DRAFT ENVIRONMENTAL IMPACT STATEMENT

Rogers Associates, LLC

Proposed Multifamily Residential Development

North side of Rogers Avenue, Village of Westhampton Beach

Suffolk County, New York

Lead Agency

Incorporated Village of Westhampton Beach
Planning Board
165 Mill Road, Westhampton Beach, New York 11978
(631) 288-3478

Prepared By

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630 Johnson Avenue, Suite 7
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(631) 589-6353

Applicant

Rogers Associates, LLC.
299 Duffy Avenue
Hicksville, New York 11801

November 2020
Revised January 2021

Date of Acceptance by Lead Agency: January 28, 2021

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Project Location:

9.355-acre parcel located on north side of Rogers Avenue
Village of Westhampton Beach
Suffolk County, New York
SCTM Nos: 905–003–01-7.1, 7.2, 7.3, 7.4, 7.5 and 7.6

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Date of Submission: November 2020
Date of Revision: January 2021

Date of Acceptance: January 28, 2021

Date by which comments must be submitted to lead agency:

The minimum public comment period on the DEIS shall be 30 days, which shall run from the first filing and circulation of the Notice of Completion of DEIS.

A public hearing on the DEIS will be scheduled to provide additional opportunity for comment on the DEIS, at a time and place to be determined and published in accordance with all legal notice requirements. The hearing shall be conducted no less than 15 calendar days or no more than 60 calendar days after the filing of the notice of completion.

Written comments on the DEIS will continue to be accepted at the offices of the lead agency a minimum of 10 days after the close of the public hearing, or until such later date as may be established by the lead agency.

Availability of Document: The DEIS may be viewed on the official website at the Village of Westhampton Beach at https://westhamptonbeach.org.

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EXECUTIVE SUMMARY

Introduction

This document is a Draft Environmental Impact Statement (DEIS) prepared in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 NYCRR Part 617 for the action contemplated herein, and is based upon the Final Scope issued by the Incorporated Village of Westhampton Beach Planning Board (the "Planning Board"), as lead agency, on July 21, 2020. This DEIS evaluates the potential adverse impacts associated with the proposed action, which consists of a proposed 52-unit multifamily residential development to be constructed on a 9.355-acre parcel in the Multifamily 20 (MF-20) Zoning District, located on the north side of Rogers Avenue, approximately 380 feet (ft) east of Hazelwood Avenue within the Inc. Village of Westhampton Beach (Village) (the "subject property") (see Figure 1 – *all figures are included in Appendix A*). The subject property is designated Suffolk County Tax Map (SCTM) Nos. 905-3-1- 7.1, 7.2, 7.3, 7.4, 7.5 and 7.6 (see Figure 2 in Appendix A).

This DEIS evaluates the following issues, based on the Positive Declaration issued by the Planning Board (see Appendix B):

- Soils and Topography
- Water Resources
- Transportation
- Land Use, Zoning and Plans
- Community Facilities and Services
- Community Character

This Executive Summary is designed solely to provide an overview of the proposed action, a brief summary of the potential adverse impacts identified, and mitigation measures proposed as well as alternatives considered. Review of the Executive Summary is not a substitute for the full evaluation of the proposed project performed in Sections 1.0 through 5.0 of this DEIS.

Description of the Proposed Project

The proposed project includes the redevelopment of the subject property for multifamily residential use. A portion of subject property was formerly developed and used for an asphalt processing facility for approximately 50 years. During the active operation of the asphalt plant on Lots 7.3, 7.4 and 7.5 from 1962, the subject property was zoned Industrial-1 (I-1). However, in March 2003, the Village of Westhampton Beach rezoned the subject property (along with all of the I-1-zoned properties north of Rogers Avenue and east of Old Riverhead Road) to multifamily residential use (MF-20). As specifically addressed in the Village of Westhampton Beach Comprehensive Plan Update of 2006, The Residential Districts (hereinafter, the "Comprehensive Plan Update of 2006"), the subject property was rezoned from I-1 to MF-20 "[t]o encourage the redevelopment of the asphalt plant site…[and] to preserve the residential character of the northern neighborhoods of the Village, and to provide a stimulus for more moderately priced housing."

In 2017 and 2018, the buildings and infrastructure associated with the asphalt plant were removed. The subject property is currently owned by Lehash LLC and the applicant, Rogers Associates LLC, is a contract vendee to purchase and redevelop the site for multifamily use pending approvals before the Village and other

permitting agencies. The existing conditions of the site include impervious surface area (approximately 6.630 acres) with remnants from the past industrial use (including scattered pipes, bricks, concrete blocks, tires, storage trailer, remnant apparent asphalt hopper and a concrete vault), and overgrown vegetation and woodland comprising the remaining 2.725± acres.

The overall proposed site layout and project design considers the regulations for development in the MF-20 (§197-11) as well as the special exception use standards set forth in §§197-79 and 80. The proposed "Townes at Ketchaponack" situates 52 multifamily units in 13 buildings, which are oriented toward the proposed internal road. Upon entry into the proposed development, a recreational and community space would be situated to the west and comprised of a 2,669±-square-foot (SF) community building, outdoor swimming pool, and tennis courts. The proposed community layout is a grid-type system with alleys situated in the rear yards of each residential block to provide access to unit garages and driveways, thus leaving unencumbered frontage towards the street. All alleys are proposed at a minimum width of 15-ft, with exception of the alley to the north which is 30-ft in width to accommodate parallel parking to the north.

The proposed building style is townhouse development with two building types proposed: two (2), two-unit buildings and 11 four-unit buildings. All units would be two-stories in height (31'-3.875") and would be constructed with basements. The two (2), two-unit buildings are both comprised of two-bedroom units, and the remaining buildings are mixed with one-, two- and three-bedroom units. Overall, the following is proposed: eight [8], one-bedroom; 36 two-bedroom; and eight [8], three-bedroom units. The individual unit sizes would range in area from 1,050 SF to 2,100 SF. Of the 52 proposed units, eight (8) would be income-eligible or affordable units. All of the affordable units offered within the proposed development are one-bedroom units, which are situated on the ends of four separate buildings on the west side of the community.

Upon implementation of the proposed action, the area of impervious surfaces would decrease by approximately 1.784 acres, from 6.630± acres to 4.846± acres and the area of lawn and landscape would increase by 3.977± acres. Permeable pavement is proposed in the alleys and would occupy a total surface area of 0.492± acre. Approximately 1,848 SF or 0.040± acre of natural area (woodland) would remain.

Grading and Drainage

The grading program would result in an excess cut of approximately 24,000 cubic yards (CY) of material for the construction of basements in each of the units, as well as other infrastructure. The maximum depths of cut and fill would be 22-ft and four (4)-ft, respectively. All cut material would be transported off-site during the construction period to permitted off-site facilities in accordance with New York State Department of Environmental Conservation (NYSDEC) Part 360 regulations.

The proposed stormwater management plan includes the installation of three biofiltration swales and a system of catch basins, drywells and leaching pools throughout the site. The proposed drainage plan has been designed to meet and exceed the Village of Westhampton Beach requirements for stormwater management and capacity. While the Village requires drainage to be accommodated and recharge stormwater associated with a two-inch rain event (§197-63G.[10]), the proposed drainage plan would provide storage of stormwater for a three-inch rain event.

Access, Site Circulation and Parking

The proposed site access is to be provided via the existing curb cut located on the southern property line approximately 630 feet east of Hazelwood Avenue and aligned with Rogers Avenue. As part of the proposed action, modifications are proposed to create an all-stop, T-intersection at Rogers Avenue. The intent of the proposed T-intersection is for a controlled entry into the proposed development but has also been identified as a traffic calming measure for vehicles that currently use Rogers Avenue as a cut-through from Old Riverhead Road to access Montauk Highway.

A landscaped drive aisle would separate the proposed one-lane ingress lane and one-lane egress lane. All internal roadways would be, at minimum, 20-ft in width with exception to the site entrance and exit lanes, which are 19.5-ft single lane driveways. Alleys of 15-ft minimum width are also proposed, which would provide access to the driveways and garages for each unit. All internal roadways are proposed to be privately held and maintained by the Homeowners Association (HOA). It is also proposed for trash pick up to occur within the alleys to eliminate trash bins in the front yards.

Parking is proposed as garage parking, driveway parking, and on-site asphalt parking. The on-site parking is located along the north, east, and west property lines, maintaining a minimum of a 20-ft off-set from the property lines. The eight (8), three-bedroom retail market units are each provided with an attached one-car garage, a one-car driveway, and on-site surface asphalt parking. The 36, two-bedroom retail market units are each provided with an attached one-car garage and a one-car driveway. The one-bedroom affordable housing units are each provided two (2) on-site asphalt parking spaces in front of the individual units with no driveways proposed.

Pursuant to §197-21 of the Village Code, the required parking is two spaces per unit plus one space per bedroom over three bedrooms. As such, 104 spaces are required. The proposed site plan includes 104 parking spaces in the attached garages and driveways of the retail market housing units, which complies with the on-site parking requirements. The proposed development also provides 97 on-site guest parking spaces and two (2) ADA parking spaces, located nearby to the community center, along the east and west side yards, along the alley in the rear yard, and within the center drive aisle. Overall, the proposed development includes 203 parking spaces.

The proposed site plan includes sidewalks and walkways to each of the building units for safe pedestrian access and movements throughout the development. Internal stop signs, crosswalks, and speed limit signs would also be placed within the development. The proposed development would also include a pedestrian sidewalk along the site frontage on Rogers Avenue.

Sanitary Wastewater Disposal and Water Supply

The proposed action incudes the construction of an on-site sewage treatment plant (STP) to accommodate the projected flow of 15,000 gallons per day (gpd). The proposed STP would be situated at the northeast corner of the subject property and treated effluent would discharge into an effluent leaching pool groundwater disposal system. The effluent disposal system would consist of six, 10-ft diameter-leaching pools with an approximate effective depth of 16-ft. Adequate space has been allocated for the 100 percent expansion of the leaching pools in accordance with SCDHS requirements. Additionally, in accordance with SCDHS and NYSDEC regulations,

groundwater monitoring wells would be installed both upstream and downstream of the effluent disposal system to monitor groundwater. Odor controls are also proposed.

The subject property is located within the service area of the Suffolk County Water Authority (SCWA) and an on-site connection is established. There is an existing eight-inch water main on Rogers Avenue, and, as part of the proposed action, infrastructure improvements would be undertaken to service the proposed community. The projected volume of potable water for the proposed development is 15,000± gpd and an additional 1,065± gpd (averaged annually) for irrigation is projected. A request for service availability was filed with the SCWA and service has been confirmed.

Site Landscaping, Fencing and Lighting

The proposed Site Landscape Plan includes retaining a portion of existing trees and supplementing the vegetative buffers and internal plantings with trees and groundcover. Specifically, approximately 264 existing trees are proposed to be retained; of which, 105 trees are equal to or greater than 4 inches in caliper. The proposed action also includes supplemental landscaping for visual screening and aesthetically-pleasing vegetative buffers. Planted landscape around the site perimeter would consist of Leyland Cypress (*Cupressocyparis leylandii*), London Planetree (*Platanus acerifolia*) and native grasses as groundcover. Along the northern property line and adjacent to the residential units, the Leyland Cypress would be planted atop a three (3)-ft berm for visual screening of the railroad tracks. Leyland Cypress would also be planted as visual screening to the STP area. London Planetrees would be planted as shade trees within the proposed community, including in landscaped aisles adjacent to parking areas. In addition to the perimeter screening and shade trees to be planted, the proposed Site Landscape Plan includes London Planetrees and groundcover around building footprints as well as groundcover seeding between those existing trees to be retained to create an aesthetically-pleasing environment.

Site fencing would consist of six (6)-ft chain link with fabric insert on the side and rear yards, and four (4)-ft chain link in the front yard, in accordance with §197-43. Along the rear yard, the proposed fencing would be placed upon the proposed three (3)-ft berm to provide further visual screening from the adjacent LIRR railroad tracks. The proposed site lighting would consist of light poles and building fixtures designed in accordance with §§197-25.1 and 197-25.5 of the Village Code.

Open Space and Recreational Space

The proposed development would incorporate a variety of recreational amenities and spaces for the community residents, including an outdoor swimming pool (2,000 SF), tennis courts (3,456 SF), community building with exercise, billiards and card rooms (2,669 SF) and gazebo with sheltered seating for the use and enjoyment of project residents. Excluding the gazebo, the proposed development provides 8,125 SF of recreational area thus exceeding the required 6,240 SF of recreational area for the proposed 52 units (§197-80.3.S).

The proposed design provides each of the residential units with a front yard that can be used for child play area. The proposed alleys behind the townhomes could also serve as informal play areas for the immediate residents. Private outdoor spaces are also included in the proposed design with screened porches in the rear of the units and decorative open porches on the front ends of each unit. Finally, sidewalks are proposed throughout the site for safe walking activities.

Solid Waste Management and Utilities

Based on a factor of 4.51 lbs. per person per day and a potential population of 107 persons, the estimated solid waste generation would be 7.34± tons per month. Solid waste generation is proposed to be collected and disposed of by a contracted licensed private carter. Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. The central trash dumpster area for the community center would be screened with vegetation and pick-ups from the individual residential units would occur at the back of the buildings within the alleys.

The proposed development is planned for service of natural gas from National Grid and electricity from PSEG Long Island. Through consultations with National Grid, it was determined that service availability is expected after completion of National Grid improvement projects. Consultations were also undertaken with PSEG and service has been confirmed.

Community Service Providers (School, Police, Fire and Ambulance)

The subject property would be served by the Westhampton Beach Union Free School District (UFSD). Consultations were undertaken with the Westhampton Beach UFSD by letter dated August 11, 2020; however, no response has been received to date. Based on the residential demographic multipliers published by *Rutgers University, Center for Urban Policy Research (CUPR)* and the *Long Island Housing Partnership (*LIHP*)*, the proposed development is expected to generate between 8.36± and 9.36± (i.e., nine (9)-10±) PSAC, respectively. The total per pupil expenditure for the Westhampton Beach UFSD is approximately $25,982.49.[1] Based on the current tax rate, the subject property would generate approximately $241,285 to the Westhampton Beach UFSD. As such, the projected tax revenue would fund the costs associated with 9.29 students, based on the current tax rate and per pupil expenditure.

The subject property is within the service area of the Westhampton Beach Police Department (WHBPD). Consultations were undertaken with the WHBPD and in correspondence dated August 18, 2020, Chief Trevor Gonce indicated that the proposed development can be served without an adverse impact to the WHBPD.

Regarding fire and ambulance services, the subject property is within the service areas of the Westhampton Beach Fire Department and Westhampton War Memorial Ambulance Association, respectively. Consultations were undertaken with both entities and responses are pending. The proposed development would generate a minimal demand for additional fire and EMS personnel, and the future residents could add to the pool of potential volunteer firefighters and EMS workers. The proposed development would contribute approximately $17,630 in tax revenue to the Westhampton Beach Fire Department and approximately $3,280 in tax revenue to the Westhampton War Memorial Ambulance Association.

Construction and Operations

The proposed development is expected to be constructed in one phase over a duration of 18 months with a desired commencement date of summer 2021 with project completion in December 2022. In accordance with

[1] New York State Education Department. *Westhampton Beach UFSD 2018-2019 School Year Financial Transparency Report.* Retrieved from: https://data.nysed.gov/expenditures.php?instid=800000036831. Accessed September 2020.

§110-3 of the Village Code, all construction would be limited to the hours of 7:00 am to 6:00 pm on weekdays and 8:00 am to 5:00 pm on weekends, with exception to the months of July and August when no work would be performed on Sundays. Carriage Hill Developers Inc. would be the construction manager on-site and a temporary trailer to serve as an on-site field office would be positioned near the site entrance on the property. All equipment storage/staging would be located on-site, as well as all contractor and worker parking. Delivery routes for materials to the site would be Rogers Avenue from either Old Riverhead Road or Montauk Highway, depending on the origination point.

Upon implementation, the proposed residential community would function similarly to other developments. Parcel and mail deliveries to the community would be accepted at the community center, which would have a mail room for all residents. If an individual townhome would need a delivery to the unit, the delivery trucks would utilize the alleys behind the buildings.

As an ownership community, all on-site amenities would be resident-only. The HOA would be responsible for contracting local service companies for landscaping, snow removal, and other maintenance needs. There would not be an on-site staff or superintendent for the site, but rather the HOA fees would be used for the maintenance of facilities. Homeowners would be responsible for all unit-related maintenance needs.

Impacts on Soils and Topography

According to the *Soil Survey for Suffolk County* (*Soil Survey*), the on-site soils have few to no engineering limitations for the development of buildings, streets or parking lots, or for sanitary disposal for the RdA (Riverhead sandy loam, 0 to 3 percent slopes) and CpA (Carver and Plymouth sands, 0 to 3 percent slopes) soils, which comprise approximately 35 percent of the site. The CuB (Cut and Fill land, gently sloping) soils comprise the remaining 65± percent of the site and are noted as having moderate limitations for streets or parking lots due to slopes; however, this limitation would be overcome with regrading. The *Soil Survey* also notes severe engineering limitations for CuB and CpA soils for the establishment of lawns and/or landscaping due to sandy surface layers; however, these limitations would be overcome with the use of topsoil. It is also noted that the proposed development includes retaining 264 of the existing trees on-site, which are established and would supplement the landscape plan.

The proposed action would result in the disturbance of soils for building foundations including basements, in-ground swimming pool, drainage infrastructure, STP, utility installation, grading, paving, and landscaping. A Sediment and Erosion Control Plan has been prepared to minimize the potential impacts associated with construction activities, which would include, at minimum, stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads.

Regarding topography, the elevation of the subject property ranges from 41±-ft above mean sea level (amsl) at its southern portion to 46±-ft amsl at the northern portion, adjacent to the LIRR right-of-way. The proposed grading program and design would generally maintain the current site elevation. The grading program would result in an excess cut of approximately 24,000 CY of material for the construction of basements in each of the units, as well as other infrastructure. All excess soils would be transported to permitted off-site facilities in accordance with NYSDEC Part 360.

Overall, no significant adverse impacts associated with on-site soils, or from the disturbance of the site, would be expected.

Impacts on Water Resources

Groundwater

Pursuant to Article 6 of the Suffolk County Sanitary Code (SCSC), the maximum permitted sanitary flow for the utilization of individual subsurface sanitary systems on the subject property is 5,613± gpd (9.355 acres x 600 gpd/acre = 5,613± gpd). According to the design flow factors published by the Suffolk County Department of Health Services (SCDHS) (44 units at 300 gpd/unit and 8 units at 225 gpd/unit), the projected sanitary flow is approximately 15,000 gpd. Accordingly, an on-site sewage treatment system is required. The proposed STP would comply with the SCDHS standards for STPs, including setback to property lines, buildings and areas of sustainably human use. The proposed STP would maintain setbacks of 25-ft to the northern property line (abutting the LIRR), 75-ft to the eastern property line, and 75-ft to the nearest proposed residential structure. The proposed STP would be a package unit from Purestream, specifically the Biologically Engineered Single Sludge Treatment (BESST) system. A control building would be installed to house the aeration blowers, odor control equipment and the operator's laboratory space.

Based on mass balance calculations for nitrogen loading from sanitary waste, the projected nitrogen loading from the STP is approximately 0.876 lbs. /day. For comparative purposes, the use of conventional systems or Innovative and Alternative On-site Wastewater Treatment Systems (I/A OWTS) would result in nitrogen loading of approximately 2.34 lbs/year and 0.889 lbs/year, respectively.

To further evaluate the nitrogen loading from a comprehensive approach, including fertilizer usage, atmospheric deposition, etc., a BURBS analysis was performed. Based upon the analysis of the BURBS model, the estimated amount of nitrogen leached from the proposed development would be 386.82 pounds per year. This nitrogen loading represents a concentration of nitrogen of 3.12 mg/L, which is slightly over half of the targeted concentration of 6 mg/L to establish allowable sanitary densities. Based upon the aforementioned analysis, the projected nitrogen loading for the proposed development represents an increase over the historic conditions; however, the projected loading is significantly below the levels established in the *208 Study* and Article 6 with respect to both wastewater and fertilizer-based nitrogen.

The total projected potable water usage is 15,000± gpd and 1,065± gpd for the irrigation season (mid-April to mid-October). SCWA has confirmed that public water is available for domestic consumption, irrigation and fire demand.

Stormwater

The proposed action would decrease the total impervious surface area from 6.630± acres to 4.846± acres and, therefore, there would be a resultant decrease in the volume of stormwater runoff generated on the subject property. As part of the proposed action, a comprehensive stormwater management plan has been designed to accommodate and recharge all stormwater on-site. As indicated on the Proposed Grading and Drainage Plan, which includes the installation of biofiltration swales, catch basins, drywells and leaching pools. The project has been designed for a three-inch rain and a Stormwater Pollution Prevention Plan (SWPPP) will be developed prior to construction.

Also, a consistency analysis of the proposed action with Chapter 149 of Village Code (Stormwater Management and Erosion and Sediment Control) concludes the project's compliance with the performance and design criteria set forth in §149-6.

Surface Waters and Wetlands

The nearest permanent surface water body is Aspatuck River, located approximately 0.23 mile east of the subject property. There are no regulated wetlands on or adjacent to the site, and thus, no significant adverse impacts to such resources would occur. Furthermore, as the subject property is not located within a floodplain, no flooding impacts would occur.

Impacts on Transportation

Projected Trip Generation

The Traffic Impact Study (TIS) prepared by VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. (VHB) included an evaluation of the 2023 Build condition along with projected trip generation rates for the proposed action. According to the TIS, the peak hour trips for the proposed action include: 26 total trips (6 entering, 20 exiting) during the Weekday AM Peak hour; 33 total trips (21 entering, 12 exiting) during the Weekday PM peak hour; 28 total trips (15 entering, 13 exiting) during the Saturday Midday Peak hour; and 28 total trips (15 entering, 13 existing) during the Sunday Midday Peak hour. The projected peak hour trip generation represents an average of approximately one vehicle trip every two minutes, which would not change the nature of traffic conditions on the roadways in the study area.

Site Access

Access to the proposed residential community would be maintained at the existing location of the driveway. This driveway would form the southbound approach to a proposed three-way intersection where Rogers Avenue currently shifts in direction to Rogers Avenue Extension via a horizontal curve from north-south to east-west. Currently, the transition from Rogers Avenue to Rogers Avenue Extension occurs by way of a tight horizontal curve, with no traffic control on either approach and there is a yellow full barrier line that runs through the curve. As part of the proposed action, Rogers Avenue would be modified in this area to eliminate the curve and form, along with the proposed access drive to the proposed residential community, a three-way, all-way stop controlled intersection. All traffic, therefore, would be under positive traffic control and be forced to stop, which would provide a safer travel condition when vehicles approach the intersection from multiple directions at one time. This all-way stop condition would also serve to slow traffic through the intersection, This is desirable, in particular due to concerns expressed by residents of the area regarding excessive speed in the neighborhood, and it will help to discourage cut-through traffic from utilizing this route on Rogers Avenue to go between Montauk Highway and Old Riverhead Road. Finally, it is also proposed to install a pedestrian sidewalk along the site's frontage on Rogers Avenue, as well as to install pedestrian curbs and sidewalks at this intersection. As part of this improvement, the southwest corner of the intersection would be modified to include a tighter radius typical of area intersections, resulting in typical intersection geometry and eliminating the curve. These measures will further serve to decrease travel speeds and improve safety in the area.

Level of Service / Capacity Analysis

Level of Service (LOS) analyses were conducted for the 2020 Existing, 2023 No-Build and 2023 Build conditions for the key signalized intersection of Montauk Highway (CR 80) at Old Riverhead Road (CR 31), and the unsignalized intersections of Rogers Avenue at Old Riverhead Road (CR 31), Rogers Avenue at Hazelwood Avenue, and Montauk Highway (CR 80) at Rogers Avenue.

The signalized intersection analysis concluded that from an overall perspective, the peak hours in the 2023 Build Condition are consistent with the results in the 2023 No-Build Condition. When examining each individual turning movement and approach studied, the only movement that demonstrated a change in LOS was the northbound through/right-turn movement during the Sunday Midday Peak hour. During this time, the movement in question is anticipated to change from LOS C to D. However, this change is due to an increase in delay of only 1.6 seconds as the operation of the movement in the No-Build condition is close to the threshold between LOS C and LOS D. Accordingly, the increase in delay would not be perceptible to motorists and this is not considered a significant impact. As a result, the TIS has determined that no mitigation is required.

