of a comprehensive wastewater treatment management plan (page 80). The relevant control options, wastewater management alternatives and highest priority areawide alternatives for Zone VII, and the proposed action’s consistency therewith, are presented in Section 3.2.2.1 of this VDEIS.

#### Long Island Comprehensive Special Groundwater Protection Area Plan (1992)

The *Long Island Comprehensive Special Groundwater Protection Area Plan (“SGPA Plan”)*, dated July 27, 1992, designated Special Groundwater Protection Areas (SGPAs), which are Critical Environmental Areas (CEAs), and are significant, largely undeveloped or sparsely developed geographic areas of Long Island that provide recharge to portions of the deep flow aquifer system. They represent a unique, final opportunity for comprehensive, preventive management to preclude or minimize land use activities that can have a deleterious impact on groundwater. Nine SGPAs are located on Long Island: North Hills, Oyster Bay, West Hills/Melville, Oak Brush Plains, South Setauket Woods, Central Suffolk, Southold, South Fork and Hither Hills. The subject property is not located within an SGPA. Therefore, no further discussion of the *SGPA Plan* is included in this VDEIS.



### Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757

VHB Ref. 29685.00



1 inch = 8,333 feet  
0 2,900 5,800 11,600 Feet  
North American Datum, 1983 -  
New York Long Island State Plane

### Legend

- Subject Property
- Hydrogeologic Zone Boundary

Figure 9 - Hydrogeologic Zone



SOURCES: (1) Hydrogeologic Zones - 208 Study, map revised May 30, 2014; Suffolk County Government, Cartography and GIS Webpage.

### Suffolk County Sanitary Code (Revised 2011)

In order to protect the groundwater quality in Suffolk County, the SCDHS adopted Articles 6, 7 and 12 of the Suffolk County Sanitary Code (SCSC) in 1980, 1985 and 1976, respectively.

Article 6, entitled, *Realty Subdivisions, Developments and Other Construction Projects*, contains provisions for sewage and water facilities if proposed development would occur within specific Groundwater Management Zones (GWMZ). The subject property is within GWMZ VII (see Figure 10). SCSC requirements relevant to the subject property are summarized below.

The proposed action includes multifamily residential units, therefore, applicable sewage facility requirements are found in Section 760-607 (A) of the SCSC, which relates to sewage disposal for construction projects other than conventional single-family developments. Specifically, a community sewerage system is required by the SCDHS as the method of sewage disposal when any of the following conditions are met:

- *The construction project is located outside Groundwater Management Zones III, V or VI, and the population density equivalent is equal to or less than that of a realty subdivision or development of single-family residences in which all parcels consist of an area of at least 20,000 square feet.*
- *The construction project, or any portion thereof, is located within an existing sewer district.*
- *The construction project is located in an area where the subsoil or groundwater conditions are not conducive to the proper functioning of individual or subsurface sewerage systems.*



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1 inch = 8,333 feet  
0 2,900 5,800 11,600 Feet  
North American Datum, 1983 -  
New York Long Island State Plane

### Legend

- Subject Property
- Groundwater Management Zone Boundary

Figure 10 - Groundwater Management Zone



SOURCES: (1) Suffolk County Sanitary Code - Article 6,  
map revised August 2, 2013. Suffolk County Government,  
Cartography and GIS Webpage.

Based on SCDHS design flow standards,<sup>31</sup> the population density equivalent for *Multiple Residential Projects* can be calculated as follows for areas outside of Groundwater Management Zones III, V or VI, where community water is being provided:

$$([75\%] \times \text{Adjusted Gross Land Area in SF}) \times 600 \text{ gpd} / 40,000 \text{ SF}$$

Although the subject property is 311,212± SF in size, the area proximate to the creek would not be considered developable land. The adjusted gross land area of the subject property, which does not include the creek (to the top of its banks), is 290,938 SF. Therefore, based on SCDHS design flow standards and the size of the portion of the site that would be developed, the population density equivalent for the subject property is 3,273.05 gpd, calculated as follows:

$$([75\%] \times 290,938 \text{ SF}) \times 600 \text{ gpd} / 40,000 \text{ SF}$$

The above calculation is used to determine whether a project could employ on-site sanitary systems or if it would need to provide additional sewage treatment infrastructure. If the proposed “Lindenhurst Residences” project’s projected sewage generation exceeds the population density equivalent, sanitary waste would need to be treated by a sewage treatment plant (see Section 3.2.2.1 of this VDEIS for the projected sewage generation for the proposed action).

In addition, the subject property is within an existing sewer district (the Southwest SD). Groundwater and soil conditions at the subject property with respect to functioning individual or subsurface sewerage systems are not applicable, as the subject property is connected to a municipal sewer district, and would continue to be under the proposed action, as discussed in Section 3.2.2.1 of this VDEIS. Existing conditions at the subject property, with respect to sanitary waste generation, are discussed in the *Sewage Disposal* subsection below.

Section 760-608 (A) of the SCSC indicates that, for projects other than conventional single-family residential realty subdivisions and developments, a community water system method of water supply is required when any of the following conditions are present:

- *The construction project, or any portion thereof, is located within an existing water district or service area*
- *The construction project is reasonably accessible to an existing water district or service area, unless hardship can be demonstrated*

▼  
<sup>31</sup> Suffolk County Department of Health Services. *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences*. Table 1, Project Density Loading Rates & Design Sewage Flow Rates (revised December 1, 2009).

- *Individual wells cannot provide sufficient yield of freshwater meeting Department requirements or standards*
- *Groundwaters in the area are non-potable, or potentially hazardous or*
- *The construction project has a population density equivalent that is greater than that of a realty subdivision or development of single-family residences in which all parcels consist of an area of at least 40,000 SF, or any residential parcel that has an area of less than 20,000 SF.*

As discussed further in the *Water Supply* subsection, below, the subject property is within the service area of the SCWA (Distribution Area 1), and currently obtains potable water from the SCWA.

Article 7 of the SCSC, *Water Pollution Control*, is intended to protect water resources “... from discharges of sewage, industrial and other wastes, toxic or hazardous materials and stormwater runoff,” and sets forth restrictions and prohibitions for certain discharges of such materials. Article 7 generally requires that construction and/or modification of sanitary disposal systems be subject to SCDHS permits, and that stormwater runoff not be allowed to run overland and become contaminated. Article 7 sets forth additional restrictions on discharges within deep recharge areas and water supply sensitive areas, and enumerates those activities which are excluded from such restrictions (e.g., application of approved fertilizers or pesticides, deicing salts, discharge of sewage to municipal sewers, etc.). Based on a review of the SCSC’s *Groundwater Management Zones & Water Supply Sensitive Areas* map, the subject property is not within a water supply sensitive area, nor is it considered to be within a deep recharge area, according to the SCSC. Thus, the additional restrictions are not applicable.

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

Based on investigations conducted during the Phase I ESA, no hazardous substances or petroleum products are located on the site, with the exception of various oils and lubricants that are located in a locked flammables storage cabinet. Various household cleaning supplies were also noted throughout the existing on-site buildings. The aforementioned items would be exempt from most of the provisions of Article 12.

Pursuant to §760-1210, new storage facilities to be used for the underground storage of toxic or hazardous materials shall be

*“designed and constructed in a manner which would, in the opinion of the Commissioner [of the SCDHS], provide the maximum reasonable protection available against leakage or spillage from the facility due to corrosion, breakage, structural failure, or other means. Double-walled or equivalent facilities are required for all toxic and hazardous materials.”*

A review of the proposed action’s consistency with the relevant provisions set forth in the SCSC are included in Section 3.2.2.1 of this document.

#### Nonpoint Source Management Handbook (1984)

The *Nonpoint Source Management Handbook* (the *Handbook*), which was prepared as part of the United States Environmental Protection Agency’s (USEPAs) 208 Plan Implementation Program, is divided into several elements: Land Use, Stormwater Runoff, On-site Systems, Highway Deicing, Fertilizer, Animal Waste, Wells-Water Supply, Boat Pollution, and Site Plan Review and Ordinances. The *Handbook* makes a variety of recommendations for counties, municipalities, engineers, etc., to use in the controlling of non-point sources of groundwater contamination, which are presented in Section 3.2.2.1, and the proposed “Lindenhurst Residences” project’s consistency with same is evaluated therein.

#### The Long Island Segment of the Nationwide Urban Runoff Program (1982)

The *Long Island Segment of the Nationwide Urban Runoff Program* (NURP Study) recognized that years of study, including various 208 studies, have provided conclusive evidence that in many areas pollutant loading contributed by non-point sources exceed those contributed by point sources, with urban runoff being the most significant non-point source. With regard to stormwater runoff, as it pertains to the protection of groundwater and surface water resources, the *NURP Study* made the following findings concerning groundwater and surface water:

#### Groundwater

- Most of the runoff into recharge basins is derived from rain that falls directly on impervious surfaces, except during storms of high intensity, high volume and/or long duration.
- In general, with the exception of lead and chloride, the concentrations of inorganic chemicals measured in stormwater runoff do not have the potential to adversely affect groundwater quality.
- Infiltration through the soil is generally an effective mechanism for reducing lead and probably chromium from runoff on Long Island. Although the NURP Study findings concerning chromium are not conclusive, data from a spill at

Farmingdale indicate attenuation. Chloride is not attenuated. The effect of infiltration on nitrogen is undetermined.

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

#### Surface Water

- Any control of chemical constituents in runoff requires awareness of the year-round presence. The use of highway deicing salts in winter explains the high chloride concentrations found in runoff during that season.
- Stormwater is a major source of coliform loading to Long Island bays. Some of the bays in Suffolk County contain areas where impaired water quality exists for reasons other than stormwater runoff (e.g., localized duck farm discharges).
- The evidence accumulated in the NURP Study strongly supports the belief that fecal coliform loads are derived from non-human sources. Estimates indicate that the dog population could be a major source of the fecal coliform load in stormwater runoff.
- The NURP Study provides recommendations aimed at reducing contaminants that are transmitted to groundwater by runoff. Surface water recommendations focus on those actions that can effectively control runoff to measurably increase surface water quality. Actionable surface water recommendations are broken into those directed at maintaining existing satisfactory water quality and improving water quality in areas where incremental improvements could lead to opening of areas to shellfishing.

Relevant recommendations from this study are presented in Section 3.2.2.1, and the proposed action's consistency with same is evaluated therein.

#### **Sewage Disposal**

The existing businesses operating on the site generate an estimated 12,413± gpd of sanitary wastewater, as shown in Table 5, which is based on Suffolk County's sewage flow rates.

Table 5 - Estimated Existing Sewage Generation

Description (Building No.)	Area (SF)	Units	Quantity	Sanitary Density (GPD/unit)	Sanitary Flow (GPD)	Kitchen/Grey Density (GPD/unit)	Kitchen/Grey Flow (GPD)	Total Flow (GPD)
Plumbing/heating contractor office (1&2) <sup>1</sup>	3,340	SF	N/A	0.06	200.40	N/A	N/A	200.40
Kitchen/bath showroom and warehouse (1&2) <sup>2</sup>	46,490	SF	N/A	0.04	1,859.60	N/A	N/A	1,859.60
Second-hand apparel warehouse (1&2) <sup>2</sup>	850	SF	N/A	0.04	34.00	N/A	N/A	34.00
Vacant Space (1&2)	1,880	SF	N/A	N/A	N/A	N/A	N/A	N/A
Individualized Family Care (1&2) <sup>1,3</sup>	1,500	SF	N/A	0.06	90.00	N/A	N/A	90.00
Indoor turf facility (3) <sup>4</sup>	N/A	court	1	100	100.00	N/A	N/A	100.00
Door/hardware manufacturing (3) <sup>2</sup>	6,500	SF	N/A	0.04	260.00	N/A	N/A	260.00
Kitchen/bath warehouse (4) <sup>2</sup>	13,000	SF	N/A	0.04	520.00	N/A	N/A	520.00
Second-hand book inventory warehouse (5) <sup>2</sup>	26,000	SF	N/A	0.04	1,040.00	N/A	N/A	1,040.00
Software technology office (6) <sup>1</sup>	5,254	SF	N/A	0.06	315.24	N/A	N/A	315.24
Accounts receivable office (6) <sup>1</sup>	8,809	SF	N/A	0.06	528.54	N/A	N/A	528.54
Light manufacturing – electronics (6) <sup>2</sup>	10,366	SF	N/A	0.04	414.64	N/A	N/A	414.64
Vacant Space (6)	1,415	SF	N/A	N/A	N/A	N/A	N/A	N/A
Restaurant (7) <sup>2</sup>	N/A	seats	235 <sup>2</sup>	10 <sup>3</sup>	2,350 <sup>3</sup>	20	4,700	7,050
Total Existing Sewage Generation					7,712.42		4,700	12,412.42

Notes:

<sup>1</sup> Non-medical office use.

<sup>2</sup> General Industrial.

<sup>3</sup> Number of students and staff was not available, although a day school factor may be appropriate. Note that this use is no longer a tenant, as the lease was terminated on May 31, 2016.

<sup>4</sup> Bowling alley/tennis court/racquetball. There may be additional generation from food service, but details were not available.

<sup>5</sup> Restaurant, >16 seats

Source: Suffolk County Department of Health Services. *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences*, Table 1, Project Density Loading Rates & Design Sewage Flow Rates. Revised December 1, 2009.

The subject property is within the Southwest SD, and is served by on-site sanitary sewer lines that connect to sewer mains beneath South Smith Street and South Pennsylvania Avenue. Thus, existing sewage generation is discharged to the Southwest SD.

The Southwest SD currently serves portions of the Towns of Islip, Babylon, and a small area of Huntington. The Southwest SD includes an area of approximately 57 square miles, with over 950 miles of sewer lines and 14 remote pumping stations. Approximately 95 percent of the Southwest SD is currently servicing residential development. The wastewater treatment plant (WWTP) serving the Southwest SD was activated in October 1981 and is located in Bergen Point, West Babylon and, thus, is commonly referred to as the “Bergen Point WWTP.” The facilities were designed to

provide secondary wastewater treatment for an average daily flow of 30 million gallons per day (MGD) plus a scavenger waste flow of 0.5 MGD. The estimated population located within the sewer district is approximately 340,000.<sup>32</sup>

## Water Supply

Based on Suffolk County's flow rates, the existing uses on the subject property have a potable water demand of 12,413± gpd, as shown in Table 6. Water is supplied to the existing uses on the subject property by on-site water mains that connect to water mains beneath South Smith Street and South Pennsylvania Avenue.



<sup>32</sup> Suffolk County Department of Public Works, *Sewer District No. 3 Southwest Sewer District Service Area Expansion Feasibility Study* (accessed February 2016); available from [http://www.suffolkcountyny.gov/Portals/0/publicworks/SewerExpansion/Southwest\\_Sewer\\_District\\_Fact\\_Sheet\\_2-16-12.pdf](http://www.suffolkcountyny.gov/Portals/0/publicworks/SewerExpansion/Southwest_Sewer_District_Fact_Sheet_2-16-12.pdf).

Table 6 – Estimated Existing Potable Water Demand

Description (Building No.)	Area (SF)	Units	Quantity	Sanitary Density (GPD/unit)	Sanitary Flow (GPD)	Kitchen/Grey Density (GPD/unit)	Kitchen/Grey Flow (GPD)	Total Flow (GPD)
Plumbing/heating contractor office (1&2) <sup>1</sup>	3,340	SF	N/A	0.06	200.40	N/A	N/A	200.40
Kitchen/bath showroom and warehouse (1&2) <sup>2</sup>	46,490	SF	N/A	0.04	1,859.60	N/A	N/A	1,859.60
Second-hand apparel warehouse (1&2) <sup>2</sup>	850	SF	N/A	0.04	34.00	N/A	N/A	34.00
Vacant Space (1&2)	1,880	SF	N/A	N/A	N/A	N/A	N/A	N/A
Individualized Family Care (1&2) <sup>1,3</sup>	1,500	SF	N/A	0.06	90.00	N/A	N/A	90.00
Indoor turf facility (3) <sup>4</sup>	N/A	court	1	100	100.00	N/A	N/A	100.00
Door/hardware manufacturing (3) <sup>2</sup>	6,500	SF	N/A	0.04	260.00	N/A	N/A	260.00
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Second-hand book inventory warehouse (5) <sup>2</sup>	26,000	SF	N/A	0.04	1,040.00	N/A	N/A	1,040.00
Software technology office (6) <sup>1</sup>	5,254	SF	N/A	0.06	315.24	N/A	N/A	315.24
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Vacant Space (6)	1,415	SF	N/A	N/A	N/A	N/A	N/A	N/A
Restaurant (7) <sup>2</sup>	N/A	seats	235 <sup>2</sup>	10 <sup>3</sup>	2,350 <sup>3</sup>	20	4,700	7,050
<b>Total Existing Potable Water Demand<sup>6</sup></b>					<b>7,712.42</b>		<b>4,700</b>	<b>12,412.42</b>

Notes:

<sup>1</sup> Non-medical office use.

<sup>2</sup> General Industrial.

<sup>3</sup> Number of students and staff was not available, although a day school factor may be appropriate. Note that this use is no longer a tenant, as the lease was terminated on May 31, 2016.

<sup>4</sup> Bowling alley/tennis court/racquetball. There may be additional generation from food service, but details were not available.

<sup>5</sup> Restaurant, >16 seats

<sup>6</sup> Existing landscaping on-site is minimal; thus no additional demand was added for irrigation.

Source: Suffolk County Department of Health Services. *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences*, Table 1, Project Density Loading Rates & Design Sewage Flow Rates. Revised December 1, 2009.

As stated previously, the subject property is located in SCWA Distribution Area 1. According to information from the *Suffolk County Water Authority 2016 Drinking Water Quality Report*,<sup>33</sup> overall, in 2015, the SCWA system served 1.2 million people in 27 Distribution Areas. In order to meet the water demand of its customers, SCWA pumped 76.2 billion gallons from 583 active wells in 2015. In an effort to obtain information regarding quality of the public water supply in the vicinity of the subject property, VHB reviewed the sampling results from the 2016 report (sampling results for the 2015 testing year), which demonstrate that the drinking water within Distribution Area 1 did not indicate the presence of inorganic contaminants, synthetic



<sup>33</sup> Suffolk County Water Authority, *Suffolk County Water Authority 2016 Drinking Water Quality Report*, 2016 (accessed July 2016); available from [http://s1091480.instanturl.net/dwqr2016/2016\\_DWQR\\_FINAL\\_5-31-16.pdf](http://s1091480.instanturl.net/dwqr2016/2016_DWQR_FINAL_5-31-16.pdf).

organic contaminants or VOCs beyond regulatory limits in any of the supply wells within the district, with the exception of iron. However, iron is naturally occurring in groundwater, and has no adverse health effects at the levels detected. The USEPA also requires testing for total coliform bacteria in source waters and water after treatment. In the 2015 monitoring year, Distribution Area 1 samples tested positive for total coliform; however, no violations were found. All source water monitoring samples in Distribution Area 1 were E. coli-negative. The SCWA also conducts radiological test, including for radon-222, a naturally occurring radioactive gas that was detected in samples of Distribution Area 1 supplies. The USEPA does not currently have an MCL, although the USEPA is considering setting a limit for water suppliers of 4,000 picocuries per liter (pCi/L). Radon-222 was detected, at its highest level, at 147.4 pCi/L, which is much below the potential USEPA requirement.

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### 3.2.1.2 Stormwater and Drainage

Stormwater runoff is generated by precipitation events and is divided into three components: surface runoff, interflow and base flow. Surface runoff is that portion of the stormwater that remains after a precipitation event and is not captured by depression storage or ponding, does not infiltrate the surface and is not evapotranspired from the earth's surface. Interflow is that portion of stormwater that infiltrates the surface into the soil zone and moves in a horizontal direction until reaching a surface water body. Finally, the base flow is that portion which infiltrates the surface and soil profile to reach groundwater.<sup>34</sup>

In the NYSDEC manual, *Reducing the Impacts of Stormwater Runoff From New Development*, the concept of stormwater management is such that there are quantitative controls, or a system of vegetative and structural measures, which can be used "to control increased volume and rate of surface runoff caused by man-made changes to the land" to convey stormwater flows and avoid flooding, and qualitative controls, that can also be used "to control or treat pollutants carried by surface runoff" (page 5). The goal of stormwater management is to prevent substantial alteration of the "quantity and quality of stormwater run-off from any specific development... from predevelopment conditions" (page 6).

As indicated in the *New York State Stormwater Management Design Manual* (NYS *Stormwater Manual*)<sup>35</sup>, stormwater management planning consists of a calculation of the stormwater volume for the site, incorporating any runoff reduction features or techniques in place, and use of standard stormwater management practices (SMPs) and control practices, as applicable given site-specific considerations. Acceptable

▼  
<sup>34</sup> New York State Department of Environmental Conservation, *Reducing the Impacts of Stormwater Runoff from New Development* (Albany, NY: NYSDEC, 1992).

<sup>35</sup> New York State Department of Environmental Conservation (originally prepared by Center for Watershed Protection), *New York State Stormwater Management Design Manual* (Albany, NY: NYSDEC, 2015); available from <http://www.dec.ny.gov/chemical/29072.html>.

SMPs for stormwater treatment can capture and treat the full stormwater volume, and meet performance standards designed in the *NYS Stormwater Manual*, including the removal of pollutants before stormwater reaches groundwater. Broad categories of acceptable practices include stormwater wetlands, infiltration practices (capturing and temporarily storing stormwater before allowing it to infiltrate into the soil), filtering practices (capturing, temporarily storing stormwater and passing it through a filter bed of treatment media) and open channel practices (capturing and treating stormwater within designed dry or wet cells).

The volume of existing stormwater runoff from the site is calculated using runoff coefficients of 1.00 for impervious surfaces (i.e., buildings, roads, pavement), and 0.30 for pervious surfaces (i.e., landscaped, grassed, natural, etc.). Based on the existing land coverage data for the site (see Table 1 in Section 2.2 of this VDEIS), the total stormwater runoff for the present site conditions is calculated to be 45,420± cubic feet (CF), based on storage for a two-inch rainfall. The drainage calculations (in CF), are as follows:

Impervious Surfaces = 5.88± acres

5.88± acres x 43,560 SF/acre = 256,032± SF

256,032± SF x 2/12 x 1.0 = 42,672.00± CF

Pervious Surfaces = 1.26± acres

1.26± x 43,560 SF/acre = 54,950± SF

54,950± SF x 2/12 x 0.3 = 2,747.50± CF

42,672.00± CF + 2,747.50± CF = 45,420± CF

Currently, stormwater management infrastructure on the subject property consists of a minimal number of drywells, which collect and recharge stormwater runoff beneath the site. A majority of the existing runoff flows to the on-site creek through multiple discharge pipes.

Summaries of the relevant policy documents and programs that pertain to stormwater runoff are provided below, and the proposed “Lindenhurst Residences” project’s consistency with same is presented in Section 3.2.2.2 of this VDEIS.

### **New York State Pollutant Discharge Elimination System (SPDES) Program**

The USEPA Phase I Rule was issued in 1990, and regulates stormwater discharges associated with industrial activities. As defined at 40 CFR 122.26(b)(14), industrial activities include construction activities (e.g., clearing, grading, excavation activities) that result in the disturbance of five acres or more of land area. The Phase I Rule requires such activities to obtain National Pollutant Discharge Elimination System

(NPDES) permit coverage for stormwater discharges (or coverage under an NPDES-approved State permit). It is noted that the USEPA Phase II stormwater rule was implemented to regulate (among other things) construction activities disturbing less than five acres, but greater than one acre of land. NYSDEC administers New York's NPDES-approved SPDES program, which includes a General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). This General Permit applies to the following construction activities when stormwater runoff may discharge to Waters of New York State (including Waters of the United States):

- Construction activities involving soil disturbances of one or more acres; including disturbances of less than one acre that are part of a larger common plan of development or sale that will ultimately disturb one or more acres of land.
- Construction activities involving soil disturbances of less than one acre where the Department has determined that a SPDES permit is required for stormwater discharges based on the potential for contribution to a violation of a water quality standard or for significant contribution of pollutants to surface waters of the State.

In addition, the USEPA Phase II rule requires that permits be obtained for stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s) in New York State-designated urbanized areas. Note that the Village of Lindenhurst is a designated urbanized area with a regulated MS4.<sup>36</sup> The SPDES General Permit for Stormwater Discharge from MS4s (GP-0-15-003) requires that permittees meet a variety of requirements that are generally designed to encourage municipalities and/or public agencies to actively seek to reduce the amount of contaminants that reach waters of the State through stormwater runoff, including:

- To inventory and analyze stormwater runoff generated within the MS4 jurisdiction
- To engage in public education and outreach efforts that disseminate information on the sources of stormwater runoff, potential causes of contamination of stormwater runoff, and the impacts of same on surface water quality; and
- To implement and enforce stormwater management regulations for land development activities within the MS4 jurisdiction that are at least as stringent as SPDES General Permit requirements.<sup>37</sup>

The SPDES GP-0-15-002 requirements are discussed further below. Chapter 160 of the Village Code, which addresses stormwater management, and includes regulations to meet the minimum criteria of the GP-0-15-002, in accordance MS4 requirements, is discussed in the following subsection of this VDEIS.



<sup>36</sup> New York State Department of Environmental Conservation, *Designation Criteria for Identifying Regulated Municipal Separate Storm Sewer Systems (MS4s)*, Revised May 2010; available from [http://www.dec.ny.gov/docs/water\\_pdf/ms4gpdscrit.pdf](http://www.dec.ny.gov/docs/water_pdf/ms4gpdscrit.pdf).

<sup>37</sup> New York State Department of Environmental Conservation, *New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s)*, effective May 1, 2015; available from [http://www.dec.ny.gov/docs/water\\_pdf/ms4permit.pdf](http://www.dec.ny.gov/docs/water_pdf/ms4permit.pdf).

Projects covered under the SPDES GP-0-15-002 are required to develop and implement a SWPPP that meets criteria set forth by NYSDEC. All SWPPPs must include practices consistent with the NYS Standards and Specifications. Many construction sites must also comply with the NYS Stormwater Manual to address post-construction stormwater discharges. Brief summaries of the aforementioned technical guides follow.

#### **New York State Standards and Specifications for Erosion and Sediment Control**

The *NYS Standards and Specifications* is a guidance document provided by the NYSDEC “to reduce the impact of soil loss from construction sites to receiving water bodies and adjacent properties” (page 1.1). Included in the *NYS Standards and Specifications* are sections regarding Erosion Control Planning and Site Management, as well as Vegetative, Bio-Technical and Structural Measures for Erosion and Sediment Control. Adherence to the *NYS Standards and Specifications* “...is presumed to be in compliance with the SPDES general permit for construction activities” (page 1.1).

#### **New York State Stormwater Management Design Manual**

The *NYS Stormwater Manual* provides “standards for the design of Stormwater Management Practices (SMPs) to protect the waters of the State of New York from the adverse impacts of urban stormwater runoff” (page iii). The *NYS Stormwater Manual* includes chapters on Impacts of New Development; Stormwater Management Planning; Unified Stormwater Sizing Criteria; Green Infrastructure Practices, Performance Criteria; SMP Selection; Stormwater Management Design Examples; Redevelopment Projects; and Enhanced Phosphorus Removal Supplement.

#### **Chapter 160 of the Village of Lindenhurst Code: Stormwater Management and Erosion and Sediment Control**

Chapter 160 of the Village Code contains requirements for stormwater management and erosion and sediment control with respect to land development activities in order to prevent the degradation of local surface water resources. The Chapter aims to “minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff and...prevent threats to public health and safety.” It is also noted that Chapter 160 of the Village Code is consistent with the South Shore Estuary Reserve Comprehensive Management Plan’s goal of reducing nonpoint source pollution of the estuary and its tributaries. Specific relevant provisions of this Chapter are included in Section 3.2.2.2 of this VDEIS, and the proposed “Lindenhurst Residences” project’s consistency therewith is evaluated.

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### 3.2.1.3 Surface Water and Wetlands

As indicated in Section 2.2, Neguntatogue Creek traverses the site on portions of tax lots 045.007, 045.008, 045.009 and 045.010, and through the length of tax lot 045.006. It flows southeast across the site from between Buildings 6 and 7, and continues southeast along the southwest elevation of Building 4, where sloped concrete banks have been installed along both sides of the creek. Proximate to the south corner of Building 4, the creek is diverted east-southeast for approximately 90 linear feet by a sub-grade culvert that runs beneath asphalt pavement. The creek exits the culvert proximate to the northeast corner of Building 5 where it continues above-ground between sloped concrete banks along the northeast elevation of Building 5. In the southeastern portion of the site, the creek runs along the undeveloped western length of tax lot 045.006.

There are no United States Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI)-classified surface water bodies or wetlands at or adjacent to the subject property, although ponds and wetlands associated with Neguntatogue Creek located upstream and downstream of the subject property are shown on the NWI Maps. The NWI Maps provide information to the public on the extent and status of the Nation's wetlands. The maps are intended as guidance documents made available "...to provide [USFWS biologists] and others with information on the distribution of wetlands to aid in wetland conservation efforts."<sup>38</sup> Certain wetlands and surface waters that appear on the NWI maps *may* be regulated by the federal government as "waters of the United States." However, according to the NWI Wetlands Mapper website,

*"There is no attempt to define the limits of proprietary jurisdiction of any Federal, state, or local government, or to establish the geographical scope of the regulatory programs of government agencies."*<sup>39</sup>

Currently, the United States Army Corps of Engineers (USACE) determines federal jurisdiction over waters of the United States on a case-by-case basis. In general, traditional navigable waters (TNWs) and their tributaries, as well as wetlands and surface waters with a "significant nexus" to TNWs are regulated as waters of the United States by the USACE, while isolated wetlands and surface waters with no significant nexus to TNWs are generally considered non-jurisdictional. Given its downstream connection to a known TNW (Great South Bay), it appears that Neguntatogue Creek would be regulated as a water of the United States, pending a formal Jurisdictional Determination by the USACE. Land uses and activities that result in direct impacts to regulated waters of the United States (e.g., draining, filling, dredging, discharges, bank stabilization, construction of structures, etc.) require a permit from the USACE, pursuant to Section 404 of the Clean Water Act (CWA).



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<sup>38</sup> United States Fish and Wildlife Service National Wetland Inventory - Overview. 2016. Available online at <http://www.fws.gov/wetlands/NWI/index.html>. Accessed July 31, 2016.

<sup>39</sup> United States Fish and Wildlife Service National Wetlands Inventory – Data Limits, Exclusions and Precautions. 2016. Available online at: <https://www.fws.gov/wetlands/data/Limitations.html>. Accessed July 31, 2016.

Neguntatogue Creek is regulated by the NYSDEC, both as a stream pursuant to Article 15 of the Environmental Conservation Law (ECL) and its implementing regulations in 6 NYCRR §608 - *Protection of Waters*, and as a wetland (NYSDEC Freshwater Wetland A-8), pursuant to Article 24 of the ECL and its implementing regulations in 6 NYCRR §663 - *Freshwater Wetlands Act*. Although there are no mapped NYSDEC wetlands at the site, the creek is connected to other NYSDEC-mapped wetlands located upstream and downstream (see Figure 11). Accordingly, various land uses and activities within the creek and/or the surrounding 100-foot adjacent area would require a permit from the NYSDEC, pursuant to ECL Articles 15 and 24. The NYSDEC is also the responsible agency for issuing Section 401 Water Quality Certifications for projects, as required by the USACE.

According to §925 of Article 16, Chapter X of the NYSDEC regulations,<sup>40</sup> the portion of Neguntatogue Creek that crosses the subject property has been assigned a Water Quality Classification of “C.” This designation indicates fresh surface waters for which the “best usages are for fish, shellfish and wildlife habitat. The water quality shall be suitable for primary and secondary contact recreation, although it is noted that other factors may limit the use for these purposes” (see §701 of Article 2, Chapter X of the NYSDEC regulations).<sup>41</sup> The 2011 Waterbody Inventory/Priority Waterbodies List (WI/PWL) water quality assessment for the portion of Neguntatogue Creek in the vicinity of the subject property indicated that there were minor impacts due to nutrients from stormwater runoff.<sup>42</sup> The most recent individual assessment of the waterbody, revised in May 2016, notes that additional verification of impacts and updated sampling are necessary to confirm water quality of this portion of Neguntatogue Creek, which is part of the South Shore Estuary Reserve (SSER). The assessment indicates that likely sources of pollution to this waterbody continue to be urban stormwater runoff and other nonpoint sources. However, it is not included in the 2016 *New York State Section 303(d) List of Impaired/TMDL Waters*.<sup>43</sup> In addition, §41.3, *Shellfish Lands in Suffolk County*, of Chapter I of the NYSDEC regulations, classifies Neguntatogue Creek, along with other tributaries to Great South Bay, and Great South Bay proximate to the shore, as uncertified for shellfishing.<sup>44</sup> While the portion of Neguntatogue Creek that is located on the subject property is freshwater and not regulated with respect to shellfishing, it flows south towards the tidal reaches of the creek and Great South Bay. Thus, the existing conditions of the creek at the site may have consequences for the downstream waters. Relevant surface water recommendations from the *NURP Study*, which is introduced in Section 3.2.1.1, are



<sup>40</sup> New York State Department of Environmental Conservation, *Part 925: Western Suffolk County Waters* (accessed July 2016); available from <http://www.dec.ny.gov/regs/2485.html>.

<sup>41</sup> New York State Department of Environmental Conservation, *Part 701: Classifications-Surface Waters and Groundwaters* (accessed July 2016); available from <http://www.dec.ny.gov/regs/2485.html>.

<sup>42</sup> New York State Department of Environmental Conservation, *The Atlantic Ocean/Long Island Sound Basin Water Inventory and Priority Waterbodies List*, August 2011: available from [http://www.dec.ny.gov/docs/water\\_pdf/pwlalis11v2.pdf](http://www.dec.ny.gov/docs/water_pdf/pwlalis11v2.pdf).

<sup>43</sup> New York State Department of Environmental Conservation, *Great South Bay/Fire Island Inlet Watershed: Neguntatogue Creek, Upper, and tribs (1701-0088)* (accessed July 2016); available from [http://www.dec.ny.gov/docs/water\\_pdf/wiatllisqgsbfii.pdf](http://www.dec.ny.gov/docs/water_pdf/wiatllisqgsbfii.pdf).

<sup>44</sup> New York State Department of Environmental Conservation, *41.3 Shellfish Lands of Suffolk County* (accessed July 2016); available from <http://www.dec.ny.gov/regs/2494.html>.

evaluated for consistency, with respect to the proposed action, in Section 3.2.2.1 of this VDEIS.

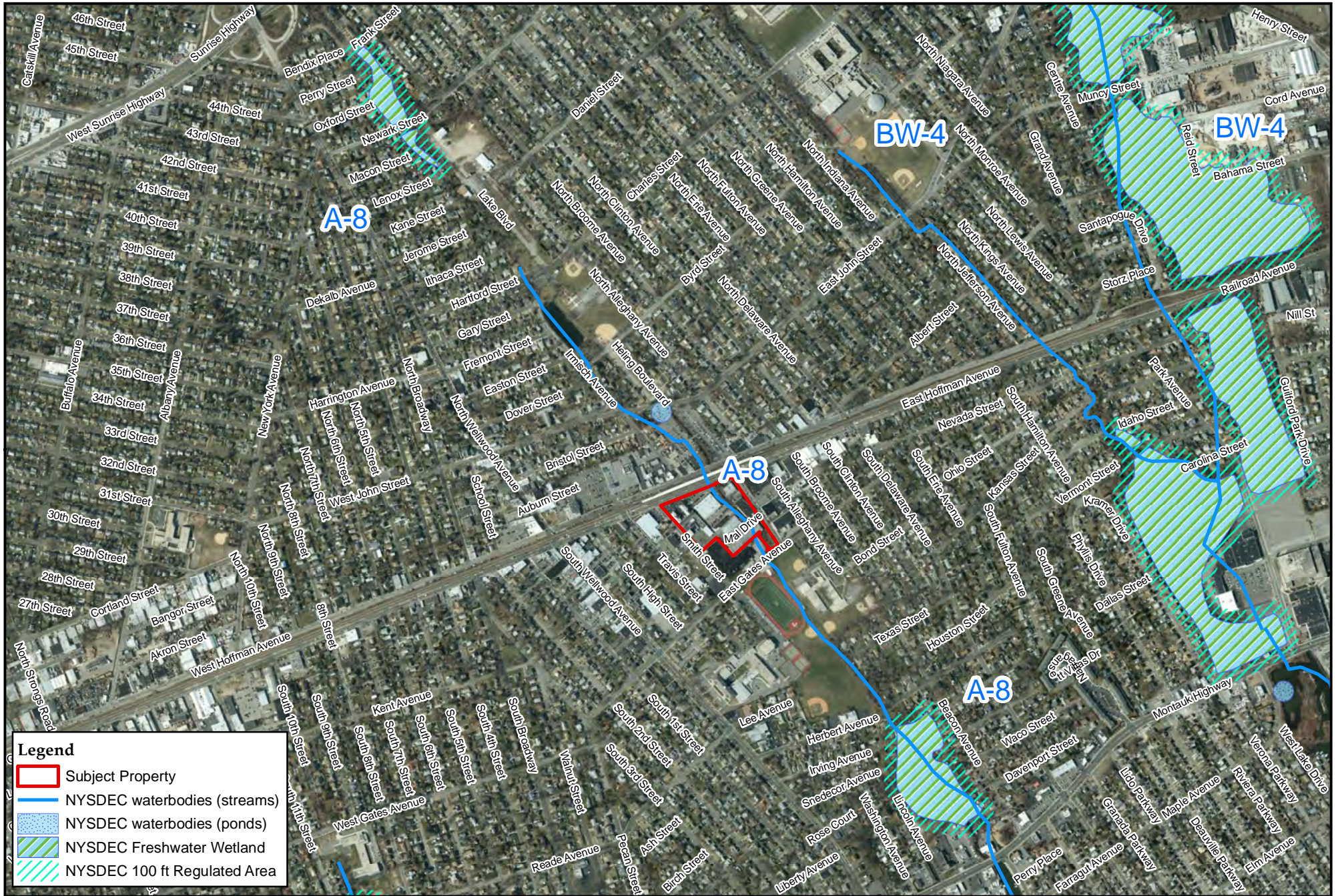
As observed during field inspections conducted during January 2015, March 2016 and July 2016, the subject property and adjacent parcels are characterized primarily by impervious surfaces (i.e., buildings and pavement) associated with commercial/industrial development and roads. In particular, the majority of the 7.14± subject property surrounding Neguntatogue Creek is developed with impervious surfaces, which occupy 5.88± acres, (82 percent of the existing site coverage). Moreover, within the NYSDEC-regulated 100-foot adjacent area of the creek, impervious surfaces occupy 2.13± acres (82 percent of the existing coverage), as compared to just 0.48± acres (18 percent) of pervious surfaces.

Neguntatogue Creek itself has been substantially altered in association with historical and current commercial/industrial site usage. As noted above, a segment of the creek has been culverted (with asphalt pavement installed above) and two segments of the creek have been channelized with concrete banks. As a result, the stormwater and floodwater storage capacity of the creek have been impaired, and the potential for downstream erosion has increased. The replacement of naturally-vegetated banks with the existing culvert and concrete banks has also negatively impacted the functionality of the creek with respect to sequestration/bioremediation of nutrients and pollutants. Multiple stormwater outfalls from the surrounding buildings and pavement discharge to the creek, and substantial erosion and undercutting has occurred along those portions of the creek where unpaved banks exist, presumably due to peak stormwater flows from both on-site and upstream sources. Due to bank erosion and stormwater-dominated hydrology, water quality is impaired and the creek substrate has been compromised by siltation. The impacts from both of the aforementioned extend beyond the subject property to downstream wetlands and surface waters. Additionally, the creek is littered with various trash and debris.

Given the installation of the culvert and concrete banks described above, as well as the predominantly impervious surfaces at the subject property, vegetation within and adjacent to the creek is limited primarily to within the two creek segments proximate to the northern and southern site boundaries. With the exception of thickets of the non-native/invasive variety of common reed (*Phragmites australis*), and scattered patches of non-native/invasive purple loosestrife (*Lythrum salicaria*), emergent vegetation within the creek is virtually non-existent. Vegetation along and adjacent to the unpaved banks of the northern and southern creek sections is comprised of upland trees, shrubs and herbaceous plants, including dominant non-native/invasive species such as black locust (*Robinia pseudoacacia*), multiflora rose (*Rosa multiflora*), Tatarian honeysuckle (*Lonicera japonica*), Asiatic bittersweet (*Celastrus orbiculatus*), Japanese honeysuckle (*Lonicera japonica*), mugwort (*Artemisia vulgaris*) and common reed, as well native species including black walnut (*Juglans nigra*), mulberry (*Morus sp.*), brambles (*Rubus sp.*), trumpet creeper vine (*Campsis radicans*), hedge bindweed (*Calystegia sepium*), common milkweed (*Asclepias syriaca*) and common turf grasses. In contrast, the remaining sections of the creek corridor are largely unvegetated, due

primarily to the presence of the culvert and concrete banks. As a result of the removal of vegetation and colonization by non-native/invasive plant species, vegetative abundance and diversity is low and the overall wildlife habitat capacity of the creek and surrounding uplands is severely impaired.

Based upon the foregoing observations, the overall wetland functional capacity of Neguntatogue Creek has been degraded as a result of historical alterations, particularly with respect to the vital functions of stormwater and floodwater storage, modification of water quality, vegetative diversity and wildlife habitat capacity. Currently, the primary function of the creek is the downstream transport of stormwater from on-site and upstream sources.



## Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757  
VHB Ref. 29685.00



1 inch = 1,042 feet  
0 362.5 725 1,450 Feet  
North American Datum, 1983 -  
New York Long Island State Plane

Figure 11 - NYSDEC Freshwater Wetlands



**SOURCES:** (1) 2013 Aerial: 2013 NYS Digital Ortho-imagery, NYSITS, 2013. (2) Streets: NYSITS, 2014; (4) Streams: Water Quality Classifications, NYSDEC, 2010; (5) Ponds: Water Quality Classifications, NYSDEC, 2010; (6) Freshwater Wetlands: NYSDEC, 2013; (7) 100 foot regulated area: Created by VHB, 2015, by using the ArcGIS buffer tool 100 feet from the NYSDEC freshwater wetlands shapefile.

