VOLUNTARY SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT

Willoughby Commons

201 Main Avenue
Wheatley Heights, NY 11798

PREPARED FOR

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December 2015

VOLUNTARY SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT
APPLICATION FOR SUBDIVISION, CHANGE OF ZONE AND SITE PLAN APPROVAL FOR WILLOUGHBY COMMONS
HAMLET OF WHEATLEY HEIGHTS, TOWN OF BABYLON, COUNTY OF SUFFOLK

PROJECT LOCATION:	31.96± acres located at 201 Main Avenue, hamlet of Wheatley Heights, Town of Babylon, Suffolk County, New York
SUFFOLK COUNTY TAX MAP NUMBERS:	District 100 – Section 11 – Block 1 – Lots 6.1 through 6.7 District 100 – Section 13 – Block 2 – Lots 39.1 through 39.49 and 39.51
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AVAILABILITY OF DOCUMENT: This document is a Voluntary Supplemental Draft Environmental Impact Statement (DEIS) prepared by the above-referenced Applicant. Copies are available for public review and comment at the offices of the Lead Agency. This Voluntary Supplemental DEIS is also available electronically at http://www.townofbabylon.com/.

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1.0

Executive Summary

Introduction

This document is a Supplemental Voluntary Draft Environmental Impact Statement (SVDEIS) 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 617.9 (a) for the action contemplated herein. This SVDEIS evaluates the potential adverse impacts associated with the proposed action, which consists of an application for a change of zone, site plan and other approvals for the development of a 264-unit rental residential community to be known as Willoughby Commons (the proposed project, proposed action or proposed development), on approximately 31.96 acres, located north of Colonial Springs Road/Main Avenue, east of North 28th Street, and west of Lee Avenue/North 23rd Street, in the hamlet of Wheatley Heights, Town of Babylon, Suffolk County (the subject property, subject site or site). The subject property is situated within the Residence A Zoning District of the Town of Babylon (Town), and is designated as Suffolk County Tax Map (SCTM) Nos. 0100-011.00-01.00-006.001 through 006.004 and 006.007 and 0100-013.00-02.00-039.001 through 039.004, 039.007 through 039.049 and 039.051.

This SVDEIS has been prepared as a voluntary supplement to the Draft Environmental Impact Statement that was prepared in 2004 (2004 DEIS). The 2004 DEIS contemplated the subdivision of this subject property, which at that time, consisted of the subdivision of the overall 34.80-acre property, and the change of zone for 32.92-acres of the 34.80-acre property from Residence-A to Senior Citizen Multiple Residence (SCMR) and Multiple Residence (MR) with on-site sewage treatment facilities.

This Executive Summary is designed solely to provide an overview of the proposed project, 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 project performed in Sections 2.0 through 7.0 of this SVDEIS.

Existing Site Conditions

The subject property is bounded by Colonial Springs Road/Main Avenue to the south, North 28th Street to the west, and Lee Avenue/North 23rd Street to the east. The subject property is currently developed with agricultural uses and related commercial uses. The Applicant also owns two adjacent parcels south of the subject property, along Colonial Springs Road/Main Avenue that contain a single-family residence (SCTM No. 0100-013.00-02.00-009.000) and the Colonial Springs Farms and Nursery, which consists of a barn, and associated appurtenances (SCTM No. 0100-013.00-02.00-039.050). These out-parcels total 3.0±-acres, and are not included as part of the proposed development. A 2.70±-acre Town recharge basin, although not included in the subject property acreage, is surrounded on three sides by the subject property in the central portion of the site. The proposed project, which totals 31.96±-acres, consists of undeveloped fields used for agricultural purposes and several small accessory sheds and structures. As noted above, the entire subject property is situated within the Residence A Zoning District of the Town.

Site and Project History

The subject property has been an agricultural use since 1923. In the mid-1970s, the Town condemned approximately 2.70± acres (formerly of the subject property) for the development of a recharge basin. The Applicant has owned the property since the 1980s and has been utilizing the property for agricultural purposes, including wholesale and retail uses, continuously throughout that time.

A DEIS was accepted by the Town Board of the Town of Babylon for a proposed action on the subject property on February 10, 2004. The proposed action therein addressed a change of zone on 32.92 acres of the overall 34.80-acre property from Residence A to SCMR and MR. The property was originally proposed to be subdivided into two parcels of approximately 1.88 acres (Parcel A, which was to remain zoned as Residence A, and was to continue to house the existing barn and residential dwelling) and approximately 32.28 acres (Parcel B – approximately 16.61 acres thereof was to be rezoned to SCMR for the development of 264 one-bedroom, senior citizen apartments, and approximately 15.67 acres thereof was to be rezoned for MR for the development of 21 single-family dwellings and 128 apartments). The original proposed action was to be served by an on-site sewage treatment plant (STP). The aforesaid DEIS included, among other things, the analysis of a 58-unit standard subdivision with on-site sanitary systems.

Significant public controversy ensued, and a Final Environmental Impact Statement (FEIS) was prepared and filed on June 21, 2005. The most significant comments related to impacts from the STP, assertions that the density was too high and the "downzoning" and development would adversely impact the character of the community (land use patterns), the development would cause adverse traffic impacts, and there would be adverse impacts to the school district. Based upon the comments

on the DEIS, the FEIS presented a modified proposed action (similar to the aforesaid standard subdivision with on-site sanitary systems). A "Town Board Environmental Determination and Environmental Findings" was adopted on August 9, 2005 (hereinafter the "Findings"). The Findings determined, among other things, that the 56-lot modified proposed action (55 lots to be developed for single-family dwellings) was the alternative that would mitigate significant adverse impacts to the maximum extent practicable.

Since then, Suffolk County has offered to purchase the development rights on approximately 15.21± acres of the northern portion of the property. The offer has been made through the Suffolk County Farmland Protection Program. With this offer now available, the proposed development has been reduced to 16.44± acres on the southern portion of the property. The proposed development, Willoughby Commons, would be a 264-unit residential rental community with a community center and associated amenities and would connect to the Southwest Sewer District.

Project Description

The proposed project consists of an application for the change of zone from Residence A to MR, as detailed above, site plan approval and a request for associated variances for the redevelopment of 16.44±-acres of the southern portion of the 31.96±-acre subject property as residential rental community.

Specifically, the proposed development consists of the construction of the following:

- 264-residential units (i.e., 36 two-bedroom units (ranging from 1,380 square feet [SF] to 1,650 SF) and 228 one-bedroom units (ranging from 900 SF to 1,340 SF) within 23 buildings
- a 6,400 ± SF community building for residents
- 25-foot by 45-foot outdoor swimming pool
- a 228± SF pump station
- Two entrance booths
- 560 paved parking spaces, including 38 handicapped spaces; driveways and garages
- a 2.70± acre pond/wildlife habitat (the pond/wildlife habitat would be located within the Town's surge/retention basin, and the acreage is not included in the subject property area calculations).

The proposed pond/wildlife habitat[1] would be located in the area that consists of the Town-owned surge/retention basin. The Town would maintain ownership of the basin, including the ten-foot wide access easement and the Applicant proposes to maintain the area.

[1] The 2.70± acre pond/wildlife habitat would be located within the Town's surge/retention basin, and the acreage is not included in the subject property area calculations.

The proposed project would connect to the Suffolk County Southwest Sewer District No. 3 (Southwest SD). The Southwest SD currently serves portions of the Towns of Islip, Babylon, and a small area of Huntington.

Currently the proposed project is outside the service area of the District, therefore a 228±-SF pump station is proposed on-site at the southeastern corner of the proposed project site to allow for connection to the Southwest SD. According to a response provided by the Suffolk County Department of Public Works (SCDPW), the District has the capacity available for the out-of-district connection. The proposed connection, not yet designed, will also allow for surrounding businesses and residences to connect to the District through the Applicant's connection to this project site.

According to §740-45(C) of the Suffolk County Code, since the proposed residential project consists of ten or more units, and would be connecting to the Southwest SD, the proposed housing development would be required to set aside no less than 20 percent of the units as affordable housing for homebuyers or renters whose income does not exceed 120 percent of the United States Department of Housing and Urban Development (HUD)-established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size. Based on data provided by HUD, the median income for the Nassau-Suffolk, NY HUD Metro Fair Market Rent (FMR) Area is $109,000. Therefore, families with incomes of $130,800 or less (i.e., 120 percent of $109,000) would be eligible for the proposed affordable housing. Housing is defined as affordable by HUD if an occupant spends no more than 30 percent of the household income on such housing.

As part of the proposed project, 20-percent (i.e. 54 units) of the 264 units, to be located throughout the proposed development, would be set aside as affordable housing with monthly rents that would be lower than those required by the above requirement, and thus, the proposed project would provide even more affordable housing than specified by the Suffolk County Code in order to connect to the Southwest SD.

Water would be supplied to the site via connection to the Suffolk County Water Authority (SCWA) infrastructure. Anticipated potable water demand is 63,330± gallons per day (gpd), based upon sanitary flow, with an additional 20,500± gpd utilized approximately every third day for irrigation purposes during the growing season.

Based upon the proposed uses, the anticipated sewage flow has been calculated at 63,330 gpd. A 228±-SF pump station is proposed on-site, at the southeastern corner of the proposed project site, to allow for connection to the Southwest SD. According to the SCDPW, the District has the capacity available for the out-of-district connection.

The stormwater management system is proposed to be composed of a network of over 100 leaching basins, with a depth of 14-feet each. Prior to commencement of construction, a comprehensive Stormwater Pollution Prevention Plan (SWPPP) would be prepared and implemented, and would include erosion and sedimentation controls and detailed descriptions of the methods by which stormwater would be

accommodated. Test hole borings that have been conducted at the subject property have indicated that depth to groundwater in the southern portion of the overall site, which is the portion proposed to be developed, is approximately 25 feet bgs. Thus, adequate separation distance of four feet would be provided between the base of the 14-foot deep leaching basins and groundwater for protection of the sole source aquifer, pursuant to the *New York State Stormwater Management Design Manual* (*NYS Stormwater Manual*). The system has been designed to capture and recharge stormwater runoff for a two-inch storm, based upon Town requirements. This would also meet water quality calculations, pursuant to the *NYS Stormwater Manual.* Stormwater runoff for the proposed project has been calculated at 99,332.80± cubic feet (CF).

Based upon the proposed uses, the anticipated solid waste generation would be 18± tons per month. Solid waste would be collected and disposed of by the Town-contracted carter, pursuant to the Town licensing agreement with the Town-contracted carter, and in accordance with all applicable Town procedures.

The subject property is located within the service area of PSEG Long Island for electrical services and National Grid with respect to natural gas.

Purpose, Needs and Benefits

The purpose of the proposed project is to redevelop a privately-owned, residentially zoned property, which is currently used for agricultural and related commercial uses, to a residential use pursuant to the proposed MR zoning district. The Applicant has designed a development to create a community with a mix of residential units and agricultural and natural areas. The proposed project would be developed to integrate with the surrounding community and to meet housing needs for various demographic segments (and income levels) of the Town, as identified in both Town and Suffolk County (County) planning documents.

The proposed project, which would include 264 rental apartment units, with a 20 percent affordable component, would increase the available affordable housing stock to provide housing for, and retain, workers in the County and on Long Island, and to ensure that a variety of demographic groups have access to quality housing. In addition, the proposed project would include the expansion of wastewater infrastructure to support new development by connecting to the Southwest SD, with an out-of-district connection, which would aid in providing sustainable economic development to surrounding businesses and residences. The proposed project has also been designed to be protective of ground and surface water resources. Measures would be taken to protect groundwater and to ensure compliance with applicable prevailing codes and regulations. Such measures, for example, include the aforementioned connection to the Southwest SD to ensure proper wastewater treatment.

With respect to the proposed project's provision of rental housing, a report by the Regional Plan Association (RPA), *Long Island's Rental Housing Crisis* (*LI Rental Housing*), indicated that rental housing is critical on Long Island in order 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.

Furthermore, the proposed project would promote pedestrian friendly development with housing options for a range of demographics. The proposed project, while not in a downtown area, is proximate (i.e., walking distance – less than 300 feet) to the post office and a strip retail center. It is also centrally located to existing public transportation (i.e., bus stops), which provides access to existing shopping areas and work centers without generating additional traffic.

Implementation of the proposed project would also enhance the tax base through redevelopment of existing uses that are generating a minimal amount in property tax revenue. Approximately $1,352,175 in annual tax revenues would be generated by the proposed project, which represents a $1,350,797± increase over the existing condition, including $849,734.35 to the Half Hollow Hills Central School District (CSD) (an increase of $848,868.67 over the existing school taxes).

Finally, as the overall goal of the Suffolk County Agricultural and Farmland Protection Plan (SCAFPP) is to preserve farmland acreage and a viable farming industry in Suffolk County, 15.21±-acres of the northern portion of the subject property is proposed to be preserved by the sale of development rights to the County, thereby ensuring a portion of the subject property would remain in agricultural use.

Construction Project Phasing

The proposed project is expected to be constructed in two phases. Phase 1 would include the construction of 132 units, the community building, and pump station and commence in 2016, while the remainder of the proposed units would be constructed in Phase 2, and completed by 2018 for a total construction period of approximately two years. Willoughby Commons will provide a mix of rental apartments including: two-bedroom townhouses, two-bedroom apartment units, and one-bedroom apartment units, as well as a community building and pool, a 2.70-acre pond/wildlife habitat[2], and on-site pump station.

Required Permits and Approvals

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

Required Permits and Approvals

Agency	Required Permit/Approval
Town Board	Change of Zone
Town Planning Board	Subdivision; Site Plan
Town Board of Appeals	Variances for density of units and front and rear yard setbacks
Town Department of Public Works	Curb Cuts
Suffolk County Water Authority	Water Connection
Suffolk County Department of Health Services	Sanitary; Stormwater; Out-of-District Sewer Connection Review and Approval
Suffolk County Sewer Agency	Out-of-District Sewer Connection Review and Approval
Suffolk County Department of Public Works	Out-of-District Sewer Connection Review and Approval
New York State Department of Environmental Conservation (NYSDEC)	Notice of Intent-SWPPP; SPDES General Permit for Stormwater (GP-0-15-002)

[2] The 2.70± acre pond/wildlife habitat would be located within the Town's surge/retention basin, and the acreage is not included in the subject property area calculations.

Probable Impacts and Mitigation Measures

Water Resources

Groundwater

Based upon published data, regional groundwater in the vicinity of the subject property is expected to flow to the southeast, and groundwater beneath the subject property would be expected to be approximately 12± feet to 20± feet below grade surface (bgs), in the southern portion of the subject property, and up to 41 feet bgs in the northern portion.

The subject property is located within Hydrogeologic Zone I, according to the *Long Island Comprehensive Waste Treatment Management Plan* (the *208 Study)* and Groundwater Management Zone (GWMZ) Zone I, as designated by the Suffolk County Sanitary Code (SCSC), which both indicate its location within a deep groundwater recharge area. Further, the subject property is designated by the *Long Island Comprehensive Groundwater Protection Area Plan* (*SGPA Plan*) as being within the West Hills/Melville Special Groundwater Protection Area. Thus, the proposed project is located in an area that is important with respect to groundwater recharge in mind, and measures would be taken to protect groundwater and to ensure compliance with these plans and regulations. The proposed project would be consistent with the prevailing codes and regulations, of the SCSC Articles 6, 7 and 12, as well as with other relevant groundwater studies, including the *Final Long Island Groundwater Management Program (LI Groundwater Management Program),* 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.

Sewage Disposal

As the subject property is currently utilized as farmland, and is not developed with any habitable structures, there is no sewage generation directly related to this area. The proposed Willoughby Commons would connect to the Southwest SD as an out-of-district connection to accommodate sanitary waste generated by the proposed development. The anticipated quantities of sanitary waste to be generated by the proposed project are estimated at 63,300± gpd.

Sanitary waste would be transmitted to the Southwest SD for treatment via an on-site pump station and sanitary connections that would be constructed in accordance with all applicable Suffolk County Sewer Agency requirements. In addition, according to correspondence from the SCDPW, dated September 18, 2014, the Southwest SD has sufficient capacity to accommodate an out-of-district connection to the subject

property. Overall, no significant adverse impacts associated with sewage disposal are expected.

Water Supply

The current water supply for the subject property is from two irrigation wells that are located on the Applicant's adjacent out-parcels. As the water is used for crop irrigation, the water usage peaks in the months of July, August and September. The applicant estimates water usage at approximately 4.6 million gallons during these months. Water usage varies the remainder of the year, and there is some potable water use of SCWA supplies, associated with the Applicant's adjacent out-parcels, which currently supplements the aforementioned use of the irrigation wells. Upon implementation of the proposed project, the Willoughby Commons development would connect to the SCWA system for all water supply needs. Willoughby Commons is expected to use an estimated 63,300± gpd of potable water, or 23.1 million gallons per year, which represents approximately 0.03 percent of SCWA's annual pumpage. In addition, the proposed project would use approximately 20,500 gpd for irrigation purposes. Thus, maximum daily water demand during the irrigation season is expected to be approximately 83,800 gpd. In order to minimize water demand, the proposed landscaping would consist of native and low-maintenance plant species to the maximum extent practicable. As such, it is expected that actual water usage for irrigation purposes would be less than that estimated. In addition, the proposed buildings would incorporate low-flow, water-saving fixtures, to the maximum extent practicable. Overall, no significant adverse impacts associated with water usage are expected.

Stormwater Runoff

Based on existing conditions on the southern portion of the overall subject property (runoff coefficients of 1.00 for the existing building and paved areas and 0.15 for the existing farm/natural area), the total volume of stormwater runoff generated by a two-inch rainfall at the subject property is 18,315.80 cubic feet (CF). Currently, there are no structural controls (e.g., drywells) on the subject site to accommodate stormwater runoff. Thus, stormwater is recharged to surface and groundwater by infiltration, through natural leaching processes. Accordingly, stormwater that does not infiltrate or evapotranspire may potentially pond at the site or run overland onto adjacent properties and roadways.

Runoff coefficients of 1.00 for the building and paved areas and 0.15 for the landscaped area were used to calculate the drainage system capacity that would be needed to accommodate a two-inch rainfall for the proposed conditions. Based on the proposed improvements, a total system capacity of 99,332.80± CF is required, as provided by the project engineer. The proposed stormwater management system is designed to accommodate a total of 99,617.52± CF of stormwater, in excess of the Town's storage requirement for a two-inch rainfall (99,332.80± CF). A network of 104 ten-foot-diameter, 14-foot-deep leaching basins would be installed throughout the

southern portion of the subject property to collect and recharge stormwater runoff to groundwater via the base of the subject leaching basins. Results from test holes on the subject property indicated that in the area of the site proposed for development, groundwater was found at a depth of 25± feet bgs. Thus, there would be adequate separation distance between the base of the 14-foot-deep leaching basins and groundwater.

As the proposed project involves soil disturbance of one or more acres, coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) 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 189 of the Town of Babylon Town Code (Town Code) (Stormwater Management and Erosion 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 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.

Wetlands

There are NWI wetlands located adjacent to, but not on, the subject property, and there is a portion of an NYSDEC freshwater wetland on the northern portion of the subject property. However, it should be noted that there are no wetlands (NYSDEC or NWI) located on the area of the subject property that is proposed for development of Willoughby Commons (the southern portion). It is expected that the existing NYSDEC-regulated freshwater wetland on the subject property and the NWI wetlands adjacent to the subject property would be enhanced and protected by the proposed pond/wildlife habitat that would be created in the area of the existing Town storm surge/retention basin.

In addition, the proposed stormwater management system would collect and recharge virtually all stormwater on-site, thus protecting any nearby wetlands from potential stormwater runoff. Finally, as part of the proposed project, the northern 15.21± acres of the subject property, upon which the NYSDEC wetland is located, would potentially be preserved by sale of development rights to Suffolk County, and the Suffolk County Farmland Preservation program encourages landowners of enrolled farmlands to adopt best management practices that limit the negative impacts to soils and surface and groundwaters.[3] Thus, the proposed project would have no significant adverse impact to wetlands.

▼

[3] County of Suffolk, *Suffolk County Code, Chapter 8. Agricultural Land, Development of* (accessed November 2015); available from http://www.suffolkcountyny.gov/Portals/0/planning/OpenSpaceFarmland/Farmland/2014Ch8update.pdf.

Mitigation Measures

The proposed project is not expected to result in significant adverse impacts to water resources; however, the following measures have been incorporated into the project to minimize or eliminate potential impacts to water resources:

- Various water efficiency measures would be employed to reduce potable water demands, including:
  - Use of native, low-maintenance plant species to reduce irrigation demand;
  - Use of drip irrigation systems and limiting irrigation areas; and
  - Installation of low-flow plumbing fixtures.

- The proposed project would connect to the Southwest SD, and sanitary wastewater would be treated at the Bergen Point WWTP, provides advanced treatment of effluent.

- Sedimentation controls and stormwater management would be implemented in order to minimize potential impacts to water resources.

- The proposed stormwater management system would be designed to accommodate, and recharge on-site, stormwater runoff generated during a two-inch rainfall event.

Land Use, Zoning and Community Character

Land Use

Implementation of the proposed project would result in a change of use on 16.44± acres of the overall 31.96±-acre subject property from existing agricultural uses, including crop fields and accessory structures to a residential multi-family condominium development of townhomes and apartments. The proposed project involves the development of 264 residential units in 23 buildings at a density of 16.16± units per acre. The residential units would be comprised of 20, 1,650-SF townhouses, containing two-bedrooms, a den and a garage; 16, 1,380-SF first floor end units, containing two-bedrooms and a den; 16, 1,340-SF, second floor end units, containing one-bedroom and a den; 20, 1,150-SF first floor end units with one-bedroom plus a den; 20, 1,180-SF second floor end units with one-bedroom and a den; 154, 1,100-SF middle units with one bedroom plus a den and 18, 900-SF middle units with one-bedroom and a study.

In addition, the proposed project would provide amenities for its residents, including a 6,475-SF community building, an outdoor swimming pool a recreation area and two entrance booths. A total of 3.21± acres of landscaping would be created throughout the subject property. A pump station would also be located on-site near the

southeastern corner of the subject property to transmit sanitary waste to the Southwest SD for treatment.

The remainder of the subject property would continue to be used for agriculture, and 15.21± acres are proposed for inclusion in the Suffolk County Farmland Protection Program, wherein the property would be preserved as farmland.

Zoning

Upon implementation of the proposed project, zoning on the subject property would change from the A Residence zoning district to the Multiple Residence (MR) zoning district, which requires that the buildings be no higher than two-and-a-half stories, situated on a minimum of two acres, and have front yard setbacks of 40 feet and rear yard setbacks of 50 feet. The existing A Residence zoning on the subject property allows for residential development, similar to the proposed zoning, although the proposed zoning would permit a higher density development. Therefore, although the allowable development intensity would increase, the overall categories of uses proposed on the site would not change from what is currently permitted. Further, multi-family zoning districts (i.e., areas zoned MR and SCMR) are currently located in the surrounding area to the east and west, therefore the proposed change of zone would be in character with existing zoning patterns in the area.

The proposed project has been designed to conform to the zoning requirements of the MR zoning district, however, it would require variances from the Town Board of Appeals for density and front and rear yard setbacks. The proposed project would also conform to additional provisions in §213 of the Town Code with respect to landscaping, buffers, lighting, building materials and overall site design.

With respect to variances required, Willoughby Commons would provide 2,712.79 SF per unit (716,176.13 SF total lot area and 264 units), which is less than the 4,000 SF required per one-bedroom unit and 5,000 SF required per two-bedroom unit specified in §213-117 of the Town Code. Willoughby Commons would also be developed with a density of 16 units per acre, which is greater than the density of ten units per acre for one-bedroom units and eight units per acre for two-bedroom units allowed by §213-117 of the Town Code. Although the proposed project would have a higher density of dwelling units than what is provided for in the Town Code, it would be comparable to existing developments in the vicinity. Specifically, the Wheatley Gardens apartment development, located immediately adjacent to the southeast of the subject property, is zoned MR and has a density of 16± units per acre, and the Wheatley Hollow Gardens development, located west of the subject property, is zoned SCMR and has a density of 25± units per acres. Moreover, 31.96± acres are provided, for the 264 units, where only 29.47 acres would be required. In addition, Willoughby Commons would require variances for a front yard setback of 30 feet where 40 feet area required and for a rear yard setback of 30 feet where 50 feet are required. While the lot area per unit and per bedroom and decreased front and rear yard setbacks would enable higher-density development on the site, it should be noted that the design of the proposed development has been clustered to preserve farmland, and

15.21± acres of the subject property would potentially be preserved farmland, forgoing development rights. Thus, the increase in density would be offset by the potential preservation of the undeveloped farmland, north of the proposed development on the northern portion of the overall subject property. However, it should be noted that, while the overall subject property is 31.96±acres, the density calculations for the proposed project, are based on the density of units per lot area on only the southern portion of the subject property (i.e., 16.44± acres). Therefore, the area that would potentially be preserved as farmland was not used to calculate the density, and a variance for unit density is required for the southern portion of the subject property.

As the proposed project would connect to the Southwest SD as an out-of-district connection, it would be subject to the Suffolk County Code §740-45(C) requirement to provide 20 percent of its units, to be located throughout the proposed development, as affordable housing for those whose income does not exceed 120 percent of the HUD-established median income limit for the Nassau-Suffolk PMSA. Based upon HUD guidance, affordable monthly rents for family sizes for one to four persons were calculated to range from $2,289 to $3,270. Willoughby Commons' proposed monthly rents would range from $1,400 to $2,300, and thus, the proposed monthly rents of all but 20 of the 264 proposed units at Willoughby Commons would be affordable for a family of one, making less than or equal to the HUD 120-percent income limit, and all of the Willoughby Commons rents would be affordable to a family of two. Further, Willoughby Commons would provide 54 one-bedroom units (approximately 20 percent of total proposed units) at a monthly rent of $1,400, which is lower than the rents required by §740-45(C) of the Suffolk County Code.

Community Character

The general appearance of the subject property is of a working farm property within a typical suburban residential area. As implementation of the proposed project would redevelop 16.44±-acres in the southern portion of the overall 31.96±-acre subject property from agricultural uses to Willoughby Commons, a multi-family residential, rental apartment development with associated appurtenances, the proposed project would be consistent with the existing character of the surrounding area, which is largely residential, and includes multi-family developments.

Willoughby Commons would also be developed with a similar density (approximately 16 units per acre) to the Wheatley Gardens apartments, a development located immediately southeast of the subject property, and also zoned MR. Therefore, the development of the subject property with condominium units would be characteristic of the density patterns that have already been established in this area and that are compatible with the surrounding prevailing zoning. It should also be noted that 15.21±-acres of the subject property are proposed to be preserved and to remain in agricultural use through sale of the development rights to the County. Therefore, a large portion of the character of the subject property would remain unchanged.

Relevant Comprehensive Plans

The proposed project was evaluated for consistency with the following comprehensive planning documents.

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

As the proposed project would include rental apartment units with a 20-percent affordable component, as defined by the Suffolk County Code, §740-45(C), and would connect to the Southwest SD with an out-of-district connection, it would be supportive of stated goals of the *Suffolk County Comprehensive Master Plan 2035: Framework for the Future* (*Suffolk 2035 Plan*) for sustainable economic development in Suffolk County, which the *Suffolk 2035 Plan* indicates can be encouraged through provision of affordable housing to retain workers and expansion of wastewater infrastructure to support new development.

The proposed project has also been designed to be protective of ground and surface water resources, the protection and preservation of which is also considered an issue of importance by the *Suffolk 2035 Plan.* Measures to be employed include the out-of-district connection to the Southwest SD to ensure proper wastewater treatment; the proposed project's location with respect to access to public transportation; phased clearing of the property during construction such that areas will only be cleared as

they are developed; the maintenance of natural vegetation and revegetation with native species in the design, to the extent practicable, in order to minimize the need for irrigation and use of fertilizers; the use of positive drainage systems (i.e., leaching pools) to contain runoff on-site with maximum recharge; low-flow fixtures and drip irrigation used within the development to minimize the water demand; and connection to the public water supply system.

Principles of Smart Growth and Livability (2001)

The proposed project, while not in a downtown area, is proximate (i.e., walking distance – less than 300 feet) to the post office and a strip retail center. The site is also centrally located to existing public transportation (i.e., bus stops), which provide access to existing shopping areas and work centers without generating additional traffic. In addition, the residential units would be rental apartments, which are in demand, and 20 percent of the proposed apartments would be affordable units, as defined by §740-45(C) of the Suffolk County Code. Thus, the proposed project would be supportive of the *Principles of Smart Growth and Livability* (*Principles of Smart Growth)*, which seek to promote pedestrian friendly development with housing options for a range of demographics.

Town of Babylon Draft Comprehensive Plan Summary (1998)

Various design elements of the proposed project address issues identified by the *Town of Babylon Draft Comprehensive Plan Summary* (*Comprehensive Plan Summary*), including the need to provide affordable housing, to address a shortage of rental housing, to ensure protection of natural resources and to promote sustainable economic development. The proposed project would contribute to the availability of affordable housing by providing 20 percent of its rental units for affordable housing, as defined by §740-45(C). In addition, Willoughby Commons would consist of 264 residential rental one- and two-bedroom apartments, which would assist in addressing the rental housing shortage. Further, the subject property is within Wheatley Heights, which has a low rental vacancy rate, indicating that rental units are in demand in this area of the Town. The proposed project would be within walking distance to the Wheatley Heights Post Office, a retail strip shopping area and existing public transportation networks. The proposed project would be served by an out-of-district connection to the Southwest SD, which would ensure proper wastewater treatment and avoid on-site sanitary discharges, thereby protecting groundwater resources. The proposed connection to the Southwest SD could also potentially encourage economic development by allowing for surrounding businesses and residences to also connect through the Applicant's proposed infrastructure. Finally, stormwater would be managed through collection and recharging on-site, via the installation of leaching basins on-site, such that stormwater runoff would not be expected to adversely affect surface water or groundwater resources; and

Suffolk County Agricultural and Farmland Protection Plan (1996)

Although the proposed project would involve the conversion of 16.44± acres of farmland to a multi-family residential use, 15.21± acres in the northern portion of the subject property are proposed to be preserved by the sale of development rights to the County, thereby ensuring that this portion of the subject property would remain in agricultural use. Thus, the proposed project would be supportive of overall goal of t*he Suffolk County Agricultural and Farmland Protection Plan: The Economy of Agriculture* (SCAFPP) to preserve farmland acreage and a viable farming industry in Suffolk County.