The unsignalized intersection analyses indicate that all critical approaches would continue to operate safely consistent with the results of the No Build analysis upon the introduction of the traffic that would potentially be generated by the proposed project. As such, the TIS has determined that no mitigation is required.

The LOS at the proposed site access was also evaluated in the TIS. The TIS concluded that the individual movements and critical approaches at the site access driveway are anticipated to operate at LOS A in the 2023 Build Condition. Furthermore, these results also demonstrate that the introduction of the traffic control on the mainline of Rogers Avenue would not cause any significant delays or congestion.

Rogers Avenue Speed Study

The TIS collected vehicle speed information on Rogers Avenue approximately 1,300-ft north of the intersection of Montauk Highway (CR 80) and Rogers Avenue in order to respond to concerns related to motorists driving at excessive speed to or from Montauk Highway (CR 80) and Old Riverhead Road (CR 31) via Rogers Avenue. Based on the collected data, the average (mean) speed on Rogers Avenue was found to be 28 MPH northbound and 30 MPH southbound. While these speeds are noted to be in excess of what is posted, they are not atypical for residential roadways. The proposed development would include the introduction of new means of traffic control at the intersection formed by the Site Access Driveway and Rogers Avenue, and thus, the continuity of traffic on Rogers Avenue itself would be interrupted, which would encourage drivers to operate at lower speeds in this area. This would increase incrementally the time it takes to navigate through the area for any cut-through traffic using Rogers Avenue to avoid delays at the intersection of Old Riverhead Road at Montauk Highway, making this route less attractive. It is also noted that the proposed development would not result in a change to the speed profile in the area (i.e., it is expected that the residents of the proposed community would drive the area in a similar manner to the existing residents.)

Parking, On-Site Circulation and Pedestrian Circulation

A total of 203 parking spaces would be provided, including 2 handicap accessible stalls and 97 guest parking stalls, which exceeds the required 104 parking stalls pursuant to the Village of Westhampton Beach Code. Based on Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition, the proposed

52-unit development would generate a maximum of 79 parked vehicles on a typical weekday and a maximum of 84 parked vehicles on a typical weekend. Accordingly, the 203 parking stalls provided on the site would be more than adequate to accommodate the parking generated by the community.

Regarding site circulation, all primary two-way drive aisles would have a minimum width of 24-ft. One-way alleys, which provide access to the rear of residential buildings are 15-ft wide. Parking stalls are dimensioned at 10-ft wide and 18-ft long for head-in stalls and a limited number of 22-ft long by 9-ft wide curbside stalls are provided along the north side of the site which are each adequate to accommodate full-sized vehicles. Overall, the site as designed provides a good configuration for on-site parking areas and drive aisles which would provide good on-site circulation.

Presently, there are no pedestrian accommodations provided on Rogers Avenue in the vicinity of the site. Pedestrian circulation would be safely accommodated with crosswalks, curbs and sidewalks in line with current ADA standards along Rogers Avenue and Rogers Avenue Extension. The proposed site plan includes a well-developed system of pedestrian sidewalks to allow for safe pedestrian circulation throughout the site. Crosswalks would also be provided at road crossing points.

Impacts on Land Use and Zoning

It is the objective of the applicant to acquire and develop the subject property in accordance with the prevailing zoning (i.e., multifamily development, MF-20) and the Village's stated goals. The proposed development, with a proposed community name of "The Townes at Ketchaponack," includes 52 multifamily units, with 44 being offered at market rate and the remaining eight (8) being offered for moderate-income families. The proposed recreational area would consist of an outdoor swimming pool (2,000 SF), tennis courts (3,456 SF), community center (2,669 SF) and gazebo with sheltered seating. The community layout is a grid-type system with alleys situated in the rear yards of each residential block to provide access to unit garages and driveways, leaving unencumbered frontage towards the street. All alleys are proposed at a minimum width of 15-ft, with exception of the alley to the north which is 30-ft in width to accommodate parallel parking to the north.

As shown on the Architectural Elevations and as illustrated on the advertisement in the Market Demand Study, the proposed buildings would incorporate a variety of materials and colors that would be consistent with as well as compliment the character of the surrounding residential houses. The townhomes and community center would incorporate variations of tan coloring with grey/black roofing, although the final color selections would be subject to approval by the Board of Architectural Review. The community center would be designed to complement the residential buildings.

In addition to retaining trees along the property perimeter (with approximately 40 percent of the existing trees to remain), the proposed action includes supplemental landscaping for visual screening and aesthetically-pleasing vegetative buffers. Site fencing is also proposed and would consist of six (6)-ft chain link with fabric insert on the east, west and northern sides and four (4)-ft chain link with fabric insert on the south side. Along the northern property line, the proposed fencing would be placed upon the proposed three-foot berm to provide further protection from the adjacent LIRR railroad tracks. Landscape as well as the retention of existing trees is proposed along the extent of all proposed fencing.

The proposed action complies with the bulk and dimensional requirements under the MF-20 zoning district. As the proposed multifamily residential development requires a special exception use permit from the Village

Board of Trustees, the proposed site design considers the general standards and matters to be considered under Sections 197-79 and 197-80 Article VIII of the Village Code. Based on an analysis with the special exception use permit criteria in such sections, the proposed site design complies with the standards and is overall with consistent with the intent and purpose of such sections.

It is noted that an application to the Attorney General of the State of New York has been submitted by the applicant to test the market for such units and the application was accepted. Additionally, through consultations with Kerrigan Country Realty, located in Westhampton Beach, it has been determined that there is strong interest in the proposed condominium development by several demographics. The first demographic is the consumer in the 50-60 age bracket that are looking for a second residence in the Village. The second demographic are those in the local community that are looking to downside from current larger homes in the Village, but desire to remain in the community. Finally, there is an interest from the local buyer in the 30-40 age bracket who desire to continue living in the immediate area but either a lack of inventory or high price points stall the purchase.

Of the 52 units, the eight (8) one-bedroom units would be offered as affordable rate housing consistent with the special exception standards for MF-20 development (§197-80.3.H) as well as one of the stated purposes of the rezoning. The increase in the availability of affordable rate units is also consistent with the Long Island Workforce Housing Act implemented by the New York State Legislature in 2008. It is the goal of the applicant to commence development in the Summer of 2021 with units available for occupancy in early 2023. Upon implementation of the proposed action, the subject property would be converted from an underutilized parcel within a residential neighborhood to a multifamily use, consistent with the Village's stated purpose of the rezoning in 2003 as well as meeting the demand for such housing.

The proposed action is projected to increase annual tax revenues from $32,683.55± to $420,783.00±. Of this, approximately $115,210 would be generated for the Village of Westhampton Beach General Fund (a portion of which would go to the WHBPD), $241,285± for the Westhampton Beach UFSD, $20,910± for the Westhampton Beach Fire District and Westhampton War Memorial Ambulance Association, and $17,753± for the Westhampton Beach Library.

Impacts to Community Services

School District

Upon implementation of the proposed project, the subject property would be redeveloped with a multifamily residential use that would result in a permanent resident population at the property (including public school-aged children [PSAC]). Based on the analyses contained herein, the proposed project is estimated to generate between nine (9) and 10 PSAC, which represents approximately 0.5 percent of the Westhampton Beach UFSD's 2019-2020 school year enrollment (1,778 students). Consultations were undertaken with the Westhampton Beach UFSD in connection with the proposed action. To date, no response has been received. However, it is noted that the proposed development would contribute approximately $241,285 to the Westhampton Beach UFSD which is the cost associated with approximately 9.29 students. Overall, based on the above, no significant adverse impacts to the Westhampton Beach UFSD are anticipated.

Police

The subject property is in the service area of the WHBPD for police protection. Correspondence was received from Chief Trevor Gonce on August 18, 2020 indicating that the proposed development would not have an adverse impact to the WHBPD that would create a need for additional demand for police protection services.

Fire and Ambulance Services

The subject property is in the service area of the Westhampton Beach Fire Department for fire protection services and the Westhampton War Memorial Ambulance Association for ambulance services. Consultations were undertaken with both service providers; however, responses are pending. The proposed development would include a total of six fire hydrants on the subject property. Access and internal roadways have been designed in accordance with Village roadway standards, and analysis of the required turning radii for fire trucks and ambulances indicates that emergency service vehicles would be able to traverse the proposed development, safely and efficiently. Overall, no significant adverse impacts would be expected.

Water Supply

The subject property is within the SCWA Distribution Area 20 and service availability for the proposed development has been confirmed.

Sanitary

Sanitary waste would be accommodated via an on-site STP to be constructed in the northeast corner of the development. The proposed STP complies with all requisite standards of the SCDHS.

Solid Waste

The estimated solid waste generation from the proposed development would be 7.34± tons per month at 100 percent occupancy. The proposed development would utilize a licensed private carter service to haul all solid waste off the subject property. Residents would dispose of solid waste via curbside collection in the alleys, behind their respective building, for pick up and disposal by the private carter service. A central trash dumpster area at the community center would accommodate solid waste associated with the community center and recreational facilities. The dumpster area would be screened with vegetation and all pick-ups would be scheduled to eliminate wastes being held for a long duration. Based on the foregoing, no impacts to solid waste management is expected upon implementation of the proposed action.

Energy Providers

The proposed development includes a new connection to the National Grid natural gas main. In correspondence dated November 12, 2019, National Grid confirmed availability of service after completion of improvement projects. It is expected that such improvement projects would be undertaken and completed prior to the project's Build Year (2023).

The proposed development would be supplied electricity via the existing PSEG Long Island infrastructure. The existing infrastructure would be extended and diverted underground throughout the proposed development

to reach and serve the housing units and the community center. Consultations were undertaken with PSEG Long Island on October 3, 2019 and service has been confirmed.

As provided by the project architect and applicant, the proposed buildings would be designed to meet or exceed the requirements of the NYS Building and Energy Code (NYS Code). As of May 2020, New York state adopted the 2020 International Codes which have increased the energy efficiency requirements. By following and complying the current requirements of this code, all townhomes would meet the minimum requirements for a LEED/Green certification.

Impacts to Community Character

Upon implementation of the proposed action, the subject property would be converted from its current vacant and underutilized state, to an aesthetically-pleasing residential community. Visually, the frontage of the subject property along Rogers Avenue is limited to 256±-ft, such that the development would be largely blocked from view along the public roadway. The proposed community building with an outdoor swimming pool and tennis courts would be largely shielded from view on Rogers Avenue with the proposed landscape treatments and chain link fencing with fabric inserts. The rooflines of the community building and townhouse buildings would be visible from Rogers Avenue, as would the larger development from the entryway only.

The proposed design considers all designs elements set forth in Section 197-80 of the Village Code. The design intent of the proposed development is to complement the surrounding residential neighborhood through landscaped buffers, maintaining existing trees, and incorporating architectural elements that are residential in character. As part of the proposed action, all architectural elevations, renderings, building prototypes and designs will be submitted for review by the Board of Architectural Review.

Overall, the proposed development is expected to result in positive, beneficial impacts to the overall community character by replacing a vacant and underutilized parcel with an aesthetically-pleasing residential community that is consistent with the Village's 2006 plan for multifamily residential use on the subject property.

Alternatives and Their Anticipated Impacts

Alternative 1: No-Action Alternative (As-of-Right Plan)

This alternative plan includes an as-of-right build out of the subject site, as permitted under §197-11 (Multifamily Residence District 20), without the need for special exception approval. Accordingly, under this alternative, the subject property would be developed to the maximum development allowed under existing zoning, which would consist of 18 single-family residential homes. This alternative is being presented only to provide a baseline comparison of the maximum development of the site under existing zoning and without a special exemption, to the proposed action. This alternative does not achieve the objective of the applicant as a developer of multifamily residential communities and is not considered a feasible alternative for the applicant. Moreover, it does not achieve the purpose and intent of the Village in its rezoning of the property in 2003.

Alternative 2: Multifamily Development (4 Units Per Acre)

This alternative plan includes the development of the subject property at four units per acre, in accordance with the MF-20 zoning regulations. At four units per acre, this alternative plan would not provide any affordable housing units but rather 36 multifamily residential units at market rate.

This alternative is being presented as a reduced density alternative to the proposed action. This alternative does not achieve the objective of the applicant for the proposed yield of 52 units and is not, therefore, considered a feasible alternative for the applicant.

Alternative 3: Alternative Layout with Relocated Entrance and Recreational Facilities

This alternative plan would modify the entrance to the project and also relocate the recreational facilities to the northern portion of the site. This alternate layout would be similar to the proposed action with 52 multifamily residential units within 13 buildings, a community center with recreational facilities, a gazebo and a STP. However, in addition to the recreational area being relocated to the north, the existing curb cut off Rogers Avenue would be closed, and the relocated entrance would be on the east-west portion of Rogers Avenue, a minimum of 150-ft west of the terminus of the north-south section of Rogers Avenue.

This alternative is being presented at the request of the Village; however, the relocation of the entrance is not considered a desirable alternative from a traffic engineering and safety perspective.

Alternative 4: Alternative Layout with 52 Units and Relocated Recreational Facilities

The Alternative Layout with Relocated Recreational Facilities would be similar to the proposed action, with 52 multifamily residential units within 13 buildings and STP; however, the recreational amenities have been relocated to the northern portion of the site. The overall layout positions six buildings on the western portion, five buildings on the eastern portion and two buildings on the southern portion of the site. As a result of the relocation of the recreational space, views of the community from Rogers Avenue are replaced with the townhouse units. The STP would remain in the same location as the proposed action.

The intent of this alternative layout is to primarily address community concerns on the location of the recreational area on the southerly portion of the site and to develop multifamily residential units along Rogers Avenue, for consistency in the viewshed along the street frontage. This alternative achieves the objective of the applicant for the proposed yield of 52 units and would be considered a feasible alternative for the applicant.

Alternative 5: Proposed Action with Scenic Easements with 52 Units

The Proposed Action with Scenic Easements with 52 Units would be similar to the proposed action; however, this alternative design maintains scenic easements that were a condition of the granting of the six-lot Industrial Subdivision in 1990 and prior to the Village's rezoning of the subject property to MF-20 in 2003. In light of the fact that the current site plan application will formally cause the abandonment of the 1992 Industrial Subdivision, the applicant requests, as part of the approval process of the proposed site plan application, that the Village consent to the cancellation of record of the scenic easements thereby removing this obsolete record impediment on the applicant's title. Despite the fact that the scenic easement restrictions should not be applied to this site plan application, the applicant has nevertheless prepared this alternative layout that conforms to the scenic easement setbacks.

Permits and Approvals Required

The proposed action is subject to permits and approvals from the Village Planning Board (site plan), Village Trustees (Special Exception and cancellation of the record of Scenic Easements), Village Architectural Review Board, Suffolk County Department of Health Services (SCDHS) (Article 6 Permit), Suffolk County Department of Public Works (SCDPW) and the New York State Department of Environmental Conservation (NYSDEC) (sewage discharge permit and State Pollution Discharge Elimination System [SPDES] permit). The Suffolk County Planning Commission (SCPC) has General Municipal Law Section 239-m planning review authority over the proposed action. Public water and utility service connections are also required from the Suffolk County Water Authority (SCWA), and PSEG Long Island and National Grid, respectively.

1.0 DESCRIPTION OF PROPOSED ACTION

1.1 Project Background, Need, Objectives and Benefits

1.1.1 Background and History

Site Overview

The subject property is a 9.355±-acre parcel located on the north side of Rogers Avenue, approximately 380 feet (ft) east of Hazelwood Avenue, within the Incorporated Village of Westhampton Beach (see Figure 1 in Appendix A), and is identified as Suffolk County Tax Map No: District 905 – Section 3 – Block 1 – Lot(s) 7.1, 7.2, 7.3, 7.4, 7.5 and 7.6 (see Figure 2 in Appendix A). A portion of the subject property was formerly developed and used as an asphalt processing facility for approximately 50 years. In 2017 and 2018, the buildings and infrastructure associated with the asphalt plant were removed. The existing conditions of the site today include remnant impervious surface area (approximately 6.630 acres) with overgrown vegetation and woodland comprising the remaining 2.725± acres.

Rezoning of the Subject Property

During the active operation of the asphalt plant on Lots 7.3, 7.4 and 7.5 from 1962, the subject property was zoned Industrial-1 (I-1). However, in March 2003, the Village of Westhampton Beach rezoned the subject property (along with all of the I-1-zoned properties north of Rogers Avenue and east of Old Riverhead Road) to multifamily residential use (MF-20). As specifically addressed in the Village of Westhampton Beach Comprehensive Plan Update of 2006, The Residential Districts (hereinafter, the "Comprehensive Plan Update of 2006"), the subject property was rezoned from I-1 to MF-20 "[t]o encourage the redevelopment of the asphalt plant site..[and] to preserve the residential character of the northern neighborhoods of the Village, and to provide a stimulus for more moderately priced housing."

Property Ownership and Lot History

The subject property has had several owners, including Central Suffolk Paving Inc. (prior to 1986), Gary A. Swawander (1986 to 1987), Gabriel Pennion (1987 to 1990), Twin Fork Asphalt (1990 to 1994), Suffolk Asphalt Supply Inc. (1994 to 2012), and Lehash LLC (2012 to current date) (see Appendix H). The applicant, Rogers Associates LLC, is a contract vendee to purchase and redevelop the site for multifamily use pending approvals before the Village and other permitting agencies.

From 1962, the site operated as an asphalt plant for over 50 years. In 1990, the then owners, Gary Swawander, James Henry and James Lefferts applied to the Village Planning Board to subdivide the parcel into six industrial lots. Preliminary approval of the subdivision was granted in 1990 and final subdivision approval was granted in 1992. The approval required the applicant to convey a 50-ft scenic easement along the southerly and westerly boundaries of Lot 6 (now Tax Lot 7.8) and a 25-ft scenic easement along the southern and western boundaries of Lot 1 (now Tax Lot 7.1) to buffer the future industrial uses from adjoining residential properties and from Rogers Avenue (hereinafter, the "1992

Industrial Subdivision). The location of these buffer areas is illustrated on a tax map figure entitled *Tax Map with Prior Scenic Easements for 1992 Industrial Subdivision* included in Appendix G of this DEIS.

A Scenic Easement dated May 22, 1992, describing these buffers was recorded in the office of the Clerk of Suffolk County on July 15, 1992. The 1992 Industrial Subdivision was never developed. No lots were sold, and no infrastructure was ever constructed. Since the Industrial Subdivision was never developed, the scenic easements that had been recorded were never physically created and their purposes were never needed. Thereafter, in 2003, as part of a coordinated plan to eliminate the industrial use of the property, the Village rezoned the property to MF-20, establishing entirely different site development parameters. This rezoning totally eliminated the need and purpose of the scenic easements that had been placed on the Industrial Subdivision. In light of the fact that the current site plan application will formally cause the abandonment of the 1992 Industrial Subdivision, the applicant requests that, for the reasons set forth above, as part of the approval process of this site plan application, the Village consent to the cancellation of record of the scenic easements thereby removing this obsolete record impediment on the applicant's title. Despite the fact that the scenic easement's restrictions should not be applied to this site plan application, the applicant has nevertheless prepared an alternative layout that conforms to the setbacks contained in the scenic easements (see Alternate 5 in Section 5.5 of this DEIS, below).

By 2012, the asphalt plant ceased operating and by 2017, the landowner began the removal of the infrastructure for the purpose of resale for residential redevelopment in accordance with the MF-20 zoning. Today, the subject property is currently vacant land improved with 6.630± acres of asphalt surface covering with remnants from the past industrial use (including scattered pipes, bricks, concrete blocks, tires, storage trailer, remnant apparent asphalt hopper and a concrete vault) and 2.725± acres of vegetated land, including woodlands and brush.

Prior Due Diligence Efforts

In August 2017, a Phase I Environmental Site Assessment (ESA) with Phase II activities were performed on Lots 7.3, 7.4 and 7.5 by Eastern Environmental Solutions (Eastern Environmental) and included in Appendix H of this DEIS. At the time of site reconnaissance (August 17-21, 2017), the subject property was partially developed for commercial purposes with three primary buildings; an asphalt mixing plant including an office, maintenance building, and a hopper tower.

The Phase I ESA was prepared to determine recognized environmental conditions (RECs) (including controlled [CREC] and historic [HRECs] conditions) present at the subject property. As noted in the Phase I ESA (see Appendix H), simultaneously with the preparation of the Phase I, Phase II activities were also performed (see pages iv-vi of the Phase I ESA) to investigate an on-site sanitary system, a former underground storage tank (UST), groundwater quality associated with prior reported spills at Francis S. Gabreski Airport (Gabreski Airport), adjacent to the subject property, and soil samples to identify potential impacts from the prior asphalt plant operation. A summary of the results of the Phase I/II ESA follows with a more detailed discussion in Sections 2.1.1 and 2.1.2.

Based on historical aerial photographs, Eastern Environmental was able to establish a history for the subject property dating back to 1938. From 1938 to 1947, the subject property was undeveloped and comprised of woodland. By 1957 to 1959, the aerial photographs show the site as cleared. In 1962, the

site is noted as being developed for commercial purposes with three buildings and asphalt production equipment. The asphalt plant ceased operations in December of 2012, and between 2017 and 2018, the three buildings and a processing plant were demolished and removed from the site.

The Phase I ESA identified three (3) on-site RECs (i.e., an on-site sanitary system, a former underground storage tank (UST) and the prior use as an asphalt plant) and one (1) off-site REC adjacent to the subject property (i.e., Gabreski Airport). Accordingly, soil and groundwater sampling and investigations were performed. As indicated in the Phase I ESA and the Eastern Environmental correspondence dated September 5, 2017 summarizing the soil and groundwater activities undertaken at the site (see Appendix H), no RECs identified on or adjacent to the subject property were found to pose a significant threat to the site. Refer to Sections 2.1.2 and 2.2.2 for an in-depth discussion of the results of the Phase I and all samples (i.e., soil, groundwater, and sediment) taken on the subject property as part of the limited Phase II ESA.

Additional Due Diligence Efforts

As part of this DEIS, Rogers Associates LLC, the applicant, caused additional site investigations to be prepared. In October 2020, an updated Phase I ESA was prepared for the site by Dermody Consulting, which included Tax Lots 7.1 through 7.6, inclusive. The Phase I ESA was prepared to identify RECS, CRECs and/or HRECs associated with the subject property. The findings of the 2020 Phase I ESA did not differ significantly from the 2017 Phase I ESA. Following completion of the 2020 Phase I ESA, a Phase II ESA was performed at the site to address data gaps from the 2017 Phase II ESA. The additional investigations are included in Appendix H and discussed in Sections 2.1.1 and 2.2.2 of this DEIS.

1.1.2 Project Objectives and Need

It is the objective of the applicant to acquire and develop the subject property in accordance with the prevailing zoning (i.e., multifamily development, MF-20) and the Village's stated goals. As indicated above, the Village rezoned the subject property to MF-20 in 2003 to encourage the redevelopment of the site for multifamily residential use. As stated in the Comprehensive Plan Update of 2006, these efforts were undertaken "*…to preserve the residential character of the northern neighborhoods of the Village, and to provide a stimulus for more moderately priced housing.*" The proposed development, with a proposed community name of "The Townes at Ketchaponack," includes 52 multifamily units, with 44 being offered at market rate and the remaining eight (8) being offered for moderate-income families. A clubhouse, swimming pool and athletic courts are also proposed for development within the community.

It is noted that an application to the Attorney General of the State of New York has been submitted by the applicant to test the market for such units (see Appendix E).[2] A response was received, dated October 11, 2019, in which the application to test the market was accepted.

[2] Cooperative Policy Statement #1 (State of New York Office of the Attorney General Real Estate Finance Bureau) permits project sponsors for new construction (or rehabilitation) projects to "test the market" prior to submitting an offering plan for filing with the New York State Department of Law pursuant to 13 N.Y.C.R.R. Parts 20, 21, 22, or 24. This tool is used by developers to gauge interest in a project before an investment of time and resources are made, and also assists with pricing and demand.