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## 3.2.2 Potential Impacts

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### 3.2.2.1 Groundwater

#### Characteristics

As previously noted, a single source aquifer provides Long Island's drinking water. Thus, the groundwater underlying the subject property is a source of potable water, and the most stringent quality standards apply. The proposed action has been designed with its location in a shallow flow groundwater area in mind, and measures to protect groundwater quantity and quality are discussed throughout this section. The proposed "Lindenhurst Residences" project's consistency with recommendations from groundwater studies, as indicated in the *Relevant Plans and Policies* subsection, below, further demonstrates that there would be no significant adverse groundwater quality or quantity impacts as a result of implementation or operation of the proposed action.

In addition, as discussed in more detail in Section 3.2.2.2, the stormwater management infrastructure would be installed such that the depth of the leaching galleys would be installed a minimum of two feet above groundwater to allow filtration before stormwater would be discharged to groundwater. As sanitary wastewater would be accommodated and treated by the Southwest SD, and there would be no on-site sewage treatment, there would be no constraints to same related to depth to groundwater.

#### Relevant Plans and Policies

##### Suffolk County Comprehensive Water Resources Management Plan (2015)

As indicated in Section 3.2.1.1 of this VDEIS, the *Comprehensive Water Resources Plan* prepared goals and objectives designed to assure a viable, high quality groundwater resource for the future. The proposed action's consistency with the relevant portions is evaluated below:

- *All County residents should have access to safe potable water that is in compliance with drinking water MCLs, USEPA health advisories and New York State guidance levels.*

As indicated in Section 3.2.1.1 of this VDEIS, the 2015 water quality data (for the 2014 monitoring year) for SCWA's Distribution Area 1, did not indicate the presence of inorganic contaminants, synthetic organic contaminants or volatile organic contaminants beyond regulatory limits in any of the supply wells within the district, with the exception of iron, which was detected at levels that would not impact human health. With respect to detection of unregulated contaminants, those found were at extremely low levels. Therefore, since the proposed action would receive potable water from the SCWA, the future residents of the proposed

development would have access to safe potable water.

- *A community public water supply should be available to all Suffolk County residents.*

As mentioned above, the proposed action would be served by SCWA public water. The subject property is currently connected to SCWA infrastructure, and would continue to be served by the SCWA to ensure that a community public water supply would be available for the residents of proposed “Lindenhurst Residences” project.

- *Residential and commercial irrigation should be managed to reduce peak demands on water supply infrastructure.*

As previously explained, the proposed development would maximize the use of low-maintenance, native species and limit areas to be irrigated. Specifically, greater than 50 percent of landscaped areas would be planted with native species, and less than 40 percent of landscaped areas would be turf.

- *Nitrogen loading and concentrations of other regulated and unregulated contaminants in groundwater should be reduced to the greatest extent feasible and practical for the protection of current and future drinking water supplies and to restore/maintain ecological functions of streams, lakes, estuaries and marine waters.*

The proposed development would connect to the Southwest SD for sanitary waste disposal and would minimize fertilizer use to the extent practicable, thus reducing nitrogen loading in groundwater. Further, the proposed development would implement non-toxic pest control practices.

- *Land use patterns should be consistent with the protection of the County’s groundwater and surface water resources, including the protection of existing and future drinking water supplies.*

The proposed action is a residential land use, and the design would be protective of surface and groundwaters through connection to the Southwest SD for wastewater treatment; connection to the SCWA public water supply; installation of a stormwater management system that would contain and recharge the majority of stormwater runoff on-site; use of high efficiency plumbing fixtures; and a landscaping plan consisting of low-maintenance, native plant species with minimal fertilizer requirements, to the extent practicable. In addition, the existing NYSDEC-regulated creek on the subject property would be enhanced and protected as part of the proposed action, thus surface water resources would be preserved.

- *Groundwater levels should be maintained to protect and preserve the County's drinking water supply, as well as to protect and preserve the long term sustainability and ecological functions of existing surface water resources.*

As noted in Section 3.2.1.1 of this VDEIS, the subject property is not in an area where there are potential groundwater quantity issues. Therefore, it is not expected that the proposed development would impact groundwater quantity. In addition, as mentioned, the existing NYSDEC-regulated creek on the subject property would be enhanced and protected as part of the proposed action, thus surface water resources would be preserved.

- *Groundwater nitrogen inputs into the County's surface waters should be reduced, consistent with the goals of the Long Island Sound Study (LISS), Peconic Estuary Program (PEP) and the South Shore Estuary Reserve (SSER) programs – to protect, preserve and restore the estuaries for long term sustainability of the resource.*

As discussed above, nitrogen inputs would be reduced to the extent practicable, through the aforementioned connection to the Southwest SD and through minimization of use of fertilizers.

- *Improve groundwater quality to maintain a potable water supply to serve existing and future populations by reducing effluent nitrogen loads from existing and future onsite sewage disposal systems and sewage treatment plants.*

As indicated above, the proposed action would connect to the Southwest SD, and effluent would be treated at the Bergen Point WWTP. Although the Bergen Point WWTP does not have nitrogen removal, it does provide advanced treatment and removal of biochemical oxygen demand (BOD)<sup>45</sup> to treat effluent.

Based on the above, the proposed "Lindenhurst Residences" project would be consistent with the relevant goals of the *Comprehensive Water Resources Plan*.

#### Long Island Comprehensive Water Treatment Management Plan (1978)

As indicated in Section 3.2.1.1, the subject property is within Hydrogeologic Zone VII. Among the control options and alternatives recommended in the 208 Study for Zone VII, those relevant to the proposed "Lindenhurst Residences" project are analyzed below:

- *Wastewater Management Highest Priority Area-wide Alternatives:*
  - *Control stormwater runoff to minimize the transport of sediments, nutrients, metals, organic chemicals and bacteria to ground or surface waters.*

The stormwater management system would be designed to collect the majority of stormwater runoff and direct it to subsurface leaching galleries

▼  
<sup>45</sup> United States Environmental Protection Agency, 2008 Clean Watersheds Needs Survey: Suffolk (Co) SCSD #3 Southwest (accessed February 2016); available from [http://cfpub.epa.gov/dmr/facility\\_detail.cfm?fac=NY0104809](http://cfpub.epa.gov/dmr/facility_detail.cfm?fac=NY0104809).

installed throughout the site. Stormwater runoff from a small portion of the site (approximately 5.9 percent of total required storage volume) would be discharged to the creek, pursuant to consultations with the NYSDEC. Accordingly, the proposed action complies with this recommendation to the extent practicable.

➤ *Structural and Non-Structural Recommendations:*

- *The importance of maintaining the flow and water quality of streams may require action to mitigate the impact of reduced groundwater levels attributable to sewerage, with marine surface water discharges.*

The Applicant for the proposed development has had ongoing consultations with the NYSDEC with respect to the design of the proposed “Lindenhurst Residences” project and potential impacts to Neguntatogue Creek. These actions would also expand stormwater and floodwater storage capacity, and result in improved functionality for modification of water quality, and would also result in improved functionality with respect to vegetative diversity and wildlife habitat capacity of Neguntatogue Creek and the site as a whole.

- *Reduce the use of fertilizers on turf, and promote the use of low-maintenance lawns.*

In order to comply with this recommendation, the proposed action would incorporate native species, to the maximum extent practicable, to encourage a low-maintenance landscape (see Preliminary Landscape Concept in Appendix C). Examples of the proposed native species include river birch (*Betula nigra*), American dogwood (*Cornus florida*), sweet pepperbush (*Clethra alnifolia*), switchgrass (*Panicum virgatum*), marsh marigold (*Caltha palustris*) and others. As indicated above, greater than 50 percent of landscaped areas would be planted with native species, and less than 40 percent of landscaped areas would be turf.

Suffolk County Sanitary Code (Revised 2011)

As explained in Section 3.2.1.1 of this VDEIS, Article 6 of the SCSC states that a community sewerage system method of disposal is required for projects exceeding their respective population density equivalents (e.g., connection to a municipal sewer system, connection to an existing off-site community STP or construction of an on-site community STP). As stated previously, the population density equivalent for the subject property is approximately 3,273.05 gpd, and, as described below, the proposed development would generate an estimated 59,175± gpd of sanitary waste. Therefore, a community sewage system would be required. Since the proposed action would include connection to the Southwest SD for wastewater treatment purposes, it would comply with Article 6.

In addition, Article 6 of the SCSC also includes requirements for community water facilities with respect to those projects located within an existing water district or

service area. As previously indicated, the subject property is within SCWA Distribution Area 1, and the proposed development would connect the site to SCWA public water supplies. Therefore, the proposed action would comply with this section of Article 6 of the SCSC.

In accordance with Article 7 of the SCSC, all sewage generated by the proposed action would be discharged to Southwest SD, which complies with SCDHS standards, and the required permits for connection to the sewer district would be obtained prior to construction. In addition, the stormwater management design for the subject property would be such that stormwater would be recharged on-site, and would not be subject to contamination by any toxic or hazardous wastes or materials. The Bergen Point WWTP would treat wastewater, and on-site stormwater systems would be installed a minimum of two feet above groundwater to allow for filtration of effluent and stormwater prior to reaching groundwater. Thus, the proposed action would be in compliance with the requirements of Article 7 of the SCSC.

The proposed “Lindenhurst Residences” project is expected to be served by natural gas from National Grid for the purposes of heating. The storage of heating fuel on-site is not proposed. It is expected that the proposed development would include the storage or use of only limited quantities of chemicals or other hazardous materials associated with routine swimming pool maintenance, landscaping and other property maintenance. All pool maintenance chemicals, landscaping maintenance and other property maintenance agents to be stored or used at the subject property would be handled in accordance with the relevant provisions of Article 12 of the SCSC, and all required permits would be secured, as needed.

Based upon the above analysis, the proposed “Lindenhurst Residences” project would comply with the requirements of the SCSC.

#### Nonpoint Source Management Handbook (1984)

The *Handbook* was reviewed as to recommendations related to the proposed “Lindenhurst Residences” project. Discussion of the proposed development’s consistency with the relevant recommendations follows:

#### Land Use

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

The proposed action includes the redevelopment of a site currently occupied by commercial and industrial uses, and thus, the subject property has been historically graded and disturbed. The subject property is not located in a deep recharge area, and the proposed action does not include the development of industrial uses. Further, the proposed development would connect to the Southwest SD for sanitary wastewater treatment, such that there would be no

associated impacts to groundwater. Thus, the proposed “Lindenhurst Residences” project complies with this recommendation.

- *Concentrate high density or commercial/industrial land uses in existing high density or commercial/industrial areas or in areas located downgradient and within existing contaminant plumes.*

As discussed in Section 3.3.2 of this VDEIS, the subject property is located in an area, proximate to the Lindenhurst LIRR station, with a concentration of commercial and industrial uses, and the proposed “Lindenhurst Residences” project would introduce a 260-unit multifamily residential development to the site. There are no existing contaminant plumes proximate to the site, however, the proposed use would be a TOD, and would be appropriate for its location. Accordingly, the location of the proposed “Lindenhurst Residences” project would be consistent with this recommendation.

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

On the 7.14±-acre subject property, there is existing natural vegetation (including mainly thicket vegetation), located proximate to the creek and on the southeastern portion of the subject property. The vegetation on the southeastern portion of the site is outside of the area proposed for development. In addition, upon implementation of the proposed action, concrete would be removed from the stream banks, and native species would be planted, to the extent practicable, enhancing the creek area. Thus, the proposed development complies with the intent of this recommendation.

- *Minimize nitrate loadings to groundwater and surface waters by requiring natural vegetative controls to limit lawn areas, thereby decreasing fertilizer use.*

On-site landscaping would be comprised of low-maintenance, native plant species, to the extent practicable. Examples of the proposed native species include river birch (*Betula nigra*), American dogwood (*Cornus florida*), sweet pepperbush (*Clethra alnifolia*), switchgrass (*Panicum virgatum*), marsh marigold (*Caltha palustris*) and others (see Preliminary Landscape Concept in Appendix C). The use of such species, as an alternative to fertilizer-dependent species, would be expected to minimize the need for fertilizer and pesticide application. As a result, the potential presence of such constituents within the stormwater runoff would be reduced to the maximum extent practicable.

#### Stormwater Runoff

- *Minimize grade changes and site clearing.*

All areas of the subject property have historically been disturbed and developed for commercial and/or industrial uses. The creek area has also been disturbed, and portions of the stream banks have previously been paved with concrete. Additional site clearing and grading would occur to construct the proposed

improvements. While regrading of the site would occur, the change in grade from the existing to proposed conditions would be generally attributable to the need to balance the site in preparation for installation of foundations and infrastructure. Existing grades would be retained wherever possible. The proposed action would initially result in the clearing a majority of the subject property for the proposed “Lindenhurst Residences” project. However, overall impervious surface area on the site would decrease with implementation of the proposed action, and, as previously discussed, landscaping would employ native plant species to the maximum extent practicable. Accordingly, the proposed “Lindenhurst Residences” project complies with the spirit of this recommendation.

- *Retain native vegetation on steep slopes, in swales, on excessively drained sandy-gravelly soils, on soils with a high content of silts, fine sands and clays, and in areas with a high water table or adjacent to surface waters.*

Although the proposed development would initially result in the clearing of a majority of the overall subject property (which is primarily developed impervious surfaces and limited invasive vegetation), as previously discussed, 1.90± acres of lawn and landscaped areas would be created, using native plant species to the maximum extent practicable. Existing stream bank slopes would be regraded so that they would be gentler, which would improve upon the existing condition, such that significant adverse impacts from clearing and grading are not anticipated. In addition, during the grading and construction processes, erosion and sedimentation BMPs would be implemented to mitigate potential runoff from the site and into the creek. Post-construction drainage methods include subsurface leaching galleys to contain and recharge a majority of stormwater on-site. A limited volume of stormwater would be discharged into the creek, in accordance with NYSDEC approvals. Overall, therefore, the proposed “Lindenhurst Residences” project complies with the intent of this recommendation.

- *Avoid the use of paved surfaces where the presence of the following conditions indicate potential problems: severely sloped terrain, floodplain areas, existing swales, lowland areas, depressions, kettleholes and severe or moderate soil constraints.*

Upon implementation of the proposed action, with respect to slopes and swales, the existing creek would be enhanced and protected through the following measures:

- Removal of concrete stream banks
- Re-grading of the stream banks to create gentler slopes
- Stabilization of banks with bio logs or similar measures

As indicated in Section 3.1.1 of this VDEIS, the on-site soils are not natural, due to extensive historical disturbance, grading and placement of fill. Therefore, soil borings were performed by others (Vachris) to determine potential limitations to development posed by on-site soils and identify site-specific recommendations

for development. The proposed “Lindenhurst Residences” project would incorporate the recommendations described in Section 3.1.2 of this VDEIS. In addition, the proposed action includes regrading of the subject property and placement of fill to address potential limitations associated with any slopes and a high water table, and on-site soils would be mixed, and topsoil introduced, which would help to address potential limitations with respect to soils throughout the subject property. As such, the proposed development would comply with the intent of this recommendation.

- *Reduce the length of roadways, thereby reducing the extent of cut and fill areas and stormwater runoff volumes and minimizing the possibility of sedimentation/erosion.*
- *Reduce the area of other impermeable surfaces such as walkways, patios, and recreational facilities.*
- *Allocate open space for recreation and aquifer recharge.*

With respect to the three above-listed recommendations, the proposed action would decrease impervious surface area on the subject property by nearly 20 percent. Further, the southern parcel (tax lot 045.006) would not contain any impervious surface, concrete banks would be removed from the stream banks, and wetland vegetation would be planted proximate to the creek, which would enhance filtration of stormwater runoff. Thus, the proposed action would be consistent with the intent of these recommendations.

As discussed, the *Handbook* lists several recommendations relevant to the general design of a stormwater management system.

- *Reduce the extent of impermeable surfaces insofar as possible.*
- *Use swales and shallow depressions to collect stormwater on-site, wherever possible.*
- *Preserve swales in their natural state. Avoid disturbance of existing grades, vegetation (particularly ground cover) or soils and the alteration of surface hydrology.*
- *Use natural vegetation as an important nonstructural alternative in the control of stormwater runoff and erosion/sedimentation.*
- *Do not allow increased sediment resulting from the construction of operational phase of site development to leave the site or to be discharged into stream corridors, marine or freshwater wetlands.*
- *Detain runoff on-site and direct stormwater from road surfaces to sediment basins before discharge to a sump wherever topography limits or precludes the on-site recharge.*

In accordance with the above-indicated recommendations, a Preliminary Grading and Drainage Plan has been prepared (see Appendix C). This plan includes the installation of leaching galleys on the subject property to collect and recharge a majority of stormwater runoff to groundwater via the base of the subject leaching galleys. As previously noted, results from the soil borings drilled at the subject property, indicated that depth to groundwater is between three and seven feet

bgs. The leaching galleys would be installed a minimum of two feet above groundwater. Thus, there would be adequate separation distance between the base of the leaching structures and groundwater.

As mentioned above, impervious surfaces would be removed from the stream banks, and native vegetation would be installed in place. Such vegetation would serve as a nonstructural method of stormwater runoff filtration.

The erosion control and sedimentation measures indicated in Section 3.1.2 of this VDEIS, and other construction BMPs, would be implemented to ensure that sediment would not be permitted to discharge into the stream corridor, unless as permitted by the NYSDEC. Further, stormwater runoff would not be permitted to run overland without proper filtration and potentially become contaminated before reaching surface or groundwaters. Accordingly, the proposed “Lindenhurst Residences” project would be consistent with the various recommendations of the *Handbook* for the design of stormwater management systems.

Below, compliance with the *Handbook*’s recommendations relevant to stormwater management during site development is evaluated.

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

In conformance with the four above-listed recommendations, erosion and sedimentation control measures would be employed during construction in accordance with the Preliminary Erosion & Sediment Control Plan (see Appendix C). Specific anticipated measures include the strategic placement of sediment barriers (e.g., silt fence, hay bales) along the limits of disturbance and to surround drainage system inlets, and boundaries of the adjoining wetland areas, temporary seeding and covering of graded and stripped areas and stockpiles, and the establishment of a stabilized construction entrance. Clearing and grading activities would be scheduled to limit the extent and duration of soil exposure, which would effectively limit the extent of potential soil erosion and sedimentation, as discussed in the recommendations. All control measures would be regularly inspected and maintained during construction to ensure proper function. Permanent stabilization of the site, including the installation of parking and paved areas and landscaping, would be implemented as soon as practicable following disturbance. It should also be noted that the creek and wetland areas

would be protected during construction, in accordance with NYSDEC guidance. As a result of removal of existing concrete stream banks and revegetation in these areas, overall, the proposed action would result in a restored stream corridor and wetland area. Thus, the proposed action would be consistent with the relevant recommendations.

#### Fertilizer

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

As indicated above and as shown on the Preliminary Landscape Concept (see Appendix C), approximately 1.90± acres of lawn and landscaped areas would be created on the subject property. The proposed landscaping includes native species and/or species requiring minimal fertilizer inputs to the extent practicable. Further, grade changes and clearing would be conducted proximate to the existing creek in order to remove invasive species and create gentler slopes on the stream banks. Erosion and sedimentation control measures would be implemented for all proposed clearing and grading activities. Thus, the proposed development would comply with the intent of this recommendation.

- *Retain native vegetation on steep slopes, in steep swales, on Carver or other excessively drained sandy-gravelly soils, in areas with a high water table or adjacent to surface waters.*

The existing slopes along the stream corridor would be restored under the proposed action, due to removal of concrete banks, regrading to gentler slopes, and revegetation. Thus, the proposed action would be consistent with this recommendation.

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

Native plant species would be used throughout the site, to the extent practicable, in areas that have been disturbed by grading. Examples of the proposed native species include river birch (*Betula nigra*), American dogwood (*Cornus florida*), sweet pepperbush (*Clethra alnifolia*), switchgrass (*Panicum virgatum*), marsh marigold (*Caltha palustris*) and others. The approximately 1.90± acres of lawn and landscaped areas to be created would consist of native species to the maximum extent practicable, to reduce the need for fertilizers, and other nutrient inputs. Further, 0.24± acres on the southern parcel would remain natural vegetation. Thus, the proposed “Lindenhurst Residences” project would comply with this recommendation.

- *Avoid the use of lawns where the presence of the following conditions indicate potential problems in the establishment and maintenance of turf: severely sloped terrain or soil constraints including, surface textures containing coarse sands, pebbles, or excessively stony or boulder soils, excessively drained or poorly drained soils, rapid permeability, chronic high water table, or a seasonal high water table within six inches of surface soil.*
- *Establish or rehabilitate lawn area only when the presence of the following conditions indicates suitability for turf: nearly level or moderately slopes terrain, moderately drained soils, moderately fine or medium textured surface, a small or moderate amount of stony or sandy soil, a seasonal high water table more than twelve inches below the surface, or soils with only slight constraints.*
- *Consider the use of alternate types of groundcover and other plant materials to avoid or reduce lawn area and the consequent need for fertilizer applications, extensive watering and maintenance.*

With respect to the three recommendation listed above, the area of turf would be minimized at the proposed “Lindenhurst Residences” project, and native vegetation would be used to the extent practicable. As discussed throughout this VDEIS, and in further detail in Section 3.2.2.3, the proposed enhancements to the stream corridor would have a beneficial environmental impact. Thus, the proposed action would be consistent with the intent of the above recommendations.

#### The Long Island Segment of the Nationwide Urban Runoff Program (1982)

The *NURP Study* includes recommendations with regard to stormwater runoff, as it pertains to the protection of groundwater and surface water resources. The proposed “Lindenhurst Residences” project’s consistency with the relevant recommendations is discussed below the italicized recommendations:

- *Continue to use recharge basins wherever feasible for the disposal of stormwater and the replenishment of the groundwater.*
- *Consider the use of in-line storage leaching drainage systems, or components thereof, as a substitute for recharge basins in areas, other than parking lots, where maintenance will be assured and where the value of the land for development purposes is greater than the cost of installing and maintaining the underground system. Storage leaching drainage systems should also be considered for use where the installation of recharge basins is not feasible.*
- *Prevent illegal discharges to drainage systems or recharge basins. Such discharges, which often result from improper storage or deliberate dumping of chemicals, must be controlled at the source.*

With respect to the above-listed recommendations, the proposed stormwater management plan includes collection and infiltration by the use of leaching galleys. Leaching galleys are similar to recharge basins in that they provide a means for infiltration of stormwater into the ground, through the base of the leaching galleys. A limited volume of stormwater runoff would be discharged to

the creek, however, this would occur in accordance with NYSDEC permissions, and the stream bank would be revegetated to allow for maximal filtration of the runoff.

The Applicant for the proposed development would hire contractors who would properly maintain all elements of the stormwater management system. Further, the proposed drainage system would be designed in accordance with prevailing regulations. Given that no industrial uses are proposed, no potential illegal discharges associated with the improper storage of chemicals would be expected.

Thus, the proposed action would be consistent with these recommendations.

- *To improve water quality in those areas where modest reductions in coliform counts could lead to the conditional opening of currently uncertified areas or the unconditional opening of conditionally certified or uncertified shellfishing areas:*
- *Preclude any additional direct discharge of stormwater runoff into surface waters, using all available means for detention and/or recharge to reduce bacterial loads.*
- *Protect stream corridors from encroachment, so that the stream reaches that will become dry because of the lowering of the water table due to sewerage will always be available for stormwater detention and recharge.*

A discussion of the proposed “Lindenhurst Residences” project’s conformance to the three recommendations listed above is provided below.

As discussed in Section 3.2.1.3 of this VDEIS, it is likely that Neguntatogue Creek, which is located on the subject property, may be currently impacted due to nutrients from stormwater runoff and other non-point pollutant sources (such impacts would be reduced by stream and stormwater management improvements under the proposed action). Further, the portion of Neguntatogue Creek located on the subject property flows south to the tidal portions of the creek and into Great South Bay, which contains many areas that are uncertified for shellfishing. The proposed development would implement BMPs and construction activities would be in accordance with NYSDEC guidelines in order to protect the creek from encroachment. The creek would be used for discharge of a limited volume of stormwater runoff (as permitted by the NYSDEC), however, revegetation would ensure maximal filtration of runoff. In addition, as demonstrated in Section 3.2.2.3 of this VDEIS, the proposed action would include design features that would result in positive benefits for the creek.

Based on the foregoing analysis, the proposed “Lindenhurst Residences” project would be consistent with the recommendations of the NURP Study.

## Sewage Disposal

The anticipated sanitary waste to be generated by the proposed “Lindenhurst Residences” project, based upon SCDHS sanitary design density factors<sup>46</sup> is provided in Table 7, below.

**Table 7 - Anticipated Sanitary Waste Generation**

Proposed Use <sup>1</sup>	Proposed Unit Area (SF)	SCDHS Area Category (SF)	Quantity	Sanitary Density (GPD/unit)	Sanitary Flow (GPD)	Kitchen/ Grey Density (GPD/unit)	Kitchen/ Grey Flow (GPD)	Total Flow (GPD)
Studio (Type S2)	584	≤600	3	150	450	N/A	N/A	450
Studio (Type S1)	601	601-1,200	8	225	1,800	N/A	N/A	1,800
One-bedroom	692-852	601-1,200	142	225	31,950	N/A	N/A	31,950
One bedroom (plus den) <sup>2</sup>	870	601-1,200	15	225	3,375	N/A	N/A	3,375
One bedroom (plus loft) <sup>2</sup>	1,140	601-1,200	5	225	1,125	N/A	N/A	1,125
Two-bedroom	1,112-1,192	601-1,200	75	225	16,875	N/A	N/A	16,875
Three-bedroom	1,240-1,645	>1,200	12	300	3,600	N/A	N/A	3,600
<i>Subtotals</i>	<i>N/A</i>	<i>N/A</i>	<i>260</i>	<i>N/A</i>	<i>59,175</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<b>Total Existing Sewage Generation</b>								<b>59,175</b>

Notes: <sup>1</sup> SCDHS 'Housing unit' structure categories.

<sup>2</sup> Considered one-bedroom units for calculation purposes.

Source: Suffolk County Department of Health Services. *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences*, Table 1, Project Density Loading Rates & Design Sewage Flow Rates. Revised December 1, 2009.

As shown above, the proposed “Lindenhurst Residences” project is expected to generate an estimated 59,175 gpd of sanitary waste. As indicated in Section 3.2.1.1 of this VDEIS, in its existing condition, the subject property generates 12,412.42± gpd of sanitary waste. Therefore, the proposed development would increase the sanitary waste generated on-site by approximately 46,762.58 gpd.

Sanitary waste generated by the proposed development would be discharged to the Southwest SD for treatment, and the two proposed new sanitary lines within South Smith Street and South Pennsylvania Avenue would be constructed in accordance with applicable requirements. In addition, according to correspondence from the Suffolk County Department of Public Works (SCDPW), dated August 12, 2015, the Southwest SD has sufficient capacity to accommodate sewage generation from the proposed development (see Appendix F).

Based on the foregoing analyses, there would be no significant adverse impact to groundwater resources due to sewage disposal associated with the proposed development.



<sup>46</sup> Suffolk County Department of Health Services. *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences*, Table 1, Project Density Loading Rates & Design Sewage Flow Rates. Revised December 1, 2009.

## Water Supply

The projected water demand at the subject property, which is based upon SCDHS sanitary design density factors,<sup>47</sup> is presented in Table 8, below.

**Table 8 - Anticipated Water Demand**

Proposed Use <sup>1</sup>	Proposed Unit Area (SF)	SCDHS Area Category (SF)	Quantity	Sanitary Density (GPD/unit)	Sanitary Flow (GPD)	Kitchen/ Grey Density (GPD/unit)	Kitchen/ Grey Flow (GPD)	Total Flow (GPD)
Studio (Type S2)	584	≤600	3	150	450	N/A	N/A	450
Studio (Type S1)	601	601-1,200	8	225	1,800	N/A	N/A	1,800
One-bedroom	692-852	601-1,200	142	225	31,950	N/A	N/A	31,950
One bedroom (plus den) <sup>2</sup>	870	601-1,200	15	225	3,375	N/A	N/A	3,375
One bedroom (plus loft) <sup>2</sup>	1,140	601-1,200	5	225	1,125	N/A	N/A	1,125
Two-bedroom	1,112-1,192	601-1,200	75	225	16,875	N/A	N/A	16,875
Three-bedroom	1,240-1,645	>1,200	12	300	3,600	N/A	N/A	3,600
<i>Subtotals</i>	<i>N/A</i>	<i>N/A</i>	<i>260</i>	<i>N/A</i>	<i>59,175</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<b>Total Potable Water Demand</b>								<b>59,175</b>
<i>Irrigation<sup>3</sup></i>								<i>8,876.25</i>
<b>Total Potable and Irrigation Water Demand</b>								<b>68,051.25</b>

Notes: <sup>1</sup> SCDHS 'Housing unit' structure categories.

<sup>2</sup> Considered one-bedroom units for calculation purposes.

<sup>3</sup> Based on irrigation industry calculations, which approximate an additional 15 percent of water usage

Source: Suffolk County Department of Health Services. *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences*, Table 1, Project Density Loading Rates & Design Sewage Flow Rates. Revised December 1, 2009.

The proposed "Lindenhurst Residences" project are expected to use an estimated 59,175 gpd of drinking water, approximately 21.6 million gallons per year, less than 0.03 percent of SCWA's annual pumpage. It is also projected that an additional 8,876.25 gpd of potable water would be used for irrigation purposes during the irrigation season, or approximately six months during the late spring through early fall. Thus, the maximum water demand during the irrigation season is expected to be approximately 68,052 gpd, which would still represent less than 0.04 percent of SCWA daily pumpage.

As discussed in Section 3.2.1.1, potable water is currently supplied by the SCWA system, and existing water demand at the site is 12,413± gpd. Thus, upon implementation of the proposed development, water usage at the subject property would increase by 55,639± gpd. In order to minimize water demand, the proposed landscaping would consist of native species to the maximum extent practicable. Thus, it is expected that actual water usage for irrigation purposes would be less than that estimated. In addition, the proposed buildings would incorporate high efficiency,

▼  
<sup>47</sup> Ibid.

water-saving fixtures. Finally, the Applicant for the proposed development would confirm that SCWA has sufficient capacity to accommodate the proposed “Lindenhurst Residences” project’s demand prior to implementation of the proposed action.

Based on the foregoing analyses, no significant adverse impacts associated with water usage or the projected increase in water demand associated with the proposed development.

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### 3.2.2.2 Stormwater and Drainage

Local drainage design criteria indicate that stormwater storage volume is based on a two-inch rainfall. The runoff coefficients used in the calculation of stormwater volume are as follows:

Pavement, roof, concrete and other impervious surfaces:	1.00
Landscaped, grassed, natural or other pervious surfaces:	0.30

It should be noted that groundwater was encountered in subsurface investigations at depths ranging from 3 feet-3 inches to 6 feet-8 inches below existing grade. The proposed stormwater infrastructure (i.e., leaching galleys) would be installed a minimum of two feet above groundwater to allow for filtration before runoff would be discharged.

As illustrated on the Preliminary Grading and Drainage Plan (see Appendix C), the subject property has been divided into four drainage areas for the purposes of drainage analysis and design. The following is a summary of the required and provided drainage for each of the four drainage areas. Details are included on the Preliminary Grading and Drainage Plan. All storage, as shown, is to be provided in leaching galleys, and a typical section for the recharge system is shown on the plan.

#### Drainage Area “A”

Required: 22,739 CF

Provided: 23,040 CF in 480 leaching galleys

#### Drainage Area “B”

Required: 6,201 CF

Provided: 6,384 CF in 133 leaching galleys

#### Drainage Area “C”

Required: 8,884 CF

Provided: 9,120 CF in 190 leaching galleys

#### Drainage Area “D”

Required: 1,202 CF

Provided: 1,440 CF in 30 leaching galleys

The foregoing indicates that the stormwater runoff generated by the proposed development can be contained and recharged on-site through the use of leaching galleys. However, based on the topography of the site, stormwater runoff from an approximately 12,153-SF area of the parking lot would sheet flow into Neguntatogue Creek, and a 1,590±-SF portion of the landscaped area located immediately adjacent to the east side of the building along South Pennsylvania Avenue would be collected by area drains and discharged into the creek via an 8-inch PVC pipe.<sup>48</sup> Discharge to the creek would be allowed, based on prior consultations with the NYSDEC.

The implementation of a comprehensive stormwater management system would improve the drainage conditions on the site, since currently there are a minimal number of drywells capturing and recharging runoff, and the majority of runoff flows to the creek through multiple discharge pipes. In addition, as explained in the following subsections, the proposed “Lindenhurst Residences” project would be consistent with the New York State SPDES program and Village stormwater management requirements.

### **New York State Pollutant Discharge Elimination System (SPDES) Program**

As discussed in Section 3.2.1.2 of this VDEIS, certain discharges are unlawful unless they are authorized by an NPDES permit or by a state permit program. The New York SPDES program includes a General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002).

Coverage would be obtained for the proposed “Lindenhurst Residences” project under GP-0-15-002, and a SWPPP would be prepared and implemented in connection with the construction of the proposed development, to include erosion and sedimentation controls and methods by which stormwater would be accommodated. Specifically, a SWPPP would be developed at the time the site plan is finalized, in accordance with the requirement of the GP-0-15-002 and Chapter 160 of the Village Code. The proposed SWPPP would be consistent with the *NYS Standards and Specifications* (NYSDEC, 2005) and the *NYS Stormwater Manual* (NYSDEC, 2015). The erosion and sediment control measures to manage stormwater generated on-site during construction activities that would be incorporated in the SWPPP, would generally be as indicated on the Preliminary Erosion and Sediment Control Plan (see Appendix C). Typical measures that would be employed are provided in Section 3.1.2.1 of this VDEIS; specific adjustment would be made based upon field conditions.



<sup>48</sup> The total amount of stormwater volume that would be discharged to Neguntatogue Creek represents approximately 5.9 percent of the total required storage volume.

In addition, the SWPPP would include an analysis of the post-construction stormwater management system for compliance with GP-0-15-002 and Village Code Chapter 160 requirements, and would describe construction inspections and long term drainage maintenance requirements. Under post-development conditions, the proposed stormwater management system would contain, and is expected to recharge, a majority of the stormwater runoff generated at the subject property on-site, although a portion of stormwater runoff (approximately 5.9 percent of required storage volume) would be discharged to the creek (see discussion above and the Preliminary Grading and Drainage Plan in Appendix C). As the subject property would disturb greater than five acres of land, the SWPPP would include a detailed phasing plan that defines the maximum disturbed area per phase and include measures for temporary and/or permanent soil stabilization to be implemented within seven days from the date the soil disturbance activity has ceased.

The SWPPP would be reviewed by the Village for conformance with the GP-0-15-002 and Chapter 160 of the Village Code, and accepted by the Village in order to submit to NYSDEC for permit coverage. The MS4 SWPPP Acceptance Form (certifying the Town's acceptance of the SWPPP) would be filed with the Notice of Intent submission to the NYSDEC to obtain permit coverage. Coverage under the GP-0-15-002 would be obtained prior to the start of construction activities on the property.

Once coverage under the GP-0-15-002 is obtained and construction begins, the site operator would be responsible for compliance with the SWPPP, ensuring that all erosion and sediment control practices and all post-construction stormwater management practices identified in the SWPPP are maintained in effective operating condition at all times. Pursuant to GP-0-15-002 and Village Code Chapter 160 requirements, inspections of construction activity and erosion controls/stormwater management practices would be conducted by a qualified inspector at a minimum frequency of twice every seven calendar days for as long as greater than five acres of soil remains disturbed (inspections may be reduced to once every seven calendar days once disturbance involves less than five acres). The site operator would maintain the record of all inspection reports on the site and address necessary corrective actions identified by the qualified inspector.

Implementation of erosion and sedimentation control measures, as described in the two manuals noted above, would be detailed on the Preliminary Erosion and Sedimentation Control Plan (see Appendix C), as well as the use of BMPs, as also discussed in these publications, would assist in ensuring that the proposed action would minimize impact to groundwater and surface water resources.

Pursuant to the requirements of GP-0-15-002 and Village Code Chapter 160, routine maintenance of post-construction stormwater management practices would be undertaken to ensure continuous and effective operation of each practice. The SWPPP would include a maintenance schedule for the various stormwater management practices. Additionally, prior to final plan approval, pursuant to Chapter 160 of the Village Code, and prior to filing for termination of coverage under the GP-0-15-002,

an Operation and Maintenance Plan outlining the long-term maintenance requirements for on-site stormwater management practices would be prepared, and the owner or operator would modify the deed of record to include a deed covenant that requires operation and maintenance of the practices in agreement with the Operation and Maintenance Plan, in accordance with Part V.A.5 of the GP-0-15-002. Based on the information presented above, the proposed “Lindenhurst Residences” project would comply with the requirements of the New York SPDES program.

### **Chapter 160 of the Village of Lindenhurst Code: Stormwater Management and Erosion and Sediment Control**

As discussed in Section 3.2.1.2 of this VDEIS, Chapter 160 of the Village Code contains requirements with respect to stormwater management and erosion control for development projects. Relevant requirements, and the proposed “Lindenhurst Residences” project’s conformance therewith, are presented below.

- *Stormwater pollution prevention plan requirement. No application for approval of a land development activity shall be approved until the Village of Lindenhurst has received an acceptable stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications of this chapter*

A SWPPP would be prepared for the proposed action, and submitted to the Village, and the SWPPP would contain all requirements identified in §160-6 of the Village Code.

- *All land development activities shall be subject to performance and design criteria in NYS Standards and Specifications, the NYS Stormwater Manual, USEPA best management practices (BMPs).*

The stormwater management system for the proposed development would be designed in accordance with the aforementioned technical guides, which are summarized in Section 3.2.1.2 of this VDEIS, and with the USEPA BMPs.

- *Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York.*

The proposed action, including the stormwater management system, has been developed with input from the NYSDEC to ensure that the on-site creek, Neguntatogue Creek, is protected. Further, under the proposed action, the amount of stormwater runoff discharged to the creek would decrease, as compared to existing conditions.

- *Stormwater management and erosion and sediment control facilities must be maintained and inspected in accordance with Village Code §160-8(A) during construction the construction period of land development activities.*

The stormwater infrastructure would be maintained regularly, including removal of sediment and litter. Regular inspection of erosion and sediment control practices would be conducted, as required, and recorded.

- *A maintenance easement agreement must be executed, and recorded by the County Clerk, that provides access to the stormwater management facility for inspection by the Village to ensure that it is maintained in such condition to meet design standards and any other provisions established in Chapter 160 of the Village Code.*

The Applicant for the proposed development would execute a maintenance easement that would run with the land, and would provide the Village with access to the on-site stormwater management system for purposes of inspection. The maintenance agreement would be recorded with the County Clerk, consistent with the terms specified in §160-8(D) of the Village Code.

- *The stormwater management facility shall be properly operated and maintained after construction, and discharges from same must not exceed design criteria, or cause or contribute to water quality standard violations.*

Upon development of the proposed “Lindenhurst Residences” project, the stormwater management system would be properly operated and maintained. As discussed above, the proposed action, including the stormwater management system, has been developed with input from the NYSDEC, in order to protect the on-site creek to the maximum extent practicable. In addition, as the proposed action would reduce the amount of stormwater runoff that would be discharged to the creek, development of the proposed “Lindenhurst Residences” project would not discharge contaminants or pollutants to surface waters, including Neguntatogue Creek.

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### 3.2.2.3 Surface Water and Wetlands

As detailed in Section 3.2.1.3 of this VDEIS, the subject property is traversed by a portion of Neguntatogue Creek, which is regulated by the NYSDEC as both a stream and a wetland (under Articles 15 and 24, respectively, of the ECL). As the proposed development would involve disturbance within the creek (e.g., removal of existing non-native/invasive vegetation and stormwater outfalls, bank stabilization efforts, etc.) and in the surrounding 100-foot adjacent area (overall re-development of the site), a NYSDEC Article 15 Stream Disturbance Permit, Article 24 Freshwater Wetland Permit and Section 401 Water Quality Certification would be required for the proposed action. A permit application package is currently being prepared for submission to the NYSDEC.

In addition, as the aforementioned creek is likely regulated as a “water of the United States” under Section 404 of the Clean Water Act (pending a Jurisdictional Determination by the USACE), a USACE permit would be required for the proposed action. Based on the proposed work activities, the proposed action could potentially be accomplished under USACE Nationwide Permit No. 13 (Bank Stabilization), or

through a USACE Individual Permit. A permit application package is currently being prepared for submission to the USACE.

The proposed action includes the removal of existing commercial/industrial site uses and replacement with a 260-unit residential community. In association with these activities, the following beneficial and adverse impacts to surface waters and wetlands have been identified:

- Impervious surfaces at the subject property would be reduced from 5.88± acres, (82 percent of the existing site coverage) to 4.60± acres (64 percent of the existing site coverage). Within the NYSDEC-regulated 100-foot adjacent area of Neguntatogue Creek, impervious surfaces would be reduced from 2.13± acres (82 percent of the existing coverage), to 1.68± acres (64 percent of the existing coverage).
- Overall stormwater discharges from the subject property to Neguntatogue Creek would be reduced. All existing stormwater discharge pipes to Neguntatogue Creek would be removed and a stormwater system consisting of 833 subgrade leaching galleys (with a porous stone layer installed above) would discharge the majority of generated stormwater to the subsurface. Proposed stormwater discharges to the creek include a 12,153±-SF section of the parking lot that would sheet flow into the creek. Additionally, stormwater from a 1,590±-SF landscaped area to be located along the east side of the proposed building that would be collected by area drains and discharged to the creek via an eight-inch PVC pipe. The amount of stormwater volume that would be discharged to the creek represents approximately 5.9 percent of the total required storage volume.
- The proposed building would result in 72± linear feet of shading to Neguntatogue Creek, while daylighting of 90± linear feet of the creek would occur through removal of an existing culverted creek section. As a result, a net decrease of 18± linear feet of shading would occur.
- All areas of existing concrete creek banks (4,850± SF) would be removed.
- A 24-foot wide vehicular bridge constructed of light-penetrable decking material would be installed along the daylighted portion of the creek, and a 7-foot wide pedestrian bridge constructed of light penetrable decking would be installed further upstream, at an elevation of 9.5 feet above the top of the creek banks.
- As described in detail in Section 3.2.2.3 of this VDEIS, removal of existing non-native vegetation within and adjacent to the creek and implementation of the Preliminary Landscape Concept (Appendix C) that would result in an overall increase in vegetated habitat (i.e., natural vegetation and landscaping) from 0.79 acres (11 percent of the existing site coverage) to 2.14 acres (30 percent of the proposed site coverage). The Preliminary Landscape Concept includes installation of vegetation along newly-exposed sections of the creek banks due to removal of the existing culvert and concrete banks

- Bank stabilization of Neguntatogue Creek through revegetation of the stream banks.