Mitigation Measures

The proposed project is not expected to result in adverse impacts to land use and zoning, such that no mitigation measures would be necessary. In order to minimize potential land use and zoning impacts, the following measures would be employed:

- The proposed project is within walking distance of the Wheatley Heights Post Office and a strip retail center, and is centrally located to existing public transportation networks
- The proposed development would provide 20-percent of its units for affordable housing, as defined by the Suffolk County Code, §740-45(C)
- Willoughby Commons would consist of 264 residential rental one- and two-bedroom apartments, which would assist in addressing the rental housing shortage in the specific surrounding area and on Long Island, in general
- The proposed project's out-of-district connection to the Southwest SD could potentially encourage economic development by allowing for surrounding businesses and residences to also connect to wastewater treatment infrastructure through the Applicant's proposed connection
- Approximately 3.21 acres of the subject property would be landscaped, including a vegetated buffer that would be planted in areas of the subject property to screen the proposed development from the surrounding community
- Appropriate landscaping and lighting would be provided throughout the development to enhance aesthetics, be compatible with existing community character, and, in the case of exterior lighting, provide a more secure environment
- 15.21± acres in the northern portion of the subject property are proposed to be preserved by the sale of development rights to the County, thereby ensuring that this portion of the subject property would remain in agricultural use.

Transportation

The analysis of future conditions, with and without the proposed project ("Build" and "No-Build" conditions, respectively), was performed to evaluate the effect of the proposed project on future traffic conditions in the area.

No Build Condition

Background traffic volumes in the study area were projected to the year 2018, reflecting the year when the project is expected to be completed and operational. Although no other planned developments in the immediate vicinity of the proposed project were identified based on discussions with Town Planning Staff, the annual New York State Department of Transportation (NYSDOT) background growth factor for the No-Build scenario was increased slightly to be conservative, and to account for any possible smaller developments.

Build Condition

To estimate the project-generated traffic for the proposed apartment community, a review was undertaken of available trip generation data sources, including the reference published by the Institute of Transportation Engineers (ITE), *Trip Generation, 9th Edition*. This widely utilized reference source contains trip generation rates for numerous land uses, including "Apartments" (Land Use Code #220). Based upon the rates for "Apartments", the proposed development is projected to generate 135 trips (entering 27 and exiting 108) during the weekday a.m. peak hour and 164 trips (entering 107 and exiting 57) during the weekday p.m. peak hour.

Traffic Operations Analysis

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.

Level of Service (LOS) analyses were conducted for the Existing, No-Build and future Build conditions for the key signalized intersection at Colonial Springs Road and Little East Neck Road and for the unsignalized intersections located at Conklin Avenue and Lee Avenue and Main Avenue and Conklin Avenue. The proposed unsignalized site access point at North 23rd Street and Lee Avenue was analyzed for the future Build Condition.

Review of the capacity analysis data found that the signalized intersection of Colonial Springs Road and Little East Neck Road operates at an overall intersection LOS D during the weekday a.m. and p.m. peak periods. When comparing the No-Build Condition to the Build Condition, the overall intersection delay would only increase by a maximum of five seconds, which would be relatively imperceptible to motorists, and no mitigation would be required.

The overall site would be served by two unsignalized site driveways. One full access site driveway would be located at the northerly terminus of North 28th Street. This access would provide one entering lane and one exiting lane, and since it would be located at the terminus of North 28th Street, no stop control is required. Since there is no intersection control proposed at this location, detailed intersection capacity analyses are not required for this site access driveway. The second site access would be located at the westerly terminus of Lee Avenue, just west of North 23rd Street and would provide one entering lane and one exiting lane. This site access would essentially form a new eastbound approach to the intersection of North 23rd Street and Lee Avenue. Currently, there is a one-way restriction along Lee Avenue, west of Conklin Avenue. This one-way restriction was put in place to prohibit motorists from using North 23rd Street as a cut-through to avoid delays at the intersection of Main Avenue and Conklin Street. As part of the proposed project, it is recommended that the segment of Lee Avenue west of Conklin Street be changed to allow two-way traffic once again.

In order to continue prohibiting traffic from using North 23rd Street as a cut-through, it is proposed to restrict any southbound movements to North 23rd Street and only allow northbound right-turn movements from North 23rd Street. This would be done by installing "Do Not Enter" signs at the North 23rd Street northbound approach to the intersection. In addition, "No Left Turn" signs would be placed on the westbound Lee Avenue approach and along the northbound North 23rd Street approach. It is further proposed to neck down the northbound North 23rd Street approach and channelize the approach, so only right turns could be made to Lee Avenue. Additionally, a raised median island should be implemented between the entering and exiting lanes at the site access so it would prevent vehicles from making a left-turn into the site from North 23rd Street. Implementation of these signage restrictions and geometric changes would eliminate the possibility of motorists from using North 23rd Street to access the site or as a cut-through.

Based upon the capacity analysis data, the overall intersection LOS at the unsignalized intersection of Main Avenue and Conklin Avenue would operate at an acceptable LOS C in the Build Condition and in no instance would there be more than a four second increase in overall intersection delay. It should be noted during the weekday a.m. peak period the overall intersection LOS would change from B to C. Even though the overall intersection LOS would change, the increase in delay would only be 1.2 seconds. Increases in overall intersection delay of this magnitude are relatively imperceptible to motorists and no mitigation is required.

The intersection of Conklin Avenue and Lee Avenue, in the Build Condition, would operate at an acceptable LOS A and B during the peak periods. In addition, the overall intersection delay would only increase by a maximum of one second. A one second increase would be unnoticeable to motorists and no mitigation at this intersection is required.

The critical approaches at the intersection of the site access/ Lee Avenue and North 23rd Street operate at an acceptable level of service a during both the weekday a.m. and pm. peak periods, and traffic flow along North 23rd Street and Lee Avenue would not be impacted by the stop control and geometric changes recommended at this intersection.

Off-Street Parking, Site Circulation and Public Transportation

The proposed project would provide 560 stalls, thus exceeding the Town's off-street parking requirement of 546 stalls. Based upon a review of the traffic analysis, the configuration of the parking layout, drive aisles, site access points and internal site roadways would provide for adequate on-site circulation.

With respect to additional transit options, based on field visit and a review of the Suffolk County Transit Bus Route Map, Willoughby Commons would be well served by public transportation. Two bus routes exist along Colonial Springs Road: Route 2A and Route 2B. In addition, Route S-23 runs along Conklin Avenue. Route 2A and Route 2B have a bus stop located along Colonial Springs Road, approximately 350 feet west of North 28th Street at the Wheatley Heights Shopping Center. Route S-23 runs along Conklin Avenue, and the closest stop in proximity to the site is located at the intersection of Main Avenue and Conklin Avenue. This stop is approximately a 600-foot walk from the site. The three bus stops in proximity to the site provide for adequate service to the north and south of the site. The bus routes generally provide service to Wyandanch and Melville to the north of the site and Bay Shore and Babylon to the south of the site. Additionally riders can transfer at various points along the three routes to go east and west. The routes in proximity to the site also provide adequate service to the Long Island Rail Road Wyandanch to Ronkonkoma and Bay Shore to Montauk branches.

Mitigation Measures

Willoughby Commons would not have a significant impact on the traffic flow or operations at the nearby intersections, provided the following recommended mitigation measures are implemented:

- In order to allow access from Conklin Avenue, it is recommended that the section of Lee Avenue from North 23rd Street to Conklin Avenue be changed to allow two-way traffic.
- In connection with the newly formed intersection of the site access/ Lee Avenue and North 23rd Street, and in order to control traffic and prevent cut-through traffic via North 23rd Street, it is recommended that:
  - "Stop" signs be installed on the northbound and westbound approaches
  - "No Left Turn" signs be installed on the eastbound and northbound approaches
  - The northbound North 23rd approach be channelized to allow only right turns
  - "Do Not Enter" signs be installed to prohibit southbound travel; and

- A raised median be installed, which would divide the site access entering and exiting lanes.

Property Taxes and School District

Property Taxes

The increased market value of the subject property with the 264-unit multi-family rental community, plus associated site appurtenances, would result in an increase in the property tax revenues generated by the site. The projected market value of Willoughby Commons was calculated by multiplying the anticipated gross annual total rental income for the proposed development by the apartment development industry-published rate of 59.7, in order to arrive at the average net annual operating income for rental apartment developments. The net annual operating income was then multiplied by the industry-rate of 8 percent to arrive at the projected market value of $6,103,200 for Willoughby Commons. Application of the Town's 2014 equalization rate to the market value indicates that the future assessed value of the proposed project would be $569,314.13.

The projected tax revenues, based on current 2014-2015 tax rates, and the projected assessed value for Willoughby Commons, would result in total property tax revenues of approximately $1,352,175 (an increase of approximately $1,350,797), with approximately $849,734 in projected school district taxes (an increase of approximately $848,868.67), as well as higher revenues to all of the various taxing jurisdictions serving the subject property, as compared to the current condition. Therefore, the proposed project would have a positive impact on tax revenues collected by each taxing jurisdiction. With no changes in assessments, the taxing rates, and thus tax revenues generated, are likely to increase over time.

School District

The subject property is located within the Half Hollow Hills Central School District (CSD). Implementation of the proposed project is projected to generate approximately 38 public school-aged children.

Based on the 2012-2013 estimated instructional cost per general education student of $13,057, the proposed action's total impact to the Half Hollow Hills CSD is projected to be $496,166. The total tax revenues projected to be provided to the CSD are $849,734.35, which is $848,868.67 more than the existing taxes. Therefore, implementation of the proposed action is expected to have a net positive fiscal impact of $352,702.67.

Further, based on the declining student enrollment within the CSD over the last decade (i.e., a decrease of over 1,400 students over that time period), the projected addition of 38± school-age children resulting from the proposed development is not expected to adversely impact capacity within this district.

Mitigation Measures

No significant adverse impacts to the Half Hollow Hills CSD have been identified with respect to the proposed project. Therefore, no mitigation measures are proposed. It should be noted, however, that the proposed development would be expected to provide approximately $1,352,175 in property taxes annually to all taxing jurisdictions (combined) upon completion of the project, including approximately $849,734 to the school district, which represents an increase over the existing condition of $1,350,797.01 and $848,868.67, respectively.

Use and Conservation of Energy

Currently, PSEG Long Island and National Grid provide electricity and natural gas service, respectively, to the subject site. Based upon the proposed redevelopment of the property, consultations were undertaken with PSEG Long Island and National Grid for review of the proposed project. To date, no responses have been provided.

The proposed redevelopment would increase energy use on the subject site. However, as indicated below, the Applicant and design team are committed to the principles of energy efficiency and sustainable design and would consult with the Town of Babylon through the planning and design phase of the project on the specific design of buildings to meet the prevailing requirements of the Town Code (see the discussion of §89 Green Building Certification, of the Town Code, below). Furthermore, the use of additional energy efficiency and sustainability methods would be examined including, but not limited to, the use of recycled and/or local materials in the development's construction, installation of high- efficiency HVAC systems, insulation and windows, and use of ENERGY STAR appliances.

Moreover, the final design of Willoughby Commons would comply with the Town's Green Building Certification requirements (§89 of the Town Code). These requirements set forth minimum green building certification standards and ensure that new commercial, office and industrial buildings and multiple-residential dwellings greater than 4,000 SF are resource-efficient and conserve energy. As the proposed project includes multi-family development of 4,000 SF, it is subject to these standards. Specifically, as stated in §89-83, the intent of the Green Building Certification chapter is to minimize short-term and long-term negative impacts of construction on the environment. As stated in §89-86A, every applicant for new construction of the above, shall provide a completed Leadership in Energy and Environmental Design (LEED) for New Construction (NC) checklist or the local variant of a green building checklist. The Applicant intends to work with the Town and will provide the locally approved variant checklist in order to provide a Green Building, sustainable construction project in conformance with the code without having to be fully LEED certified.

No Action Alternative

The No Action Alternative involves leaving the subject property in its present state. Under this alternative, the subject property would remain as a farm, consisting of predominantly cleared fields for agricultural use, with several small accessory structures, mulch piles and equipment on the southern and central portions of the subject property, and forested areas and a NYSDEC wetland in addition to farm fields on the northern portion. As with the proposed project, the wetland and forested areas on the northern portion of the subject property would remain undisturbed in the No Action Alternative.

Implementation of the No Action Alternative would forego the various beneficial impacts of the proposed project. Most notably, the No Action Alternative would forego the provision of additional rental and affordable housing stock to provide housing for, and retain, workers in the Town and on Long Island, and to ensure that a variety of demographic groups have access to quality housing. In addition, under the No Action Alternative a new out-of-district connection would not be made to the Southwest SD, and thus there would not be an opportunity to expand wastewater infrastructure to support new development, which would aid in providing sustainable economic development to surrounding businesses and residences. Moreover, the No Action Alternative would not establish an attractive residential rental community that would result in a significant increase in property tax revenues and achieve several goals of Town and County comprehensive planning documents. Furthermore, the No Action Alternative would not result in the potential preservation of 15.21±-acres of the northern portion of the subject property by the sale of development rights to the County, which would ensure a portion of the subject property would remain in agricultural use.

If the No Action Alternative is implemented, there would be no construction-related impacts, but the ongoing lack of rental housing options on Long Island, as identified by the Regional Planning Association (RPA) publication, *LI Rental Housing*, would persist. It is also important to note that this alternative would not meet the objectives of the applicant, which is to develop the site with a permanent, high-quality and economically-feasible residential rental community, consistent with several Town and County planning documents.

The No Action Alternative is inconsistent with the applicant's right to develop, does not meet the objectives of the applicant, does not provide rental and affordable housing options, and is not viewed to be a feasible alternative by the applicant. Nevertheless, despite this alternative not being feasible, SEQRA requires that this option be evaluated in the SVDEIS. The No Action Alternative is evaluated, below, with respect to the areas of potential impact evaluated elsewhere in this SVDEIS.

2.0

Description of the Proposed Action

2.1 Introduction

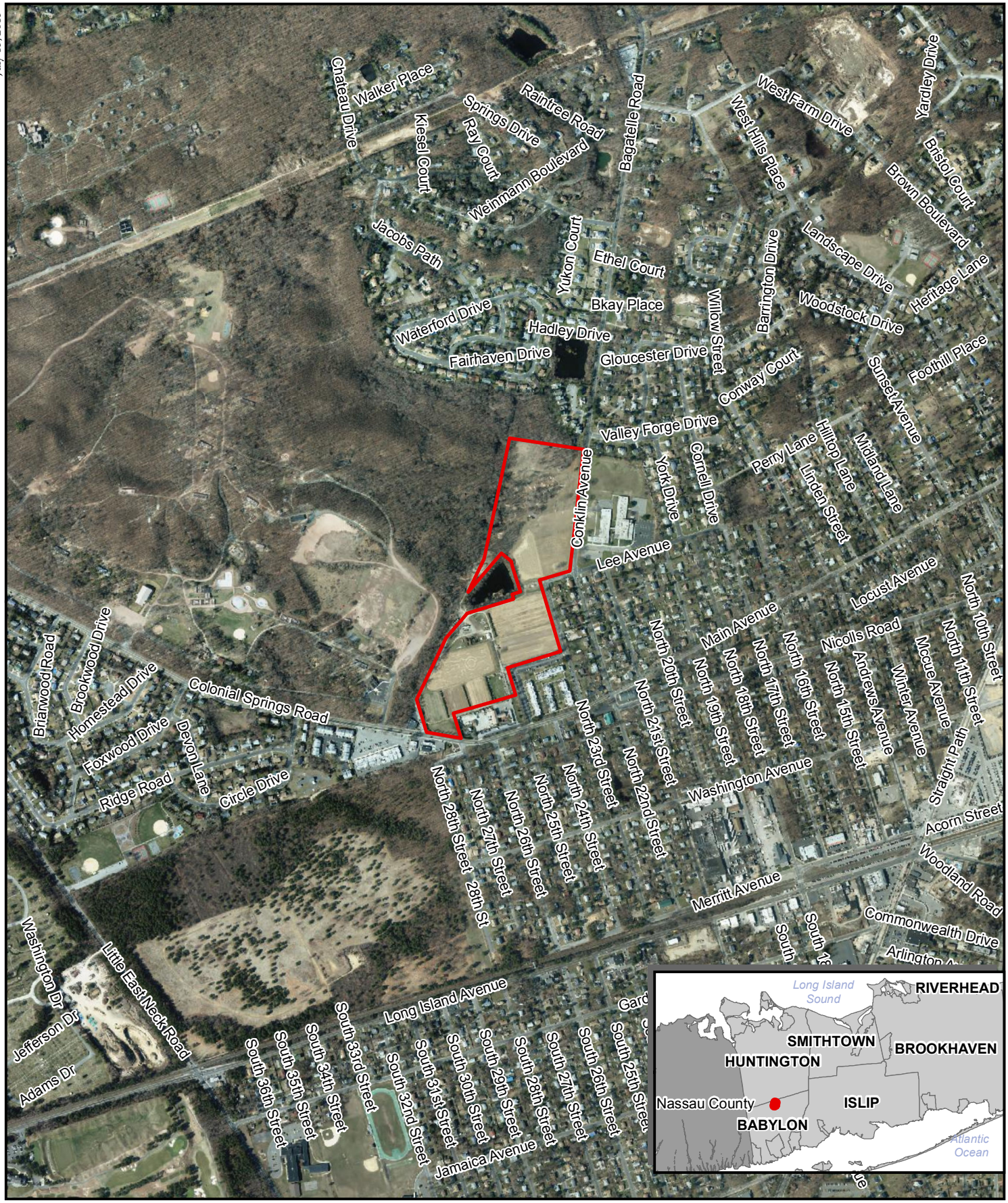
This document is a Supplemental Voluntary Draft Environmental Impact Statement (SVDEIS) prepared in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 New York Codes, Rules and Regulations (NYCRR) Part 617.9 (a) for the action contemplated herein. This SVDEIS evaluates the potential adverse impacts associated with the proposed action, which consists of an application for a change of zone, site plan and other approvals for the development of a 264-unit rental residential community to be known as Willoughby Commons (the proposed project, proposed action or proposed development), on approximately 31.96 acres, located north of Colonial Springs Road/Main Avenue, east of North 28th Street, and west of Lee Avenue/North 23rd Street, in the hamlet of Wheatley Heights, Town of Babylon, Suffolk County (the subject property, subject site or site). The subject property is situated within the Residence A Zoning District of the Town of Babylon (Town), and is designated as Suffolk County Tax Map (SCTM) Nos. 0100-011.00-01.00-006.001 through 006.004 and 006.007 and 0100-013.00-02.00-039.001 through 039.004, 039.007 through 039.049 and 039.051. See Figure 1 for the Site Location Map and Figure 2 for the Suffolk County Tax Map. A more detailed discussion of the SEQRA process, as it pertains to the review of the proposed action, is provided in Section 2.3, below.

The Applicant also owns two adjacent parcels south of the subject property, along Colonial Springs Road/Main Avenue that contain a single-family residence (SCTM No. 0100-013.00-02.00-009.000) and the Colonial Springs Farms and Nursery, which consists of a barn, and associated appurtenances (SCTM No. 0100-013.00-02.00-039.050). These lots (out-parcels) are approximately 3.0± acres in size and are not included as part of the proposed development. The subject property is part of the Colonial Springs Farms and Nursery, and contains agricultural uses, and related commercial uses. The proposed action includes a change of zone for 16.44±-acres to

be rezoned from the Residence A to the Multiple Residence (MR) Zoning District. The proposed project would redevelop 16.44±-acres (southern portion) of the overall 31.96±-acre subject property with the aforementioned Willoughby Commons residential community. Additional details regarding the proposed project are contained in Section 2.4 of this SVDEIS, below.

This SVDEIS has been prepared as a voluntary supplemental to the Draft Environmental Impact Statement which was prepared in 2004 (2004 DEIS). The 2004 DEIS contemplated the subdivision of this subject property, which at that time, consisted of the subdivision of the overall 34.80-acre property and the change of zone for 32.92-acres of the 34.80-acre property from Residence-A to Senior Citizen Multiple Residence (SCMR) and Multiple Residence (MR) with on-site sewage treatment facilities. However, as further described in Section 2.3, the final approved action was a 56-lot subdivision alternative (filed and approved February 5, 2007), which makes up the current SCTM lot numbers described above (see Figure 3). It should be further explained that this SVDEIS contemplates a change on only 16.44±-acres of the overall 31.96±-acre subject property, which, as indicated above, excludes several parcels that were part of the 34.80±-acre property that was the subject of the 2004 DEIS. Specifically, SCTM Lot Nos. 039.050, 039.005, and 039.006 are not included as part of the current proposed action or redevelopment.

July 15, 2015



Willoughby Commons

Figure 1 - Site Location

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 1,042 feet

0 300 600 1,200 Feet

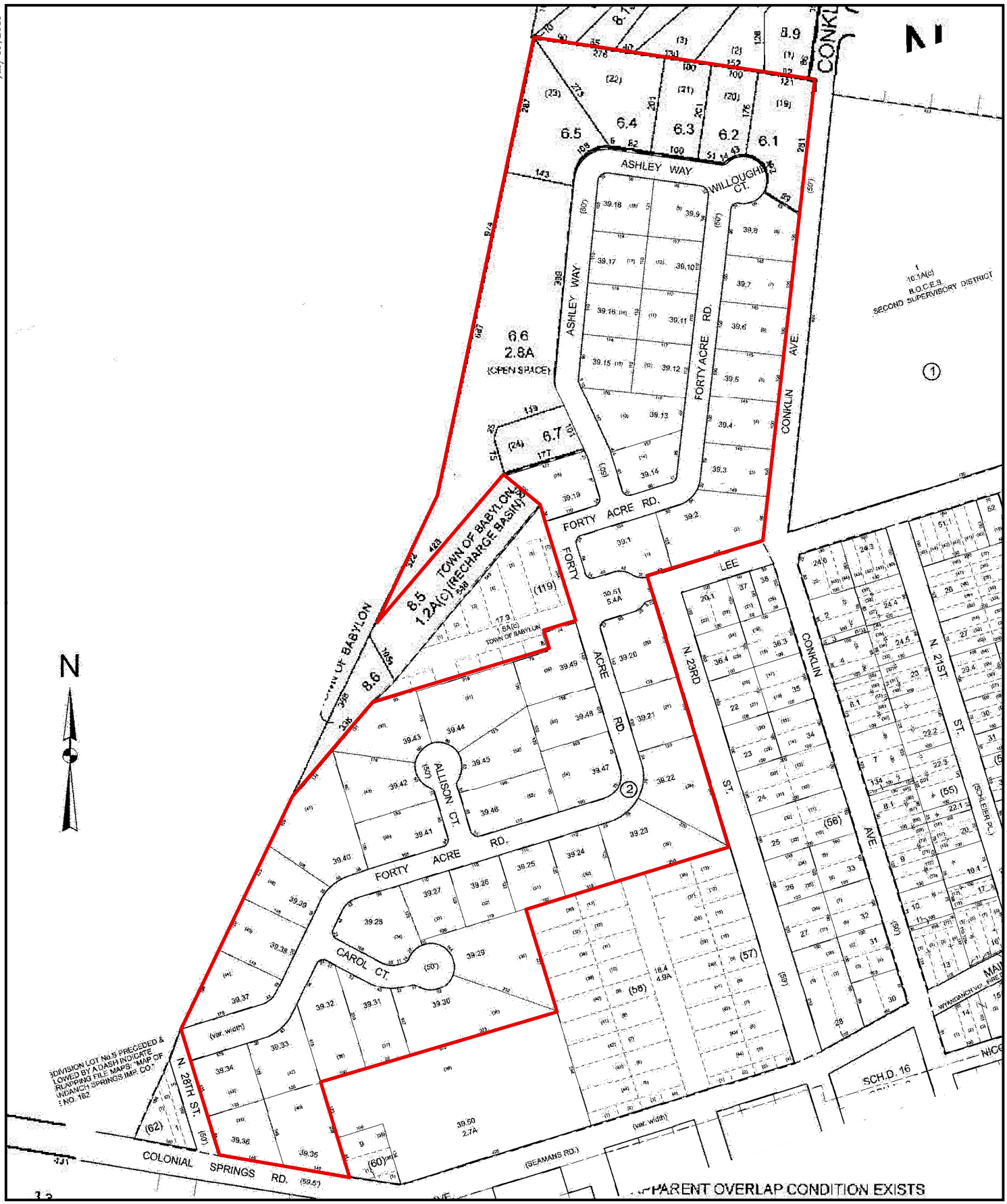
North American Datum, 1983 - New York Long Island State Plane

Legend

Subject Property

SOURCE: 2013 Aerial: *2013 NYS Digital Ortho-imagery*, NYSITS, 2013. Streets: NYSITS, 2014.

July 15, 2015



Willoughby Commons

Figure 2 - Suffolk County Tax Map

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

1 inch = 274 feet

0 75 150 300 Feet

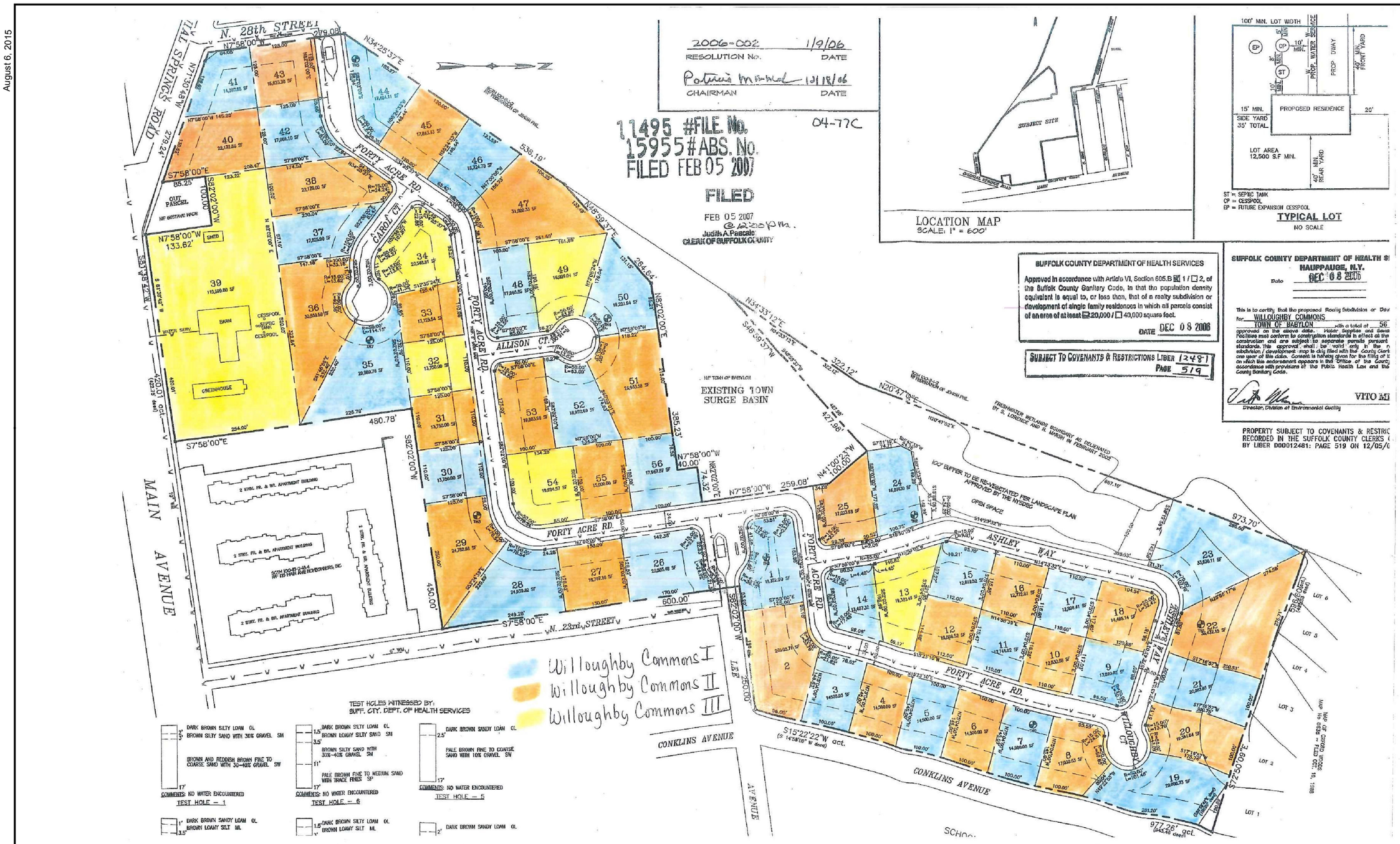
North American Datum, 1983 - New York Long Island State Plane

Legend

Subject Property

SOURCE: Suffolk County Real Property 2013 Town of Babylon Tax Map Album , Sections 011.000 and 013.000.

August 6, 2015



Willoughby Commons

Figure 3 - Willoughby Commons Filed Subdivision Map

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798
VHB Ref. 29268.00

N W E S

1 inch = 303 feet

0 150 300 600 Feet

SOURCE: Willoughby Commons Subdivision Map, provided by Applicant

The SVDEIS is divided into eight sections, the first of which is the Executive Summary. This section, Section 2.0, provides a brief discussion of existing site and surrounding area conditions, and provides a description of the components of the proposed project including the proposed change of zone, proposed site layout, a brief history of the site, the proposed project's purpose, need and benefits, proposed demolition and construction, and the required permits and approvals.

Section 3.0 of this SVDEIS provides a discussion of the environmental setting for the proposed project, by topic. Within each section the existing conditions, potential impacts that are likely to occur upon project implementation, and proposed mitigation measures that reduce or eliminate those impacts are discussed. Section 4.0 discusses the unavoidable adverse effects of the proposed project. Irretrievable and irreversible adverse impacts are discussed in Section 5.0 of the SVDEIS. Section 6.0 presents an analysis of the potential growth inducing impacts. Section 7.0 presents details on use and conservation of energy. References are included in Section 8.0 of this SVDEIS.

2.2 Existing Site Conditions

The subject property is bounded by Colonial Springs Road/Main Avenue to the south, North 28th Street to the west, and Lee Avenue/North 23rd Street to the east. The subject property is currently developed with agricultural uses and related commercial uses. The Applicant also owns two adjacent parcels south of the subject property, along Colonial Springs Road/Main Avenue that contain a single-family residence (SCTM No. 0100-013.00-02.00-009.000) and the Colonial Springs Farms and Nursery, which consists of a barn, and associated appurtenances (SCTM No. 0100-013.00-02.00-039.050). These out-parcels total 3.0±-acres, and are not included as part of the proposed development. A 2.70±-acre Town storm surge/retention basin, although not included in the subject property acreage, is surrounded on three sides by the subject property in the central portion of the site (see Figure 4). The proposed project, which totals 31.96±-acres, consists of undeveloped fields used for agricultural purposes and several small accessory sheds and structures. As noted above, the entire subject property is situated within the Residence A Zoning District of the Town.