The applicant has also consulted with a local realtor, Kerrigan Country Realty, located in Westhampton Beach. In correspondence dated September 4, 2020, Kerrigan Country Realty indicated that "There appears to be a need for expanding condo production given the large demographic demand, the continuing strong economy and the challenge of both home-buyer affordability and availability." Pursuant to the professional opinion of Kerrigan Country Realty (see Appendix E):

> "The interest level for the new condo development has proven to be very strong. The demographic interest is showing that the typical consumer is in the 50-60 age bracket and looking for a second residence in a beach community without the expensive burden of maintaining a private residence.
>
> Downsizing is also a major consideration for our older local community who are looking to sell their larger homes in the area, but do not want to leave lifelong friends, family, community and doctors whose relationships have been built over time. The new development holds a high level of interest for this consumer, as well.
>
> There has been interest from our local community in the 30-40 age bracket who have a desire to continue living in the immediate area but have had to stall their purchasing because of lack of inventory and increasing price points of existing, renovated and newer homes."

It is the goal of the applicant to commence development in the Summer of 2021 with units available for occupancy in early 2023.

1.1.3 Benefits of the Project

Upon implementation of the proposed action, the subject property would be converted from an underutilized parcel within a residential neighborhood to a multifamily use, consistent with the Village's stated purpose of the rezoning in 2003 as well as responding to a demand for such housing type.

The proposed development would consist of townhouse-style homes with two building types (i.e., two-unit and four-unit buildings) and various bedroom mixes (eight [8] one-bedroom, 36 two-bedroom, and eight [8] three-bedroom units). Of the 52 units, the eight (8) one-bedroom units would be offered as affordable rate housing consistent with the special exception standards for MF-20 development (§197-80.3.H) as well as one of the stated purposes of the rezoning. The increase in the availability of affordable rate units is also consistent with the Long Island Workforce Housing Act implemented by the New York State Legislature in 2008. As defined under the Act, affordable workforce housing is that which is at or below 130 percent of the median income for the Nassau-Suffolk primary statistical area (the "area median income"), which in 2019 was $124,000.[3]

It is expected that a portion of the community would be existing residents of the Village that elect to transition from single-family home ownership or rentals to condominium living. Intermixed with the

[3] US HUD, FY 2019 Income Limits Documentation System -- Summary for Nassau-Suffolk, NY HUD Metro FMR Area. June 1, 2019. Retrieved from: https://www.huduser.gov/portal/datasets/il/il2019/2019summary.odn. Accessed October 2020.

current Village residents, will be a new population. As noted in the correspondence from Kerrigan Country Realty in Appendix E, the attracted population within the local community lies within the "30-40 age bracket who have a desire to continue living in the immediate area but have had to stall their purchasing because of lack of inventory and increasing price points of existing, renovated and newer homes." Additionally, "Downsizing is also a major consideration for our older local community…" For those new to the community, the market demand has shown the proposed community to be of attraction to "50-60 age bracket…without the expensive burden of maintaining a private residence." Overall, the proposed development would be inhabited by both the local community and newcomers, thus contributing to a community character of tradition blended with growth.

As explained in greater detail in Section 3.2.2 of this DEIS, the proposed development considers the special exception design standards set forth in §197-80.3 of the Village Code to ensure compatibility with the surrounding residential land uses, while also considering the railroad tracks of the Long Island Railroad (LIRR) that run parallel to the northern property line, the neighboring industrial-use property to the west, and Gabreski Airport to the north. In addition to retaining trees along the property perimeter, the proposed action includes supplemental landscaping for visual screening and aesthetically-pleasing vegetative buffer. Planted landscape around the site perimeter would consist of Leyland Cypress, London Planetree and native grasses. Along the northern property line and adjacent to the residential units, the Leyland Cypress would be planted atop a three (3)-ft berm for visual screening of the railroad tracks. London Planetrees would also be planted as shade trees within the proposed community.

The proposed "Townes at Ketchaponack" would also result in an increase in tax revenues. As indicated in Table 20 in Section 3.2.1 of this DEIS, as an unoccupied, vacant parcel of land, the subject property currently contributes $32,683.55± in annual taxes to the Village, Town of Southampton, Suffolk County and New York State. Upon implementation of the proposed action, the projected annual tax revenue would increase to approximately $420,783.00 (see Table 22 in Section 3.2.2 of this DEIS). Of this, approximately $115,210 would be generated for the Village of Westhampton Beach General Fund (a portion of which would go to the WHBPD), $241,285± for the Village of Westhampton Beach Union Free School District, $20,910± for the Westhampton Beach Fire District and Westhampton War Memorial Ambulance Association, and $17,753± for the Westhampton Beach Library. It is also expected that the proposed development would utilize local businesses for landscaping and general property maintenance through contracts with the Homeowners Association (HOA). Furthermore, the proposed development is expected to support local services and businesses (e.g., service, restaurants, and retail) with the new resident population.

1.2 Project Location and Site Conditions

1.2.1 General Description of Subject Property

The subject property is a 9.355±-acre parcel located on the north side of Rogers Avenue, approximately 380 feet east of Hazelwood Avenue, within the Incorporated Village of Westhampton Beach (see Figure 1 in Appendix A), and is identified as Suffolk County Tax Map No: District 905 – Section 3 – Block 1 – Lot(s) 7.1, 7.2, 7.3, 7.4, 7.5 and 7.6 (see Figure 2 in Appendix A). The subject property is currently vacant land improved with 6.630± acres of asphalt surface covering with remnants from the past industrial use, and 2.725± acres of vegetated land, including woodlands and brush.

According to the site survey, provided by Survey Solutions, and a site visit by P.W. Grosser Consulting, Inc. on July 20, 2020, the subject property is blighted with cracked pavement, scattered debris including old infrastructure such as pipes, tires, bricks, concrete blocks and garbage, mounds of dirt, soil and rocks and an irregular asphalt and stone storage yard. The majority of the subject property is undeveloped comprised of trees and low line vegetation. The heavy vegetation located along all boundaries of the subject property blocks views from surrounding properties. There are a few gaps in the vegetative buffer, from the access point on the southern side of the subject property along Rogers Avenue and a portion on the eastern boundary where the fence is broken. Surrounding land uses include residential, industrial, commercial and transportation uses.

A Tree Survey was performed by Donald L. Malm, Jr. on September 11, 2020 which found that 657 trees exist on the site with 364 trees greater than four (4)-inches in caliper at five (5)-feet above grade level (see Tree Survey in Appendix C). A majority of the trees are concentrated along the south, southwest and southeast boundaries of the property with some scattered along the western boundary and center of the subject property. The types of tree species on-site include oak, olive, pine, maple, walnut, sweetleaf, cherry, privet, rose, basswood, willow, locust, spindle, dogwood, and aspen.

1.2.2 Site and Surrounding Land Use and Zoning

The majority of the subject property was previously developed as an asphalt plant with two processing buildings and a processing plant which ceased operations in 2012 and were demolished and removed between 2017 and 2018. Remnants from the former asphalt plant operation are scattered throughout the subject property (i.e., pipes, bricks, concrete blocks, tires, storage trailer, remnant apparent asphalt hopper and a concrete vault).

The land uses within a 1,000-ft radius surrounding the subject property include a mixture of single-family residential, industrial, commercial, transportation and aviation (i.e., LIRR and Gabreski Airport, respectively) (see Figure 3 in Appendix A). A general description of the land uses follows.

- North: To the north of the subject property is the LIRR transportation corridor and further beyond is the Suffolk County-owned Gabreski Airport), which is located on the east side of Old Riverhead Road. To the northwest of the site is a vacant commercial property (and further north is County owned recreation and open space).

- South: To the south of the subject property are single-family residential uses along Rogers Avenue, Mickie's Way and Avon Court. Further south along Montauk Highway are commercial uses followed by single-family residential uses.

- East: To the east of the subject property is vacant land as well as single-family residential uses along Bridle Path and Adam Lane. Further east is open space, vacant land and industrial uses along South Country Road.

- West: To the west of the subject property, along Rogers Avenue and Hazelwood Avenue, are single-family residential uses. An industrial use as well as commercial uses exist along

Hazelwood Avenue. Along Old Riverhead Road, there are commercial uses and some vacant land. Further west are single-family residential uses along Depot Road.

The subject property is located within the MF-20 zoning district of the Incorporated Village of Westhampton Beach (see Figure 4 in Appendix A). The prevailing zoning to the north is Park/ Conservation Marina (P&C) with the Town of Southampton beyond. South of the subject property is zoned Residential 4 (R-4) with Business District 2 (B-2) further south along the Montauk Highway corridor. To the east of the subject property, there are residential land uses zoned Residential 4 (R-4) with the Town of Southampton beyond. To the west of the subject property are Business District 3 (B-3) properties as well as Industrial District (I-1) properties west of Old Riverhead Road and the Town of Southampton beyond. Overall, as described above, the land uses are generally consistent with the zoning designations.

1.3 Project Design and Layout

The overall proposed site layout and project design considers the regulations for development in the MF-20 (§197-11) as well as the special exception use standards set forth in §§197-79 and 80. Below is a general description of the proposed site and project layout, the basis for the proposed yield, site access and intersection improvements, projected sanitary and water demand, drainage, utilities, landscaping, lighting, community service providers, recreational facilities and open space areas. Compliance and/or consistency with the regulating standards for the proposed development, including §197-11 (MF-20 regulations), §197-79 (general standards for special use exception permits) and §197-80 (considerations in making determinations for special use exception permits) are evaluated fully in Section 3.2.2 of this DEIS.

1.3.1 Overall Site Layout

The proposed "Townes at Ketchaponack" situates 52 multifamily units in 13 buildings, which are oriented toward the proposed internal road. Upon entry into the proposed development, a recreational and community space would be situated to the west and comprised of a 2,669±-square-foot (SF) community building, outdoor swimming pool, and tennis courts.

The proposed community layout is a grid-type system with alleys situated in the rear yards of each residential block to provide access to unit garages and driveways, thus leaving unencumbered frontage towards the street. All alleys are proposed at a minimum width of 15-ft, with exception of the alley to the north which is 30 feet in width to accommodate parallel parking to the north.

The proposed building style is townhouse development with two building types proposed: two (2), two-unit buildings and 11 four-unit buildings. All units would be two-stories in height (31'-3.875") and would be constructed with basements. The two (2), two-unit buildings are both comprised of two-bedroom units, and the remaining buildings are mixed with one-, two- and three-bedroom units. Overall, the following is proposed: eight (8), one-bedroom; 36 two-bedroom; and eight (8), three-bedroom units. The individual unit sizes would range in area from 1,050 SF to 2,100 SF. The table below summarizes the unit type, number of each unit type, and the total number of bedrooms.

Table 1 – Proposed Unit Type and Bedroom Mix

Unit Type	Number Proposed	Total Number of Bedrooms
One-Bedroom Townhouse	8	8
Two-Bedroom Townhouse	36	72
Three-Bedroom Townhouse	8	24
Total	52	104
Average No. of Bedrooms	104 / 52 = 2 Bedroom Avg.	

Of the 52 proposed units, eight (8) would be income-eligible or affordable units. All of the affordable units offered within the proposed development are one-bedroom units, which are situated on the ends of four separate buildings on the west side of the community.

Permitted vs. Proposed Yield

According to §197-81.B. of the Village Zoning Code, the permitted yield is six (6) units per acre; however, pursuant to §197-80.3.H, for every market-rate unit proposed over four (4) units per acre, there must be at least one affordable unit reserved for income-eligible families. Accordingly, the permitted yield for the 9.355±-acre property is 56 units, which would require nine (9) affordable units (56 units - 37 units [four units per acre] = 19 units; of the 19 units, 8.5 units would be required to be affordable).

Due to the site area, lot configuration, proposed unit size and recreational amenities, as well as design and parking requirements, the proposed action includes only 52 multifamily units. Of the 52 units, which includes 15 units in excess of the four units per acre yield (without an affordability component), seven (7) are proposed as market-rate and eight (8) are proposed for income-eligible families. As such, the proposed development complies with the affordability component set forth in the special exception criteria for multifamily residential development.

1.3.2 Grading and Drainage

Grading

The subject property is relatively flat, and thus, the proposed action does not include the alteration of on-site slopes. The grading program would result in an excess cut of approximately 24,000 cubic yards (CY) of material for the construction of basements in each of the units, as well as other infrastructure. The maximum depths of cut and fill would be 22 feet and four (4) feet, respectively. All cut material would be transported off-site during the construction period to permitted off-site facilities in accordance with NYSDEC Part 360. Section 2.1.2 of this DEIS provides additional information of the proposed grading program and an analysis of the potential impacts associated therewith.

Drainage

The proposed stormwater management plan includes the installation of three biofiltration swales and a system of catch basins, drywells and leaching pools throughout the site. The proposed drainage plan has been designed to meet and exceed the Village of Westhampton Beach requirements for stormwater

management and capacity. While the Village requires drainage to be accommodated and recharge stormwater associated with a two-inch rain event (§197-63G.[10]), the proposed drainage plan would provide storage of stormwater for a three-inch rain event (see Proposed Grading and Drainage Plan and Proposed Drainage Calculations on *Sheets C-200* and *C-201*, in Appendix C). Section 2.2.2 of this DEIS provides additional information of the proposed stormwater management plan and an analysis of the potential impacts associated therewith.

1.3.3 Access, Road System and Parking

The proposed site access is to be provided via the existing curb cut located on the southern property line approximately 630 feet east of Hazelwood Avenue and aligned with Rogers Avenue. As part of the proposed action, modifications are proposed to create an all-stop, T-intersection at Rogers Avenue. The intent of the proposed T-intersection is for a controlled entry into the proposed development but has also been identified as a traffic calming measure for vehicles that currently use Rogers Avenue as a cut-through from Old Riverhead Road to access Montauk Highway.

A landscaped drive aisle would separate the proposed one-lane ingress lane and one-lane egress lane. All internal roadways would be, at minimum, 20 feet in width with exception to the site entrance and exit lanes, which are 19.5-ft single lane driveways. Alleys of 15-ft minimum width are also proposed, which would provide access to the driveways and garages for each unit. Upon entry into the development, internal roadways are proposed to be privately held and maintained by the HOA. It is also proposed for trash pick up to occur within the alleys to eliminate trash bins in the front yards.

Parking is proposed as garage parking, driveway parking, and on-site asphalt parking. The on-site parking is located along the north, east, and west property lines, maintaining a minimum of a 20-ft off-set from the property lines. The eight (8), three-bedroom retail market units are each provided with an attached one-car garage, a one-car driveway, and on-site surface asphalt parking. The 36, two-bedroom retail market units are each provided with an attached one-car garage and a one-car driveway. The one-bedroom affordable housing units are each provided two (2) on-site asphalt parking spaces in front of the individual units, with no driveways proposed. Pursuant to §197-21 of the Village Code, the required parking is two spaces per unit plus one space per bedroom over three bedrooms. As such, 104 spaces are required.

As detailed in Table 2 below, there are 104 proposed parking spaces located in the attached garages and driveways of the retail market housing units, which complies with the on-site parking requirements. The proposed development also provides 97 on-site guest parking spaces and two (2) ADA parking spaces, located nearby to the community center, along the east and west side yards, along the alley in the rear yard, and within the center drive aisle. Overall, the proposed development includes 203 parking spaces.

Table 2 – Parking Calculations

	Required	Provided
8, One-Bedroom Units	16	16 (Asphalt Surface)
36, Two-Bedroom Units	72	72 (Garage and Driveway)
8, Three-Bedroom Units	16	16 (Garage, Driveway and Asphalt Surface)
Total Residential Requirement	104	104
Guest Parking Stalls	N/A	97
ADA Parking Stalls	2	2
Total On-Site Parking		203

The proposed parking design considers the special exception design standards set forth in §197-80.3.O.(2), which intends to minimize the impact of driveways and parking lots by "designing, locating, and screening parking lots, carports, garages in a way that creates few interruptions on the internal or public street, sidewalk, or building facade." As illustrated on the Proposed Site Plan (see *Sheet C-100* in Appendix C), the proposed driveways and garages are located within the alleys. There are a total of 99 additional surface parking spaces (including two [2] ADA stalls), including 20 parallel, on-street parking stalls along the north alley, a total of 59 stalls along the south, east and west side yards including adjacent to the community building, and an additional 20 located internal to the site. All parking would be situated a minimum of 20 feet from the property lines, with landscaping and six (6)-ft fencing situated between the parking areas and lot lines on the east and west sides, and four (4)-ft fencing along the parking area that borders the southern lot line. There would be no parking areas visible from Rogers Avenue or from the adjacent properties.

The proposed site plan includes sidewalks and walkways to each of the building units for safe pedestrian access and movements throughout the development. Internal stop signs, crosswalks, and speed limit signs would also be placed within the development. Section 3.1.2 of this DEIS provides additional information and analysis of the proposed access and parking.

1.3.4 Sanitary Wastewater Disposal and Water Supply

Sanitary Wastewater Disposal

Article 6 of the Suffolk County Sanitary Code (SCSC) regulates sewage disposal for realty subdivisions, development and other construction projects for the protection of water resources. To limit nitrogen loading in various groundwater management zones, Article 6 sets forth population density equivalents. The subject property is located within Groundwater Management Zone IV. Pursuant to Article 6 of the SCSC, the maximum permitted sanitary discharge to individual sewerage systems is 600 gallons per day per acre, and when exceeded, a community sewage system method of disposal is required. Based on a site area of 9.355± acres, the maximum permitted sanitary discharge for the subject site, using individual on-site sanitary systems, is 5,613± gallons per day (gpd). Based on the SCDHS design flow factors for the proposed development (see calculations below), the proposed sanitary density flow is 15,000± gpd. Accordingly, an on-site sewage treatment system is required.

Allowable Sanitary Density Flow: (600 gpd/acre) x (9.355± acres) = 5,613± gpd

Total Projected Sanitary Density Flow[4]: 15,000 gpd

- Housing Unit > 1200 SF: 44 units x 300 gpd/unit (density load) = 13,200 gpd
- Housing Unit < 1200 SF > 600 SF: 8 units x 225 gpd/unit (density load) = 1,800 gpd

Proposed Sewage Treatment Plant Design Flow: 15,000 gpd

The proposed STP would be situated at the northeast corner of the subject property and designed to accommodate the projected flow of 15,000 gpd. The treated effluent would discharge into an effluent leaching pool groundwater disposal system. The effluent disposal system would consist of six, 10-ft diameter-leaching pools with an approximate effective depth of 16 feet. Adequate space has been allocated for the 100 percent expansion of the leaching pools in accordance with SCDHS requirements. Additionally, in accordance with SCDHS and NYSDEC regulations, groundwater monitoring wells would be installed both upstream and downstream of the effluent disposal system to monitor groundwater impacts as part of the State Pollutant Discharge Elimination System (SPDES) permit obtained for the Sewage Treatment Plant (STP). Odor controls are also proposed. Further discussion of the proposed STP is included in Section 2.2.2 and 3.3.2 of this DEIS.

Water Supply

The subject property is located within the service area of the Suffolk County Water Authority (SCWA) and an on-site connection is established. There is an existing eight-inch water main on Rogers Avenue, and, as part of the proposed action, infrastructure improvements would be undertaken to service the proposed community. Based upon the SCDHS design flow factors set forth above, the projected volume of potable water for the proposed development is 15,000± gpd. An irrigation system is also proposed for connection to the SCWA supply. Based upon one inch of water per week for the landscaped areas proposed to be irrigated (173,238.8 SF [3.977 acres]) less annual precipitation, an additional 1,065± gpd (averaged annually) is projected.

The proposed irrigation system would implement smart irrigation controls to reduce or eliminate the use of the irrigation system during periods of rain. All controls for the irrigation system would be located in the community building. The proposed landscaping plan would also consist of native and/or drought-tolerant plants and groundcover to promote conservation and compliance with the SCWA Water Conservation Plan. A request for service availability was filed with the SCWA and service has been confirmed (see correspondence dated September 18, 2020 in Appendix I of this DEIS). Further discussion of the water supply is included in Section 2.2.2 and 3.3.2 of this DEIS.

[4] Suffolk County Department of Health Services Division of Environmental Quality, *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single-Family Residences*. Revised July 21, 2020. For "Housing Unit > 1200 sq. ft. gross floor area," density load is 300 gpd/unit. For "Housing Unit between 601-1200 sq. ft. gross," density load is 225 gpd/unit.

1.3.5 Site Landscaping, Fencing and Lighting

Site Landscaping

The proposed landscape design includes retaining a portion of existing trees and supplementing the vegetative buffers and internal plantings with trees and groundcover. As shown on the Tree Removal Plan (see *Sheet C-700* in Appendix C), 264 existing trees are proposed to be retained as part of the proposed action. Of these 264 trees, 105 trees are equal to or greater than 4 inches in caliper. It is noteworthy that while the intent of the proposed landscape design is to preserve as many trees as practicable, it also considers that the location and health of the existing 264 trees would need to be further evaluated with respect to the proposed development.

As indicated on the Site Landscape Plan in Appendix C of this DEIS, in addition to retaining trees along the property perimeter, the proposed action includes supplemental landscaping for visual screening and aesthetically-pleasing vegetative buffer. Planted landscape around the site perimeter would consist of Leyland Cypress (*Cupressocyparis leylandii*), London Planetree (*Platanus acerifolia*) and native grasses as groundcover. Along the northern property line and adjacent to the residential units, the Leyland Cypress would be planted atop a three (3)-ft berm for visual screening of the railroad tracks. Leyland Cypress would also be planted as visual screening to the STP area. London Planetrees would be planted as shade trees within the proposed community, including in landscaped aisles adjacent to parking areas. In addition to the perimeter screening and shade trees to be planted, the proposed Site Landscape Plan includes London Planetrees and groundcover around building footprints as well as groundcover seeding between those existing trees to be retained to create an aesthetically-pleasing environment.

The proposed Site Landscape Plan consists of species that are native and/or drought-tolerant and does not include any species listed as invasive by the Long Island Invasive Species Management Area or included on Suffolk County's "No Sale/Transfer List."[5] Section 3.2.2 of this DEIS provides additional information of the proposed Site Landscape Plan and its compliance with the special exception design standards set forth in §197-80.3.

It is noted that all landscaped areas would be professionally maintained by a local landscape contractor, including fertilizer and pesticide applications. It is expected that the landscaped areas would be cared for in an organic manner and the use of specific, approved pesticides would be applied only in the event that organic treatment methods are not sufficient. Additionally, pesticides would be applied only to impacted areas and in accordance with manufacturer recommendations to reduce the impact on the environment.

Site Fencing

Site fencing would consist of six (6)-ft chain link with fabric insert on the side and rear yards, and four-foot chain link in the front yard, in accordance with §197-43. Along the rear yard, the proposed fencing would be placed upon the proposed three (3)-ft berm to provide further visual screening from the adjacent LIRR railroad tracks.

[5] Suffolk County Water and Land Invasive Advisory Board. Suffolk County Do Not Sell/Transfer List of Invasive Species. Adopted 2011. Retrieved from: https://pb.state.ny.us/assets/1/6/SC_Do_not_sell_list.pdf. Accessed October 2020.

Site Lighting

The proposed site lighting would consist of light poles and building fixtures (see Proposed Lighting Plan, *Sheet C-500* in Appendix C). In accordance with §§197-25.1 and 197-25.5 of the Village Code, the proposed lighting plan includes 10-ft lamp poles along the internal roadways and adjacent to surface parking areas. Each lamp pole would include a shielded LED luminaire to direct all light downwards with no upward glare. All wall-mounted, building fixtures would also be shielded LED luminaires. A photometric analysis of each proposed pole was performed and is illustrated on the Site Lighting and Details Plan (see *Sheet C-500* in Appendix C). As indicated in the photometric analysis, there would be no off-site lighting impacts in terms of trespass from the proposed lighting. Further description and analysis of the proposed plan and lighting requirements, as set forth in § 197-25.1 (Outdoor Lighting) are included in Section 3.2.2 of this DEIS.

1.3.6 Open Space and Recreational Space

The proposed development would incorporate a variety of recreational amenities and spaces for the community residents, including an outdoor swimming pool (2,000 SF), tennis courts (3,456 SF), community building with exercise, billiards and card rooms (2,669 SF) and gazebo with sheltered seating for the use and enjoyment of project residents. Excluding the gazebo, the proposed development provides 8,125 SF of recreational area, thus exceeding the required 6,240 SF of recreational area for the proposed 52 units (§197-80.3.S.).