It should be noted that all of the above improvements and activities would be subject to review and potential amendment by the USACE and NYSDEC during the permitting process with the two agencies. In addition, as indicated in Section 3.2.2.1 of this VDEIS, the proposed action would be consistent with the relevant actionable surface water recommendations set forth in the NURP Study to the maximum extent practicable.

As described in Section 3.2.2.3 of this VDEIS, Neguntatogue Creek has been substantially altered and disturbed in association with historical and current commercial/industrial site usage. As a result, the overall functional capacity of Neguntatogue Creek has been degraded, particularly with respect to the vital functions of stormwater and floodwater storage, modification of water quality, vegetative diversity and wildlife habitat capacity. Currently, the primary function of the creek is the downstream transport of stormwater from on-site and upstream sources.

Given the current degraded condition of Neguntatogue Creek and the developed nature of the surrounding subject property, the overall impact of the proposed action would be improvements to the vital wetland functions identified in Section 3.2.1.3 of this VDEIS. Implementation of the proposed action would result in a reduction in stormwater discharges to the creek, as all existing stormwater discharge pipes would be removed. As noted above, under the proposed action, there would be limited stormwater discharge to the creek via sheet flow and one 8-inch PVC pipe, however the amount of stormwater volume that would be discharged to the creek represents approximately 5.9 percent of the total required storage volume, and would be a reduction compared to the existing condition. It is anticipated that removal of the existing culvert and concrete banks and replacement with vegetation would result in decreased stormwater velocity to downstream waters. These actions would also expand stormwater and floodwater storage capacity, and result in improved functionality for modification of water quality. Along with the overall proposed reduction in impervious surfaces at the subject property and within the wetland adjacent area, implementation of the Preliminary Landscape Concept would result in improved functionality with respect to vegetative diversity and wildlife habitat capacity of Neguntatogue Creek and the site as a whole.

Based on the foregoing analysis, no significant adverse impacts to surface waters and/or wetlands are anticipated as a result of the proposed action. Rather, notable improvements to the existing wetland functional capacity of Neguntatogue Creek are expected to result from development of the proposed "Lindenhurst Residences" project.

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### 3.2.3 Proposed Mitigation

Based on the information above, the proposed “Lindenhurst Residences” project is not expected to result in significant adverse impacts to water resources. In fact, many of the design features of the proposed action, which were planned pursuant to the NYSDEC’s Shoreline Protection guidance (Appendix E), would result in benefits to Neguntatogue Creek and the adjacent uplands. However, the following measures have been incorporated into the proposed action to minimize or eliminate potential impacts to water resources:

- Sanitary waste generated by the proposed “Lindenhurst Residences” project would be disposed of via a connection to the Southwest SD, which would be designed and constructed in accordance with the prevailing regulations of the SCDHS and the SCSC.
- Water conservation measures, such as high efficiency plumbing fixtures, would be used to minimize water demand of the proposed “Lindenhurst Residences” project.
- The proposed action would adhere to the relevant requirements and recommendations of the 208 Study, the SCSC, Chapter 160: Stormwater Management and Erosion and Sediment Control, of the Village Code, and other relevant water resources studies.
- The proposed stormwater management system would be designed, with input from the NYSDEC, to accommodate, and recharge on-site, the majority of stormwater runoff, and to minimize the amount of stormwater runoff discharged to Neguntatogue Creek.
- The proposed action would incorporate native or low maintenance plantings, to the maximum extent practicable, to reduce irrigation needs and fertilizer demand.
- Implementation of the Preliminary Landscape Concept (Appendix C) that would result in an overall increase in vegetated habitat (i.e., natural vegetation and landscaping) at the subject property from 0.79± acres (11 percent of the existing site coverage) to 2.14± acres (30 percent of the proposed site coverage). As shown in the Preliminary Landscape Concept, the proposed action would include the installation of various native and ornamental plantings within the proposed vegetated buffer surrounding Neguntatogue Creek. Examples of native species that may be used in the planting plan include river birch (*Betula nigra*), American dogwood (*Cornus florida*), sweet pepperbush (*Clethra alnifolia*), switchgrass (*Panicum virgatum*), marsh marigold (*Caltha palustris*) and others. Prior to planting, existing non-native vegetation within and adjacent to the creek would be removed and revegetation of the stream banks would provide stabilization.
- In order to minimize shading impacts for the 72± linear feet of Neguntatogue Creek to be crossed by the proposed building at the northern portion of the site, the structure has been elevated to the maximum extent practicable to allow for light penetration to the creek. As mitigation, removal of the existing 90± linear foot culverted portion of the creek would occur. The newly exposed creek banks would be planted with native

tree, shrub and plant species. Additionally, a 24-foot wide vehicular bridge constructed of light-penetrable decking would be installed along the daylighted portion of the creek. Entice

- Removal of all existing (4,850± SF) concrete creek banks. The newly exposed creek banks would be planted with native vegetation.
- Re-grading of portions of the creek banks to create gentler slopes, which would be vegetated with native species to further reduce potential adverse impacts due to erosion.
- The proposed 7-foot wide pedestrian bridge across the Neguntatogue Creek would be constructed with light penetrable decking material and installed at an elevation of 9.5± feet above the top of the creek banks to allow for sufficient light penetration.
- All existing stormwater discharge pipes to Neguntatogue Creek would be removed. The proposed stormwater system would consist of 833 subgrade leaching galleys (with a porous stone layer installed above) that would discharge the majority of generated stormwater to the subsurface. Under the proposed action, a small portion of stormwater would be discharged to the creek, in accordance with NYSDEC permissions. The amount of stormwater volume that would be discharged to the creek represents approximately 5.9 percent of the total required storage volume.
- Impervious surfaces at the subject property would be reduced from 5.88± acres, (82 percent of the existing site coverage) to 4.60± acres (64 percent of the existing site coverage). Within the NYSDEC-regulated 100-foot adjacent area of Neguntatogue Creek, impervious surfaces would be reduced from 2.13± acres (82 percent of the existing coverage), to 1.68± acres (64 percent of the existing coverage).

### 3.3 Zoning, Land Use and Community Character

#### 3.3.1 Existing Conditions

##### 3.3.1.1 Zoning

The majority of the subject property is in the Industrial Zoning District, while a small portion, proximate to East Gates Avenue, is in the “C” Residence Zoning District (see Figure 12). Permitted uses in each zoning district are discussed below. Table 9 presents the bulk and dimensional regulations for the Industrial and “C” Residence Zoning Districts.

Permitted uses in the Industrial Zoning District are office; research institution; commercial research laboratory; lumber and building supply yard; warehouse and distributing; automotive sales, repair and service; new or used car sales lot; product manufacturing, fabrication, assembly, testing and/or research uses. In addition, certain uses may be permitted by special exception. Uses permitted in the “C” Residence Zoning District include single-family detached dwellings and municipal or recreational uses.

**Table 9 - Bulk and Dimensional Regulations of the Industrial and “C” Residence Zoning Districts**

Regulations	Industrial District Requirement	“C” Residence District Requirement
Maximum Height	24 feet	26 feet
Maximum Building Coverage	50%	20%
Minimum Side Yard, Each / Both	14 feet / NA	10 feet / 25 feet
Minimum Front Yard	10 feet	25 feet
Minimum Rear Yard	NA	20 feet
Minimum Lot Frontage Width	75 feet	100 feet
Minimum Lot Depth	100 feet	100 feet
Minimum habitable space in a: One-story dwelling One-and-one-half story dwelling (first floor) Two-story dwelling	NA	1,000 SF 768 SF 1,440 SF

Source: Village of Lindenhurst Village Code, Chapter 193, Articles VI and XI.

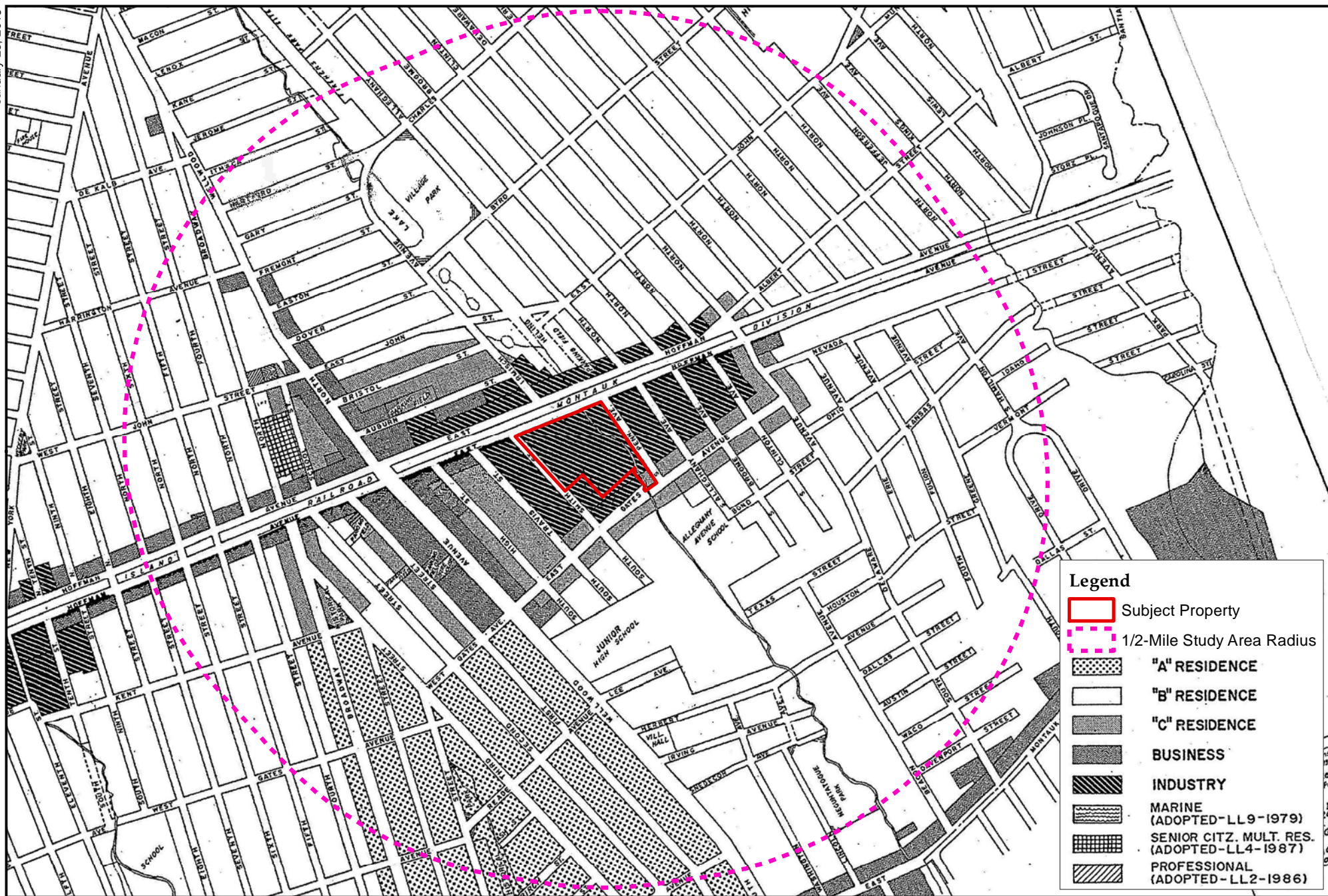
The zoning of the property adjoining and surrounding the subject property (within the study area, as described above) is discussed below and shown in Figure 12. Zoning Districts within a half-mile-radius of the subject property include Industrial, “C” Residence, Business, Senior Citizen Multiple Residence, and “A” Residence.

**North:** Zoning immediately north of the subject property, proximate to East Hoffman Avenue and the LIRR station, is Industry. Blocks of “C” Residence are located northeast and northwest of the subject property. Business zoning occurs along both sides of North Wellwood Avenue until East John Street, where Business zoning is located along only the east side of North Wellwood Avenue, northward until Fremont Street, with the exception of property in the Business Zoning District southwest of the intersection of North Wellwood Avenue and West Harrington Avenue. The properties along the north side of West Hoffman Avenue, proximate to North Wellwood Avenue and extending westward, are also zoned Business. An area northwest of the subject property, between West John Street, West Hoffman Avenue, North Broadway and School Street is in the Senior Citizens Multiple-Residence Zoning District. The remainder (and majority) of the northern portion of the study area is within the “B” Residence Zoning District.

**South:** Zoning Districts immediately south of the subject property include the Industry and “C” Residence Zoning Districts. The Business Zoning District is present along both sides of South Wellwood Avenue, southward until West/East Gates Avenue, and in a small area southeast of the intersection of South Wellwood Avenue and East Gates Avenue. The “A” Residence Zoning District occurs southwest of the subject property, roughly between Broadway and South Wellwood, and south of Kent Avenue and West Gates Avenue. The “B” Residence Zoning District comprises the remaining area south of the subject property.

**East:** The Industrial Zoning District is immediately east of the subject property, until approximately South Clinton Avenue. Properties east of the southeastern portion of the subject property, are within the “C” Residence Zoning District, which continues east along both sides of East Gates Avenue and north along both sides of South Delaware Avenue, until East Hoffman Avenue. A small area zoned Business is southeast of the intersection of East Hoffman Avenue and South Delaware Avenue. Further east is zoned “B” Residence.

**West:** The area immediately west of the subject property is within the Industrial Zoning District, followed by the Business Zoning District proximate to East Hoffman Avenue, as well as along both sides of South Wellwood Avenue. The “C” Residence Zoning District is in several areas west of the subject property, including along the west side of South Travis Street, on both sides of South High Street, on the west side of South First Street, and along the streets proximate to the Irmisch Historical Park (i.e., South Broadway, South Third Street and Kent Avenue). Additional residential zoning includes the “B” Residence Zoning District, located along both sides of Second Street, and along North Fourth Street and in the areas further east within the study area.



### Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757  
VHB Ref. 29685.00



1 inch = 863 feet  
0 300 600 1,200 Feet  
North American Datum, 1983 -  
New York Long Island State Plane

Figure 12 - Zoning Map Excerpt



SOURCE: (1) Incorporated Village of  
Lindenhurst, Building Zone Map, prepared by  
Greenman Pedersen, Inc., last revised 1991.

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### 3.3.1.2 Land Use and Community Character

As indicated in Section 2.2 of this VDEIS, the subject property is on the south side of East Hoffman Avenue, opposite the Lindenhurst LIRR station. The site is bounded by East Hoffman Avenue to the north, South Pennsylvania Avenue to the east, an adjacent tax map parcel with a light industrial building thereon to the southwest, East Gates Avenue to the south, and South Smith Street to the west.

Current land uses at the subject property are commercial and light industrial, and some of the buildings are vacant. There is a small undeveloped wooded area proximate to Neguntatogue Creek, in the southeastern portion of the site. Photographs and a photograph location key of the existing land uses on the subject property are presented in Appendix G1 (and cited herein), and land uses are described more specifically below.

There are seven existing buildings with commercial and commercial/light industrial businesses on the site, totaling 90,473 SF of building coverage<sup>49</sup>, as follows (see Figure 3 in Section 2.2 of this VDEIS):

- Building 1 (see Photograph Nos .1, 11 and 12 in Appendix G1) – a 32,312±-SF, multi-level (one- to three-stories tall), brick and concrete block building, containing:
  - Lakeville Industries, Inc., a kitchen and bath showroom;
  - Madison Heights Fashion (owned by NYC House of Style), a warehouse for a second-hand apparel company; and
  - Vacant space.
  - Individualized Family Care, a special needs education facility was formerly a tenant, however, the lease was terminated on May 31, 2016.
- Building 2 (see Photograph No. 10 in Appendix G1) – a one-story, 4,754±-SF building, containing additional space for the companies housed in Building 1, as well as vacant space.
- Building 3 (see Photograph Nos. 7 and 10 in Appendix G1) – a one-story, 12,982-SF masonry building, containing:
  - United Door Opening, warehouse space for the window and door company; and
  - RC Sports, an indoor sports training facility.

▼  
<sup>49</sup> Based on total existing exterior footprint of on-site buildings on the ground surface, ALTA/ACSM Land Title Survey, dated January 6, 2016, by Sidney B. Bowne & Son, LLP.

- Building 4 (see Photograph Nos. 5 - 7 in Appendix G1) – a one-story, 12,983-SF masonry building, containing warehouse space for Lakeville Industries, Inc.
- Building 5 (see Photograph Nos. 7 and 8 in Appendix G1) – a one-story, 25,958±-SF masonry building, containing warehouse space for Tribeka Nik, a supplier of second-hand books and textiles.
- Building 6 (see Photograph No. 2 in Appendix G1) – a one-story, 25,814±-SF concrete block building, containing:
  - SaberIn, a technology company that creates custom software for the financial industry
  - POM Recoveries, an accounts receivable firm; and
  - Lextron North, an office and machine shop for a light manufacturing company that creates electronic components; and
  - Vacant storage space.
- Building 7 (see Photograph No. 4 in Appendix G1) – a one-story, 6,382-SF brick restaurant building, containing Duffy's Ale House restaurant, which has seating for 235 patrons.

Parking areas associated with the above-listed buildings are located throughout the site, proximate to the existing buildings, providing a total of 182± standard parking spaces and two handicapped parking spaces (see Photograph Nos. 1, 5, 7 and 11 in Appendix G1). Sheds, metal containers, concrete curbs and walkways, and limited landscaping are also located on the overall subject property. An internal private road, known as Mal Drive, traverses the site.

Although the subject property is predominantly covered with impervious surfaces (i.e., buildings and paved parking areas), areas of natural vegetation are located proximate to Neguntatogue Creek, which traverses the site on portions of tax lots 045.007, 045.008, 045.009 and 045.010, and through the length of tax lot 045.006 (see Photograph Nos. 3, 8 and 9 in Appendix G1). The creek flows southeast across the site, from between Buildings 6 and 7, southeast to and along the southwest elevation of Building 4. Proximate to the south corner of Building 4, the creek is diverted east-southeast by a culvert for approximately 90 feet, and then continues above-ground proximate to the northeast elevation of Building 5 (see Photograph No. 8 in Appendix G1). In the southeastern portion of the site, the creek runs along the western length of tax lot 045.006 with associated natural vegetation (see Photograph No. 9 in Appendix G1). The banks of the creek consist of 183± feet of concrete and 487± feet of natural banks. As previously discussed in Section 3.2.2.3, the NYSDEC regulates Neguntatogue Creek as both a stream and a wetland. Based on the survey, dated January 6, 2016, by Sidney B. Bowne & Son, LLP (see Appendix A), the following is a breakdown of the existing land coverages on the site.

Table 10 - Existing Land Coverages

Type of Coverage	Existing Acres/(Percent)
Roads, Buildings and Other Paved Surfaces	5.88± / (82)
Forested	0.34± / (5)
Surface Water/Wetlands Area	0.40± / (6)
Unvegetated (rock, earth, fill)	0.06± / (1)
Landscaping	0.45± / (6)
<b>TOTAL</b>	<b>7.14± (100)</b>

Source: Based on the Land Title Survey dated January 6, 2016 by Sidney B. Bowne & Son, LLP

As shown in Table 10, the majority of the subject property (82± percent) contains either buildings, pavement, or other impervious surfaces. The existing naturally vegetated areas associated with Neguntatogue Creek currently comprise a small portion (approximately five percent) of the site. The remainder of the site consists of the creek itself (six percent), unvegetated areas (one percent) and landscaping (six percent).

Many of the land uses in the immediate vicinity of the subject property, particularly along North/South Wellwood and West/East Hoffman Avenues, consist of commercial, light industrial, and institutional uses, typical of areas surrounding LIRR stations and/or downtown areas. However, various residential uses comprise a large part of the overall study area. Single-family homes are the predominant type of residential use in the overall surrounding area; however, two- and three-family homes and multifamily residential uses are also present, particularly in the immediate vicinity (within a quarter-mile) of the subject property. The study area is a densely developed suburban area, with some parks and a few undeveloped and/or vacant parcels. A description of the land uses adjoining and surrounding the subject property within a half-mile radius (i.e., the study area), which, as depicted in Figure 13. The study area encompasses the area generally bounded by Jerome Street to the north, North Jefferson Avenue to the east, and North/South Seventh Street to the west, and extending southward to 450± feet north of Montauk Highway. Land uses within the study area are depicted in Figure 13, and photographs and photograph keys depicting land uses are presented in Appendix G1 and G2.



## Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757

VHB Ref. 29685.00



1 inch = 934 feet

0 325 650 1,300 Feet

North American Datum, 1983 -  
New York Long Island State Plane

Figure 13 - Existing Land Uses



SOURCES: (1) 2013 Aerial: 2013 NYS Digital Ortho-imagery, NYSITS, 2013. (2) Land Use layer created by VHB in April 2016 based upon review of the Long Island Index Interactive Land Use Map, Google Earth Aerial imagery, and XXXXX field inspection; (3) Streets: NYSITS, 2014.

**North:** Directly north of the subject property is East Hoffman Avenue, followed by the Lindenhurst LIRR station and elevated train tracks, with office and commercial uses, fuel storage tanks and a public parking lot located beyond (see Photograph Nos. 1 and 2 in Appendix G2). Farther north of the industrial and commercial uses are municipal parking lots, as well as a portion of the Neguntatogue Creek (see Photograph Nos. 4 - 6). Continuing north, the study area is predominantly residential with several open space areas, such as the Lindenhurst Village Park and Firemen's Memorial Park (see Photograph Nos. 7 - 12 in Appendix G2). Northwest of the subject property is the former Waldbaum's and associated parking lot, as well as the Lindenhurst Village Square at the northeast corner of East Hoffman Avenue and North Wellwood Avenue (see Photograph Nos. 20 and 21 in Appendix G2). Continuing northwest, is the North Wellwood Avenue commercial corridor, which contains various neighborhood-scale commercial development and office uses (see Photograph Nos. 13, 14, 18 and 19 in Appendix G2). Additionally, there is a multifamily residence along the west side of North Wellwood Avenue, which is the major commercial corridor in the area (see Photograph No. 17 in Appendix G2). To the west of the North Wellwood commercial corridor, farther northwest of the subject property, are various institutional uses along West John street, as well as the Eagle Rock multifamily development along School Street (see Photograph Nos. 15 and 16).

**South:** Adjoining the subject property to the south is a landscaping supply warehouse (see Photograph Nos. 13 and 14 in Appendix G1). South of this use and beyond East Gates Avenue, is Alleghany Elementary School and associated recreational uses, followed by single-family residential uses (see Photograph Nos. 34 and 35 in Appendix G2). Farther south, is a portion of Neguntatogue Creek, as well as the undeveloped Neguntatogue Park (see Photograph Nos. 40 and 41 in Appendix G2). Single-family homes are predominant southeast of the subject property; however, farther southeast is the Villas at Narragansett multifamily development along Montauk Highway (see Photograph Nos. 47 and 48 in Appendix G2). Southwest of the subject property is the southern portion of the South Wellwood Avenue commercial corridor, which contains scattered free-standing commercial properties, followed by the Lindenhurst Middle School (see Photograph Nos. 25 and 36 in Appendix G2). Continuing south along South Wellwood Avenue, land uses transition from commercial to institutional. These institutional uses include the Lindenhurst Memorial Library and the Lindenhurst Memorial Village Hall (see Photograph Nos. 37 and 38 in Appendix G2). South of these institutional uses are single-family residences along both the east and west sides of South Wellwood Avenue (see Photograph No. 39 in Appendix G2).

**East:** To the east of the subject property is South Pennsylvania Avenue, followed by a self-storage facility, a printing company, and a food importing company (see Photograph No 42 in Appendix G1). Farther east of the subject property are various industrial and commercial uses along East Hoffman Avenue (see Photograph No. 43 in Appendix G2). East of the industrial and commercial uses is the Lindenhurst Fire Department substation, followed by residential properties along East Hoffman Avenue. Residential development also occurs farther east-southeast of the subject

property (see Photograph Nos. 44-46 in Appendix G2). Northeast along East Hoffman Avenue, north of the elevated LIRR tracks, are additional industrial uses, including a cabinetry business and an automotive detailing business (see Photograph No. 3 in Appendix G2).

**West:** West of the subject property is South Smith Street. The area from South Smith Street, west to South High Street encompasses the area of the proposed DRD west of the subject property (see description of the proposed DRD in Section 3.3.2.1 of this VDEIS). The uses along South Smith Street include the Lindenhurst USPS, a two- to three-family residence, a tax preparation business, a taxi and limousine company, and a 16-unit senior housing complex that is currently under construction (see Photograph Nos. 17 - 19 in Appendix G1). In addition, the Edward F. Kienle Lindenhurst Youth Center building and outdoor basketball courts are located in the northwest corner of East Gates Avenue and South Smith Street (see Photograph No. 15 in Appendix G1). Farther west are various commercial, residential and industrial uses along South Travis Street, including an automotive repair facility, the rear portion of the Lindenhurst USPS property, and an industrial storage facility (see Photograph Nos. 20-25 in Appendix G1). The east side of South High Street contains only residences (see Photograph Nos 26 and 27 in Appendix G1), while municipal parking areas associated with the commercial and institutional uses along South Wellwood Avenue dominate the west side of South High Street (see Photograph Nos 23 and 24 in Appendix G2). Farther west is the South Wellwood commercial corridor, which contains various commercial uses, as well as institutional uses, including the Lindenhurst Fire Department and the Our Lady of Perpetual Help Church Complex (see Photograph Nos. 26 - 29 in Appendix G2). West of South Wellwood Avenue is predominantly a single-family residential area, however, there is a multifamily residence along South 1<sup>st</sup> Street and West Gates Avenue (see Photograph No. 33). To the west-northwest of South Wellwood Avenue are various small-scale commercial business along the south side of West Hoffman, as well as a commercial shopping center, which is on the north side of West Hoffman Avenue (see Photograph Nos. 30-32).

The character and history of the subject property is of an industrial/commercial property within a commercial and industrial corridor in the Lindenhurst LIRR station area. As indicated in Section 2.2 of this VDEIS, the site and surrounding area became increasingly developed after completion of the railroad, which brought new commercial development to the vicinity of the subject property. Some of the most dominant defining features of the area are the well-traveled transportation corridors adjacent and proximate to the site – the LIRR tracks, East/West Hoffman Avenue, and North/South Wellwood Avenue. These corridors contribute to the commercial/industrial character of the immediate area.

Institutional uses, such as schools and the Lindenhurst USPS office contribute to the downtown character in the area. Within the commercial corridors, mixed-use commercial and residential structures and multifamily residential uses contribute to the downtown community character. Moving away from the subject property and

into the larger study area, dense, suburban single-family residential neighborhoods become the predominant character.

As identified above, the 7.14±-acre subject property is situated amongst a variety of land uses, including commercial, industrial, institutional, and multifamily residential, institutional, recreational and commercial uses, followed, thereafter, by single-family residential uses. As is typical for suburban Long Island downtowns, as you move farther from the railroad, the primary land uses transition from commercial/industrial to mixed-use development, and then finally to primarily single-family residential.

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### 3.3.1.3 Relevant Land Use Plans

#### Village of Lindenhurst NY Rising Community Reconstruction Plan (2014)

The *Village of Lindenhurst NY Rising Community Reconstruction Plan* (NYRCR Plan) plan was developed in response to the Hurricane Irene, Tropical Storm Lee, and Superstorm Sandy extreme weather events that damaged many New York communities. The NYRCR Plan contains several sections, including Community Overview, Assessment of Risk and Needs, Reconstruction and Resiliency Strategies, and Implementation – Project Profiles.

##### Community Overview

The NYRCR Planning Area boundaries are similar to the Village boundaries, and thus, includes the subject property. The NYRCR Plan discusses the damages the Village suffered during Superstorm Sandy, and documents the associated relief and recovery efforts. These efforts led to the identification of critical issues facing the Village relating to recovery and future resilience needs. Those issues relevant to the subject property and proposed “Lindenhurst Residences” project include:

- The Village’s downtown area along South Wellwood Avenue and Hoffman Avenue has a high vacancy rate and a number of key underutilized land parcels along the Village’s downtown area along South Wellwood Avenue and Hoffman Avenue.
- Streams and creeks have become clogged with downed trees and other Sandy-related debris and heavily silted, limiting their stormwater drainage and retention functions and degrading water quality.

An NYRCR Committee was created to develop the NYRCR Plan, whose intent was to serve as a community reconstruction plan for the Village and held public meetings to engage the community. In developing the NYRCR Plan, the Village identified projects that would address resilience needs. The overall goal of the Village is “building back better.” The NYRCR Plan provides a historic context of development of the Village,

which started with the completion of the then-South Side Rail Road in 1867. Development began with a business district around the LIRR, and the Village continued to grow after World War II, becoming a bedroom community to New York City.

The NYRCR Plan also presents demographic information about the Village (see Section 3.5.1 of this VDEIS for population, housing and income data for the Village), educational information (see Section 3.6.1.1 of this VDEIS for information about educational facilities in the Village), and a summary of Village community events. Based on the demographic information, the NYRCR Plan provides an analysis, including mention of the fact that there are few renter-occupied units in the Village, with low residential turnover and few vacancies. The NYRCR Plan notes that the Lindenhurst LIRR station is within walking distance of the Hoffman Avenue/Wellwood Avenue business district, which serves as the Village's downtown. The LIRR station is on the heavily used Babylon Line, and is primarily used by residents commuting to employment in New York City. The NYRCR Plan indicates that parking availability around the LIRR station is limited, and that the area around the LIRR station has potential for development of TOD land uses.

Based on NYRCR Committee meetings, a vision statement was created that essentially highlights the importance of improving public access to the waterfront, reducing flooding and increasing resilience, and encouraging economic development along the waterfront and in the downtown. Short-term, medium-term and long-term goals were identified, based on the vision statement. Those goals relevant to the proposed "Lindenhurst Residences" project, are presented in Section 3.3.2.2 of this VDEIS.

The plan also summarizes a number of other Local and Regional Plans and Studies relevant to the Village. Potential regional issues and concerns are identified by the NYRCR Plan, including the natural environment, developable land supply, water quality, utilities, climate change, public health, and economic equity.

#### Assessment of Risk and Needs

Community assets, including cultural, natural, and recreational resources; health and social services; infrastructure systems (transportation and utilities); housing; and economic resources, are identified through community engagement and mapping, and classified in terms of their significance to the community. Community assets were characterized as within moderate, high, or extreme risk areas, with respect to risk of storm inundation. It should be noted that the subject property is located in a moderate risk area, which are areas upland of the high risk area, and currently at infrequent risk of inundation or at risk in the future from sea level rise.

The NYRCR Plan notes that the Village is located along the South Shore of Long Island, and the Village's coastline has been almost entirely developed. Wetlands associated with Neguntatogue Creek are specifically identified as some of the few remaining natural resources. Other identified community assets proximate to the subject property include the Lindenhurst USPS, which is in a non-risk area; the

Alleghany Avenue School, located in a high-risk area; the Lindenhurst LIRR station, located in a moderate-risk area; and commercial and/or industrial properties in a moderate-risk area.

Needs and opportunities were identified through the NYRCR planning process to address issues facing community planning and capacity building, economic development, health and social services, housing, infrastructure, and natural and cultural resources. Opportunities represent recommendations for the Village, and those relevant to the subject property and proposed action are presented in Section 3.3.2.3 of this VDEIS.

#### Reconstruction and Resiliency Strategies

The NYRCR Committee developed strategies to, in part, address the above-referenced needs and opportunities. The strategies were those the NYRCR Committee determined could best use community assets, capitalize on opportunities, and resolve critical issues. Along with each strategy, projects that could be implemented to achieve such strategies were presented in the NYRCR Plan. Strategies are related to emergency preparedness, resilient stormwater infrastructure, sustainable economic development, access to and by emergency service providers, ingress and egress to residential properties, and potential storm damage from trees.

#### Implementation – Project Profiles

The NYRCR Program allocated \$6.1 million to the Village, and the NYRCR Committee evaluated projects in terms of their eligibility for funding. The NYRCR Plan discusses the cost benefit analysis methodology, the project benefits, and potential for the project to reduce risk. The projects are not specifically relevant to the proposed action, however, stormwater management within the Village, including capacity improvements of infrastructure, and reducing non-point pollution of surface waters, is a focus of several projects.

### **Village of Lindenhurst Downtown Business District Analysis (2015)**

The Village compiled data from the U.S. Census Bureau to better understand the demographic and economic factors contributing to existing conditions of the Village's downtown business district. According to the analysis within the *Village of Lindenhurst Downtown Business District Analysis* (2015 Business District Analysis), from the 1950s to the 1970s, a huge influx of young families meant a young, growing population in the Village. Since that period, the median age has slowly increased as the existing residents grow older. As a result, like many areas on Long Island, the population of the Village is aging. It is also noted that, in recent decades, the number of persons per household in the Village has been decreasing. In 2010, the average household size declined to approximately 2.92 people. Smaller families, more people living alone, and young adults delaying marriage, are trends that have contributed to smaller household sizes. This statistic is projected to remain stable.

The 2015 Business District Analysis found that not only is the Village population aging, so, too, are its homes. Approximately two thirds of the Village's housing stock was built before the 1950s, and only 17 percent of homes have been built since 1970. Additionally, only five percent of homes in the Village were built between 2000 and 2015. This corresponds with a significant majority of people "aging in place."

According to the 2010 U.S. Census, 96.4 percent of housing units in the Village were occupied, with the remaining homes mostly up for sale. This translates to a lack of available real estate for both renters and owners alike. The existing housing stock is mainly owner-occupied, with 79.3 percent of units being owned, demonstrating a deficit of rental units in the Lindenhurst area. Currently, 78 percent of homes in the Village are single-family detached units. It is also noted in the 2015 Business District Analysis that the median household income in the Village is approximately \$1,000 lower than the Suffolk County average. Overall, the 2015 Business District Analysis indicates that the Village would likely benefit from more diverse housing options.

The 2015 Business District Analysis indicates that 11 percent of the employed population of the Village of Lindenhurst uses public transportation. The LIRR is the primary mode of public transportation for those residents. According to the 2015 Business District Analysis, the housing options available in the Village should reflect this need to access the LIRR; and transit-oriented housing would be a convenient option for these commuters, particularly young adults.

According to the 2015 Business District Analysis, downtown Lindenhurst has faced economic challenges in recent years. The vacancy rate of downtown stores is at a relative historic high at approximately 16 percent, although that is down from 18 percent in 2010.

### **Lindenhurst Economic Development Committee Summary of Responses (2016)**

The LEDC was formed in December 2014 to bring life to the Village's lackluster and vacant downtown area. The LEDC conducted a survey with a 633-person sample size to develop a better understanding of how the downtown can meet the needs of its citizens. The scope of this survey included collecting responses regarding the residents' feelings toward the current state of the downtown area, preferences for housing options, and a comparison of the Lindenhurst downtown with respect to downtown areas of other villages, and suggestions for improvements.

Regarding housing, 44 percent of those surveyed stated that they either somewhat or strongly agree that the Lindenhurst downtown needs more housing options. However, 41 percent of individuals answered that they strongly disagree. Among all comments made about housing in response to "What would improve the frequency of

visits to the downtown business district?” the most called for was “Condos Close to Train.”

Access to the LIRR was frequently mentioned in response to, “What are things you like about the Downtown Business District?” Respondents also indicated that there is a strong desire for a revitalized downtown, with aesthetic improvements and decreased store vacancies. Finally, in the free response section, there were also suggestions to build condos by the LIRR station, to build housing for young adults, to provide more housing options, and to promote access to the LIRR.

### **Village of Lindenhurst Downtown Business District Analysis (2000)**

The *Village of Lindenhurst Downtown Business District Analysis* (2000 Business District Analysis) was conducted at the Village’s request, to assess the status of the downtown district and the present development patterns, to inform suggestions for future businesses, marketing approaches, and development or redevelopment. The Business District Analysis’ study area is a 0.26 square mile area bounded by Fourth Street to the west, Harrington Avenue and Fremont Street to the north, North Alleghany Avenue and South Pennsylvania Avenue to the east, and Gates Avenue and Kent Avenue to the south. The subject property is within the southeast segment of the 2000 Business District Analysis’ study area.

According to the 2000 Business District Analysis, the Lindenhurst central business district (CBD) is primarily located along Wellwood Avenue, with its center at the intersection of Hoffman Avenue. The CBD also heads east and west along Hoffman Avenue. The 2000 Business District Analysis indicates that the CBD’s major anchor stores are a Waldbaum’s supermarket and a CVS drug store, however, the Waldbaum’s is now closed and the CVS has moved to Montauk Highway (and the buildings are currently vacant). There are no other CBDs, nor any significant shopping centers (greater than 40,000 square feet in size), within one-mile of the center of the Lindenhurst business district. However, the greater area surrounding the Lindenhurst business district contains several other central business districts, as well as all types of shopping centers. For this reason, this moderate-sized business district serves a local population. There are several shopping centers just over one mile from the center of downtown Lindenhurst.

The 2000 Business District Analysis evaluates the CBD, with respect to the following categories, and provides recommendations for each. Recommendations relevant to the subject property and proposed “Lindenhurst Residences” project are provided in Section 3.3.2.3, and the proposed action’s consistency with same is discussed.

- Land Use and Zoning – A healthy residential housing stock in or near the downtown area strengthens the downtown. Other uses can be judiciously allowed in such a manner as to foster a cohesive CBD.

- Redevelopment – There are opportunities for redevelopment within the downtown area.
- Storefront Uses and Impact of E-Trade – Smaller shops run by owner-operators, such as those in the Village’s CBD will remain viable in the face of increased e-trade.
- Parking – Ensuring sufficient nearby parking is important to revitalizing and maintaining a CBD.
- Aesthetics – Business districts that are charming tend to be more successful and attract more shoppers. The raised concrete railroad track is noted as an unattractive physical and psychological wall that bisects the downtown area.
- Neguntatogue Creek – Neguntatogue Creek flows southward through the study area and in most place is overgrown with weeds and trees, or runs underground in culverts.
- Pedestrians – The relatively large density of people who live locally are an important factor in Lindenhurst’s downtown business district.
- Business Improvement District – A Business Improvement District (BID) is self-taxing, and uses its funds to promote the community’s downtown business district.

### **Town of Babylon Draft Comprehensive Plan Summary (1998)**

The *Town of Babylon Draft Comprehensive Plan Summary* (Comprehensive Plan Summary), was adopted in 1998, and stated its purpose was to identify objectives to make Babylon a stronger community. It is noted that although the subject property is within the Incorporated Village of Lindenhurst, which has its own Village Code and governing boards, the Comprehensive Plan Summary helps to inform the Villages codes and ordinances. The Comprehensive Plan Summary objectives include:

- Maintain and strengthen the Town’s suburban character
- Respond to the changing population
- Improve the quality of life in economically-distressed areas
- Promote jobs and economic development, and
- Foster stewardship of sensitive natural resources.

The findings of the *Comprehensive Plan Summary* include a listing of the Town of Babylon’s strengths, the immediate and long-term issues facing the community and strategies that could be implemented to achieve the Town of Babylon’s goals.

Strengths include the Town's location at the center of Long Island, its convenient location near Manhattan, and the well-developed transportation network that serves the Town. According to the Comprehensive Plan Summary, the Town faces problems including shortages of affordable housing, damage to environmentally-sensitive areas, increases in crime and drug abuse, increases in traffic congestion and the loss of large-scale employers in the region.

The proposed action is evaluated with respect to the findings and goals contained in the Comprehensive Plan Summary in Section 3.3.2.3 of this VDEIS.

### **Suffolk County Comprehensive Master Plan 2035 (*Suffolk 2035 Plan*) (2015)**

The *Suffolk County Comprehensive Master Plan 2035: Framework for the Future (Suffolk 2035 Plan)*, adopted by the Suffolk County Legislature on July 28, 2015, represents the final part in a planning effort that was initiated in 2011 with the publication of an inventory of data relating to demographics, the economy, and quality of life in Suffolk County. The full Suffolk 2035 Plan is guided by three themes: revitalizing the economy; rebuilding downtowns and infrastructure; and reclaiming the quality of groundwater, surface water and terrestrial resources. In the wake of Superstorm Sandy, resiliency is also discussed as an important facet of future development in Suffolk County.

The *Suffolk 2035 Plan* notes that Suffolk County's assets include various transportation options, such as mass transit and the roadway network; open spaces; shopping opportunities; agriculture; higher educational facilities; and various other attractions. However, it cautions that the County is at a turning point, and should capitalize on its assets, while balancing the relationship between land use, the economy, traffic and natural and built resources.

The *Suffolk 2035 Plan* discusses the need for sustainable economic development, the demographic trends in the County, including an aging population, education attainment and crime rates, and the need to build a more integrated transit network. The *Suffolk 2035 Plan* also discusses several County initiatives, such as Connect Long Island, which would promote TOD and mass transit options, and water quality initiatives, such as promoting advanced wastewater treatment options. Water quality initiatives, as well as open space and farmland preservation programs, are noted as priority actions for the County to protect its natural assets.

Key policy areas identified by the *Suffolk 2035 Plan* are shown below. Relevant findings from the *Suffolk 2035 Plan* are also noted.