Existing site data (north and south portions) of the proposed project are described in Table 1 below:

July 15, 2015

Willoughby Commons

Figure 4 - 2013 Aerial Photograph

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 274 feet

0 75 150 300 Feet

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

Legend

Subject Property

SOURCE: 2013 Aerial, *2013 NYS Digital Ortho-imagery*, NYSITS, 2013. Streets: NYSITS, 2014.

Table 1 - Existing Total Site Data

Development Type	Area (Acres)[1]	Percent of the Subject Property
Impervious Surfaces (i.e., Buildings, Pavement, and Roadway)	0.07	0.22
Agricultural Areas	28.70	89.80
Forested Areas	1.55	4.85
Wetlands	0.40	1.25
Landscaping	1.24	3.88
TOTAL:	31.96	100

Note: [1] = The acres in this table represent site coverage data for the proposed action only, which includes both the area proposed for redevelopment and the agricultural fields to the north. Note that there is currently, and would be in the proposed condition, pavement, buildings and landscaping cover-types only on the southern portion of the subject property.

The land uses surrounding the subject property include: to the east, Western Suffolk Boards of Cooperative Educational Services (BOCES) James E. Allen Alternative School; to the southeast, single-family and multiple residence dwellings. Farther to the south, is the Wyandanch Fire Department, the Wheatley Heights Post Office, and a retail strip shopping center, beyond which are senior multiple residence dwellings. To the northwest is the Henry Kaufmann Camps & Grounds, a campground facility owned by a non-for-profit organization. To the west of the subject property, along North 28th Street, is the Wyandanch Veterans of Foreign Wars (VFW) Hall. And to the north, the land uses are primarily developed with single family residential homes.

The proposed residential development would be served by two site driveways. The primary site driveway would be located at Lee Avenue and will be a gated access. A second driveway will be provided off North 28th Street on the west side of the proposed development, just east of the VFW Hall, and will be used as a service entrance and secondary access, during operation.

According to the Traffic Impact Study (as summarized in Section 3.3 of this SVDEIS), the existing transportation network includes the following roadways:

Colonial Springs Road/Main Avenue is an east-west arterial roadway that falls under the jurisdiction the Town. From Pinelawn Road east to North 26th Street, it is designated Colonial Springs Road, and from North 26th Street to Straight Path (CR 2), it is designated Main Avenue. Within the study area, Colonial Springs Road/Main Avenue runs along the southerly border of the project site and provides one travel lane in each direction.

Conklin Avenue is a north-south collector-distributor roadway that runs south from Ethel Court to its terminus at Main Avenue. South of Main Avenue, Conklin Avenue continues as North 22nd Street. North of Ethel Court, Conklin Avenue continues as Bagatelle Road. Conklin Avenue falls under the jurisdiction of the Town. Within the study area, Conklin Avenue is located a block to the east of the project site and provides one travel lane in each direction.

Lee Avenue is an east-west local roadway that runs east from North 23rd Street to its terminus at North 17th Street. Between North 23rd Street and Conklin Avenue, Lee Avenue is one-way eastbound. Lee Avenue falls under the jurisdiction of the Town. Lee Avenue between North 23rd Street and Conklin Avenue provides only allows eastbound movements. East of Conklin Avenue, Lee Avenue provides one travel lane in each direction.

North 23rd Street is a north-south local roadway that runs south from Lee Avenue to its terminus at Merritt Avenue. North of Main Avenue it runs along the east side of the project site and provides one travel lane in each direction. North 23rd Street falls under the jurisdiction of the Town.

Little East Neck Road is a north-south collector-distributor roadway that runs south from Colonial Springs Road to its terminus at NY 109 in West Babylon. It falls under the jurisdiction of the Town. Within the study area, Little East Neck Road is located approximately one mile to the west of the project site and provides one travel lane in each direction.

Additional information regarding the existing roadways is provided in Section 3.3 of this SVDEIS.

2.3 Site and Project History

The subject property has been an agricultural use since 1923. In the mid-1970s, the Town condemned approximately 2.70± acres (formerly of the subject property) for the development of a recharge basin. The Applicant has owned the property since the 1980s and has been utilizing the property for agricultural purposes, including wholesale and retail uses, continuously throughout that time.

A DEIS was accepted by the Town Board of the Town of Babylon on February 10, 2004, as noted in the Section 2.1, Introduction. The proposed action therein addressed a change of zone on 32.92 acres of the overall 34.80-acre property from Residence A to SCMR and MR. The property was originally proposed to be subdivided into two parcels of approximately 1.88 acres (Parcel A, which was to remain zoned as Residence A, and was to continue to house the existing barn and residential dwelling) and approximately 32.28 acres (Parcel B – approximately 16.61 acres thereof was to be rezoned to SCMR for the development of 264 one-bedroom, senior citizen apartments,

and approximately 15.67 acres thereof was to be rezoned for MR for the development of 21 single-family dwellings and 128 apartments). The original proposed action was to be served by an on-site sewage treatment plant (STP). The aforesaid DEIS included, among other things, the analysis of a 58-unit standard subdivision with on-site sanitary systems.

Significant public controversy ensued, and a Final Environmental Impact Statement (FEIS) was prepared and filed on June 21, 2005. The most significant comments related to impacts from the STP, assertions that the density was too high and the "downzoning" and development would adversely impact the character of the community (land use patterns), the development would cause adverse traffic impacts, and there would be adverse impacts to the school district. Based upon the comments on the DEIS, the FEIS presented a modified proposed action (similar to the aforesaid standard subdivision with on-site sanitary systems). A "Town Board Environmental Determination and Environmental Findings" was adopted on August 9, 2005 (hereinafter the "Findings") (see Appendix A). The Findings determined, among other things, that the 56-lot modified proposed action (55 lots to be developed for single-family dwellings) was the alternative that would mitigate significant adverse impacts to the maximum extent practicable.

Since then, Suffolk County has offered to purchase the development rights on approximately 15.21± acres of the northern portion of the property. The offer has been made through the Suffolk County Farmland Protection Program. With this offer now available, the proposed development has been reduced to 16.44± acres on the southern portion of the property. The proposed development, Willoughby Commons, would be a 264-unit residential rental community with a community center and associated amenities and would connect to the Southwest Sewer District.

2.4 Project Description

The proposed project consists of an application for the change of zone from Residence A to MR, as detailed above, site plan approval and a request for associated variances for the redevelopment of 16.44±-acres of the southern portion of the 31.96±-acre subject property as residential rental community (see Figure 5 and Appendix B).

Specifically, the proposed development consists of the construction of the following:

- 264-residential units (i.e., 36 two-bedroom units (ranging from 1,380 square feet [SF] to 1,650 SF) and 228 one-bedroom units (ranging from 900 SF to 1,340 SF) within 23 buildings
- a 6,400 ± SF community building for residents
- 25-foot by 45-foot outdoor swimming pool
- a 228± SF pump station
- Two entrance booths

- 560 paved parking spaces, including 38 handicapped spaces; driveways and garages
- a 2.70± acre pond/wildlife habitat[4]

The proposed pond/wildlife habitat would be located in the area which consists of the Town-owned surge/retention basin. The Town would maintain ownership of the basin, including the ten-foot wide access easement and the Applicant proposes to maintain the area. The surge/retention basin functions primarily as a recipient of overflow from other basins during times of extreme rainfall. Development of the aforementioned surge/retention basin as a pond/wildlife habitat would involve the planting of native species that would attract birds, with shrubs along the slopes of the basin. In addition, a pervious woodchip walkway would be provided around the proposed pond for passive recreational use by residents of Willoughby Commons.

The proposed project would connect to the Suffolk County Southwest Sewer District No. 3 (Southwest SD). The Southwest SD currently serves portions of the Towns of Islip, Babylon, and a small area of Huntington. The District 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 District 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 of the sewer district is approximately 340,000 people.[5]

Currently the proposed project is outside the service area of the District, therefore a 228±-SF pump station is proposed on-site at the southeastern corner of the proposed project site to allow for connection to the Southwest SD. According to a response provided by the Suffolk County Department of Public Works (SCDPW), see Appendix C, the District has the capacity available for the out-of-district connection. The proposed connection, not yet designed, will also allow for surrounding businesses and residences to connect to the District through the Applicant's connection to this project site.

According to §740-45(C) of the Suffolk County Code, since the proposed residential project consists of ten or more units, and would be connecting to the Southwest SD, the proposed housing development would be required to set aside no less than 20 percent of the units as affordable housing for homebuyers or renters whose income does not exceed 120 percent of the United States Department of Housing and Urban Development (HUD)-established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size. Based on data provided by HUD, the median income for the Nassau-Suffolk, NY HUD Metro Fair Market

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[4] The 2.70± acre pond/wildlife habitat would be located within the Town's surge/retention basin, and the acreage is not included in the subject property area calculations.

[5] www.suffolkcountyny.gov/.../SewerExpansion/Southwest_Sewer_District_Fact_Sheet_2-16-12.pdf accessed on July 2, 2015

Rent (FMR) Area is $109,000.[6] Therefore, families with incomes of $130,800 or less (i.e., 120 percent of $109,000) would be eligible for the proposed affordable housing. Housing is defined as affordable by HUD if an occupant spends no more than 30 percent of the household income on such housing.[7] A detailed discussion of HUD guidance for utilizing median family income data, and making adjustments for family size, is included in Section 3.4.2.2 of this SVDEIS.

As part of the proposed project, 20 percent (i.e. 54 units) of the 264 units, located throughout the proposed development, would be set aside as affordable housing with monthly rents that would be lower than those required by the above requirement, and thus, the proposed project would provide even more affordable housing than specified by the Suffolk County Code in order to connect to the Southwest SD.

Based upon the Site Plans provided in Appendix B, the following is a breakdown of the existing and proposed site data for the subject property.

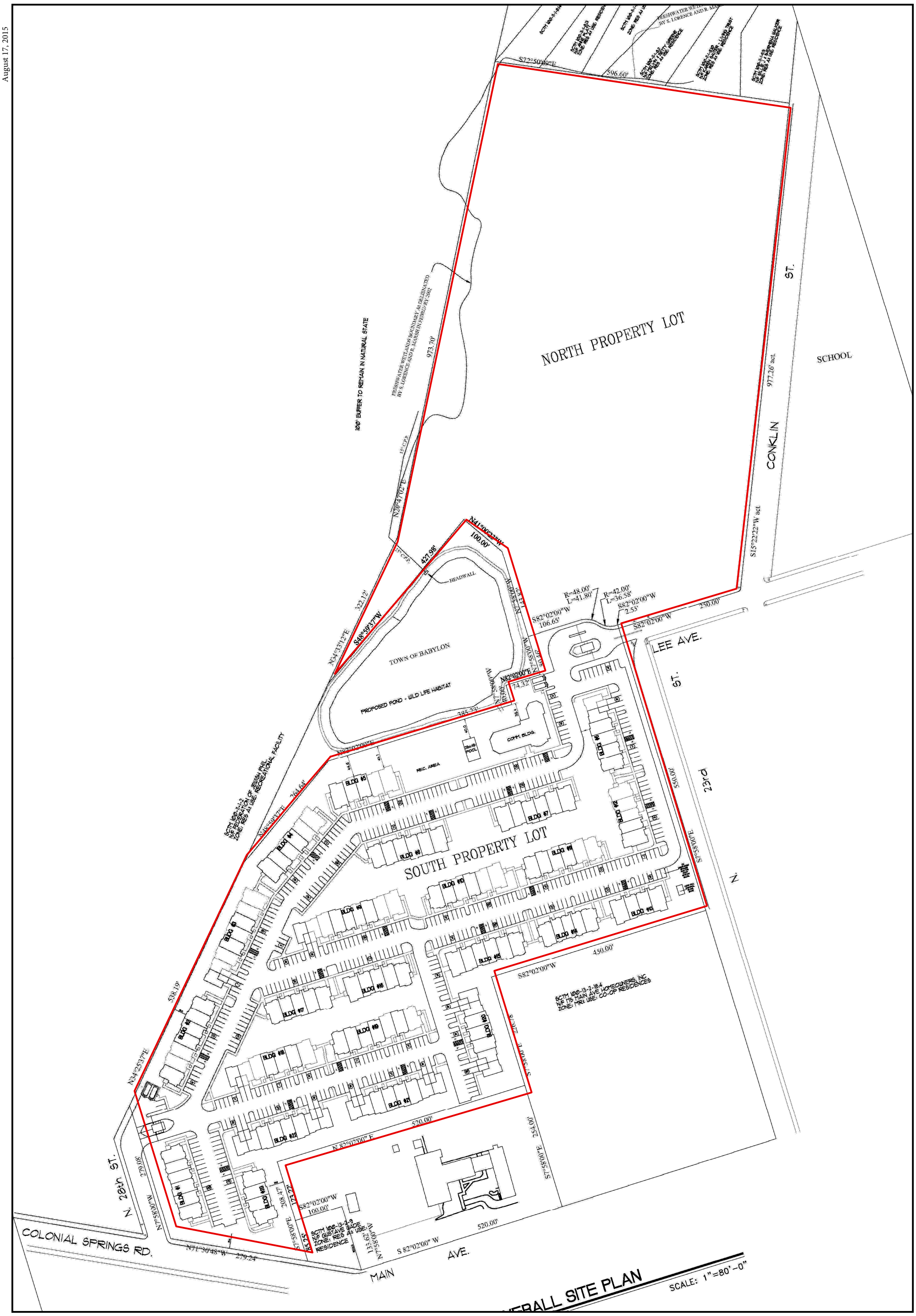
Table 2 - Existing and Proposed Total Site Data

	Existing		Proposed	
Development Type	Area (Acres)[1]	Percent of the Subject Property	Area (Acres)[1]	Percent of the Subject Property
Impervious Surfaces (i.e., Buildings, Pavement, and Roadway)	0.07	0.22	13.20	41.30
Agricultural Areas	28.70	89.80	13.60	42.55
Forested Areas	1.55	4.85	1.55	4.85
Wetlands	0.40	1.25	0.40[2]	1.25
Landscaping	1.24	3.88	3.21	10.05
TOTAL:	31.96	100	31.96	100

Note: [1] = The acres in this table represent site coverage data for the overall subject property, which includes both the area proposed for redevelopment and the agricultural fields to the north. Note that pavement, buildings and landscaping cover-types are only proposed on the southern portion of the subject property.

[6] U.S. Department of Housing and Urban Development, *Fair Market Rent FY 2015 and Income Limit FY 2015 Summary System* (accessed July 2015); available from http://www.huduser.org/portal/datasets/fmr/fmr_il_history/select_Geography.odn.

[7] U.S. Department of Housing and Urban Development, *Affordable Housing* (accessed July 2015); available from http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/.



Willoughby Commons

Figure 5 - Willoughby Commons Proposed Site Plan

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 179 feet

0 70 140 280 Feet

Legend

Subject Property

SOURCE: Overall Site Plan by Craig M. Lehat, P.E., P.L.S.

As previously discussed, access to the subject property would be from two points: main access is proposed to be located at North 23rd Street and Lee Avenue on the east side of the subject property, and a secondary/service entrance would be located on the west side on North 28th Street. There would be 560 paved parking spaces provided for the proposed project, including 38 handicapped spaces, and associated driveways and garages. See Section 3.3 of this SVDEIS for a discussion of traffic and parking.

Water would be supplied to the site via connection to the Suffolk County Water Authority (SCWA) infrastructure. Anticipated potable water demand is 63,330± gallons per day (gpd), based upon sanitary flow, with an additional 20,500± gpd utilized approximately every third day for irrigation purposes during the growing season (see Section 3.1.2.3 for details regarding water supply).

Based upon the proposed uses, the anticipated sewage flow has been calculated at 63,330 gpd. A 228±-SF pump station is proposed on-site, at the southeastern corner of the proposed project site, to allow for connection to the Southwest SD. According to the SCDPW, the District has the capacity available for the out-of-district connection (see Appendix C). Sewage disposal is discussed in detail in Section 3.1.2.2 of this SVDEIS.

The stormwater management system is proposed to be composed of a network of over 100 leaching basins, with a depth of 14-feet each. Prior to commencement of construction, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared and implemented, and would include erosion and sedimentation controls and detailed descriptions of the methods by which stormwater would be accommodated. As discussed further in Sections 3.1.1.1 and 3.1.2.4 of this SVDEIS, test hole borings that have been conducted at the subject property have indicated that depth to groundwater in the southern portion of the overall site, which is the portion proposed to be developed, is approximately 25 feet bgs. Thus, adequate separation distance of four feet would be provided between the base of the 14-foot deep leaching basins and groundwater for protection of the sole source aquifer, pursuant to the *New York State Stormwater Management Design Manual* (*NYS Stormwater Manual*). The system has been designed to capture and recharge stormwater runoff for a two-inch storm, based upon Town requirements. This would also meet water quality calculations, pursuant to the *NYS Stormwater Manual.* Stormwater runoff for the proposed project has been calculated at 99,332.80± cubic feet (CF). See Section 3.1.2.4 for additional discussion of stormwater management.

Based upon the proposed uses, the anticipated solid waste generation would be 18± tons per month. Solid waste would be collected and disposed by Town-contracted carters, pursuant to the Town licensing agreement with the Town-contracted carter, and in accordance with all applicable Town procedures.

The subject property is located within the service area of PSEG Long Island for electrical services and National Grid with respect to natural gas. Consultation with the aforementioned service providers has been initiated by the Applicant (see Appendix C).

2.5 Purpose, Needs and Benefits

The purpose of the proposed project is to redevelop a privately-owned, residentially zoned property, which is currently used for agricultural and related commercial uses, to a residential use pursuant to the proposed MR zoning district. The Applicant has designed a development to create a community with a mix of residential units and agricultural and natural areas. The proposed project would be developed to integrate with the surrounding community and to meet housing needs for various demographic segments (and income levels) of the Town, as identified in both Town and Suffolk County (County) planning documents, as explained in Section 3.2 of this SVDEIS.

The proposed project, which would include 264 rental apartment units, with a 20 percent affordable component, as noted above in Section 2.4 of this SVDEIS, would increase the available affordable housing stock to provide housing for, and retain, workers in the County and on Long Island, and to ensure that a variety of demographic groups have access to quality housing. In addition, the proposed project would include the expansion of wastewater infrastructure to support new development by connecting to the Southwest SD, with an out-of-district connection, which would aid in providing sustainable economic development to surrounding businesses and residences. The proposed project has also been designed to be protective of ground and surface water resources. Measures would be taken to protect groundwater and to ensure compliance with applicable prevailing codes and regulations. Such measures, for example, include the aforementioned connection to the Southwest SD to ensure proper wastewater treatment.

With respect to the proposed project's provision of rental housing, a report by the Regional Plan Association (RPA), *Long Island's Rental Housing Crisis* (*LI Rental Housing*),[8] indicated that rental housing is critical on Long Island in order 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. Moreover, American Community Survey data from the US Census Bureau indicates that only 20 percent of occupied housing units on Long Island are rentals, and that the hamlet of Wheatley Heights has fewer rental housing units available, proportionately, than in the overall Town.[9] Further, rentals are becoming more in demand. Since its peak at 11.1 percent in 2009, the rental vacancy rate has fallen across the United States to an

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[8] Regional Plan Association, *Long Island's Rental Housing Crisis*, 2013.
[9] US Census Bureau, *2009-2013 5-Year American Community Survey* (accessed March 2015); available from www.factfinder.census.gov.

average of seven percent by the end of 2014,[10] indicating that, nationally, the demand for rental units is increasing in relation to supply. In the hamlet of Wheatley Heights, the rental vacancy rate was 5.7 percent, as of the 2010 Census.[11] If the vacancy rate in this area 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 project would provide a much needed housing type to the area.

Furthermore, the proposed project would promote pedestrian friendly development with housing options for a range of demographics. The proposed project, while not in a downtown area, is proximate (i.e., walking distance – less than 300 feet) to the post office and a strip retail center. It is also centrally located to existing public transportation (i.e., bus stops), which provides access to existing shopping areas and work centers without generating additional traffic.

Implementation of the proposed project would also enhance the tax base through redevelopment of existing uses that are generating a minimal amount in property tax revenue. Approximately $1,352,175 in annual tax revenues would be generated by the proposed project, which represents a $1,350,797± increase over the existing condition, including $849,734.35 to the Half Hollow Hills Central School District (CSD) (an increase of $848,868.67 over the existing school taxes). The new development is expected to enhance this area of the Town and hamlet of Wheatley Heights and is expected to add to the area's attractiveness and marketability of housing space.

Finally, as the overall goal of the Suffolk County Agricultural and Farmland Protection Plan (SCAFPP) is to preserve farmland acreage and a viable farming industry in Suffolk County, 15.21±-acres of the northern portion of the subject property is proposed to be preserved by the sale of development rights to the County, thereby ensuring a portion of the subject property would remain in agricultural use.

2.6 Construction Project Phasing

The proposed project is expected to be constructed in two phases. Phase 1 would include the construction of 132 units, the community building, and pump station and commence in 2016, while the remainder of the proposed units would be constructed in Phase 2, and completed by 2018 for a total construction period of approximately two years. Willoughby Commons will provide a mix of rental apartments including: two-bedroom townhouses, two-bedroom apartment units, and one-bedroom apartment units, as well as a community building and pool, a 2.70-acre pond/wildlife habitat[12], and on-site pump station.

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[10] US Census Bureau, *Residential Vacancies and Homeownership in the Fourth Quarter 2014* (accessed March 2015); available at http://www.census.gov/housing/hvs/files/currenthvspress.pdf.

[11] US Census Bureau, *Profile of General Population and Housing Characteristics: 2010, 2010 Census Summary File 1.*

[12] The 2.70± acre pond/wildlife habitat would be located within the Town's surge/retention basin, and the acreage is not included in the subject property area calculations.

Construction traffic associated with the development will include trucks for performing operations on the site, as well as the delivery and removal of materials and worker's vehicles. The number and types of construction vehicles will vary considerably depending on the phase of construction and the particular operations underway at any given time.

All construction vehicles will arrive and depart via North 28th Street. A construction entrance will be established on North 28th Street in a location determined through consultation with the SCDPW and the Town. All requirements of the County and the Town will be followed during the course of site construction.

While it is difficult to determine the traffic levels that will be generated by the construction activities on the site, it can be stated that they will not approach levels of traffic that will occur once the site is fully constructed and occupied.

Site erosion control measures for demolition work, are included on the *Erosion Control Plan* (see Appendix B). Prior to the start of grading and clearing operations, erosion control measures would be installed, per the detail.

According to the project engineer, the following elements constitute the major work included in this project. Items may be performed simultaneously or out of sequence, as deemed necessary.

- Existing vegetation to remain shall be protected and remain undisturbed.
- Clearing and grading shall be scheduled, so as to minimize the size of exposed areas and the length of time that areas are exposed.
- The length and gradient of cleared slopes shall be minimized to reduce runoff velocities.
- Runoff shall be diverted away from cleared slopes.
- Sediment shall be trapped on site.
- 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) shall be installed along the limits of disturbance for the duration of the work. No sediment from the site shall be permitted to wash onto adjacent properties, wetlands, or roads.
- Control graded and stripped areas and stockpiles with temporary seeding, as required. Seed mixture shall be in accordance with soil conservation service recommendations.
- Install drainage inlets to protect from sediment buildup through the use of sediment barriers, sediment traps, etc., as required.
- Maintain erosion control measures with periodic inspection and after heavy or prolonged storms. Maintenance measures include, but are not 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.

- Install stabilized construction entrances as shown on plan.
- Control debris and dust created on the site on a daily basis, including dust associated with the demolition of existing on-site buildings and structures.
- Wash down construction vehicles prior to them leaving the construction areas to prevent materials from being tracked beyond the limits of disturbance.

The standards and specifications included in the above-referenced *New York Guidelines for Erosion and Sediment Control* provide criteria on minimizing erosion and sediment impacts from construction activity involving soil disturbance. Implementation of a sequenced construction process, described above, and use of other best management practices (BMPs), would ensure that the proposed development would minimize potential impacts with respect to erosion and sedimentation during the construction period.

Overall, as pedestrian and vehicular traffic flow during construction periods would be maintained, to the maximum extent practicable, and erosion and sedimentation control measures would be implemented, significant adverse impacts associated with construction of the proposed project are not anticipated.

2.7 Required Permits and Approvals

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

Table 3 - Required Permits and Approvals

Agency	Required Permit/Approval
Town Board	Change of Zone
Town Planning Board	Subdivision; Site Plan
Town Board of Appeals	Variances for density of units and front and rear yard setbacks
Town Department of Public Works	Curb Cuts
Suffolk County Water Authority	Water Connection
Suffolk County Department of Health Services	Sanitary, Stormwater
Suffolk County Sewer Agency	Out-of-district 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 Conditions, Probable Impacts of the Proposed Action and Mitigation Measures

3.1 Water Resources

3.1.1 Existing Conditions

3.1.1.1 Groundwater

Long Island is considered a sole source aquifer region, which means that groundwater is the single water supply source. Thus, land uses have the potential to impact the quality of the water supply. According to the New York State Department of Environmental Conservation (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."

More specifically, according to the NYSDEC,[13]

> *"The Upper Glacial Aquifer is an unconfined aquifer directly underlying the ground surface. The Upper Glacial aquifer was formed during the last ice age. Of note, the Harbor Hill Moraine and Ronkonkoma Moraine represent two different glacial advances and run roughly east to west for the length of Long Island. They comprise poorly sorted glacial till (sand, pebbles, rock, boulders) deposited at the glacier's*

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[13] New York State Department of Environmental Conservation, *Long Island Aquifers* (accessed March 2015); available from http://www.dec.ny.gov/lands/36183.html.

leading edge. Found between these moraines and to the south, are outwash plains of well sorted sand and gravel.

The Magothy is the largest of Long Island's aquifers. Consisting of sand deposits alternating with clay, it attains a maximum thickness of approximately 1,100 feet and is the source of water for most of Nassau County and about half of Suffolk County. The formation can be seen in the coastal bluffs of the north shore and plunges under the land surface to the south.

The Raritan Formation underlies the Magothy. Its two primary units are an upper clay member and a lower sand member named the Lloyd Sand. The clay member separates the Magothy and Lloyd aquifers and serves as a confining unit for the underlying Lloyd Sand aquifer. The clay member has a maximum thickness of 300 feet.

The Lloyd Aquifer is the deepest and oldest of Long Island's aquifers. It is a sand and gravel formation ranging in thickness from zero to five hundred feet. At its deepest, it is 1,800 feet below the surface. The water contained in the Lloyd aquifer is about six thousand years old. Not many wells tap this formation and New York Environmental Conservation Law §15-1528 establishes a moratorium on the use of water from this formation in order to maintain it for future generations.

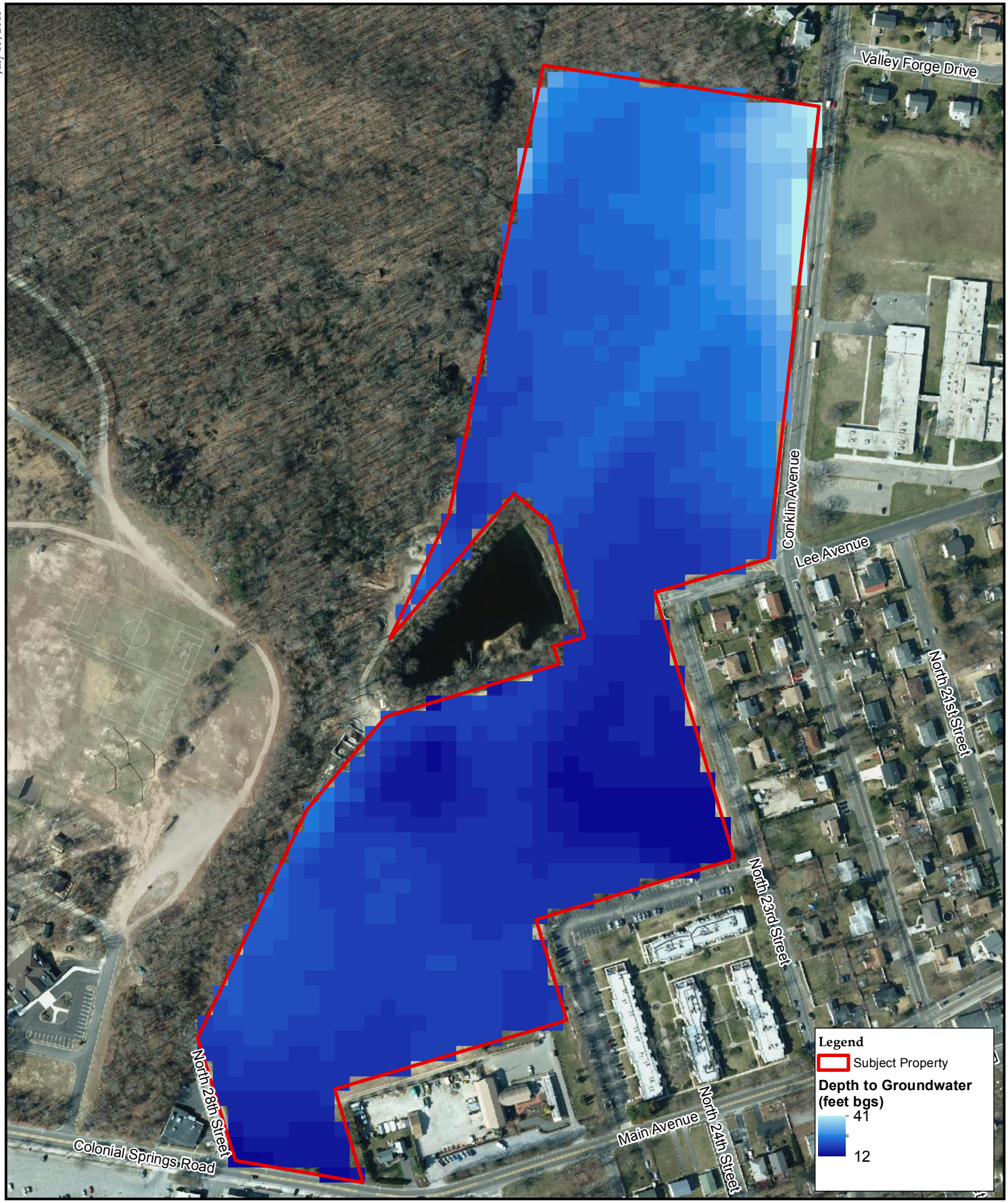
The Lloyd is underlain by bedrock."