As indicated in the architectural floor plan for the community building (see Appendix D), the community building would include an exercise room, a billiards room, a card room, a lounge area, bathrooms, an office and a mail room for the residents. The proposed design provides each of the residential with a front yard that can be used for child play area. The proposed alleys behind the townhomes could also serve as informal play areas for the immediate residents. Private outdoor spaces are also included in the proposed design with screened porches in the rear of the units and decorative open porches on the front ends of each unit. Finally, as noted earlier, sidewalks are proposed throughout the site for safe walking activities. Further discussion of the proposed recreational, open and private outdoor spaces, as they relate to compliance with the relevant standards for multifamily developments are included in Section 3.2.2 of this DEIS.

1.3.7 Solid Waste Management and Utilities

Solid Waste Management

As the proposed action would occupy a current vacant property, solid waste generation would increase from the existing condition. Based on a factor of 4.51 lbs. per person per day, as published by the U.S. Environmental Protection Agency (EPA),[6] and a potential population of 107 persons, the estimated solid waste generation would be 7.34± tons per month, as indicated below.

[6] United States Environmental Protection Agency (USEPA) *National Overview: Facts and Figures on Materials, Wastes and Recycling.* 2017. Retrieved from: https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials. Accessed September 2020.

4.51 lbs./person/day x 107 projected people	= 482.57± lbs. per day
(482.57 lbs. x 365 days)/12 months	=14,678.17± lbs. per month
14,678.17 lbs. per month/2000	= 7.34± tons per month

Solid waste generation is proposed to be collected and disposed of by a contracted licensed private carter. Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. The central trash dumpster area for the community center would be screened with vegetation and pick-ups from the individual residential units would occur at the back of the buildings within the alleys. All pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures.

Utilities

The proposed development is planned for service of natural gas from National Grid and electricity from PSEG Long Island. As explained in Section 3.3 of this DEIS, consultations were undertaken with National Grid and service availability is expected after completion of National Grid improvement projects (see correspondence dated October 3, 2019 in Appendix M). Consultations were also undertaken with PSEG and service has been confirmed for the proposed action (see correspondence dated October 3, 2019 in Appendix M).

1.3.8 Site Data

Upon implementation of the proposed action, the area of impervious surfaces would decrease by approximately 1.784 acres, from 6.630± acres to 4.846± acres and the area of lawn and landscape would increase by 3.977± acres. Permeable pavement is proposed in the alleys and would occupy a total surface area of 0.492± acre. Approximately 1,848 SF or 0.040± acre of natural area (woodland) would remain. Table 3 below for the existing and proposed site coverages.

Table 3 – Existing and Proposed Site Coverages

Land Coverage Type	Existing (acres)	Proposed (acres)
Roads, Buildings and Other Impervious Surfaces	6.630±	4.846±
Permeable Pavement in Alleys	0±	0.492±
Woodlands	2.725±	0.040±*
Lawn/Landscaping	0±	3.977±
Total Site Area	9.355±	9.355 ±
Notes: *Assumes an average of 7 SF per tree to remain (264) or 1,848 SF total area		

1.3.9 Community Service Providers

Public School District

The subject property would be served by the Westhampton Beach Union Free School District (UFSD). Consultations were undertaken with the Westhampton Beach UFSD by letter dated August 11, 2020; however, no response has been received to date (see Appendix M).

Upon implementation, the subject property would be redeveloped with a multifamily residential use that would result in a permanent resident population at the property (including public school-age children [PSAC]). In order to determine the PSAC that would be generated by implementation of the proposed action, residential demographic multipliers published by *Rutgers University, Center for Urban Policy Research (CUPR)*[7] and the *Long Island Housing Partnership (*LIHP*)*[8] were used. As evaluated in Section 3.3.2 of this DEIS, the proposed action would be expected to generate between nine (9) and 10 PSAC.

Based on the total per pupil expenditure for the Westhampton Beach UFSD of $25,982.49,[9] the estimated cost for the projected PSAC would range from $233,842.41 and $255,982.49, for the nine (9) or 10 PSAC, respectively. Based on the projected tax revenues (see Table 22 in Section 3.2.2 of this DEIS), the proposed development would generate approximately $241,285 to the Westhampton Beach UFSD which satisfies the expenditures for nine PSAC and significantly covers the expenditures for 10 PSAC.

Police

The subject property is within the service area of the Westhampton Beach Police Department (WHBPD). Consultations were undertaken with the WHBPD by letter dated August 6, 2020 and included in Appendix M of this DEIS. In correspondence dated August 18, 2020, Chief Trevor Gonce indicated that the proposed development can be served without an adverse impact to the WHBPD (see Appendix M).

As evaluated in Section 3.3.2 of this DEIS, based on planning standards contained in the *Urban Land Institute (ULI) Development Impact Assessment Handbook* (1994) of two police officers and 0.6 police vehicle are required per 1,000 individuals, the projected 107 future residents would generate a demand for 0.21± and 0.06± additional police personnel and vehicle, respectively. Upon implementation, the subject property would generate approximately $115,210 in tax revenue to the Village of Westhampton Beach General Fund, a portion of which would go to the WHBPD (see Section 3.2.2 of this DEIS).

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[7] 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.

[8] Kamer, Pearl M, Ph.D., *Multifamily Housing on Long Island: Impact on Number of School-Age Children and School District Finances.* 2009.

[9] New York State Education Department. *Westhampton Beach UFSD 2018-2019 School Year Financial Transparency Report.* Retrieved from: https://data.nysed.gov/expenditures.php?instid=800000036831. Accessed September 2020.

Fire and Ambulance Services

The subject property is within the service area of the Westhampton Beach Fire Department. Consultations were undertaken with the Westhampton Beach Fire Department by letter dated August 6, 2020 and included in Appendix M of this DEIS; however, no response has been received to date. As evaluated in Section 3.3.2 of this DEIS, based on planning standards contained in the *ULI Development Impact Assessment Handbook* (1994) of 1.65 fire personnel per 1,000 individuals required to serve a new population, the projected 107 residents would generate a demand for 0.17± additional fire personnel. It is noted that the additional 107 residents could add to the pool of potential volunteer firefighters. Upon implementation of the proposed action, the proposed action would generate approximately $17,630 in tax revenue to the Westhampton Beach Fire Department (see Section 3.2.2 of this DEIS).

Regarding ambulance services, the subject property is within the service area of the Westhampton War Memorial Ambulance Association. Consultations were undertaken with the Westhampton War Memorial Ambulance Association by letter dated August 6, 2020; however, no response has been received to date (see Appendix M). As evaluated in Section 3.3.2 of this DEIS, based on planning standards contained in the *ULI Development Impact Assessment Handbook* (1994) of one EMS vehicle and 4.1 EMS personnel per 30,000 individuals required to serve a new population, the 107 projected residents would generate a demand for 0.003± and 0.015± additional EMS vehicle and personnel, respectively. As with the fire department, it is noted that the additional 107 residents could add to the pool of potential volunteer EMS personnel. Upon implementation of the proposed action, the proposed action would generate approximately $3,280 in tax revenue to the Westhampton War Memorial Ambulance Association (see Section 3.2.2 of this DEIS).

1.4 Construction and Operations

1.4.1 Construction

The proposed development is expected to be constructed in one phase over a duration of 18 months. As indicated in the preliminary construction schedule prepared by Carriage Hill Developers Inc. (see Appendix F), the proposed commencement date is summer of 2021 with project completion in December 2022. In accordance with §110-3 of the Village Code, all construction would be limited to the hours of 7:00 am to 6:00 pm on weekdays and 8:00 am to 5:00 pm on weekends, with exception to the months of July and August when no work would be performed on Sundays.

Prior to the commencement of site clearing, all existing trees to be retained would be clearly marked with silt fencing and/or tagging to prevent removal during the site clearing phase. Site utilities (including the underground electric, gas mains, communication utilities, sewage treatment plant, underground sewage piping and underground site lighting conduits) would be installed throughout the site beginning July 2021 until November 2021. During this timeframe, and extended into January of 2022, the multifamily residential Buildings #1 and #2 would be constructed along with the community center, and the associated sidewalks, walkways, paved roadways and site lighting around these three buildings.

Rough grading of the site and the proposed internal roadways would be constructed throughout the site from mid-November to mid-December of 2021. Curbing would be added along the roadways over the

next three months from December 2021 to March 2022. The construction of Buildings #3 through #7 would begin at the beginning of August 2021 and continue until the end of April 2022. From mid-April 2022 to the beginning of June 2022, the sidewalks, walkways, paved roadways and site lighting around these buildings would be installed. From January 2022 to October 2022, Buildings #8 through #13 would be constructed. Following construction of these buildings, the sidewalks, walkways paved roadways and site lighting would be installed around the buildings from October 2022 until December 2022. Once completed, demobilization would occur in mid-December to remove all construction equipment and contractors before project operations in late 2022/early 2023.

Carriage Hill Developers Inc. would be the construction manager on-site and a temporary trailer to serve as an on-site field office would be positioned near the site entrance on the property. All equipment storage/staging would be located on-site, as well as all contractor and worker parking. Delivery routes for materials to the site would be Rogers Avenue from either Old Riverhead Road or Montauk Highway, depending on the origination point.

Based upon the proposed site plan, the total land area to be disturbed is the entire site, approximately 9.355 acres. A Sediment and Erosion Control Plan has been prepared (see *Sheets C-600* and *C-601* of Appendix C of this DEIS) to minimize the potential impacts associated with construction activities. As indicated on the Sediment and Erosion Control Plan, the erosion and sedimentation controls to be undertaken prior to and during construction would include, at minimum, stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads. Also, all existing trees to be retained would be clearly marked with silt fencing and/or tagging to prevent removal during the site clearing phase.

As indicted in Section 1.3.2 above, the grading program would result in an excess cut of approximately 24,000 CY of material for the construction of basements in each of the units, as well as other infrastructure and this material would be removed from the site. Based upon an estimated load of 20 CY per construction vehicle, approximately 1,200 construction vehicles over a period of 15 months would be expected. The potential construction-related traffic impacts have been evaluated by the traffic engineer, VHB Engineering, Surveying, Landscape Architecture, and Geology P.C. (VHB), and is included in Section 4.1.5 of this DEIS (Construction-Related Impacts).

1.4.2 Operations

Upon implementation of the proposed action, the proposed residential community would function similarly to other developments. Parcel and mail deliveries to the community would be accepted at the community center, which would have a mail room for all residents. Delivery trucks would be able to drop off mail and deliveries by utilizing an available parking spot at the community center. If an individual townhome would need a delivery to the unit, the delivery trucks would utilize the alleys behind the buildings. The truck sizes expected for deliveries would be standard trucks commonly used for mail and deliveries to residential developments within the Village (e.g., UPS trucks, FedEx trucks, Amazon vans, etc.). Residents requiring moving services in or out of the community would be expected to utilize box trucks. Tractor trailer trucks would also be able to be accommodated throughout the site if needed.

It is noted that the Traffic Impact Study (TIS) prepared by VHB (see Appendix K) considered the potential for increases in truck traffic for the proposed development. As indicated in the TIS (page 19), "[a]s a residential community, the development will experience a similar level of truck traffic as the surrounding community. There will be the occasional commercial traffic associated with residents moving in and moving out of the community. However, on a daily basis, trucks which visit the site will be limited to parcel deliveries and maintenance activities. It is noted that trucks associated with parcel deliveries are already in the area making similar deliveries to existing residences in the immediate area."

As an ownership community, all on-site amenities would be resident-only. The community center would be available with key fob access and the HOA would maintain hours for pool and tennis courts use so as to not disrupt residents of the community or adjacent landowners.

The applicant will hire a management company prior to the complete turnover to HOA for the management of the subject property. Once turned over, the operation and maintenance of the community would be the responsibility of the HOA. The HOA would be responsible for contracting local service companies for landscaping, snow removal, and other maintenance needs. There would not be an on-site staff or superintendent for the site, but rather the HOA fees would be used for the maintenance of facilities. Homeowners would be responsible for all unit-related maintenance needs.

1.5 Required Permits and Approvals

The proposed action is subject to the following permits and approvals:

Table 4 – Required Permits and Approvals

Agency	Permit/Approval	Filing Date
Village of Westhampton Beach Planning Board	Site Plan Approval	August 7, 2019
Village of Westhampton Beach Trustees	Special Exception Use Permit Cancellation of record of Scenic Easements	August 7, 2019 N/A
Village of Westhampton Beach Architectural Review Board	Architectural Review	Referral Dependent
Suffolk County Department of Health Services	Article 6 Permit	November 6, 2019 (Reference Number: C09-19-0039)
Suffolk County Planning Commission	239-m Referral	July 1, 2020
Suffolk County Department of Public Works	Referral Sewer Agency Approval	July 1, 2020 November 2019 (Conceptual Approval Received)
Suffolk County Water Authority	Public Water Service Connection	August 2020
New York State Department of Environmental Conservation	Sewage Discharge Permit and State Pollutant Discharge Elimination System General Permit for Stormwater Discharge during Construction Activities	Permit Dependent
New York State Department of Transportation	Highway Work Permit	Permit Dependent
PSEG Long Island/National Grid	Electric and Natural Gas service connections	October 2019 (Service Availability Letters/Consultations Commenced)

2.0 NATURAL ENVIRONMENTAL RESOURCES

2.1 Soils and Topography

2.1.1 Existing Conditions

Soils

The *Soil Survey of Suffolk County, New York* (*Soil Survey*) was published by the United States Department of Agriculture (USDA) Soil Conservation Service in 1975 to assist land users in determining the potential limitations of soil types.[10] Generally, soils that have similar profiles are grouped into a soil "series" and the series is then broken down into "mapping units" based upon the slope, texture, and other characteristics.

According to the USDA Natural Resources Conservation Service (NRCS) Web Soil Survey for Suffolk County, New York (USDA WSS) and illustrated on Figure 5 in Appendix A, the subject property is mapped primarily with Cut and Fill land, gently sloping (CuB) and Riverhead sandy loam, 0 to 3 percent slopes (RdA) soil types. There is a small area of Carver and Plymouth sands, 0 to 3 percent slopes (CpA) in the southeast portion of the site. Table 5 below provides the mapped soil types on the subject property.[11]

Table 5 – Soil Types Mapped On-Site

Symbol	Mapping Unit	Slopes	Approximate Percentage (%) of Site
CuB	Cut and fill land	0-3%	63.9±
RdA	Riverhead sandy loam	0-3%	33.8±
CpA	Carver and Plymouth sands	0-3%	2.3±

Source: United States Department of Agriculture. Natural Resources Conservation Service. Web Soil Survey. Retrieved from https://websoilsurvey.sc.egov.usda.gov/. July 2020.

Relevant excerpts from the *Soil Survey* relating to the soil series and mapping units are presented below:

Cut and fill Series

Cut and fill land is made up of areas that have been altered in grading operations for housing developments, shopping centers, and similar nonfarm uses. Generally, the initial grading consists of cuts and fills for streets or parking lots. During this phase, excess soil material is stockpiled for final grading and topdressing around houses or other buildings. The soil material that remains after

[10] Warner, John W. Jr., et al. *Soil Survey of Suffolk County, New York*. United States Department of Agriculture and Cornell University Agricultural Experiment Station. 1975.

[11] United States Department of Agriculture. Natural Resources Conservation Service. Web Soil Survey. Retrieved from: https://websoilsurvey.sc.egov.usda.gov/. Accessed July 2020.

grading operations are completed has low available moisture capacity, is droughty, and is low to very low in natural fertility.

Cut and Fill Land, 0-3% Slopes (CuB)

CuB soils are made up of level to gently sloping areas that have been cut and fill for nonfarm uses. Slopes range from one to eight percent; and because of final grading around houses and other buildings, slopes generally are complex. The areas generally are large, but some areas are about 5 acres in size. Included with this land type in mapping are small areas of Riverhead and Haven soils, graded, zero to eight percent slopes, and small areas that have more than 12 inches of sandy loam, loam, or silt loam in the upper 40 inches. This land type has few, if any, limitations to use as building sites.

Riverhead Series

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

Riverhead soils have moderate to high available moisture capacity. Internal drainage is good. Permeability is moderately rapid in surface layer and in the subsoils and very rapid in the substratum. Natural fertility is low. The root zone is mainly in the upper 25 to 35 inches.

Riverhead Sandy Loam, 0-3% slopes (RdA)

RdA soils have the profile described as representative of the series. It is generally on outwash plains, and the areas are large and uniform. Where this soil occurs on outwash plains, it generally has slope characteristics of this landform. Slopes are undulating in places. A few small, irregular areas are on moraines. The hazard of erosion is slight on this Riverhead soils. The soil is limited only by moderate doughtiness in the moderately coarse textured solum. The soil is well suited to all crops commonly grown in the county, and it is used extensively for that purpose. Most areas in the western part of the county, however, are used for housing developments and industrial parks.

Carver and Plymouth Series

The Carver series consists of deep, excessively drained, coarse-textured soils. These soils are nearly level to steep throughout the county on rolling moraines and broad outwash plains. Slopes range from zero to 35 percent. Carver soils have very low available moisture capacity. Natural fertility is very low. Permeability is rapid throughout. The root zone is mainly in the uppermost 30 to 40 inches.

The Plymouth Series consists of deep, excessively drained, coarse-textured soils that formed in a mantle of loamy sand or sand over thick layers of stratified coarse sand and gravel. These nearly level to steep soils are throughout the county on broad, gently sloping to level outwash plains and on

undulating to steep moraines. Plymouth soils have low to very low available moisture capacity. Natural fertility is low. Permeability is moderate in the silty layer of soils in the silty substratum phase. The root zone is confined mainly to the upper 25 to 35 inches.

Carver and Plymouth sands, 0-3% slopes (CpA)

CpA soils are mainly on outwash plains; however, they are also on some flatter hilltops and intervening draws on moraines. A small part of this mapping unit is slightly undulating. This unit can be made up entirely of Carver sand, entirely of Plymouth sand, or of a combination of the two soils. The hazard of erosion is slight on the soils in this unit. These soils are droughty. Natural fertility is low. These soils are not well suited to the crops commonly grown in the county. Because these soils tend to be droughty, lawns and shrub plantings are difficult to establish and maintain. Almost all of this unit has been left in woodland or in brush. Most areas previously cleared for farming are now idle. Most areas in the western part of the county and near the shores of the eastern part of the county are used for housing developments.

The *Soil Survey* was utilized for information regarding the potential limitations to the development for each of the soils. A description of the engineering and planning limitations for these soil types is included in the table below.

Table 6 – Soil Engineering and Planning Limitations

Symbol	Mapping Unit	Slopes	Homesites*	Sewage Disposal Fields	Streets, Parking Lots	Lawns, Landscaping
CuB	Cut and fill land sands	0-3%	SL	SL	M – slopes	S – sandy surface layer
RdA	Riverhead sandy loam	0-3%	SL	SL	SL	SL
CpA	Carver and Plymouth sands	0-3%	SL	SL	SL	S – sandy surface layer

NOTES:
Engineering and Planning Limitation Rating:
SL = Slight – Few or no limitations or limitations can be overcome at little cost.
M = Moderate – Limitation is harder to correct or that it is not possible in some areas to correct entirely.
S = Severe – Severely limited by some soil characteristic that is difficult to overcome or that the costs of overcoming the limitation are excessive.

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

Source: Warner, John W. Jr., et al. *Soil Survey of Suffolk County, New York*. United States Department of Agriculture and Cornell University Agricultural Experiment Station. 1975. Pages 50-58.

Soil Borings

Tri-state Drilling Technologies, Inc. (Tri-state Drilling) performed six (6) soil borings (B-1 through B-6) to identify underlying soil deposits within the footprint of the proposed multifamily residential buildings,

sewage treatment plant, parking areas and community center. The six test borings were drilled to a depth of 27-ft each and are depicted on the Tri-state Drilling Boring Location Plan (see Appendix H of this DEIS) as well as the Proposed Site Plan (see Appendix C of this DEIS).

It is noted that Borings B-2 through B-6 are located within areas mapped on the *Soil Survey* as CuB soils, which is consistent with the past development of the site. According to the Soil Boring Report Log, the soil profiles indicate gravel-asphalt fill at depths of up to 4±-ft below grade surface (bgs) and sand and gravel to the deepest depths (i.e., 4±-ft – 27-ft bgs). Boring B-1 was located in an area of the site that is mapped on the *Soil Survey* as RdA soils, and outside of the former asphalt operation. The soil profile indicates 0± to 3±-ft bgs of loose sand-silt, followed by sand with some silt to 5±-ft bgs. Beyond 5±-ft bgs, the soil profile was classified as sand and gravel.

Property Condition and Soil Quality

Phase I ESA and Limited Phase II ESA, Eastern Environmental Solutions, August 2017

Prior to the removal of structures on the subject property, a Phase I and a limited Phase II ESA with supplemental soil (and groundwater) samples were performed by Eastern Environmental between August 17, 2017 and August 21, 2017 and included in Appendix H of this DEIS. As excerpted from the Phase I and the limited Phase II ESA, the following was identified:

- The on-site sanitary system associated with the office building was considered a Recognized Environmental Condition (REC) due to the historical operational use of the site. As such, the structure was sampled during the limited Phase II ESA, which revealed no detectable concentrations of Volatile Organic Compounds (VOCs) and Semi-Volatile Organic Compounds (SVOCs). Concentrations of metals were present; however, they were all below the Action Levels present in the SCDHS Pumpout and Soil Cleanup Criteria.

- Gabreski Airport, which is located directly up-gradient of the site, has historically been listed with reported spills and impacted groundwater on-site. Accordingly, Gabreski Airport was considered as a REC and the limited Phase II ESA included the collection of three (3) groundwater samples along the northern perimeter of the subject property. As described in Section 2.1.2 of this DEIS, the samples found no detectable levels of VOCs and SVOCs. Target analyte list (TAL) metals reported were below the NYSDEC Division of Water Technical and Operational Guidance Series 6 NYRCC Part 703, for protection of groundwater.

- Due to the historical operation of the asphalt mixing plant and the visible staining on the concrete pad at the former location of aboveground storage tanks (ASTs) used to operate the mixing plant, the exposed soils in this area were considered a REC. As such, the limited Phase II ESA included soil sampling which found no detectable levels of VOCs and SVOCs, and no reported levels of metals above the NYSDEC Part 375-Restricted Use Soil Clean Up Objectives – Protection of Groundwater. See Section 2.1.2 for an in-depth discussion of the soil sampling.

- Due the historical operation of the asphalt mixing plant and a drainage sump with no solid bottom, the soils beneath the sump were considered a REC. As such, the limited Phase II ESA included the collection of a sediment sample from the base of the sump. No detectable levels of VOCs and SVOCs,

and no reported levels of metals above the NYSDEC Part 375-Restricted Use Soil Clean Up Objectives – Protection of Groundwater.

- The then-present maintenance building which serviced equipment and vehicles during the course of the asphalt operations was considered a REC, as there was evidence of stored lubricants and cleaning solvents used during plant operations. As such, the limited Phase II ESA included the collection of soil samples which were screened with a photo-ionization-detector meter (PID). None of the samples contained concentrations of total VOCs (TVOCs) levels and no signs of visual staining or olfactory odors found.

With respect to soil quality, the past asphalt mixing plant use led to the recommendation and performance of soil borings to evaluate the potential of hazardous substances such as VOCs, SVOCs and TAL metals as well as petroleum products impacts to shallow soils throughout the site. To evaluate the potential impacts, the limited Phase II ESA included 12 soil borings (SB-1 through SB-12) installed in areas of concern or areas identified as possible RECs. Specifically, samples were collected in the vicinity of a former 3,000-gallon underground storage tank (UST) inside the maintenance building; near the then-present Asphalt Mixing plant and near the location of former aboveground storage tanks (ASTs). At each boring location, soil samples were collected to a terminal depth of 12-ft bgs.

Analytical results showed no detectable levels of VOCs and SVOCs and no reported levels of TAL metals above the NYSDEC Part 375-Restricted Use Soil Clean Up Objectives–Protection of Groundwater. SB-4 (near the former UST) and SB-5 (near the then-present asphalt mixing plant and former AST location) had detected levels of VOCs, SVOCs, and metals; however, all were below the NYSDEC Part 375-Restricted Use Soil Clean Up Objectives–Protection of Groundwater. The limited Phase II ESA indicated that there was no evidence of petroleum-impacted soils at the sample locations. The soil samples did not have noxious odors, nor did the textures or colors indicate fuel oil contamination.

Further, the limited Phase II ESA included 18 test pits to visually inspect and screen the underlying soils. Visual inspection and screening of the soils with a PID did not identify any soils with visual staining. The soils registered at the background levels on the PID, indicating no VOC contamination was present. There were no RECs identified from the test pits that were performed.