- *Build a 21<sup>st</sup> Century Transit Network to Provide More Transportation Choices to Improve Mobility, Access, and Safety.*

- *Provide Equitable, Affordable, Fair Housing.*
  - *Demand for single-family detached housing will remain strong in the foreseeable future, while, although there is recognized a demand for multifamily rental housing, inventory and development activity for this time of housing is low. Development of multifamily housing is not meeting demand, in part due to constraints from existing zoning, permitting regulations, and infrastructure. Denser development, such as in multifamily developments, require infrastructure that can handle increased volumes on smaller footprints, such as public transportation, sewer/wastewater infrastructure and communications and social infrastructure (parks and amenities) (page 22).*
  - *The effects of Superstorm Sandy made clear the need for resilient communities. Buffers and barriers to the effects of storms and flooding, such as bio-swales, wetland expansion and restoration, drainage and recharge, can make areas more resilient and enhance their ability to process stormwater, as well as wastewater treatment in flood prone areas (page 24).*
- *Enhance Economic Competitiveness and Capacity to Build an Innovation Economy*
- *Support Vibrant Communities*
  - *Thriving communities should be supported through infrastructure investments and incentives that encourage additional housing options. Multifamily TODs are among several items that are noted as capable of supporting community revitalization and increased resiliency (page 36).*
- *Streamline Government, Coordinate Policies, and*
- *Protect the Environment and Enhance Our Human Capital*

The *Suffolk 2035 Plan* provides recommendations for each of the key priority areas. Those relevant to the proposed action are included in Section 3.3.2.3 of this VDEIS, and an analysis of the proposed action's consistency therewith is provided.

### Smart Communities Through Smart Growth: Applying Smart Growth Principles to Suffolk County Towns and Villages (2000)

According to the *Smart Growth Study*, smart growth concepts embrace the basic goal, "to protect or conserve existing resources for current and future use in ways that allow for continued growth and maximize the potential of those resources without negatively impacting the environment." The *Smart Growth Study* further sets forth the following principals of smart growth (see also Section 2.4 of this VDEIS for a discussion of the goals of the *Smart Growth Study*):

- *Direct development to strengthen existing communities.*
- *Encourage mixed land uses and mixed use buildings.*

- *Encourage Consultation between Communities.*
- *Take advantage of compact building sizes and create a range of housing opportunities.*
- *Provide a Variety of Transportation Choices.*
- *Create Pleasant Environments and Attractive Communities.*
- *Preserve Open Space and Natural resources.*
- *Make development decisions predictable, fair and cost effective.*

The *Smart Growth Study* states that “on the western end of the County, smart growth principles would be applied gradually because the area is already heavily developed. Currently these areas are undergoing in-fill development, small subdivisions construction, office development, reuse and rehabilitation of shopping centers, redevelopment of the state hospitals, and the gradual uplifting of the downtowns. These are steps in the right direction. The incorporation of Smart Growth principles within these projects need to be more widely considered.” (page 25)

The *Smart Growth Study* provides recommendations for actions that can be taken to achieve the aforementioned principles. As summarized in Section 2.4 of this VDEIS, the Smart Growth Study generally indicates that tools can be used to direct development toward high density, mixed used communities that use land more wisely. Relevant recommendations from the *Smart Growth Study* are provided in Section 3.3.2.3 of this VDEIS, and the proposed “Lindenhurst Residences” project’s consistency therewith is evaluated.

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## 3.3.2 Potential Impacts

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### 3.3.2.1 Zoning

As indicated in Section 2.3.2, the proposed action includes the adoption of the DRD as a floating zone, and establishment of the subject property as a DRD (see Appendix B for the full text of the proposed district. The specific parameters of the DRD are discussed in more detail below. Adoption of the zoning district, in and of itself, would not have a specific physical impact on the environment. After adoption of the zoning district, if a municipality specifically applies it to one or more sites, the environmental impacts of development under that zoning district would then be evaluated. In this case, the Applicant proposes, upon adoption of the DRD by the Village Trustees to apply to the Village Trustees to establish, as a DRD, the subject property. The evaluation herein discusses the proposed DRD, as well as the establishment of the subject property as a DRD. Should the Village ultimately adopt the new zoning district, the expansion of the proposed DRD, or establishment of any other lands as a new DRD, or their possible future development would be subject to future site-specific environmental review.

The purpose and goals of the DRD, as detailed in Appendix B, are to encourage residential development and redevelopment on properties within walking distance of the LIRR station and the central business district of the Village, and to allow for mixed uses within the downtown area. As shown in Appendix B, the DRD sets forth a specific application and review process, as well as various criteria (including dimensional and related regulations) that the Village Trustees would apply when reviewing an application for establishment, extension, or expansion of a DRD, which are summarized below.

Based on the requirements of the proposed DRD, the provisions of same would only be applicable to one or more parcels of land, located within the area of the Village bounded on the north by East Hoffman Avenue, on the east by South Pennsylvania Avenue, on the south by East Gates Avenue, and on the west by South High Street (see Figure 14), and having a minimum land area of six acres. A DRD may also be extended or expanded by the developer, or an affiliate thereof, of the existing DRD, to include land without a minimum lot area that adjoins the existing DRD, within the above-described area.



## Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757

VHB Ref. 29685.00



1 inch = 208 feet  
0 70 140 280 Feet  
North American Datum, 1983 -  
New York Long Island State Plane

### Legend

- DRD Floating Zone
- Subject Property
- Tax Map Parcels



SOURCES: (1) 2013 Aerial: 2013 NYS  
Digital Ortho-imagery, NYSITS, 2013.  
(2) Streets: NYSITS, 2014. (3) Tax map  
parcels: SCRPTS Agency, 2010.

Figure 14 - Boundary of the Proposed Downtown Residence District

Application for a DRD would include submission of a conceptual development plan for the proposed site of such DRD, which could include uses such as, attached or detached residences, including any combination of rental apartments and ownership units, as well as accessory parking, and, where appropriate, retail establishments, offices, and other uses. The maximum building or structure height permitted in a DRD would be 60 feet<sup>3</sup>. Furthermore, parking requirements for each of the uses in a DRD would be, for retail and office uses, the greater of one public space per 250 SF of floor area devoted to such use or the number of existing public parking spaces located on the property proposed to be established as a DRD or added to an existing DRD, and, for multifamily residential uses, one space per unit; and for all other uses, as determined by the Village Trustees during the site development approval process.

With respect to approvals, the establishment of a DRD by local law granting a change-of-zone, and the approval, or approval with modifications, of a conceptual development plan by the Village Trustees would authorize an applicant to proceed with the detailed design of the proposed development in accordance with the concept plan and the procedures and requirements of the DRD, and to seek site development approval from the Village Trustees. The approval of a DRD would expire five years (or seven years for a phased development plan) after the granting of the zone change to DRD if the applicant has not received site development approval. In addition, if a proposed DRD development involves a subdivision, final subdivision plat approval from the Village Trustees must be received prior to the commencement of any development. The Village Trustees may also, at their discretion, refer an application to the Village of Lindenhurst Planning Board (Planning Board) for its review and/or recommendation.

Should the Village Trustees create the DRD and add it to the Village Code, this district could then be applied to the subject property, which is composed of the following tax parcels: District 103 – Section 10 – Block 4 – Lots 045.001, 045.003 and 045.006 through 045.010. For the location of the tax parcels that are proposed for rezoning, see Figure 2. Application of the DRD to the subject property would permit the development of the proposed “Lindenhurst Residences” project, as described in Section 3.3.2.2 of the VDEIS, below.

The adoption of the new zoning district would allow for a multifamily residential rental TOD on the subject property, the benefits of which are detailed in Section 2.4 of the VDEIS. As mentioned elsewhere in this VDEIS, the establishment of the subject property as a DRD would also allow for economic development of underutilized industrially-zoned tax parcels, comprising the subject property, and provide for a development that would create an environment with visual continuity and a pedestrian-friendly streetscape along the well-used East/West Hoffman commercial corridor.

The proposed requirements of the DRD, which would foster a downtown character along the commercial corridor (see Appendix B), are shown below. The consistency of the proposed “Lindenhurst Residences” project with the proposed DRD requirements is also indicated below.

**Table 11 - Consistency with Bulk and Dimensional Requirements of the DRD**

Regulations	Existing Industrial Zoning District Requirement	Existing “C” Residence Zoning District Requirement	Proposed DRD Requirement	Provided
Maximum Height	24 feet	26 feet	60 feet	57.5 feet <sup>1</sup>
Maximum Building Coverage	50%	20%	NA	25%
Minimum Side Yard, Each / Both	14 feet / NA	10 feet / 25 feet	NA	NA
Minimum Front Yard	10 feet	25 feet	NA	9 feet
Minimum Rear Yard	NA	20 feet	NA	65 feet
Minimum Lot Frontage Width	75 feet	100 feet	NA	1,787 feet
Minimum Lot Depth	100 feet	100 feet	NA	598 feet
Width of Lot	NA	NA	NA	358 feet
Minimum habitable space in a:				
One-story dwelling		1,000 SF		
One-and-one-half story dwelling (first floor)	NA	768 SF	NA	NA
Two-story dwelling		1,440 SF		

<sup>1</sup> The proposed building would have a maximum height of 54 feet, 10 inches from the average grade. Based on the Village criteria for determining building height, the maximum height of the proposed building is 57 feet 6 inches, as measured from the lowest point of grade on South Pennsylvania Avenue.

Source: Village of Lindenhurst Village Code, Chapter 193, Articles VI and XI. Proposed Downtown Redevelopment District text, Chapter 193, Article XXIV: DRD (Downtown Redevelopment District)

The permitted uses and the bulk and dimensional criteria in the proposed DRD would complement the existing conditions of the surrounding area, which would be established as a DRD. The consistency of the anticipated land use/community character and aesthetic impacts of the uses that would be permitted by the DRD is evaluated in Sections 3.3.2.2 and 3.8.2, respectively, of this VDEIS.

### 3.3.2.2 Land Use and Community Character

Subsequent to the application of the proposed DRD to the subject property, the land use would change from light industrial and commercial to a multifamily rental residential use with substantial enhancements to the on-site portion of Neguntatogue Creek (see Section 2.2 of this VDEIS for a detailed description the proposed improvements). Establishment of the subject property as a DRD would permit a TOD residential land use proximate to the Lindenhurst LIRR station and within the downtown, where current zoning would not allow such a land use. Further, the proposed DRD would permit a land use that would allow for efficient use of land and

infrastructure, provide convenient connections and access, and encourage more compact design, which will conserve resources and benefit the environment.

The proposed action includes the demolition of the existing improvements on the subject property that are described in Section 2.2 of this VDEIS, and the redevelopment of the site with a transit-oriented multifamily residential development and amenities, as noted above, within a 54±-foot, 10-inch-tall, 337,399±-GSF-building.<sup>50</sup> The residential rental units are proposed to consist of:

- 11 studio units that would range from approximately 584 SF to 601 SF in size
- 142 one-bedroom units that would range from approximately 692 SF to 852 SF in size;
- 15 one-bedroom units with dens that would be approximately 870 SF in size;
- 5 one-bedroom units with lofts that would be approximately 1,140 SF in size;
- 75 two-bedroom units that would range from approximately 1,112 SF to 1,192 SF in size; and
- 12 three-bedroom units that would range from approximately 1,240 SF to 1,645 SF in size.

The proposed building would be located on the north-northeastern portion of the subject property. A total of 381 parking spaces would be provided. Some of the parking (51 spaces) would be located under the eastern wing of the building, and the remainder would be in surface parking lots south and west of the building. In addition, 39 parking spaces would be landbanked in order to minimize impervious surfaces. Should the parking spaces be needed in the future, the parking spaces could be built. The proposed “Lindenhurst Residences” project would include a lower parking garage level and upper roof deck level, with both indoor and outdoor amenities and associated landscaping (see Preliminary Site Plans in Appendix C). It should also be noted that on-street parking is available in the vicinity of the site, however, on-street spaces are not owned or controlled by the Applicant for the proposed development, and would not be used for the sole purpose of supporting the proposed development, therefore, their continued use cannot be guaranteed.

Indoor amenities include entrance lobbies, a coffee bar, a reception area, office and conference space, a mail room, a lounge/fitness area that includes a fitness room with exercise machines, lounge area, and game area on the ground floor. In addition to amenities, the building would feature elevator lobbies, tenant storage rooms, trash rooms, mechanical rooms, maintenance areas, and electrical and telecommunication spaces. Outdoor amenities feature an outdoor pool and patio, an elevated walkway (pedestrian bridge) spanning Neguntatogue Creek, a rooftop deck with kitchenette,



<sup>50</sup> The 54 foot, 10 inch building height is measure from the average grade. Based on the Village criteria for determining building height, the maximum height of the proposed building is 57 feet 6 inches, as measured from the lowest point of grade on South Pennsylvania Avenue.

various landscaping treatments, including a landscaped courtyard with reflecting pool, and a naturalistic outdoor area around a restored Neguntatogue Creek.

A Preliminary Landscape Concept was prepared by J.E. Morgan & Associates, dated July 28, 2016 (see Appendix C). The proposed planting design is one that provides the proposed residential development with various planting areas including screening, parking island plantings, buffer plantings adjacent to the existing creek, and various foundation plantings. The proposed plantings within the proposed vegetated buffer surrounding the creek would adhere to NYSDEC requirements, based on previous coordination with the NYSDEC. The Preliminary Landscape Concept is described in more detail in Section 2.3.4 of this VDEIS. Additional discussion of the wetland plantings is provided in Section 3.2.2.3.

Upon implementation of the proposed action, land coverages at the site would be altered. The proposed land coverages are shown in Table 12.

**Table 12 - Existing and Proposed Land Coverages**

Type of Coverage	Existing Acres/(Percent)	Proposed Acres/(Percent)
Roads, Buildings and Other Paved Surfaces	5.88± / (82)	4.60± / (64)
Forested	0.34± / (5)	0.24± / (3)
Surface Water/Wetlands Area	0.40± / (6)	0.40± / (6)
Unvegetated (rock, earth, fill)	0.06± / (1)	0 / (0)
Landscaping	0.45± / (6)	1.90± / (27)
<b>TOTAL</b>	<b>7.14± (100)</b>	<b>7.14± (100)</b>

Source: VHB

As shown in Table 12, impervious surface would decrease by nearly 20 percent under the proposed action, and the proposed landscaping would increase the pervious areas at the subject property. The removal of impervious surfaces provides a beneficial impact on the environment.

Since the site is located in a well-developed portion of the Village, and since the proposed “Lindenhurst Residences” project is a TOD, it is not likely that the redevelopment of the subject property with the proposed residential building would induce substantial additional growth in the area. There are existing multifamily developments within the study area, although as discussed elsewhere in this VDEIS, there is demand for additional such uses. As indicated in Section 2.4 of this VDEIS, the *RPA Rental Report*<sup>20</sup> indicated that rental housing, such as that associated with the proposed “Lindenhurst Residences,” is critical on Long Island to attract and retain a talented workforce, some of whom may not be able to afford to own, or may prefer to rent in order to remove the stress of home ownership.

The development of a rental, multifamily residential development complements and adds to the mix of uses within the downtown Lindenhurst area. This residential development, and its location in the downtown and proximate to the central business district, would support the desire of the Village to revitalize its downtown by attracting a population that wants to live in a walkable community that has shops, restaurants and other amenities. The proposed action has been designed to meet the local Village needs as well as the broader needs of the Town of Babylon, Suffolk County, and the region, to attract and retain young working singles, couples and families, as well as provide opportunities for seniors or retirees to downsize from their single-family homes to a relatively maintenance free community. Although the proposed residential development would create a demand for additional commercial, retail, recreational and institutional uses, some of this demand could be absorbed the existing commercial district in the Village, and through the on-site recreational areas/open spaces for use of future residents of the proposed “Lindenhurst Residences” project.

In terms of community character, the addition of a larger scale residential building in the downtown area of the Village would blend with the density and character of this area of Lindenhurst. The subject property is located along a downtown/commercial corridor in the Village, and in addition commercial uses in the downtown, residential uses are also present in the surrounding area. The proposed action, a multifamily TOD, would complement existing multifamily uses located west of the subject property along South Smith Street and School Street, as well as residential apartments that are located above commercial uses in mixed-use buildings throughout the downtown area, and single-, two- and three-family detached residential uses that are located throughout the Village. Finally, the proposed height of the proposed “Lindenhurst Residences” project (although taller than most of the adjacent buildings), would be mitigated by the building’s architectural design (see Section 3.8.2 of this VDEIS) and would balance with the elevation of the LIRR tracks across East Hoffman Avenue from the subject property.

Based on the foregoing analysis, and as the proposed “Lindenhurst Residences” project would be located within downtown Lindenhurst, in an area that is appropriate for TOD multifamily residential developments, there would be no significant adverse impacts with respect to land use and community character.

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### 3.3.2.3 Relevant Land Use Plans

#### Village of Lindenhurst NY Rising Community Reconstruction Plan (2014)

As discussed in Section 3.3.1.3 of this VDEIS, the vision statement for the *NYRCR Plan* informed goals for the Village. The relevant short-, medium-, and long-term goals are

presented below, along with an evaluation of the proposed “Lindenhurst Residences” project’s consistency therewith.

➤ *Short-Term Goals*

➤ *Minimize recurring flooding related to the inadequate storm drainage system*

The proposed action would include a comprehensive stormwater management system that would collect and recharge the majority of stormwater runoff on-site, with a limited amount discharging to the creek (as permitted by the NYSDEC), and, thus, runoff would not be permitted to run overland and to adjacent roadways and potentially cause flooding.

➤ *Review and enact flood abatement preventative measures*

The subject property is not within a Federal Emergency Management Agency (FEMA) flood hazard area. In addition, the stormwater infrastructure system for the proposed action would be designed to have sufficient capacity to manage anticipated stormwater flows. Thus, flooding is not anticipated to impact the subject property upon implementation of the proposed action.

➤ *Improve emergency response delivery for the police, fire, DPW and municipal government*

Implementation of the proposed action would result in an increase in property taxes of \$146,256 to police, and \$120,484 to the Village, a portion of which would fund the Lindenhurst Fire Department, the Village Department of Public Works (DPW), and other municipal government services. It is expected that increased funding would assist the emergency response capacity of the aforementioned service providers.

➤ *Reduce inundation by reducing standing water and mosquito infestation that often results post-storm and rainfall events*

As there would be a stormwater infrastructure system that would not permit ponding of runoff at the subject property, there would be no standing water. Thus, the potential for mosquito infestation would be minimized. In addition, the function of the creek would be improved.

➤ *Medium-Term Goals*

➤ *Strengthen the downtown business district to help improve the resiliency of the Village’s local economy*

The construction of proposed “Lindenhurst Residences” project would increase the population residing in downtown Lindenhurst by over 500 people, less than a quarter-mile from the primary North/South Wellwood Avenue commercial corridor. Therefore, it is expected that the residents of the

proposed “Lindenhurst Residences” project would patronize the downtown businesses, thereby improving the local Village economy.

➤ *Plan for adaptive and/or resilient re-use of abandoned or underutilized properties*

The proposed action involves the redevelopment of an underutilized industrial/commercial site with a high-quality rental residential TOD. In addition, as detailed in Section 9.0 of this VDEIS, the proposed “Lindenhurst Residences” project would incorporate sustainability measures into the building and site design to maximize water and energy efficiency. A sustainable design, undergrounding of overhead power lines, and a stormwater management system designed with input from the NYSDEC would ensure that the proposed action would result in a resilient re-use of the subject property.

➤ *Protect, maintain, and enhance natural ecosystems*

As mentioned above, the proposed improvements to the on-site creek would enhance the natural function of same. See Section 3.2.2.3 of this VDEIS for further detail on the improvements to the creek. As mentioned above, the proposed “Lindenhurst Residences” project would incorporate sustainability measures into the building and site design, which would ultimately protect natural ecosystems.

➤ *Long-Term Goals*

➤ *To support local governmental agencies; including police, fire, DPW and school organizations*

As discussed above, the proposed action would result in an increase of \$120,484 in property taxes to the Village, which would assist in funding local governmental agencies, including the DPW, and the Lindenhurst Fire Department. The SCPD would receive an additional \$146,256 in tax revenues, and the Lindenhurst UFSD would receive a net increase in funding of \$1,074,240, which accounts for the additional educational costs due to the eight school-aged children that would be generated by the proposed action and the increased tax revenues the proposed “Lindenhurst Residences” project would provide the UFSD. It is anticipated that the additional revenues would assist in the provision of services by the aforementioned providers.

Recommendations for how to address needs of the Village identified through the NYRCR planning process are presented below, along with the proposed action’s consistency therewith.

➤ *Revise/update building and other codes, plans, and policies to increase long term resiliency and economic stability and enforce on an ongoing basis.*

In the spirit of this recommendation, the proposed buildings would be constructed, such that they would be resilient to potential future weather events to the maximum extent practicable. A sustainable design that includes water and energy efficiency measures, undergrounding of overhead power lines, and a stormwater management system designed with input from the NYSDEC would ensure that the proposed action would result in a resilient re-use of the subject property. Development of the proposed “Lindenhurst Residences” project would contribute to the economic stability of the Village, as it would introduce a new population proximate to the business district and enhance its vibrancy.

- *Promote the downtown district, as well as the maritime presence of the Village of Lindenhurst.*

As indicated above, the proposed “Lindenhurst Residences” project would house over 500 new residents, who would live within downtown Lindenhurst, less than a quarter-mile from the primary North/South Wellwood Avenue commercial corridor, and would be expected to patronize the area businesses. Therefore, upon implementation of the proposed action, the economic vibrancy of the downtown district would be enhanced.

- *Improve shoreline protection and stormwater drainage systems.*

It should be noted that the subject property is not located on the shoreline, and would have no effect on the shoreline or coastal resources. With respect to stormwater drainage, a comprehensive stormwater management system would be established at the subject property, such that virtually all stormwater runoff generated at the site would be collected, and either recharged beneath the site or discharged to Neguntatogue Creek (in accordance with NYSDEC permits). Stormwater runoff would not be permitted to run overland onto adjacent properties and roadways to potentially cause flooding.

- *Use best practices and/or harden utilities to improve resiliency.*

All on-site utilities would be installed in accordance with best practices. Existing overhead wires along the property frontage would be undergrounded, which would increase storm resiliency.

- *Improve the function to natural systems.*

The function of Neguntatogue Creek, which is located on the site, would be improved, as detailed in Section 3.2.2.3 of this VDEIS.

**Village of Lindenhurst Downtown  
Business District Analysis (2015)  
and Village of Lindenhurst  
Downtown Business District  
Analysis (2000)**

The proposed “Lindenhurst Residences” project would address a number of issues mentioned in the 2000 and 2015 Business District Analyses. The new rental apartments could provide a contemporary higher-density housing option within the Village, which is needed, as the summary in Section 3.3.1.3 of this VDEIS indicated that there is currently minimal new housing. Additionally, the proposed rental units would address the lack of available rental real estate. Given the site’s proximity to the LIRR and since the majority of Lindenhurst residents who commute to work on public transportation use the LIRR, the proposed development would provide a convenient housing option for commuters. Further, it was noted previously that household size in the Village has been decreasing in recent decades, and thus, it is expected that the Lindenhurst Residents would provide housing that would be attractive to smaller households, including young adults, those who work in New York City, and older populations, who may desire housing other than single-family detached units.

The analysis presented in Section 3.3.1.3 of this VDEIS also indicates that the Lindenhurst downtown has faced economic challenges in the recent years, as the vacancy rates in the downtown area are at a historical high. The residential development would increase the population living proximate to the primary North/South Wellwood Avenue commercial corridor, which in turn may improve the vitality and foot traffic in the downtown business area. As the future occupants of the proposed “Lindenhurst Residences” project would be expected to support local business, the proposed action would contribute to the economic stability of the Village. The Lindenhurst Residents would be pedestrian-oriented by virtue of its location within the Village downtown and less than a quarter-mile from the North/South Wellwood Avenue commercial corridor, which would enable residents to walk to the various businesses and services offered in the downtown business district. The proposed “Lindenhurst Residences” project would have a pleasant aesthetic, due to attractive architectural treatments and landscaping, as well as due to undergrounding of overhead utility lines. Further, introduction of a new population proximate to the central business district would enhance its vibrancy, and downtown vacancy rates could potentially decrease.

Finally, with respect to preservation of Neguntatogue Creek, the proposed action would represent a substantial improvement over existing conditions. As previously indicated, paved areas and buildings are currently located along the majority of the stream corridor. Under the proposed action, the stream banks would be rehabilitated, through removal of concrete banks, re-grading to create gentler slopes, stabilization of banks with bio logs or similar measures, and installation of native plantings along the

top of the banks. In addition, existing stormwater discharge pipes would be removed, and limited stormwater discharge would be permitted via sheet flow and one 8-inch PVC pipe, although the total amount of stormwater volume discharged to the creek would decrease and would represent approximately 5.9 percent of total required storage volume. Non- and/or low-fertilizer dependent grasses would be used, and native shrubs or small trees, would be installed along the stream banks. Moreover, the existing culverted section of the creek would be daylighted, which would result in aesthetic and environmental amenities for the creek and wetland area. Elements of the proposed action to rehabilitate a portion of the Neguntatogue Creek have been coordinated with NYSDEC to ensure opportunities for enhancement are maximized and applicable requirements are met.

Based upon the foregoing, the proposed action would be consistent with the 2000 and 2015 Business District Analyses.

### **Lindenhurst Economic Development Committee Summary of Responses (2016)**

As previously mentioned, the scope of this survey included residents' feelings regarding the state of the current downtown area, available housing options and comparisons to downtown areas of other villages and suggestions for improvements. The key findings based on this survey are summarized in Section 3.3.1.3 of this VDEIS.

With the respect to the above-listed findings, the proposed 260 multifamily rental units would address many of the needs and concerns of the surveyed respondents. As indicated in Section 3.8.2 of this VDEIS, development of the proposed "Lindenhurst Residences" project would provide aesthetic improvements to both the subject property and the surrounding downtown streetscape. The proposed action would provide additional types of housing options within downtown Lindenhurst, especially for commuters, as the subject property is across the street from the Lindenhurst LIRR station. Since the subject property is currently developed with underutilized commercial and industrial uses within deteriorating structures, the proposed development would clean up this portion of the downtown area, could spur other businesses to spruce up their establishments, and potentially provide economic support for the surrounding commercial corridors and.

### **Town of Babylon Draft Comprehensive Plan Summary (1998)**

The following aspects of Lindenhurst Residence's design demonstrate the proposed action's consistency with the recommendations of the *Comprehensive Plan Summary*, which spoke to issues of providing affordable housing, addressing a shortage of

rental housing, ensuring protection of natural resources and sustainable economic development:

- The proposed “Lindenhurst Residences” project would consist of 260 residential rental studios, one-, two- and three-bedroom apartments, which would assist in addressing the rental housing shortage identified by the *Comprehensive Plan Summary*. Further, rental housing can serve as a housing option for Town residents who cannot afford to or do not want to own a home.
- The proposed action would be served by a connection to the Southwest SD, which would ensure proper wastewater treatment and avoid on-site sanitary discharges, thereby protecting groundwater resources.
- Stormwater would be managed through collection and recharging on-site, via the installation of leaching galleys on-site, in addition to limited discharge to the creek, in accordance with NYSDEC permissions, such that stormwater runoff would not be expected to adversely affect surface water or groundwater resources; and
- The proposed action would be within walking distance to a number of businesses within the Lindenhurst downtown, the Lindenhurst LIRR station, and other existing public transportation networks.

### **Suffolk County Comprehensive Master Plan 2035 (*Suffolk 2035 Plan*) (2015)**

An evaluation of the proposed action’s general consistency with the *Suffolk 2035 Plan*, as described in Section 3.3.1.3 of the VDEIS, is included herein.

The proposed action would result in the redevelopment of a site that has historically contained, and currently contains, industrial and commercial uses, and it would establish an up-to-date higher density residential TOD.

The proposed action would allow for, through a change of zone, higher densities on the site, and would create a 260-unit rental residential community. As discussed in Section 3.5.1 of this VDEIS, approximately 79 percent of occupied housing units in the Village are owner-occupied units, rather than rentals, and approximately 76 percent of housing are detached single-family residences. Therefore, the introduction of multifamily rental units would help to create a range of housing opportunities for those who do not want, or cannot afford, the maintenance and upkeep of owning a single-family home. In addition, the proposed “Lindenhurst Residences” project is located across the street from the Lindenhurst LIRR station and in the Village downtown.

With respect to environmental concerns, the proposed action would connect to the Southwest SD, such that sewage generation from the proposed action would be

adequately treated, thus protecting groundwater quality. In addition, the proposed action would represent a substantial improvement over existing conditions at the creek. As previously indicated, paved areas and buildings are currently located along the majority of the stream corridor. Under the proposed action, the stream banks would be rehabilitated, through removal of concrete banks, re-grading to create gentler slopes, stabilization of banks with bio logs or similar measures, and installation of native plantings along the top of the banks. In addition, existing stormwater discharge pipes would be removed, and limited stormwater discharge would be permitted via sheet flow and one 8-inch PVC pipe, although the total amount of stormwater volume discharged to the creek would decrease and would represent approximately 5.9 percent of total required storage volume. Non- and/or low-fertilizer dependent grasses would be used, and native shrubs or small trees, would be installed along the stream banks. Moreover, the existing culverted section of the creek would be daylighted, which would result in aesthetic and environmental amenities for the creek and wetland area.

Based on the above, the proposed action would be consistent with the Suffolk 2035 Plan.

### Smart Communities Through Smart Growth: Applying Smart Growth Principles to Suffolk County Towns and Villages (2000)

As indicated in Section 3.3.1.3 of this VDEIS, the *Smart Growth Study* includes recommendations for applying the principles of smart growth. They are presented below, and the proposed "Lindenhurst Residences" project's consistency therewith is evaluated.

- *Direct development to strengthen existing communities and sites - Smart growth actions can be applied to the redevelopment of older areas, including commercial, industrial and residential sites.*

The proposed action would result in the redevelopment of a site that has historically contained, and currently contains, industrial and commercial uses, and it would establish an up-to-date higher density residential TOD.

- *Encourage mixed land uses and mixed use buildings*

Although the proposed residential development would not be mixed use, it would be located within the Village's downtown, and within walking distance of (i.e., less than a quarter-mile) the North/South Wellwood Avenue commercial corridor, which offers a variety of services that residents of the proposed development would likely patronize.

- *Take advantage of compact building sizes and create a range of housing opportunities*

The proposed action would allow for, through a change of zone, higher densities on the site, and would create a 260-unit rental residential community that would provide for more compact residential uses within one building than are provided for in detached single-family residences, which is the most common existing residential building type in the Village. As discussed in Section 3.5.1 of this VDEIS, approximately 79 percent of occupied housing units in the Village are owner-occupied units, rather than rentals, and approximately 76 percent of housing are detached single-family residences. Therefore, the introduction of multifamily rental units would help to create a range of housing opportunities for those who do not want, or cannot afford, the maintenance and upkeep of owning a single-family home. In addition, the proposed “Lindenhurst Residences” project would be proximate to the Lindenhurst LIRR station and in the Village downtown, as is recommended by the *Smart Growth Study*.

➤ *Provide a Variety of Transportation Choices*

The proposed action would be across Hoffman Avenue from the Lindenhurst LIRR station, and therefore, residents would have access to rail transportation, and would not need to depend as heavily on automobiles, thereby potentially relieving some roadway congestion.

➤ *Create Pleasant Environments and Attractive Communities that are pedestrian oriented and give residents a sense of pride in their communities*

The proposed “Lindenhurst Residences” project would be pedestrian-oriented by virtue of its location in the Village downtown, less than a quarter-mile from the primary North/South Wellwood Avenue commercial corridor, which would enable residents to walk to the various businesses and services offered in the downtown business district. The proposed “Lindenhurst Residences” would have a pleasant aesthetic, due to attractive architectural treatments and landscaping.

➤ *Preserve Open Space and Natural Resources*

The proposed action would redevelop a site that is currently entirely developed, and thus, would not commit existing open space resources for new development. The proposed action would also result in substantial improvement to the on-site creek as described in Section 3.2.2.3 of this VDEIS, thereby preserving natural resources.

➤ *Make Development Decisions Predictable, Fair and Cost Effective*

As the proposed action would include the creation of a floating zone overlay district with uniform regulations and conditions that could be applied to any eligible sites within the area defined in Section 3.3.2.1 of this VDEIS, it would enable the kind of higher density residential TOD to be reviewed in a predictable and fair method.

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### 3.3.3 Proposed Mitigation

No significant adverse impacts to zoning, land use, or community character have been identified during the foregoing analysis. Therefore, no mitigation measures, beyond the design measures that have already been incorporated into the plan, as well the entire concept of developing a multifamily TOD in an existing downtown, directly across from a railroad station are proposed.

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## 3.4 Transportation

A Traffic Impact Study (TIS) was prepared by VHB to provide a comprehensive evaluation of the potential traffic impacts associated with the proposed mixed-use development. The purpose of the TIS is to determine whether any significant traffic impacts would result from the proposed action and to propose and evaluate mitigation measures, if required. This report presents the findings of the traffic study and summarizes the data collection process, traffic analysis procedures, and study conclusions. The complete study is included in Appendix H of this VDEIS.

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### 3.4.1 Existing Conditions

Evaluation of the transportation impacts associated with the proposed “Lindenhurst Residences” project requires a thorough understanding of the current transportation system in the project study area. Existing transportation conditions include roadway geometry, traffic control devices, peak-hour traffic volumes, roadway operating characteristics, and parking availability. An inventory of available information on local roadways and traffic control in the vicinity of the subject property was compiled. The following sections present a summary of this information. The study methodology and existing traffic conditions are summarized herein and the complete TIS is included in Appendix H of this VDEIS.

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#### 3.4.1.1 Study Methodology

The following describes the methodology used in this traffic study:

- The site plan and related documents were reviewed to obtain an understanding of the proposed “Lindenhurst Residences” project scope and layout.
- A review was made of the adjacent roadway system and the key intersections that might be significantly impacted by the proposed “Lindenhurst Residences” project were identified.
- Field inventories were made to observe the number and direction of travel lanes at the key intersections, along with signal timing, phasing and cycle lengths.
- Accident data for the most recent three-year period for the study area was reviewed, tabulated and summarized.
- Turning movement counts were collected at the key intersections using Miovision cameras during weekday a.m. and p.m. peak periods and during the midday peak period on a typical Saturday.
- The existing traffic volumes at the key intersections were expanded to the future No-Build year (assumed to be 2021).

- Any other potentially significant planned developments in the vicinity of the proposed “Lindenhurst Residences” project were identified and the traffic associated with those developments was included in No-Build analysis.
- The traffic generated by the proposed 260-unit apartment community was projected based on recognized traffic engineering standards.
- The site generated traffic volumes were distributed along the adjacent roadway network and were added to the No-Build volumes to produce the proposed Build Condition volumes (i.e., conditions associated with the proposed action).
- Capacity analyses were performed for the key intersections and the site driveways for the Existing, No-Build and future Build conditions.
- The results of the analyses for the Existing, No-Build, and Build conditions were compared to assess any significant traffic impacts due to the proposed development of the “Lindenhurst Residences.”
- The site access points were evaluated.
- The adequacy of the proposed off-street parking was evaluated and the site layout was reviewed.
- The need for traffic mitigation measures was evaluated.

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### 3.4.1.2 Roadway and Intersection Conditions

The principal roadways and intersections in the project area are described below. The descriptions of the roadways and key intersections include the geometric conditions and traffic control characteristics.

#### **Hoffman Avenue (CR 12)**

*County Road 12* is designated as *Hoffman Avenue* east of South Strong Avenue. It runs as West Hoffman Avenue to South Wellwood Avenue and then as East Hoffman Avenue to Park Avenue, east of which it is designated Rail Road Avenue. It is an east-west arterial roadway under the jurisdiction of SCDPW. East Hoffman Avenue runs along the north side of the subject property. Within the study area County Road 12 provides one travel lane in both directions, with additional left-turn lanes provided at most intersections. The Suffolk County Traffic Count Hourly Report for 2014 put the Annual Average Daily Traffic (AADT) on East Hoffman Avenue at approximately 9,450 vehicles per day. The posted speed limit within the study area is 35 miles per hour and on-street parking on the south side of the roadway is permitted.

#### **South Smith Street**

*South Smith Street* is a short north-south local roadway. It runs south from an unsignalized T-intersection with East Hoffman Avenue to terminate at a dead end at the Lindenhurst Middle School. It runs along the west side of the subject property and

provides one travel lane in both directions. There is no posted speed limit on South Smith Street and on-street parking is permitted on both sides of the street.

### **South Pennsylvania Avenue**

*South Pennsylvania Avenue* is a short north-south local roadway. It runs south from a signalized intersection with East Hoffman Avenue to East Gates Avenue. North of the intersection with East Hoffman Avenue, South Pennsylvania Avenue provides access to the rail station parking lot. It runs along the east side of the subject property and provides one travel lane in both directions. There is no posted speed limit on South Smith Street and on-street parking is permitted on both sides of the street.

### **East Gates Avenue**

*East Gates Avenue* is an east-west local roadway that runs east from South 3<sup>rd</sup> Street to South Delaware Avenue. It runs to the south of the subject property and provides one travel lane in both directions. There is no posted speed limit on East Gates Avenue.

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#### **3.4.1.3 Study Area**



To determine the potential traffic impacts of the proposed “Lindenhurst Residences” project, the following study intersections were identified for analysis under the Existing, No-Build and future Build conditions:

- East Hoffman Avenue at South Wellwood Avenue (Signalized)
- East Hoffman Avenue at South Smith Street (Unsignalized)
- East Hoffman Avenue at South Pennsylvania Avenue (Signalized)
- South Smith Street at East Gate Avenue (Unsignalized)

The study intersections are shown in Figure 15. See aerial photographs and detailed intersection discussions of each intersection in Appendix H of this VDEIS.



Legend

-  Subject Property
-  Study Intersection Location

**Lindenhurst Residences**

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757  
VHB Ref. 29685.00



**Figure 15 - Study Intersections**



SOURCE: (1) VHB, Traffic Impact Study,  
September 2, 2016.

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#### 3.4.1.4 Existing Traffic Volume Data

At the four study intersections, turning movement counts were collected using Miovision cameras on Thursday, November 19, 2015, during the weekday a.m. peak period from 7:00 a.m. to 9:00 a.m., and during the weekday p.m. peak period from 4:00 p.m. to 6:00 p.m. and again on Saturday, November 21, 2015 11:00 a.m. to 2:00 p.m. These times reflect the heaviest traffic flows coinciding with commuter and shopping activities. The existing weekday a.m., p.m. and Saturday midday volumes are shown in Figure 3 of Appendix H. The detailed turning movement count data can be found within Appendix A of Appendix H of this VDEIS.

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#### 3.4.1.5 Accident History

Accident data from NYSDOT Accident Location Information System (ALIS) records for the most recent available three-year period was requested. Accident Verbal Description Reports (VDRs) for the period May 1, 2012 through April 30, 2015 were obtained for the following roadway segments:

- East Hoffman Avenue – From South Wellwood to South Pennsylvania Avenue (the segment includes three study intersections)
- South Smith Street – From East Hoffman Avenue to East Gates Avenue
- South Pennsylvania Street – From East Hoffman Avenue to East Gates Avenue
- East Gates Avenue – From South Smith Street to South Pennsylvania Avenue

A table summarizing the accident data is included in Appendix H. A discussion of the accident data is provided herein.

At the study intersection of West/East Hoffman Avenue & South Wellwood Avenue, a total of 17 accidents were reported to have occurred during the three-year study period. There were no fatalities, nine of these resulted in personal injuries, and eight resulted in property damage only. The accident type that occurred with the highest frequency are rear-end collisions (six accidents – 35 percent). There was one accident that involved a bicyclist. One accident was classified as of other/unknown type.

At the study intersection of East Hoffman Avenue & South Smith Street, a total of two accidents were reported to have occurred during the three-year study period. Both accidents resulted in property damage only. One accident was a collision while making a left-turn and the other was classified as of other/unknown type.

At the study intersection of East Hoffman Avenue & South Pennsylvania Avenue, a total of three accidents were reported to have occurred during the three-year study period. All three accidents resulted in property damage only and were right-angle collisions. The apparent factors of the three accidents were further examined to establish a possible pattern. One of the right-angle accidents occurred when the 'traffic control devices were disregarded,' the second occurred due to 'slippery

pavement' with the road condition reported as 'Snow/Ice'. The third right angle accident did not list any apparent factors. Hence no pattern could be established.

At the study intersection of South Smith Street & East Gates Avenue, one accident was reported to have occurred during the three-year study period. The accident resulted in property damage only, and was classified as of other/unknown type.

On the roadway segment of East Hoffman Avenue from South Wellwood Avenue to South Pennsylvania Avenue, six accidents occurred at locations other than the three study intersections. There were no fatalities, four of these resulted in personal injuries, and two resulted in property damage only. Of the six accidents there were one each of a right-angle collision, collision with a fixed object and a collision with a parked vehicle. The other three were classified as other/unknown type.

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### 3.4.2 Potential Impacts

The analysis of future conditions, with and without the proposed "Lindenhurst Residences" project ("Build" and "No-Build" conditions, respectively), was performed to evaluate the effect of the proposed development on future traffic conditions in the area. Background traffic volumes in the study area were projected to the year 2021, reflecting the year when the proposed "Lindenhurst Residences" project is expected to be completed and operational. The No-Build Condition represents the future traffic conditions that can be expected to occur, even if the proposed development is not constructed. The No-Build Condition serves as a comparison to the Build Condition, which represents expected future traffic conditions resulting from both proposed "Lindenhurst Residences" project and non-project generated traffic. See Appendix H for the detailed analysis.

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#### 3.4.2.1 No-Build Condition

No-Build traffic volumes include all existing traffic and any new traffic due background traffic growth and any other significant planned developments in the immediate vicinity of the site.

#### Other Planned Developments

The Village Planning Department was contacted and indicated that there are no other planned developments in the vicinity of the site that may impact the study intersections. As previously indicated, according the Village, a 16-unit senior housing complex is currently under construction on South Street, immediately west of the site. This construction was verified by visual observations of the site and surrounding area in June 2016. There are no other known planned developments in the vicinity of the subject property.