In recent years, suburbanization has caused contamination of areas of the Upper Glacial aquifer, since it is closest to the surface. 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. Groundwater has been determined to generally flow in a southeasterly direction in the vicinity of the subject property. Review of the United States Geological Survey (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 6) indicates that groundwater beneath the site ranges from approximately 12 to 20 feet below grade surface (bgs) in the southern portion of the subject property, and up to 41 feet bgs in the northern portion.

Due to the generalities of the above-described mapping data, and the potential for actual on-site conditions to differ from the USGS study, on-site investigations were performed at the subject property in 2001 by McDonald Geoscience, and the soil borings conducted encountered groundwater in two test holes at depths of 12.5± feet bgs and 25± feet bgs, respectively. The test hole in which groundwater was encountered at 12.5± feet bgs was in the northern portion of the overall subject property, proximate to the flagged wetland. The test hole in the southern portion of the overall subject property indicated that groundwater in that area is 25± feet bgs.

July 15, 2015



Willoughby Commons

Figure 6 - Depth to Groundwater

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 280 feet

0 80 160 320 Feet

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

SOURCE: 2013 Aerial: *2013 NYS Digital Ortho-imagery*, NYSITS, 2013. Streets: NYSITS, 2014. Water table data: *Water-table and Potentiometric-surface altitudes in the Upper Glacial, Magothy, and Lloyd aquifers beneath Long Island, New York, April-May 2010*: U.S.G.S., 2013.

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,[14] provides an extensive review of Suffolk County's 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 project's consistency therewith, are evaluated in Section 3.1.2.1 of this SVDEIS.

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 Town where results from private well sampling indicated that groundwater had been impacted by nitrates and pesticides. However, pesticide levels were detected in an area community supply well in exceedance of the maximum contaminant level (MCL) 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 wells, including tetrachloroethene (PCE), trichloroethene (TCE), trichloroethane (TCA) and methyl tert-butyl ether (MTBE). Although, there have been detections of other volatile organic compounds (VOCs), at levels indicating contamination, in a private well near (within three miles) to the subject property, and proximate to Deer Park Avenue. According to the *Comprehensive Water Resources Plan,* VOC concentrations are often found at their highest levels in wells with industrial, commercial, transportation or institutional uses within 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 located in an area that was indicated as having potential quantity issues.

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

The Long Island Comprehensive Waste Treatment Management Plan (208 Study) (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 I (see Figure 7). Zone I encompasses much of the residential, transport, commercial and industrial activity areas of Nassau and Suffolk County. Zone I, located in Nassau County and western Suffolk, contributes water to the middle and lower portions of the Magothy aquifer. Portions of the Upper Glacial, and to a lesser extent, the Magothy aquifers, have been contaminated by nitrates from fertilizers and on-site wastewater disposal systems and by synthetic organic chemicals from industrial and other discharges. Initially, the nitrate contamination was a result of farming practices and then, later, of urbanization.

Although the greater part of Zone I is urbanized and subject to contamination, several of the northern sectors are still relatively undeveloped and provide opportunities for clean recharge of the aquifers. Only a small portion of Zone I is sewered (roughly ten percent).

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 I, and the proposed project's consistency therewith, are presented in Section 3.1.2.1 of this DEIS.

July 15, 2015

Willoughby Commons

Figure 7 - Hydrogeologic Zone

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 9,179 feet

0 3,000 6,000 12,000 Feet

Legend

Subject Property

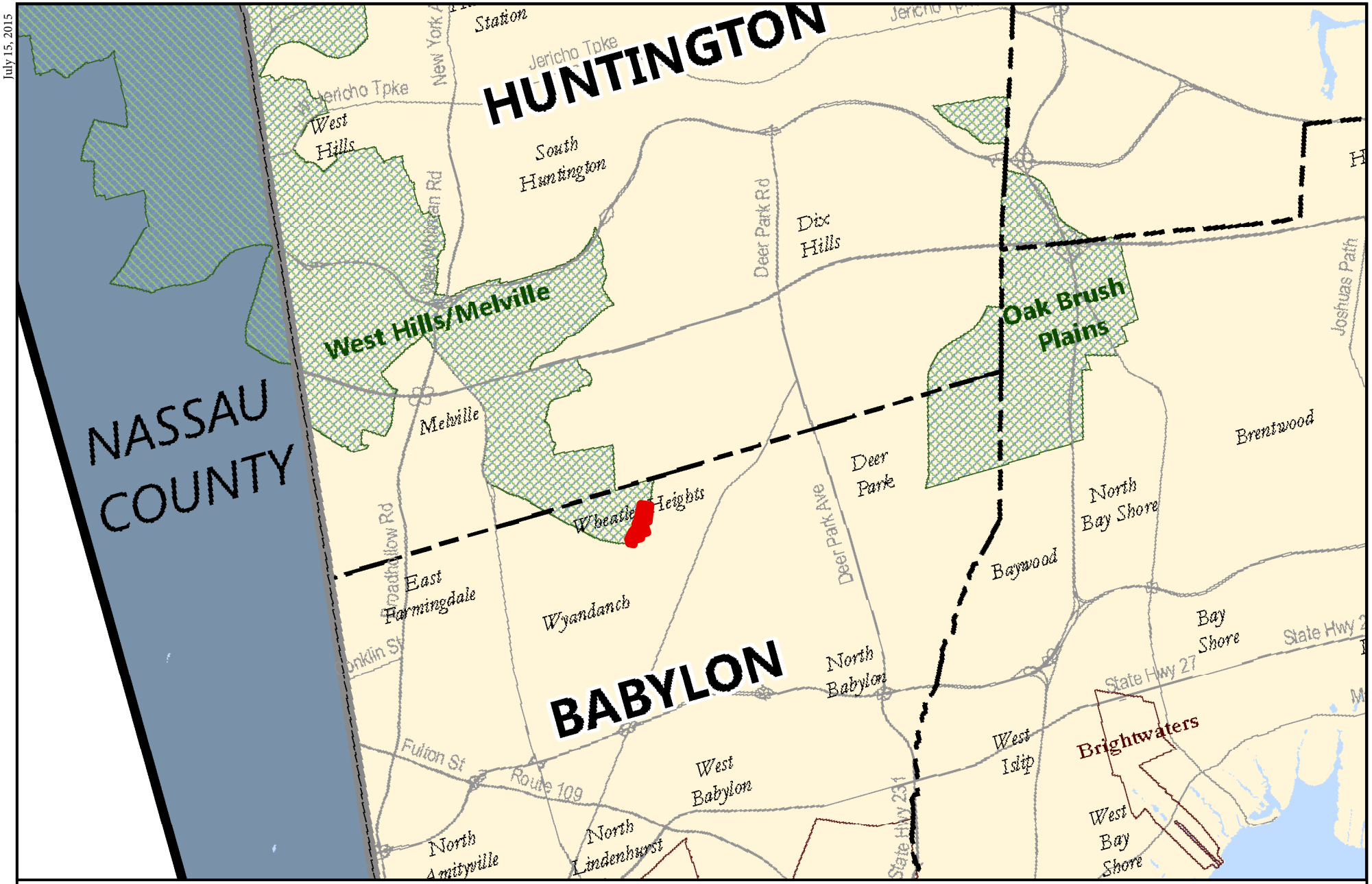
vhb

SOURCE: *Hydrogeologic Zones – 208 Study,* Suffolk County Department of Economic Development and Planning, 2014.

The Long Island Comprehensive Special Groundwater Protection Areas Plan (1992)

As indicated in the *Long Island Comprehensive Groundwater Protection Area Plan* (*SGPA Plan*), dated July 27, 1992, Special Groundwater Protection Areas (SGPAs) are significant, largely undeveloped or sparsely developed geographic areas of Long Island that provide recharge to portions of the deep flow aquifer system. They represent a unique final opportunity for comprehensive, preventative 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 situated within the West Hills/Melville SGPA (see Figure 8), which is considered a Critical Environmental Area. Relevant issues and recommendations for the West Hills/Melville SGPA, and the proposed project's compliance therewith are discussed in Section 3.1.2.1 of this DEIS.

July 15, 2015



Willoughby Commons

Figure 8 - Special Groundwater Protection Areas

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 7,777 feet

0 2,500 5,000 10,000 Feet

Legend

Subject Property

SOURCE: *Special Groundwater Protection Areas,* Suffolk County Department of Economic Development and Planning, 2014.

Final Long Island Groundwater Management Program (1986)

In an effort to obtain general information on groundwater quality in the area, the *Final Long Island Groundwater Management Program* (*LI Groundwater Management Program*) was reviewed. The *LI Groundwater Management Program* is the product of a study effort, funded by a grant from the United States Environmental Protection Agency (USEPA) under Section 208 of the Federal Clean Water Act. Under this grant, the NYSDEC, with cooperation and advice of numerous other state, federal and local agencies involved with groundwater management on Long Island, conducted an intensive review of Long Island groundwater problems and the programs that address them, and prepared a detailed Groundwater Management Program designed to assure a viable, high quality groundwater resource for the future (Page xi).

Within the *LI Groundwater Management Program*, the NYSDEC identified the most significant groundwater problems to include: (Page II-3)

- Contamination by synthetic organic chemicals
- Solvents and degreasers
- Gasoline and petroleum products
- Agricultural pesticides and herbicides
- Groundwater quantity problems including depletion, saltwater intrusion, and flooding, often associated with regional imbalances of demand

Based upon the review of available information and agency consultations undertaken during the study effort, the NYSDEC developed various program actions within the *LI Groundwater Management Program* directed primarily at salient agencies (NYSDEC, New York State Department of Health, SCDHS, local agencies). The program actions that are relevant to the subject property and the proposed action are discussed below.

Chapter IV.B.1 of the *LI Groundwater Management Program* relates to hazardous material storage and handling, identifying that "the highest priority groundwater problem identified on Long Island is organic chemical and petroleum contamination." (Page IV-36) Relevant to Suffolk County, it is recognized that Article 12 of the SCSC is a broad prevention-oriented program for solving problems related to the storage and handling of these substances. The related Program Action is a recommendation that the SCDHS aggressively implement Article 12 of the SCSC covering toxic and hazardous materials storage and handling (Page IV-39).

Chapter IV.B.5 of the *LI Groundwater Management Program* addresses on-site sanitary wastewater disposal, and indicates that "[l]imitation of on-site system densities is the single most effective method available to prevent unacceptable groundwater quality impacts" from domestic wastewater. The relevant Program Action is a recommendation that SCDHS continue to administer Article 6 of the SCSC to appropriately limit density of on-site sanitary systems. (Page IV-57).

Chapter IV.C.4 of the *LI Groundwater Management Program* addresses water conservation. Among the identified examples of measures for discouraging waste and excessive use of potable water are: (Page IV-82)

- the use of water saving plumbing fixtures
- limiting the proportion of developed areas in turf
- promoting alternative ground covers that require less watering

The *LI Groundwater Management Program* was also reviewed to determine whether there is any reported presence of organics, nitrates or aldicarb in groundwater. Based on a review of the *Organic Contamination of Groundwater on Long Island* figure, the subject property is lies within an area of known organic contamination. In addition, review of the *Nitrate Contamination of Groundwater on Long Island* figure indicates the subject property is located within or proximate to a general area of shallow nitrate contamination. Nitrate contamination is not considered to be as severe as organic contamination. However, the NYSDEC states that, "particularly in agricultural areas and in developed or developing areas nitrates are a significant problem . . ." Sources that contribute to nitrate contamination include:

- precipitation
- agricultural and turf fertilizer
- sewage effluent through cesspools, septic tank leaching fields and subsurface treatment plant discharges; and
- animal wastes

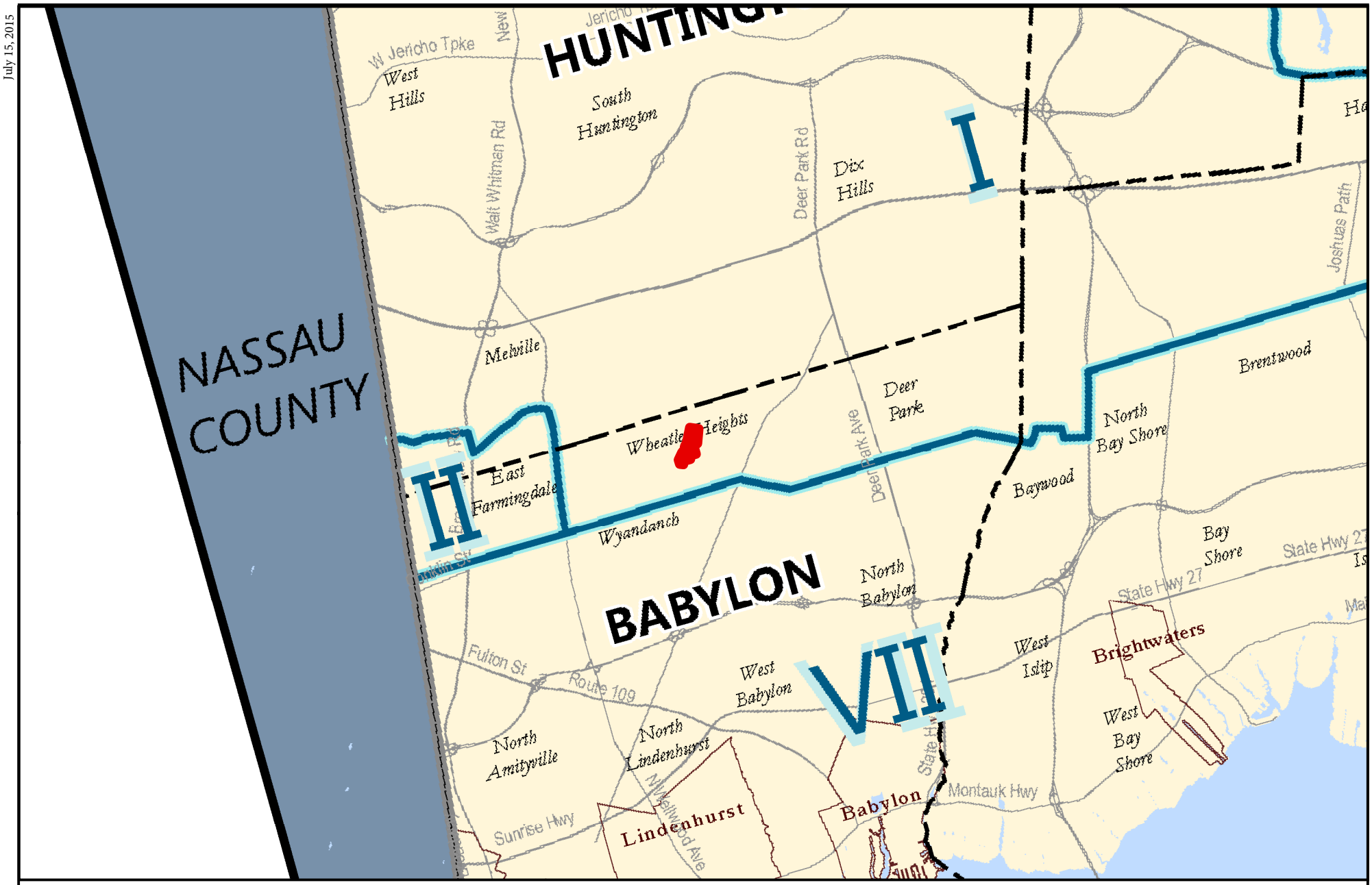
The presence of shallow nitrate contamination in the general area may be due to the former and current agricultural uses on the subject property and in the surrounding area. The subject property is not situated within the general areas of groundwater contamination for aldicarb.

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 according to a proposed project's location within specific Groundwater Management Zones (GWMZ). The subject property is located within GWMZ I (see Figure 9). SCSC requirements relevant to the subject property are summarized below.

July 15, 2015



Willoughby Commons

Figure 9 - Groundwater Managment Zone

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 8,413 feet

0 2,5005,000 10,000 Feet

Legend

Subject Property

SOURCE: *Suffolk County Sanitary Code – Article 6 SCDHS Groundwater Management Zones*, Suffolk County Department of Economic Development and Planning, 2013.

As the proposed project includes multi-family residential dwelling units, applicable sewage facility requirements for construction projects other than conventional single-family developments are included in Section 760-607 (A) of the SCSC. 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.

Based on SCDHS design flow standards,[15] 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 %) x Adjusted Gross Land Area in SF) x 600 gpd / 40,000 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 8,056.98 gpd, calculated as follows:

  ((75%) x 716,176.1 3 SF) x 600 gpd / 40,000 SF

In addition, the subject property is not located within an existing sewer district. Groundwater and soil conditions at the subject property with respect to functioning individual or subsurface sewerage systems are not applicable, as the proposed project includes connection to a sewer district, as discussed in Section 3.1.2. Existing conditions at the subject property, with respect to sanitary waste generation, are discussed in Section 3.1.1.2.

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:

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[15] 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 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
- 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 Section 3.1.1.3, the subject property is located within the service area of the SCWA (Distribution Area 12); however, as the site is currently utilized for agriculture, it is served by two irrigation wells for crop irrigation that are located south, on the Applicant's adjacent property (lot 39.50), therefore, the subject property does not utilize potable water.

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 upon 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. However, as previously discussed, the subject property is in GWMZ I, which is considered to be a deep recharge area, according to the SCSC. Thus, additional restrictions would apply, as follows:

- Section 760-706(A) indicates that, in deep recharge areas and water supply sensitive areas, it shall be unlawful for any person to discharge any restricted toxic or hazardous materials or to discharge industrial wastes from any facility containing restricted toxic or hazardous materials to the groundwaters, to the surface of the ground, beneath the surface of the ground, to a municipal or communal sewage system, or to a disposal system (subject to certain exceptions);
- Section 760-706(B) indicates that, in deep recharge areas and water supply sensitive areas, it shall be unlawful to use or store any restricted toxic or hazardous material on any premises (subject to certain exceptions); and

- Section 760-711 indicates that existing disposal systems abandoned as a result of connection to municipal sewage systems or communal sewage systems or different disposal systems or for other reasons shall be removed or permanently sealed in a manner acceptable to the Commissioner.

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.

There are no toxic and/or hazardous materials currently stored on the subject property. All such storage is on the applicant's adjacent out-parcels located to the south, which would remain as currently used.

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 project's consistency with the relevant provisions set forth in the SCSC are included in Section 3.1.2.1 of this document.

Nonpoint Source Management Handbook (1984)

The *Nonpoint Source Management Handbook* (the *Handbook*), which was prepared as part of the USEPA's 208 Plan Implementation Program, is divided into several elements: Land Use, Stormwater Runoff, On-site Systems, Highway Deicing, Fertilizer, Animal Waste, Wells-Water Supply, Boat Pollution, and Site Plan Review and Ordinances. The *Handbook* makes a variety of recommendations for counties, municipalities, engineers, etc., to use in the controlling of non-point sources of groundwater contamination, which are presented in Section 3.1.2.1, and the proposed 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.

Relevant recommendations from this study are presented in Section 3.1.2.1, and the proposed project's consistency with same is evaluated therein.

3.1.1.2 Sewage Disposal

As the subject property is currently utilized as farmland, and is not developed with any habitable structures, there is no sewage generation directly related to this area. A discussion of the prevailing Suffolk County regulations with respect to sanitary waste and the subject property is included in Section 3.1.1.1, above.

3.1.1.3 Water Supply

The current water supply for the subject property is from two irrigation wells that are located on the Applicant's adjacent out-parcels. As the water is used for crop irrigation, the water usage peaks in the months of July, August and September. The applicant estimates water usage at approximately 4.6 million gallons during these months. Water usage varies the reminder of the year.

The subject property is located in SCWA Distribution Area 12. According to information from the *Suffolk County Water Authority 2015 Drinking Water Quality Report*,[16] overall, in 2014, the SCWA system served 1.2 million people in 26 Distribution Areas. To meet the water demand of its customers, SCWA pumped 69.9 billion gallons from 578 active wells in 2014. 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 2015 report, which indicate that the drinking water within Distribution Area 12 did not indicate the presence of inorganic contaminants, synthetic 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, With respect to potential contaminants that are not regulated, two wells, located in Distribution Area 12, have nitrosamines, which can be formed as a byproduct of the disinfection of drinking water or found as a contaminant in drinking water from manufacturing processes. In addition, they are found in tobacco smoke, cosmetics, and food products, and they can be created by the body during digestion of some dietary constituents. While the USEPA has not set an MCL for nitrosamines, it has classified several nitrosamines as probable human carcinogens. The nitrosamines found in the wells in Distribution Area 12 were found at extremely low levels. The USEPA also requires testing for total coliform bacteria in source waters and water after treatment. In the 2014 monitoring year, a Distribution Area 12 sample texted positive for total coliform; however, additional samples taken from area wells tested negative for coliforms, including E. coli, The SCWA also conducts radiological test, including for radon, a naturally occurring radioactive gas that was detected in samples of Distribution Area 12 supplies. The USEPA does not currently have an MCL, although the USEPA is considering setting a limit for water suppliers of 4,000

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[16] Suffolk County Water Authority, *Suffolk County Water Authority 2015 Drinking Water Quality Report*, 2015 (accessed July 2015); available from http://65.36.213.246/dwqr2015/water-quality-report-2015-scwa_v2.html

picocuries per liter (pCi/L). Radon was detected, at its highest level, at 165 picocuries per liter (pCi/L), which is much below the potential USEPA requirement.

3.1.1.4 Stormwater Runoff

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.[17]

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 *NYS Stormwater Manual*[18], stormwater management planning consists of a calculation of the stormwater volume for the a 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 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).

As indicated on the Grading and Drainage Plan (see Appendix B), runoff coefficients of 1.00 for the existing building and paved areas (totaling 2,900.00 SF) and 0.15 for the existing farm/natural area (713,276.13 SF) were used to calculate the drainage system capacity that would be needed to accommodate a two-inch rainfall, as required by the

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[17] *Reducing Impacts of Stormwater Runoff From New Development*, New York State Department of Environmental Conservation.
[18] 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.

Town. Based on the above-indicated existing conditions on the southern portion of the overall subject property, the total volume of stormwater runoff generated at the subject property is 18,315.80 CF. Currently, there are no structural controls (e.g., drywells) on the subject site to accommodate stormwater runoff. Thus, stormwater is recharged to surface and groundwater by infiltration, through natural leaching processes. Accordingly, stormwater that does not infiltrate or evapotranspire is permitted to the pond at the site or run overland onto adjacent properties and roadways.

The proposed project's consistency with the below policy documents is provided in Section 3.1.2.4 of this SVDEIS.

Chapter 189 of the Town of Babylon Town Code: Stormwater Management and Erosion and Sediment Control

Chapter 189 of the Town Code was established to regulate stormwater runoff and sediment discharges from land development projects and other construction activities for the purposed of protecting water resources. The purpose of Chapter 189 is to enable the Town to meet the requirements of NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permits for Municipal Separate Stormwater Sewer Systems (see discussion below); require land development activities to conform to the requirements of NYSDEC SPDES General Permit for Construction Activities; minimize increases in stormwater runoff from land development activities to reduce flooding, siltation, increases in stream temperature, stream bank erosion and degradation of local water quality; minimize the total annual volume of stormwater runoff which flows from any specific site; and reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution through stormwater management practices. Specific relevant requirements of this Chapter are presented, along with the proposed project's consistency therewith, in Section 3.1.2.4 of this SVDEIS.

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.

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 *New York Standards and Specifications for Erosion and Sediment Control*. Construction of the proposed project would also comply with the *NYS Stormwater Manual* to address post-construction stormwater discharges.

3.1.1.5 Wetlands

According to the NYSDEC Freshwater Wetland Maps, a portion of the NYSDEC-designated G-1 wetland is located on the northern portion of the subject property (see Figure 10). In addition, NYSDEC representatives, S. Lorence and R. Marsh, delineated the actual NYSDEC-regulated wetland that exists on the northern portion of the site, the boundaries of which have been incorporated on the Site Plan (see Figure 5 in Section 2.4 of this SVDEIS and Appendix B). The designated G-1 wetland accounts for an area on the overall subject property of less than a half-acre. In addition, National Wetland Inventory (NWI) Maps were examined, and the Town's storm surge/retention basin, situated adjacent to the subject property, is indicated as a federally-designated Palustrine, Open Water, Semipermanently-flooded, excavated (POWFx) wetland feature. There are no federally-designated wetlands on-site (see Figure 11).

Willoughby Commons

Figure 10 - NYSDEC Freshwater Wetlands

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 392 feet

0 112.5 225 450 Feet

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

SOURCE: 2013 Aerial: *2013 NYS Digital Ortho-imagery*, NYSITS, 2013. Streets: NYSITS, 2014. Freshwater Wetlands: NYSDEC, 2013.

Willoughby Commons

Figure 11 - NWI Wetlands

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 392 feet

0 112.5 225 450 Feet

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

SOURCE: 2013 Aerial: *2013 NYS Digital Ortho-imagery*, NYSITS, 2013. Streets: NYSITS, 2014. NWI Wetlands: USFWS, 2014.

3.1.2 Probable Impacts

3.1.2.1 Groundwater

Relevant Plans and Policies

Suffolk County Comprehensive Water Resources Management Plan (2015)

As indicated in Section 3.1.1.1 of this SVDEIS, the *Comprehensive Water Resources Plan* prepared goals and objectives designed to assure a viable, high quality groundwater resource for the future. The proposed project'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 3.1.1.3 of this SVDEIS, the 2015 water quality data (for the 2014 monitoring year) for SCWA's Distribution Area 12, 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 project would receive potable water from the SCWA, the future residents of the proposed project will have access to safe potable water.

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

  As mentioned above, the proposed project 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 Willoughby Commons.

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

  As previously explained, the proposed project would maximize the use of low-maintenance, native species; limit areas to be irrigated; and utilize drip irrigation systems to reduce irrigation demand.

- *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 project would include a connection to the Southwest SD for sanitary waste disposal and would minimize fertilizer use, thus reducing nitrogen loading in groundwater.

- *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 project is a residential land use, whose 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 virtually all stormwater on-site, use of low-flow plumbing fixtures and drip irrigation, and a landscaping plan consisting of low-maintenance, native plant species with minimal fertilizer requirements.

- *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 3.1.1.1 of this SVDEIS, the subject property is not located in an area where there are potential groundwater quantity issues. Therefore, it is not expected that the proposed project would impact groundwater quantity. In addition, the existing NYSDEC-regulated freshwater wetland on the subject property would be enhanced and protected and the proposed pond[19] would be likewise 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.*

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[19] The 2.70± acre pond/wildlife habitat would be located within the Town's surge/retention basin, and the acreage is not included in the subject property area calculations.

As indicated above, the proposed project 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)[20] to treat effluent.

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

The Long Island Comprehensive Waste Treatment Management Plan (208 Study) (1978)

As indicated in Section 3.1.1.1, the subject property is within Hydrogeologic Zone I. Among the control options and alternatives recommended in the *208 Study* for Zone I, those relevant to the proposed project are analyzed below:

- Wastewater Management and Highest Priority Areawide Alternatives:
  - *Restrict the use of inorganic, fast-acting fertilizers. Promote the use of low-maintenance lawns.*

    In compliance with this recommendation, the proposed development would use low-maintenance (low fertilizer- and low water-dependent) vegetation in the landscaping to the maximum extent practicable.

  - *Require nitrogen removal for treatment plants recharging effluent.*

    As previously discussed, the proposed project 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 BOD[21] to treat effluent. Moreover, effluent from the Bergen Point WWTP does not recharge to groundwater, as it is discharged to the Atlantic Ocean.

- Structural and Non-Structural Recommendations:
  - *As currently vacant land is developed, provide collection and treatment at a density of approximately six persons or two dwelling units per gross acre*

    Although the proposed project would consist of a higher level of density than described above, the proposed development would be protective of groundwater resources through the connection to the Southwest SD to ensure that sanitary waste generated by the site would be handled properly so as to minimize potential for groundwater contamination. A stormwater management system would also be installed to collect and recharge

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[20] United States Environmental Protection Agency, *2008 Clean Watersheds Needs Survey: Suffolk (Co) SCSD #3 Southwest* (accessed July 2015); available from http://cfpub.epa.gov/dmr/facility_detail.cfm?fac=NY0104809.
[21] United States Environmental Protection Agency, *2008 Clean Watersheds Needs Survey: Suffolk (Co) SCSD #3 Southwest.*

stormwater generated by the subject property. This would prevent stormwater runoff from potentially gathering contaminants and polluting groundwater. As such, the proposed project would adhere to this recommendation to the maximum extent practicable.

- *In areas that are completely sewered, regulations mandating the hookup of private disposal systems to district collection systems should be strictly enforced*

  The subject property is outside any sewer districts, however, as discussed, the proposed project would include an out-of-district connection to the Southwest SD, and thus, would be consistent with this recommendation.

- *Control stormwater runoff to minimize the transport of sediments, nutrients, metals, organic chemicals, and bacteria to surface and groundwater.*

  The stormwater system would be designed to collect all stormwater and direct it to 104 leaching basins installed throughout the site. Accordingly, the proposed project complies with this recommendation.

Based on the foregoing, the proposed project would be consistent with the *208 Study*.

The Long Island Comprehensive Special Groundwater Protection Areas Plan (SGPA Plan)

The *SGPA Plan* makes general comments and recommendations for land use and development, regardless of the specific SGPA a project may be located in. Relevant issues and specific recommendations for the West Hills/Melville SGPA are as follows:

- *Agriculture has contributed to nutrient and pesticide loading, and residential development has resulted in broad-scale clearing of natural vegetation, and the installation of lawns and landscaping requiring fertilization, pest control and irrigation. Both these uses have added contaminants to the soils and groundwater.*

  The proposed project would eliminate the existing agricultural use on 16.44± acres of the overall 31.96±-acre subject property, which is already cleared of the majority of any natural vegetation that would have been found there. Additionally, the proposed development would use low-maintenance (low fertilizer- and low water-dependent) vegetation in the landscaping to the maximum extent practicable.

- *The loss and impairment of wetlands has led to a decrease in their ability to serve the function of stormwater retention and pollutant removal, which affects groundwater quantity and quality, as well as the viability of freshwater-dependent ecosystems.*

  The NYSDEC-regulated freshwater wetland located adjacent to the subject property would be protected from stormwater runoff by control measures that would be implemented by the proposed project.

- *Expansion of the Southwest SD could be expected to reduce or minimize the potential for groundwater contamination. Since there would also be a reduction in recharge, it would be essential to increase water conservation efforts.*

  The proposed project would incorporate low-flow plumbing fixtures and low-maintenance plant species within the landscaping plan, and therefore, would reduce water usage to the extent practicable.