The soil and groundwater analysis, as part of the Phase II ESA, also examined groundwater quality throughout the subject property. As indicated above, three (3) groundwater samples were installed along the northern perimeter of the property to determine if groundwater had been impacted by off-site impacted groundwater from the up-gradient Gabreski Airport. The groundwater samples, collected at depths between 35 and 40-ft bgs, were tested for VOCs, SVOCs and TAL metals. All detected parameter concentrations of VOCs, SVOCs, and metals, but were below guidelines for NYSDEC Division of Water Technical and Operational Guidance Series 6 NYCRR Part 703, protection of groundwater.

Accordingly, based on the sampling results, the limited Phase II ESA investigation indicated that no further investigation or remedial action was required.

Supplemental Phase I and Phase II ESAs, October 2020

In October 2020, an updated Phase I ESA was prepared by Dermody Consulting to include Tax Lots 7.1 through 7.6, inclusive. Review of the findings and recommendations of the 2020 Phase I ESA did not differ significantly from the findings and recommendations of the 2017 Phase I ESA. The updated Phase I ESA is included in Appendix H of this DEIS.

An updated Phase II ESA was also performed (by Eastern Environmental in coordination with PWGC) due to the time elapsed since completion of the previous Phase I/II ESAs, and data gaps identified in the 2017 Phase II ESA (see Appendix H). The primary data gap identified in the 2017 Phase II ESA consisted of a lack of soil sampling to evaluate the following issues:

- While not identified as a REC in the 2017 or 2020 Phase I ESA, the subject property is listed as a former NYSDEC Hazardous Waste site; during the 1980s, sand mining occurred at the site and the sand mine pit was reportedly backfilled with construction and demolition (C&D) debris. NYSDEC records indicate that the site was investigated and no evidence of the disposal of hazardous waste was identified. Based on these findings, NYSDEC classified the site as "No Further Action."

- While the 2017 Phase II ESA included the installation of test pits and field screening of soils throughout the site, no soil samples were collected from the pits and submitted for laboratory analysis.

The 2020 Phase II ESA addressed the aforementioned data gaps with the following scope of work:

- Twelve (12) test pits located at potential areas of concern throughout the site, as identified by review of historic aerial photos of the subject property.
- Field screening of soils for the presence of volatile organic compounds (VOCs) using a photo ionization detector, and visual inspection of soils for evidence of the presence of C&D debris.
- Collection and analysis of six (6) soil samples from test pit depth intervals exhibiting the greatest degree of impact (such as staining, odors, PID response or C&D). Samples were analyzed for the presence of VOCs, semi-volatile organic compounds (SVOCs), metals, pesticides and poly-chlorinated biphenyls (PCBs).
- Collection and analysis of a sample from the former sanitary system to replace out of date results from the 2017 Phase II ESA.

The findings of the 2020 Phase II ESA included the following:

- Four (4) of six (6) test pit soil samples did not contain impact above NYSDEC Unrestricted Use Soil Cleanup Objectives.
- One (1) test pit soil sample collected near the western property boundary contained one pesticide compound (4,4'-DDD) at a concentration exceeding its NYSDEC Unrestricted Use SCO; the concentration detected was well below its respective Residential Use SCO.
- One (1) test pit soil sample collected near the northwestern property boundary contained PCBs and selenium at concentrations exceeding their respective Unrestricted Use SCOs; the concentrations detected were well below their respective Residential Use SCO.

- Evidence of C&D debris such as brick/concrete fragments, wood and miscellaneous trash was observed to depths of 10-12-ft below grade beneath the northeastern portion of the site. This material appeared to be limited to an area no more than approximately 100-ft by 100-ft; the vertical extent of this material could not be completely delineated due to the limits of the excavator being used (i.e., the reach of the excavator was limited to 10-12-ft).
- Impact above SCDHS standards was not identified in the former sanitary system.

It is noted that the 2020 Phase II ESA also included groundwater sampling, which was performed to evaluate potential PFAS impact related to the adjacent airport. It is noted that the groundwater sampling results are included in Section 2.2 of this DEIS.

Topography

Review of the United States Geological Survey (USGS) Topographic Map, Eastport Quadrangle (see Figure 6 in Appendix A) and a site-specific topographic map (see Map of Property in Appendix C), indicates that the elevation of the subject property ranges from 41±-ft above mean sea level (amsl) at its southern portion to 46±-ft amsl at the northern portion, adjacent to the LIRR right-of-way. The elevation of the subject property slopes downward from north to south and is relatively flat throughout the entirety of the site.

2.1.2 Potential Impacts

Soils

As indicated above, the *Soil Survey* indicates there are few to no engineering limitations for the development of buildings, streets or parking lots, or for sanitary disposal for the RdA and CpA soils. The CuB soils are noted as having moderate limitations for streets or parking lots due to slopes; however, this limitation would be overcome with regrading. The *Soil Survey* also notes severe engineering limitations for CuB and CpA soils for the establishment of lawns and/or landscaping due to sandy surface layers. However, these limitations would be overcome with the use of topsoil. It is also noted that the proposed development includes retaining 264 of the existing trees on-site, which are established and would supplement the landscape plan.

The proposed action would result in the disturbance of soils for building foundations including basements, in-ground swimming pool, drainage infrastructure, STP, utility installation, grading, paving, and landscaping. As noted in Section 1.3.5, while the proposed landscape design intends to preserve 264 trees on-site (i.e., 0.040± of natural woodlands), it is also proposed that groundcover seeding would be added throughout the site between the existing trees to remain. While this disturbance would be nominal and would not significantly impact the underlying soils, it is included in the overall site disturbance as a conservative estimate. The disturbance of soils for construction and regrading activities increases the potential for erosion and sedimentation.

As indicated in the NYSDEC's *New York State Standards and Specifications for Erosion and Sediment Control* (July 2016), the erosion potential of a site is determined by five factors: soil erodibility, vegetative cover, topography, climate, and season. Soil erodibility is dependent on the structure, texture and

percentage of organic matter in the soil. Vegetative cover protects soils from the erosive forces of precipitation and runoff or overland flow, as top growth vegetation shields the soil surface from precipitation while the root mass holds soil particles in place. Also, grasses limit the speed of runoff and help to maintain the infiltration capacity of the soil. The establishment and maintenance of vegetation are identified as the most important factors in minimizing erosion during development. Topography, including both slope length and steepness, influences the volume and velocity of surface runoff. Long slopes carry more runoff to the base of the slope, and steep slopes increase runoff velocity. The climate also affects erosion based upon the volume of runoff. Rainfall frequency, intensity and duration have direct influences on the ability for stormwater to infiltrate soils. Finally, seasonal variations in temperature and rainfall affect the erosion potential of soils.

Fugitive dust consists of soil particles that become airborne when disturbed by heavy equipment operation or through wind erosion of exposed soil after groundcover (e.g., lawn, pavement) is removed. Excavation, grading, and loading/unloading materials in trucks also contributes to fugitive dust emissions.

A Sediment and Erosion Control Plan (*Sheet C-600* in Appendix C of this DEIS) has been developed for the proposed development. The specific methods and materials employed in the installation and maintenance of erosion control measures would conform to the "New York State Standard and Specifications for Erosion and Sediment Control, Latest Edition." As indicated on the Sediment and Erosion Control Plan, the following measures would be undertaken and/or implemented prior to and maintained during construction:

- Any existing vegetation not scheduled for removal would be protected and remain undisturbed.
- Clearing and grading would be scheduled so as to minimize the size of exposed areas and the length of time that areas are exposed, including stockpile protection.
- The length and steepness of cleared slopes would be minimized to reduce runoff velocities and quantities.
- Runoff would be diverted away from cleared slopes.
- Sediment barriers (silt fence, hay bales or approved equal) would be installed prior to any grading work along the limits of disturbance and maintained for the duration of the work. No sediment from the site would be permitted to wash onto adjacent properties, wetlands or roads.
- All drainage inlets would be protected from sediment buildup through the use of sediment barriers, sediment traps, etc., as required.
- Proper maintenance of erosion control structures would be performed by 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.
- Appropriate means would be used to control dust during construction (e.g., the wetting of soils).
- A stabilized construction entrance would be installed and maintained to prevent soil and loose debris from being tracked onto local roads. The construction entrance would be maintained until the site is permanently stabilized.

The aforementioned erosion and sedimentation controls would minimize the potential impacts associated with construction activities.

Additionally, based on the recent Phase II ESA findings, prior to construction in areas in the northeastern portion of the subject property, all C&D debris such as brick/concrete fragments, wood and miscellaneous trash would be removed from the site.

Overall, based on the above, no significant adverse impacts associated with on-site soils, or from the disturbance of the site would be expected.

Topography

The proposed grading program and design would generally maintain the current site elevation. As the site is relatively flat, the proposed action does not include a substantial alteration of on-site slopes. Overall, the elevations would range from approximately 40-ft amsl to approximately 48-ft amsl in areas of the two proposed biofiltration swales along the southern portion of the subject property and at the proposed berm along the northern portion of the subject property. The highest elevations would occur along the northern portion of the subject property and would grade gradually downward towards Rogers Avenue.

The grading program would result in an excess cut of approximately 24,000 CY of material for the construction of basements in each of the units, as well as other infrastructure. The maximum depths of cut and fill would be 22-ftand four (4)-ft, respectively. Based on the proposed site plan and design, it is estimated that approximately 24,000 CY of material would be removed from the site. All excess soils would be transported to permitted off-site facilities in accordance with NYSDEC Part 360. It is noted that the proposed leaching system for both the proposed sewage treatment plant and the storm drainage systems would still maintain the minimum three (3)-ft separation below the bottom of the structures and groundwater (see Section 2.2, *Water Resources*, below).

Overall, no significant adverse impacts associated with the proposed grading and development of the site would be expected.

2.1.3 Proposed Mitigation

No significant adverse impacts to soils and topography have been identified, and thus, mitigation is not required. A summary of the measures included in the proposed project that effectively to minimize or eliminate any potential adverse impacts as a result of construction-related activities follows:

- The grading program would result in an excess cut of approximately 24,000 CY of material. All excess soils will be transported to permitted off-site facilities in accordance with NYSDEC Part 360.

- Erosion and sedimentation controls will be undertaken prior to and during construction and would include, stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads. All erosion and sediment control measures will be routinely inspected and maintained such that no sediment would be transported off-site.

- To minimize fugitive dust emissions, water will be used for the wetting of surfaces during dry periods.

- Prior to construction in areas in the northeastern portion of the subject property, all C&D debris such as brick/concrete fragments, wood and miscellaneous trash will be removed from the site in accordance with NYSDEC Part 360.

2.2 Water Resources

2.2.1 Existing Conditions

Groundwater

Regional Geology / Hydrogeology

The geologic setting of Long Island is well documented and consists of crystalline bedrock composed of schist and gneiss overlain by layers of unconsolidated deposits. Immediately overlying the bedrock is the Raritan Formation, consisting of the Lloyd sand confined by the Raritan Clay Member. The Lloyd sand is an aquifer and consists of discontinuous layers of gravel, sand, sandy and silty clay, and solid clay. The Raritan Clay is a solid and silty clay with few lenses of sand and gravel, abundant lignite and pyrite, and gray, red or white in color. Above the Raritan Clay lies the Magothy Formation. The Magothy Aquifer consists of layers of fine to coarse sand of moderate to high permeability, with inter-bedded lenses of silt and clay of low permeability resulting in areas of preferential horizontal flow. Therefore, this aquifer generally becomes more confined with depth. The Magothy Aquifer is overlain by the Upper Glacial Aquifer. The Upper Glacial Aquifer is the water table aquifer at this location and is comprised of medium to coarse sand and gravel with occasional thin lenses of fine sand and brown clay. This aquifer extends from the land surface to the top of the Magothy and, therefore, is hydraulically connected to the Magothy Aquifer.

Depth to Groundwater and Groundwater Flow

To determine the depth to groundwater on the site, soil borings the United States Geological Survey (USGS) Groundwater Conditions on Long Island Map from 2016 (hereinafter the "USGS Groundwater Map"), and the USGS Topographic Map (Eastport Quadrangle) were utilized. Based upon the USGS Groundwater Map, which depicts the water table elevation conditions across Long Island (see Figure 7 in Appendix A), the water table elevation is approximately 10-ft amsl. As the subject property ranges in elevation from 41-ft amsl to 46-ft amsl (see Section 2.1.1 and Figure 6 in Appendix A), the depth to groundwater beneath the site ranges from 31 to 36-ft below grade surface (bgs). The depth to groundwater was also confirmed during the soil and groundwater sampling undertaken by Eastern Environmental Solutions, Inc. (see *Soil and Groundwater Sampling* in Appendix H), which indicated groundwater at depths between 35 and 40-ft bgs.

Based upon the Suffolk County's recent groundwater models developed for the Long Island Nitrogen Action Plan (LINAP), the local groundwater flow direction is estimated to be southeast, towards Aspatuck Creek and River watershed and Quantuck Bay beyond. According to the LINAP models (included in the

Suffolk County Subwatershed Wastewater Management Plan [hereinafter the "Subwatershed Plan"]), the majority of the subject property falls within the 2-10-year surface water contributing area to the Aspatuck Creek and River subwatershed. Only the northwest portion of the subject property falls within the 10-25-year surface water contributing area (see *Subwatershed Planning Criteria 1701-0303-AC Aspatuck Creek and River* figure in Appendix J). It is also noted that the subject property is not situated within the groundwater contributing area to Quantuck Bay subwatershed or Quantuck Creek and Old Ice Pond subwatershed (see *Subwatershed Planning Criteria 1701-0042+0303-Quantuck Bay* figure and *Subwatershed Planning Criteria 1701-0303-QC+0304-Quantuck Creek and Old Ice Pond* figure in Appendix J).

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

In 1978, the Long Island Comprehensive Waste Treatment Management Plan was prepared as management plan for Long Island's groundwater resources. The plan was established under Section 208 of the 1972 Federal Water Pollution Control Act Amendments and is now commonly referred to as the "*208 Study*." The *208 Study* divided Long Island into eight hydrogeologic zones, investigated waste control practices and identified best management practices to protect both ground and surface waters.

Pursuant to the Hydrogeologic Zones – 208 Study Map, the subject property is located in Hydrogeologic Zone V (see Figure 8 in Appendix A). As excerpted from the *208 Study*, Zone V encompasses the southwestern portion of the South Fork and is characterized by shallow flow systems that discharge to streams and marine waters. Zone V has less agricultural activity as compared to Zone IV, and consequently, there are less problems for fertilizer runoff and leaching contaminants into groundwater.

The *208 Study* included structural, non-structural and non-point source control options for wastewater management for each Hydrogeologic Zone. For Zone V, the relevant highest priority area wide alternatives are as follows:

- *Minimize population density by encouraging large lot development (one dwelling unit/one or more acres), where possible to protect the groundwater from future pollutant loadings.*
- *Control stormwater runoff to minimize the transport of sediments, nutrients, metals, organic chemicals and bacteria to surface and ground waters.*
- *Reduce the use of fertilizers on turf. Promote the use of low-maintenance lawns.*

A consistency analysis with these recommendations is included in Section 2.2.2 of this DEIS.

Groundwater Quality

As discussed in Section 1.1.1 of this DEIS, groundwater sampling was performed as part of the 2017 and 2020 Phase II ESAs. During each Phase II ESA, three groundwater samples were collected from the northern perimeter of the property to determine if groundwater had been impacted by off-site impacted groundwater from the up-gradient Gabreski Airport property which has reported historical groundwater impact on-site. Groundwater samples were collected at depths of 35-40-ft below grade.

During each Phase II ESA, three groundwater samples were collected from the northern perimeter of the property to determine if groundwater had been impacted by off-site impacted groundwater from the up-

gradient Gabreski Airport property which has reported historical groundwater impact on-site. Samples collected in 2017 were analyzed for VOCs, SVOCs and metals to evaluate impact related to a plume of petroleum impact to groundwater beneath the airport property. VOCs, SVOCs and metals were not detected at concentrations exceeding NYSDEC Division of Water Technical and Operational Guidance (TOGS) 1.1.1 Class GA Ambient Water Quality Standards (AWQS).

Subsequent to the 2017 Phase II ESA, the Air National Guard (ANG) performed an investigation at the airport that documented the presence of PFAS in groundwater upgradient of the subject property. To address the potential migration of PFAS impact from the airport to the subject property. During the 2020 Phase II ESA, groundwater samples were analyzed for VOCs and PFAS. VOCs were not detected at concentrations exceeding TOGS 1.1.1 Class GA AWQS. PFAS compounds Perfluorooctanoic acid (PFOA) and Perfluorooctanesulfonic acid (PFOS) were detected above their applicable NYSDEC standard as defined in *NYSDEC Sampling, Analysis, and Assessment of Per- And Polyfluoroalkyl Substances (PFAS)* (revised October 2020). To date, NYSDEC has not identified PFAS as a vapor concern; as such, exposure pathways to PFAS are limited to direct contact and/or ingestion of impacted soil or groundwater. The airport has been documented as a source of PFAS impact to groundwater, and no historical evidence of the use of PFAS at the subject property has been identified Also, there are no plans for the usage of groundwater beneath the subject property as either a potable or irrigation water source. As such, no on-site exposure pathway to PFAS impact related to the Gabreski Airport has been identified.

Water Supply and Availability

Public Supply

The subject property is located within the service area of the Suffolk County Water Authority (SCWA) and an on-site connection is established. According to the 2009 SCWA Distribution Maps, there is an existing eight-inch water main on Rogers Avenue. Based upon the Public Water Supply Well Maps published by SCWA, two public water supply wells are located within a one-mile radius of the subject property. SCWA – Gus Guerra Well Field is located approximately 1,250-ft west of the site and the SCWA – Meeting House Road Well Field is located approximately 5,300-ft southeast of the site.

Private Wells – On and Nearby Off-Site Wells

SCDHS requires as part of Guidance Memorandum #28, Siting of a Sewage Treatment Plant, that a search for private wells within a 500-ft radius of the subject parcel be conducted. Based upon the 500-ft radius map, 69 properties were identified within the 500-ft radius of the subject property. The SCWA was contacted to determine whether any site in the 500-ft radius operates a private well. Based on correspondence dated June 24, 2020 (see Appendix I), of the 69 nearby sites, five were identified as not connected to the public water supply, which included the following:

1) 905-3-2-1
2) 905-3-2-27.3
3) 905-3-1-02
4) 905-3-1-8
5) 900-312-10-4.2

The SCWA verified that public water is available to all of the aforementioned properties. The current groundwater quality provided by each of the existing private wells is unknown, as private wells are not typically required to monitor their water supplies.

Sanitary Waste Generation and Discharge

The site is currently unoccupied, and thus, no sanitary waste is being generated on-site. As described in Section 1.1 of this DEIS, a portion of the subject site was formerly developed and used as an asphalt plant, which relied upon an on-site sanitary system.

Suffolk County Sanitary Code

Article 6 - Single-Family Residences, Realty Subdivisions, Developments and Other Construction Projects

Article 6 of the SCSC regulates sewage disposal for realty subdivisions, development and other construction projects for the protection of water resources. To limit nitrogen loading in various groundwater management zones, Article 6 sets forth population density equivalents. Pursuant to the Article 6 Map (see Figure 9), the subject property is located within Groundwater Management Zone IV. Pursuant to Article 6, the maximum permitted sanitary discharge to individual sewerage systems is 600 gallons per day per acre, and when exceeded, a community sewage system method of disposal is required. Groundwater Management Zone IV has an allowable density sewage flow rate of 600 gallons per day per acre (gpd/acre). Utilizing the gross land area of 9.355± acres, the permitted sanitary flow would be 5,613 gpd (9.355 acres x 600 gpd/acre = 5,613 gpd). As noted earlier, the site is currently unoccupied, and no sanitary waste is being generated on-site.

Article 7 – Water Pollution Control

Article 7 of the SCSC is intended "to safeguard all the water resources of the County of Suffolk especially in deep recharge areas and water supply sensitive areas, from discharges of sewage, industrial and other wastes, toxic or hazardous materials and stormwater runoff." The deep recharge areas are identified on the *Suffolk County Sanitary Code – Article 7 Groundwater Management Zones & Water Supply Sensitive Areas* map (SCDHS, 1999) as Groundwater Management Zones I, II, III and V. The Article 7 map also illustrates portions of Suffolk County as water supply sensitive areas. As defined at §760-703 of the SCSC, a water supply sensitive area includes: "[a] groundwater area separated from a larger regional groundwater system where salty groundwater may occur within the Upper Glacial aquifer, and where deepening of private wells and/or the development of community water supplies may be limited;" "[a]reas in close proximity to existing or identified future public water supply wellfields….[i.e.,] within 1,500-ft upgradient or 500-ft downgradient of public supply wells screened in the Upper Glacial aquifer;" and "[a] limited water budget area…"

Pursuant to the Article 7 map (see Figure 10 in Appendix A), the subject property located in Groundwater Management Zone IV, which is not a regulated deep recharge area. Furthermore, the subject property is not within an area that is 1,500-ft upgradient or 500-ft downgradient of a public supply well that screens in Upper Glacial aquifer, or other water supply sensitive area.

Article 12 – Toxic and Hazardous Materials Storage and Handling Controls

Article 12 of the SCSC regulates the storage and handling of toxic and hazardous materials for the protection of groundwater quality. There are no storage tanks currently on the site.

Nitrogen Loading

To better understand the impacts of the proposed development on nitrogen loading to groundwater, a nitrogen model was utilized. The particular model utilized was the BURBS model, developed at Cornell University by Hughes et al. (1985). The BURBS model is a computer simulation program that computes the potential impact of various land use on groundwater within a community due to nitrogen. Cornell University has developed this model for specific application on Long Island. To establish a baseline model, the existing and historic uses of the property were modelled. The historic uses were based upon historic aerial photographs and the confirmation of the use of the property as a farm from the Phase I and II ESA's. The parameters utilized in the BURBS model are explained in detail in the BURBS analysis (see Appendix J). The BURBS model takes into consideration, not only the wastewater nitrogen, but impacts from atmospheric deposition, fertilization and runoff from impervious areas.

Based upon the analysis of the BURBS model (see Appendix J), the estimated amount of nitrogen leached from the existing conditions is estimated to be 16.42 lbs. per year. For comparison purposes, when the property was utilized as an asphalt plant, the estimated nitrogen leached from the site was estimated to be 31.84 lbs. per year.

Stormwater Runoff and Drainage

Based upon a site evaluation and the Phase I ESA, there are no existing storm drains on the subject property. A portion of the on-site stormwater runoff is infiltrated through existing lawn, woodland and unpaved areas (2.725± acres of the overall site) with the remainder subject to overland flow on- and off-site. In 2019, a berm was added to the southern portion of the subject property to prevent stormwater from flowing onto Rogers Avenue and result in street flooding during storm events.

Based upon the existing coverages, it is projected that the subject property generates approximately 81,104 cubic feet (CF) of stormwater runoff during a three-inch rainfall event (see Table 7 below).

Table 7 – Existing Volume of Stormwater Runoff Generation

Existing Site Coverage			Coefficient	Rainfall	Existing Volume (CF)
	Acres	Square Foot		3"	
Impervious	6.630	288,804	1.0[1]	0.25	72,201 CF
Pervious	2.725	118,701.5	0.3[2]	0.25	8,903 CF
TOTAL	**9.355**	**407,505.5**			**81,104 CF**

Notes: [1] - Pavement, roof, concrete and other impervious areas
[2] - Landscaped, grassed, natural or other pervious surfaces

See Section 2.2.2 for a discussion of the regulations and standards that apply to the proposed development regarding stormwater management including the requirements of the Village of Westhampton Beach.

Water Resources Plans

The Long Island Comprehensive Special Groundwater Protection Area Plan

There are nine designated special groundwater protection areas (SGPA) on Long Island, including North Hills, Oyster Bay, West Hills/Melville, Oak Brush Plains, South Setauket Woods, Central Suffolk, Southold, South Fork and Hither Hills. The subject property is not located within an SGPA (see Figure 11 in Appendix A).