A 16-unit senior living facility would only generate approximately seven vehicle trips during its peak traffic period, which occurs on a Sunday. Since this is such a low number of trips, for the purposes of this analysis it is assumed that this traffic would be captured by the background growth factor applied to the existing traffic volumes discussed in the next section of this report.

## Background Traffic Growth

In order to account for increases in general population and background growth not related to the proposed “Lindenhurst Residences” project, an annual growth factor was applied to the existing traffic volumes. Based on the New York State Department of Transportation (NYSDOT), *Long Island Transportation Plan* (LITP), the growth rate anticipated for the Town of Babylon, including Village of Lindenhurst is 1.1 percent per year. But, in order to perform a conservative analysis and to account for any planned developments that may not have been identified, an annual growth rate of 1.25 percent was used. Thus a total growth rate of 7.5 percent was applied to the existing traffic data to develop the background traffic based on the anticipated Build year of 2021.

The 2021 No-Build traffic volumes are shown in Figure 4 of Appendix H for the weekday a.m., weekday p.m. and Saturday midday peak hours.

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### 3.4.2.2 Build Condition

#### Site Generated Traffic Volumes

In order to estimate the traffic impact of the proposed action it is necessary to determine the traffic volumes expected to be generated by the proposed “Lindenhurst Residences” project. The Institute of Transportation Engineers (ITE) publication, *Trip Generation, 9th Edition*, a nationally recognized and adopted reference for forecasting trip generation was used to estimate the peak number of weekday a.m., weekday p.m. and Saturday midday trips for the proposed development. ITE Land Use #220 “Apartment” was used to estimate the number of trips generated by the proposed 260 apartments.

#### Transit-Oriented Development

The proposed apartment development is characterized as a TOD based on its proximity to mass transit. The proposed development is located a very short distance from the Lindenhurst LIRR station.

Located on the Babylon branch of LIRR, the Lindenhurst LIRR Station is well served by train service. The LIRR operates 24-hours-a-day, 7-days-a-week, including all holidays, with service intervals varying by destination and time of day. The frequency

of service is good, with convenient connections to reach New York City and parts of Nassau, Suffolk and Queens Counties.

The proposed “Lindenhurst Residences” project would also be well served by bus service. The proximity of the subject property to mass transit is expected to significantly reduce vehicle trips, as many people would use the train and bus services for their commute to and from work.

The available studies on TODs show a reduction in vehicle trips by as much as 50 percent compared to non-TOD developments. In order to take a conservative approach, this study assumes, due to proximity to mass transit, a reduction in trip generation of only a 25 percent during a.m. and p.m. peak periods and 15 percent reduction during Saturday midday peak period.

The site is currently occupied by industrial and commercial uses. The traffic currently generated by these uses would be eliminated with the site’s redevelopment. No credit was taken for the existing trips, resulting in a high-side conservative estimate of impacts in this study. Table 13 shows the anticipated site trip generation adjusted to account for the effect of TOD.

**Table 13 – Site Generated Trip Projections**

Project Component	Component Size	AM Peak		PM Peak		Saturday Midday Peak	
APARTMENTS ITE # 220 with TOD Credit(1) Applied	260 Units	Rate =	0.41	Rate =	0.50	Rate =	0.44
		Entering	Exiting	Entering	Exiting	Entering	Exiting
		29%	71%	61%	39%	50%	50%
		31	77	80	51	57	58
		Total =	108	Total =	131	Total =	115

Source: *Trip Generation* (ITE, 9th Edition, 2012). Rates for weekday AM & PM peak hours, and Saturday rate are of peak hour of the generator.

(1) The ITE trip generation rates for rentals were adjusted down by 25% for the weekday peak hours and 15% for the Saturday peak hour to account for the effect of transit oriented development.

As shown in the table above, the 260 apartments in this TOD are projected to generate 108 trips (31 entering & 77 exiting) during the a.m. peak hour, 131 trips (80 entering & 51 exiting) during the p.m. peak hour and 115 trips (57 entering & 58 exiting) during the Saturday midday hour.

## Trip Distribution and Assignment

The trips originating from and destined to the subject property were assigned to the adjacent roadways based on characteristics of the roadway network, the location of the proposed site access points, existing travel patterns, and likely destination points. See Figures 5 and 6 in the TIS in Appendix H for additional details.

To determine the future Build Condition traffic volumes, the proposed “Lindenhurst Residences” project generated trips were added to the No-Build traffic volumes at the key intersections. The resulting Build traffic volumes for the weekday a.m., p.m. and Saturday midday peak hours are shown in Figure 16.

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### 3.4.2.3 Future Traffic Operations

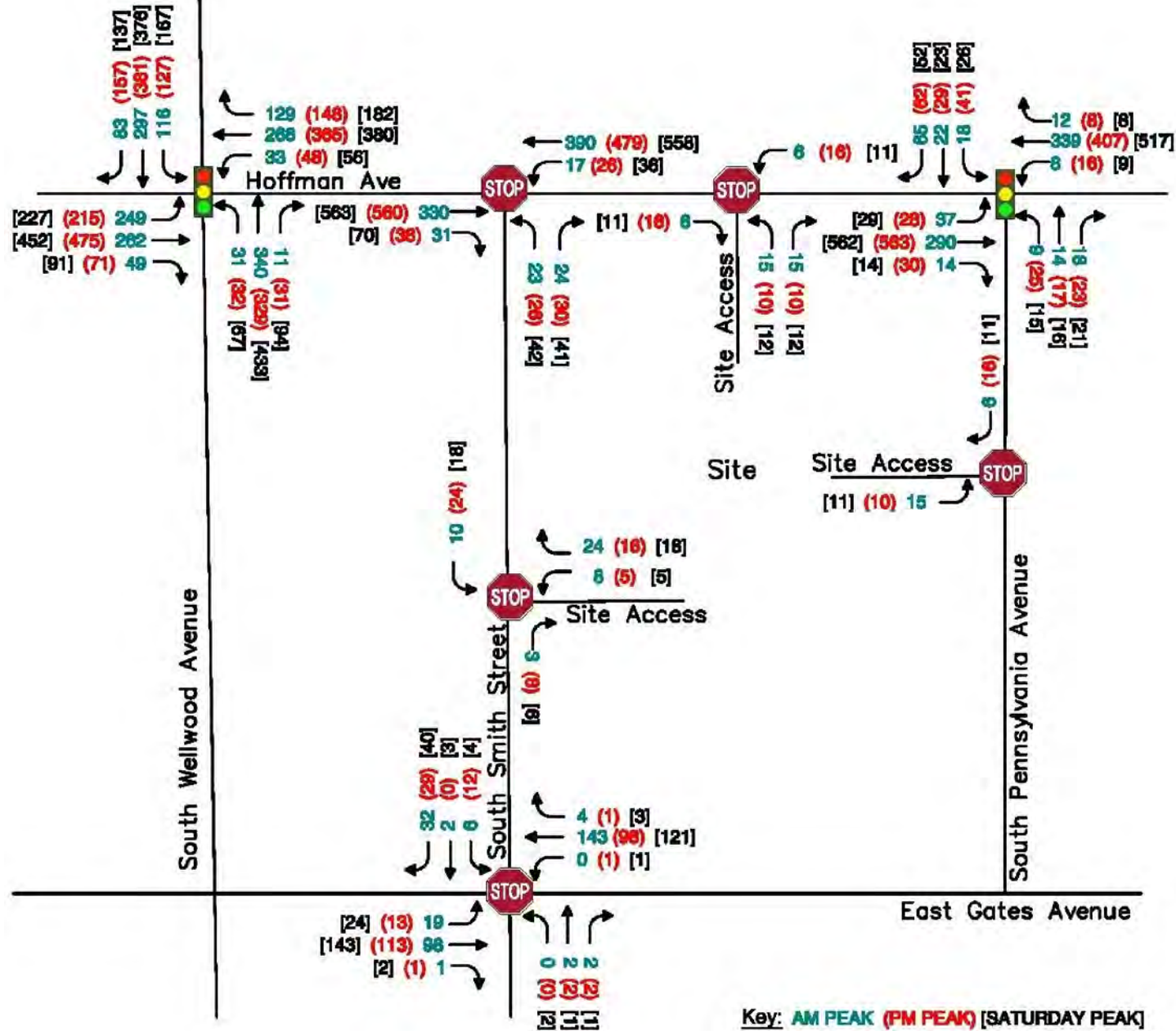
Measuring existing traffic volumes and projecting future traffic volumes quantifies traffic flow within the study area. In order to assess quality of traffic flow, roadway capacity analyses were conducted with respect to the Existing, No-Build and future Build conditions. These capacity analyses provide an indication of the adequacy of the roadway facilities to serve the anticipated traffic demands.

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### 3.4.2.4 Level of Service and Delay Criteria

The evaluation criteria used to analyze area intersections in this traffic study are based on the 2000 & 2010 *Highway Capacity Manual* (HCM). The term ‘level of service’ (LOS) is used to denote the different operating conditions that occur at an intersection under various traffic volume loads. It is a qualitative measure that considers a number of factors including roadway geometry, speed, travel delay and freedom to maneuver. Vehicle delay time (expressed in seconds per vehicle) is typically used to quantify the traffic operations at intersections. Therefore, when evaluating intersection capacity results, in addition to the LOS, vehicle delay time should also be considered.

Additional discussion regarding LOS and vehicle delay, and other measures for analysis of both signalized and unsignalized intersections is discussion in Appendix H of this VDEIS.



## Lindenhurst Residences

75 East Hoffman Avenue  
Incorporated Village of Lindenhurst,  
Suffolk County, NY 11757

VHB Ref. 29685.00



Not to Scale

Figure 16 - Build Peak Hour Traffic Volumes



SOURCE: (1) VHB, Traffic Impact  
Study, September 2, 2016.

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#### 3.4.2.5 Level of Service Analysis

LOS analyses were conducted for the Existing, No-Build and future Build conditions for the key intersections and for the site access points on East Hoffman Avenue, South Smith Street and South Pennsylvania Avenue for the future Build condition.

The capacity analyses were done using the traffic analysis software Synchro, version 9, a computer program developed by Trafficware Ltd.

##### **Signalized Intersection Analysis results**

The results of the capacity analyses for the two signalized intersections of East Hoffman Avenue at South Wellwood Avenue and East Hoffman Avenue at South Pennsylvania Avenue in Existing, No-Build and future Build conditions are summarized in Tables 14 through 16 below, for the weekday a.m., p.m. and Saturday midday periods, respectively. The detailed capacity analysis worksheets are contained in Appendix C within Appendix H of this VDEIS.

Table 14 – Level of Service Summary – Signalized Intersection - AM Peak Hour

Intersection	Movement	Lane Group	Existing 2015		No-Build 2021		Build 2021	
			Delay	LOS	Delay	LOS	Delay	LOS
East Hoffman Avenue & S. Wellwood Avenue	EB	L	21.5	C	25.5	C	27.3	C
		TR	15.9	B	16.9	B	16.9	B
		Approach	18.4	B	20.7	C	21.6	C
	WB	L	30.7	C	31.1	C	30.0	C
		TR	30.0	C	30.8	C	30.7	C
		Approach	30.0	C	30.8	C	30.6	C
	NB	L	21.1	C	20.8	C	20.8	C
		T	39.0	D	40.0	D	40.0	D
		R	18.8	B	18.5	B	18.5	B
		Approach	36.9	D	37.9	D	37.9	D
	SB	L	21.7	C	23.1	C	25.7	C
		T	20.8	C	20.7	C	20.7	C
		R	14.8	B	14.6	B	14.6	B
		Approach	20.0	B	20.2	C	20.8	C
	Overall		25.2	C	26.4	C	26.8	C
East Hoffman Avenue & South Pennsylvania Avenue	EB	L	2.0	A	2.0	A	2.1	A
		TR	2.2	A	2.2	A	2.4	A
		Approach	2.2	A	2.2	A	2.3	A
	WB	L	2.6	A	2.6	A	2.5	A
		TR	3.0	A	3.1	A	3.1	A
		Approach	3.0	A	3.1	A	3.1	A
	NB	LTR	24.8	C	24.8	C	25.5	C
		Approach	24.8	C	24.8	C	25.5	C
	SB	L	35.1	D	35.3	D	35.5	D
		T	33.5	C	33.8	C	33.8	C
		R	15.0	B	15.0	B	14.9	B
		Approach	22.3	C	22.4	C	22.4	C
	Overall		5.9	A	6.0	A	6.3	A

Table 15 – Level of Service Summary – Signalized Intersection - PM Peak Hour

Intersection	Movement	Lane Group	Existing 2015		No-Build 2021		Build 2021	
			Delay	LOS	Delay	LOS	Delay	LOS
East Hoffman Avenue & S. Wellwood Avenue	EB	L	15.6	B	17.6	B	18.0	B
		TR	17.7	B	19.3	B	19.5	B
		Approach	17.1	B	18.8	B	19.1	B
	WB	L	23.2	C	24.5	C	25.1	C
		TR	22.0	C	23.3	C	24.0	C
		Approach	22.1	C	23.4	C	24.1	C
	NB	L	24.4	C	23.7	C	23.7	C
		T	39.2	D	38.8	D	38.8	D
		R	23.0	C	22.2	C	22.2	C
		Approach	36.7	D	36.2	D	36.2	D
	SB	L	20.6	C	21.6	C	25.9	C
		T	25.1	C	25.4	C	25.4	C
		R	19.3	B	19.1	B	19.1	B
		Approach	23.0	C	23.2	C	24.0	C
	Overall		23.2	C	24.0	C	24.5	C
East Hoffman Avenue & South Pennsylvania Avenue	EB	L	2.7	A	2.9	A	2.7	A
		TR	3.2	A	3.6	A	3.5	A
		Approach	3.2	A	3.5	A	3.5	A
	WB	L	2.9	A	3.0	A	2.9	A
		TR	3.3	A	3.5	A	3.5	A
		Approach	3.3	A	3.5	A	3.5	A
	NB	LTR	30.3	C	30.1	C	31.8	C
		Approach	30.3	C	30.1	C	31.8	C
	SB	L	41.3	D	37.0	D	38.7	D
		T	35.1	D	34.8	C	35.3	D
		R	14.0	B	13.7	B	14.0	B
		Approach	27.0	C	25.6	C	26.4	C
	Overall		7.2	A	7.2	A	7.4	A

Table 16 – Level of Service Summary – Signalized Intersection – Saturday Midday Peak Hour

Intersection	Movement	Lane Group	Existing 2015		No-Build 2021		Build 2021	
			Delay	LOS	Delay	LOS	Delay	LOS
East Hoffman Avenue & S. Wellwood Avenue	EB	L	25.6	C	33.4	C	35.7	D
		TR	23.2	C	25.6	C	25.9	C
		Approach	23.9	C	27.9	C	28.8	C
	WB	L	26.8	C	28.8	C	29.3	C
		TR	26.9	C	28.5	C	29.5	C
		Approach	26.9	C	28.5	C	29.5	C
	NB	L	24.3	C	24.3	C	24.3	C
		T	42.2	D	44.2	D	44.2	D
		R	23.1	C	22.9	C	22.9	C
		Approach	37.2	D	38.6	D	38.6	D
	SB	L	25.3	C	29.1	C	34.2	C
		T	19.1	B	19.1	B	19.2	B
		R	15.3	B	15.1	B	15.2	B
		Approach	19.7	B	20.5	C	22.0	C
	Overall		26.5	C	28.6	C	29.4	C
East Hoffman Avenue & South Pennsylvania Avenue	EB	L	1.9	A	2.2	A	2.3	A
		TR	2.4	A	2.8	A	3.1	A
		Approach	2.4	A	2.8	A	3.1	A
	WB	L	2.5	A	2.5	A	2.6	A
		TR	3.3	A	3.5	A	3.6	A
		Approach	3.3	A	3.5	A	3.6	A
	NB	LTR	28.7	C	28.8	C	29.4	C
		Approach	28.7	C	28.8	C	29.4	C
	SB	L	39.2	D	39.5	D	39.2	D
		T	35.8	D	35.9	D	35.5	D
		R	15.4	B	15.1	B	14.8	B
		Approach	26.1	C	26.1	C	25.8	C
	Overall		5.6	A	5.9	A	6.2	A

As can be seen in Tables 14 through 16, the signalized intersections of East Hoffman Avenue at South Wellwood Avenue operates at an overall intersection LOS C during all periods analyzed. There would be no change in LOS from No-Build to the Build condition. When compared to the No-Build, the Build condition overall intersection delay would increase by 0.4 seconds, 0.5 seconds and 0.8 seconds during weekday a.m., p.m. and Saturday midday peak hours, respectively. East Hoffman Avenue at South Pennsylvania Avenue operates at an overall intersection LOS A during all periods analyzed. There would be no change in LOS from No-Build to the Build condition. When compared to the No-Build, the Build condition overall intersection delay would increase by 0.2 seconds, 0.3 seconds and 0.3 seconds during weekday

a.m., p.m. and Saturday midday peak hours, respectively. Due to the minimal increases in vehicle delay no mitigation is required.

### Unsignalized Intersection Analysis results

The results of the capacity analyses for the unsignalized intersection of East Hoffman Avenue at South Smith Street and South Smith Street at East Gate Avenue under Existing, No-Build and future Build conditions are summarized in Table 17, Table 18, and Table 19 below, for the a.m., p.m. and Saturday midday peak periods, respectively. The detailed capacity analysis worksheets are contained in Appendix C within Appendix H of this VDEIS.

**Table 17 – Level of Service Summary – Unsignalized Intersection - AM Peak Hour**

Intersection	Critical Approach/ Movement	Existing 2015		No-Build 2021		Build 2021	
		Delay	LOS	Delay	LOS	Delay	LOS
East Hoffman Avenue & South Smith Street	NB	13.1	B	13.7	B	15.0	C
	WB L	8.0	A	8.1	A	8.2	A
South Smith Street & E. Gates Avenue	NB	10.4	B	10.6	B	10.6	B
	WB L	7.5	A	7.5	A	7.5	A
	SB	10.1	B	10.3	B	10.2	B
	EB L	7.7	A	7.7	A	7.7	A

**Table 18 – Level of Service Summary – Unsignalized Intersection – PM Peak Hour**

Intersection	Critical Approach/ Movement	Existing 2015		No-Build 2021		Build 2021	
		Delay	LOS	Delay	LOS	Delay	LOS
East Hoffman Avenue & South Smith Street	NB	16.3	C	17.4	C	19.9	C
	WB L	8.6	A	8.7	A	8.9	A
South Smith Street & E. Gates Avenue	NB	9.7	A	9.8	A	9.9	A
	WB L	7.4	A	7.5	A	7.5	A
	SB	9.3	A	9.4	A	9.5	A
	EB L	7.4	A	7.4	A	7.4	A

**Table 19 – Level of Service Summary – Unsignalized Intersection - Saturday Peak Hour**

Intersection	Critical Approach/ Movement	Existing 2015		No-Build 2021		Build 2021	
		Delay	LOS	Delay	LOS	Delay	LOS
East Hoffman Avenue & South Smith Street	NB	20.1	C	22.5	C	25.5	D
	WB L	8.8	A	8.9	A	9.0	A
South Smith Street & E. Gates Avenue	NB	10.9	B	11.4	B	11.6	B
	WB L	7.5	A	7.6	A	7.6	A
	SB	9.7	A	9.8	A	9.8	A
	EB L	7.5	A	7.6	A	7.6	A

As can be seen in Table 17, Table 18, and Table 19, the critical approaches at the unsignalized intersections East Hoffman Avenue at South Smith Street and South Smith Street at East Gates Avenue, would operate in the Build Condition at an acceptable overall intersection LOS D or better during all periods analyzed. It is important to note the analytical methodologies used for the analysis of unsignalized intersections use conservative parameters such as long critical gaps. Actual field observations indicate that drivers on minor streets generally accept shorter gaps in traffic than those used in the analysis procedures and therefore experience less delay than reported by the analysis software. Therefore, the results of this analysis are very conservative and delay on these approaches would likely be less than what is presented in this analysis.

#### 3.4.2.6 Site Access

The overall site is proposed to be served by three unsignalized site driveways; one on East Hoffman Avenue at the northwest corner of the site, approximately 200 feet from South Smith Street; one on South Smith Street at the southwest corner of the site, approximately 480 feet from East Hoffman Avenue; and one on South Pennsylvania Avenue at the southeast corner of the site, approximately 390 feet from East Hoffman Avenue. All three access points are full service and allow all movements.

An unsignalized intersection capacity analysis was performed for these three site access points. The results of the unsignalized intersection capacity analyses for the critical peak hours under future Build conditions are summarized in Table 20, below.

**Table 20 – Level of Service Summary – Site Access**

Intersection	Critical Approach/ Movement	Weekday AM Peak Period		Weekday PM Peak Period		Saturday Midday Peak Period	
		Delay	LOS	Delay	LOS	Delay	LOS
East Hoffman Avenue & Site Access	NB	13.6	B	18.9	C	20.6	C
	WB L	8.1	A	8.9	A	8.9	A
South Smith Street & Site Access	WB	8.7	A	8.6	A	8.7	A
	SB L	7.3	A	7.3	A	7.3	A
South Pennsylvania Avenue & Site Access	EB	8.9	A	9.2	A	9.0	A

As can be seen, the critical approaches and movements at the three site accesses would operate at an acceptable LOS C or better during all analysis periods.

### 3.4.2.7 Off-Street Parking and Site Circulation

#### Off-Street Parking Required

The proposed DRD requires that one parking space be provided for each unit. Since there are 260 units proposed, the development would require that 260 parking spaces be provided.

#### Off-Street Parking Provided

The Layout and Materials Plan (see Appendix C of the VDEIS) shows that 381 off-street parking spaces are provided on the site, including 39 landbanked spaces.

Therefore, the site would provide 342 constructed spaces, which is 82 more constructed spaces than is required by the proposed DRD. The 39 landbanked spaces could be constructed if it is determined that more parking is needed to accommodate the parking demand after the proposed development is completed. Of the 342 spaces, 12 are handicapped-accessible spaces. A total of 51 of the 342 constructed spaces would be located under the east wing of the proposed building, within a parking garage.

Based on other parking demand studies VHB has conducted at similar transit-oriented multifamily developments, and review of published resources such as the Institute of Transportation Engineers, *Parking Generation, 4<sup>th</sup> Edition*, the average peak parking demands are in the range of 1.0 to 1.2 parking spaces per unit for residential TODs. The proposed “Lindenhurst Residences” project would provide a ratio of 1.5 parking spaces per unit, which exceeds the proposed DRD requirement of 1.0 space

per unit and VHB's observed parking demands of 1.2 spaces per unit. Therefore, it is anticipated that the number of proposed parking spaces would be adequate to serve the proposed "Lindenhurst Residences" project.

On-street parking is also available in the vicinity of the site, however, these spaces are not owned or controlled by the Applicant for the proposed development, and cannot be designated for the sole purpose of the proposed development therefore, their continued use cannot be guaranteed. Moreover, the proposed off-street parking proposed to be provided would exceed parking requirements, pursuant to the DRD, and the estimated parking demand for the proposed "Lindenhurst Residences" project. As such, on-street spaces were not included in the parking analysis.

### Site Circulation

Review of the proposed Preliminary Layout and Materials Plan (see Appendix C of the VDEIS) shows that the configuration of the proposed garage parking layout under the east wing of the building, drive aisles, site access points and internal site roadways would provide for adequate on-site circulation.

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#### 3.4.2.8 Public Transportation

In addition to the LIRR service to Lindenhurst, which is directly across East Hoffman Avenue from the subject property, the proposed "Lindenhurst Residences" project would be well served by Suffolk County Transit buses. Based on field visit, and a review of the Suffolk County Transit Bus Route maps, bus service is available proximate to the proposed residential building. Suffolk County Transit offers bus service from the Lindenhurst LIRR station to various destinations and provide convenient connections to destinations throughout, Suffolk, Nassau and Queens Counties. The site is directly served by Suffolk County Transit routes S20, S35 and 1B.

Details regarding bus routes are contained in Appendix H of this VDEIS.

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#### 3.4.2.9 Conclusions

Based on the results of the analyses, VHB has arrived at the following conclusions:

- The proposed 260-unit residential development is considered a TOD given its proximity to multiple modes of public transportation. As a TOD, it would generate lower levels of automobile traffic and parking demands than similar developments located further away from mass transit options.
- The analysis concluded the traffic generated by the proposed action can be accommodated by the adjacent roadway network with the proposed access plan identified herein.

- Following the completion of the proposed development, the two signalized intersection of East Hoffman Avenue at South Wellwood Avenue and East Hoffman Avenue at South Pennsylvania Avenue would operate at an overall intersection Level of Service C or better during all analysis periods.
- Following the completion of the proposed “Lindenhurst Residences” project, the two unsignalized intersection of East Hoffman Avenue at South Smith Street and East Hoffman Avenue at South Pennsylvania Avenue would operate in the Build condition at an acceptable overall intersection LOS D or better during all periods analyzed.
- The three proposed site access driveway located on East Hoffman Avenue, South Smith Street and South Pennsylvania Avenue operate at an acceptable overall intersection LOS D or better during all periods analyzed. They also provide satisfactory ingress and egress to the site.
- The traffic associated with the proposed “Lindenhurst Residences” project is not expected to result in any significant change in the frequency or severity of accidents in the area.
- The 381 proposed off-street parking spaces (342 of which are proposed to be paved) exceeds the 260 spaces required by the proposed DRD and would be more than adequate to accommodate the parking demand for the proposed “Lindenhurst Residences” project.
- The configuration of the proposed garage parking layout, drive aisles, site access points and internal site roadways would provide for adequate on-site circulation.
- The proposed 260 apartments would not have any significant impact on the traffic operations in the area.

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### 3.4.3 Proposed Mitigation

As no significant traffic or parking impacts were identified, no mitigation is proposed.

## 3.5 Socioeconomics

### 3.5.1 Existing Conditions

#### 3.5.1.1 Population

As there are no existing residential uses on the subject property, there is currently no permanent population residing therein. As discussed in Section 3.5.1.4 of this VDEIS, the existing businesses on the subject property generate approximately 112 jobs, and thus, there is a transient population that occupies the site during typical business hours.

U.S. Census population and household data for the Village for the years 2000, 2010, and 2014 is shown in Table 21, below.

**Table 21 – Trends in Population and Number of Households in the Village of Lindenhurst**

Year	Population	Percent Change	Households	Percent Change
2014	27,303	-0.2	9,012	-3.3
2010	27,253	-1.3	9,316	+2.8
2000	27,819	--	9,061	--

Sources: US Census Bureau, ACS Demographic and Housing Estimates, 2010-2014 American Community Survey 5-Year Estimates.

US Census Bureau, Households and Families, 2010-2014 American Community Survey 5-Year Estimates.

US Census, Profile of General Population and Housing Characteristics: 2010, 2010 Census.

US Census, Profile of General Demographic Characteristics: 2000, 2000 Census.

According to Table 21, the Village has experienced slight population declines between the years 2000 and 2010 and 2010 and 2014. The number of households increased slightly from 2000 to 2010, and decreased slightly from 2010 to 2014.

In addition, the following indicates population trends from the U.S. Census regarding the Village of Lindenhurst (see further discussion of U.S. Census data trends in Section 2.4 of this VDEIS):

- Approximately 82 percent of the units in the Village are over 50 years old.
- The population of the Village declined two percent from 2000 to 2010.
- The median age in the Village has been rising, and rose from 35.8 years in 2000 to 40.3 years in 2010, to an estimated 42.5 years in 2014. This is higher than in the greater Town of Babylon (39.5 years) or in Suffolk County (40.3 years).

As discussed previously (see Section 2.4 of this VDEIS), the Village currently contains a significant population who work elsewhere, i.e., the Village serves as a commuter

hub to other employment centers in Suffolk and Nassau Counties, as well as to New York City. Thus, constructing residences proximate to a commuter rail station (the Lindenhurst LIRR station) would enable workers to live within walking distance to transit in order to travel to work. This would help to eliminate vehicle trips and congestion on roadways.

### 3.5.1.2 Income

According to data from the 2010-2014 American Community Survey, the median annual household income in the Village is \$84,414.<sup>51</sup> Table 22 depicts the variety of incomes earned by households in the Village.

**Table 22 - Households by Income in the Village of Lindenhurst**

	2014 Number of Households, (% of total)
Total	9,012 (100)
<\$10,000	227 (2.5)
\$10,000-\$14,999	265 (2.9)
\$15,000-\$19,999	235 (2.6)
\$20,000-\$24,999	239 (2.7)
\$25,000-\$29,999	235 (2.6)
\$30,000-\$34,999	293 (3.3)
\$35,000-\$39,999	314 (3.5)
\$40,000-\$44,999	215 (2.4)
\$45,000-\$49,999	412 (4.6)
\$50,000-\$59,999	701 (7.8)
\$60,000-\$74,999	795 (8.8)
\$75,000-\$99,999	1,465 (16.3)
\$100,000-\$124,000	1,092 (12.1)
\$125,000-\$149,999	1,009 (11.2)
\$150,000-\$199,999	869 (9.6)
\$200,000+	646 (7.2)

Sources: US Census Bureau, Household Income in the Past 12 Months, 2010-2014 American Community Survey 5-Year Estimates.

As shown in Table 22, nearly half of the households located in the Village earned between \$75,000 and \$199,999 in 2014.

<sup>51</sup> US Census Bureau, Median Income in the Past 12 Months, 2010-2014 American Community Survey 5-Year Estimates (accessed January 2016); available from [factfinder.census.gov](http://factfinder.census.gov).

### 3.5.1.3 Housing

As shown in Table 23, the number of housing units within the Village increased between 2000 to 2014, with the greatest increase occurring between 2000 and 2010.

**Table 23 - Housing Unit Trends in the Village of Lindenhurst**

Year	Housing Units	Percent Change
2014	9,879	2.2
2010	9,665	4.2
2000	9,277	--

Sources: US Census Bureau, Profile of General Demographic Characteristics: 2000, 2000 Census.  
US Census Bureau, Profile of General Population and Housing Characteristics: 2010, 2010 Census.  
US Census Bureau, ACS Demographic and Housing Estimates, 2010-2014 American Community Survey 5-Year Estimates.

Of the total 9,879 housing units in the present in the Village in 2014, only 11.5 percent were built after 1980.

Of the 9,879 total housing units available in the Village, 9,012 are occupied. Table 24 shows the breakdown of housing tenure among occupied housing units.

**Table 24 - 2014 Housing Tenure in the Village**

Housing Tenure	Housing Units (percent of total)		
	2014	2010	2000
Total occupied housing units	9,012	9,316	9,061
Owner-occupied	7,132 (79.1%)	7,385 (79.3%)	7,305 (80.6%)
Renter-occupied	1,880 (20.9%)	1,931 (20.7%)	1,756 (19.4%)

Source: US Census Bureau, Profile of General Demographic Characteristics: 2000, 2000 Census.  
US Census Bureau, Profile of General Population and Housing Characteristics: 2010, 2010 Census.  
US Census Bureau, Demographic Characteristics for Occupied Housing Units, 2010-2014 American Community Survey 5-Year Estimates.

According to Table 24, there have been slight increases in the percentage of total occupied housing units that are renter-occupied, and likewise slight decreases in the percentage of owner-occupied units in the Village.

Table 25 presents the trends of housing types available in the Village.

Table 25 - Trends in Housing Types in the Village of Lindenhurst

Housing Type/Number of Units in Structure	2014 Units (percent of total)	2010 Units (percent of total)	2000 Units (percent of total)
Single-Family Detached	7,548 (76)	7,593 (82)	7,637 (82.3)
Single-Family Attached	211 (2)	271 (3)	136 (1.5)
2-Units in structure	1,620 (16)	1,006 (11)	1,156 (12.5)
3 or 4 units in structure	167 (2)	190 (2)	218 (2.3)
5 to 9 units in structure	157 (2)	111 (1)	86 (0.9)
10 to 19 units in structure	36 (0.4)	26 (0.3)	--
20 or more units in structure	--	--	38 (0.4)
20 to 49 units in structure	51 (1)	62 (1)	
50 or more units in structure	73 (1)	16 (0.2)	
Mobile home	16 (0.2)	17 (0.2)	14 (0.2)
Other	--	--	--

Sources: US Census Bureau, Units in Structure, 2010-2014 American Community Survey 5-Year Estimates.  
US Census Bureau, Units in Structure, 2006-2010 American Community Survey 5-Year Estimates.  
US Census Bureau, Profile of Selected Housing Characteristics: 2000, 2000 Census.

As shown in the table above, single-family detached housing units comprise the most common housing type within the Village in each year analyzed. However, the percentage of total housing units in the Village that are single-family detached units has consistently decreased between 2000 and 2014, and the percentage of multifamily units has increased. This could be indicative of an increased demand for such housing types. A detailed discussion of the identified need and demand for multifamily housing units in the Village, and on Long Island overall, is provided in Section 2.4 of this VDEIS.

### 3.5.1.4 Employment

Based on the estimates provided by the current property owner in a letter dated, February 8, 2016 (see Appendix I), the current active commercial and industrial uses at the subject property generate a total of approximately 112 employees. The unemployment rate in the Village among persons aged 16 years and over was 6.4 percent, as of the 2010-2014 American Community Survey data.<sup>52</sup>

As noted in Sections 2.4 and 3.5.1.1 of this VDEIS), the Village of Lindenhurst currently contains a significant population who work elsewhere, i.e., the Village serves as a commuter hub to other employment centers in Suffolk and Nassau Counties, as well as to New York City.

▼  
<sup>52</sup> US Census Bureau, Employment Status, 2010-2014 American Community Survey 5-Year Estimates (accessed January 2016); available from [factfinder.census.gov](http://factfinder.census.gov).

### 3.5.1.5 Property Taxes

As discussed previously, the subject property is comprised of seven Suffolk County Tax Map parcels, District 103 – Section 10 – Block 4 – Lots 045.001, 045.003 and 045.006 through 045.010. Note that the Village of Lindenhurst Assessor designates parcel 045.10 as 045.005. The 2015-2016 assessed values for Town of Babylon, County, and school taxing districts and for Village taxing districts, are shown in Table 26. Based on the 2015-2016 tax bills for the subject property, equalization rates of 1.19 percent for the Town of Babylon and 1.73 percent for the Village of Lindenhurst were applied to the parcels that comprise the subject property (see Appendix I for 2015-2016 Village tax bills and excerpts of the certified 2015-2016 Town of Babylon Assessment Roll).

**Table 26 - Assessed Value of the Subject Property**

Suffolk County Tax Map Parcel No.	Assessed Value (2015-2016)	
	Village of Lindenhurst	Town of Babylon
0103-010.00-04.00-045.001	\$61,465	\$40,070
0103-010.00-04.00-045.003	\$15,700	\$9,340
0103-010.00-04.00-045.006	\$5,580	\$750
0103-010.00-04.00-045.007	\$42,800	\$25,030
0103-010.00-04.00-045.008	\$24,530	\$16,360
0103-010.00-04.00-045.009	\$16,000	\$9,650
0103-010.00-04.00-045.010	\$31,500	\$18,200
<b>TOTAL ASSESSED VALUE</b>	<b>\$197,575</b>	<b>\$119,400</b>

Sources: Village of Lindenhurst 2015-2016 Tax Bills  
Town of Babylon 2015-2016 Certified Assessment Roll.

Table 27, below, identifies the various taxing jurisdictions and current (2015-2016) property tax revenues paid on the subject property, totaling approximately \$386,064.

Table 27 - Existing Property Taxes

Taxing Jurisdiction	Total Assessed Value (AV)	Tax Rate per \$100 AV	Tax Revenues
<i>Suffolk County Districts</i>			
County of Suffolk – General Fund	\$119,400	2.0244	\$2,417±
County of Suffolk – Police	\$119,400	29.2103	\$34,877±
Out of County Tuition	\$119,400	1.6563	\$1,978±
Real Property Tax Law	\$119,400	6.6955	\$7,994±
New York State MTA Tax	\$119,400	0.1226	\$146±
Sewer District County Sewer Rate	\$119,400	13.7905	\$16,466±
Sewer District Per Parcel Charge	N/A	N/A	\$250±
Total Suffolk County Taxes <sup>1</sup>			\$64,129±
<i>Town of Babylon District</i>			
Town General Fund	\$119,400	14.3446	\$17,127±
Total Town of Babylon Taxes <sup>1</sup>			\$17,127±
<i>School District – Lindenhurst UFSD</i>			
School Tax	\$119,400	216.8227	\$258,886±
Library Tax	\$119,400	10.0739	\$12,028±
Total School District Taxes <sup>1</sup>			\$270,915±
<i>Village of Lindenhurst Districts</i>			
Village General Fund	\$197,575	16.16	\$31,928±
Village Business Improvement District	\$128,795 <sup>2</sup>	1.48	\$1,906±
Other Assessments	\$197,575	0.03	\$59±
Total Village of Lindenhurst Taxes <sup>1</sup>			\$33,894±
TOTAL TAXES			\$386,062±

Notes: <sup>1</sup> = Suffolk County, Town of Babylon and Lindenhurst UFSD taxes are included in the Town of Babylon tax bill; Village taxes are included in the Village tax bill.

<sup>2</sup> = Taxes are assessed upon only the assessed values of tax map parcel lots 045.001, 045.007 and 045.008, which are within the Business Improvement District.

Sources: Town of Babylon 2015-2016 Certified Assessment Roll.  
Town of Babylon Real Property GIS Viewer.  
2015-2016 Village of Lindenhurst Property Tax Bills.

## 3.5.2 Potential Impacts

### 3.5.2.1 Population

Upon implementation of the proposed action, the subject property would be redeveloped with a multifamily residential use that would result in a permanent resident population at the subject property (including school-aged children). In order to estimate the residential population and school-aged children that would be generated by implementation of the proposed “Lindenhurst Residences” project,

residential demographic multipliers published by Rutgers University, Center for Urban Policy Research (CUPR)<sup>53</sup> (the *Rutgers Study*) were used for total population. While the *Rutgers Study* is still a widely-used source for estimating the number of school-aged children resulting from different types of housing units, at different sizes and varying price/rent levels, there has been more recent research into specific types of development and their potential to generate school-aged children, including TODs (as the proposed development is classified).

A study conducted by Urbanomics and Edison Exchange in March 2008, entitled *What About Our Schools?* (the “Urbanomics study”) (see Appendix I), examined 32 TODs, containing close to 13,000 units, from around the country. The TODs within the Urbanomics study included:

- A wide range of housing types from low-rise and mid-rise apartments, townhouses, lofts and high rise apartments, both rental and condominium;
- Locations near existing transit facilities and included both urban and suburban areas across the country;
- An average of approximately 30 percent of their units in two bedrooms or more; and
- A total of 315 affordable units, representing just over two percent of total units.

Of the 32 TODs identified, 27 were rental and five were condominium. Further, 92 percent of the 12,945 units examined were rental units and eight percent were condominium units. The analysis in the Urbanomics study indicates that the number of school-aged children generated by TOD projects is low, with an average generation rate among those projects identified in the study of three students per 100 units.<sup>54</sup> According to the Urbanomics study, the results mirror data for TODs published by Rutgers University in its update on *Who Lives in New Jersey Housing*.<sup>55</sup> The aforementioned Rutgers University updated report identified ten New Jersey TODs with a total of 2,183 units. These developments were all rental units in a variety of housing types, which generated a total of 47 school-aged children or a generation factor of 0.02.<sup>56</sup>

A generation factor for school-aged children from TODs of 0.03 school-aged child per unit, as derived from the studies summarized above, is utilized in this VDEIS to project the number of school-aged children that would be expected from the proposed



<sup>53</sup> *Residential Demographic Multipliers, Estimates of the Occupants of New Housing (Residents, School-Age Children, Public School-Age Children) by State, Housing Type, Housing Size, and Housing Price*; Prepared by: Robert W. Burchell, David Listokin, William Dolphin' Center for Urban Policy Research, Edward J. Bloustein School of Planning and Public Policy; June 2006.

<sup>54</sup> Gorman, Heidi and Robert Galvin, *What About Our Schools?* Urbanomics & Edison Exchange: March 2008.

<sup>55</sup> Listokin, David, et al. *Who Lives in New Jersey Housing?* Center for Urban Policy Research, Edward J. Bloustein School of Planning and Public Policy, Rutgers University. New Brunswick, New Jersey: November 2006. This study indicated that “there is evidence of a particularly low demographic generation for such recent development configurations as transit-oriented development (TOD).”

<sup>56</sup> *Ibid.*

“Lindenhurst Residences” project, which is considered a TOD (being located across East Hoffman Avenue from the LIRR station).

Table 28 indicates the total residential and school-aged children population generated by each type of residential unit proposed, using the appropriate factors from the studies cited above.

**Table 28 - Projected Resident and School-Aged Children Generation**

Type of Unit	Projected Average Rental Price	Unit Count	Resident Multiplier	Population Generation	School-Aged Children Multiplier <sup>5</sup>	Total School-Aged Children Generation
Studio	\$2,141	11	1.67 <sup>1</sup>	18.37	0.03	0.33
One Bed / One Bath	\$2,409	142	1.67 <sup>2</sup>	237.14	0.03	4.26
One Bed / One Bath + Den	\$2,745	15	1.67 <sup>2</sup>	25.05	0.03	0.45
One Bed / One Bath + Loft	\$3,174	5	1.67 <sup>2</sup>	8.35	0.03	0.15
Two Bed / Two Bath	\$3,185	75	2.31 <sup>3</sup>	173.25	0.03	2.25
Three Bed / Three Bath	\$3,278	12	3.81 <sup>4</sup>	45.72	0.03	0.36
<b>TOTAL:</b>	N/A	<b>260</b>	N/A	<b>507.88</b>	N/A	<b>7.8</b>

Notes:

<sup>1</sup>No value for studio, to be conservative used 5+ Units—Rent 1 BR (More than \$1,000)

<sup>2</sup>5+ Units—Rent 1 BR (More than \$1,000)

<sup>3</sup>5+ Units—Rent 2 BR (More than \$1,000)

<sup>4</sup>5+ Units—Rent 3 BR (More than \$1,000)

<sup>5</sup>School-children generation factor for TODs of 0.03 from the Urbanomics study.