- *Density should be limited by cluster zoning based on five-acre residential zoning to maximize open space and protected habitat.*

  The *SGPA Plan* does not serve as a zoning overlay. Zoning is the responsibility of the locality, and the Town has not adopted five-acre zoning on this property, or on any other property within its jurisdiction. Furthermore, the connection of the subject property to the Southwest SD would protect groundwater resources from on-site sewage discharges.

- *Multi-family or condominium development should be strictly limited. In those instances that overriding considerations of social need warrant such construction, units should be clustered and the site selected to provide sewage collection and hookup to a treatment facility that maximizes SGPA watershed protection.*

  As indicated in Section 2.5 of this SVDEIS, the RPA[22] report, *LI Rental Housing*, indicated that rental housing is critical on Long Island in order to attract and retain a talented workforce. Moreover, American Community Survey data indicates that the hamlet of Wheatley Heights has fewer rental housing units available, proportionately, than in the overall Town.[23] Additionally, as stated above, connection of the subject property to the Southwest SD would be protective of groundwater resources as it would prevent on-site discharges of sanitary waste.

Final Long Island Groundwater Management Program (1996)

As indicated in Section 3.1.1.1 of this SVDEIS, the subject property is identified as being located within an area where shallow groundwater has been contaminated by organics and nitrates. As discussed, the proposed project would connect to the Southwest SD for wastewater treatment purposes. Therefore, there would be no on-site discharge and no associated sanitary impacts to groundwater. Additionally, the proposed project would plant native, low-maintenance plant species within the approximately 3.21± acres of landscaping on-site in order to reduce the demand for nutrient inputs by way of fertilizers**.** As such, the proposed development would reduce nitrates loading to the shallow groundwater system to the maximum extent practicable.

With respect to the program actions recommending that Suffolk County aggressively implement Articles 6 and 12 of the SCSC, as discussed under the *Suffolk County*

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[22] Regional Plan Association.
[23] US Census Bureau, *2013 5-Year American Community Survey*.

Sanitary Code subsection, above, the proposed project would comply with the provisions of Articles 6 and 12, and, as such, would be consistent with these program actions of the *LI Groundwater Management Program*. In addition, as described in Section 3.1.1.1, above, the *LI Groundwater Management Program* recommends measures for discouraging waste and excessive use of potable water. The proposed project would incorporate the use of low-flow plumbing fixtures and native, low-maintenance landscape species. Thus, based on the foregoing analyses, the proposed project would be consistent with the findings of the *LI Groundwater Management Program*

Suffolk County Sanitary Code (Revised 2011)

As explained in Section 3.1.1.1 of this SVDEIS, 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 8,056.98 gpd, and, as described below, the proposed project would generate 63,330± gpd of sanitary waste. Therefore, a community sewage system would be required for the proposed project. As the proposed project would include connection to the Southwest SD for wastewater treatment purposes, the proposed project complies 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 12, and the proposed project would connect the site to SCWA public water supplies. Therefore, the proposed project would comply with this section of Article 6 of the SCSC.

As indicated in Section 3.1.1.1 of this SVDEIS, since the subject property is located in a deep recharge area, relevant considerations in Article 7 include:

- Section 760-706(A) indicates that, in deep recharge areas and water supply sensitive areas, it shall be unlawful for any person to discharge any restricted toxic or hazardous materials or to discharge industrial wastes from any facility containing restricted toxic or hazardous materials to the groundwaters, to the surface of the ground, beneath the surface of the ground, to a municipal or communal sewage system, or to a disposal system (subject to certain exceptions);
- Section 760-706(B) indicates that, in deep recharge areas and water supply sensitive areas, it shall be unlawful to use or store any restricted toxic or hazardous material on any premises (subject to certain exceptions); and
- Section 760-711 indicates that existing disposal systems abandoned as a result of connection to municipal sewage systems or communal sewage systems or different disposal systems or for other reasons shall be removed or permanently sealed in a manner acceptable to the Commissioner.
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In accordance with Article 7 of the SCSC, all sewage generated by the proposed project 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 filter effluent and stormwater prior to reaching groundwater. Thus, the proposed project would be in compliance with the requirements of Article 7 of the SCSC.

The proposed 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 project 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 Willoughby Commons development complies with the requirements of the SCSC.

Nonpoint Source Management Handbook (1984)

The *Handbook* was reviewed as to recommendations related to the proposed project. Discussion of the proposed project'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 agricultural uses, and thus, the subject property has been historically graded and disturbed. Although the subject parcel is located in a deep recharge area, the proposed action does not include the development of industrial uses, and includes a connection to the Southwest SD for sanitary wastewater treatment, such that there would be no associated impacts to groundwater. Thus, the proposed project complies with this recommendation.
- *Limit the removal of natural vegetation and the creation of lawn areas.*

  On the overall 31.96±-acre subject property, approximately 1.95 acres are naturally vegetated (including forested and wetland cover-types), all of which are located on the northern portion of the subject property, which has been and will continue to be utilized for agricultural purposes, and is outside of the area proposed for

development. Upon implementation of the proposed action, approximately 16.44 acres of the southern portion of the subject property would be cleared for development of the proposed project, and 3.21± acres of lawn and landscaped areas would be installed. Native species would be used to the maximum extent practicable. Thus, the proposed project 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. 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.

<u>Stormwater Runoff</u>

- *Minimize grade changes and site clearing.*

  Much of the subject property has historically been disturbed, due to past use for agriculture. 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 project would initially result in the clearing of the 16.44±-acre portion of the subject property proposed for development. However, as previously discussed, 3.21± acres of lawn and landscaped areas would be created, using native plant species to the maximum extent practicable. Accordingly, the proposed 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 project would initially result in the clearing of 16.44±-acre area of the overall subject property, as previously discussed, 3.21± acres of lawn and landscaped areas would be created, using native plant species to the maximum extent practicable. There are no steep slopes or drainage swales on the subject property, and on-site soils are such that significant adverse impacts from clearing and grading are not anticipated. In addition, during the grading and construction processes, hay bales and silt fencing would be placed along the length of the site to mitigate potential runoff from the site and into the wetland area located on adjoining property to the north of the subject property. Post-construction drainage methods include leaching pools to contain and recharge virtually all stormwater on-site. Overall, therefore, the proposed project complies with the intent of this recommendation.

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

- *Use swales and shallow depressions to collect stormwater on-site, wherever possible.*
- *Use natural vegetation as an important nonstructural alternative in the control of stormwater runoff and erosion/sedimentation.*
- *Use man made swales and other types of drainage channels to carry and recharge stormwater.*
- *Use a biofiltration system to detain runoff and reduce contaminant loadings.*
- *Use an in-line storage system for the collection of stormwater runoff from parking lots and roadways.*
- *Use permeable paving for patios and walkways to reduce the volume of stormwater runoff by increasing infiltration to the ground below, thus allowing for recharge of the aquifer.*
- *Use downspouts to collect and convey runoff from roofs to leaching pools.*

In accordance with those recommendations, a Grading and Drainage Plan has been prepared (see Appendix B). This plan includes the installation of 104 ten-foot-diameter, 14-foot-deep leaching basins throughout the southern portion of the subject property to collect and recharge stormwater runoff to groundwater, via the base of the subject leaching basins. As previously noted, results from the test hole located in the southern portion of the overall subject property, in the area proposed to be developed, indicated that depth to groundwater is 25± feet bgs, and thus, there would be adequate separation distance between the base of the leaching structures and groundwater. Further, stormwater runoff would not be permit to run overland and potentially become contaminated before reaching surface or groundwaters. Accordingly, the proposed 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.*
- *Stabilize exposed slopes during and after construction, by using temporary and/or permanent, structural or nonstructural stabilization measures.*

In conformance with the above guidelines, erosion and sedimentation control measures would be employed during construction in accordance with the preliminary Erosion & Sediment Control Plan (see Appendix B). 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. Overall, the proposed project 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, approximately 3.21± acres of lawn and landscaped areas would be created on the subject property. To mitigate impacts from site disturbance, the proposed landscaping includes native species, to the maximum extent practicable. Thus, the proposed project would comply with the intent of 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 in areas that have been disturbed by grading. Approximately the 3.21± 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. Thus, the proposed project would comply with this recommendation.

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 project's consistency with the relevant recommendations is discussed below each italicized recommendation:

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

The proposed stormwater management plan includes collection and infiltration by the use of leaching basins. Leaching basins are similar to recharge basins in that they provide a means for infiltration of stormwater into the ground, through the base of the leaching basins. Therefore, the proposed development would be in keeping with the intent of this recommendation.

- *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.*

  The stormwater management system includes the use of leaching basins to assist in infiltration of stormwater into the ground. The proposed development would hire contractors who would properly maintain all elements of the stormwater management system, in keeping with this recommendation.

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

  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.

- *To maintain existing water quality where it is currently satisfactory, preclude any additional direct discharge of stormwater runoff into surface waters, using all available means for detention and/or recharge to reduce bacterial loads.*

  As there are no natural waterbodies located on or directly adjacent to the subject property, this recommendation is not applicable.

- *Protect stream corridors from encroachment.*

  As the site does not contain, nor is it located adjacent to any stream corridors, this recommendation is not applicable.

Based on the foregoing analysis, the proposed project would be consistent with the recommendations of the *NURP Study*.

3.1.2.2 Sewage Disposal

In its existing condition, as land in agricultural use, the subject property does not generate any sanitary waste. It should be noted that, as indicated previously, sanitary facilities associated with the agricultural operation are located on the Applicant's adjacent property (lot 39.50).

The proposed Willoughby Commons would connect to the Southwest SD as an out-of-district connection to accommodate sanitary waste generated by the proposed development. The anticipated quantities of sanitary waste to be generated by the proposed project, which are based upon SCDHS sanitary design density factors[24], are presented in Table 4.

Table 4 - Anticipated Sanitary Waste Generation

Description	Area	Units	Quantity	Sanitary Density (GPD/unit)	Total Flow (GPD)
Two-bedroom townhouse	1,650	SF	20	300	6,000
Two-bedroom end unit (first floor)	1,380	SF	16	300	4,800
One-bedroom end unit (second floor)	1,340	SF	16	300	4,800
One-bedroom end unit (first floor)	1,150	SF	20	225	4,500
One-bedroom end unit (second floor)	1,180	SF	20	225	4,500
One-bedroom middle unit	1,100	SF	154	225	34,650
One-bedroom middle unit	900	SF	18	225	4,050
Total Sanitary Waste Generation					**63,300**

As indicated above, Willoughby Commons is expected to generate an estimated 63,300± gpd of sanitary waste.

As described in Section 2.4 of this SVDEIS, sanitary waste would be transmitted to the Southwest SD for treatment via an on-site pump station and sanitary connections that would be constructed in accordance with all applicable Suffolk County Sewer Agency requirements. In addition, according to correspondence from the SCDPW, dated September 18, 2014, the Southwest SD has sufficient capacity to accommodate an out-of-district connection to the subject property (see Appendix C).

[24] 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.

3.1.2.3 Water Supply

As discussed in Section 3.1.1.3 of this SVDEIS, the majority of water usage at the subject property is non-potable water, for irrigation purposes, that is supplied via two private irrigation wells located on the applicant's adjacent property. There is some potable water use of SCWA supplies, associated with the Applicant's adjacent out-parcels that currently supplement the aforementioned use of the irrigation wells. Upon implementation of the proposed project, the Willoughby Commons development would connect to the SCWA system for all water supply needs. Anticipated water usage by the proposed project, which is based upon SCDHS sanitary design density factors[25], is provided in Table 5 below.

Table 5 - Anticipated Potable Water Demand

Description	Area	Units	Quantity	Sanitary Density (GPD/unit)	Total Flow (GPD)
Two-bedroom townhouse	1,650	SF	20	300	6,000
Two-bedroom end unit (first floor)	1,380	SF	16	300	4,800
One-bedroom end unit (second floor)	1,340	SF	16	300	4,800
One-bedroom end unit (first floor)	1,150	SF	20	225	4,500
One-bedroom end unit (second floor)	1,180	SF	20	225	4,500
One-bedroom middle unit	1,100	SF	154	225	34,650
One-bedroom middle unit	900	SF	18	225	4,050
Total Potable Water Demand					**63,300**
Irrigation (0.25-inch flow over four hours)					20,500
Total Potable and Irrigation Water Demand					**83,800**

As shown in Table 5, Willoughby Commons is expected to use an estimated 63,300± gpd of potable water, or 23.1 million gallons per year, which represents approximately 0.03 percent of SCWA's annual pumpage, as described above. In addition, the proposed project would use approximately 20,500 gpd (based upon irrigation flow of 0.25-inch over four hours) for irrigation purposes approximately every third day during a portion of the year, as irrigation generally only occurs during the late spring through early fall (essentially six months out of the year). Thus, maximum daily water demand during the irrigation season is expected to be approximately 83,800 gpd.

As the subject property does not currently utilize SCWA water supplies, public water demand at the subject property is projected to increase by 63,300± gpd, with an

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[25] Suffolk County Department of Health Services, 2009.

additional 20,500±gpd expected approximately every third day during the seasonal time of late spring through early fall. In order to minimize water demands, the proposed landscaping would consist of native and low-maintenance plant 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, it is expected that the proposed buildings would incorporate low-flow, water-saving fixtures, to the maximum extent practicable.

As SCWA currently serves the neighboring area, correspondence was forwarded to the SCWA on June 20, 2015 (see Appendix C) to determine future connection fees and peak flow requirements during the preliminary design stage. A response has not been received, however, consultations with the SCWA will continue.

3.1.2.4 Stormwater Runoff

Introduction

Drainage patterns on the subject property would be altered as a result of grading and the installation of impervious surfaces and landscaping. Although the overland flow of stormwater runoff would change, runoff from the proposed project would be collected on-site and recharged to groundwater via leaching basins that would be installed throughout the subject property. Moreover, the on-site soil conditions are generally favorable to on-site storage and recharge of stormwater.

More specifically, the process of collecting site runoff and recharging it into the ground via the use of leaching basins is a means of recharging Long Island's groundwater system through the underlying soils. Site design techniques that incorporate the use of leaching basins would detain the increase in stormwater volume and peak flow rates, as well as remove pollutants. A more detailed discussion of the proposed stormwater management system is contained below.

Proposed Post-Development Stormwater Management System

As provided on the Grading and Drainage Plan (see Appendix B), runoff coefficients of 1.00 for the building and paved areas (317,083 SF and 257,706 SF, respectively) and 0.15 for the landscaped area (141,387 SF) were used to calculate the drainage system capacity that would be needed to accommodate a two-inch rainfall, as required by the Town. Based on the proposed improvements, compared with existing conditions, the total volume of stormwater runoff generated at the southern portion of the subject property is expected to increase as a result of the construction of buildings, parking areas and driveways (a total of 13.20± acres of impervious surface would be created at the site). A total system capacity of 99,332.80± CF is required, as provided by the project engineer.

The aforementioned Grading and Drainage Plan (see Appendix B) provides details of the drainage system and drainage calculations, which demonstrate that the proposed system is designed to accommodate a total of 99,617.52± CF of stormwater storage, in excess of the Town's storage requirement for a two-inch rainfall (99,332.80± CF). A network of 104 ten-foot-diameter, 14-foot-deep leaching basins would be installed throughout the southern portion of the subject property to collect and recharge stormwater runoff to groundwater via the base of the subject leaching basins. As indicated in Section 3.1.1.1 of this SVDEIS, results from test holes on the subject property indicated that in the area of the site proposed for development, groundwater was found at a depth of 25± feet bgs. Thus, there would be adequate separation distance between the base of the 14-foot-deep leaching basins and groundwater.

As indicated above, the proposed project would include an on-site drainage system, designed in conformance with both Town and State stormwater management requirements pertaining to stormwater runoff generated by on-site impervious surfaces. Thus, it is not anticipated to result in stormwater impacts, as a result of proper site grading procedures, erosion controls, and drainage system design.

Chapter 189 of the Town of Babylon Town Code: Stormwater Management and Erosion and Sediment Control

As indicated in Section 3.1.1.3 of this SVDEIS, Chapter 189 of the Town Code establishes minimum stormwater management requirements and controls to which land development activities must conform. The proposed project's conformance with the relevant requirements are evaluated below.

Pursuant to §189-4, for any land development activity disturbing five or more acres, a SWPPP must be submitted to the Town, and must include all those requirements pursuant to Chapter 189-6(B) and (D). A SWPPP, prepared in compliance with §189-6(B) and (D) of the Town Code, would be submitted to the Town.

- *Pursuant to §189-7(A), stormwater management practices that are designed and constructed in accordance with NYSDEC's* NYS Stormwater Manual *and* Standards and Specifications, *Town Planning Board site improvement and subdivision specifications and US EPA best management practices (BMPs) meet Town standards.*

  The stormwater management system would be designed in accordance with the above-referenced technical guides, and all drainage structures would meet or exceed the four-foot minimum separation to groundwater resources, as required by the *NYS Stormwater Manual* for areas in New York State located above a sole source aquifer.

- *Stormwater management facilities must be maintained during and after construction in accordance with the provisions of §189-8.*

  The stormwater management infrastructure, consisting of 104 leaching basins installed throughout the site, would be maintained during and after construction in accordance with §189-8.

- *Monitoring reports and as-built plans for stormwater management practices on site must be submitted in accordance with the provisions of §189-9.*

  The proposed project would comply with this requirement, in accordance with §189-9. As noted above, the site plans would additionally indicate compliance with the NYS Stormwater Manual's requirement for a four-foot separation distance between drainage structures and groundwater in order to protect the sole source aquifer.

New York State Pollutant Discharge Elimination System (SPDES) Program

As discussed in Section 3.1.1.4 of this SVDEIS, 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).

Prior to commencement of construction, a SWPPP would be prepared and implemented, and would include erosion and sedimentation controls and methods by which stormwater would be accommodated. The proposed SWPPP would be consistent with the *New York Standards and Specifications for Erosion and Sediment Control* (NYSDEC, 2005), the *New York State Stormwater Management Design Manual* (NYSDEC, 2010), Town specifications and US EPA BMPs. The erosion and sediment control measures to be incorporated in the SWPPP would generally be as indicated on the Soil Erosion & Sediment Control Plan included in Appendix B of this SVDEIS, although specific adjustment may be made based upon field conditions.

Under post-development conditions, the proposed stormwater management system would contain and is expected to recharge virtually all of the stormwater runoff generated at the subject property (see discussion above and the Grading & Drainage Plan in Appendix B). As the subject property would disturb greater than five acres of land, the SWPPP to be prepared would also address post-development stormwater management. Coverage would be obtained under GP-0-15-002, and erosion and sedimentation controls and stormwater management would be implemented in accordance with a SWPPP (to also be reviewed by the Town in accordance with Chapter 189 of the Town Code), in satisfaction of all relevant requirements. In addition, covenants and restrictions for post-construction stormwater management

would be filed by the applicant to ensure long-term maintenance of the drainage infrastructure.

Based on the information presented above, the proposed project would comply with the requirements of the New York SPDES program.

3.1.2.5 Wetlands

As mentioned in Section 3.1.1.5 of this SVDEIS, there are NWI wetlands located adjacent to, but not on, the subject property, and there is a portion of an NYSDEC freshwater wetland on the northern portion of the subject property. However, it should be noted that there are no wetlands (NYSDEC or NWI) located within the area of the subject property that is proposed for development of Willoughby Commons (the southern portion). It is expected that the existing NYSDEC-regulated freshwater wetland on the subject property and the NWI wetlands adjacent to the subject property would be enhanced and protected and a proposed pond/wildlife habitat would be created in the area of the existing Town storm surge/retention basin. Creation of the pond/wildlife habitat would involve the planting of native species that would attract birds, with shrubs along the slopes of the basin. A pervious woodchip walkway would also be provided around the proposed pond for passive recreational use by residents of Willoughby Commons.

In addition, the proposed stormwater management system, as described in Section 3.1.2.4 of this SVDEIS, would collect and recharge virtually all stormwater on-site, thus protecting any nearby wetlands from potential stormwater runoff. Finally, as part of the proposed project, the northern 15.21± acres of the subject property, upon which the NYSDEC wetland is located, would potentially be preserved by sale of development rights to Suffolk County, and the Suffolk County Farmland Preservation program encourages landowners of enrolled farmlands to adopt best management practices that limit the negative impacts to soils, surface and groundwaters.[26] Thus, the proposed project would have no significant adverse impact to wetlands.

3.1.3 Mitigation Measures

The proposed project is not expected to result in significant adverse impacts to water resources; however, the following measures have been incorporated into the project to minimize or eliminate potential impacts to water resources:

- Various water efficiency measures would be employed to reduce potable water demands, including:

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[26] County of Suffolk, *Suffolk County Code, Chapter 8. Agricultural Land, Development of* (accessed November 2015); available from http://www.suffolkcountyny.gov/Portals/0/planning/OpenSpaceFarmland/Farmland/2014Ch8update.pdf.

- Use of native, low-maintenance plant species to reduce irrigation demand;
- Use of drip irrigation systems and limiting irrigation areas; and
- Installation of low-flow plumbing fixtures.

- The proposed project would connect to the Southwest SD, and sanitary wastewater would be treated at the Bergen Point WWTP, provides advanced treatment of effluent
- Sedimentation controls and stormwater management would be implemented in order to minimize potential impacts to water resources.
- The proposed stormwater management system would be designed to accommodate, and recharge on-site, stormwater runoff generated during a two-inch rainfall event.

3.2 Land Use, Zoning and Community Character

3.2.1 Existing Conditions

3.2.1.1 Land Use

The 31.96±-acre subject property is bounded by Colonial Springs Road/Main Avenue to the south, North 28th Street to the west, and Lee Avenue/North 23rd Street to the east. A 2.7±-acre Town storm surge/retention basin also abuts the subject property to the west (see Photograph Nos. 14 and 16 in Appendix D1). The subject property is comprised of 57 SCTM parcels, including District 100 – Section 13 – Block 2 – Lots 39.1 through 39.49, 39.51 and District 100 – Section 11 – Block 1 – Lots 6.1 through 6.7 (as depicted on Figure 2 in Section 2.1 of this SVDEIS).

The site is currently utilized as a farm, consisting of predominantly cleared fields for agricultural use (see Photograph Nos. 2, 6, 8, 9, 10 and 19 in Appendix D1). There are several small accessory structures, such as sheds and barns on the southern portion of the subject property that would be demolished as part of the proposed project (see Photograph Nos. 1, 4 and 7 in Appendix D1). In the central portion of the subject property, there are mulch piles and equipment associated with a landscaping operation that uses the subject property for storage and staging (see Photograph Nos. 15 and 17 in Appendix D1). On the northern portion of the property there are forested areas and a NYSDEC wetland in addition to farm fields (see Photograph No. 13 in Appendix D1). Informal truck paths also traverse the site (see Photograph Nos. 3 and 21 in Appendix D1). Existing site data for the subject property are described below in Table 6.

Table 6 - Existing Site Data

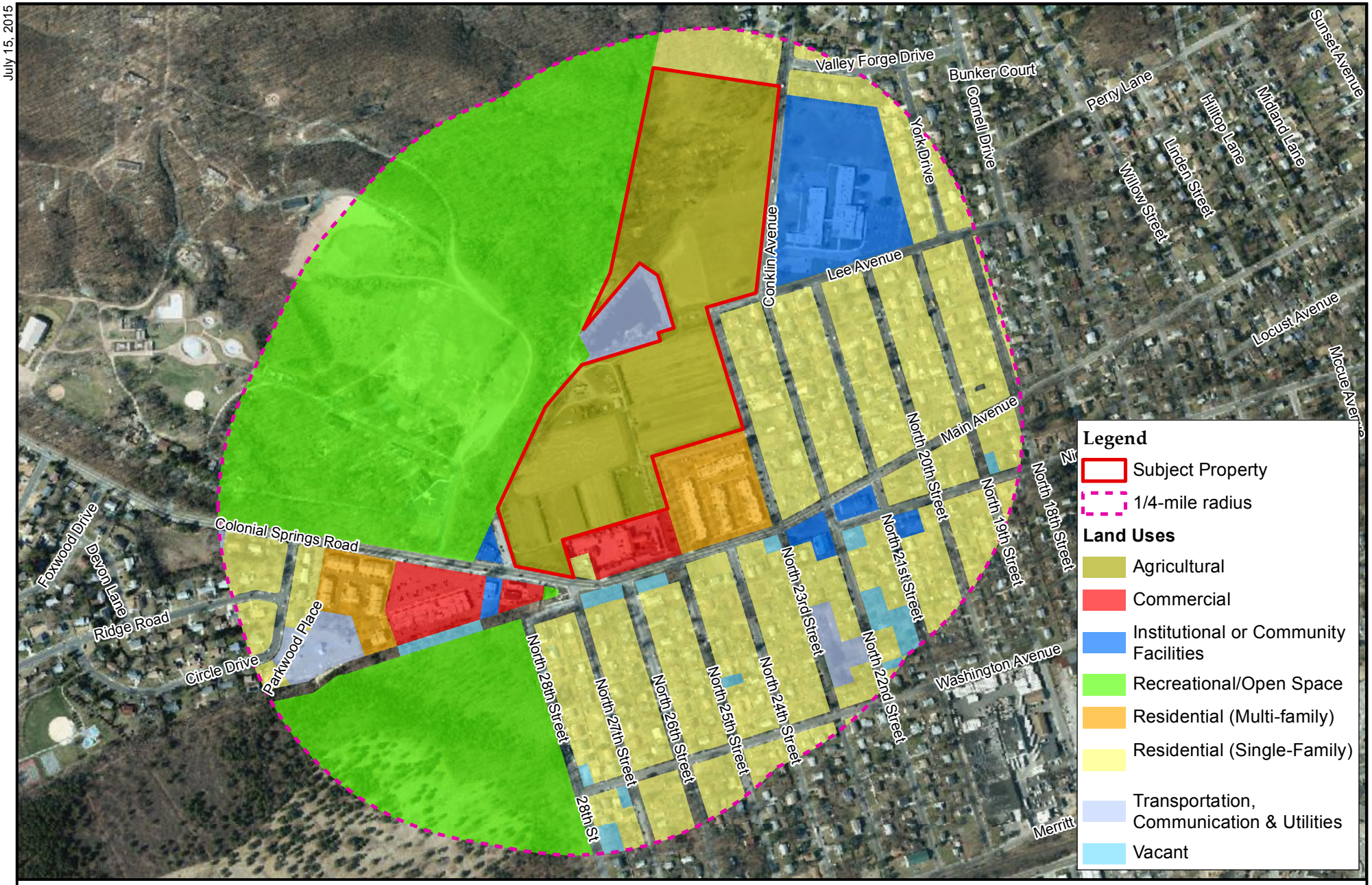
Development Type	Area (Acres)[1]	Percent of the Subject Property
Impervious Surfaces (i.e., Buildings, Pavement, and Roadway)	0.07	0.22
Agricultural Areas	28.7	89.80
Forested Areas	1.55	4.85
Wetlands	0.40	1.25
Landscaping	1.24	3.88
TOTAL:	31.96	100

Note: [1] = The acres in this table represent site coverage data for the overall subject property, which includes both the area proposed for development and the agricultural fields to the north. Note that there is currently, and would be in the proposed condition, pavement, buildings and landscaping cover-types only on the southern portion of the subject property.

As indicated above in Table 6, the subject property is primarily comprised of agricultural areas, with small areas of forest and wetland cover-types (in the northern portion) and landscaped and impervious cover-types (in the southern portion).

Land uses in the area surrounding the subject property are depicted on Figure 12, and described below, and photographs depicting land uses on the subject property and in the surrounding area are provided in Appendices D1 and D2, respectively, and cited herein).

July 15, 2015



Willoughby Commons

Figure 12 - Surrounding Land Uses

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 622 feet

0 215 430 860 Feet

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

SOURCE: *2013 NYS Digital Ortho-imagery* ©NYSITS, 2013; Review of Google Earth aerial imagery; VHB Field Survey, May 2015.

Immediately adjacent and south of the subject property is the Applicant's property, which is used for retail and other commercial uses associated with the agricultural use on the subject property. This adjacent property (lot 39.50) contains a barn, parking areas, and other buildings associated with farm maintenance (see Photograph Nos. 1 and 2 in Appendix D2). Also adjacent to, and south of, the subject property is a single-family residence on property owned (lot 9) by the Applicant (see Photograph No. 3 in Appendix D2).

Land use in the vicinity of the subject property can be generally characterized as residential, although other uses are present in the surrounding area. The subject property is situated among uses that include single-family and multi-family residential, institutional, recreational and commercial. More specifically, the Western Suffolk BOCES James E. Allen Alternative School is located immediately to the east of the site (see Photograph No. 18 in AppendixD2). To the east and southeast are single- and multi-family residences (see Photograph Nos. 13, 14, 17 and 19 through 21) in Appendix D2). Also to the south, and along Colonial Springs Road/Main Avenue, are a Wyandanch Fire Department substation, a gasoline station, the Wheatley Heights Post Office, and a strip retail shopping center, beyond which there are senior citizen multi-family residences (see Photograph Nos. 4, 5, 10 and 11 in Appendix D2). An undeveloped portion of the Long Island National Cemetery is also located south-southeast of the subject property. Primarily undeveloped and wooded property comprised of over 500 acres, which is owned by a not-for-profit corporation and utilized as the Henry Kaufmann Camps & Grounds (a campground), and an adventure park, are situated to the west and northwest of the site, and the Wyandanch VFW Hall is located immediately west across North 28th Street (see Photograph Nos. 7 through 9 in Appendix D2). The area north of the subject property is developed with single-family residences (see Photograph Nos. 22 and 23 in Appendix D2).

As mentioned above, there are two multi-family residential developments located in the immediate vicinity of the subject property. The Wheatley Gardens apartment development, which is non-age-restricted, is located at 175 Main Avenue at North 23rd Street (see Photograph No. 13 in Appendix D2). It was built in 1973 and converted to cooperatives in 1988. This development consists of 78 units on approximately 4.9 acres, for a density of 16± units per acre. Wheatley Hollow Gardens is limited to persons 55 years of age and older, and is located at 50 Colonial Springs Road (see Photograph No. 10 in Appendix D2). The development was constructed in 1981, and contains 72 apartments on 2.8± acres for a density of approximately 25 units per acre.

3.2.1.2 Zoning

The entire subject property is currently zoned A Residence (see Figure 13). This district permits the development of one-family dwellings; churches, places of worship and parish houses; public parks, playgrounds and recreational areas when authorized or operated by a governmental authority; colleges or universities; organized

elementary or high schools; agricultural occupations; professional offices; golf courses and country clubs; and accessory buildings and structures. Additional uses are permitted by special exception. Dimensional and bulk regulations for the A Residence district are provided in Table 7.