Suffolk County Comprehensive Water Resources Management Plan

The *Suffolk County Comprehensive Water Resources Management Plan* was completed in 2015 to set forth goals and objectives targeted to protect and improve ground and surface water quality based upon updated water quality investigations. The primary areas for improvement identified in the plan are as follows: Nitrogen, VOC's, Pesticides, Pharmaceuticals and Personal Care Products (PCP's) and Potable Supply. The plan outlines a number of recommendations for improving conditions in each of the aforementioned areas. The recommendations are primarily guided towards additional evaluation of groundwater and surface water, development of alternative on-site wastewater treatment options for residential and non-residential properties, educational outreach programs for fertilizer and pesticide reduction and expansion of the potable water supply to communities where public water is not available. While this plan outlines specific goals that are municipally minded, the overall intent of the plan is to reduce the overall levels of containments, such as fertilizers, pesticides and nitrogen in our ground and surface wasters. A consistency analysis with these recommendations is included in Section 2.2.2 of this DEIS.

Nationwide Urban Runoff Program (NURP Study)

The *Long Island Segment of the Nationwide Urban Runoff Program (NURP Study)* published in 1982 by the Long Island Regional Planning Board,[12] notes that years of study, including the various 208 studies, have provided empirical evidence that pollutant loading contributed by nonpoint sources is greater than pollutant loading by point sources (page 1). It has been concluded that nonpoint urban runoff is the most significant nonpoint source of stormwater runoff pollution. While these conclusions had been made, there was still uncertainty regarding the role of urban runoff in contaminant transport. As such, the *NURP Study,* has attempted to address some critical uncertainties, as follows:

- *the actual proportion of the total pollutant loading that can be attributed to stormwater runoff, given the presence of other point and non-point sources and conditions within the receiving waters;*

[12] Long Island Regional Planning Board. *The Long Island Segment of the Nationwide Urban Runoff Program.* 1982. Retrieved from: https://www.suffolkcountyny.gov/Portals/0/formsdocs/planning/Publications/Long%20Island%20Segment%20of%20the%20Nationwide%20Urban%20Runoff%20Program%20(NURP).pdf?ver=2019-03-26-113342-000. Accessed August 2020.

- *sources, wash-off/transport mechanisms and receiving water impacts;*
- *the appropriate criteria to be used in determining the existence of a runoff problem; and*
- *the effectiveness and cost of proposed but relatively untried non-structural control measures.*

The findings and conclusions of the *NURP Study* led to a series of recommendations and priorities for implementation regarding stormwater runoff for the protection of groundwater and surface water resources. A list of these recommendations follows.

Groundwater Recommendations:

- *Continue to use recharge basins wherever feasible for the disposal of stormwater and the replenishment of the groundwater.*
- *Avoid maintenance practices that would interfere with the natural revegetation of basins by grasses and shrubs.*
- *Use "ecological recharge basins" only where their aesthetic value justifies the additional cost.*
- *Consider the use of in-line storage leaching drainage systems, or components thereof, as a substitute for recharge basins in areas, other than parking lots, where maintenance will be assured and where the value of the land for development purposes is greater than the cost of installing and maintaining the underground system. Storage leaching drainage systems should also be considered for use where the installation of recharge basins is not feasible.*
- *Prevent illegal discharges to drainage systems or recharge basins. Such discharges, which often result from improper storage or deliberate dumping or chemicals, must be controlled at the source.*

Surface Water Recommendations:

- *Preclude any additional direct discharge of stormwater runoff into surface waters, using all available means for detention and/or recharge to reduce bacterial loads.*
- *Protect stream corridors from encroachment, so that the stream reaches that will become dry because of the lowering of the water table due to sewering will always be available for stormwater detention and recharge.*
- *Inform local officials and the public regarding the nature and cost of the nonpoint source controls that must accompany further development or redevelopment and of needed changes in current practices relating to dog waste clean-up and disposal and public feeding of waterfowl.*
- *Initiate studies, including mathematical modeling where appropriate, to identify the most promising opportunities for effecting changes in certification status at reasonable cost.*
- *Initiate pilot programs designed to encourage the proper clean-up and disposal of canine fecal material and to discourage public feeding of waterfowl in order to determine the impact of such programs on receiving water quality.*
- *To achieve some portion of an important beneficial use of areas currently in violation of the standard for the taking of shellfish:*
    - *Investigate the physical, political and economic constraints on the wider use of controlled shellfish harvesting in conjunction with depuration or transplanting to certified areas.*
    - *Devise measures for minimizing or overcoming those constraints.*
- *Pursue the investigation, begun with Salmonella study, to identify and quantify the presence of human enteric pathogens in stormwater runoff and in the receiving waters. For sewage a relationship*

has been established between the presence of total and fecal coliforms and the associated presence of human pathogens. However, over 90% of the coliform load in estuarine waters is contributed by stormwater. Therefore, investigations into whether such a relationship exists for stormwater should be continued and expanded.

A consistency analysis of the proposed action with the relevant recommendations of the *NURP Study* is included in Section 2.2.2 of this DEIS.

Nonpoint Source Management Handbook

The *Nonpoint Source Management Handbook*, which was prepared as part of the USEPA's 208 Plan Implementation Program, is divided amongst several elements: Land Use; Stormwater Runoff; On-site Systems; Highway Deicing; Fertilizer; Animal Waste; Well Location, Construction, Use and Abandonment; Boat Pollution; and Site Plan Review and Ordinances. The *Nonpoint Source Management Handbook* makes a variety of recommendations for counties, municipalities, engineers, etc., for controlling non-point sources of groundwater contamination. Relevant recommendations from this study, along with a review of the project's consistency therewith, are presented in Section 2.2.2 of this DEIS.

The South Shore Estuary Reserve Comprehensive Management Plan

In 1993, the South Shore Estuary Reserve Act was enacted by the New York State Legislature to protect and manage the South Shore Estuary Reserve (SSER) as an integrated estuary and a regional maritime center.[13] From west to east, the estuary reserve extends 75 miles from the western Nassau County line to the Village of Southampton in Suffolk County. From north to south, the estuary reserve extends from Long Island's south shore bays and the Atlantic Ocean to the adjacent upland areas that drain into them.[14]

As depicted on the South Shore Estuary Reserve Map (see Figure 12), the subject property is located within the estuary's easternmost bays, specifically northwest of Quantuck Bay (at a distance of approximately 1.60 miles). These shallow bays, which support highly productive aquatic habitats, are distinguished by the presence of inlets, strong tidal exchanges between the ocean and the bays and minor inflow of lower salinity water from the Great Peconic Bay through the Shinnecock Canal.

The South Shore Estuary Reserve Act called for the creation of the SSER Council and entrusted the Council to prepare and implement a Comprehensive Management Plan (hereinafter, the "SSER Comprehensive Management Plan"). The SSER Comprehensive Management Plan, which was adopted on April 21, 2001, addressed a broad geography and a wide range of issues related to the quality of the SSER's resources. The SSER Comprehensive Management Plan provides recommendations for implementation actions to be taken by federal, state and local government; businesses and academic institutions. These recommendations fall into the following categories:

[13] New York State Department of State, Office of Planning and Development. *Long Island South Shore Estuary Reserve Comprehensive Management Plan.* Retrieved from: https://www.dos.ny.gov/opd/sser/pdf/Full%20CMP%20Document.pdf. Accessed July 2020.

[14] *Ibid.*

- Water quality;
- Living resources;
- Public use and enjoyment;
- Expansion of the estuary economy; and
- Education, outreach, and stewardship.

The SSER is 326 square miles of watershed in Nassau and Suffolk counties. The barrier beach along the Atlantic Ocean, the inland barrier islands, the estuary's interconnected bays and tidal tributaries provide highly productive habitats as well as support businesses in New York State.[15] Effective implementation of the SSER Comprehensive Management Plan serves to preserve, protect, and enhance the natural, recreational, economic and educational resources of the estuary reserve.

The following are those recommendations from SSER Comprehensive Management Plan that are relevant to the proposed action:

- *Adopt best management practices to control drainage, erosion and sedimentation prior to and during construction.*
- *Adopt best management roadway operation and maintenance.*
- *Adopt best management practices that reduce the environmental effects of on-site wastewater treatment systems (OWTS).*
- *Ensure compliance with existing State Pollution Discharge Elimination System (SPDES) permits.*

Section 2.2.2 of this DEIS includes a consistency analysis of the proposed action with these relevant recommendations.

Surface Waters and Wetlands

The nearest permanent surface water body is Aspatuck River, located approximately 0.23 mile east of the subject property. Review of the NYSDEC Freshwater Wetlands Map and the National Wetlands Inventory indicates that there are no State or Federal wetlands present on the subject property (see Figures 13 and 14 in Appendix A). The nearest state regulated freshwater is 0.28± mile southeast of the subject property. There are three other waterbodies in the vicinity of the subject property, namely Aspatuck Creek, located 0.72± mile southeast of the subject property, Quantuck Creek, located 1.25± miles southeast of the subject property and Quantuck Bay located 1.60± miles southeast of the subject property.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) were consulted to determine if the subject property is located within the 100-year or 500-year flood zones. Based upon FIRM data (FEMA Map Panel ID: 36013C0759H), the subject property is not located within the 100 or 500-year flood zone (see Figure 15 in Appendix A).

[15] *Ibid.*

2.2.2 Potential Impacts

Groundwater Quality

Regional Conditions

As part of the due diligence efforts in 2017 and 2020, groundwater quality was assessed to determine any existing impact and the resultant impact, if any, on the proposed development. As indicated in Section 2.2.1 of this DEIS, recent groundwater sampling did not detect VOCs at concentrations exceeding TOGS 1.1.1 Class GA AWQS, but did detect PFAS compounds (PFOA and PFOS) above applicable standards that are defined in NYSDEC Sampling, Analysis, and Assessment of Per- And Polyfluoroalkyl Substances (PFAS) (revised October 2020). To date, NYSDEC has not identified PFAS as a vapor concern. As such, exposure pathways to PFAS are limited to direct contact and/or ingestion of impacted soil or groundwater.

Gabreski Airport has been documented as a source of PFAS impact to groundwater, and no historical evidence of the use of PFAS at the subject property has been identified. The proposed action does not include the installation of a well or usage of groundwater beneath the subject property as either a potable or irrigation water source. As such, no on-site exposure pathway to PFAS impact related to the Gabreski Airport has been identified and no impacts associated with groundwater conditions would be expected on the proposed development.

SCDHS Compliance (Suffolk County Sanitary Code)

As noted in Section 2.2.1 of this DEIS, the maximum permitted sanitary flow for the utilization of individual subsurface sanitary systems on the subject property is 5,613± gpd (9.355 acres x 600 gpd/acre = 5,613± gpd). According to the design flow factors published in the *SCDHS Standards for Approval of Plans and Construction For Sewage Disposal Systems for Other Than Single-Family Residences*, the projected sanitary flow for the proposed project is 15,000 gpd (see Table 8 below). Accordingly, an on-site sewage treatment system is required for the proposed action.

Table 8 – Projected Sanitary Waste Generation

Structure Use	Units	Sanitary Density (gpd/unit)	Projected Sanitary Density (gpd)
Housing Unit > 1200 SF	44 units	300	13,200±
Housing Unit < 1200 SF > 600 SF	8 unit	225	1,800±
Total Sanitary Waste Generation			**15,000±**

Source: Suffolk County Department of Health Services. *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences*. Table 1, Project Density Loading Rates & Design Sewage Flow Rates. Revised July 21, 2020.

The proposed STP would be situated at the northeast corner of the subject property (see Site Development Plans, *Sheet C-200 and Sheet C-300* Proposed Drainage and Grading Plan in Appendix C). Sanitary waste would be discharged to sewer mains from the individual units and community center, which are proposed to be eight inches in diameter made of PVC piping.

The proposed STP has a design flow of 15,000± gpd and, therefore, falls into Appendix A of the SCDHS construction standards. Appendix A, *Standards for Approval and Construction of Modified Sewage Disposal Systems and Small Community Sewerage Systems*, sets forth standards for modified subsurface sewage disposals systems as well as for small community sewerage systems that do not exceed a total design flow of 30,000 gpd. Minimum separation distances from process tanks and leaching pools to buildings, property lines and surface water are also included.

Based on the SCDHS standards contained in Appendix A of the SCDHS construction standards, the STP is allowed a 75-ft setback to property lines and buildings and a 50-ft setback to areas of sustainably human use, provided the STP is equipped with an odor control system. The SCDHS standards allow for a reduced setback of 25-ft from an STP to the property line when the STP abuts either a LIRR property or divided highway. In this case, it is a LIRR train track, which allows the proposed STP to be placed closer to the north eastern property line. The proposed STP would maintain setbacks of 25-ft to the northern property line (abutting the LIRR), 75-ft to the eastern property line, and 75-ft to the nearest proposed residential structure. The proposed STP would be equipped with a dual canister carbon-based odor control system connected to the treatment tanks, pump station, splitter box and influent screen.

The proposed STP would be a package unit from Purestream, specifically the Biologically Engineered Single Sludge Treatment (BESST) system. The packaged unit is fabricated from 316l grade stainless steel and is provided with integral hatches that cover the entire treatment unit. The treatment unit is typically buried, such that only six to eight inches of the tank are above grade. This prevents any debris and/or stormwater from entering the treatment system.

In addition to the treatment units, a control building would be installed to house the aeration blowers, odor control equipment and the operator's laboratory space. The selected process commonly utilized in Suffolk County and long-term operation of these types of systems have demonstrated that effluent meets the NYSDEC SPDES requirements for reduction of nitrogen and suspended solids. Standby power would be designed and installed such that the STP would continue to operate in the event of a primary power failure.

Treated effluent would discharge into an effluent leaching pool groundwater disposal system. The effluent disposal system would consist of six, 10-ft diameter-leaching pools with an approximate effective depth of 16-ft. As indicated in Section 2.2.1 of this DEIS, the depth to groundwater ranges from approximately 31-ft bgs to 36-ft bgs, and thus, there would be approximately 15 to 20-ft of separation distance from the base of the leaching pools to groundwater. Adequate space has been allocated for the 100 percent expansion of the leaching pools in accordance with SCDHS requirements. Additionally, in accordance with SCDHS and NYSDEC regulations, groundwater monitoring wells would be installed both upstream and downstream of the effluent disposal system to monitoring groundwater impacts as part of the SPDES permit obtained for the STP.

As part of the earlier planning stages for the project, it was expected that the proposed development would be constructed in phases. The proposed development is no longer going to be phased and would be developed all at once. As such, the previously proposed temporary sanitary system would not be installed. Thus, there would be no impacts on groundwater water quality or site disturbance for the temporary sanitary system. Refer to Sections 1.4 and 4.1 of this DEIS for a discussion about the proposed construction schedule.

Article 7 – Water Pollution Control

As indicated in Section 2.2.1, the subject property is located in Groundwater Management Zone IV which is not a regulated deep recharge area. Also, based on the Article 7 Map, the subject property is not within an area that is 1,500-ft upgradient or 500-ft downgradient of a public supply well that screens in Upper Glacial aquifer, or other water supply sensitive area. As such, the proposed action is not subject to the Article 7 restrictions imposed on select properties that are located in water supply sensitive areas or deep recharge areas.

Article 12 – Toxic and Hazardous Materials Storage and Handling Controls

Article 12 regulates the storage and handling of toxic and hazardous materials for the protection of groundwater quality. The proposed development is expected to utilize natural gas served by National Grid for the purposes of heating and no heating fuel is proposed. The proposed action would include a backup generator associated with the STP, which would utilize diesel, and serve the STP in the case of a power failure. The diesel would be stored in an approximately 100-gallon, double walled aboveground storage tank to be installed under the STP emergency generator. As such, an Article 12 permit would be obtained in compliance with the SCSC.

It is expected that the proposed action would utilize only small quantities of chemicals (i.e., chlorine or salt) associated with routine pool maintenance, and those chemicals would be stored and handled in accordance with the provisions of Article 12 of the SCSC. If required, an Article 12 permit for pool chemicals would be obtained.

Nitrogen Loading from Sanitary Waste (Mass Balance Calculation)

The following nitrogen mass balance calculation, based on SCDHS Guidance Memo 28, provides the total nitrogen in effluent for the proposed development:

Proposed Development with STP – 7 mg/L Effluent
Flow = 15,000 gpd (15,000 gpd/1,000,000 = 0.015 mgd)
Total Nitrogen Effluent Concentration (TN) = 7 mg/L
Total Nitrogen Effluent Quantity = 7mg/L * 8.34 *0.015 mgd = **0.876 lbs. /day**

Based upon the above calculations, the projected nitrogen loading from the STP is approximately 0.876 lbs. /day.

For comparative purposes, utilizing a nitrogen mass balance calculation for an As-of-Right development with conventional systems, as per SCDHS Guidance Memo 28 and with Innovative and Alternative On-

site Wastewater Treatment Systems (I/A OWTS) (evaluated in Section 5.1 of this DEIS) renders the following result:

As-of-Right Development with Conventional Systems – Allowable Sanitary Flow
Area = 9.355 acres
Flow = 5,613 gpd (5,613 gpd/1,000,000 = 0.005613 mgd)
Total Nitrogen Effluent Concentration (TN) = 50 mg/L
Total Nitrogen Effluent Quantity = 50mg/L * 8.34 *0.005613 mgd = **2.34 lbs. /day**

As-of-Right Development with I/A OWTS – Allowable Sanitary Flow
Area = 9.355 acres
Flow = 5,613 gpd (5,613 gpd/1,000,000 = 0.005613 mgd)
Total Nitrogen Effluent Concentration (TN) = 19 mg/L
Total Nitrogen Effluent Quantity = 19 mg/L * 8.34 *0.005613 mgd = **0.889 lbs. /day**

The use of conventional systems or I/A OWTS would result in nitrogen loading of approximately 2.34 lbs/day and 0.889 lbs/day, respectively. As compared to the proposed action, the proposed STP results in approximately 1.464 lbs. /yr. less nitrogen than if the property were developed as-of-right with conventional subsurface sanitary systems. Even if developed with I/A OWTS, the proposed STP results in approximately 0.013 lbs./year less nitrogen.

Nitrogen Loading and BURBS Analysis

To further evaluate the nitrogen loading from a comprehensive approach, including fertilizer usage, atmospheric deposition, etc., a nitrogen loading model was used. The particular model used was the BURBS model, developed by Cornell University. The model was utilized to analyze the existing and historic conditions, the proposed plan and the alternative (As-of-Right) development plan, the reduced density alternative plans (32 units) and the two alternative design plans which are addressed in Section 5.0 of this DEIS. The parameters utilized in the BURB's model are explained in detail in the BURBS analysis (see Appendix J).

The BURB's model takes into consideration, not only the wastewater nitrogen, but impacts from atmospheric deposition, fertilization and runoff from impervious areas. As the proposed development would utilize an STP, the amount of nitrogen lost as a gas was increased from the standard level of 0.5 to 0.85 to reflect the reduced nitrogen levels in the treated effluent from the STP as compared to the conventional sanitary system utilized in the historic scenario. For the As-of-Right development and for the reduced density alternative (32 units), I/A OWTS were utilized which used a factor of 0.65 in the BURBS model. This factor represents the reduction of nitrogen achieved by the I/A OWTS units. Additionally, the landscaped areas were conservatively modeled using a fertilizer application rate of 2.04 lbs./1,000 SF, which is based upon the current accepted loading rates being utilized by Suffolk County.

Based upon the analysis of the BURBS model, the estimated amount of nitrogen leached from the proposed development is 386.82 pounds per year. This nitrogen loading represents a concentration of nitrogen of 3.12 mg/L associated with the proposed project and subject property. The 3.12 mg/L concentration is slightly over half of the targeted concentration from the *208 Study* which utilized a limit of 6 mg/L to establish allowable sanitary densities. This limit of 6 mg/L, from the *208 Study* did not

include fertilizer nitrogen loading in its analysis. While the nitrogen loading represents an increase from the historic conditions of 31.84 pounds per year, it is significantly less than the targets set forth in the *208 Study*, especially since the proposed developments nitrogen concentration includes fertilizer nitrogen, which was not originally accounted for in the *208 Study*.

As a comparison, the alternative (As-of-Right) plan was modeled. To be conservative the As-of-Right alternative plan was modeled utilizing 65% reduction in nitrogen since it would likely utilize an I/A OWTS system. While I/A OWTS are not required by the Village of Westhampton Beach, it is likely the use of the I/A OWTS would be a recommendation of the Village and therefore was included in the analysis to be conservative. Based upon the analysis of the BURBS model, the estimated amount of nitrogen leached from the alternative development is 383.73 pounds per year, which represents a concentration of nitrogen of 4.16 mg/L. The nitrogen leached under the As-of-Right development represents a decrease of 3.09 pounds per year as compared to the proposed action of 386.82 pounds per year; however the nitrogen concertation for this alternative (i.e., 4.16 mg/L) is a 1.04 mg/L increase when compared to the nitrogen concentration for the proposed action (i.e., 3.12 mg/L). Based upon the aforementioned analysis, the projected nitrogen loading for the proposed development represents an increase over the historic conditions; however, the projected loading is significantly below the levels established in the *208 Study* (i.e., 6 mg/L) and Article 6 with respect to both wastewater and fertilizer-based nitrogen.

Nitrogen Loading and Impacts to Surface Waters

As indicated in Section 2.2.1 above, the majority of the subject property falls within the 2-10-year surface water contributing area to the Aspatuck Creek and River watershed. Only the northwest portion of the subject property falls within the 10-25-year surface water contributing area (*see Subwatershed Planning Criteria 1701-0303-AC Aspatuck Creek and River* figure in Appendix J). The proposed STP would be located closer towards the 10-year contributing area for Aspatuck Creek and River subwatershed. This would allow the projected nitrogen loading from the STP to be further reduced via natural means through its longer travel time to Aspatuck Creek and River. Additionally, the Subwatershed Plan encourages the use of I/A OWTS and STP's for future development, and thus, the proposed action is consistent with same. Therefore, based on the above, the proposed action is not expected to have a significant adverse impact to Aspatuck Creek and River subwatershed. Additionally, the subject property is not within the contributing area for Quantuck Bay subwatershed or Quantuck Creek and Old Ice Pond subwatershed, the proposed action is not expected to have a significant adverse impact to same.

With respect to the landscaped areas, the fertilizer application rates utilized in the model are considered to be conservative and are based upon the current values being utilized by Suffolk County in their studies. Once the landscaped areas, particularly the grass areas have been established, the application rate of fertilizer would be reduced to as low as 1.00 lbs./1,000 SF. This reduction in application rate would effectively reduce the potential impact of fertilizer in half. Additionally, the buffer areas on the site would likely not require fertilizer, as some of these areas would retain the existing trees and the supplemental landscaping is not fertilizer-dependent. Pesticide application would be a measure of last resort, if the problem areas cannot be improved with organic methods. If pesticides are required, only those approved for use by the NYSDEC and EPA would be utilized and the HOA would rely upon a local landscape company for all maintenance needs.

When compared to the As-of-Right development, the nitrogen leached from the turf areas increases to 17.51 pounds per year. In addition, the nitrogen leaching concentration increases to 4.16 mg/L. This is due to the likely presence of more turf in the As-of-Right development. Additionally, since the As-of-Right development is a single-family subdivision, each property owner would be responsible for fertilization and pesticide use. Therefore, the reductions in fertilizers or the organic approach to pesticide applications would likely not be followed, resulting in higher uses of fertilizers and pesticides. The overall fertilizer reduction and organic approach to landscape maintenance for the proposed plan would result in less impact to the groundwater and ultimately the surface water quality.

While the conservative BURBS model shows that the proposed development increases the nitrogen loading over the existing conditions, the proposed development will implement several mitigation measures, such as the STP, organic landscape maintenance and reduction in fertilizer usage after establishment of the proposed landscaping. These measures, coupled with the fact that the projected nitrogen concentrations in groundwater are less than half of those recommended in the *208 Study*, the proposed development would not adversely impact either groundwater or surface water quality.

Groundwater Quantity

Domestic and Fire Water System Demand

As indicated earlier, the total projected potable water usage is 15,000± gpd. Based upon a 24-hour use of the property, this equates to an average domestic water flow rate of 10.41 gallon per minute (gpm). Based upon industry standards, the peak domestic water usage demand ranges between two and three times the average flow. Using the average flow of 10.41 gpm, this would equate to a peak flow range of 20.82 to 31.23 gpm. A request for water availability was submitted to the SCWA and SCWA confirmed that public water is available for the property as well as for on-site irrigation (see correspondence in Appendix I).