Sources: Burchell, Robert, et. al., *Residential Demographic Multipliers, Estimates of the Occupants of New Housing* (New York). Rutgers University, Center for Urban Policy Research. June 2006.

Gorman, Heidi and Robert Galvin, *What About Our Schools?* Urbanomics & Edison Exchange: March 2008.

As indicated in Table 28, implementation of the proposed action is projected to generate a residential population of 508± persons, of which approximately eight would be school-aged children.

Based upon the information presented in Section 3.5.1.1 of this VDEIS (see Table 21), the projected population at the proposed “Lindenhurst Residences” project would represent an increase of approximately two percent over the most recent (2014) population in the Village.

This population would introduce vitality to downtown Lindenhurst, which would represent a positive impact. However, the projected population increase would not be a large enough increase to result in any potential significant impacts on the surrounding area.

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### 3.5.2.2 Employment

Upon implementation of the proposed action, the current commercial and industrial uses, as described in Section 3.3.1.2 of this VDEIS, on the subject property, would no longer operate at the site. However, it is expected that the existing business, and associated 112 jobs, would relocate elsewhere within the Village or to a nearby community.

Development and operation of the proposed “Lindenhurst Residences” project would result in the creation of new jobs. Construction of the proposed development would provide 660 temporary jobs (i.e., during the construction period), as provided by the Applicant’s calculations, based upon similar projects. According to the Applicant, the proposed residential development would support 47 direct long-term employment opportunities (including groundskeeping, leasing consultant, service technician, and property management staff), as well as 23 indirect long-term employment opportunities (such as within the local real estate, landscaping, and maintenance industries). Thus, the 260-unit residential community is expected to generate approximately 70 permanent (direct and indirect) jobs.

As such, it is anticipated that the proposed “Lindenhurst Residences” project would provide employment opportunities to people in the surrounding area of the subject property, resulting in a beneficial economic impact.

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### 3.5.2.3 Property Taxes

Consistent with the Fiscal Impact Methodology,<sup>57</sup> future property tax revenues have been determined by considering what taxes would be generated if the proposed action were completed and occupied today. This approach recognizes that development often requires several years to be completed and that inflation would increase costs and revenues over time. It assumes that the rising costs of public services would be matched by an essentially comparable increase in revenues through increases in the tax rate, all other things held constant.

The proposed “Lindenhurst Residences” project includes the development of 260 residential units in various configurations (the rental prices and unit counts of each are indicated in Table 28 above). Indoor amenities for the proposed “Lindenhurst Residences” project include entrance lobbies, a coffee bar, a reception area, office and conference space, a mail room, a 3,160 SF lounge/fitness area that includes a fitness room with exercise machines, a lounge area, and a gaming area on the ground floor. Outdoor amenities feature an outdoor pool and patio, an elevated walkway spanning the stream bank, a rooftop deck with kitchenette, various landscaping treatments, including a landscaped courtyard with reflecting pool, and a naturalistic outdoor area around a restored Neguntatogue Creek. According to market/tax analysis for the proposed development (see Appendix I), the full market value of the proposed



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<sup>57</sup> Burchell, Robert and Listokin, David. *The Fiscal Impact Handbook*. 1978.

“Lindenhurst Residences” project would be \$52,109,276. The project attorney estimated the full market value based on knowledge of the area, real estate values of similar properties, and projected monthly rents for the units at the proposed development. This estimated full market value assumes a projected annual income for the proposed “Lindenhurst Residences” project of \$8,010,620, less 5 percent vacancy and 25 percent expenses, and is capped at 8.5 percent, with a tax factor of 3, for a total capitalization rate of 11.5 percent. Based on this analysis, and equalization rates for the 2015-2016 tax year, of 1.19 percent for the Town of Babylon, and for the 2016-2017 tax year, of 1.69 percent for the Village of Lindenhurst, the projected assessed value of the proposed “Lindenhurst Residences” project would be \$620,100 for the Town of Babylon and \$880,647 for the Village of Lindenhurst Table 29 summarizes the projected annual property tax revenues and net increase in property taxes that would be generated by the proposed “Lindenhurst Residences” project. The projected revenues presented are based on 2015-2016 Town of Babylon tax rates and 2016-2017 Village tax rates. With no changes in assessments, these rates are likely to increase over time.

**Table 29 - Projected Tax Revenues for the Proposed "Lindenhurst Residences"**

Taxing Jurisdiction	Total Assessed Value (AV)	Tax Rate per \$100 AV	Projected Tax Revenues	Net Increase
<i>Suffolk County Districts</i>				
County of Suffolk – General Fund	\$620,100	2.0244	\$12,553±	\$10,136±
County of Suffolk – Police	\$620,100	29.2103	\$181,133±	\$146,256±
Out of County Tuition	\$620,100	1.6563	\$10,271±	\$8,293±
Real Property Tax Law	\$620,100	6.6955	\$41,519±	\$33,524±
New York State MTA Tax	\$620,100	0.1226	\$760±	\$614±
Sewer District County Sewer Rate	\$620,100	13.7905	\$85,515±	\$69,049±
Sewer District Per Parcel Charge	N/A	N/A	\$250±	\$0
<b>Total Suffolk County Taxes<sup>1</sup></b>			<b>\$331,751±</b>	<b>\$267,623±</b>
<i>Town of Babylon District</i>				
Town General Fund	\$620,100	14.3446	\$88,951±	\$71,824±
<b>Total Town of Babylon Taxes<sup>1</sup></b>			<b>\$88,951±</b>	<b>\$71,824±</b>
<i>School District – Lindenhurst UFSD</i>				
School Tax	\$620,100	216.8227	\$1,344,518±	\$1,085,631±
Library Tax	\$620,100	10.0739	\$62,468±	\$50,440±
<b>Total School District Taxes<sup>1</sup></b>			<b>\$1,406,986±</b>	<b>\$1,136,071±</b>
<i>Village of Lindenhurst Districts</i>				
Village General Fund	\$880,647±	17.53	\$154,377±	\$122,449±
Village Business Improvement District	NA	2.05	NA	TBD <sup>2</sup>
Other Assessments	NA	0.03	NA	TBD <sup>2</sup>
<b>Total Village of Lindenhurst Taxes<sup>1</sup></b>			<b>\$154,377±</b>	<b>\$120,484±</b>
<b>TOTAL TAXES</b>			<b>\$1,982,065±</b>	<b>\$1,596,000</b>

Notes: <sup>1</sup> = Suffolk County, Town of Babylon and Lindenhurst UFSD taxes are included in the Town of Babylon tax bill; Village taxes are included in the Village tax bill.

<sup>2</sup> = Under the existing condition, the Village tax bill includes addition assessments, including the Business Improvement District (BID) tax, and an MTA tax. Unlike the overall Village tax rate, taxes for other districts are assessed upon only the assessed values of the applicable tax map parcel lots, which are within those districts. It is unknown at this time if the tax parcels that comprise the subject property would be assessed as part of these additional districts, however, if they are, there would be additional tax revenues based on the rates of those districts.

Sources: Town of Babylon 2015-2016 Certified Assessment Roll.

Town of Babylon Real Property GIS Viewer.

2015-2016 Village of Lindenhurst Property Tax Bills.

Real Estate Tax Projections letter dated August 15, 2016 from Dale Allinson of Certilman Balin Attorneys.

Based on the foregoing, implementation of the proposed action is anticipated to result in total annual property tax revenues of \$1,982,065 at the subject property, representing a net increase of \$1,596,000 over existing conditions. Thus, implementation of the proposed action is expected to have a positive fiscal impact. A discussion of the projected tax revenues resulting from implementation of the proposed action on community services (e.g., police, fire protection and ambulance providers and the local school district) is found in Section 3.6.2 of this VDEIS.

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### 3.5.3 Proposed Mitigation

As described in the previous section, the proposed action would have no significant adverse impacts on population, employment, or property taxes. In fact, many of the impacts associated with the proposed action would benefit the socioeconomic conditions of the Village, especially with respect to the increased tax revenue and job generation. It should be noted that the proposed “Lindenhurst Residences” project would be providing approximately \$1,982,065 in annual property taxes (approximately \$1,596,000 more than the current taxes) to all of the taxing jurisdictions (combined) upon completion of the proposed development, which would assist in off-setting the cost of services from the various providers.

Based upon the foregoing, the proposed action is not expected to have a significant adverse impact on socioeconomics (demographic and fiscal impacts). Therefore, no mitigation measures are proposed by the Applicant.

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## 3.6 Community Facilities and Services

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### 3.6.1 Existing Conditions

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#### 3.6.1.1 Educational Facilities

The subject property is located within the Lindenhurst Union Free School District (UFSD). The UFSD serves the Incorporated Village of Lindenhurst, a majority of the hamlet of North Lindenhurst, and a small portion of the hamlet of West Babylon, within the Town of Babylon.

The UFSD currently operates six elementary schools, each housing grades K through 5, one middle school, housing grades 6 through 8, and one high school, housing grades 9 through 12, which are all located in Lindenhurst. The elementary schools are Albany Avenue Elementary, located at 180 Albany Avenue; Alleghany Avenue Elementary, located proximate to, and south of, the subject property at 250 South Alleghany Avenue; Daniel Street Elementary, located at 289 Daniel Street; Harding Avenue Elementary, located at 2 Harding Avenue; West Gates Elementary, located at 175 West Gates Avenue; and William Rall Elementary, located at 761 North Wellwood Avenue. The Lindenhurst Middle School is located at 350 South Wellwood Avenue, and the Lindenhurst High School is located at 300 Charles Street.<sup>58</sup>

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<sup>58</sup> Lindenhurst Public Schools, *Lindenhurst Union Free School District* (accessed January 2016); available from <http://www.lindenhurstschools.org/>.

Based on publicly-available resources from the New York State Education Department (NYSED) for the 2015-2016 school year,<sup>59</sup> the total district enrollment for the Lindenhurst UFSD is 6,133 students. According to enrollment data for the past decade, as depicted in Table 30, enrollment has fallen in nine out of the past ten years, including in the 2015-2016 school year.

**Table 30 – Lindenhurst USFD Enrollment by Year**

School Year	Enrollment	Increase / (-)Decrease
2015-2016	6,133	-62
2014-2015	6,195	-70
2013-2014	6,265	-155
2012-2013	6,420	-140
2011-2012	6,560	-139
2010-2011	6,699	-103
2009-2010	6,802	-55
2008-2009	6,857	-293
2007-2008	7,150	26
2006-2007	7,124	-187
2005-2006	7,311	--

Source: NYSED New York State Property Tax Report Cards for the 2005-2006 through 2015-2016 school years.

The total adopted budget<sup>60</sup> for the 2015-2016 year is \$148,495,451 (of which approximately 63 percent, or \$93,914,649,<sup>61</sup> comes from the local property tax levy). Thus, the total budgeted expenditures per pupil are approximately \$24,213. The total budgeted cost per student based on the local property tax levy is \$15,313. While the average total per-pupil cost is a useful metric for certain tasks, such as overall district budgeting, it is not appropriate for evaluating the marginal cost of educating a new student. This is because the average cost includes administrative and capital expenditures that are not affected by the introduction of new students (e.g., superintendent salary, debt service, etc.). Instructional expenditures provide a more accurate assessment of the cost of educating additional students generated by new residences. The Instructional expenditure per general education student<sup>62</sup> for the Lindenhurst UFSD is \$12,268, based upon the 2012-2013 school year (the most recent year with such data available).<sup>63</sup> However, as above, only a portion of this cost is currently paid for from the local property tax levy. The portion of the program costs paid by the local real estate property tax is estimated to be approximately \$7,729 per pupil.



<sup>59</sup> New York State Education Department, *New York State Property Tax Report Card* (accessed January 2016); available from <http://www.p12.nysed.gov/mgt/serv/propertytax/>.

<sup>60</sup> Newsday, *Long Island School Elections 2015-16* (accessed January 2016); available from <http://data.newsday.com/long-island/data/education/budget-election/>.

<sup>61</sup> New York State Education Department, *New York State Property Tax Report Card*.

<sup>62</sup> Note that this figure reflects instructional expenditures per general education student in the 2012-2013 school year. Expenditures per special education student are \$30,312 during the same school year. In the 2012-2013 school year, 16.2 percent of students in the Half Hollow Hills CSD were classified with disabilities, and qualified for special education services.

<sup>63</sup> New York State Education Department, *Lindenhurst UFSD: Fiscal Accountability Summary, 2012-2013* (accessed January 2016); available from <http://data.nysed.gov>.

Correspondence dated April 20, 2016 (see Appendix F) was forwarded to Superintendent Daniel E. Giordano, notifying the district about the proposed “Lindenhurst Residences” project and requesting information relative to public school facilities in the area of the subject property. To date, no response from the school district has been received.

Since the subject property does not currently contain any residential uses, no school-aged children reside at the subject property. Based on existing property tax revenues at the subject property, as indicated in Section 3.5.1.5 of this VDEIS, the subject property currently contributes approximately \$270,915 to the Lindenhurst UFSD (see Table 27).

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### 3.6.1.2 Police Protection

The subject property is within the jurisdiction of the Suffolk County Police Department (SCPD) – First Precinct, which services areas within the Town of Babylon, including the Villages of Lindenhurst and Babylon. The headquarters are located at 555 Route 109, in the hamlet of West Babylon, approximately 1.7 miles north of the subject property.

Correspondence dated April 20, 2016 (see Appendix F) was forwarded to Inspector Mathew Lewis, the Commanding Officer of the SCPD – First Precinct, informing the SCPD of the proposed “Lindenhurst Residences” project and requesting information relative to police protection services in the area of the subject property. In a response letter, Inspector Lewis confirmed that the subject property is within the jurisdiction of the SCPD – 1<sup>st</sup> Precinct. According to the tax bill for the property, the SCPD receives approximately \$34,877 in annual property taxes from the subject property (see Table 27).

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### 3.6.1.3 Fire Protection and Emergency Medical Service

The subject property is within the service area of the Lindenhurst Fire Department (Fire Department), which provides fire protection and emergency medical services to the Village. The Fire Department operates 24 hours per day, 365 days per year, and is comprised of six companies that, overall, provide fire emergency response, emergency medical, heavy rescue and water rescue services. In addition, the Fire Department is supported by a Fire Police Squad. In 2014, the Fire Department responded to 2,945 service calls.<sup>64</sup> The Fire Department has four stations and a training facility, including the Fire Department headquarters, which is the station located nearest to the subject property, approximately 0.17 miles southwest of the site, at 225 South Wellwood Avenue, within the Village.

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<sup>64</sup> Lindenhurst Fire Department, *Department Archived Response Statistics* (accessed January 2016); available from <http://www.lindenhurstfd.org/Response.php>.

Correspondence dated April 20, 2016 (see Appendix F) was forwarded to Chief Mike DeGregorio, informing the Fire Department of the proposed “Lindenhurst Residences” project and requesting information relative to fire protection and ambulance services in the area of the subject property. To date, no response has been received. According to the tax bill for the property, the Village receives approximately \$33,894 in annual property taxes from the subject property, a portion of which contribute to the Fire Department’s budget (see Table 27).

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## 3.6.2 Potential Impacts

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### 3.6.2.1 Educational Facilities

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As noted above in Section 3.6.1.1 of this VDEIS, the subject property is within the Lindenhurst UFSD. The subject property does not currently generate school-aged children. Based upon the information obtained from the studies referenced in Section 3.5.2.1 of this VDEIS, which provide empirical data specifically derived from TODs, the proposed action would be expected to result in an increase of approximately eight school-aged children residing within the Lindenhurst UFSD.

The addition of eight school-aged children would represent an approximately 0.1 percent increase over the 2015-2016 public school enrollment of 6,133, which has been generally declining in recent years. Added to the 2015-2016 enrollment, the addition of eight school-aged children would result in a total enrollment of 6,141, less than the recent higher enrollment of the previous school year (2014-2015) of 6,195, as provided in the discussion of the existing conditions. It should also be noted that this is a conservative estimate, as not all school-aged children would be expected to attend public school; a portion would attend private or religious school.

Based on the 2012-2013 estimated instructional expenditure per general education student for the Lindenhurst UFSD of \$12,268, the proposed action’s total impact to the UFSD is projected to be \$98,144. Based on the portion of the program costs paid by the local real estate property tax of approximately \$7,729 per pupil, that impact would be \$61,832. As identified in Section 3.5.2.5, the total tax revenues projected to be provided to the UFSD is \$1,406,986, which is \$1,136,071 more than the existing taxes (see Table 29). Therefore, implementation of the proposed action is expected to have a net positive fiscal impact of \$1,074,240.

Further, based on the declining student enrollment within the UFSD over the last decade (i.e., a decrease of over 1,100 students over that time period), the projected addition of eight school-aged children resulting from the proposed action is not expected to adversely impact capacity within this district.

Based on the foregoing, no significant adverse impacts to the Lindenhurst UFSD are anticipated as a result of the proposed action.

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### 3.6.2.2 Police Protection

As discussed above, the SCPD – 1<sup>st</sup> Precinct provides police protection to the subject property. Correspondence from Inspector Mathew Lewis, Commanding Officer of the SCPD – 1<sup>st</sup> Precinct, dated May 25, 2016, indicated that the “SCPD has capacity to adequately serve the project” (see Appendix F of this VDEIS). Therefore, the proposed action is not anticipated to result in any adverse impacts to police.

According to the property tax analysis included in Section 3.5.2.3 of this VDEIS, the SCPD – 1<sup>st</sup> Precinct is expected to receive approximately \$181,133 annually from the proposed action, which is approximately \$146,256 a year higher than the existing condition (see Table 29). This additional tax revenue is expected to assist in off-setting the cost of the potential provision of additional police services to the proposed “Lindenhurst Residences” project. Furthermore, security measures would be employed at the proposed development, including CCTV cameras and security gates at the garage level of the building.

Based on the foregoing, no significant adverse impacts to the SCPD-1<sup>st</sup> Precinct are anticipated as a result of the proposed action

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### 3.6.2.3 Fire Protection and Emergency Medical Service

As discussed above, the Lindenhurst Fire Department provides fire protection and emergency medical service to the subject property. According to the property tax analysis included in Section 3.5.2.3 of this VDEIS, the proposed action would provide approximately \$154,377 in property taxes to the Village General Fund, annually, which should help to off-set the potential costs in providing additional fire protection and ambulance services to the proposed “Lindenhurst Residences” project (approximately \$122,449 a year higher than the existing condition (see Table 29) This additional tax revenue is expected to assist in off-setting the cost of the provision of additional fire protection and ambulance services to the proposed development.

Furthermore, the proposed building would be constructed to the latest New York State Building and Fire Code, and would be sprinklered. All access drives would be compliant with regulations and standards required for firefighting equipment and emergency service vehicles, and full vehicular circulation is provided throughout the subject property. Based on the foregoing, the proposed action would not have any adverse impacts with respect to fire protection and emergency medical services.

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### 3.6.3 Potential Mitigation

As described in the previous section, the proposed action would have no significant adverse impacts on community services and facilities. In fact, many of the impacts

associated with the proposed action would benefit community services, especially with respect to the increased tax revenue. It should be noted that the proposed “Lindenhurst Residences” project would be providing approximately \$1,982,065 in annual property taxes (approximately \$1,596,000 more than the current taxes) to all of the taxing jurisdictions (combined) upon completion of the proposed development, which would assist in off-setting the cost of services from the various providers. The following measures have been incorporated into the proposed development, and would assist in minimizing potential adverse impacts to community services:

- On-site security would be provided during construction of interior finishes.
- CCTV cameras and security gates would be installed at the garage level of the proposed building.
- The proposed building would be constructed to the latest New York State Building and Fire Code.
- A fire standpipe system would be provided as requested by the Fire Marshal.
- The proposed building would be sprinklered.
- All access drives would be compliant with regulations and standards required for firefighting and other emergency service equipment.
- Exterior lighting would be provided throughout the subject property to allow adequate visibility and increase site security.
- The eight projected school-aged children represent an approximately 0.1 percent increase over the 2015-2016 public school enrollment of 6,133, which, as noted above, has been generally declining in recent years. Added to the 2015-2016 enrollment, the addition of eight school-aged children would result in a total enrollment of 6,141, less than the recent higher enrollment of the previous school year (2014-2015) of 6,195. The school district would receive approximately \$1,406,986 in annual property taxes upon implementation of the proposed “Lindenhurst Residences” project.

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## 3.7 Noise

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### 3.7.1 Existing Conditions

Noise is defined as unwanted or excessive sound. Sound becomes unwanted when it interferes with normal activities such as sleep, work, or recreation. The individual human response to noise is subject to considerable variability since there are many emotional and physical factors that contribute to the differences in reaction to noise.

Human perception of sound is affected by amplitude, frequency and distance from the source, as well as by the number and duration of sound events in a given period of time. Sound levels are measured in units known as decibels (dB). The decibel scale is a logarithmic scale, not a linear one, such as the scale of length. Since the human ear is not equally sensitive to all audible sound frequencies, human response is factored into sound descriptions in a process called “A-weighting,” written as dBA. For comparative purposes, Table 31 below, identifies typical noise levels (dBA) for various source types and environments:

**Table 31 - Noise Levels of Common Sources**

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

Source: City Environmental Quality Review Technical Manual, Mayor's Office of Environmental Coordination, City of New York, March 2014, p. 19-3.

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#### 3.7.1.1 Noise Chapter of the Code of the Incorporated Village of Lindenhurst

Chapter 113 of the Village Code, entitled *Noise*, sets forth the following general restriction on causing noise disturbances within the Village:

*"No person shall make, continue or cause to be made or continued any excessive, unnecessary, unreasonable or unusually loud noise which either annoys, disturbs, injures or endangers or tends to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of other persons or the public."*

Specifically, the Village prohibits the following levels of noise pollution according to the following schedule in §113-4:

- Operation of radios, televisions, phonographs, and musical instruments in a manner that would disturb the peace, quiet, and comfort or repose of any neighboring inhabitants, at a volume louder than necessary for convenient hearing of persons in the room, vehicle or area.
- Operation of radios, televisions, phonographs, and musical instruments between the hours of 11:00 p.m. to 7:00 a.m., such that they are audible at a distance of 100 feet from the building, structure, vehicle or area in which they are located.
- The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar or other vehicle except as a warning signal. Any type of unreasonable, unnecessary, excessive or unusually loud noise emanating from the above-mentioned sources that disturbs the peace.
- Yelling, shouting, hooting, whistling or singing on any public street, sidewalk, business premises, public marina, public park area, or public property, when intentionally done to create public annoyance.
- Keeping, permitting or maintaining any animal, including a bird, that frequently, or for continued duration, makes sounds which create unreasonable noise across a residential real property boundary, or which are plainly audible across a residential real property boundary between 10:00 p.m. and 7:00 a.m.
- Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building material or similar objects between the hours of 9:00 p.m. and 6:00 a.m. in such a manner as to cause unreasonable noise across a residential real property boundary.
- Operation of tools or equipment used in construction, drilling or demolition work between the hours of 9:00 p.m. and 7:00 a.m. such that it would cause unreasonable noise across a residential noise across a residential real property boundary line.
- Spinning or squealing tires from a vehicle.
- Unreasonable, excessive or unusually loud sound or any sound, within a business or industrial district, which disturbs the peace by creating an unreasonable noise across a residential property line.

It is likely that, under existing conditions, some or all of the above-listed 'noise pollution' items occur at times on the subject property, and/or in the surrounding area, due to the industrial and commercial character of the subject property, and its

location within a commercial/industrial corridor of the Village and across the street from the Lindenhurst LIRR Station.

A discussion of the proposed action's conformance to the above-listed prohibitions is provided in Section 3.7.2 of this VDEIS, below.

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### 3.7.1.2 Noise Environment

The subject property is bounded by the well-used East Hoffman Avenue and the LIRR tracks beyond, commercial and industrial uses, and the local, Village roadways of South Smith Street, South Pennsylvania Avenue, and East Gates Avenue, with the Alleghany Avenue Elementary school beyond.

Based on field observations, ambient noises at the subject property consist mostly of noises associated with the industrial and commercial uses on the site, which would likely include truck deliveries, passenger vehicle ignition, and loud talking from employees or patrons of the on-site businesses. In addition, from within the subject property, noise would originate from vehicle traffic on the surrounding roadways, LIRR train arrivals and departures, and potentially from the industrial, commercial, institutional and residential uses bordering the property (e.g., truck deliveries, music, loud talking, etc.).

The nearest sensitive noise receptors to the subject property are the Alleghany Avenue Elementary School property, across East Gates Avenue and 60± feet south of the subject property; the Edward F. Kienle Lindenhurst Youth Center, across South Smith Street and 200± feet west of the site; the senior housing complex development-in-construction and a two-to-three-family residence, both across South Smith Street and 60± feet west of the site. Based upon existing community character, it would be expected that existing ambient noises in the vicinity of the subject property would be similar to those that are currently audible within the subject property. That is, the ambient noise character in the surrounding area would be influenced by vehicle traffic on the surrounding roadways, LIRR train arrivals and departures, and potentially from the industrial, commercial, institutional and residential uses in the area (e.g., truck deliveries, music, loud talking, etc.). As mentioned elsewhere in this VDEIS, the roadways in the immediate area are within a commercial and industrial corridor, and well-used. It is expected that vehicle traffic from these roadways, as well as noise associated with the LIRR tracks and Lindenhurst LIRR station contribute significantly to area noise character.

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### 3.7.2 Potential Impacts

Potential noise sources associated with the proposed "Lindenhurst Residences" project are expected to include mechanical equipment associated with the residential building, and intermittent noise from residents' vehicles as they enter and exit the

site. The proposed action's conformance with the Village's regulatory criteria, is presented below.

As the existing commercial and light industrial uses would be removed from the site upon implementation of the proposed action, there would be much less noise associated with the subject property than under the existing condition, due to removal of all associated activities.

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### 3.7.2.1 Noise Chapter of the Code of the Incorporated Village of Lindenhurst

The Village's noise ordinance would be used as guidance for establishing the hours of construction activities. The Village Code indicates in §113-4 that noises due to construction activities are permitted between the hours of 7:00 a.m. and 9:00 p.m. Construction of the proposed "Lindenhurst Residences" project would comply with the relevant Village noise regulations.

Further, under post-development conditions, as the proposed action would be a residential use, typical noises associated with the proposed development would also comply with the Village's noise schedule in Chapter 113 of the Village Code, as presented in Section 3.7.1.1 of this VDEIS.

Overall, the proposed action would not cause excessive, unnecessary, unreasonable or unusually loud noise that would annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of the public, in accordance with the general restriction on causing noise disturbances within the Village. Thus, no impacts associated with noise generation from construction of the proposed "Lindenhurst Residences" are expected.

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### 3.7.2.2 Noise Environment

Construction activities for development of the proposed "Lindenhurst Residences" project may result in temporary increases of nearby sound levels due to the intermittent use of heavy machinery during the construction of the proposed development. The proposed action is expected to generate typical sound levels from construction activities, including foundation construction, truck movements, heavy equipment operations, and general construction activities. Heavy machinery, such as front end loaders, graders, bull dozers, and backhoes, would be used intermittently throughout construction. Due to the location of the subject property along a commercial/industrial corridor and across from the LIRR tracks, it is unlikely that noises associated with construction of the proposed "Lindenhurst Residences" project would result in significant adverse impacts.

All exterior construction activities, including demolition, site excavation/grading and new building construction would typically be limited to normal daytime working hours. Construction activities beyond normal daytime work hours would be minimized to the extent practicable and would adhere to local noise regulations. Construction vehicles and equipment would be required to maintain their original engine noise control equipment. In addition, the Applicant for the proposed development would employ BMPs to reduce or minimize noise from construction activities.

As indicated in Section 3.7.1.2 of this VDEIS, the nearest sensitive noise receptors would be the Alleghany Avenue Elementary School property, across East Gates Avenue and 60± feet south of the subject property; the Edward F. Kienle Lindenhurst Youth Center, across South Smith Street and 200± feet west of the site; the senior housing complex that is currently under construction, and a two-to-three-family residence, both across South Smith Street and 60± feet west of the site. While existing noises generated from the industrial and commercial uses on the subject property may, at times, exceed ambient noise levels, the ambient noise from the proposed "Lindenhurst Residences" project, which consists of residential uses, would likely be limited to noises typical of such uses (e.g., landscape equipment, music, loud talking, etc.). The proposed "Lindenhurst Residences" project's outdoor recreational area and roof deck would be expected to generate similar such noise, as typical of residential uses. Further, any rooftop equipment to be installed on the proposed building would not exceed Village noise code standards.

Overall, and based on the foregoing, the proposed "Lindenhurst Residences" project would not be anticipated to generate significant adverse noise impacts, given the residential nature of the development, and thus, would not pose a significant adverse impact to neighboring sensitive noise receptors.

With respect to potential noise impacts to future residents of the proposed "Lindenhurst Residences" project, the proposed building would be constructed across East Hoffman Avenue from the LIRR tracks. Therefore, potential noise impacts to future residents could include a combination of noise from traffic along surrounding roadways, people talking on the subject property, including in the outdoor recreational area and on the roof deck, and noise generated by arriving, departing, and passing LIRR trains. The design of the building would employ BMPs such that interior noise levels would be minimized to the extent practicable. Design measures to reduce noise levels within the proposed building could include:

- Use of double-paned glass windows
- Providing laminating on both layers of window glazings
- Providing a wider airspace between window panels
- Upgrading building exterior massing, where necessary and practicable.

Given implementation of BMPs in building construction, it is anticipated that there would not be any significant adverse noise impacts, including those to future residents of the proposed “Lindenhurst Residences” project due to continued operation of the LIRR.

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### 3.7.3 Proposed Mitigation

In order to minimize noise impacts to the maximum extent practicable, the following mitigation measures have been proposed:

- In accordance with BMPs with respect to noise impacts, the proposed residential land use components of the proposed “Lindenhurst Residences” project would implement mitigation strategies such that interior noise levels would be minimized to the extent practicable. Mitigation measures that may be employed to achieve this goal include the following:
  - Use of double-paned glass windows
  - Providing laminating on both layers of window glazings
  - Providing a wider airspace between window panels
  - Upgrading building exterior massing, where necessary and practicable
- Any rooftop equipment to be installed would not exceed Village noise code standards.
- Construction equipment would be required to have appropriate noise muffler systems. Excessive idling of construction equipment engines would be prohibited.

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## 3.8 Aesthetics and Visual Resources

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### 3.8.1 Existing Conditions

A visual assessment was undertaken in order to describe the aesthetic character of the site and community. Photographs and a photograph location key of the subject property and the parcels within the proposed DRD are included in Appendix G1 of this VDEIS. Photographs and a photograph location key depicting the aesthetics of the larger study area are included in Appendix G2. The study area for the proposed action includes the area within a half-mile of subject property. The boundaries of the study area are roughly delineated by North/South Seventh Street to the west; Jerome Street to the north; North Jefferson Avenue to the east; and Liberty Ave and Davenport Street to the south.

#### Subject Property

The subject site is located on East Hoffman Avenue, which is the major east – west roadway within Lindenhurst. The roadway is a heavily developed and travelled road, and is directly adjacent to the LIRR Lindenhurst train station. In this location the tracks are elevated on a bridge with a larger massing created by the covered pedestrian walkways on the bridge. Along the LIRR, there are numerous industrial references to draw from including the surrounding industrial and commercial architecture, as well as the LIRR, itself. Within view of the subject site are public school buildings, industrial buildings and single-family residences. Across the tracks are small scale retail and commercial buildings, as well as holding tanks, and overhead utility lines associated with the public utility rights-of-way.

The surrounding area has a variety of architectural styles; some completely modern, some traditional, while others are lacking in architectural characteristics being neither wholly traditional nor contemporary. Moreover, the surrounding area contains buildings of various materials ranging from brick and aluminum, to siding and concrete. There is a patchwork of styles and materials in the surrounding area.

Current views of the subject property are of seven architecturally nondescript industrial/commercial buildings, which range in height from one-to-three stories and are in varying conditions. These buildings are in deteriorating states, and are not visually attractive. The asphalt paved areas and the sidewalks surrounding the subject property are uneven and cracked. Landscaped areas surrounding the subject property are unmaintained with overgrowth in many areas. As there is minimal landscaping, views of the property are generally not obscured.

Building 1 (see Figure 3 in Section 2.2 of this VDEIS for a depiction of the building locations on the subject property) on the northwestern portion of the subject property is a white painted brick and concrete block building, although the paint is visibly

peeling in many areas along the exterior (see Photograph Nos 1, 11 and 12). This building ranges in height from one-to-three stories and from the outside appear to be in a poor condition. To the east of Building 1, along East Hoffman Avenue, is Building 6, which is one-story and concrete block. The exterior of the building is mixed with white painted bricks and black painted panels along the front of the building, as well as grey painted bricks along the sides and rear portions of the building (see Photograph No 2). Building 2, behind Building 6 and Building 1, is not visible along the roadways surrounding the subject property (see Photograph No 10). This one-story concrete building has a white and beige discolored façade, and is severely deteriorated with unmanaged vegetation surrounding the perimeter.

Continuing east, is the undeveloped wooded area which includes portions of Neguntatogue Creek. Large trees, overgrown bushes and a damaged fence obscure public views of this portion of the creek (see Photograph No 3). However, as verified by field inspection, this portion of the creek contains a large amount of debris and trash. At the intersection of East Hoffman Avenue and South Pennsylvania is Building 7, Duffy's Ale House restaurant which is similar in appearance to Building 6 as it has a white painted brick façade with black paneling along frontage (see Photograph No 4). Lawn area in front of the Building 7 is well landscaped and contains a large advertisement sign associated with the restaurant.

The subject property continues along the west side of South Pennsylvania Avenue. The eastern elevations of Buildings 4 and 5 are clearly visible along the roadway, however, glimpses of the southern elevation of Building 3 can be seen from the associated driveway along South Pennsylvania Avenue (see Photograph No 7). These buildings are all one-story masonry structures with beige exteriors. Some areas along the buildings appear to be discolored, particularly Building 4. This structure has cracks and degraded paneling along the north elevation (see Photograph No 5). Uneven and broken pavement is clearly visible throughout the parking area to the north of Building 4. In addition, signage along the northern elevation has been removed. The most distinguishable features of Building 4 are the window panes along the eastern elevation (see Photograph No 6). Adjacent to Building 5 is a concrete culvert that covers a portion of the creek. The culvert appears to be weathered, and is surrounded by unkempt landscaping and a rusted fence (see Photograph 8). Continuing south of the culvert is an undeveloped wooded area surrounding the creek, with deciduous trees and overgrown vegetation (see Photograph No 9).

#### The Proposed DRD

The proposed DRD extends beyond the subject property and is bounded by East Hoffman Avenue to the north, South Pennsylvania Avenue to the east, East Gates Avenue to the south and South High Street to the west. The visual character in this area varies from single-family and multifamily suburban to industrial and small-scale commercial in appearance. In other words, the aesthetic is typical "downtown." Building heights and styles vary, as some are standard suburban residential structures, while others are small-scale neighborhood commercial buildings. Public

utility poles and overhead utility wires line the streets. There is no cohesive architectural style or specific façade material that dominates the area.

South of the subject property, along East Gates Avenue, is a one-story industrial red brick building with stucco archways along the southern portion of the building, as well as associated paved parking areas and landscaping (see Photograph Nos 13 and 14). The building is in deteriorating condition as numerous windows along the western elevation appear to be missing (see Photograph No 16).

The visual character of South Smith Street is currently dominated by one-to-two story residential and commercial uses. At the intersection of South Smith Street and East Gates Avenue is the Edward F. Kienle Lindenhurst Youth Center, which is a one-story white concrete building with a pitched grey roof and head-in parking along the eastern side of the property (see Photograph No 15). The youth facility property also includes a tall black chained-linked fence surrounding the paved areas associated with recreational uses. Additional structures along the west side of South Smith Street include a two-story multifamily development, which is currently under construction, a two-story grey plastic façade and a one-and-a-half story commercial structure with a brown concrete façade and grey pitched roofing (see Photograph Nos 17 and 18).

Farther west along Travis Street, the visual character of the area becomes more varied. Visually, the neighborhood is typically single-family suburban along the western side of the roadway, with a one-story white brick commercial structure with metal roofing proximate to the intersection of Travis Street and East Gates Avenue (see Photograph No 24). There is a more commercial and industrial appearance along the east side of Travis Street. The commercial and industrial structures along Travis Street are one and two-stories in height and consist of brick and stucco facades (see Photograph Nos 19, 22 and 23). The industrial storage facility along the eastern side of the roadway contains both a brick and stucco façade and the single-family homes are typical suburban structures with landscaped front lawns (see Photograph No 25). These structures range from one-to-two stories in height and consist of predominantly wood and vinyl painted siding (see Photograph No 21).

Structures along East Hoffman Avenue, between Travis Street and South High Street, are generally two-stories in height, and consist of wood and plastic paneling (see Photograph Nos 20 and 28). Presently, the two-story mixed use structure at the intersection of East Hoffman Avenue and Travis Street is vacant (see Photograph No 20). Additionally, the two-story residential home at the intersection of East Hoffman Avenue and South High Street is currently undergoing construction, as shown in Photograph No 28.

Along the western terminus of the proposed DRD is South High Street. The aesthetic character along this roadway that is of a typical suburban neighborhood with one and two-story single-family homes on small lots (see Photograph Nos 26 and 27). These residential structures primarily consist of wood and vinyl siding with well-maintained lawns and paved driveways.

### Surrounding Study Area

The visual character across the study area varies. The visual character north of the proposed DRD varies from a transportation appearance to an industrial appearance. The elevated LIRR train tracks, as well as a public utility right-of-way dominate the views immediately north of the subject property, and are the tallest structures in the area (see Photograph No 1 in Appendix G2 of this VDEIS). Industrial structures north of the LIRR tracks range in height from one- and two-story free-standing structures to large white cylindrical tanks (see Photograph Nos 2 and 3). The one- and two-story industrial buildings along the north side of East Hoffman Avenue contain a mix of materials including brick, concrete block, vinyl and wood facades. Two large paved municipal parking areas, just north of the industrial uses provide an open (non-built) area and are visible from the elevated train tracks (see Photograph Nos 4 and 6). A portion of Neguntatogue Creek is surrounded by deciduous vegetation bisects the two paved parking areas and provides a natural and green element to the area (see Photograph No 5). A vacant former supermarket with a large area of paved parking areas containing signage and landscaped areas is located just west of the industrial uses (see Photograph No 21). The building is a mix of brick and stucco material with grey columns along the front of the building.

Farther north of the industrial uses are typical suburban areas with one and two-story homes on small lots with a mix of brick, wood and vinyl facades (see Photograph Nos 7-9 and 12). The built area of the downtown is broken up by two parks – the Lindenhurst Village Park with numerous recreational fields (e.g., baseball and soccer fields), as well as the Firemen’s Memorial Park which is a small vegetated park with a large flag pole and a concrete memorial structure (see Photograph Nos 10 and 11).

The areas west and northwest of the proposed DRD are typical of a downtown area, as the surrounding area contains a mix of architecture and building heights. Buildings along North Wellwood Avenue and South Wellwood Avenue are oriented to the street and sidewalk, and contain various elements such as street trees, street furniture, and signage, as well as utility poles and overhead wires. The aesthetic character of North Wellwood Avenue corridor is a downtown area that includes mix of neighborhood-scale commercial development and office uses that are one-to-two stories in height with brick and stucco façades (see Photographs 13, 18 and 19). Generally, the neighborhood-scale commercial structures along North Wellwood are connected; however, there are a few one and two-story freestanding commercial and office structures with vinyl paneling and stucco facades just north of West John Street (see Photograph No 14). Additionally, there is a small two-and-a-half-story multifamily building along the west side of North Wellwood (see Photograph No 17). The front of the building contains a porch with white fencing, and has a mixed façade of brick along the first-story and plastic paneling along the second story. At the intersection of North Wellwood Avenue and West Hoffman Avenue is the Village Square, which is surrounded by a white picket fence and has street furniture, well-maintained landscaping and numerous structures including a gazebo (see Photograph No 20).

West of North Wellwood Avenue, are various structures associated with institutional and commercial uses, which range from one-to-three stories in height, and contain brick and vinyl facades (see Photograph No 15). A multifamily development situated along School Street is two-stories in height with a brick façade and grey pitched roofing (see Photograph No 16). Associated paved parking areas line the perimeter of the structures, and a brick gate surrounds the perimeter of the multifamily development.

Immediately west of the proposed DRD are paved municipal parking areas with chain-linked fences associated with the commercial and institutional uses along South Wellwood Avenue. The rear portions of these structures are visible along South High Street (see Photograph Nos 23 and 24). Continuing west, the structures along South Wellwood Avenue corridor vary in height due to their varied uses, such as institutional, neighborhood-scale commercial retail and fire department uses (see Photograph Nos 25-29). There is not a cohesive architectural style that dominates the area. Structures in this segment are connected, range in height from one-to-three stories and generally have either brick or stucco facades. There are also scattered freestanding two-story homes along the east side of South Wellwood Avenue with a mix of wood, stucco and vinyl facades. Similarly, the commercial uses along the south side of West Hoffman Avenue are connected, small-scale commercial development with brick, stucco and vinyl facades that range in height from one-to-three stories (see Photograph Nos 31 and 32).

Farther south along South Wellwood Avenue, the area transitions to a typical suburban aesthetic character with scattered institutional and municipal uses. The one and two-story single family homes along South Wellwood Avenue vary in material including brick, vinyl paneling and wood facades (see Photograph No 39). The Lindenhurst Middle School is a large three-story public school along the east side of South Wellwood Avenue, and has a combination of a red brick and white stucco façade with a white clock tower and cupola upon the rooftop (see Photograph No 36). Views of the property frontage include a well-landscaped lawn area and a circular paved entrance area. Municipal buildings farther south along South Wellwood Avenue range from one to two-and-a-half stories, and generally have brick facades with well-maintained landscaping along the properties (see Photograph Nos 37 and 38).