Several zoning districts are present within the quarter-mile study area of the subject property, as follows:

North: A Residence to the north

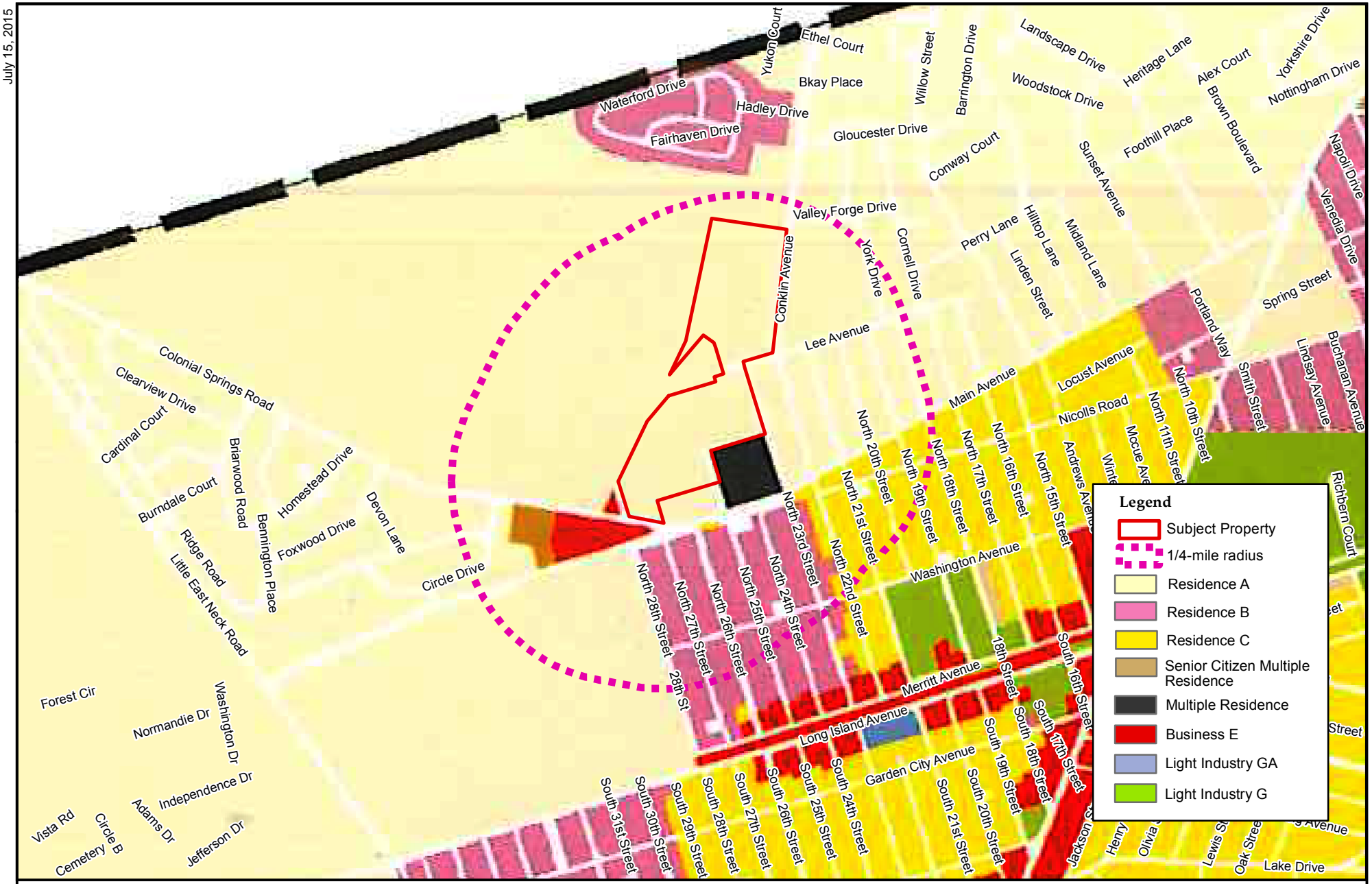
South: B Residence district to the south and C Residence district to the southeast

East: A Residence district to the east and Multiple Residence (MR) district to the southeast; and

West: E Business district to the west and southwest and Senior Citizen Multiple Residence (SCMR) district to the southwest

Permitted uses allowed in the B Residence and C Residence districts are similar to the permitted uses in the A Residence district, as described above. The MR district permits those uses allowed in the A Residence district, as well as multi-family dwellings. The SCMR district permits multi-family residences designed to provide living and dining accommodations for persons over the age of 55. Finally, the E Business district represents the only commercial zoning district in the study area, and permits retail, personal service, bank, and other commercial uses. Additional uses are permitted by special exception. Dimensional and bulk requirements for the A, B and C Residence, MR Multiple Residence and SCMR Senior Citizen Multiple Residence districts are shown in Table 7.

July 15, 2015



Willoughby Commons

Figure 13 - Existing Zoning

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

1 inch = 1,042 feet

Feet
0 362.5 725 1,450

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

vhb

SOURCE: Current Zoning Map from the Town of Babylon Comprehensive Land Use Plan, prepared by the Saratoga Assoc. and Greenman-Pedersen, Inc., 1998.

Table 7 - Dimensional and Bulk Requirements for Residential Districts in the Study Area

Dimensional Regulation	A Residence	B Residence	C Residence	MR – Multiple Residence	SCMR – Senior Citizen Multiple Residence
Maximum Height	30 feet/ 2½ stories	30 feet/ 2½ stories	30 feet/ 2½ stories	2½ stories	2½ stories
Minimum Area	12,500 SF	10,000 SF	7,500 SF	2 acres	2 acres
Minimum Area per Unit	N/A	N/A	N/A	4,000 SF/one-bedroom 5,000 SF/two-bedroom 6,666.67 SF/three-bedroom	N/A
Density of Dwellings on Lot	N/A	N/A	N/A	10 units/acre (one-bedroom) 8 units/acre (two bedroom) 6 units/acre (three-bedroom)	25 units per acre
Maximum Building Area	15% (30% for 1-story)	20%	30%	N/A	N/A
Minimum Front Yard	40 feet	30 feet	30 feet	40 feet	30 feet
Minimum Side Yard	15 feet	12 feet	10 feet	40 feet	20 feet
Total Side Yards	35 feet	30 feet	25 feet	80 feet	N/A
Minimum Rear Yard	40 feet	40 feet	30 feet	50 feet	25 feet

Source: Town of Babylon Town Code, Chapter 213: Zoning (accessed June 2015); available from http://ecode360.com/6810826.

The zoning chapter of the Town Code, §213, contains additional provisions regarding required buffers, landscaping, lighting and acceptable building materials. The proposed project's consistency with these items is presented in Section 3.2.2.2 of this SVDEIS. Parking requirements are discussed in Section 3.3 of this SVDEIS. The Town Green Building Certification chapter in §89 of the Town Code sets forth minimum green building certification standards to ensure that new commercial, office and industrials buildings and multiple-residential dwellings, greater than 4,000 SF, are resource-efficient and conserve energy. The aforementioned energy green building requirements are discussed in Section 7.0 of this SVDEIS.

In addition to the Town zoning code provisions, §740-45(C) of the Suffolk County Code requires that residential developments of ten or more units that connect to a County sewer district, as an out-of-district connection, provide 20 percent of the units as affordable housing. According to the Suffolk County Code, affordable housing units are those set aside for renters whose income does not exceed 120 percent of the HUD-established median income limit for the Nassau-Suffolk PMSA. According to

2015 HUD data, the median income for a family of four, which is considered the base, is $109,000 for the Nassau-Suffolk, NY HUD Metro FMR Area, and thus, the 120 percent income limit would be $130,800.[27] The HUD 2015 income limits briefing materials also provide guidance for adjusting the $130,800 120-percent income limit based on family size, as shown in Table 8.

Table 8 also shows monthly rental prices that would be affordable to those earning not more than 120 percent of the median income for the HUD Nassau-Suffolk, NY HUD Metro FMR Area. The affordable rents were estimated, based upon HUD's indication that "families who pay more than 30 percent of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation and medical care." [28]

Table 8 - 120 Percent Income Limits and Affordable Rents Based on Family Size

Family Size (No. of Persons)	Adjustment Multiplier (%)	HUD 120 percent Income Limit ($)	Affordable Monthly Rents (≥30 percent of Income) ($)
1	70	91,560	2,289
2	80	104,640	2,616
3	90	117,720	2,943
4	(Base)	130,800	3,270

The proposed project's consistency with the above requirements is presented in Section 3.2.2.2 of this SVDEIS.

3.2.1.3 Community Character

The general appearance of the subject property is of a working farm property within a typical suburban residential area.

As identified in Section 3.2.1.1 above, the 16.44±-acre subject property is situated amongst a variety of land uses, including single-family and multi-family residential, institutional, recreational and commercial uses. As the subject property is situated such that Colonial Springs Road, a main thoroughfare in the hamlet of Wheatley Heights, is located at the property's southern boundary, and the applicant's adjacent farmland and less dense single-family residential development is found at its northern boundary, the surrounding community character is likewise varied.

Residential uses are typical throughout the area, including dense single-family neighborhoods and two multi-family residential developments in the vicinity of the

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[27] U.S. Department of Housing and Urban Development, *Fair Market Rent FY 2015 and Income Limit FY 2015 Summary System* (accessed July 2015); available from http://www.huduser.org/portal/datasets/fmr/fmr_il_history/select_Geography.odn.

[28] U.S. Department of Housing and Urban Development, *Affordable Housing* (accessed July 2015); available from http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/.

subject property, to the south and east. The community character of the immediate area surrounding the southern portion of subject property, although not a traditional downtown, can be described as serving as a central node for the hamlet, with single-family residences, retail and service uses; the Wheatley Heights Post Office, the Wyandanch Fire Station and the VFW Hall, all located in relative close proximity to one another.

To the west of the subject property, the large, heavily wooded, private recreational facility that includes campgrounds of a non-profit organization, and an adventure park, and is comprised of over 500 acres, and provides a rural feel directly west of the property. The character surrounding the northern portion of the subject property is less dense, and is influenced by the applicant's farmland. In addition, there are single-family residences beyond on relatively larger lots than those to the south and east of the subject property.

3.2.1.4 Relevant Comprehensive Plans

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

The *Suffolk County Comprehensive Master Plan 2035: Framework for the Future* (*Suffolk 2035 Plan*) 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, which include 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. Although a final *Suffolk 2035 Plan* has not been finalized or approved, a summary of the plan is provided in order to perform a thorough comprehensive consistency review of the proposed project with respect to available land use plans.

The *Suffolk 2035 Plan* notes that Suffolk County's assets include various transportation options, including 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 transit-oriented development 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 being priority actions for the County to protect its natural assets.

Principles of Smart Growth and Livability (2001)

The *Principles of Smart Growth and Livability* (*Principles of Smart Growth)*, which was adopted by the Town in 2001, encourages development concepts that foster community participation and provide a variety of housing types and facilities for a wide range of age groups, ethnic backgrounds and economic levels in areas that focus around existing transportation centers and are pedestrian-friendly. In short, implementation of the *Principles of Smart Growth* should result in:

- Protection of open spaces and the environment
- Strengthening of the local economy
- An improved sense of community
- A decrease or stabilizing of traffic congestion
- A reduction in auto dependency
- Preservation of historic structures
- Enhancements of the community character and aesthetics
- Efficient use of public money
- Safe and secure communities, and
- An improvement in the overall quality of life.

A discussion of the proposed project with respect to the above-described goals in provided in Section 3.2.2.4 of this SVDEIS.

Town of Babylon Draft Comprehensive Plan Summary (1998)

The *Town of Babylon Draft Comprehensive Plan Summary* (*Comprehensive Plan Summary*), adopted in 1998, stated its purpose was to identify objectives to make Babylon a stronger community, which included:

- 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's strengths, the immediate and long-term issues facing the community and strategies that could be implemented to achieve the Town's goals.

Strengths include the Town's location at the center of Long Island and its convenient location near Manhattan. Other strengths include 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 project is evaluated with respect to the findings and goals contained in the *Comprehensive Plan Summary* in Section 3.2.2.4 of this SVDEIS.

Suffolk County Agricultural and Farmland Protection Plan (1996)

The Suffolk County Agricultural and Farmland Protection Plan: The Economy of Agriculture (SCAFPP) was prepared by the Suffolk County Planning Department and the Suffolk County Agricultural and Farmland Protection Board in June 1996 under a grant from the New York State Department of Agriculture and Markets, and was approved by the Suffolk County Legislature and the Commissioner of the New York State Department of Agriculture and Markets in October 1996. Suffolk County is currently in the process of preparing an update to the SCAFPP, however a draft of the update is not currently available for review.

The SCAFPP noted a trend of declining farmland acreage in Suffolk County, despite conservation efforts. However, the SCAFPP stated that the farm industry contributed a quarter of a billion dollars to the local economy in Suffolk County, and that Suffolk County led New York State in market value of its crops. The SCAFPP was prepared in response to the decrease in farmland in Suffolk County, with overall goals as follows:

- Preserve agriculture as an important Suffolk County industry
- Ensure public policy is protecting, promoting and sustaining agriculture
- Preserve farmland as an important natural resource
- Preserve the cultural continuity of farms and farm families; and
- Preserve 20,000 acres of productive farmland through the purchase of development rights.

The SCAFPP contains an inventory of past and existing farmland acreages in the County, and a summary of the economic impacts of the agricultural industry. It also provides a summary of existing programs and policies that serve to protect farmland and promote agriculture in Suffolk County. Purchase of Development Rights (PDR) Programs are noted as one such tool. The Suffolk County PDR Program involves the purchase by Suffolk County of the right to develop agricultural properties for uses other than agriculture, with the existing property owner retaining the underlying fee. Additional conservation programs described by the SCAFPP include purchase of development rights by individual municipalities or by non-profits, outright purchase of the fee simple of a farm property for preservation purposes, New York State Agricultural District programs that help farmers with reduced property taxes and other protections, and marketing campaigns to promote Suffolk County agricultural products. Finally, the SCAFPP discusses farming technologies and best management practices that range from helping farms to be more profitable, to protecting the environment from potential impacts from pesticide and fertilizer use associated with farm operations.

As the subject property contains an agricultural use, an evaluation of the proposed project with respect to consistency with the SCAFPP is provided in Section 3.2.2.4 of this SVDEIS.

3.2.2 Probable Impacts

3.2.2.1 Land Use

Under existing conditions, as discussed in Section 3.2.1.1 of this SVDEIS, the subject property contains agricultural uses, including crop fields and accessory structures. Implementation of the proposed project would result in a change of use on 16.44± acres of the overall 31.96±-acre subject property (i.e., SCTM parcel Nos. District 100 – Section 13 – Block 2 – Lots 39.20 through 39.49 and part of lot 39.51) from agricultural to a residential multi-family condominium development of townhomes and apartments. The proposed project involves the development of 264 residential units in 23 buildings at a density of 16.16± units per acre. The residential units would be comprised of 20, 1,650-SF townhouses, containing two-bedrooms, a den and a garage; 16, 1,380-SF first floor end units, containing two-bedrooms and a den; 16, 1,340-SF, second floor end units, containing one-bedroom and a den; 20, 1,150-SF first floor end units with one-bedroom plus a den; 20, 1,180-SF second floor end units with one-bedroom and a den; 154, 1,100-SF middle units with one bedroom plus a den and 18, 900-SF middle units with one-bedroom and a study.

In addition, the proposed project would provide amenities for its residents, including a 6,475-SF community building, an outdoor swimming pool a recreation area and two entrance booths. A total of 3.21± acres of landscaping would be created throughout the subject property. A pump station would also be located on-site near the

southeastern corner of the subject property to transmit sanitary waste to the Southwest SD for treatment.

As noted above, the proposed project would change the existing agricultural use on 16.44± acres of the subject property to residential, which, as discussed in Section 2.5 of this SVDEIS, would help to increase the number of rental units in the hamlet of Wheatley Heights, which has proportionately fewer such units than in the overall Town. The remainder of the subject property would continue to be used for agriculture, and 15.21± acres are proposed for inclusion in the Suffolk County Farmland Protection Program, wherein the property would be preserved as farmland. Further discussion of this Suffolk County program is discussed in Section 3.2.2.4 of this SVDEIS.

Table 9 shows the proposed site data upon implementation of the proposed action, as provided by the project engineer, and a comparison to the existing condition. Note that the northern portion of the subject property (comprised of SCTM parcel Nos. District 100 – Section 11 – Block 1 – Lots 6.1 through 6.6 and District 100 – Section 13 – Block 2 – Lots 39.1 through 39.4, and 39.7 through 39.19 and part of lot 39.51) would not be affected by implementation of the proposed project.

Table 9 - Existing and Proposed Site Data

Development Type	Existing Area (Acres)	Proposed Area (Acres)	Change (Acres)
Impervious Surfaces (i.e., Buildings, Pavement, and Roadways)	0.07±	13.20±	+13.13
Agricultural Areas	28.70±	13.60±	-15.10
Forested Areas	1.55±	1.55±	0
Wetlands	0.40±	0.40±[2]	0
Landscaping	1.24±	3.21±	+1.97
TOTAL:	31.96±	31.96±	N/A

Note: [1] = The acres in this table represent site coverage data for the overall subject property, which includes both the area proposed for development and the agricultural fields to the north. Note that there is currently, and would be in the proposed condition, pavement, buildings and landscaping cover-types only on the southern portion of the subject property.

As indicated in Section 3.2.2.1 of this SVDEIS, there are single-family homes and two, multi-family residential developments located in the immediate vicinity of the subject property. Thus, the proposed project would be in character with existing development patterns.

3.2.2.2 Zoning

Upon implementation of the proposed project, zoning on the subject property would change from the A Residence zoning district to the MR zoning district, which requires that the buildings be no higher than two-and-a-half stories, situated on a minimum of

two acres, and have front yard setbacks of 40 feet and rear yard setbacks of 50 feet. As discussed in Section 3.2.1.2 of this SVDEIS, the existing zoning on the subject property allows for residential development, as does the proposed zoning, although the proposed zoning would permit a higher density development. Therefore, although the allowable development intensity would increase, the overall categories of uses proposed on the site would not change from what is currently permitted. Further, multi-family zoning districts (i.e., areas zoned MR and SCMR) are currently located in the surrounding area to the east and west, therefore the proposed change of zone would be in character with existing zoning patterns in the area.

The proposed project has been designed to conform to the zoning requirements of the MR zoning district, however, it would require variances from the Town Board of Appeals for density and front and rear yard setbacks.

Table 10 - Consistency with Dimensional and Bulk Requirements for the MR Zoning District

Dimensional Regulation	MR – Multiple Residence	
	Required	Provided
Maximum Height	2½ stories	2½ stories
Minimum Area	2 acres	16.44± acres
Minimum Area per Unit	4,000 SF/one-bedroom 5,000 SF/two-bedroom 6,666.67 SF/three-bedroom	2,712.79 SF/ all unit types (228 one- and 36 two-bedroom)[2]
Density of Dwellings on Lot	10 units/acre (one-bedroom) 8 units/acre (two bedroom) 6 units/acre (three-bedroom)	16 units/acre for all unit types (228 one- and 36 two-bedroom)[2]
Minimum Front Yard	40 feet	30 feet
Minimum Side Yard	40 feet	40 feet
Total Side Yards	80 feet	N/A[1]
Minimum Rear Yard	50 feet	30 feet

Notes: [1]= No buildings have a second side yard with a property line per Site Plan.
[2] = See discussion of proposed density following this Table.

As shown above, Willoughby Commons would provide 2,712.79 SF per unit (716,176.13 SF total lot area and 264 units), which is less than the 4,000 SF required per one-bedroom unit and 5,000 SF required per two-bedroom unit specified in §213-117 of the Town Code. Willoughby Commons would also be developed with a density of 16 units per acre, which is greater than the density of ten units per acre for one-bedroom units and eight units per acre for two-bedroom units allowed by §213-117 of the Town Code. Although the proposed project would have a higher density of dwelling units than what is provided for in the Town Code, as indicated in Section 3.2.1.1, it would be comparable to existing developments in the vicinity. Specifically, the Wheatley Gardens apartment development, located immediately adjacent to the

southeast of the subject property, is zoned MR and has a density of 16± units per acre, and the Wheatley Hollow Gardens development, located west of the subject property, is zoned SCMR and has a density of 25± units per acres. Moreover, based on the requirements in Table 10, 29.47 acres would be needed for the 264 units, and the overall subject property is 31.96± acres. The proposed development has been clustered to preserve farmland, and 15.21± acres of the subject property would potentially be preserved farmland, forgoing development rights. However, it should be noted that, while the overall subject property is 31.96±acres, the density calculations shown in the table above are based on the density of units per lot area of only the southern portion of the subject property (i.e., 16.44± acres). Therefore, the area that would potentially be preserved as farmland was not used to calculate the density, and a variance for unit density would be sought for the southern portion of the subject property.

In addition, Willoughby Commons would require variances for a front yard setback of 30 feet where 40 feet area required and for a rear yard setback of 30 feet where 50 feet are required. Although the proposed project would require relaxations to the front and rear yards, the increase in density would be offset by the potential preservation of 15.21± acres of undeveloped farmland, north of the proposed development on the northern portion of the overall subject property.

With respect to other zoning requirements for the MR zoning district, the design of Willoughby Commons would comply as follows:

- The proposed buildings would be finished with wood surfaces, with all painted surfaces in a color approved by the Planning Board, as required by §213-219 of the Town Code.
- The smallest proposed residential unit would be 900 SF, which is greater than the 500 SF-minimum allowed by §213-120 of the Town Code, and there would be no dwelling area below the first story or above the second story.
- Per §213-121 and §213-128 of the Town Code, a landscaped buffer strip of at least five feet in width would be provided at the rear and side property lines, and abutting any residentially-zoned parcel. Landscaping would also be provided throughout the site, as determined by the Planning Board.
- There would be a minimum distance of 50 feet provided between all proposed buildings, per §213-122 of the Town Code.
- Public water would be provided by the SCWA and a stormwater management system would be installed, in conformance with §213-125 and §213-124, respectively, of the Town Code, and with the NYSDEC and New York SPDES program, as indicated in Section 3.1.2.4 of this SVDEIS.
- Utility areas for laundry and garbage associated with the residential units would be provided, in accordance with §213-126 of the Town Code.

- The lighting plan would provide adequate lighting for all common areas of Willoughby Commons, and fixtures would be adjusted such that light would not shine onto adjacent properties, as required by §213-127 of the Town Code.

As indicated in Section 3.2.1.2, a discussion of the proposed project's consistency with parking requirements is provided in Section 3.3 of this SVDEIS, and its compliance with the green building certification standards, is discussed in Section 7.0 of this SVDEIS.

As also discussed in Section 3.2.1.2 of this SVDEIS, as the proposed project would connect to the Southwest SD, as an out-of-district connection, it would be subject to Suffolk County Code §740-45(C) requirement to provide 20 percent of its units as affordable housing for those whose income does not exceed 120 percent of the HUD-established median income limit for the Nassau-Suffolk PMSA. As shown in Table 11, affordable monthly rents for family sizes from one to four persons would range from $2,289 to $3,270.

Table 11 - Affordable Rents Based on Family Size

Family Size (No. of Persons)	Adjustment Multiplier (%)	HUD 120 percent Income Limit ($)	Affordable Monthly Rents (≥30 percent of Income) ($)
1	70	91,560	2,289
2	80	104,640	2,616
3	90	117,720	2,943
4	(Base)	130,800	3,270

Table 11 shows monthly rental prices that would be affordable to those earning not more than 120 percent of the HUD Nassau-Suffolk median income, as calculated in Section 3.2.1.2 of this SVDEIS, based upon spending no more than 30 percent of gross income on housing expenses. Table 12 shows the monthly rents for the proposed units at Willoughby Commons.

Table 12 - Projected Willoughby Commons Rents by Unit Type

Type of Unit	Unit Count	Projected Monthly Rent ($)
1-bedroom – 900-SF	18	1,900
1-bedroom – 1,100-SF	100	2,000
1-bedroom – 1,150-SF	20	2,100
1-bedroom – 1,180-SF	20	2,100
1-bedroom – 1,340-SF	16	2,100
2-bedroom – 1,380-SF	16	2,200
2-bedroom townhome – 1,650-SF	20	2,300
1-bedroom – 1,100-SFAffordable units	54	1,400

As shown in Table 12, the proposed monthly rents of all but 20 of the proposed units at Willoughby Commons would be affordable for a family of one, making less than or equal to the HUD 120-percent income limit, and all of the Willoughby Commons rents would be affordable to a family of two, as they would be less than the affordable rents illustrated in Table 11. Therefore, the proposed project would comply with §740-45(C) of the Suffolk County Code. In addition, Willoughby Commons would exceed the Suffolk County requirements, as it would provide 54 one-bedroom units at a monthly rent of $1,400, which is lower than the rents required by §740-45(C) of the Suffolk County Code. The affordable units would be located throughout the proposed development, such that there would be a mix of units at varying price points situated throughout.

3.2.2.3 Community Character

Upon implementation of the proposed project, 16.44±-acres in the southern portion of the overall 31.96±-acre subject property would be redeveloped from agricultural uses to Willoughby Commons, a multi-family residential, rental apartment development with associated appurtenances. As the character of the surrounding area is largely residential, and includes multi-family developments, implementation of the proposed action would be consistent with the existing character, and would include a well-maintained residential development with private recreational opportunities. Willoughby Commons would also be developed with a similar density (approximately 16 units per acre) to the Wheatley Gardens apartments, a development located immediately southeast of the subject property, and also zoned MR. Therefore, the development of the subject property with condominium units would be characteristic of the density patterns that have already been established in this area and that are compatible with the surrounding prevailing zoning. It should also be noted that 15.21±-acres of the subject property are proposed to be preserved and to remain in agricultural use through sale of the development rights to the County. Therefore, a large portion of the character of the subject property would remain unchanged.

As depicted in the renderings of the proposed development (see Appendix E), the landscaping and buildings would be contextual with the surrounding architecture and environment. Some design elements that would enhance the community character include:

- Well-landscaped public areas to include native plant species
- A variety of architectural design and styles instead of uniform suburban sprawl
- Buildings facing out toward N. 23rd street that integrate Willoughby Commons into the surrounding community; and
- Potential preservation of 15.21±-acres of the subject property, as farmland.

Moreover, as discussed in more detail in Section 3.2.2.4, in the discussion of the project's consistency with relevant comprehensive plans, as the proposed Willoughby Commons would provide rental housing, including a 20 percent affordable component, it is expected the proposed development would encourage economic vitality in the area of the Town by helping to retain workers and young people.

Based on the foregoing, redevelopment of the subject in accordance with the proposed development is expected to complement and enhance existing community character.

3.2.2.4 Relevant Comprehensive Plans

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

An evaluation of the proposed project's consistency with the *Suffolk 2035 Plan*, as described in Section 3.2.1.4 of the SVDEIS, is included herein.

As presented in Section 3.2.1.4 of this SVDEIS, the *Suffolk 2035 Plan* notes the need for sustainable economic development in Suffolk County, which it indicates can be encouraged through provision of affordable housing to retain workers and expansion of wastewater infrastructure to support new development. As the proposed project would include rental apartment units with a 20-percent affordable component, as defined by the Suffolk County Code, §740-45(C), and would connect to the Southwest SD with an out-of-district connection, it would be supportive of these stated goals.

The protection of ground and surface water resources are also considered an issue of importance by the *Suffolk 2035 Plan*. The proposed project has been designed to be protective of such resources, as measures would be taken to protect groundwater and to ensure compliance with applicable prevailing codes and regulations. Measures to be employed include:

- An out-of-district connection to the Southwest SD to ensure proper wastewater treatment, which could also potentially encourage economic development by allowing for surrounding businesses and residences to also connect through the Applicant's proposed infrastructure
- As indicated in Section 3.3.2.4 of this SVDEIS, and determined by the TIS (see Section 3.3.2.4 and Appendix F), the proposed project would be well served by public transportation
- Phased clearing of the property such that areas will only be cleared as they are developed
- The maintenance of natural vegetation and revegetation with native species in the design, to the extent practicable, in order to minimize the need for irrigation and use of fertilizers
- The use of positive drainage systems (i.e., leaching pools) to contain runoff on-site with maximum recharge
- Adherence to the relevant provisions of the SCSC
- Water conservation measures, such as low-flow fixtures, low-flow toilets, and drip irrigation, would be used within the development to minimize the water demand; and
- Connection to the public water supply system.

Based on the foregoing, the proposed project would be consistent with the *Suffolk 2035 Plan.*

Principles of Smart Growth and Livability (2001)

As indicated in Section 3.2.1.4 of this SVDEIS, the *Principles of Smart Growth* seek to promote pedestrian friendly development with housing options for a range of demographics. The proposed project, while not in a downtown area, is proximate (i.e., walking distance – less than 300 feet) to the post office and a strip retail center. As discussed in Section 3.3.2.4 of this SVDEIS, the site is also centrally located to existing public transportation (i.e., bus stops), which provide access to existing shopping areas and work centers without generating additional traffic. In addition, the residential units would be rental apartments, which, as indicated previously, are in demand, and 20 percent of the proposed apartments would be affordable units, as defined by §740-45(C) of the Suffolk County Code. Therefore, the proposed project would be consistent with the overall intent of the *Principles of Smart Growth.*

Town of Babylon Draft Comprehensive Plan Summary (1998)

The following aspects of Willoughby Common's design demonstrate the proposed project's consistency with the recommendations of the *Comprehensive Plan Summary,* which addressed issues of providing affordable housing, addressing a shortage of rental housing, ensuring protection of natural resources and sustainable economic development:

- Implementation of the proposed project would contribute to the availability of affordable housing by providing 20 percent of its rental units for affordable housing, as defined by §740-45(C) of the Suffolk County Code
- Willoughby Commons would consist of 264 residential rental one- and two-bedroom apartments, which would assist in addressing the rental housing shortage identified by the *Comprehensive Plan Summary*. In addition, the subject property is within Wheatley Heights, which, as noted in Section 2.5 of this SVDEIS, has a low rental vacancy rate, indicating that rental units are in demand in this area of the Town
- The proposed project would be served by an out-of-district connection to the Southwest SD, which would ensure proper wastewater treatment and avoid on-site sanitary discharges, thereby protecting groundwater resources. The proposed connection to the Southwest SD could also potentially encourage economic development by allowing for surrounding businesses and residences to also connect through the Applicant's proposed infrastructure;

- Stormwater would be managed through collection and recharging on-site, via the installation of leaching basins on-site, such that stormwater runoff would not be expected to adversely affect surface water or groundwater resources; and
- The proposed project would be within walking distance to the Wheatley Heights Post Office, a retail strip shopping area and existing public transportation networks.