The design of the water system would comply with SCDHS and SCWA standards. The proposed water supply system would consist of an internal water supply loop utilizing eight-inch diameter water mains. The internal loop would be utilized to supply domestic water to each of the units along with supplying fire hydrants in the development. The proposed loop would connect to the existing eight-inch diameter water main in the SCWA distribution system located on Rogers Avenue. Each service would be provided with a reduced pressure zone (RPZ) backflow prevention device and the domestic service would be equipped with water meters.

Water for fire protection to the proposed development would be supplied from the same water distribution system that provides potable water. With respect to the fire service demand for the proposed development, PWGC reviewed the 2015 International Fire Code (IFC). According to the 2015 IFC, the fire system demand is determined based upon the type of construction, building size and the presence of an automatic fire sprinkler system.

The proposed buildings would be Type V-B construction and would be provided with firewalls between units. The individual units' range in size from 1,200 to 2,100 SF, which equates to a fire flow demand of 1,000 gpm. The design of the water mains would be capable of handling the water flows and pressure as required by the regulatory agencies. Also, the SCWA has confirmed water availability for fire prevention

purposes. As part of the proposed project, fire hydrants would be located throughout the site in accordance with regulatory requirements. The fire hydrants would be owned and maintained by the project sponsor and testing of the hydrants would be performed in accordance with local fire department regulations. Additionally, the proposed water system loop would supply irrigation water for the development. Accordingly, based on the above analyses, the projected potable water demands would not be expected to result in significant adverse impacts to the SCWA.

Irrigation Water Supply and Distribution System

The estimated volume of irrigation water for the on-site lawn and select planted areas (of approximately 4.017 acres) is approximately 1,065± gpd for the irrigation season (mid-April to mid-October), or 14,910± gallons per week when averaged over the 26-week irrigation season. Irrigation water would be provided by SCWA as it is expected to be a nominal amount (see service availability letter from the SCWA in Appendix I). The SCWA has recommended the use of smart irrigation control systems and drought tolerant plantings to promote conservation and compliance with the SCWA Water Conservation Plan. Accordingly, the proposed action would include an irrigation system with smart irrigation controls to reduce or eliminate the use of the irrigation system during periods of rain. The irrigation system would be installed with a drip line to prevent evaporation as well as rain sensors so as to not go on while it is raining. Also, drought tolerant plantings will be used to promote conservation and compliance with the SCWA Water Conservation Plan. Based on the above, the projected irrigation demands would not have a significant adverse impact to the public water supply.

Stormwater Runoff and Drainage

The proposed action would decrease the total impervious surface area from 6.630± acres to 4.846± acres and, therefore, there would be a resultant decrease in the volume of stormwater runoff generated on the subject property. As part of the proposed action, a comprehensive stormwater management plan has been designed to accommodate and recharge all stormwater on-site. As indicated on the Proposed Grading and Drainage Plan (see *Sheets C-200 and C-201,* in Appendix C), the proposed action includes the installation of three biofiltration swales, and a system of catch basins, drywells and leaching pools are located throughout the site. The project has been designed for a three-inch rain event whereas only two-inches of storage is required pursuant to §197-63G.(10) of the Village Code.

Concentrations of catch basins, drywells and leaching pools are proposed to be divided into nine drainage areas and would capture stormwater runoff from the housing units, the community center and associated recreational facilities, the STP, the parking areas and portions of the internal roadways and the landscaped areas. The three biofiltration swales would be created throughout the subject property to manage stormwater runoff, filter pollutants associated with runoff from impervious surfaces, and increase rainwater infiltration. Two biofiltration swales would be created along the southern portion of the subject property, south of the community center and recreational facilities and south of those residential units on the southeast side of the subject property. Another biofiltration swale would be located to the west of the recreational facilities. The biofiltration swales are proposed to contain various types of vegetation as shown on the Site Landscape Plan (see *Sheets LS-1 and LS-2*, in Appendix C).

As noted in Section 2.2.1 and shown in Table 9, below, the subject property generates approximately 81,104 CF of stormwater runoff, based on a three-inch rainfall event. Under proposed conditions, the projected stormwater runoff is approximately 69,115 CF.

Table 9 – Existing and Proposed Volume of Stormwater Runoff Generation

	Existing Site Coverage		Proposed Site Coverage		Coefficient	Rainfall	Existing Volume (CF)	Proposed Volume (CF)
	Acres	**SF**	Acres	SF		3"		
Impervious	6.630	288,804	4.846	211092.60	1	0.25	72,201 CF	52,773 CF
Permeable Paving	0	0	0.492	21,447.04	0.6	0.25	0 CF	3,217 CF
Pervious	2.725	118,701.5	4.017	174,999.30	0.3	0.25	8,903 CF	13,125 CF
TOTAL	**9.355**	**407,505.5**	**9.355**	**407,505.40**			**81,104± CF**	**69,115± CF**

Compared to existing conditions, the proposed development would generate approximately 17.3 percent less stormwater runoff. As discussed in further detail below, the proposed stormwater management for the subject property is more comprehensive than under existing conditions providing a greater amount of stormwater runoff storage capacity. Under the proposed action with the installation of an integrated stormwater management system, all stormwater would be captured and recharged on-site with no off-site runoff. The projected total stormwater runoff volume after construction from a three-inch rainstorm and the total capacity of proposed drainage system are presented below:

DRAINAGE AREA A – Community Center – 45,691.55 SF

DRAINAGE REQUIRED

ROOF AREA:	2,668.46 SF x 3"/12" x 1.00	= 667.11 CF
IMPERVIOUS AREA:	15,345.11 SF x 3"/12" x 1.00	= 3,836.28 CF
LANDSCAPED AREA:	27,677.98 SF x 3"/12" x 0.30	= 2,075.85 CF
	TOTAL REQUIRED	= **6,579.24 CF**

DRAINAGE PROVIDED:

DRAINAGE LEACHING POOLS -

(6) 10' DIA. x 12' EFFECTIVE DEPTH DLP'S
= (6) x 68.42 CF/FT x 12 FT. = 4,926.24 CF
(2) 10' DIA. x 12' EFFECTIVE DEPTH DLP'S
= (2) x 68.42 CF/FT x 7 FT. = 957.88 CF
(2) 8' DIA. x 12' EFFECTIVE DEPTH DLP'S
= (2) x 42.24 CF/FT x 8 FT. = 675.84 CF
(1) 8' DIA. x 12' EFFECTIVE DEPTH DLP'S
= (1) x 42.24 CF/FT x 7 FT. = 295.68 CF

TOTAL PROVIDED = 6,855.64 CF

DRAINAGE AREA B – Housing Units/Roadways/Parking Areas – 81,800.50 SF

DRAINAGE REQUIRED

ROOF AREA:	11,486.34 SF x 3"/12" x 1.00	= 2,871.59 CF
IMPERVIOUS AREA:	40,554.51 SF x 3"/12" x 1.00	= 10,138.63 CF
PERMEABLE PAVER:	2,542.82 SF x 3"/12" x 0.60	= 381.42 CF
LANDSCAPED AREA:	24,794.85 SF x 3"/12" x 0.30	= 2,041.27 CF

	TOTAL REQUIRED	**= 15,432.91 CF**
DRAINAGE PROVIDED:		
DRAINAGE LEACHING POOLS -	(1) 12' DIA. x 16' EFFECTIVE DEPTH DLP'S	
	= (1) x 100.88 CF/FT x 16 FT.	= 1,614.08 CF
	(2) 12' DIA. x 10' EFFECTIVE DEPTH DLP'S	
	= (2) x 100.88 CF/FT x 10 FT.	= 2,017.60 CF
	(2) 12' DIA. x 9' EFFECTIVE DEPTH DLP'S	
	= (2) x 100.88 CF/FT x 9 FT.	= 1,815.84 CF
	(1) 10' DIA. x 18' EFFECTIVE DEPTH DLP'S	
	= (1) x 68.42 CF/FT x 18 FT.	= 1,231.56 CF
	(2) 10' DIA. x 11' EFFECTIVE DEPTH DLP'S	
	= (2) x 68.42 CF/FT x 11 FT.	= 1,505.24 CF
	(6) 10' DIA. x 10' EFFECTIVE DEPTH DLP'S	
	= (6) x 68.42 CF/FT x 10FT.	= 4,150.20 CF
	(1) 10' DIA. x 9' EFFECTIVE DEPTH DLP'S	
	= (1) x 68.42 CF/FT x 9 FT.	= 615.78 CF
	(1) 10' DIA. x 8' EFFECTIVE DEPTH DLP'S	
	= (1) x 68.42 CF/FT x 8 FT.	= 547.36 CF
	(3) 10' DIA. x 7' EFFECTIVE DEPTH DLP'S	
	= (3) x 68.42 CF/FT x 7 FT.	= 1,436.82 CF
	(1) 10' DIA. x 6' EFFECTIVE DEPTH DLP'S	
	= (1) x 68.42 CF/FT x 6 FT.	= 410.52 CF
	(1) 8' DIA. x 8' EFFECTIVE DEPTH DLP'S	
	= (1) x 42.24 CF/FT x 8 FT.	= 337.92 CF
	(1) 8' DIA. x 4' EFFECTIVE DEPTH DLP'S	
	= (1) x 42.24 CF/FT x 4 FT.	= 168.96 CF
	(1) 6' DIA. x 16' EFFECTIVE DEPTH DLP'S	
	= (1) x 22.34 CF/FT x 16 FT.	= 357.44 CF
	(1) 6' DIA. x 15' EFFECTIVE DEPTH DLP'S	
	= (1) x 22.34 CF/FT x 15 FT.	= 335.10 CF
	(1) 4' DIA. x 3' EFFECTIVE DEPTH DLP'S	
	= (1) x 8.72 CF/FT x 3 FT.	= 26.16 CF
	TOTAL PROVIDED	**= 16,570.58 CF**

DRAINAGE AREA C – Housing Units – 87.345.79 SF

DRAINAGE REQUIRED

ROOF AREA:	22,763.60 SF x 3"/12" x 1.00	= 5,690.90 CF
IMPERVIOUS AREA:	37,809.04 SF x 3"/12" x 1.00	= 9,452.26 CF
PERMEABLE PAVER:	6,387.14 SF x 3"/12" x 0.60	= 958.07 CF
LANDSCAPED AREA:	20,595.09 SF x 3"/12" x 0.30	= 1,554.63 CF
	TOTAL REQUIRED	**= 17,645.86 CF**
DRAINAGE PROVIDED:		
DRAINAGE LEACHING POOLS -	(1) 12' DIA. x 16' EFFECTIVE DEPTH DLP'S	
	= (1) x 100.88 CF/FT x 16 FT.	= 1,614.08 CF
	(1) 12' DIA. x 15' EFFECTIVE DEPTH DLP'S	
	= (1) x 100.88 CF/FT x 15 FT.	= 1,513.20 CF
	(8) 12' DIA. x 11' EFFECTIVE DEPTH DLP'S	
	= (8) x 100.88 CF/FT x 11 FT.	= 8,877.44 CF
	(1) 12' DIA. x 10' EFFECTIVE DEPTH DLP'S	
	= (1) x 100.88 CF/FT x 10 FT.	= 1,008.80 CF
	(2) 12' DIA. x 9' EFFECTIVE DEPTH DLP'S	
	= (2) x 100.88 CF/FT x 9 FT.	= 1,815.84 CF
	(1) 12' DIA. x 5' EFFECTIVE DEPTH DLP'S	
	= (1) x 100.88 CF/FT x 5 FT.	= 504.40 CF
	(3) 10' DIA. x 6' EFFECTIVE DEPTH DLP'S	

	= (3) x 68.42 CF/FT x 6 FT.	= 1,231.56 CF
	(2) 8' DIA. x 15' EFFECTIVE DEPTH DLP'S	
	= (2) x 42.24 CF/FT x 15 FT.	= 1,267.20 CF
	(2) 8' DIA. x 12' EFFECTIVE DEPTH DLP'S	
	= (2) x 42.24 CF/FT x 12 FT.	= 1,013.76 CF
	(2) 6' DIA. x 14' EFFECTIVE DEPTH DLP'S	
	= (2) x 22.34 CF/FT x 14 FT.	= 625.52 CF
	TOTAL PROVIDED	**= 19,471.80 CF**

DRAINAGE AREA D – Landscaped Areas – 23,663.57 SF

DRAINAGE REQUIRED

ROOF AREA:	0 SF x 3"/12" x 1.00	= 0 CF
IMPERVIOUS AREA:	0 SF x 3"/12" x 1.00	= 0 CF
LANDSCAPED AREA:	23,663.57 SF x 3"/12" x 0.30	= 1,774.77 CF
	TOTAL REQUIRED	**= 1,774.77 CF**

DRAINAGE PROVIDED:

DRAINAGE LEACHING POOLS -	(1) 12' DIA. x 11' EFFECTIVE DEPTH DLP'S	
	= (1) x 100.88 CF/FT x 11 FT.	= 1,109.68 CF
	(1) 10' DIA. x 9' EFFECTIVE DEPTH DLP'S	
	= (1) x 68.42 CF/FT x 9 FT.	= 615.78 CF
	(1) 8' DIA. x 6' EFFECTIVE DEPTH DLP'S	
	= (1) x 42.24 CF/FT x 6 FT.	= 253.44 CF
	TOTAL PROVIDED	**= 1,978.90 CF**

DRAINAGE AREA E – Housing Units – 35,291.48 SF

DRAINAGE REQUIRED

ROOF AREA:	19,737.89 SF x 3"/12" x 1.00	= 4,934.48 CF
IMPERVIOUS AREA:	3,963.46 SF x 3"/12" x 1.00	= 990.87 CF
LANDSCAPED AREA:	24,842.18 SF x 3"/12" x 0.30	= 869.26 CF
	TOTAL REQUIRED	**= 6,794.61 CF**

DRAINAGE PROVIDED:

DRAINAGE LEACHING POOLS -	(2) 12' DIA. x 11' EFFECTIVE DEPTH DLP'S	
	= (2) x 100.88 CF/FT x 11 FT.	= 2,219.36 CF
	(3) 12' DIA. x 10' EFFECTIVE DEPTH DLP'S	
	= (3) x 100.88 CF/FT x 10 FT.	= 3,026.40 CF
	(4) 8' DIA. x 10' EFFECTIVE DEPTH DLP'S	
	= (1) x 42.24 CF/FT x 10 FT.	= 1,689.60 CF
	TOTAL PROVIDED	**= 6,935.36 CF**

DRAINAGE AREA F – Alley/Roadways – 25,667.26 SF

DRAINAGE REQUIRED

ROOF AREA:	0 SF x 3"/12" x 1.00	= 0 CF
IMPERVIOUS AREA:	7,548.33 SF x 3"/12" x 1.00	= 1,887.08 CF
PERMEABLE PAVER:	10,169.90 SF x 3"/12" x 0.60	= 1,525.49 CF
LANDSCAPED AREA:	7,943.58 SF x 3"/12" x 0.30	= 595.77 CF
	TOTAL REQUIRED	**= 4,008.34 CF**

DRAINAGE PROVIDED:

DRAINAGE LEACHING POOLS -	(1) 12' DIA. x 11' EFFECTIVE DEPTH DLP'S = (1) x 100.88 CF/FT x 11 FT.	= 1,109.68 CF
	(1) 12' DIA. x 10' EFFECTIVE DEPTH DLP'S = (1) x 100.88 CF/FT x 10 FT.	= 907.92 CF
	(1) 12' DIA. x 8' EFFECTIVE DEPTH DLP'S = (1) x 100.88 CF/FT x 8 FT.	= 807.04 CF
	(1) 10' DIA. x 5' EFFECTIVE DEPTH DLP'S = (1) x 68.42 CF/FT x 5 FT.	= 342.10 CF
	(1) 10' DIA. x 9' EFFECTIVE DEPTH DLP'S = (1) x 68.42 CF/FT x 9 FT.	= 615.78 CF
	(1) 10' DIA. x 7' EFFECTIVE DEPTH DLP'S = (1) x 68.42 CF/FT x 7 FT.	= 478.94 CF
	TOTAL PROVIDED	= **4,261.46 CF**

DRAINAGE AREA G – Sewage Treatment Plant/Berm – 31,495.18 SF

DRAINAGE REQUIRED

ROOF AREA:	708 SF x 3"/12" x 1.00	= 177 CF
IMPERVIOUS AREA:	0 SF x 3"/12" x 1.00	= 0 CF
LANDSCAPED AREA:	30,787.18 SF x 3"/12" x 0.30	= 2,309.04 CF
	TOTAL REQUIRED	**= 2,486.04 CF**

DRAINAGE PROVIDED:

DRAINAGE LEACHING POOLS -	(2) 12' DIA. x 12' EFFECTIVE DEPTH DLP'S = (2) x 100.88 CF/FT x 12 FT.	= 2,421.12 CF
	(1) 8' DIA. x 5' EFFECTIVE DEPTH DLP'S = (1) x 42.24 CF/FT x 5 FT.	= 211.20 CF
	TOTAL PROVIDED	**= 2,632.32 CF**

DRAINAGE AREA H – Housing Units – 58,087.09 SF

DRAINAGE REQUIRED

ROOF AREA:	14,510.56 SF x 3"/12" x 1.00	= 3,627.64 CF
IMPERVIOUS AREA:	28,550.86 SF x 3"/12" x 1.00	= 7,137.71 CF
PERMEABLE PAVER:	2,347.18 SF x 3"/12" x 0.60	= 352.08 CF
LANDSCAPED AREA:	12,678.49 SF x 3"/12" x 0.30	= 950.89 CF
	TOTAL REQUIRED	**= 12,068.32 CF**

DRAINAGE PROVIDED:

DRAINAGE LEACHING POOLS -	(2) 12' DIA. x 12' EFFECTIVE DEPTH DLP'S = (2) x 100.88 CF/FT x 12 FT.	= 2,421.12 CF
	(3) 12' DIA. x 11' EFFECTIVE DEPTH DLP'S = (3) x 100.88 CF/FT x 11 FT.	= 3,329.04 CF
	(3) 12' DIA. x 10' EFFECTIVE DEPTH DLP'S = (1) x 100.88 CF/FT x 10 FT.	= 3,026.40 CF
	(5) 10' DIA. x 11' EFFECTIVE DEPTH DLP'S = (5) x 68.42 CF/FT x 11FT.	= 3,763.10 CF
	(1) 6' DIA. x 2' EFFECTIVE DEPTH DLP'S = (1) x 22.34 CF/FT x 2 FT.	= 44.68 CF
	TOTAL PROVIDED	**= 13,131.70 CF**

DRAINAGE AREA I – Landscaped Areas – 18,051.98 SF

DRAINAGE REQUIRED

ROOF AREA:	0 SF x 3"/12" x 1.00	= 0 CF
IMPERVIOUS AREA:	0 SF x 3"/12" x 1.00	= 0 CF
LANDSCAPED AREA:	18,051.98 SF x 3"/12" x 0.30	= 1,385.01 CF
	TOTAL REQUIRED	**= 1,385.01 CF**

DRAINAGE PROVIDED:

DRAINAGE LEACHING POOLS -	(1) 8' DIA. x 8' EFFECTIVE DEPTH DLP'S = (1) x 42.24 CF/FT x 8 FT.	= 337.92 CF
	(3) 8' DIA. x 7' EFFECTIVE DEPTH DLP'S = (3) x 42.24 CF/FT x 7 FT.	= 887.04 CF
	(2) 6' DIA. x 4' EFFECTIVE DEPTH DLP'S = (2) x 22.34 CF/FT x 4 FT.	= 178.72 CF
	TOTAL PROVIDED	**= 1,403.68 CF**

As shown above, the proposed stormwater management system has been designed to store, at a minimum, runoff from a three-inch storm event, although only two inches is required per local requirements. The proposed stormwater management system represents a greater improvement over existing conditions with only minimal stormwater management infrastructure being present.

As discussed in Section 2.1.2 of this DEIS, a Sediment and Erosion Control Plan has been prepared (see Site Development Plans, *Sheets C-600* and *C-601*, included in Appendix C of this DEIS), which includes, at minimum, stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads. A Stormwater Pollution Prevention Plan (SWPPP) will be also developed for filing with the Village and NYSDEC prior to construction. During construction and after construction completion, the drainage system would be inspected in accordance with the NYSDEC SWPPP requirements, as evaluated below.

Chapter 149 of Village Code – Stormwater Management and Erosion and Sediment Control

The Village of Westhampton Beach regulates stormwater management and discharge associated with land-disturbing activities equal to or greater than one acre, or activities disturbing less than one acre of total land area that is part of a larger common plan of development. As noted in Section 2.1.2 of this DEIS, the proposed action would result in approximately 9.355± acres of land disturbance. As noted in Section 1.3.5 of this DEIS, while the proposed landscape design intends to preserve 264 trees on-site (i.e., 0.040± acre of natural woodlands), it is also proposed that groundcover seeding would be added throughout the site between the existing trees to remain. While this disturbance would be nominal and would not significantly impact the underlying soils, it has been included in the overall site disturbance as a conservative estimate.

Pursuant to §149-3(A), all land development, construction, excavation and landscaping activities defined under Chapter 149-2 are to be conducted in accordance with the performance and design criteria in §149-6. The performance standards for stormwater management, as set forth in §149-6, and consistency of the proposed plans therewith are evaluated below.

A. Technical standards. For the purpose of this chapter, the following documents shall serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this chapter:

(1) The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the "Design Manual").

(2) New York Standards and Specifications for Erosion and Sediment Control (Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the "Erosion Control Manual").

The proposed Drainage and Grading Plan and Sediment and Control Plan have been developed and designed in accordance with the Village Code, as well as the standards and specifications of the New York State Stormwater Management Design Manual (NYSDEC, 2015) (Design Manual) as well as the New York Standards and Specifications for Erosion and Sediment Control (NYSDEC, 2016) (Erosion Control Manual). A SWPPP would also be prepared to ensure compliance with erosion and sediment control practices set forth in the Erosion Control Manual Design Manual.

B. Equivalence to technical standards. Where stormwater management practices are not in accordance with technical standards, the applicant or developer must demonstrate equivalence to the technical standards set forth in § 149-6A and the SWPPP shall be prepared by a licensed professional.

The proposed Drainage and Grading Plan and Sediment and Control Plan have been developed and designed in accordance with the Village Code, as well as the standards and specifications of the Design Manual and Erosion Control Manual, respectively. The SWPPP will be prepared by a licensed professional. As such, the proposed action is consistent with this provision.

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

The nearest surface water body feature is Aspatuck River located 0.23 mile east of the subject property. The proposed Sediment and Erosion Control Plan includes water quality protection provisions, including but not limited to, stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads. Thus, the proposed action is not expected to cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of the State of New York.

Based upon the above analyses, the proposed development plans are consistent with the goals and standards set forth in Chapter 149 of the Village Code.

Overall, the proposed action would decrease the volume of stormwater runoff generation and there would be adequate storage capacity to accommodate all stormwater runoff on-site. The stormwater infrastructure proposed to be installed would provide substantially greater capacity as compared to the existing condition with no drainage infrastructure and flooding issues on the surrounding adjacent properties.

SPDES General Permit for Stormwater Discharges from Construction Activity (NYSDEC GP 0-20-001)

The SPDES General Permit requires a SWPPP for the proposed development, which is to include a detailed erosion and sediment control plan to manage stormwater generated on-site during construction activities, as well as for post-construction stormwater management. In accordance with said regulations, a SWPPP would be prepared to ensure compliance with erosion and sediment control practices set forth in the Erosion Control Manual, as well as the water quality and quantity requirements set forth in the Design Manual.

As indicated on the proposed Sediment and Erosion Control Plan (see *Sheets C-600* and *C-601* included in Appendix C of this DEIS), the proposed action includes the following measures: stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads. As required as part of the GP 0-20-001 permit conditions, the project site will be inspected by a certified SWPPP inspector a minimum of once per week during construction. The inspections will verify the effectiveness and status of the aforementioned measures and identify any measures that need to be maintained, replaced or modified to improve performance. Prior to filing the Notice of Termination (NOT), the site will be inspected, and all permanent storm water systems will be cleaned of accumulated debris as necessary.

As coverage under the GP 0-20-001 would be obtained, and the aforementioned erosion and sedimentation control measures would be implemented as part of the proposed action, no significant adverse erosion, sedimentation or stormwater impacts are expected from implementation of the proposed action.