The aesthetic of the area to the south of the proposed DRD is of a conventional suburban neighborhood with both residential and institutional uses including the Alleghany Avenue Elementary school and associated recreational fields farther south (see Photograph Nos 34 and 35). Neguntatogue Creek flows through the suburban area and continues to Neguntatogue Park, which is surrounded by lush deciduous trees and vegetation (see Photograph Nos 40 and 41). The creek provides a natural visual element amongst the built environment.

The area east of the subject property is industrial in appearance. The structures along the east side of South Pennsylvania Avenue are one and two stories, and have red

brick and light colored stucco facades (see Photograph No 42). Chain-linked fences separate the paved parking areas associated with these industrial structures from the uneven sidewalks along the roadway. The industrial structures along East Hoffman Avenue, farther east of the subject property, are generally one-story in height with light colored stucco facades (see Photograph No 43). Overhead utility lines and utility poles are prominent features in the portion of the study area. Moving farther east and southeast of the subject property, the area transitions to a typical suburban character with one and two-story homes on small lots with wood and vinyl siding (see Photograph Nos 45-47). Farther southeast of the subject property is a multifamily development along Montauk Highway (see Photograph No 48), which contains buildings of two-and-a-half stories in height with a light color vinyl and stucco façade, as well as grey pitched roofing.

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### 3.8.2 Potential Impacts

The proposed “Lindenhurst Residences” project would include a blend of architectural styles with the intent of breaking down the overall massing of the proposed residences. Without attempting to strictly adhere to a traditional or contemporary design, it would be more transitional.

The proposed building would extend to a maximum height of 54 feet, 10 inches<sup>65</sup> above average grade with a brick exterior generally along the first and second floors, a mix of white stucco and grey wood paneling along the third and fourth floors, as well as grey colored roofing material, as shown in the renderings in Appendix K. The proposed building h, at almost 55 feet above average grade, would be one of the taller buildings in the area. It should be noted that there are several three-story buildings along East and West Hoffman Avenue, north and south of the LIRR. With regard to building mass, there are several existing buildings in the area that have large building coverages, including the neighboring self-storage facility to the east, the former supermarket to the north of the LIRR tracks and the adjacent industrial building to the south of the subject property. While the proposed building would be larger in scale than most of the buildings in the area, its location along East Hoffman Avenue, in the vicinity of the LIRR, is appropriate, as most of the larger buildings within the Village are situated along the major transportation corridors. Also, as discussed below, several techniques and materials have been incorporated into the design of the proposed development that would help to soften the appearance and scale of the proposed residential building,

Portions of the rooftop would include outdoor patio space for residents. There would be four entrances to the building – the western semicircular entrance area would be landscaped with foundation plantings. The northern entrance would be along East

▼  
<sup>65</sup> The 54 foot, 10 inch building height is measure from the average grade. Based on the Village criteria for determining building height, the maximum height of the proposed building is 57 feet 6 inches, as measured from the lowest point of grade on South Pennsylvania Avenue.

Hoffman Avenue with a canopy and would have plantings along both side of the entranceway.

The proposed layout of the building would allow for two communal outdoor areas within the interior of the complex. As shown in the renderings (see Appendix K), an elevated outdoor patio and pool area would be located within the eastern communal area, proximate to the restored Neguntatogue Creek. Vegetation and decorative boulders would be positioned along the perimeter of the creek. An elevated walkway across the creek would connect a portion of the complex to the outdoor patio area. The western communal area would contain a courtyard with an ornamental reflecting pool in the center of the lawn area. There would also be a small outdoor area with benches at the front of the building along East Hoffman Avenue (at the northwestern portion of the property).

The scale of the proposed “Lindenhurst Residences” project would be benefited by the various unique details that are found throughout the building, and the design would portray one identity throughout. These varying unique elements would break down the scale of the building and provide for a number of different experiences. Each corner on East Hoffman Avenue would have its own distinguishing element; to the east would be a cylindrical corner and to the west a rectangular element. Moreover, the main entry would be framed by an arched entry. While some elements would be traditional, and some would be contemporary, all would be unique to this building.

Overall, the design of the building would consist of pitched roofs, cementitious siding and cementitious panels set upon a masonry base. The pitched roof would be architectural shingles with metal copings and gutter. As the proposed building would wrap around the perimeter of the site, it would be further distinguished by vertical elements that establish entry locations into the building. In addition, the proposed development would contain a staggered plan to break down the scale and respond to the program within. The building would have a horizontal banding of cementitious panels just below the roof line, with a contrasting color of cementitious siding below.

Every effort has been made to provide a variety of fenestration options<sup>66</sup> to moderate the scale of the building, which would be larger than most of the buildings within the area. This would be achieved with large windows and Juliet balconies. The Juliet balconies would consist of metal railings projected out from the façade to provide depth and shadow lines along the surface of the façade. The base of the building would be masonry and would be detailed with soldier coursing<sup>67</sup> and sandstone accents. Both of these elements would provide texture, pedestrian scale and dimension.



<sup>66</sup> Fenestration is the arrangement of windows and doors on the elevations of a building.

<sup>67</sup> A soldier course is a set of vertical bricks lined up in a row with the narrow edge facing outward.

The proposed development of the “Lindenhurst Residences” would include the implementation of comprehensive landscaping, especially along East Hoffman Avenue, as well as within the courtyard and the outdoor area surrounding the restored creek. See a more detailed discussion of the Preliminary Landscaping Concept in Sections 2.3.4 and 3.2.23 of this VDEIS. An arched opening along the northern portion of the proposed building would contain native plantings and vegetation, which would surround and protect the restored creek. Landscaping would also be provided throughout the parking areas at the property to minimize the appearance of large areas of pavement. Lighting would be provided along the exterior of the property, as well as throughout the associated paved parking areas, and would be directed onto the site in order to minimize glare to adjacent properties and roadways. The exterior lighting would be in accordance with the Village Code. While the proposed building would be visible in the surrounding area, the landscaping and architectural style of the building would create a vibrant appearance and an attractive streetscape.

In addition, as part of the proposed action, the utility wires located along East Hoffman Avenue, South Smith Street, and South Pennsylvania Avenue along the property frontage would be undergrounded to assist in improving the appearance of the area in the vicinity of the proposed development.

Overall, the proposed “Lindenhurst Residences” project would enhance the appearance of the property and improve the aesthetic character of the area. Therefore, no significant adverse visual impacts are anticipated as a result of the proposed action.

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### 3.8.3 Proposed Mitigation

As described above, the proposed action would not result in significant adverse impacts on the aesthetic and visual character of the site and surrounding area. However, as a conservative approach, the following features have been incorporated into the proposed “Lindenhurst Residences” project design:

- The residential community would be constructed to be a blend of architectural styles with the intent of breaking down the overall massing of the proposed building to create a more pedestrian-friendly scale.
- The proposed landscaping would soften the building’s appearance.
- Streetscape improvements, including foundation plantings, would enhance the aesthetics along East Hoffman Avenue in the area of the LIRR station.
- Removal of unkempt and disparate buildings on the site and their replacement with a coherent, architecturally interesting building and associated landscaping would improve the appearance of the neighborhood.

- Additional landscaping would be incorporated into the design to improve Neguntatogue Creek from its current condition. Debris and trash would be removed and existing concrete banks would be eliminated and native plantings, including wetland shrubs and small trees, would be installed along the stream banks, representing a substantial improvement over the existing aesthetics of the creek.
- The on-site appearance of the creek would also be improved through daylighting of the existing culverted section. A pedestrian bridge spanning the creek would provide a pleasing view of the improved stream corridor for the residents of the building
- Lighting would be designed to ensure that there is minimal-to-no light spill-over from the subject property onto neighboring properties.
- Utilities would be installed underground in the area of the proposed action to enhance the aesthetic character of the area around the proposed residential building.

# 4.0

## Cumulative Analysis

According to the proposed zoning district text (see Appendix B), the DRD may be established, extended, or expanded within the area bounded on the north by East Hoffman Avenue, on the east by South Pennsylvania Avenue, on the south by East Gates Avenue, and on the west by South High Street (see Figure 14). Any area proposed for expansion or extension of a DRD must be located within these boundaries and must adjoin (i.e., be located either adjacent to or across the street from) an existing DRD. The minimum land area required for the establishment of a DRD is six acres, except that there is no minimum land area required for the addition of lands to an existing DRD where such addition is being proposed by the developer of the existing DRD, or by an affiliate under common ownership or control with such developer. However, any site proposed for establishment of a DRD must be of such shape, dimension, topography, and location as would allow for an appropriate and attractive development. Furthermore, the site of a proposed DRD, or proposed extension or expansion to an existing DRD, may include any number of separate parcels and may be owned by one or more persons or entities, but shall be presented as a single parcel of land in any application made pursuant to the DRD regulations. The application must be jointly filed by all owners and, if approved, would be binding upon all of them and must be developed in accordance with any approvals granted as part of the final site development approval.

The subject property, which is located south of East Hoffman Avenue and north of East Gates Avenue, between South Pennsylvania Avenue and South Smith Street, is approximately 7.14 acres. In addition to the subject property, the boundaries of the proposed DRD include:

- The parcel between the subject property, South Smith Street and East Gates Avenue, which is approximately 2.20 acres
- The parcels between East Hoffman Avenue and East Gates Avenue and between South High Street and Travis Street, which total approximately 4.53 acres

- The parcels between East Hoffman Avenue and East Gates Avenue and between Travis and Smith Streets, which comprise approximately 4.19 acres.<sup>68</sup>

The area that could potentially be rezoned to DRD is limited in size and location (specifically, proximate to the LIRR). Based on the review of potential eligible areas, as described above, it does not appear that the creation of the DRD within the Village of Lindenhurst would establish a significant precedent for future development actions within the Village.

The DRD, as a floating zone, is subject to approval by the Village Trustees in each case and in accordance with an approved conceptual development plan. Moreover, any future development or redevelopment of a parcel(s) under the proposed DRD would be subject to an environmental review process, as required by the proposed DRD. Therefore, if the DRD is adopted by the Village of Lindenhurst, site-specific review of future proposed projects would provide a means for control over and comprehensive environmental review by the Village.



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<sup>68</sup> These figures do not include the area of the roadways.

# 5.0

## Alternatives and Their Impacts

This section of the VDEIS examines the alternatives to the proposed action. The alternatives examined are as follows:

- SEQRA-Mandated No-Action Alternative (the site would remain as it currently exists, as the DRD would not be adopted and the subject property would not be established as same)
- Maximum Development Under Prevailing Zoning

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### 5.1 No-Action

According to *The SEQR Handbook*,<sup>69</sup> “the ‘no action’ alternative must always be discussed to provide a baseline for evaluation of impacts and comparisons of other impacts. The substance of the ‘no action’ discussion should be a description of the likely circumstances at the project site if the project does not proceed.” Under the no-action alternative, the site would remain as it is currently developed (see Section 2.2 of this VDEIS for a description of the existing uses of the buildings on the subject property).

The no-action alternative is inconsistent with the Applicant’s right to pursue development/redevelopment of the site, does not meet the objectives of the Applicant, would result in adverse financial impacts to the Applicant, and, as such, is not viewed to be a feasible alternative by the Applicant. Nevertheless, as required, the no-action alternative and its potential impacts are discussed below.

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<sup>69</sup> New York State Department of Environmental Conservation. *The SEQR Handbook 3<sup>rd</sup> Edition 2010*. (Page 126)

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## 5.1.1 Soils and Topography

Implementation of the no-action alternative would result in no disturbance to the land. As such, the on-site soils and topography (grade) would remain unchanged. Thus, there would be no significant adverse impact to soils or topography.

With respect to environmental conditions, since the no-action alternative involves leaving the site as is, there would be no removal/remediation of potentially hazardous ACM and/or PCB-containing bulbs, mercury thermostats as would be required under the proposed action. Thus, these potentially hazardous materials would remain, if, or until, the buildings are redeveloped or removed.

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## 5.1.2 Water Resources

The no-action alternative would have minimal impact on groundwater resources, since no changes to the buildings or site would occur.

Under the no-action alternative, the existing uses on the site would continue to demand potable water (currently 12,413± gpd) and generate sewage effluent (currently 12,413± gpd), as described in Section 3.2.1.1 of this VDEIS. Water would continue to be supplied by the SCWA, and sewage effluent would be disposed of via connection to the Southwest SD.

No significant adverse impacts to water supply or sewage disposal are anticipated under this alternative.

Drainage would continue to occur via on-site stormwater drainage structures and sheet flow into Neguntatogue Creek. While there would be no change in the quantity of stormwater runoff, the quality may continue to degrade, as the existing buildings continue to deteriorate.

As described in Section 3.2.1.3 of this VDEIS, Neguntatogue Creek and associated vegetation are degraded, and non-native vegetation is found in and adjacent to the creek corridor. There has been substantial erosion and multiple stormwater discharge pipes empty into the creek. Under the no-action alternative, there would be no change in these conditions and there would be no restoration of Neguntatogue Creek, as would occur under the proposed action (which is described in detail in Section 3.2.2.3 of this VDEIS).

Traditional stormwater measures (i.e., drywells) and multiple discharge points would remain and continue to impact the creek under this alternative, whereas under the proposed action, green infrastructure would be incorporated to the maximum extent practicable to supplement more traditional stormwater runoff discharge measures (including leaching galleys). Furthermore, whereas the proposed action would include daylighting existing culverted sections of the creek, which would result in

aesthetic and environmental improvements to the creek and wetland area, this would not occur under the no-action alternative.

Despite continued, and potentially increasing adverse impacts related to stormwater quality and conditions within the Neguntatogue Creek, the no-action alternative would be unlikely to result in a significant adverse impact on water resources.

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### 5.1.3 Land Use, Zoning and Community Character

The subject property is currently primarily in the Village's Industrial Zoning District, with the exception of the small portion of the site currently zoned "C" Residence. Under the no-action alternative, the site would continue to be zoned predominantly industrial and occupied by several industrial and commercial uses within seven buildings, as described in Section 3.3.1.2 of this VDEIS. The southeastern portion of the site, which is currently undeveloped and zoned as "C" Residence, would remain undeveloped in the no-action alternative, consistent with the proposed action.

Approximately 82 percent of the site is currently covered with buildings and other impervious surfaces, while the remainder of the site (18± percent) is comprised of natural vegetation, landscaping, and other pervious surfaces. These conditions would remain in the no-action alternative.

While viable businesses are present on the site, several of the existing buildings (or portions of buildings) are vacant. For analysis purposes, it was assumed that the vacant spaces would be not be reoccupied, since the market for the redevelopment of industrial properties with industrial uses is limited.

The predominantly industrial character of the site would not change under the no-action alternative, since there would be no change to the existing development. Under the no-action alternative, there would be no redevelopment of the site into a cohesive, attractive residential community, as would occur in the proposed action.

The no-action alternative would not permit the adoption of the DRD, which promotes smart growth principles, and encourages TODs, including the development of multifamily rental communities. As explained in Section 2.4 of this VDEIS, there is an identified need for TODs and the development of multifamily rental developments within the Village, Town, and County. Thus, the no-action alternative would not assist in meeting these needs. The no-action alternative would not allow the Village (and/or the Applicant for the proposed development) to take advantage of the optimal location for residential development adjacent to a LIRR station to meet the needs and goals of the Village, Town, and County.

Although the no-action alternative would not pose the same benefits to land use, zoning, and community character that could be afforded by the proposed action, conditions would be unchanged compared to current uses, and; therefore, the no-

action alternative would have no significant adverse impact on land use, zoning, and community character.

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#### 5.1.4 Transportation

As explained in Section 3.4 of this VDEIS (see also Appendix H of the VDEIS for the complete TIS), under the no-action alternative, traffic and parking conditions associated with current on-site activities would be unchanged compared to current conditions. Under the no-action condition, which includes background traffic growth:

- The two existing signalized intersections of East Hoffman Avenue at South Wellwood Avenue and East Hoffman Avenue at South Pennsylvania Avenue would operate at an overall intersection LOS D or better.
- The two unsignalized intersections of East Hoffman Avenue at South Smith Street and East Hoffman Avenue at South Pennsylvania Avenue would operate at an acceptable overall intersection LOS C or better.

Based on the information above, the no-action alternative would have no significant adverse impact on transportation.

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#### 5.1.5 Socioeconomics

Consistent with the existing condition, the no-action alternative would not establish residential units on the subject property. Since multifamily housing would not be developed on the site, the no-action alternative would not help to provide housing alternatives to the predominately single-family, for-sale housing stock that exists in the Village.

The existing businesses on the site generate approximately 112 jobs. These would remain under the proposed action. This is more than the 47 full-time-equivalent jobs estimated to be generated by the proposed action.

Currently, the subject property generates approximately \$386,064 in annual property tax revenues, and would continue to do so in the no-action alternative. This is less than the \$1,982,065 anticipated with implementation of the proposed action

Although the no-action alternative would not provide the same socioeconomic benefits as the proposed action, such as increased tax revenues, it would support more full-time equivalent jobs and would not change conditions compared to existing uses. Therefore, the no-action alternative would have no significant adverse impact on socioeconomics resources.

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### 5.1.6 Community Facilities and Services

The operation of the subject property, under the no-action alternative would be consistent with existing conditions, therefore, there would be no change in demand for community services and facilities. Further, because there would continue to be no permanent population or school-aged children associated with the site, there would be no need for educational services, as would be the case under the proposed action. The site would still require police and fire protection, as well as emergency medical services consistent with current conditions.

Under the no-action alternative, solid waste would continue to be produced by the existing buildings and would continue to be properly disposed of in accordance with applicable requirements. No significant adverse impact on solid waste facilities would be anticipated. It is expected that the private solid waste haulers serving the subject property would continue to do so.

PSEG-Long Island and National Grid provide electric and gas service, respectively, to the subject property. It is expected that this would continue to be the case under the no-action alternative.

Based on the above information, no significant adverse impact to community services would be expected under the no-action alternative.

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### 5.1.7 Noise

Noise levels associated with the existing condition are minimal and do not represent a significant adverse impact on the subject property or surrounding areas. Since the no-action alternative would not change to use or occupancy of the existing facilities, it is expected that there would be no change in the use of the subject property under the no-action alternative, ambient noise levels on the site would not change. Therefore, the no-action alternative would have no significant impact on noise.

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### 5.1.8 Aesthetics and Visual Resources

The aesthetics of the site under the no-action alternative would be consistent with the existing condition. As there would be no change to aesthetics, the subject property would maintain a visual character that would continue to negatively contribute to the overall appearance of the surrounding area. The pavement within and around the existing buildings is in disrepair and some of the buildings' facades are in poor condition. In addition, there is a minimal amount of landscaping within the property and along the perimeter (with the exception of the area around the creek). In general, the landscaping that does exist is unkempt and overgrown. There would be no change to this condition under the no-action alternative, whereas under the proposed action, the creek would be restored, and the architecturally non-distinct industrial

buildings would be removed and replaced with a visually-pleasing new building. Furthermore, under the proposed action, a comprehensive landscaping plan would be implemented to provide both environmental and aesthetic benefits. This would not occur in the no-action alternative.

Under the no-action alternative, the aesthetics would be less visually pleasing than those associated with the proposed action. Further, since, under the no-action alternative, the conditions would be consistent with what currently exists, and on-site buildings may continue to deteriorate and invasive thicket vegetation would persist without being managed, there potentially could be significant adverse impact on aesthetics and/or visual resources due to the no-action alternative.

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## 5.2 Maximum Development Under Prevailing Zoning

As described in Section 3.3.1.1 of this VDEIS, the majority of the subject property is in the Industrial Zoning District, which allows a variety of uses, including light industrial and office uses. A portion of tax parcel 045.006 is in the "C" Residence Zoning District. This section of the VDEIS examines the potential impacts associated with developing the Industrial-zoned portion of the subject property with an office building, which is one of the uses permitted in the Industrial Zoning District. See Section 3.3.1.1 of this VDEIS for a list of other permitted uses within the zoning district. Due to the presence of the creek on the "C" Residence-zoned tax lot 045.006, as well as its size and configuration, it is unlikely that it could be developed. Therefore, consistent with both the existing condition and the proposed action, this alternative assumes the residentially-zoned portion of tax lot 045.006 would remain undeveloped.

Based on the dimensional requirements of the Industrial Zoning District (specifically height and building coverage), which are set forth in Table 9 in Section 3.3.1.1 of this VDEIS, and the parking requirements included in §193-192 of the Village Zoning Code, a theoretical maximum development potential alternative was derived. One development constraint for the proposed action, as well as this alternative, is that Neguntatogue Creek traverses the entire site, and NYSDEC approval would be necessary for determining the specific layout. Therefore, should this alternative be developed, the location of building and parking areas would be subject to the constraints associated with the location of the creek and NYSDEC requirements.

Based on the maximum permitted 50 percent building coverage and a height limit of 24 feet, and considering the need for one parking space per 150 square feet of building area, the resulting alternative would consist of a 100,000-SF, two-story office building (50,000-SF footprint) with 667 associated parking spaces, most, if not all of which are proposed to be surface parking spaces.

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## 5.2.1 Soils and Topography

The impacts to soils and topography from implementation of this alternative would be similar to those of the proposed action, as much of the site would be regraded in connection with the redevelopment (see Sections 3.1.2.1 and 3.1.2.2, respectively, of this VDEIS). However, as nearly the entire subject property has been previously disturbed by various earth-moving and construction activities, no significant impact to any naturally-occurring soils or topographic features would be expected to occur.

It is anticipated that the majority of parking in this alternative would be surface parking, whereas much of the parking within the proposed action would be beneath the building. Therefore, there would be less pervious surface (and less landscaping) in this alternative, than that associated with the proposed development.

Consistent with the proposed action, an erosion and sedimentation control plan would be developed and implemented as part of the overall SWPPP. The measures included in the plan would be similar to those for the proposed action.

With respect to subsurface conditions, the same investigations/remediation required for the proposed action would be undertaken upon implementation of this alternative (see Section 3.1.2.3 of this VDEIS).

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## 5.2.2 Water Resources

In general, impacts to groundwater for this alternative would be similar to those associated with the proposed action, since both development scenarios would be connected to public water and served by the municipal sewer system. Furthermore, development would occur in accordance with the *208 Study*, the *NURP Study*, the *Handbook*, and applicable regulations.

Post-construction sanitary sewage generation for this alternative would be approximately 6,000 gpd, which is approximately 53,000 gpd less than the proposed action (59,175± gpd) would generate. Water use (less irrigation) would be approximately the same as sewage generation, which would also be less than usage associated with the proposed action.

As with the proposed action, development under this alternative would result in the disturbance of an area greater than five acres, and therefore, would be required to obtain a SPDES GP-0-15-002. In accordance with same, a SWPPP would be prepared, which would include erosion and sedimentation controls, methods to accommodate stormwater during construction, and post-construction stormwater management controls. The SWPPP would be reviewed by the Village in accordance with Chapter 160 of the Village Code.

Similar to the proposed action, the erosion and sedimentation controls would consist of both vegetative and structural measures to stabilize soils and reduce the potential impacts to soils during construction activities. Specific controls would likely include the strategic placement of silt fences, temporary berms, and trenches to prevent overland runoff; stabilized construction entrance; stockpile protection; a concrete washout area; storm drain silt control measures; and installation of foundations, pavement and/or landscaping as soon as possible after soil disturbance to effectively limit the extent of soil erosion. Additionally, the installation of leaching galleys and regrading activities would control and direct water flow on-site to minimize the impacts associated with overland flow.

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### 5.2.3 Land Use, Zoning and Community Character

Since office buildings are permitted within the Industrial Zoning District, the proposed use would be compatible with the zoning. Other offices are located within the general area, so that the use would blend with the uses in the surrounding area. However, most of the offices, industrial, and even retail uses (with a few exceptions) do not contain as large areas of surface parking.

In addition to its consistency with existing land use and zoning, this alternative would have no significant adverse impact on community character. Although the 50,000 SF (footprint) office building would be larger than the existing individual structures on the subject property, the overall square footage of the subject property occupied by the building would be approximately the same as under current conditions (see Section 3.3.2.2 of this VDEIS). The height of the two-story office building would be similar to existing structures on the subject property, which are generally one-story, with one three-story building. Further, the use and size of the structure would be consistent with existing commercial and industrial development in the vicinity of the subject property. Consolidating development on the subject property into one building, compared to the seven existing smaller buildings, could give the subject property a less densely developed appearance, thereby, potentially improving community character.

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### 5.2.4 Transportation

Based on ITE factors for Land Use Code #710, General Office Building, which have been adjusted for the TOD character, a 100,000-SF general office building is anticipated to generate 149 vehicle trips in the a.m. peak hour, and 142 vehicle trips in the p.m. peak hour.<sup>70</sup> Both of these figures are higher than the proposed action (108 in the a.m. peak hour and 131 in the p.m. peak hour) (see Section 3.4.2 of this VDEIS).<sup>71</sup>



<sup>70</sup> The ITE trip generation rates for the office building were adjusted down by 5% for the weekday peak hours and 0% for the Saturday peak hour to account for the effect of transit-oriented development.

<sup>71</sup> The ITE trip generation rates for apartment rentals were adjusted down by 25% for the weekday peak hours and 15% for the Saturday peak hour to account for the effect of transit-oriented development.

The Saturday peak hour generation for the office building would be 43, which is much lower than the proposed action (115).

In addition, while the proposed action would include 381 parking spaces (of which 39 would be landbanked), an office building of this size would require 667 parking spaces, 75 percent more than proposed. It is assumed that most, if not all of these parking spaces would be surface spaces, while 51 spaces of the total 342 surface parking spaces in the proposed action would be under the building.

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## 5.2.5 Socioeconomics

A 100,000-SF office building is expected to generate approximately 300 permanent jobs. This is higher than that of the proposed action, which is projected to generate 47 full time equivalent jobs (see Section 3.5.2.2 of this VDEIS). Unlike the proposed action, there would be no permanent population or school-aged children associated with implementation of this alternative.

According to market/tax analysis for this alternative (see Appendix I), this alternative is estimated to have a full market value of \$16,012,174. The estimated full market value assumes \$22 per square foot rents, 7 percent vacancy, 10 percent expenses and an 11.5 percent capitalization rate for the 100,00-SF office building. Based on the Town of Babylon and Village assessment ratios, and the tax rates indicated in Section 3.5.2.3, this alternative would generate approximately \$609,051 in annual property taxes (approximately \$561,614 in tax revenue for the Town of Babylon and \$47,437 in tax revenue for the Village); an increase of approximately \$222,987 over the existing condition. Therefore, it is expected that this alternative would not have a significant adverse impact on socioeconomics. The proposed action would result in greater tax benefits to the various taxing jurisdictions (revenues of approximately \$1,373,014 per year higher) than the Maximum Development Under Prevailing Zoning alternative.

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## 5.2.6 Community Facilities and Services

Similar to the existing condition and no-action alternative, since this alternative would not generate any school-aged children, there would be no impact on educational facilities. However, police and fire protection services would still be required. Since the office building would be only two stories, consistent with the height of other buildings near the subject property, the fire department would have the capability to service the site. The existing condition, or no-action alternative, features older buildings, whereas the proposed office building alternative (similar to the proposed action) would be built to the latest building and fire code.

Based on this information, no significant adverse impact to community facilities would be expected from development of an office building under prevailing zoning.

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## 5.2.7 Noise

Since the subject property would be developed with an office building, not a use known for generating significant noise, it is not expected that this alternative would result in either a significant change in noise from the existing condition, or a significant noise impact, in general. The development of the office building would be consistent with commercial and industrial uses in the vicinity of the subject property, and it is anticipated that associated noise would be consistent or less than that generated elsewhere in the industrially-zoned area.

Noise levels generated at the southeastern, residentially-zoned parcel would be unchanged compared to current conditions, as it is assumed to remain undeveloped due to environmental constraints.

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## 5.2.8 Aesthetics and Visual Resources

The two-story office building would fit in with the aesthetic character of the subject property and surrounding area, as most of the buildings in the area are either one or two stories in height. As indicated above, most of the buildings in the area (whether office, industrial or retail) do not have large open parking areas (with a few exceptions). An office building with approximately 667 surface parking spaces would have a different aesthetic character than other uses in the neighborhood, although there are a number of smaller surface parking areas associated with buildings located in the surrounding area.

The consolidation of development on the subject property into one building (instead of the existing seven smaller buildings), would give the site a less densely developed appearance. Further, although the office building would likely be constructed in a style similar to existing development on the site and the surrounding area, the newer structure would support improved aesthetics conditions.

As such, this alternative would have no significant impact on aesthetics and/or visual resources.

# 6.0

## Unavoidable Adverse Effects

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### 6.1 Short-Term Impacts

The environmental impacts associated with the proposed “Lindenhurst Residences” project and the proposed mitigation measures to minimize such impacts have been described in Section 3.0 of this VDEIS. Those impacts that cannot be either entirely avoided or fully mitigated are described below.

Based on the analysis provided in this VDEIS, there would be several temporary construction-related impacts that cannot be completely mitigated. These impacts are associated with the site preparation and development (including clearing and grading, excavation of foundations, installation of utilities and construction of building and parking facilities). It is anticipated that these impacts would cease upon completion of the construction phase of the proposed development. Specific impacts are identified below:

- While soils at the subject property have previously been disturbed, soils would again be disturbed by grading, excavation, and mounding activities during site redevelopment.
- Despite the preparation and implementation of an extensive erosion and sedimentation control plan, including the strategic placement of erosion and sedimentation control measures, minor occurrences of erosion and sedimentation may occur.
- There is the potential for minor releases of air contaminants that would occur from construction equipment and emissions of fugitive dust during dry periods, although dust would, for the most part, be controlled by covering of soil piles and watering down of the site.
- Operation of construction equipment, delivery trucks and worker vehicles may temporarily impact traffic near the subject property. However, it is expected that weekday peak hour traffic would not be affected by construction-related vehicles.

- Solid waste would be generated during construction, in part due to the demolition of a number of buildings. In order to minimize the potential for associated impacts, asphalt pavement that is removed would be ground up and be reused as recycled aggregate, a construction waste management plan would be implemented, and waste would be handled and disposed of in accordance with relevant prevailing regulations.
- The visual quality of the area around the site may be temporarily degraded by the presence and operation of construction equipment. However, construction fencing would be installed to screen construction activities at the site.
- Increases in noise and vibration levels at the site may result from construction activities. However, the site is located adjacent to LIRR tracks, is within an industrial and commercial area, construction would occur only during hours permitted by the Village, and construction activities would comply with all relevant prevailing regulations.

It is anticipated that these impacts would be of short duration, that is, they would cease upon completion of construction activities.

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## 6.2 Long Term Impacts

Several long-term impacts associated with implementation of the proposed “Lindenhurst Residences” project have been identified. Mitigation measures have been proposed to reduce or eliminate most of these long-term adverse impacts. Those adverse long-term impacts that cannot be fully mitigated are set forth below.

- Site topography would be modified by grading associated with the installation of utility and infrastructure improvements (e.g., drainage, retaining walls, building foundations, subsurface parking garage etc.) for the proposed development. These activities would result in soil disturbance across the subject property. Approximately 32,900 CY of fill would be required at the site to achieve proposed grades. Erosion and sedimentation control BMPs would be implemented to mitigate potential impacts from grading and earthwork at the subject property.
- Water consumption for the proposed “Lindenhurst Residences” project would increase withdrawals from the groundwater. However, the proposed action would be connected to the public water supply. The increase in water use would be mitigated by the use of high efficiency plumbing fixtures within the new building, and landscaping that would minimize areas of turf and utilize drought-tolerant native plant species to the maximum extent practicable, to reduce irrigation needs.
- Although the site is currently developed, existing drainage patterns would be altered. Currently, drainage occurs via on-site stormwater drainage structures and sheet flow into Neguntatogue Creek. It should be noted that as part of the

proposed action, impervious surface area on the site would decrease by approximately 1.28 acres, and sheet flow into the creek would be substantially decreased.

- Sewage effluent, above the current condition, would be generated. However, sewage disposal would occur via connection to a municipal sewer district with sufficient capacity to accommodate the increase.
- The proposed action would increase the quantity of solid waste generated at the site, although same would not adversely impact solid waste management plans.
- The overall subject property would be modified such that limited existing vegetation (0.10±-acre) would be removed and replaced with buildings, pavement and/or landscaping. However, a Preliminary Landscape Concept would be implemented as part of the proposed action, and the overall landscaped area on the subject property would increase by approximately 1.5 acres under the proposed action.
- Although the Applicant for the proposed development would implement various energy efficiency measures and sustainable practices, the proposed action would result in an increase in energy use. In addition, prior to implementation of the proposed action, the Applicant would confirm with energy providers that any increased energy use could be accommodated.
- The proposed development would result in a minor increase of permanent population (508 persons, or a two percent increase over recent [2014] Village population data), including eight school-aged children.
- The proposed action would result in an increase in the need for community services, such as emergency services. Increased tax revenue generated by the proposed “Lindenhurst Residences” project would help offset increases in costs to community service providers. Additionally, security measures would be implemented and the proposed building would be constructed in accordance with all applicable fire and building codes.
- As shown in Section 3.4 of this VDEIS, the 260 apartments in this TOD are projected to generate 108 trips (31 entering & 77 exiting) during the a.m. peak hour, 131 trips (80 entering & 51 exiting) during the p.m. peak hour, and 115 trips (57 entering & 58 exiting) during the Saturday midday hour. Note that, according to the analysis in the TIS (see Section 3.4 and Appendix H of the VDEIS), no mitigation would be required, and:
  - Following the completion of the proposed “Lindenhurst Residences” project, the two signalized intersections of East Hoffman Avenue at South Wellwood Avenue and East Hoffman Avenue at South Pennsylvania Avenue would operate at an overall intersection LOS C or better during all analysis periods.
  - Following the completion of the proposed “Lindenhurst Residences” project, the two unsignalized intersections of East Hoffman Avenue at South Smith Street and East Hoffman Avenue at South Pennsylvania Avenue would

operate at an acceptable overall intersection LOS D or better during all periods analyzed.

- The three proposed site access driveways located on East Hoffman Avenue, South Smith Street, and South Pennsylvania Avenue would operate at an acceptable overall intersection LOS D or better during all periods analyzed. They would also provide satisfactory ingress and egress to the site.

# 7.0

## Irretrievable and Irreversible Commitment of Resources

An irreversible or irretrievable commitment of resources refers to impacts on or losses to resources that cannot be recovered or reversed. The existing currently developed industrial property would be redeveloped with residential rental units. Therefore, while not completely irreversible, implementation of the proposed action would commit this land long-term to the proposed residential development and preclude other development from occurring on the site.

More specifically, the proposed development of the subject property would require a commitment of natural and manmade resources as well as time. Specifically, approximately 0.10-acre of natural vegetation is proposed to be removed from the subject property and approximately 1.90 acres of landscaping would be installed (which is almost an acre-and-a-half more than the existing landscaped area on the site).

Certain additional resources related to the construction aspects of the development would be committed. These resources include, but are not limited to, concrete, asphalt, lumber, paint, water and topsoil. Mechanical equipment resources would be committed to assist personnel in the construction at the property. The operation of construction equipment would require the use of non-renewable energy resources such as fossil fuels, as well as water resources. Furthermore, the construction phase of the proposed development would require the commitment of labor and fiscal resources and time that would not be available for other projects.

In addition, during the operational phase of the proposed “Lindenhurst Residences” project, electricity, natural gas, water resources, and fossil fuels would be used for heating, cooling and other purposes.

# 8.0

## Growth-Inducing Aspects

Growth-inducing aspects are generally described as the long-term secondary effects of the proposed action. Specifically, with respect to growth inducement, The SEQR Handbook indicates:

*“Some activities will encourage or lead to further increases in population or business activity. This type of secondary impact is called growth inducement...it is important to recognize activities which may induce growth because a consideration of the whole action must examine likely impacts of such growth, such as the need for additional sewer, water and other services; increased traffic congestion; or accelerated loss of open space.”*

The site is located in a well-developed portion of the Village and would generate approximately 508 new residents. The introduction of a new permanent population in the heart of the downtown is expected to assist in the revitalization of the downtown area and the growth of new commercial businesses and services.

The addition of new multifamily TOD residential units may induce the enhancement of existing dwellings (including single-family homes) or the development of additional multifamily, TOD within the Village, which would assist in rejuvenating the Village of Lindenhurst’s downtown, which has been a frequently expressed local goal.

Although the proposed “Lindenhurst Residences” project may create a demand for the commitment of additional community resources, most, if not all, of this need can be met by existing community facilities within the Village and wider geographic area. Moreover, the Village maintains a solid infrastructure of municipal services that would serve the projected future population. Therefore, it is not expected that the proposed “Lindenhurst Residences” project would induce the development of additional institutional facilities or the need for a substantial number of new community service providers.

Also, the proposed action does not involve the implementation of extensive transportation mitigation measures or the expansion/extension of water or sewer

infrastructure. Therefore, no growth-inducement would be expected related to the expansion of infrastructure.

As demonstrated herein, implementation of the proposed action is not expected to induce additional growth within the community, with the exception of the growth the downtown businesses, which is an anticipated benefit of the proposed “Lindenhurst Residences” project.

# 9.0

## Use and Conservation of Energy

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### 9.1 Energy Consumption and Energy Providers

Currently, PSEG Long Island and National Grid provide electricity and natural gas service, respectively, to the subject property, and would continue to serve the site upon implementation of the proposed action.

Development of the proposed “Lindenhurst Residences” project would likely increase energy use on the subject property. However, as detailed below in Section 9.2, the Applicant is committed to the principles of smart growth, energy conservation, and sustainable design. Furthermore, the use of additional energy efficiency and sustainability methods would be examined during development of the proposed action. The Applicant would also consult with PSEG Long Island and National Grid, prior to development, to obtain confirmation that the aforementioned providers would be able to accommodate energy needs for the proposed “Lindenhurst Residences” project.

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### 9.2 Energy Conservation and Sustainability Elements

The proposed “Lindenhurst Residences” project provides a thoughtful land use planning approach to development and employment of “smart growth” principles. The overarching concept of the proposed development reflects the fundamental tenets of smart growth development cited in the Suffolk County’s *Smart Growth Study*. The proposed “Lindenhurst Residences” project is a higher density, compact development located in an area that has sufficient infrastructure, including public water and sewer, and a LIRR station steps away from the proposed building. The multifamily residential nature of the building would add an element to the downtown that does not currently exist, and would provide the missing land use that would make downtown Lindenhurst a truly mixed center.

With regard to energy use, denser downtown areas and denser residential uses, such as the compact development proposed for the "Lindenhurst Residences," use a fraction of the amount of energy that suburban areas use. Denser downtown areas are intrinsically greener, less wasteful, and provide for a more energy-efficient way of life. Denser settlement patterns yield energy savings and emit less carbon dioxide than their suburban and rural counterparts. Denser design also promotes walkability and use of mass transit. In addition, revitalization of the existing built environment and reuse of previously developed land at the subject property would make land use more efficient.

The following sustainability measures have been incorporated into the design of the proposed "Lindenhurst Residences" project:

#### Water Efficiency

- Outdoor: Greater than 50 percent of landscaped area would include native plants; less than 40 percent of landscaped area would be turf.
- Indoor: The building would incorporate high efficiency fixtures for lavatories, faucets, showers, and toilets, and would use ENERGY STAR dryers.

#### Sustainable Site Elements

- Rainwater management: Drainage systems at the site would include catch basins, trench basins, and leaching chambers, which would serve as permanent infiltration or collection features.
- Nontoxic pest control: Using solid concrete walls below grade, all cracks would be sealed at foundations, and all rain gutters and condensate lines would discharge a minimum of 24 inches from foundations.
- Heat island effect reduction: ENERGY STAR qualified roof products and pavers and plantings and landscaped areas would help maintain cooler temperatures, minimizing the heat island effect.
- The proposed development would be connected to the municipal sewer system, which is already connected to the subject property.

#### Access

- The building is located such that there would be excellent access to public transit (LIRR train station across the street; bus in close proximity), which would encourage residents' use of public transportation and potentially reduce the number of vehicles on nearby roadways. Fewer vehicle trips would lead to less pollution, including carbon emissions.
- The location of the proposed building would provide pedestrian-friendly access to community resources and the local "downtown."

### Energy

- There would be gas and electrical meters in each unit. Separate metering allows tenants to pay for the energy they actually use and to benefit from their own energy conservation efforts. It is anticipated that this would lead to lower utility usage, resulting in environmental benefits due to less pollution from energy creation.

### Materials

- A construction waste management plan would be implemented.
- Asphalt pavement to be removed during demolition would be ground up and reused as recycled aggregate.
- The majority of materials would be sourced locally.

### Indoor Environmental Quality and Energy Efficiency

- The proposed building would incorporate the following measures with regard to indoor air quality and energy efficiency:
  - Ventilation to promote healthy indoor air quality through introduction of cleaner air
  - Combustion venting to constrain the leakage of combustion gases in the building
  - Garage pollutant protection to minimize exposure to indoor pollutants
  - Air filtering to enhance the quality of indoor air
  - Compartmentalization, which involves sealing gaps in interior building walls between individual apartments to minimize the “stack effect” (i.e., the tendency of temperature differences between the inside and outside of multi-level buildings to create pressure differences and drive air infiltration); inhibit the passage of secondhand smoke, odors, other pollutants between apartments; reduce sound transmission between apartments; impede the movement of pests and vermin between apartments; and improve fire safety, as the passage of high temperature smoke and gases would be prevented; and
  - Balancing of heat and cooling distribution to enhance thermal comfort and energy efficiency by allowing for suitable circulation of space heating and cooling in the building.

### Additional “Eco-Friendly” Attributes

- The proposed “Lindenhurst Residences” project would include habitat restoration of Neguntatogue Creek (in close coordination with the NYSDEC)
- The proposed building would provide for bicycle storage, to help encourage bicycle use and potentially reduce automobile use; and
- The on-site parking areas would include designation of parking spaces for “eco-friendly” vehicles.