Suffolk County Agricultural and Farmland Protection Plan (1996)

As indicated in Section 3.2.1.4 of this SVDEIS, the SCAFPP was prepared to address a trend of declining farmland acreage in Suffolk County. The overall goal of the SCAFPP was to preserve farmland acreage and a viable farming industry in Suffolk County. One of the tools for preserving farmland that was presented in the SCAFPP is the SCPDR program. Although the proposed project would involve the conversion of 16.44± acres of farmland to a multi-family residential use, 15.21± acres in the northern portion of the subject property are proposed to be preserved by the sale of development rights to the County, thereby ensuring the this portion of the subject property would remain in agricultural use. Therefore, the proposed project would conform to the SCAFPP.

3.2.3 Mitigation Measures

The proposed project is not expected to result in adverse impacts to land use and zoning, such that no mitigation measures would be necessary. In order to minimize potential land use and zoning impacts, the following measures would be employed:

- The proposed project is within walking distance of the Wheatley Heights Post Office and a strip retail center, and is centrally located to existing public transportation networks
- The proposed development would provide 20-percent of its units for affordable housing, as defined by the Suffolk County Code, §740-45(C)
- Willoughby Commons would consist of 264 residential rental one- and two-bedroom apartments, which would assist in addressing the rental housing shortage identified throughout this SVDEIS
- The proposed project's out-of-district connection to the Southwest SD could potentially encourage economic development by allowing for surrounding businesses and residences to also connect to wastewater treatment infrastructure through the Applicant's proposed connection
- Approximately 3.21 acres of the subject property would be landscaped, including a vegetated buffer that would be planted in areas of the subject property to screen the proposed development from the surrounding community

- Appropriate landscaping and lighting would be provided throughout the development to enhance aesthetics, be compatible with existing community character, and, in the case of exterior lighting, provide a more secure environment
- 15.21± acres in the northern portion of the subject property are proposed to be preserved by the sale of development rights to the County, thereby ensuring that this portion of the subject property would remain in agricultural use.

3.3 Transportation

A Traffic Impact Study (TIS) was prepared by VHB to provide a comprehensive evaluation of the potential traffic impacts associated with the proposed multi-family rental residential development. The study methodology, roadway intersections and road segments examined, the accident history and the existing traffic conditions are discussed herein. Potential impacts due to the proposed project, as well as the proposed and potential mitigation measures are summarized in Sections 3.3.2 and 3.3.3. The study also evaluates whether the parking provided for the proposed project would be adequate to accommodate the future parking demands at the site. The TIS is summarized below, and the TIS, including the methodology employed in development the study, is included in its entirety in Appendix F.

3.3.1 Existing Conditions

3.3.1.1 Methodology

The following describes the methodology used in the TIS:

- The project site plan and related documents were reviewed to obtain an understanding of the 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 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 records for the most recent three-year period for the study area were 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.
- The existing traffic volumes at the key intersections were expanded to the future No-Build year (assumed to be 2018).
- Any other significant planned developments in the vicinity of the project were identified and the traffic associated with those developments was included in No-Build analysis.
- The traffic generated by the proposed apartment community was projected based on recognized traffic engineering standards.

- The site-generated volumes were distributed along the adjacent roadway network and were added to the No-Build volumes to produce the proposed Build Condition volumes.
- Capacity analyses were performed for the key intersections and the primary 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 project.
- The site access points were evaluated.
- Available public transportation in the vicinity of the site was assessed.
- The adequacy of the proposed off-street parking was evaluated and the site layout was reviewed.
- The need for traffic mitigation measures was evaluated.

Software

The capacity analyses cited herein were performed using the traffic analysis software Synchro, *version 8,* a computer program developed by Trafficware Ltd. Synchro is a complete software package for modeling and optimizing traffic signal timing. Synchro adheres to and implements the guidelines and methods set forth in the 2000 *Highway Capacity Manual* and the newly released 2010 *Highway Capacity Manual*. This analysis methodology was used to evaluate the ability of an intersection or roadway to efficiently handle the number of vehicles using the facility. Synchro was used to model and analyze the Existing, No-Build and Build conditions at the key intersections.

3.3.1.2 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.

Principal Roadways

Colonial Springs Road/Main Avenue is an east-west arterial roadway that falls under the jurisdiction the Town. From Pinelawn Road east to North 26th Street, it is designated Colonial Springs Road, and from North 26th Street to Straight Path (CR 2), it is designated Main Avenue. Within the study area, Colonial Springs Road/Main Avenue runs along the southerly border of the project site and provides one travel lane in each direction. The posted speed limit in the study area is 30 miles per hour (mph). According to traffic volume counts obtained from the New York State Department of Transportation (NYSDOT) Traffic Data Viewer, the combined two-way

2011 Average Annual Daily Traffic (AADT) on the segment of Colonial Springs Road adjacent to the project site is 13,915 vehicles per day.

Conklin Avenue is a north-south collector-distributor roadway that runs south from Ethel Court to its terminus at Main Avenue. South of Main Avenue, Conklin Avenue continues as North 22nd Street. North of Ethel Court, Conklin Avenue continues as Bagatelle Road. Conklin Avenue falls under the jurisdiction of the Town. Within the study area, Conklin Avenue is located a block to the east of the project site and provides one travel lane in each direction. The posted speed limit in south of Lee Avenue is 30 mph. North of Lee Avenue there is a 20 mph advisory school speed limit.

Lee Avenue is an east-west local roadway that runs east from North 23rd Street to its terminus at North 17th Street. Between North 23rd Street and Conklin Avenue, Lee Avenue is one-way eastbound. In the Build Condition, after the project is completed, it is proposed to make that section of Lee Avenue two-way. The benefits of this modification will be further discussed in Section 3.3.2 of this SVDEIS and in the Future Conditions section of the TIS (see Appendix F). Lee Avenue falls under the jurisdiction of the Town. Lee Avenue between North 23rd Street and Conklin Avenue provides only eastbound movements. East of Conklin Avenue, Lee Avenue provides one travel lane in each direction. The posted speed limit in the study area is 30 mph.

North 23rd Street is a north-south local roadway that runs south from Lee Avenue to its terminus at Merritt Avenue. North of Main Avenue it runs along the east side of the project site and provides one travel lane in each direction. North 23rd Street falls under the jurisdiction of the Town and has a posted speed limit of 30 mph.

Little East Neck Road is a north-south collector-distributor roadway that runs south from Colonial Springs Road to its terminus at NY 109 in West Babylon. It falls under the jurisdiction of the Town. Within the study area, Little East Neck Road is located approximately one mile to the west of the project site and provides one travel lane in each direction. The posted speed limit in the study area is 30 mph.

Study Intersections

To determine the potential traffic impacts of the proposed project, the following study intersections were identified for analysis under the Existing, No-Build and future Build conditions:

- Colonial Springs Road and Little East Neck Road (Signalized)
- Main Avenue and Conklin Avenue (Unsignalized)
- Conklin Avenue and Lee Avenue (Unsignalized)

The study intersections are shown in Figure 14. Aerial photographs of the intersections and descriptions of same are included in Appendix F of this SVDEIS.

July 17, 2015

Willoughby Commons

Figure 14 - Study Intersections

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

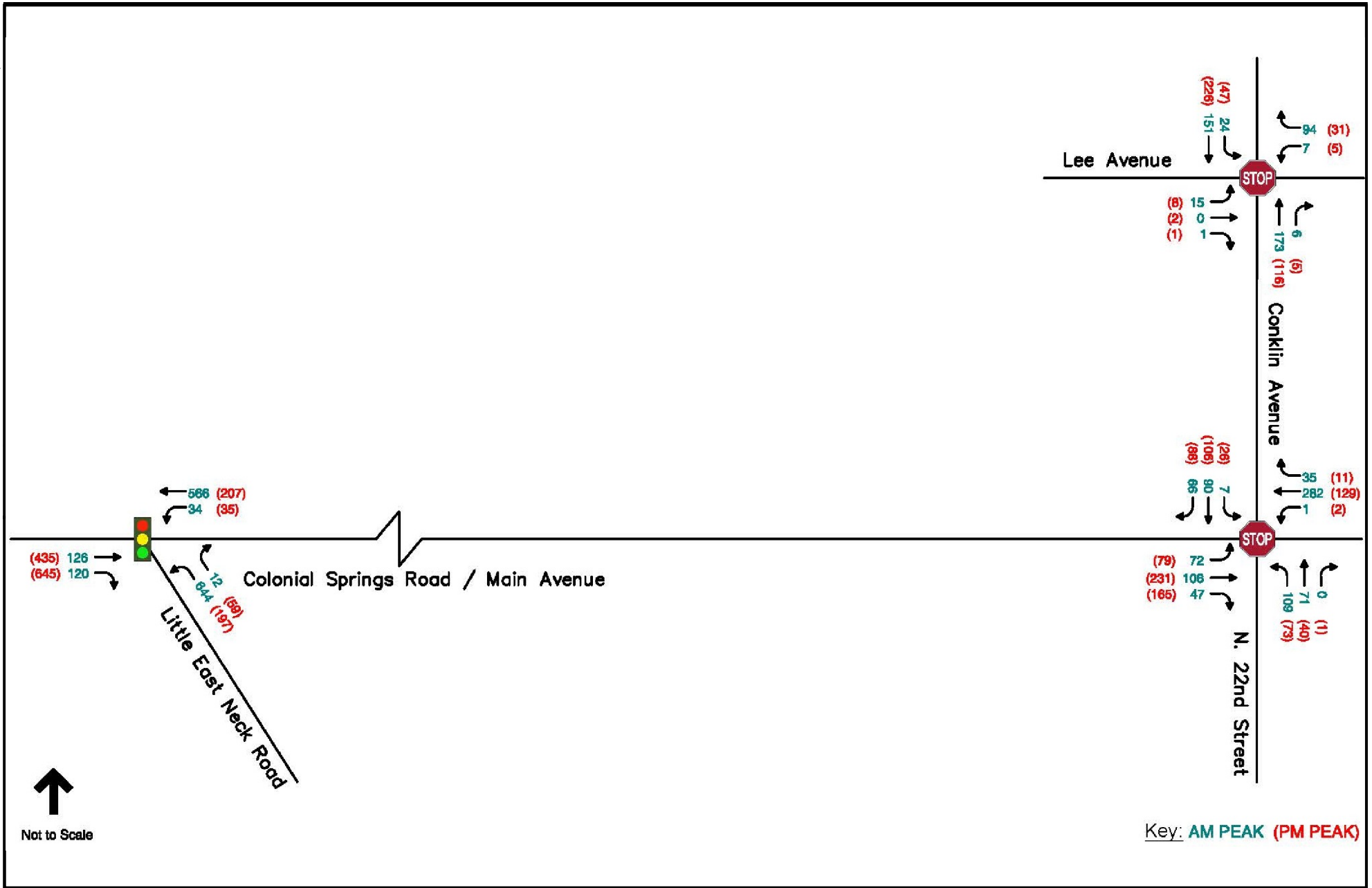
Not to Scale

SOURCE: VHB Traffic Impact Study

3.3.1.3 Existing Traffic Volume Data

At the three study intersections, turning movement counts were collected using Miovision cameras on Tuesday, March 31st and Wednesday, April 1st during the a.m. peak period from 7:00 a.m. to 9:00 a.m., and during the p.m. peak period from 4:00 p.m. to 6:00 p.m. These times reflect the heaviest traffic flows coinciding with commuter and shopping activities. The existing weekday a.m. and p.m. traffic volumes are shown in Figure 15. The volumes depicted in Figure 15 are the heaviest volumes from either Tuesday or Wednesday in order to present the worst-case scenario.

July 17, 2015



Willoughby Commons

Figure 15 - Existing Peak Hour Traffic Volumes

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

SOURCE: VHB Traffic Impact Study

3.3.1.4 Accident History

Accident data from NYSDOT Accident Location Information System (ALIS) records for the most recent available three-year period were requested. Accident Verbal Description Reports (VDRs) for the period August 1, 2011 through July 31, 2014 were obtained for each of the study intersections. The study intersections are outlined below:

- Colonial Springs Road and Little East Neck Road (Signalized)
- Main Avenue and Conklin Avenue (Unsignalized)
- Conklin Avenue and Lee Avenue (Unsignalized)

Table 13 - Accident Data Summary

Intersection/Segment	Accident Severity				Total	Accident Type						
	Fatality	Injury	Property Damage Only	Non-Reportable		Rear End	Right Angle	Fixed Object	Pedestrian/ Bicyclist	Parked Vehicle	Backing	Other/ Unknown
Colonial Springs Road & Little East Neck Road	-	8	4	1	**13**	4	4	3	1	-	-	1
Main Avenue & Conklin Avenue/N. 22nd Street	-	5	6	-	**11**	-	8	-	-	1	1	1
Total	**0**	**13**	**10**	**1**	**24**	**4**	**12**	**3**	**1**	**1**	**1**	**2**

A more detailed description of the accident severity and type for each intersection is provided in Appendix F of this SVDEIS.

3.3.2 Probable Impacts

The analysis of future conditions, with and without the proposed project ("Build" and "No-Build" conditions, respectively), was performed to evaluate the effect of the proposed project on future traffic conditions in the area. Background traffic volumes in the study area were projected to the year 2018, reflecting the year when the proposed 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 project is not constructed. The No-Build Condition serves as a comparison to the Build Condition, which represents expected future traffic conditions resulting from both project and non-project generated traffic.

3.3.2.1 No-Build Condition

The 2018 No-Build traffic volumes include existing traffic, additional traffic volume due to background traffic growth, and other planned developments in the area as explained below. To account for increases in general population and background growth not related to the proposed project, an annual growth factor was applied to the existing traffic volumes. Based on NYSDOT growth rates, the growth rate anticipated for the Town is 1.1 percent per year.

Based on discussions with the Town planning staff, there are no other planned developments in the immediate vicinity of the proposed project. However, to be conservative, and to account for any possible smaller developments, the background growth factor for the No-Build scenario was increased from 1.1 to 1.5 percent per year, as discussed below.

To obtain 2018 No-Build traffic volumes at the study intersections, a total growth factor of 4.5 percent (3 years at 1.5 percent per year) was applied to 2015 traffic volumes. The No-Build traffic volumes for the weekday a.m. and weekday p.m. are shown in Figure 4 of the TIS, in Appendix F of this SVDEIS.

3.3.2.2 Build Condition

Project-Generated Traffic Volumes

To estimate the project-generated traffic for the proposed apartment community, a review was undertaken of available trip generation data sources, including the reference published by the Institute of Transportation Engineers (ITE), *Trip Generation, 9th Edition*. This widely utilized reference source contains trip generation rates for numerous land uses, including "Apartments" (Land Use Code #220). Table 14 summarizes the anticipated trip generation for the project upon completion.

Table 14 - Willoughby Commons Trip Generation Projections

Project Component	Component Size	AM Peak		PM Peak	
Residential Apartments ITE LUC# 220 (Apartment)	264 Units	Rate =	0.51	Rate =	0.62
		Entering	Exiting	Entering	Exiting
		20%	80%	65%	35%
		27	108	107	57
		Total =	**135**	Total =	**164**

Source: Institute of Transportation Engineers Trip Generation, 9th Edition. Trip generation rates for the weekday a.m. and p.m. peak hours are of the adjacent street traffic

As indicated in Table 14, the proposed development is projected to generate 135 trips (entering 27 and exiting 108) during the weekday a.m. peak hour and 164 trips (entering 107 and exiting 57) during the weekday p.m. peak hour.

Trip Distribution and Assignment

The trips originating from and destined to the project site 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. The trip distribution percentages, shown in Figure 5 of Appendix F of this SVDEIS, were then applied to the project-generated traffic volumes for the weekday a.m. and p.m. peak hours are presented in Figure 6 of Appendix F of this SVDEIS.

To determine the future Build Condition traffic volumes, the 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. and p.m. peak hours are shown in Figure 7 of Appendix F of this SVDEIS.

3.3.2.3 Traffic Operations Analysis

Measuring existing traffic volumes and projecting future traffic volumes quantifies traffic flow within the study area. 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.

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. LOS provides an index to the operational qualities of a roadway segment or an intersection. LOS designations range from A to F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions.

In addition to LOS, vehicle delay time (expressed in seconds per vehicle) is typically used to quantify the traffic operations at intersections. For example, a delay of 15 seconds for a particular vehicular movement or approach indicates that vehicles on the movement or approach will experience an average additional travel time of 15 seconds. It should be noted that delay time has a range of values for a given LOS letter designation. Therefore, when evaluating intersection capacity results, in addition to the LOS, vehicle delay time should also be considered.

The LOS designations, which are based on delay, are reported differently for signalized and unsignalized intersections. For signalized intersections, the analysis considers the operation of all traffic entering the intersection and the LOS designation is for overall conditions at the intersection. For unsignalized intersections, however, the analysis assumes that traffic on the mainline is not affected by traffic on the side streets. Thus the LOS designation is for the critical movement exiting the side street, which is generally the left-turn out of the side street or side driveway.

It should be noted that the analytical methodologies typically 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. The analysis methodologies also do not take into account the beneficial grouping effects caused by nearby signalized intersections. The net effect of these analysis procedures is the over-estimation of calculated delay at unsignalized intersections in the study area. Cautious judgment should therefore be exercised when interpreting the capacity analysis results at unsignalized intersections.

The LOS definitions for both the signalized and unsignalized intersections can be found in Appendix B of the TIS (Appendix F of this SVDEIS).

Level of Service Analysis

LOS analyses were conducted for the Existing, No-Build and future Build conditions for the key signalized intersection and for the unsignalized intersections.

Since the peak hours for each intersection within the study network varies, the peak hour for each individual intersection was analyzed as opposed to using an overall network peak hour. This method provides a worst-case scenario. The peak hours used in the analysis for each period at each of the individual intersections are indicated on the turning movement diagrams provided in Appendix C of the TIS (Appendix F of this SVDEIS).

Signalized Intersection Analysis Results

The results of the capacity analyses for the signalized intersection of Colonial Springs Road at Little East Neck Road in Existing, No-Build and future Build conditions are summarized in Table 15 and Table 16 below, for the weekday a.m. and p.m. periods, respectively. The detailed capacity analysis worksheets are contained in Appendix C of the TIS (Appendix F of this SVDEIS).

Table 15 - Level of Service Summary - Signalized Intersection - AM Peak Hour

Intersection	Movement	Lane Group	Existing 2015		No Build 2018		Build 2018	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	11.6	B	11.6	B	11.5	B
		Approach	11.6	B	11.6	B	11.5	B
	WB	LT	32.4	C	33.5	C	34.8	C
		Approach	32.4	C	33.5	C	34.8	C
	NB	L	49.3	D	65.2	E	76.6	E
		R	15.6	B	16.2	B	16.8	B
		Approach	48.7	D	64.3	E	75.3	E
	Overall		**35.9**	**D**	**43.1**	**D**	**48.1**	**D**

Table 16 - Level of Service Summary - Signalized Intersection - PM Peak Hour

Intersection	Movement	Lane Group	Existing 2015		No Build 2018		Build 2018	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	31.7	C	43.7	D	48.8	D
		Approach	31.7	C	43.7	D	48.8	D
	WB	LT	8.2	A	11.0	A	14.4	B
		Approach	8.2	A	11.0	A	14.4	B
	NB	L	37.0	D	37.3	D	37.3	D
		R	0.1	A	0.0	A	0.1	A
		Approach	28.5	C	28.7	C	28.1	C
	Overall		**27.6**	**C**	**36.1**	**D**	**39.8**	**D**

As shown in Table 15 and Table 16, the signalized intersection of Colonial Springs Road and Little East Neck Road operates at an overall intersection LOS D during the weekday a.m. and p.m. peak periods. When comparing the No-Build Condition to the Build Condition, the overall intersection delay would only increase by a maximum of five seconds, which would be relatively imperceptible to motorists, and no mitigation would be required.

Site Access

As indicated in Section 2.4 of this SVDEIS, the overall site would be served by two unsignalized site driveways. One full access site driveway would be located at the northerly terminus of North 28th Street. This access would provide one entering lane and one exiting lane, and since it would be located at the terminus of North 28th Street, no stop controlled is required. Since there is no intersection control proposed at this location, detailed intersection capacity analyses are not required for this site access driveway.

The second site access would be located at the westerly terminus of Lee Avenue, just west of North 23rd Street and would provide one entering lane and one exiting lane. This site access would essentially form a new eastbound approach to the intersection of North 23rd Street and Lee Avenue. Currently, there is a one-way restriction along Lee Avenue, west of Conklin Avenue. This one-way restriction was put in place to prohibit motorists from using North 23rd Street as a cut-through to avoid delays at the intersection of Main Avenue and Conklin Street. As part of the proposed project, it is recommended that the segment of Lee Avenue west of Conklin Street be changed to allow two-way traffic once again.

In order to continue prohibiting traffic from using North 23rd Street as a cut-through, it is proposed to restrict any southbound movements to North 23rd Street and only allow northbound right-turn movements from North 23rd Street. This would be done by installing "Do Not Enter" signs at the North 23rd Street northbound approach to the intersection. In addition, "No Left Turn" signs would be placed on the westbound Lee Avenue approach and along the northbound North 23rd Street approach. It is further proposed to neck down the northbound North 23rd Street approach and channelize the approach, so only right turns could be made to Lee Avenue. Additionally, a raised median island should be implemented between the entering and exiting lanes at the site access so it would prevent vehicles from making a left-turn into the site from North 23rd Street. Implementation of these signage restrictions and geometric changes would eliminate the possibility of motorists from using North 23rd Street to access the site or as a cut-through.

Unsignalized intersection capacity analyses were performed for the intersection of Lee Avenue/ Proposed Site Access and North 23rd Street. The results of the analyses are summarized in the following section.

Unsignalized Intersection Analysis Results

The results of the capacity analyses for the weekday a.m. and p.m. peak hours for the unsignalized study intersections and the site access point along Lee Avenue are summarized in Table 17 and Table 18, respectively. Detailed capacity analysis worksheets are contained in Appendix C of the TIS (Appendix F of this SVDEIS).

Table 17 - Level of Service Summary - Unsignalized Intersection - AM Peak Hour

Intersection	Approach	Existing 2015		No Build 2018		Build 2018	
		Delay	LOS	Delay	LOS	Delay	LOS
Main Avenue & Conklin Avenue	EB	13.0	B	13.8	B	14.3	B
	WB	15.8	C	17.3	C	18.7	C
	NB	13.2	B	14.0	B	14.3	B
	SB	11.5	B	12.0	B	13.0	B
	Overall	**13.8**	**B**	**14.8**	**B**	**15.6**	**C**
Conklin Avenue & Lee Avenue	EB	8.6	A	8.6	A	9.6	A
	WB	8.3	A	8.5	A	9.0	A
	NB	9.4	A	9.3	A	10.1	B
	SB	9.1	A	9.3	A	10.0	A
	Overall	**9.0**	**A**	**9.1**	**A**	**9.8**	**A**
N. 23rd Street & Lee Avenue/Site Access	EB					7.4	A
	NB					6.6	A

Table 18 - Level of Service Summary - Unsignalized Intersection - PM Peak Hour

Intersection	Approach	Existing 2015		No Build 2018		Build 2018	
		Delay	LOS	Delay	LOS	Delay	LOS
Main Avenue & Conklin Avenue	EB	22.9	C	27.1	D	34.2	D
	WB	11.8	B	12.5	B	14.8	B
	NB	11.6	B	12.1	B	12.9	B
	SB	13.0	B	13.9	B	15.6	C
	Overall	**17.4**	**C**	**19.8**	**C**	**23.5**	**C**
Conklin Avenue & Lee Avenue	EB	8.5	A	8.5	A	9.1	A
	WB	7.9	A	7.9	A	8.4	A
	NB	8.6	A	8.7	A	9.6	A
	SB	10.1	B	10.3	B	11.7	B
	Overall	**9.4**	**A**	**9.6**	**A**	**10.6**	**B**
N. 23rd Street & Lee Avenue/Site Access	EB					7.2	A
	NB					6.6	A

As shown in Table 17 and Table 18, the overall intersection LOS at the unsignalized intersection of Main Avenue and Conklin Avenue would operate at an acceptable LOS C in the Build Condition and in no instance would there be more than a four second increase in overall intersection delay. It should be noted during the weekday a.m. peak period the overall intersection LOS would change from B to C. Even though the overall intersection LOS would change, the increase in delay would only be 1.2 seconds. Increases in overall intersection delay of this magnitude are relatively imperceptible to motorists and no mitigation is required.

The intersection of Conklin Avenue and Lee Avenue, in the Build Condition, would operate at an acceptable LOS A and B during the peak periods. In addition, the overall intersection delay would only increase by a maximum of one second. A one second increase would be unnoticeable to motorists and no mitigation at this intersection is required.

As shown in Table 17 and Table 18, the critical approaches at the intersection of the site access/ Lee Avenue and North 23rd Street operate at an acceptable level of service a during both the weekday a.m. and pm. Peak periods. It is evident from the analysis that traffic flow along North 23rd Street and Lee Avenue would not be impacted by the stop control and geometric changes recommended at this intersection.

3.3.2.4 Off-Street Parking, Site Circulation and Public Transportation

The off-street parking required is set forth in the Town Code (Chapter 213, Section 118), which stipulates requirements for the proposed apartment use. Based on a review of the proposed Overall Site Plan (see Appendix B of this SVDEIS), the project would consist of the following apartment units:

Residential breakdown

- 228 – 1 bedroom Apartment Units
- 36 – 1 Bedroom Apartment Units

Table 19 below summarizes the parking requirements for each type of unit.

Table 19 - Off-Street Parking Requirements

Use	Requirements per Zoning Code	No. of Units/ Bedrooms/ SF	Required Off-Street Parking Spaces
Apartment - 1 Bedroom	2.0 Spaces per 1 Bedroom Unit	228 Units	2.0 Spaces/ Unit x 228 Units = **456 Spaces**
Apartment – 2 Bedrooms	2 Spaces for 1 Dwelling Unit, Plus 0.5 Spaces for each Bedroom in Excess of 1 Bedroom Per Unit	36 Units	2.0 Spaces/ Dwelling Unit x 36 Dwelling units + 0.5 Spaces per each 2 Bedroom Unit = **90 Spaces**
Total Required			**546 Stalls**

Based on a review of the Overall Site Plan (see Appendix B of this SVDEIS), the proposed project would provide 560 stalls, thus exceeding the Town's off-street parking requirement of 546 stalls.

In addition, review of the Overall Site Plan (see Appendix B of this SVDEIS) shows that the configuration of the parking layout, drive aisles, site access points and internal site roadways would provide for adequate on-site circulation.

With respect to additional transit options, based on a field visit and a review of the Suffolk County Transit Bus Route Map, Willoughby Commons would be well served by public transportation. Two bus routes exist along Colonial Springs Road: Route 2A, which provides bus service between Wyandanch and the South Shore Mall and Route 2B which provides service between Wyandanch and Bay Shore, as well as to East Farmingdale. In addition Route S-23 runs along Conklin Avenue and provides service between the Walt Whitman Mall and the Babylon Long Island Rail Road Station.

Route 2A and Route 2B have a bus stop located along Colonial Springs Road, approximately 350 feet west of North 28th Street at the Wheatley Heights Shopping Center. Both routes provide northbound and southbound service along their routes as described above. Bus service is generally provided between 7:20 a.m. and 7:20 p.m. and buses arrive at approximately hourly intervals for each route.

Route S-23 runs along Conklin Avenue, and the closest stop in proximity to the site is located at the intersection of Main Avenue and Conklin Avenue. This stop is approximately a 600-foot walk from the site. Bus service is generally provided between 7:20 a.m. and 7:20 p.m. and buses arrive at approximately hourly intervals within that period.

The three bus stops in proximity to the site provide for adequate service to areas north and south of the site. The bus routes generally provide service to Wyandanch and Melville to the north of the site and Bay Shore and Babylon to the south of the site. Additionally, riders can transfer at various points along the three routes to go east and west. The routes in proximity to the site also provide adequate service to the Long Island Rail Road Wyandanch to Ronkonkoma and Bay Shore to Montauk branches.

3.3.2.5 Conclusions

- Willoughby Commons would generate a moderate number of vehicle trips during the weekday a.m. and p.m. peak periods.
- The signalized intersection of Colonial Springs Road and Little East Neck Road would operate at acceptable overall intersection LOS's in the Build Condition. As a result of the site-generated traffic, overall intersection delay would only increase

by five seconds. Increases of that magnitude would be relatively imperceptible to motorists and no mitigation is recommended.

- The overall intersection LOS at the unsignalized intersection of Main Avenue and Conklin Avenue would operate at an acceptable LOS C in the Build Condition, and in no instance would there be more than a four second increase in overall intersection delay. During the weekday a.m. peak period, the overall intersection LOS would change from B to C. Even though the overall intersection LOS would change, the increase in delay would only be 1.2 seconds. Increases in overall intersection delay of this magnitude are relatively imperceptible to motorists and no mitigation is required.
- In order to allow access from Conklin Avenue, it is recommended that the section of Lee Avenue from North 23rd Street to Conklin Avenue be changed to allow two-way traffic.
- At the newly formed intersection of the site access/ Lee Avenue and North 23rd Street it is recommended that "Stop" signs be installed on the northbound and westbound approaches. In addition, "No Left Turn" signs are recommend on the eastbound and northbound approaches. The northbound North 23rd approach should also be channelized to allow only right turns, and "Do Not Enter" signs should be installed to prohibit southbound travel. A raised median should also be installed, which would divide the site access entering and exiting lanes. With the above measures in place, traffic would be adequately controlled and the possibility of cut-through traffic via North 23rd Street would be eliminated.
- A review of the site access points show that they would operate satisfactorily in the future Build Condition.
- The traffic associated with the Willoughby Commons is not expected to result in a significant change in the frequency or severity of accidents within the project area.
- The off-street parking provided would comply with Town Code requirements and would be adequate to accommodate the anticipated parking demand for the proposed project.
- A careful review of the proposed site plan shows that the configuration of the parking layout, site access points and internal roadways and drive aisles would provide for adequate on-site circulation.

3.3.3 Mitigation Measures

Willoughby Commons would not have a significant impact on the traffic flow or operations at the nearby intersections, provided the following recommended mitigation measures are implemented:

- In order to allow access from Conklin Avenue, it is recommended that the section of Lee Avenue from North 23rd Street to Conklin Avenue be changed to allow two-way traffic.

- In connection with the newly formed intersection of the site access/ Lee Avenue and North 23rd Street, and in order to control traffic and prevent cut-through traffic via North 23rd Street, it is recommended that:
  - "Stop" signs be installed on the northbound and westbound approaches
  - "No Left Turn" signs be installed on the eastbound and northbound approaches
  - The northbound North 23rd approach be channelized to allow only right turns
  - "Do Not Enter" signs be installed to prohibit southbound travel; and
  - A raised median be installed, which would divide the site access entering and exiting lanes.

3.4 Community Services and Facilities

3.4.1 Existing Conditions

3.4.1.1 Property Taxes

The subject property presently generates taxes to various taxing jurisdictions. According to data from the 2014-2015 Town Certified Assessment Roll for the tax parcels comprising the subject property and 2014-2015 tax rate information from the Town Statement of Taxes, the 2014-2015 combined taxable value of the 57 parcels constituting the subject property was approximately $580.00 (see Appendix G), and the subject property generated approximately $1,378 in annual property tax revenues, as presented in Table 20.

Table 20 - 2015-2014 Existing Tax Revenues Generated by the Subject Property

Taxing Jurisdiction	2014-2015 Tax Rate (per $100 AV)	Current Assessed Value ($)	Existing Taxes ($)
Suffolk County			
Suffolk County General Fund	2.0112	580.00	11.66
Suffolk County Police	27.7802	580.00	161.13
Total Taxes Paid to Suffolk County			*172.79*
Town of Babylon			
Town General Fund	14.2152	580.00	82.45
Town Outside Villages	2.0015	580.00	11.61
Town Lighting District	1.2827	580.00	7.44
Highway Tax No. 1	10.8	580.00	62.64
Total Taxes Paid to the Town of Babylon			*164.14*
Half Hollow Hills CSD			
Half Hollow Hills School District	143.9012	580.00	834.63
Half Hollow Hills Library District	5.3546	580.00	31.06
Total Taxes Paid to the Half Hollow Hills CSD			*865.68*
Wyandanch Fire District (FD)			
Wyandanch No. 13 FD	10.8276	580.00	62.80
Wyandanch FD - Ambulance District	10.9213	580.00	63.34
Firemens Service Award	0.6956	580.00	4.03
Ambulance Service Award	0.123	580.00	0.71
Total Taxes Paid to the Wyandanch FD			*130.89*
Other Taxing Jurisdictions			
NYS Real Property Tax Law	5.7499	580.00	33.35
SCCC - Out-of-County Tuition	1.7289	580.00	10.03
NY State MTA Tax	0.1165	580.00	0.68
Total Taxes Paid to Other Taxing Jurisdictions			*44.05*
Total Property Tax Revenues			**1,377.55**

Notes: AV = Assessed Value, which is 1.25% of the full market value
Source: Town of Babylon 2014-2015 Statement of Taxes
Town of Babylon 2014-2015 Certified Assessment Roll; available from http://gis.townofbabylon.com:81/orpsviewer/2014_certified_roll_web.pdf.

3.4.1.2 School District

The subject property is located within the Half Hollow Hills Central School District (CSD). The CSD serves an area in the southern portion of the Town of Huntington and a small area in the north of the Town, including the communities of Dix Hills, Melville and Wheatley Heights.

The CSD currently operates seven elementary schools, two middle schools and two high schools. All the schools are located in Dix Hills, unless otherwise noted. The elementary schools are Chestnut Hill Elementary, located at 600 South Service Road, Forest Park Elementary, located at 30 DeForest Road, Otsego Elementary, located at 55 Otsego Street, Paumanok Elementary, located at 1 Seaman Neck Road, Signal Hill Elementary, located at 670 Caledonia Road, Sunquam Elementary, located at 151 Sweet Hollow Road, Melville and Vanderbilt Elementary, located at 350 Deer Park Avenue. The two middle schools are Candlewood Middle School, located at 1200 Carll's Straight Path and West Hollow Middle School, located at 250 Old East Neck Road, Melville. The two high schools are High School East, located at 50 Vanderbilt Motor Parkway and High School West, located at 375 Wolf Hill Road. The schools that serve the site are Chestnut Hill Elementary, Candlewood Middle and High School West.

Based on publicly-available resources from the New York State Education Department (NYSED) for the 2014-2015 school year[29], the total district enrollment for the Half Hollow Hills CSD is 8,759 students. According to enrollment data for the past decade, as depicted in Table 21, enrollment reached a peak of 10,196 in 2005-2006 (highlighted), and has since fallen in nine out of the past ten years, including in the 2014-2015 school year. This is a drop of 1,437 students since the recent peak enrollment.

Table 21 - Half Hollow Hills CSD Enrollment by Year

School Year	Enrollment	Increase/(-)Decrease
2014-2015	8,759	-394
2013-2014	9,153	-276
2012-2013	9,429	-227
2011-2012	9,656	-226
2010-2011	9,882	-155
2009-2010	10,037	-61
2008-2009	10,098	-44
2007-2008	10,142	-37
2006-2007	10,179	-17
2005-2006	10,196	222
2004-2005	9,974	--

[29]New York State Education Department, *New York State Property Tax Report Card* (accessed April 2015); available from http://www.p12.nysed.gov/mgtserv/propertytax/

The total adopted[30] budget[31] for the 2014-2015 year is $234,216,849 (of which approximately 82 percent, or $192,116,536, comes from the local property tax levy). Thus, the total budgeted expenditures per pupil are approximately $26,740. The total budgeted cost per student based on the local property tax levy is $21,934. 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[32] for the Half Hollow Hills CSD is $13,057.[33] 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 approximately $10,707 per pupil.

As 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 3.4.1.1 of this SVDEIS, the subject property currently contributes approximately $866 to the Half Hollow Hills CSD.

3.4.1.3 Solid Waste Management

Pursuant to the Town of Babylon Department of Environmental Control, solid waste in the Town is handled at the Town's Resource Recovery Facility on Gleam Avenue in West Babylon. Existing solid waste generation at the subject property is minimal, given the primary use is farming/agricultural. The majority of the waste generated on the subject property is vegetative, and is utilized for on-site composting. Currently, Town-contracted carters service the subject property.

3.4.2 Probable Impacts

3.4.2.1 Property Taxes

Consistent with the Fiscal Impact Methodology,[34] future property tax revenues have been determined by considering what taxes would be generated if the development

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[30] New York State Education Department, *Ed Management Services, Voting Results* (accessed April 2015); available from http://www.p12.nysed.gov/mgtserv/votingresults/.

[31] New York State Education Department, *New York State Property Tax Report Card.*

[32] Note that this figure reflects instructional expenditures per general education student. Expenditures per special education student are $29,807. 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.

[33] New York State Education Department, *Half Hollow Hills CSD: Fiscal Accountability Summary, 2012-2013* (accessed April 2015); available from http://data.nysed.gov.

[34] Burchell, Robert and Listokin, David. *The Fiscal Impact Handbook.* 1978.

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.

Implementation of the proposed project would result in a 264-unit residential rental apartment development and associated site appurtenances, as described in Sections 2.4 and 3.2.2.1 of this SVDEIS. The increased market value of the property with these improvements would result in an increase in the property tax revenues. Therefore, upon implementation of the proposed project, the subject property would be expected to generate higher revenues to its various taxing jurisdictions in the County and the Town.

The projected market value of Willoughby Commons was calculated by multiplying the anticipated gross annual total rental income for all units combined, $6,103,200±, as shown in Table 22, by a rate of 59.7. This rate is based on data from the National Apartment Association's (NAA) *2014 Survey of Operating Income and Expenses in Rental Apartment Communities*,[35] and represents the average net annual operating income for rental apartment developments as a percentage of gross rents. A capitalization rate of 8 percent, also based on NAA data, was then applied to the estimated net annual operating income for the proposed project, resulting in a projected market value for Willoughby Commons of $45,545,130, as follows:

Gross annual rental income for all units x *0.597*
= *Net annual operating income for rental apartment development*

Net annual operating income for rental apartment development x *0.08*
= *Estimated market value of rental apartment development*

$6,103,200 x *0.597*
= *$3,643,610.40*

$3,643,610.40 x *0.08*
= *$45,545,130*

The mix of proposed unit types and monthly rental prices for Willoughby Commons, including the market rate and affordable components, are shown in Table 22 below.

[35] National Apartment Association, *2014 Survey of Operating Income and Expenses in Rental Apartment Communities*, September 2014, available from www.naahq.org.

Table 22 - Projected Willoughby Commons Rents by Unit Type and Total Gross Rental Incomes for the Proposed Project

Type of Unit	Unit Count	Projected Monthly Rent ($)
1-bedroom – 900-SF	18	1,900
1-bedroom – 1,100-SF	100	2,000
1-bedroom – 1,150-SF	20	2,100
1-bedroom – 1,180-SF	20	2,100
1-bedroom – 1,340-SF	16	2,100
2-bedroom – 1,380-SF	16	2,200
2-bedroom townhome – 1,650-SF	20	2,300
1-bedroom – 1,100-SFAffordable units	54	1,400
Total Monthly Rental Income[1]		508,600
Total Annual Gross Rental Income[2]		6,103,200

Notes: [1] = The total monthly rents generated by all units in the development (i.e., monthly rents for each unit type multiplied by number of units of that type).
[2] = Total monthly rents generated by all units in the development multiplied by twelve months.

As indicated above, it is expected that 174 of the total 228 one-bedroom units and all 36 of the two-bedroom units would be offered for rent at market rate. As discussed in Section 3.2.2.2 of this SVDEIS, the proposed project would provide 20 percent of its units, or 54 of the one-bedroom apartments, as affordable housing.

Based on the Town's 2014 equalization rate of 1.25 percent, the assessed value of proposed project, based on the estimated market value of the 264-unit rental development, whose mix of unit types and proposed rents is indicated in Table 22, would be $569,314.13. Table 23 summarizes the projected annual property tax revenues and net increase in property taxes generated by the proposed project. The projected revenues presented are based on current 2014-2015 tax rates. With no changes in assessments, these rates are likely to increase over time.

Table 23 - Projected Tax Revenues Generated by Willoughby Commons

Taxing Jurisdiction	2014-2015 Tax Rate (per $100 AV)	Projected Assessed Value ($)	Projected Taxes ($)	Net Increase ($)
Suffolk County				
Suffolk County General Fund	2.0112	569,314.13	11,450.05	11,438.38
Suffolk County Police	27.7802	569,314.13	158,156.60	157,995.48
Total Taxes Paid to Suffolk County			*169,606.65*	*169,433.86*
Town of Babylon				
Town General Fund	14.2152	569,314.13	80,929.14	80,846.69
Town Outside Villages	2.0015	569,314.13	11,394.82	11,383.21
Town Lighting District	1.2827	569,314.13	7,302.59	7,295.15
Highway Tax No. 1	10.8	569,314.13	61,485.93	61,423.29
Total Taxes Paid to the Town of Babylon			*161,112.48*	*160,948.34*
Half Hollow Hills CSD				
Half Hollow Hills School District	143.9012	569,314.13	819,249.86	818,415.23
Half Hollow Hills Library District	5.3546	569,314.13	30,484.49	30,453.44
Total Taxes Paid to the Half Hollow Hills CSD			*849,734.35*	*848,868.67*
Wyandanch Fire District (FD)				
Wyandanch No. 13 FD	10.8276	569,314.13	61,643.06	61,580.26
Wyandanch FD - Ambulance District	10.9213	569,314.13	62,176.50	62,113.16
Firemens Service Award	0.6956	569,314.13	3,960.15	3,956.11
Ambulance Service Award	0.123	569,314.13	700.26	699.54
Total Taxes Paid to the Wyandanch FD			*128,479.97*	*128,349.07*
Other Taxing Jurisdictions				
NYS Real Property Tax Law	5.7499	569,314.13	32,734.99	32,701.64
SCCC - Out-of-County Tuition	1.7289	569,314.13	9,842.87	9,832.84
NY State MTA Tax	0.1165	569,314.13	663.25	662.58
Total Taxes Paid to Other Taxing Jurisdictions			43,241.12	43,197.06
Total Property Tax Revenues			**1,352,174.56**	**1,350,797.01**

Notes: AV = Assessed Value, which is 1.25% of the full market value
Source: Town of Babylon 2014-2015 Statement of Taxes

The increased market value of the subject property with the proposed residential rental apartment development would result in an increase in property tax revenues of approximately $1,350,797, with a projected increase in school district taxes of approximately $848,868.67, as well as higher revenues to all of the various taxing jurisdictions serving the subject property, as compared to the current condition. Therefore, the proposed project would have a positive impact on tax revenues collected by each taxing jurisdiction. Furthermore, as previously described, the cost of services to the taxing jurisdictions, including the school district, would be outweighed by the anticipated tax revenue generated by the proposed project.

3.4.2.2 School District

Upon implementation of the proposed project, the subject property would be redeveloped with multi-family residential uses that would result in a permanent resident population at the property (including public school-aged children). In order to determine the residential population and public school-aged children that would be generated by implementation of the proposed action, residential demographic multipliers published by Rutgers University, Center for Urban Policy Research (CUPR)[36] were used. Table 24 indicates the public school-aged children population generation for each type of residential unit proposed using the appropriate factors from the study cited above.

Table 24 - Projected Public School-Aged Children Generation

Type of Unit	Unit Count	Public School-Aged Children Multiplier	Public School-Aged Children Generation
Two-bedroom[1]	36	0.09[3]	3.24
One-bedroom[2]	228	0.15[4]	34.20
TOTAL:	**264**	**N/A**	**37.44 (≈38)**

Notes: [1] Includes 20 townhouses and 16 end units.
[2] Includes 16 second floor end units (type 1), 20 first floor end units (type 1), 20 second floor end units (type 2), 154 middle units (type 1) and 18 middle units (type 2)
[3] 5+ Units-Own, 2 BR (All Values)
[4] 5+ Units-Own, 1 BR (All Values)

Based on the 2012-2013 estimated instructional cost per general education student of $13,057, the proposed action's total impact to the Half Hollow Hills CSD is projected to be $496,166. As identified in Section 3.4.2.1, the total tax revenues projected to be provided to the CSD is $849,734.35, which is $848,868.67 more than the existing taxes. Therefore, implementation of the proposed action is expected to have a net positive fiscal impact of $352,702.67.

Further, based on the declining student enrollment within the CSD over the last decade (i.e., a decrease of over 1,400 students over that time period), the projected addition of 38± school-age children resulting from the proposed development is not expected to adversely impact capacity within this district.

Based on the foregoing, no significant adverse impacts to the Half Hollow Hills CSD are anticipated.

[36] Burchell, Robert W., David Listokin, William Dolphin Center for Urban Policy Research, Edward J. Bloustein School of Planning and Public Policy; *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*. June 2006.

3.4.2.3 Solid Waste Management

The proposed development, with maximum occupancy and utilization of the proposed development, could generate approximately 18± tons of solid waste per month, as indicated in Table 25.

Table 25 - Projected Solid Waste Generation

Land Use	Solid Waste Use Category	Solid Waste Generation Rate (per day)[1]	Unit Count	Total Solid Waste Generation (lbs/day)
Two-bedroom units	Apartment	4.0 lbs per sleeping room	36 x 2 = 72[2]	288±
One-bedroom units	Apartment	4.0 lbs per sleeping room	228 x 1 = 228[3]	912±
TOTAL (lbs/day):				**1,200±**
TOTAL(tons/month):				**18±**

[1] Salvato, J. (2003). *Environmental Engineering* (5th ed.). Hoboken, N.J.: Wiley – "Apartment building"
[2] Number of sleeping rooms based on a total of 36 units with two bedrooms/sleeping rooms in each.
[3] Number of sleeping rooms based on a total of 228 units with one bedroom/sleeping room in each.
lbs: pounds

Solid waste generated at the subject property by the proposed residential uses at Willoughby Commons would be collected by the Town-contracted carter and disposed of at a licensed facility, pursuant to the licensing agreement between the Town and the solid waste contractor, and in accordance with all applicable Town procedures. It is expected the proposed development would undertake a recycling program geared toward its individual uses. Each component user would recycle specific materials, and would provide the proper receptacles to allow for separation and recycling. In addition, the Town of Babylon Department of Environmental Control would bill the proposed residential units for providing this solid waste collection service, thus offsetting the cost to the Town.[37] Based upon the foregoing, implementation of the proposed action would not be expected to result in significant adverse impacts to the Town's waste management facilities, practices or plans.

3.4.3 Mitigation Measures

No significant adverse impacts to the Half Hollow Hills CSD have been identified with respect to the proposed project. Therefore, no mitigation measures are proposed. It should be noted, however, that the proposed development would be expected to provide approximately $1,352,175 in property taxes annually to all taxing jurisdictions (combined) upon completion of the project, including approximately $849,734 to the school district, which represents an increase over the existing condition of $1,350,797.01 and $848,868.67, respectively.

▼

[37] Town of Babylon, *Environmental Control* (accessed November 2015); available from http://www.townofbabylon.com/index.aspx?nid=140.

4.0

Unavoidable Adverse Impacts

The environmental impacts associated with the implementation of the proposed action, and the mitigation measures that are incorporated into the proposed action, have been described throughout Section 3.0 of this SVDEIS. Those impacts that cannot be either entirely avoided or fully mitigated are described below.

4.1 Short-Term Impacts

There would be several temporary (short-term) construction-related impacts that cannot be completely mitigated. These impacts are associated with site preparation and development (including grading, excavation, installation of utilities, and construction of buildings and parking facilities). It is anticipated that these impacts would cease upon completion of the construction phase of the project. Specific impacts are identified below:

- Soils would be disturbed by grading, excavation, and mounding activities during site redevelopment.
- Despite the use of extensive and strategically-placed erosion and sediment control measures, minor occurrences of erosion 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, trucks and worker vehicles may temporarily impact traffic in the area of the project site.
- The visual quality of the area may be temporarily degraded by the presence and operation of construction equipment on the project site.
- Increases in noise levels at the site boundaries may result from construction activities. However, construction would occur only during hours permitted by the Town of Babylon.

It is anticipated that these impacts would be of short duration, that is, they would cease upon completion of construction.

4.2 Long-Term Impacts

Long-term impacts associated with project implementation have been identified within the various analyses contained in this SVDEIS. Mitigation measures have been proposed to reduce or eliminate most of these long-term adverse impacts. Those adverse long-term impacts which cannot be fully mitigated are set forth below.

- The addition of impermeable surfaces to the subject property, such as roadways, parking and structures, would increase runoff on the subject property. However, runoff would be contained and recharged within the property boundaries through the installation of a comprehensive stormwater management system consisting of 104 leaching pools.
- The proposed development would generate sewage effluent; however, disposal would occur via an out-of-district connection to the Southwest SD.
- The proposed development would utilize additional potable water and energy as compared with existing conditions.
- There would be additional solid waste generated at the site, although same would not adversely impact local or regional solid waste management practices.
- Site development would result in the removal of vegetation on the site. The use of native vegetation and the comprehensive nature of the landscaping would help mitigate impacts associated with vegetation removal.
- The proposed development would add permanent population, including school-aged children to the site.
- Traffic would be added to surrounding roadways due to the implementation of the proposed action.

5.0

Irretrievable and Irreversible Commitment of Resources

The proposed zoning change and subsequent redevelopment of the 16.44±-acre southern portion of the overall 31.96±-acre subject property would require a commitment of natural and manmade resources, and time, which would be irretrievable and irreversible. Specifically, nearly the entire southern portion of the subject property would be cleared of natural vegetation, however the proposed project would result in the landscaping of 3.21± acres with low-maintenance lawn and landscaping (10.05± percent of the overall subject property). Approximately 13.20 acres (41.30 percent of the overall subject property) of the subject property would be covered by impervious surfaces including buildings and internal roadways (i.e., an increase of approximately 13.13 acres above existing conditions).

Although not included in the subject property acreages, the 2.70± acre wetland/storm surge/retention basin would be retained, and would be improved through creation of a proposed pond and wildlife habitat as part of the proposed project. In addition, of the overall 31.96±-acre subject property, approximately 15.21-acres of the northern portion would be potentially purchased by Suffolk County and preserved as farmland.

Other resources related to the construction of the proposed development would be irretrievably and irreversibly committed. These resources include but are not limited to concrete, asphalt, lumber, paint and topsoil. Mechanical equipment would be used during construction, irretrievably using fossil fuels, electricity and water. Also, construction requires manpower and time that potentially could be used elsewhere.

Finally, during the operational phase of the proposed development, fossil fuels, electricity and water would irretrievably be used for heating, cooling and other purposes.

6.0

Growth-Inducing Impacts

Growth-inducing impacts are described generally as 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 proposed project is comprised of the redevelopment of 16.44± acres of a 31.96± parcel, into a multi-family residential development. The proposed project would be a catalyst for revitalization, and foster a sense of place through development of a new residential community. Willoughby Commons would provide a permanent residential population, which would in turn augment the tax base and complement the surrounding uses. Moreover, the proposed development would potentially preserve 15.21± acres of land through Suffolk County Farmland Preservation as an agricultural use in the northern portion of the subject property, which would eliminate the potential development of that portion of the property.

With the addition of the new residential units, the proposed redevelopment would enhance the area and create positive growth by potentially attracting more businesses, residents, and visitors to the area and generating a permanent population who would patronize existing businesses and institutions in the area. Moreover, the Town has a well-developed infrastructure of retail and institutional uses. Therefore, it is not expected that the proposed project would induce additional growth of retail or institutional uses.

Implementation of the proposed project would result in an influx of additional permanent residents to the project site. The part of the parcel to be developed currently is in agricultural use. Although the current agricultural use would be

impacted, it must be noted that the parcel to be developed is located in an area that is almost entirely dedicated to suburban residential and commercial use, and is largely built out. While a 500±-acre wooded parcel abuts the project site to the west (the Henry Kaufmann Camps & Grounds); that parcel is currently dedicated to recreational uses. Any future development of that parcel would be entirely unrelated to the proposed project; implementation of the proposed project would neither induce nor preclude future development of the adjacent wooded parcel.

In general, the likelihood that implementation of the proposed project would induce additional growth is severely limited insofar as a) there is little additional land available for development, and b) Wheatley Heights and the Town of Babylon have adequate infrastructure (commercial, institutional, educational, medical, and transportation) to accommodate the proposed development. No induction of infrastructure growth or additional housing development is expected to result from the proposed project. The road system included in the site development plans would not significantly increase roadway capacity in the vicinity. No transportation-related induced growth is expected.

It is not anticipated that the addition of permanent residents to the project site would induce the need for additional open space. The Town of Babylon, of which Wheatley Heights is part, administers 23 public parks and three beaches open to town residents. Suffolk County and New York State also administer parks in the project area. Moreover, while the subject property would be developed, it would not accelerate the loss of open space that is used by the community, since the property is privately owned.

With respect to sewage disposal, the proposed out-of-district connection of the subject property to the Southwest SD would potentially allow for other properties in the vicinity to utilize the sewer infrastructure and also connect to the Southwest SD. However, such potential future out-of-district connections would be subject to separate review by the SCDPW and its determination of the District's capacity to serve any new development.

The only growth that would be facilitated currently by the proposed project is the direct development of the site itself. This would be beneficial growth, as it would satisfy an existing demand for multi-family housing in the project vicinity.

7.0

Use and Conservation of Energy

7.1 Existing Conditions

Currently, PSEG Long Island and National Grid provide electricity and natural gas service, respectively, to the subject site.

7.2 Potential Impacts

Based upon the proposed redevelopment of the property, consultations were undertaken with PSEG Long Island and National Grid for review of the proposed project (see Appendix C). To date, no responses have been provided.

The proposed redevelopment would increase energy use on the subject site. However, as detailed below, the Applicant and design team are committed to the principles of energy efficiency and sustainable design and would consult with the Town of Babylon through the planning and design phase of the project on the specific design of buildings to meet the prevailing requirements of the Town Code (see the discussion of §89 Green Building Certification, of the Town Code, below). Furthermore, the use of additional energy efficiency and sustainability methods would be examined including, but not limited to, the use of recycled and/or local materials in the development's construction, and use of ENERGY STAR appliances.

The Applicants are committed to meeting the minimum energy requirements in the Town Code §89. However, since the proposed project is in the planning phase, specific energy reduction measures have not yet been developed. It is important to recognize that due to the current stage of this proposed project, there would likely be changes and updates in building design based upon, among other things, the Town review and approval processes that may dictate changes in building features/systems through the final design process.

Moreover, the final design of Willoughby Commons would comply with the Town's Green Building Certification requirements (§89 of the Town Code). These requirements set forth minimum green building certification standards and ensure that new commercial, office and industrial buildings and multiple-residential dwellings greater than 4,000 SF are resource-efficient and conserve energy. As the proposed project includes multi-family development of 4,000 SF, it is subject to these standards. Specifically, as stated in §89-83, the intent of the Green Building Certification chapter is to minimize short-term and long-term negative impacts of construction on the environment. This article provides owners, and occupants of commercial buildings, offices, industrial buildings, multiple residences, and senior citizen multiple residences with economic benefits of energy and water savings, good indoor air quality and healthy and productive surroundings. Furthermore, this article provides the community with new development that is resource –efficient and conserves energy. As stated in §89-86A, every applicant for new construction of the above, shall provide a completed Leadership in Energy and Environmental Design (LEED) for New Construction (NC) checklist or the local variant of a green building checklist. The Applicant intends to work with the Town and will provide the locally approved variant checklist in order to provide a Green Building, sustainable construction project in conformance with the code without having to be fully LEED certified.

The Applicant's commitment to sustainable design and emissions reduction through the implementation of the measures outlined above, including high- efficiency HVAC systems, insulation and windows and incorporation of ENERGY STAR appliances, as well as those that result from consultations with the Town would be finalized upon further development of the design of the buildings, to achieve energy efficient buildings. According to the RESNET website, homes meeting a HERS Index Score of 70, are 30 percent more energy efficient than a standard new home.

8.0

Alternatives

This section examines the SEQRA-mandated No Action Alternative to the proposed action. A qualitative discussion of the potential impact areas identified throughout Section 3.0 of this SVDEIS is contained in Section 8.1, below.

8.1 No Action Alternative

The No Action Alternative involves leaving the subject property in its present state. Under this alternative, the subject property would remain as an agricultural and commercial use, consisting of predominantly cleared fields for agricultural use, with several small accessory structures, mulch piles and equipment on the southern and central portions of the subject property, and forested areas, a NYSDEC wetland, and farm fields on the northern portion. As with the proposed project, the wetland and forested areas on the northern portion of the subject property would remain undisturbed in the No Action Alternative.

Implementation of the No Action Alternative would forego the various beneficial impacts of the proposed project discussed throughout this SVDEIS. Most notably, the No Action Alternative would forego the provision of additional rental and affordable housing stock to provide housing for, and retain, workers in the Town and on Long Island, and to ensure that a variety of demographic groups have access to quality housing. In addition, under the No Action Alternative a new out-of-district connection would not be made to the Southwest SD, and thus there would not be an opportunity to expand wastewater infrastructure to support new development, which would aid in providing sustainable economic development to surrounding businesses and residences. Moreover, the No Action Alternative would not establish an attractive residential rental community that would result in a significant increase in property tax revenues and achieve several goals of Town and County comprehensive planning documents. Furthermore, the No Action Alternative would not result in the potential preservation of 15.21±-acres of the northern portion of the subject property by the sale of development rights to the County, which would ensure a portion of the subject property would remain as agricultural use.

If the No Action Alternative is implemented, there would be no construction-related impacts, but the ongoing lack of rental housing options on Long Island, as identified by the Regional Planning Association publication, *LI Rental Housing*, would persist. It is also important to note that this alternative would not meet the objectives of the applicant, which is to develop the site with a permanent, high-quality and economically-feasible residential rental community consistent with several Town and County planning documents.

The No Action Alternative is inconsistent with the applicant's right to develop, does not meet the objectives of the applicant, does not provide rental and affordable housing options, and is not viewed to be a feasible alternative by the applicant. Nevertheless, despite this alternative not being feasible, SEQRA requires that this option be evaluated in the SVDEIS. The No Action Alternative is evaluated, below, with respect to the areas of potential impact evaluated elsewhere in this SVDEIS.

8.1.1 Water Resources

Implementation of the No Action Alternative would have minimal impacts on water resources. There would continue to be no sewage effluent generated at the subject property, and water use would continue to consist of water for irrigation during the growing season. As with sewage disposal, the amount of water demand would be significantly below that of the proposed project.

Drainage is currently handled on-site by natural leaching processes and overland flow, which would not change as part of the No-Action Alternative. Since there would be no change to stormwater management for this alternative, unlike the proposed project, no comprehensive stormwater management system for collecting and recharging runoff would be installed. Thus, with the continuation of overland flow, the No-Action Alternative is somewhat less protective of groundwater resources.

Leaving the subject property in its present condition would likewise not impact the adjacent NWI wetlands and the portion of the NYSDEC wetland located on the northern portion of the subject property. However, the No Action Alternative would not involve the creation of a pond/wildlife habitat in the adjacent Town storm surge/retention basin, resulting in improved aquatic and wetland habitat in this area. In addition, the northern farmland areas that contain the NYSDEC wetland would not be preserved.

8.1.2 Land Use, Zoning and Community Character

Implementation of the No Action Alternative would not involve any change in land use and would not change zoning. Specifically, the current farm use, consisting of predominantly cleared fields for agricultural use, with several small accessory structures, such as sheds and barns on the southern portion of the subject property and mulch piles and equipment associated with a landscaping operation in the central portion of the subject property, would remain. The No Action Alternative would not achieve the goal of providing a more diverse housing stock, including affordable housing units, as recommended in the Town and County comprehensive plans analyzed in Section 3.2.2.4 of this SVDEIS.

8.1.3 Transportation

No additional traffic would be added to the roadway network with the implementation of the No Action Alternative. However, the traffic study calculated the intersection capacity for the 2018 No-Build condition by projecting the 2015 existing traffic volumes by a growth factor of 1.5 percent per year to determine the total traffic that would be on the roadways without the addition of the proposed Willoughby Commons development. Existing trips associated with the active uses on the subject property would continue. This is reflected in the No Build condition analyzed in Section 3.3.2 of this SVDEIS.

8.1.4 Community Services and Facilities

As previously discussed, the subject property is located within the Half Hollow Hills CSD. Under the No Action Alternative, the site would not include residential uses, and thus, not generate any public school-aged children, as in the existing condition. However, under the No Action Alternative there would not be a substantial increase in tax revenues (i.e., an increase of $1,350,797± over the existing condition), and there would not be a net positive fiscal benefit to the school district of $352,702.67, as there would be in the proposed action.

In addition, the Town would continue to provide solid waste collection and disposal service to the subject property via Town-contracted carters. As the Town would continue to bill the subject property for providing the service, it is not expected that there would be a significant adverse impact to community services under the No Action Alternative, similar to the proposed action.

9.0

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