# 10.0

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## **Suffolk County Planning Commission: “Islandia Village Commons” Incomplete-Disapproval Resolution**

**Whereas**, on December 21, 2017 the Suffolk County Planning Commission received a referral from the Incorporated Village of Islandia pursuant to New York State General Municipal Law Section 239-m and Article XIV the Suffolk County Administrative Code; and

**Whereas**, the referral pertains to a project known as the “Islandia Village Commons,” which, is situated at the northeast corner of Old Nichols Road and the Long Island Expressway (Suffolk County Tax Map numbers: 0504 09000 0100 0036000 thru 0039000 & 042000 thru 046000 and 0504 01000 006000 thru 009000) in the Incorporated Village of Islandia; and

**Whereas**, the referral proposes a change of zone from Low Density Residential (L), Multi-Family (MF) and Neighborhood Business (NB) to Planned Development District (PDD) on approximately 15.2 acres; and

**Whereas**, the above referral includes a site plan to construct approximately 720,000 square feet of gross floor area comprising retail, a 110 room hotel and 325 rental apartments; and

**Whereas**, the Suffolk County Planning Commission reviewed the matter and found it incomplete with respect to a “full statement of facts” pursuant to New York State General Municipal Law Section 239-m and Article XIV of the Suffolk County Administrative Code; and

**Whereas**, on December 28, 2017 the Suffolk County Department of Economic Development and Planning, sent a letter via regular and email to the Village Clerk of the Incorporated Village of Islandia advising that the referral was incomplete (see attached); and

**Whereas**, on January 24, 2018, a letter was received from the Incorporated Village of Islandia, advising they are in receipt of the December 28, 2017 letter and would provide updated project information when it becomes available; now therefore be it

**Resolved**, that pursuant to Article XIV Section A14-21. B. of the Suffolk County Administrative Code the Suffolk County Planning Commission hereby determines that the referral of Islandia Village Commons from the Incorporated Village of Islandia, received on December 21, 2017, is disapproved without prejudice.

# 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**

December 28, 2017

Village of Islandia  
1100 Old Nichols Road  
Islandia, NY 11749  
Attn: Patricia Dorman, Village Clerk

RE: Islandia Village Commons  
SCTM No's.: 0504 00900 0100 036000 thru 039000, 042000  
thru 046000 and 0504 01000 0100.006000 thru  
009000  
SCPC File No.: Is-17-Inc.  
Local File No.: None

Dear Ms. Dorman:

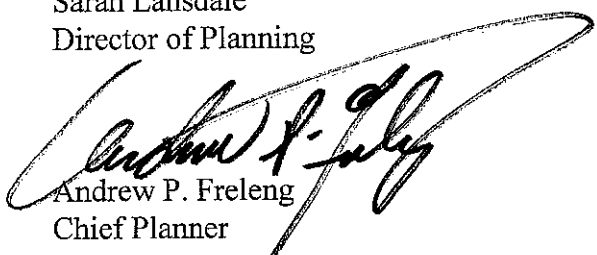
Following up on our telephone conversation with your office on 12/21/17, please be advised that pursuant to NYS GML Section 239, Sections A 14-14 to 21 of the Suffolk County Administrative Code and the Suffolk County Planning Commission Guidebook, Chapter 2.1, the above captioned referral will not be reviewed by the Suffolk County Planning Commission until a full statement of facts that includes the following is submitted through the offices of the municipal referring agency:

1. Petitioner's written Change of Zone Petition to the Inc. Village of Islandia.
2. Property owners' endorsements allowing PMG DG, LLC to file petition on behalf (10 parcels; 15 owners).
3. Public Notice (if applicable).
4. Completed Environmental Assessment Form along with other associated SEQRA materials particularly:
  - a. Traffic analysis (motor vehicle trip generation and impact to LOS on various roadways and intersections)
  - b. Parking analysis
  - c. Sanitary Waste Water analysis and disposal method

- d. Characterization of the groundwater flow direction
  - e. Plans to preserve and protect adjacent Suffolk County Parklands
5. Please be advised that as indicated by the Village of Islandia's referral the subject development site may be within 500' of the municipal boundary with the Town of Islip and may be subject to Suffolk County Administrative Code section A14-15B. Please provide a sworn affidavit by a licensed professional (engineer, surveyor, etc.) regarding the nearest distance of the project to the municipal boundary.
  6. SCTM No. 0504 01000 0100 009000 is owned by the Suffolk County Water Authority. The Suffolk County Real Property Tax Map atlas shows the tax map (0504 01000 0100 009000) with a dashed line that is not indicative of a subdivision and is attributed to certain development related to the project (as shown on the "Overall Plan" by Nelson & Pope; Dated 12/19/16). Please provide an explanation as to the nature of the dashed line on the Suffolk County Real Property Tax Map.
  7. Site Plan, pursuant to section 177-139 of the Village of Islandia Zoning Law, "shall be submitted in conjunction with the application for MSPDD...the Board of Trustees shall simultaneously consider and review both applications." Please refer the Site Plan application and all supporting materials pursuant to NYS GML 239 and the Suffolk County Administrative Code Section A14-25.
  8. In accordance with Village of Islandia Zoning Law section 177-135, please provide the petitioners "Master Plan" containing "specific guidelines in terms of height, architecture, and landscaping..." (see comment 9 below).
  9. District boundary: Section 177-136 describes a specific district boundary that is applicable to the Main Street Planned Development District and does not include Suffolk County Tax Map parcels relevant to this petition. The "Overall Plan" by Nelson & Pope; Dated 12/19/16, indicates a change of zone to Main Street Planned Development District. Is it the intent of the petition to amend section 177-136 of the Village of Islandia Zoning Law? Moreover, sections 177-137 "Permitted uses" and section 177-138, "Design and development standards" of the Village of Islandia Zoning Law need to be amended to include the new proposed Main Street PDD. Please refer any amendment to the existing MS PDD ordinance or any new PDD ordinance for review by the Suffolk County Planning Commission pursuant to section A14-14 of the Suffolk County Administrative Code.
  10. Planning Board, Zoning Board or other Agency report describing public benefits pursuant to Chapter 177-134 of the Village of Islandia Zoning Law and Section 7-703a of NYS Village Law.

Very truly yours,

Sarah Lansdale  
Director of Planning



Andrew P. Freleng  
Chief Planner

APF/cd

cc: Anthony Guardino, Esq., Farrell Fritz, PC  
Jennifer Casey, Esq. Chair, SCPC

# COUNTY OF SUFFOLK

Z-2



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE

Theresa Ward  
Deputy County Executive and Commissioner

Department of Economic Development and Planning  
Division of Planning and Environment

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

**Applicant:** Plaza Auto Mall  
**Municipality:** Brookhaven  
**Location:** s/s/o NYS Rte. 495 South Service Road (Expressway Drive South) ~ 297' w/o Oregon Ave.

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**Received:** 1/10/2018  
**File Number:** BR-18-01  
**T.P.I.N.:** 0200 73600 0100 002002  
**Jurisdiction:** Within 500' of NYS Rte 494 and Suffolk County owned land

### ZONING DATA

- Zoning Classification: Commercial Recreation (CR) and Residential-one acre (A1)
- Minimum Lot Area: 120,000. Sq. Ft.
- Section 278: No
- Obtained Variance: No

### SUPPLEMENTARY INFORMATION

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

### SITE DESCRIPTION

- Present Land Use: vacant
- Existing Structures: none...concrete foundation
- General Character of Site: level
- Range of Elevation within Site: 65'-95'amsl

- Cover: wooded, asphalt, concrete foundation and weedy growth
- Soil Types: Carver, Plymouth and Riverhead associations
- Range of Slopes (Soils Map): 0-3%
- Waterbodies or Wetlands: none

#### **NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST**

- Type: site plan
- Layout: standard
- Area of Tract: 30.1 Acres
- Yield Map:
  - No. of Lots: 1
  - Lot Area Range: N/A
- Open Space: 3.61 Acres

#### **ACCESS**

- Roads: existing LIE service road
- Driveways: private

#### **ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: catch basins-leaching pools
  - Recharge Basins: yes
- Groundwater Management Zone: III
- Water Supply: public
- Sanitary Sewers: conventional on site system

### **PROPOSAL DETAILS**

**OVERVIEW** – Petitioners request approval from the Brookhaven Town Board for a change of zone from Commercial Recreation (CR) and A-1 Residence (A1) to J-5 Business for the construction of an approximate 39,600 SF building and on-site surface parking for an automobile wholesale operation and auction facility. According to materials referred to the Suffolk County Planning Commission by the Brookhaven Town Board, the proposed building will include a vehicle wash and preparation facility. The subject petition will also require a Brookhaven Town Board Special Use Permit for a Motor Vehicle Dealership use and Outdoor Vehicular Storage for approximately 5,014 off street parking stalls including 12 stalls for trailer staging and unloading.

As noted above, the approximate 30 acre subject parcel is split zoned (east to west) wherein the bulk of the parcel is in the CR (Commercial Recreation) District to the eastern two thirds of the property (22.91 ac) and the remainder is located in the A1 residential district (7.1 acres).

Storm water runoff generated from the site is intended to be accommodated on site in subsurface leaching pools and drywell structures. There are two existing storm water recharge basins on-site totaling approximately 1.76 acres along the southern property boundary where collected drainage is proposed to be directed. It is also proposed by the petitioner that these former retention/recharge basins be refurbished/revegetated and utilized.

The Conceptual Site Plan (Nelson & Pope-Aug. 2017) referred to the Planning Commission by Brookhaven indicates that the site will also include 529 off street parking stalls for employee, customer and visitor parking. Total off street parking is demonstrated on the plan at 4,380 stalls while the application materials indicate that “outdoor storage will ultimately include parking for

approximately 5,014 vehicles.”

Sanitary waste water from the vehicle wash and preparation facility is proposed to be treated by a conventional on-site sanitary system in accordance with Suffolk County Department of Health Services requirements under Article 6 of the Suffolk County Sanitary Code.

It is not apparent in the referral material from the Town of Brookhaven to the Suffolk County Planning Commission the amount of fuel that would be required to be stored on site to prepare vehicles. The Full Environmental Assessment Form (FEAF) referred for the project indicates that the automobile wholesale operation and auction facility would not include any bulk storage of petroleum (combined capacity of over 1,100 gallons or chemical products equalling 185 gallons in above ground storage or any amount in underground storage. It is not clear if this total includes fuel and other fluids in vehicles stored on site. Fuel storage would be the jurisdiction of the Suffolk County Department of Health Services pursuant to Articles 7 and 12 of the Suffolk County Sanitary Code.

The subject site has frontage on the Long Island Expressway South Service Road (NYS Rte. 497) to the north and Long Island Avenue (town road) to the south. The South Service Road is a single direction service road to NYS Rte. 495 moving traffic only in the eastbound direction at this location.

Access as demonstrated on the Conceptual Site Plan (Nelson & Pope-Aug. 2017) is proposed as a single uncontrolled ingress/egress to the South Service Road at the north eastern corner of the property. An emergency access is proposed at the south east corner of the property.

The subject property is adjacent to roadways north and south. To the west the subject property abuts a narrow strip (~81' wide) of Town of Brookhaven land and detached single family homes are found further to the west. To the east the subject property abuts vacant wooded industrially zoned land. South of the subject property adjacent to Long Island Avenue is the ROW for the Long Island Railroad. Industrial uses are to the south and north of the general area of the subject application.

The project site is in a mixed zoning area. As mentioned, the majority of the site is zoned CR Business, and a minority of the site is zoned A-1 Residential. Residential zoning is located to the west of the site including Multi-Family (MF). To the south east and north is found Industrial (L1 & L2) and Commercial (J2) zoning districts.

The subject property is previously a disturbed site from a formerly developed and operational multiplex movie theater. The former theater building was demolished and removed many years ago.

The property is predominantly a vacant, cleared area with remnants of asphalt paving and the concrete foundation of the prior use by the multiplex movie theater and parking lot. Concrete foundation of the previously demolished structure and asphalt paving of the previous parking areas will be removed and disposed of at a licensed C&D facility or recycled. Some temporary stockpiling may occur while material is to be loaded into dump trucks and shipped off-site for disposal or recycling.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located in a NYS Critical Environmental Area or Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone III. No State or Town regulated freshwater wetlands occur on or near the subject property. A forested eight acres with oak and pine trees comprises the western part of the site.

## **STAFF ANALYSIS**

**GENERAL MUNICIPAL LAW CONSIDERATIONS:** New York State General Municipal Law, Section 239-l 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.

The proposed Conceptual Site Plan (Nelson & Pope-Aug. 2017) includes a single story structure that is compatible with adjacent land uses. The subject site is surrounded by industrial zoning and uses on three sides. The land use character of the area is commercial and industrial intersected by a major highway, local roadways and a rail corridor. Single family detached and attached residential communities are located to the west of the subject site. These are intended to be physically separated from the proposed use by a 50 foot buffer of Town owned land.

The adjacent residential community to the west is not anticipated to be significantly inconvenienced by the proposed use. All motor vehicle traffic is to be on the LIE South Service Road. No local traffic is anticipated on residential streets in the area. The residential public is to be physically buffered from the use by woodland that is intended to mitigate issues related to parking lot traffic, noise, excessive lighting, encroachment and the like.

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** The Town of Brookhaven Comprehensive Plan (1996) recommends commercial land use for the subject parcel. The current zoning of Residential (A1) and Commercial Recreation (CR) is partially consistent with the Comprehensive Plan. The pending petition to change the zone to J5 can be considered to be consistent with the 1996 Plan recommendations.

#### **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.

In accordance with the Town of Brookhaven zoning law, clearing of “natural vegetation” for commercial properties not otherwise limited by environmental constraints, should be limited to 65%.

The proposed approximate 30 acre development parcel has, on its western end the majority of the naturally occurring vegetation (that is mature vegetation and not invasive weeds or colonizing lichens, mosses or grass). This block of woodland on site is approximately 7.1 acres. After the proposed construction, remaining natural area indicated on the Conceptual Site Plan (Nelson & Pope-Aug. 2017) is to be roughly 3.61 acres or 12% of the overall site with 88% of the site cleared and built upon. The remaining natural vegetation is left in a block at the northwest corner of the subject property and as buffer to the north, east and south. Remaining vegetation on site is what is termed on the Conceptual Plan as “landscaped/natural areas to be supplemented with native vegetation...” and is not considered by Suffolk County Planning Commission staff to be in spirit with the intent to preserve a block of natural vegetation of approximately one third of the property.

It is noted that more than two thirds of the site or 22.91 acres is already considered disturbed (concrete foundation and asphalt). This would equate to approximately 74% of the site; already exceeding the best management target of 65% clearing. Supposing that allowed “clearing” was

limited to only the already disturbed area. The mature remaining natural vegetation on site (7.1) acres of woodland then constitutes 24% of the natural vegetation that would remain rather than 12%.

In any case it is apparent that 35% of the entire 30 acre parcel cannot be dedicated to preserving naturally occurring vegetation since it does not exist beyond 24% of the site. However, an effort should be made to preserve at least 35% of the 7.1 acre block of woodland (2.5 ac) contiguous to the western property boundary. This should be added to the north, east and south "Landscaped/Natural Areas" to bring the total preserved and "Natural/Landscaped" areas to 6.1 acres or closer to 20% of the overall property to be more in spirit with the intent of best management practices to preserve a block of natural vegetation of approximately one third of the property.

Storm water runoff from impervious surfaces of the proposed automobile wholesale operation and auction facility (22.91 acres of pavement area) is intended to be captured and discharged to catch basins and directed to two refurbished existing recharge basins. The applicants are required to comply with NYS SWPP and Town of Brookhaven storm water regulations. To refurbish the recharge basins, the applicants may need to excavate the overgrown basins of vegetative and some soil material.

An opportunity exists for this project to incorporate best management practices (ex. bio-swales, rain gardens, etc.) for the approximate 23 acres of proposed impervious surface. The applicants 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, Green Infrastructure design elements contained therein. The proposed "sea of asphalt" over Hydro-geologic Management Zone III should be broken by these techniques. Green Infrastructure (GI) is described by the Environmental Protection Agency (EPA) as a solution that "...uses vegetation, soils, and natural processes to manage water and create healthier urban environments." In addition all storm water runoff from the site should be collected and pre-treated before being released to the recharge basins.

According to Suffolk County Department of Economic Development files pertaining to the subject property, approximately 6,000 tons of demolition debris consisting of existing concrete and asphalt from the prior movie theater foundation and parking area, as well as the former parking lot storm water catch basins and movie theater septic systems will need to be removed from site prior to construction. The petitioners have indicated that asphalt is to be loaded into dump trucks and shipped off-site for disposal or recycling. Some temporary stockpiling may occur but will be removed as soon as possible. Construction materials will be temporarily stored in dumpsters and removed periodically for disposal or recycling. Old asphalt pavement that is to be removed will be deposited at a licensed C&D facility or recycled. The petitioners do not anticipate that extensive soil will have to be removed from site.

No hazardous material analysis was provided in the referral material to the Suffolk County Planning Commission. Catch basins, storm drains, remaining utility connections (gas), buried storage tanks, as well as, soils in the existing recharge basin would be typical locations of interest in a standard environmental site assessment. It is the belief of the staff that any environmental reports (indicating that all hazardous materials have been removed from the site and that any environmental hazards that could be aggravated by the demolition procedure have been removed and do not exist on site) should be made publicly available prior to final approval of the petition by the Brookhaven Town Board.

With respect to the above, any recycling activity (material separation, asphalt and/or concrete crushing, wood chipping etc.) should be conducted far away from residentially zoned land preferably at the eastern property line of the subject property.

The application referral materials to the Suffolk County Planning Commission indicate that waste water from the proposed automobile wholesale operation and auction facility will total 3,600 gallons per day plus and estimated 600 additional gallons per day from vehicle wash processing. It is not clear if wastewater estimates have been engineered and calculated beyond the conceptual phase and it is not apparent how all waste will be treated. Waste water treatment and disposal issues should be reviewed with the Suffolk County Department of Health Services as early as possible.

The subject property is north of Suffolk County Water Authority public supply well number S-71785 (Maple Avenue wellfield) and may be near or within the 25 – 50 year travel time zone of capture or contributing area of the wellfield. The well is screened in the Magothy Aquifer and has a medium to high contaminant prevalence for microbials and Nitrates. The Suffolk County Water Authority and the Suffolk County Department of Health Services should be consulted regarding the proposed land use and its potential effect on the contributing area of public water supply wells in the area.

The petitioners have indicated in materials forwarded to the Suffolk County Planning Commission by the Town of Brookhaven that outdoor lighting will be provided in all parking lots and outdoor storage facilities for safety and site security purposes. The petitioners indicate that a lighting plan will be provided to the town for site plan review. As indicated in the Environmental Assessment Form, as proposed, the automobile wholesale operation and auction facility will remove naturally occurring vegetation along the western property line adjacent to the residentially zoned areas. The petition material indicates that buffers will be provided around the perimeter of the site. While the referred material indicates that the petitioner will work with the Town to ensure that lighting meets Town Code specifications the visual impact to the NYS Rte. 495 (Long Island Expressway) corridor should be assessed in order to mitigate any visual effect that might lessen the safety and carrying capacity of the state roadway. "Dark Sky" best management techniques should be employed for the lighting plan to mitigate impacts to adjacent residential areas as well as the NYS 495 corridor.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable to non-residential uses.

No traffic study or traffic information was provided in the referral materials to the Commission. A review of Suffolk County Transit Bus Routes indicates that there is no bus route servicing the project site. The closest routes are on Horse Block Road to the east. Pedestrians would need to walk approximately six tenths of a mile to the east along the LIE South Service Road or Long Island Avenue. The Medford LIRR station is approximately one mile to the west along Long Island Avenue. The applicant should contact Suffolk County Transit and explore bus service to the facility.

As indicated above access to and from the subject property will require curb cuts to the Long Island Expressway (NYS Rte. 495) South Service Road. It is not apparent that the applicant has had any discussions with the NYS DOT regarding this application. The applicant should contact the NYS DOT with respect to traffic studies and access to the subject site from the State ROW.

Little discussion is made in the petition to the Town and referred to the Commission on public safety. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.

Little discussion is made in the petition to the Town of Brookhaven Planning Board and referred to the Commission on universal design. The applicant should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where

practical, design elements contained therein.

## **STAFF RECOMMENDATION**

**Approval** of the Plaza Auto Mall (automobile wholesale operation and auction facility including vehicle wash and preparation) referral from the Brookhaven Town Board with the following comments:

1. An effort should be made to preserve at least 35% of the 7.1 acre block of woodland (2.5 ac) contiguous to the western property boundary. This should be added to the north, east and south "Landscaped/Natural Areas" to bring the total preserved and "Natural/Landscaped" areas to 6.1 acres or closer to 20% of the overall property to be more in spirit with the intent of best management practices to preserve a block of natural vegetation of approximately one third of the property.
2. An opportunity exists for this project to incorporate best management practices (ex. bio-swales, rain gardens, etc.) for the approximate 23 acres of proposed impervious surface. The applicants 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, Green Infrastructure design elements contained therein.
3. All stormwater runoff from the site should be collected and pre-treated before being released to the recharge basins.
4. Environmental reports (indicating that all hazardous materials have been removed from the site and that any environmental hazards that could be aggravated by the demolition procedure have been removed and do not exist on site) should be made publicly available prior to final approval of the site plan by the Brookhaven Town Board.
5. Any recycling activity (material separation, asphalt and/or concrete crushing, wood chipping etc.) should be conducted far away from residentially zoned land preferably at the eastern property line of the subject property.
6. Waste water treatment and disposal issues for the proposed automobile wholesale operation and auction facility related to employees, visitors, and vehicle wash and preparation pursuant to Articles 6 of the Suffolk County Sanitary Code should be reviewed with the Suffolk County Department of Health Services as early as possible.
7. Any fuel storage necessary for "vehicle preparation" should be reviewed by the Suffolk County Department of Health Services pursuant to Articles 7 and 12 of the Suffolk County Sanitary Code as early as possible.
8. The Suffolk County Water Authority and the Suffolk County Department of Health Services should be consulted regarding the proposed land use and its potential effect on the contributing area of public water supply wells in the area.
9. The visual impact to the NYS Rte. 495 (Long Island Expressway) corridor should be assessed in order to mitigate any visual effect that might lessen the safety and carrying capacity of the state roadway. "Dark Sky" best management techniques should be employed for the lighting plan to mitigate impacts to adjacent residential areas as well as the NYS 495 corridor.

10. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable to non-residential uses.
11. The applicant should contact Suffolk County Transit and explore bus service to the Indoor recreation facility.
12. The applicant should contact the NYS DOT with respect to traffic studies and access to the subject site from the State ROW.
13. The applicant should provide a pedestrian circulation plan accounting for motor vehicle conflicts and pedestrian safety.
14. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
15. The petitioners should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.





**File No. ZSR-18-01**

Resolution No. ZSR-18-01 of the Suffolk County Planning Commission  
Pursuant to Sections A14-14 to thru A14-25 of the Suffolk County Administrative Code

- WHEREAS,** on December 21, 2017 the Suffolk County Planning Commission received a referral from the Incorporated Village of Islandia pursuant to New York State General Municipal Law Section 239-m and Article XIV the Suffolk County Administrative Code; and
- WHEREAS,** the referral pertains to a project known as the “Islandia Village Commons,” which, is situated at the northeast corner of Old Nichols Road and the Long Island Expressway (Suffolk County Tax Map numbers: 0504 09000 0100 0036000 thru 0039000 & 042000 thru 046000 and 0504 01000 006000 thru 009000) in the Incorporated Village of Islandia; and
- WHEREAS,** the referral proposes a change of zone from Low Density Residential (L), Multi-Family (MF) and Neighborhood Business (NB) to Planned Development District (PDD) on approximately 15.2 acres; and
- WHEREAS,** the above referral includes a site plan to construct approximately 720,000 square feet of gross floor area comprising retail, a 110 room hotel and 325 rental apartments; and
- WHEREAS,** the Suffolk County Planning Commission reviewed the matter and found it incomplete with respect to a “full statement of facts” pursuant to New York State General Municipal Law Section 239-m and Article XIV of the Suffolk County Administrative Code; and
- WHEREAS,** on December 28, 2017 the Suffolk County Department of Economic Development and Planning, sent a letter via regular and email to the Village Clerk of the Incorporated Village of Islandia advising that the referral was incomplete (see attached); and
- WHEREAS,** on January 24, 2018, a letter was received from the Incorporated Village of Islandia, advising they are in receipt of the December 28, 2017 letter and would provide updated project information when it becomes available; now therefore be it
- RESOLVED,** that pursuant to Article XIV Section A14-21. B. of the Suffolk County Administrative Code the Suffolk County Planning Commission hereby determines that the referral of Islandia Village Commons from the Incorporated Village of Islandia, received on December 21, 2017, is **disapproved** without prejudice.

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

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

Motion: Commissioner Chartrand

Present: 11

Seconded: Commissioner Kaufman

Absent: 2

Voted: 11

Recusal: 0

DECISION: Disapproved/Incomplete

Resolution No. ZSR-18-02 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 December 28, 2017 at the offices of the Suffolk County Planning Commission with respect to the application of “**75 E. Hoffman LH, LLC (aka Lindenhurst Residences)**” located in the Village of Lindenhurst
- WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **February 7, 2018**, now therefore, Be it
- RESOLVED, that the Suffolk County Planning Commission hereby approves the staff report, as may be amended, 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, Be it further
- RESOLVED, that the Suffolk County Planning Commission **Approves** of the change of zone, conceptual development plan and site development plan from the Incorporated Village of Lindenhurst with the following comments:
- 1) Any dewatering related to construction or demolition activities should be pretreated pursuant to best management practices prior to any permitted discharge into Neguntatogue creek or the ground.
  - 2) Any storm water discharge should be pretreated pursuant to best management practices prior to any permitted discharge into Neguntatogue creek or the ground.
  - 3) Any environmental reports (indicating that all hazardous materials have been removed from the site and that any environmental hazards that could be aggravated by the demolition procedure have been removed and do not exist on site) should be made publicly available prior to final approval of the petition by the Inc. Village of Lindenhurst.
  - 4) Waste water treatment and disposal issues should continue to be reviewed with the Suffolk County Department of Health Services, the Suffolk County Department of Public Works and the Suffolk County Sewer Agency and as early as possible.
  - 5) The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable to non-residential uses.
  - 6) It is recommended that the petitioner make sure that the NYS Long Island Workforce Housing Act is followed if applicable. It is noted that there are no designated affordable “workforce” housing units and would encourage the applicant to engage in dialogue among the Village and the project sponsors with the Suffolk County department of Economic Development and Planning Division of Workforce Housing to explore options for a workforce housing component and financial and other incentives that could facilitate approvals, fast tacking and completion of the project and at the same time assist the County in achieving county-wide housing and economic development goals

- 7) The petitioner should contact Suffolk County Transit and explore bus service to the proposed Lindenhurst Residences project.
  - 8) The Inc. Village of Lindenhurst should work with the project sponsor to incorporate into the project Parking Stall Demand Reduction (PSDR) strategies and methodologies for voluntary reduction of site generated single occupancy vehicles.
  - 9) The petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
  - 10) The petitioner should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
- 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/Home/departments/planning/Publications%20and%20Information.aspx#SCPC>

**Proposed 75 E. Hoffman LH, LLC (aka Lindenhurst Residences)**

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

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

Motion: Commissioner Kaufman

Present: 12

Seconded: Commissioner Chu

Absent: 1

Voted: 12

Abstentions: 0

DECISION: Approved

Resolution No. ZSR-18-03 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 January 10, 2018 at the offices of the Suffolk County Planning Commission with respect to the application of “**Plaza Auto Mall**” located in the Town of Brookhaven
- WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **February 7, 2018**, now therefore, Be it
- RESOLVED, that the Suffolk County Planning Commission hereby approves the staff report, as may be amended, 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, Be it further
- RESOLVED, that the Suffolk County Planning Commission **Approves** the change of zone petition for Plaza Auto Mall with the following comments:

1. An effort should be made to preserve at least 35% of the 7.1 acre block of woodland (2.5 ac) contiguous to the western property boundary. This should be added to the north, east and south “Landscaped/Natural Areas” to bring the total preserved and “Natural/Landscaped” areas to 6.1 acres or closer to 20% of the overall property to be more in spirit with the intent of best management practices to preserve a block of natural vegetation of approximately one third of the property.

In no instance should this block of woodland be less than 75’ wide on site along the western property boundary and to be contiguous within the 50’ wide, 1.6 acre Town of Brookhaven owned land and the 81’ wide, 2.5 acre Suffolk County owned parcel.

2. An opportunity exists for this project to incorporate best management practices (ex. bio-swales, rain gardens, etc.) for the approximate 23 acres of proposed impervious surface. The applicants 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, Green Infrastructure design elements contained therein.
3. All stormwater runoff from the site should be collected and pre-treated before being released to the recharge basins.
4. Environmental reports (indicating that all hazardous materials have been removed from the site and that any environmental hazards that could be aggravated by the demolition procedure have been removed and do not exist on site) should be made publicly available prior to final approval of the site plan by the Brookhaven Town Board.
5. Any recycling activity (material separation, asphalt and/or concrete crushing, wood chipping etc.) should be conducted far away from residentially zoned land preferably at the eastern property line of the subject property.

6. Waste water treatment and disposal issues for the proposed automobile wholesale operation and auction facility related to employees, visitors, and vehicle wash and preparation pursuant to Articles 6 of the Suffolk County Sanitary Code should be reviewed with the Suffolk County Department of Health Services as early as possible.
7. Any fuel storage necessary for “vehicle preparation” should be reviewed by the Suffolk County Department of Health Services pursuant to Articles 7 and 12 of the Suffolk County Sanitary Code as early as possible.
8. The Suffolk County Water Authority and the Suffolk County Department of Health Services should be consulted regarding the proposed land use and its potential effect on the contributing area of public water supply wells in the area.
9. The visual impact to the NYS Rte. 495 (Long Island Expressway) corridor should be assessed in order to mitigate any visual effect that might lessen the safety and carrying capacity of the state roadway. “Dark Sky” best management techniques should be employed for the lighting plan to mitigate impacts to adjacent residential areas as well as the NYS 495 corridor.
10. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable to non-residential uses.
11. The petitioner should contact Suffolk County Transit and explore bus service.
12. The petitioner should contact the NYS DOT with respect to traffic studies and access to the subject site from the State ROW.
13. The petitioner should provide a pedestrian circulation plan accounting for motor vehicle conflicts and pedestrian safety.
14. The petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
15. The petitioners should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.

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/Home/departments/planning/Publications%20and%20Information.aspx#SCPC>

**Proposed Plaza Auto Mall, Town of Brookhaven**

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

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

Motion: Commissioner Kelly

Present: 12

Seconded: Commissioner Finn

Absent: 1

Voted: 11

Recusal: 1

DECISION: Approved

**Election of the Suffolk County Planning Commission Chair and Vice Chairs for 2018**

Resolution No. ZSR-2018-04 of the Suffolk County Planning Commission  
Pursuant to Sections A14-1 of the Suffolk County Administrative Code

At the organizational meeting of the Suffolk County Planning Commission held on Wednesday, February 7, 2018, the election of officers was conducted pursuant to Roberts Rules

- WHEREAS, Article XIV, Section A14-1 of the Suffolk County Administrative Code requires that at such meeting, the Commission shall select from its own members a Chairman and such other officers as it may deem proper, and
- WHEREAS, on February 7, 2018 the members of the Suffolk County Planning Commission voted to elect Commission member Jennifer Casey representing the Town of Huntington as Chair, and
- WHEREAS, on February 7, 2018 the members of the Suffolk County Planning Commission voted to elect Commission member Adrienne Esposito, representing Villages Over 5,000 population, as Vice Chair, and
- WHEREAS, on February 7, 2018 the members of the Suffolk County Planning Commission voted to elect Commission member Samuel Chu, At Large, as 2<sup>nd</sup> Vice Chairman, now therefore, be it
- RESOLVED, that Commission member Casey is elected Chairman; Commission member Esposito is elected Vice Chair; and Commission member Chu is elected 2<sup>nd</sup> Vice Chairman of the Suffolk County Planning Commission; for the Commission calendar year 2018.

Dated: February 7, 2018  
Suffolk County Planning Commission

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

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

Motion: Commissioner Kramer

Present: 12

Seconded: Commissioner Finn

Absent: 1

Voted: 12

Abstentions: \_\_\_\_\_

DECISION: Approved

Dated: February 7, 2018  
Suffolk County Planning Commission

**Adoption of Suffolk County Planning Commission 2018 Meeting Schedule**

Resolution No. ZSR-18-05 of the Suffolk County Planning Commission  
Pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code

At the organizational meeting of the Suffolk County Planning Commission held on Wednesday, February 7, 2018, the adoption of the meeting schedule was conducted

WHEREAS, Article XIV, Section A14-1 of the Suffolk County Administrative Code requires that at such meeting, the Commission shall, hold an organizational meeting, and

WHEREAS, on February 7, 2018 the members of the Suffolk County Planning Commission deliberated on the proposed 2018 meeting schedule, and

WHEREAS, on February 7, 2018 the members of the Suffolk County Planning Commission voted to accept the 2018 meeting schedule as prepared, Therefore be it

RESOLVED, that 2018 meeting schedule for the Suffolk County Planning Commission was adopted.

Dated: February 7, 2018  
Suffolk County Planning Commission

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

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

Motion: Commissioner Esposito

Present: 12

Seconded: Commissioner Kaufman

Absent: 1

Voted: 12

Abstentions: 0

DECISION: Approved

**2018 RULES OF PROCEEDINGS OF THE SUFFOLK COUNTY PLANNING COMMISSION**

Resolution No. ZSR-18-06 of the Suffolk County Planning Commission  
Pursuant to Section A14-2 of the Suffolk County Administrative Code

WHEREAS, the Suffolk County Planning Commission is required to set forth rules to govern Commission proceedings in accordance with Article XIV, Section A 14-2 of the Suffolk County Administrative Code, and

WHEREAS, the Suffolk County Planning Commission has reviewed and deliberated the existing Rules of Proceedings at the February 7, 2018 regular meeting, now therefore, be it

RESOLVED, that the Suffolk County Planning Commission **ADOPTS** the 2018 Rules of Proceedings.

Dated: February 7, 2018

**COMMISSION ACTIONS ON ADOPTION OF RESOLUTION**

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

Motion: Commissioner Kaufman

Present: 12

Seconded: Commissioner Chartrand

Absent: 1

Voted: 12

Abstentions: \_\_\_\_\_

DECISION: Approved

# COUNTY OF SUFFOLK



STEVEN BELLONE  
SUFFOLK COUNTY EXECUTIVE

## SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

Jennifer Casey  
Chairwoman

Sarah Lansdale, AICP  
Director of Planning

Date: February 7, 2018  
Time: 2:00 p.m.  
Location: Maxine S. Postal Auditorium  
Evans K. Griffing Building, Riverhead County Center  
300 Center Drive, Riverhead, New York 11901

### **Members Present (12)**

Samuel Chu – Town of Babylon  
Michael Kelly – Town of Brookhaven  
Samuel Kramer – Town of East Hampton  
Jennifer Casey – Town of Huntington  
Matthew Chartrand – Town of Islip  
John Finn – Town of Smithtown (arrived late)  
John Condzella – Town of Riverhead  
Adrienne Esposito – Villages Over 5,000  
Michael Kaufman – Villages Under 5,000  
Kevin Gershowitz – At Large  
Errol Kitt – At Large  
Rodney Anderson – At Large

### **Members Not Present (1)**

Nicholas Morehead – Town of Shelter Island

### **Staff Present (5)**

Sarah Lansdale – Director of Planning  
Andrew Freleng – Chief Planner  
John Corral – Senior Planner  
Christine DeSalvo – Senior Clerk Typist  
Valerie Smith – Assistant County Attorney (Counsel to the Commission)

### **Call to Order**

- The Suffolk County Planning Commission meeting of February 7, 2018 was called to order by Chairwoman Jennifer Casey at 2:00 p.m.

**The Pledge of Allegiance****Adoption of Minutes**

- The adoption of the December 2017 Meeting Minutes. Motion to adopt the minutes, as written, was made by Commission member Chartrand, seconded by Commission member Chu. Vote Approved: 11 ayes, 0 nays, 0 abstentions (Commission member Finn had not arrived yet).

**Public Portion** – One member of the public, John Wagner Esq. spoke to the Commission regarding one of the applications on the agenda, the 'Lindenhurst Residences'.

**Section A14-14 thru A14-25 of the Suffolk County Administrative Code**

- **Islandia Village Commons;** the application is referred by the Village of Islandia, received on December 21, 2017 - the Commission's jurisdiction for review is that the application is adjacent to Old Nichols Road (County Road 76) and Long Island North Service Road (State Route 495). Applicants seek a change of zone approval from Low Density Residential (L), Multi-Family (MF) and Neighborhood Business (NB) to Planned Development District (PDD) on approximately 15.2 acres. The referral includes a request for site plan approval to construct approximately 720,000 SF of gross floor area comprising retail, a 110 room hotel and 325 rental apartments.

The Commission staff reviewed the matter and found it incomplete with respect to a "full statement of facts" pursuant to New York State General Municipal Law Section 239-m and Article XIV of the Suffolk County Administrative Code. On December 28, 2017 a letter was sent to the Village of Islandia advising that the referral was incomplete; and on January 24, 2018 a letter was received from the Village of Islandia advising that they are in receipt of that letter, and would provide updated project information when it becomes available.

Therefore, a motion to disapprove the change of zone/site plan application without prejudice, due to its incompleteness, was made by Commission member Chartrand and seconded by Commission member Kaufman, vote to Disapprove; 11 ayes, 0 nays, 0 abstentions (Commission member Finn had not arrived yet).

- **Lindenhurst Residence (75 Hoffman LH, LLC);** the application is referred by the Village of Lindenhurst Board of Trustees, received on December 28, 2017 – the Commission's jurisdiction for review is that the application is adjacent to Hoffman Avenue (County Road 12). Applicants seek a change of zone approval from Light Industrial (L), and Residence C (Res C) to Downtown Redevelopment District (PDD) on a 7.14 acre parcel. The referral includes a request for 'conceptual' site plan approval to construct a 317,478 SF 4-story, 260 unit rental apartment building and a lower parking garage level. It is the petitioner's belief that the proposed project is characterized as a Transit Oriented Development (TOD) and is pedestrian friendly by virtue of its location adjacent to the Long Island Railroad (LIRR) station and within the Village downtown.

**Section A14-14 thru A14-25 of the Suffolk County Administrative Code** (continued)

**Lindenhurst Residence (75 Hoffman LH, LLC)** (continued) The staff report recommended approval of the change of zone and 'conceptual' site plan application; and offered ten (10) comments for their consideration and use by the Village of Lindenhurst Board Trustees. After deliberation the Commission resolved to adopt the staff report and approve the change of zone and site plan application with ten (10) comments.

The motion to approve the change of zone and 'conceptual' site plan application with ten (10) comments for their consideration and use by the Village of Lindenhurst Board of Trustees was made by Commission member Kaufman and seconded by Commission member Chu, Approved; 12 ayes, 0 nays, 0 abstention.

**Public Portion (Re-opened)** – Three members of the public; Billy Germano Esq., Don Seubert and Cheryl Albrecht spoke to the Commission regarding one of the applications on the agenda, the 'Plaza Auto Mall'.

- **Plaza Auto Mall;** the application is referred by the Town of Brookhaven, received on January 10, 2018 - the Commission's jurisdiction for review is that the application is adjacent to NY State Route 495 (Long Island Expressway – South Service Road), and within 500' of the Suffolk County owned lands. The applicant seeks Town Board approval for a change of from Commercial Recreation (CR) and A-1 Residence (A-1) to J-5 Business for the construction of an approximate 39,600 SF building and on-site surface parking for an automobile wholesale operation and auction facility. The proposed building will include a vehicular wash and preparation facility. The subject petition will also require a Brookhaven Town Board Special Use Permit for motor vehicle dealership and outside Storage for approximately 5,104 off street parking stalls including 12 stalls for trailer staging and unloading.

The staff report recommended approval of the change of zone and offered fifteen (15) comments for their consideration and use by the Brookhaven Town Board. After deliberation the Commission resolved to adopt the staff report and approve the change of zone application with the fifteen (15) comments.

The motion to approve the change of zone plan application with fifteen (15) comments for their consideration and use by the Brookhaven Town Board was made by Commission member Kelly and seconded by Commission member Finn, Approved; 11 ayes, 0 nays, 0 abstention, 1 recusal (Gershowitz).

**Other Commission Business**

**Chair's Report** – Chairwoman Casey reported that the Commission has been trying to put together a joint meeting with the Nassau County Planning Commission, and as thus far not confirmed any specifics. And also, Presiding Officer Dwayne Gregory is assembling a Super-storm Sandy Review Task Force, and the Commission will be part of that process.

**Other Commission Business** (continued)

**Adoption of Rules of Proceedings for 2018**

- After a short discussion and deliberation of the existing Rules of Proceedings a motion to re-adopt the existing Rules of Proceedings as the 2018 Rules of Proceedings was made by Commission member Kaufman, seconded by Commission member Chartrand; Vote Approved: 12 ayes, 0 nays, 0 abstention.

**Adoption of Commission Meeting Schedule for 2018**

- The Chair asked the Commission if there were any issues with the Commission's 2018 Meeting Schedule. Hearing none a motion to adopt the Commission schedule as presented was made by Commission member Esposito, seconded by Commission member Kaufman; Vote Approved: 12 ayes, 0 nays, 0 abstentions.

**Election of Officers for 2018**

- Chairwoman Casey deferred to the 2018 Nominating Committee Chair, Commission member Kramer, who announces that there are no new nominees, and that the existing officers are the only nominees for the positions of Chair, 1<sup>st</sup> Vice Chair, and 2<sup>nd</sup> Vice Chair of Planning Commission. The motion to re-elect the existing slate of officers was made by Commission member Kramer and seconded by Commission member Finn, and the Planning Commission officers were voted for simultaneously and unanimously.

**Guest Speakers (taken out of order)**

- Moses Gates, of the Regional Planning Association (RPA), gave a presentation on the "Fourth Regional Plan" to the Planning Commission to the Commission and addressed questions from commission members.

**Meeting Adjournment** (4:15 p.m.)

- The motion to adjourn the meeting was made by Commission member Kaufman, seconded by Commission member Kramer; and approved unanimously.