Water Resources Plans

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

The *208 Study* set forth the relevant highest priority area wide alternatives for Zone V:

- *Minimize population density by encouraging large lot development (one dwelling unit/one or more acres), where possible to protect the groundwater from future pollutant loadings.*
- *Control stormwater runoff to minimize the transport of sediments, nutrients, metals, organic chemicals and bacteria to surface and ground waters.*
- *Reduce the use of fertilizers on turf. Promote the use of low-maintenance lawns.*

Regarding density, the utilization of the proposed STP with an effluent of 7 mg/L would result in a nitrogen loading that is approximately 1.464 lbs. /day less than the As-of-Right development. This difference equates to approximately 533 lbs. /year less nitrogen than if the property were developed As-of-Right. Therefore, while the proposed is of higher density, the nitrogen loading is approximately one-third of the nitrogen loading if the property were developed As-of-Right.

As described above in this section, the proposed development also includes a comprehensive stormwater management plan to contain and recharge all stormwater runoff on-site. Three biofiltration swales would be created throughout the site to manage stormwater runoff, filter pollutants associated with runoff from impervious surfaces, and increase rainwater infiltration. The proposed landscaping would be irrigated through a "smart system" which would be installed with a drip line to prevent evaporation as well as rain sensors for unnecessary watering. The proposed landscaping plan would also consist of native and/or drought-tolerant plants and groundcover to promote conservation and compliance with the SCWA Water Conservation Plan.

Overall, based upon the above analyses, the proposed development plans are consistent with the goals and standards set forth in the *208 Study*.

Suffolk County Comprehensive Water Resources Management Plan

The recommendations outlined in the *Suffolk County Comprehensive Water Resources Management Plan* were focused on Nitrogen, VOC's, PCP's and Potable Supply. These recommendations were municipally minded as the recommendations revolved around additional studies, developing new regulations and code changes, public outreach and education and creating a reliable funding stream to fund recommended projects. However, the overall intent of the plan is to reduce the overall levels of contaminants, such as fertilizers, pesticides and nitrogen in our ground and surface wasters.

The proposed plan complies with the intent of the *Suffolk County Comprehensive Water Resources Management Plan*, since it incorporates the use of an STP to reduce nitrogen loading from wastewater. The proposed STP would provide treatment to a greater degree than an I/A OWTS recommended in the plan. With respect to nitrogen loads from fertilizers, while the BURBs model was calculated utilizing a rate of 2.04 lbs./1,000 SF, the proposed action is expected to utilize less than this amount once the lawn areas are established. As noted above, fertilization rates are expected to be reduced to 1.00 lbs./1,000 SF. The proposed development would also utilize local landscape professionals for turf and landscape care, unlike typical residences where fertilizers may be over applied. With respect to pesticides, the landscaped areas would be treated organically at first; if the organic treatment fails then specific, approved pesticides would be utilized. The application of these pesticides would be limited to the impacted areas and would not be spread across all of the landscaped areas.

Based upon the above analyses, the proposed development plans meet the overall intent of the *Suffolk County Comprehensive Water Resources Management Plan*.

Nationwide Urban Runoff Program (NURP)

The relevant recommendations from the *NURP Study,* as it pertains to stormwater runoff for the protection of groundwater and surface water resources, are as follows along with the proposed project's consistency therewith.

Groundwater Resources

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

The proposed action would utilize three biofiltration swales to manage stormwater runoff, filter pollutants associated with runoff from impervious surfaces, and increase rainwater infiltration. Two biofiltration swales would be created along the southern portion of the subject property, south of the community center and recreational facilities and south of those residential units on the southeast side of the subject property. Another biofiltration swale would be located to the west of the recreational facilities.

- *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 catch basins and drywells to assist in infiltration of stormwater into the ground. Three biofiltration swales are also proposed to be created throughout the subject property to manage stormwater runoff, filter pollutants associated with runoff from impervious surfaces, and increase rainwater infiltration. Additionally, the proposed alleys will be constructed of permeable pavers to allow for stormwater to be directly recharged from these areas. Upon completion of the proposed development, the HOA 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. The proposed action is not an industrial use such that no illegal discharges associated with the improper storage of chemicals would be expected.

Surface Water Resources

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

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

- *Protect stream corridors from encroachment, so that the stream reaches that will become dry because of the lowering of the water table due to sewering will always be available for stormwater detention and recharge.*

The subject property does not contain, nor is it located adjacent to any stream corridors. Thus, this recommendation is not applicable.

Nonpoint Source Management Handbook

The relevant recommendations provided in the *Nonpoint Source Management Handbook* were reviewed and a discussion of the proposed project's consistency therewith follows:

Chapter One - Land Use

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

Implementation of the proposed action would involve the clearing of 2.684± acres of the existing 2.725± acres of woodlands and brush. However, 3.977± acres of lawn and landscaped areas would be installed with native and/or adaptive, low-maintenance and drought tolerant species. Furthermore, 264 trees out of the existing 657 trees (approximately 40 percent averaging 0.040± acre of the subject property) would be retained under the proposed action. As such, the proposed action is consistent with this recommendation.

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

As shown on the Site Landscape Plan (see *Sheets LS-1* and *LS-2* in Appendix C), the proposed project would incorporate low-maintenance, native plant species for landscaping. As such, the proposed landscaping is expected to minimize the need for fertilizer and pesticide application which would decrease the potential for a presence of such constituents within stormwater runoff to the maximum extent practicable.

Chapter Two - Stormwater Runoff

As excerpted from the Recommendations section of Chapter Two (pages 33-36), the following are recommendations relevant to the site planning and design of a stormwater management system:

- *Minimize grade changes and site clearing*
- *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.*
- *Incorporate the following general stormwater controls checklist into the site design as needed:*

- *Use swales and shallow depressions to collect stormwater on-site, wherever possible.*
- *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 construction or operational phase of site development to leave the site or to be discharged into stream corridors, marine or freshwater wetlands.*
- *Do not allow the dumping or filling of excess soil or other materials generated from site development into swales and surface waters.*
- *Minimize the amount of soil area exposed to rainfall and the period of exposure. Cover or plant exposed soils as soon as possible.*

The following are recommendations relevant to stormwater management during site development (pages 43-52):

Natural Vegetation

- *Use natural vegetation as an important nonstructural alternative in the control of stormwater runoff and erosion/sedimentation.*
- *Stabilize exposed slopes during and after construction, by using temporary and/or permanent, structural or nonstructural stabilization measures.*

Drainage Channels

- *Use man made swales and other types of drainage channels to carry and recharge stormwater.*

Biofiltration Systems

- *Use a biofiltration system to detain runoff and reduce contaminant loadings.*

In-line Storage

- *Use an in-line storage system for the collection of stormwater runoff from parking lots and roadways.*

Permeable Paving

- *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.*

Soil and Slope Stabilization Measures

- *Use stabilization techniques to prevent erosion.*

In accordance with the above recommendations, a Proposed Grading and Drainage Plan has been prepared (see *Sheet C-200* of the Site Development Plans in Appendix C). Subsurface leaching structures and a network of catch basins and drywells would be installed and distributed throughout

the subject property to collect and recharge stormwater runoff from impervious areas. Downspouts will be used to convey stormwater runoff from roofs to the leaching structures. Drywells would be installed in the front and side yards of the buildings, along the proposed internal roadways and parking areas and centered in between the community center and recreational areas. Catch basins would be installed along curb inlets to divert stormwater into the system of drywells. A total of three biofiltration swales would also be created to detain runoff and reduce contaminant loadings. Two biofiltration swales would be created along the southern portion of the subject property, south of the community center and recreational facilities and south of those residential units on the southeast side of the subject property. A third biofiltration swale would be located to the west of the recreational facilities. The biofiltration swales are proposed to contain various types of vegetation as shown on the Site Landscape Plan (see *Sheets LS-1* and *LS-2*, in Appendix C).

Upon implementation of the proposed action, the proposed grading program and design would generally maintain the current site elevation. The proposed action would retain existing woodlands, specifically, 264 trees out of the existing 657 trees (approximately 40 percent or 0.040± acre of the subject property) would be retained. The area landscaped vegetation would increase by 3.997± acres from existing conditions of 0 acre, while the area of impervious surfaces would decrease by 1.784± acres from existing conditions (totaling 4.846± acres). The proposed development would also incorporate approximately 0.492 acre of permeable pavement in the proposed alleys.

Sedimentation and erosion control measures would be employed during construction in accordance with the Sediment and Erosion Control Plan that has been prepared (see *Sheets C-600* and *C-601* Appendix C). As indicated on the Sediment and Erosion Control Plan, erosion and sedimentation controls would be undertaken prior to and during construction and would include, at minimum, stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads. Also, all existing trees to be retained would be clearly marked with silt fencing and/or tagging to prevent removal during the site clearing phase. All erosion and sediment control measures would be routinely inspected and maintained such that no sediment would be transported off-site. These erosion and sedimentation controls would minimize the potential impacts associated with site development and construction activities to ensure proper function.

Chapter Three - On-Site Systems

- *Follow County Health Department guidelines.*

  The proposed STP would be designed and installed with all appropriate standards, regulations and guidelines of the Suffolk County Department of Health Services. As such, the proposed action would be consistent with this recommendation.

Chapter Five - Fertilizer

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

Due to the extensive disturbance at the subject property to accommodate the previous asphalt processing plant development, natural grades have been altered and the site is relatively flat. As indicated above, approximately 3.977± acres of lawn and landscaped areas would be created throughout the subject property (see Site Landscape Plan*, Sheets LS-1* and *LS-2* in Appendix C). Furthermore, 264 trees out of the existing 657 trees (approximately 40-percent averaging 0.040± acre of the subject property) would be retained under the proposed action. To mitigate impacts from site disturbance, the subject property would be seeded as soon as possible after sitework is completed. Furthermore, the proposed landscaping would incorporate low-maintenance, native plant species. As such, the proposed landscaping is expected to minimize the need for fertilizer and pesticide application. Thus, the proposed project is consistent with this recommendation.

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

  The species listed on the Site Landscape Plan (see *Sheets LS-1* and *LS-2* in Appendix C) include only native and/or adaptive, low-maintenance and drought tolerant species, which would reduce the need for fertilizer application, irrigation, other nutrient inputs and other maintenance. As such, the proposed action is consistent with this recommendation.

The South Shore Estuary Reserve Comprehensive Management Plan

As described above, the SSER encompasses a large geographical extent and a wide range of issues related to the protection and enhancement of the estuary's resources (i.e., natural, recreational, economic and ecological). However, upon review of the SSER Comprehensive Management Plan, many of the analyses and recommendations are not applicable to the proposed action. The relevant findings and recommendations of the SSER Comprehensive Management Plan are related to stormwater management and on-site wastewater management. A consistency analysis of the proposed action with the relevant recommendations of the SSER Comprehensive Management Plan follows:

- *Adopt best management practices to control drainage, erosion and sedimentation prior to and during construction.*

  As part of the proposed action, the proposed development would adopt best management practices to control drainage, erosion and sedimentation prior to and during construction. See Section 2.2.2. Stormwater Runoff and Drainage, above, for an in-depth discussion about the proposed projects best management practices for controlling drainage, erosion and sedimentation.

- *Adopt best management roadway operation and maintenance.*

  The internal roadways and alleys are proposed to remain private, thus they would be privately maintained by the community's HOA to ensure the continued operation and functionality. It is expected that the HOA would be in contract with a licensed company for snow removal and proper maintenance. During a snowstorm event, it is expected that a licensed snow removal company may use sand for road safety and road salt would be minimally used as deemed necessary to maintain

pedestrian traffic safety. Snow shovels and snow blowers are also expected to be used. Any hazards along the roadways (e.g., potholes, cracked pavement, etc.) would be fixed on an as needed basis. Furthermore, the project residents would pay into the HOA fee, a portion of which would be used for the maintenance of the roadways and alleys. The proposed action would be consistent with this recommendation of the SSER Comprehensive Management Plan.

- *Adopt best management practices that reduce the environmental effects of on-site wastewater treatment systems (OWTS).*

  The proposed development does not include an on-site wastewater treatment system (OWTS), but rather an on-site STP to treat wastewater. The STP would be a package unit that would be buried such that only six to eight inches of the tank are above grade preventing any debris and/or stormwater from entering the treatment system. Additionally, a control building would be installed to house the aeration blowers, odor control equipment and the operator's laboratory space. The selected process and these types of systems have demonstrated that sewage effluent meets the NYSDEC SPDES requirements for reduction of nitrogen and suspended solids. See Section 2.2.2., Groundwater Quality, above, for an in-depth discussion about the project's proposed best management practices for reducing environmental impacts from the proposed STP.

- *Ensure compliance with existing State Pollution Discharge Elimination System (SPDES) permits.*

  The proposed development would comply with the GP-0-20-001 SPDES permit. As such, the proposed development is in keeping with this recommendation.

Overall, based on the above analyses, the proposed action would be consistent with the relevant provisions of the SSER Comprehensive Management Plan. Furthermore, it is expected that the proposed infrastructure would improve stormwater management on the subject property as compared to existing conditions providing an overall benefit to the SSER resources.

Surface Waters and Wetlands

Protection of the surface waters of Aspatuck Creek and River and Quantuck Creek and Bay are covered under several of the aforementioned plans, such as the NYSDEC General Permit for Stormwater Discharges, the *208 Study*, and the *Suffolk County Compressive Water Resources Management Plan*. Based upon these plans, surface water could be impacted by a number of different sources from proposed development such as:

- Increased Nitrogen Loading
- Pesticide Application
- Stormwater Discharges

As discussed in the sections above, the proposed development mitigates the potential impacts with a variety of different methods. A STP is proposed to reduce the nitrogen loading from wastewater on the site and will be developed in accordance with SCDHS Article 6 regulations. There are no regulated wetlands on or adjacent to the site, and thus, no significant adverse impacts to such resources would

occur. Furthermore, as the subject property is not located within a floodplain, no flooding impacts would occur.

Climate Change

Pursuant to 6 NYCRR §617.9(b)(5)(iii)(i), "measures to avoid or reduce both an action's impacts on climate change and associated impacts due to the effects of climate change such as sea level rise and flooding" must be addressed. With respect to the projects impact on climate change, the buildings will be designed in accordance with the NYS Building and Energy Codes. Items like site lighting, are proposed to be LED fixtures, which will reduce energy consumption. The project also proposes to treat its wastewater via a sewage treatment plant, which reduces the nutrient loading to both the groundwater and surface waters.

To determine if the property would be impacted by sea level rise, the New York State Energy Research and Development Authority (NYSERDA) Sea Level Rise Viewer was consulted. The viewer models sea level change up to a 72-inch increase with recurrence intervals of 10-, 50-, 100-, and 500-year intervals (see Figure 16 in Appendix A). According to the viewer, the property is not directly impacted by sea level rise. As the sea level rises so would the groundwater elevation. Given the current average depth to groundwater of 36±-ft bgs, even a 60-inch (five-ft) increase in groundwater would not impact the project with a recurrence interval of 50 years. Both the leaching system for the proposed sewage treatment plant and the storm drainage systems would still maintain the minimum three (3)-ft separation below the bottom of the structures and groundwater.

2.2.3 Proposed Mitigation

No significant adverse impacts to water resources have been identified, and thus, mitigation is not required. A summary of the measures included in the proposed project that effectively to minimize or eliminate any potential adverse impacts follows:

- The proposed action includes the construction of a STP to accommodate all sanitary waste from the development. The proposed BESST system has demonstrated that effluent meets the NYSDEC SPDES requirements for reduction of nitrogen and suspended solids. Adequate space has also been allocated for the 100% expansion of the treatment plant and leaching pools in accordance with SCDHS requirements. Groundwater monitoring wells would also be installed both upstream and downstream of the effluent disposal system to monitoring groundwater quality. Additionally, as required by the SPDES permit a full-time operator will be present each day to make process adjustments to ensure the performance of the STP is optimized.

- The proposed action includes the installation of a stormwater management system that will contain and recharge stormwater from a three-inch rain event. The proposed stormwater management controls will include both structural infiltration (drywells and catch basins) and non-structural methods (biofiltration swales) for infiltration.

- The proposed Sediment and Erosion Control Plan will include, at minimum, stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and

sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads. Prior to construction, a SWPPP will be prepared and will address additional items during construction such as concrete washout areas, temporary stabilization, and erosion and sediment maintenance and inspection procedures.

- All irrigation would be supplied from the SCWA public water system. To reduce irrigation needs, the proposed project will utilize a smart irrigation control system to reduce or eliminate the use of the irrigation system during periods of rain as well as incorporate drought tolerant plantings into the landscape plan to promote conservation and compliance with the SCWA Water Conservation Plan.

- Approximately 40 percent of all existing trees on-site (or 0.040± acre of the site) will be maintained as part of the proposed action.

- All landscaped areas will be professionally maintained by a local landscape contractor. It is expected that the landscaped areas would be cared for in an organic manner at first with the use of specific, approved pesticides only in the event that organic treatment methods are not sufficient. Pesticides will be applied only to impacted areas and in accordance with manufacturer recommendations to reduce the impact on the environment.

3.0 HUMAN ENVIRONMENTAL RESOURCES

3.1 Transportation

3.1.1 Existing Conditions

Introduction

VHB prepared a TIS to evaluate the existing roadway conditions, the potential impacts of the proposed action and to identify mitigation measures, as necessary. A summary of the TIS follows and the report in its entirety is included in Appendix K of this DEIS.

Study Methodology

As indicated in the TIS, the comprehensive evaluation of the potential transportation impacts that are summarized herein and included in its entirety in Appendix K of this DEIS, were prepared in accordance with the Final Scope for the DEIS and included the following:

- Review of the site plan and related project documents;
- Review of the adjacent roadway system and the key intersections that could potentially be impacted by the proposed development;
- Field inventories of the number and direction of travel lanes at the key intersections;
- Collection of (a) turning movement counts using Miovision cameras at the key intersections during the Weekday AM Peak Period, Weekday PM Peak Period, Midday Saturday Peak Period and Midday Sunday Peak Period, and (b) 24-hour traffic volumes in both directions on Rogers Avenue were obtained using Automatic Traffic Recorders (ATR);
- Review and evaluation of the most recent three (3) years of accident data from the New York State Department of Transportation (NYSDOT) in the vicinity of the subject property;
- Existing traffic volumes (2020 Existing) were expanded to future 2023 No-Build with Other Planned Developments and 2023 Build conditions;
- Intersection capacity analyses of the key intersections were performed for 2020 Existing, 2023 No-Build and 2023 Build conditions; and
- Evaluation of the site access, parking, on-site circulation and public transportation options.

Roadway and Intersection Conditions

The principal roadways within the TIS study area include Montauk Highway (CR 80), Old Riverhead Road (CR 31), Rogers Avenue, Rogers Avenue Extension and Hazelwood Avenue. The key intersections within the TIS study area include the following:

1. Old Riverhead Road (CR 31) at Montauk Highway (CR 80) - Signalized Intersection
2. Old Riverhead Road (CR 31) at Rogers Avenue Extension - Unsignalized Intersection
3. Rogers Avenue Extension at Hazelwood Avenue – Unsignalized Intersection
4. Rogers Avenue at Montauk Highway (CR 80) - Unsignalized Intersection

5. Rogers Avenue Extension at Asphalt Plant Access/Rogers Avenue - Unsignalized Intersection

Figure 2 of the TIS illustrates the key intersections within the study area.

Existing Traffic Volume Data

Intersection turning movement counts at the key intersections were collected on Wednesday August 12, 2020 during the Weekday AM Peak Period (7:00 a.m. to 9:00 a.m.), and Weekday PM Peak Period (4:00 p.m. to 6:00 p.m.) and on Saturday August 15, 2020 during the Midday Peak Period (11:00 a.m. to 3:00 p.m.). Sunday turning movement counts were also collected on Sunday August 30, 2020 during the Midday Peak Period (11:00 a.m. to 3:00 p.m.). As indicated in the TIS (page 14), the aforementioned peak time periods "typically reflect the heaviest traffic flows coinciding with commuter and shopping activities as well as those of the proposed development. Data collection during the peak summer season in the area, which experiences significant seasonal increases in activity in the summer months, reflects the critical time of year for peak traffic conditions." Figures 3 and 4 of the TIS illustrate the existing peak hour traffic volumes for the Weekday and Weekend (Saturday and Sunday) peak periods, respectively.

It is noted that the Final Scope required the collection and analysis of traffic data in October 2020 if schools within the study area had reopened and were operating normally. However, due to the continuing response to the COVID-19 Pandemic, the area schools were found to be adhering to atypical schedules. Accordingly, discussions were held with the consultants to the Village and it was concluded that an October analysis would not be representative of a typical school year and also would not provide significantly useful information beyond that for the summer peak in the evaluation of potential traffic impacts. As such, this element of the Final Scope was eliminated by the Village consultants as being necessary for the TIS.

In addition to the traffic movement counts at the key intersections, 24-hour traffic volumes in both directions on Rogers Avenue were obtained using Automatic Traffic Recorders (ATR). The ATR was installed on Rogers Avenue, approximately 1,300-ft north of Montauk Highway (CR-80), for a period of 7 days from Monday August 10th, 2020 to Monday August 17, 2020. As required by the Final Scope, the ATRs were also utilized to collect vehicle travel speeds and vehicle classification, the latter in accordance with the 15 classes of vehicles defined by the Federal Highway Administration (FHWA). Appendix A of the TIS includes the complete set of ATR volume, speed and classification data, with a summary of the seven (7) day count provided in Tables 1 through 4 of the TIS. A graphical representation of the volume data throughout the counts is provided in Figure 5 of the TIS.

Rogers Avenue Traffic and Cut-Through Discussion

The residents of the neighborhood that includes the site of the proposed development have expressed concerns regarding Rogers Avenue and Rogers Avenue Extension being use as a "cut-through" by non-residents of the area who may be using neighborhood streets to avoid congestion at the intersection of Montauk Highway at Old Riverhead Road. The configuration of Rogers Avenue and the Rogers Avenue Extension presents a potential opportunity for area traffic to cut through from Montauk Highway to Old Riverhead Road and vice versa, in order to avoid congestion at the primary intersection of the two

roadways. It is noted here that, to whatever degree this cut-through traffic may be using these roadways, the development proposed under this project will not result in any increases in this type of traffic.

To attempt to determine the degree to which this cut-through traffic is occurring, a further examination of the vehicle turning movement data and ATR data, which was collected, as described previously, was undertaken for this purpose.

To perform this analysis, the ATR data was reviewed to determine the time period during the weekday and weekend peak periods when the average two-way traffic on Rogers Avenue was highest. In doing so, the two-way volumes could then be related to the volume of traffic at each individual intersection for the same period of time. The peak hour traffic volumes and two-way ATR volumes for the common weekday a.m. and weekday p.m. peak hours are shown on Figure 6 of the TIS and the peak hour traffic volumes and two-way ATR volumes for the common Saturday and Sunday midday peak hours are shown on Figure 7 of the TIS in Appendix K of this DEIS.

Based upon review of the approximate volumes shown in Figure 6 and 7, as fully described in the TIS in Appendix K of this DEIS, in general it can be concluded that the volume of cut-through traffic amounts to, at most, 1 vehicle in either direction every two minutes. The high majority of traffic using these neighborhood streets is originating and destined to residential homes and some commercial businesses located there.

Rogers Avenue Speed Study

As noted earlier, the TIS collected vehicle speed information on Rogers Avenue approximately 1,300-ft north of the intersection of Montauk Highway (CR 80) and Rogers Avenue in order to respond to concerns related to motorists driving at excessive speed to or from Montauk Highway (CR 80) and Old Riverhead Road (CR 31) via Rogers Avenue. When considering speed data, the 85th percentile speed is typically the most pertinent piece of information to analyze. The 85th percentile speed is the speed at which 85 percent of the traffic stream is traveling at or below and is used in traffic engineering and roadway design, including in the setting of speed limits. Summaries of the ATR speed data are provided in Appendix A of the TIS.

Based on the collected data, the 85th percentile speed was found to be 33 miles per hour (MPH) in the northbound direction of travel and 35 MPH in the southbound direction of travel, exceeding the posted speed limit on Rogers Avenue by 8 MPH and 10 MPH respectively. The average (mean) speed at this location on Rogers Avenue was found to be 28 MPH northbound and 30 MPH southbound. While these speeds are noted to be in excess of what is posted, they are not atypical for residential roadways.

As explained in the TIS, in the absence of significant levels of speed enforcement, motorists tend to drive at a speed at which they are comfortable that reflects the nature of the roadway and not the posted speed limit. A review of the geometry on Rogers Avenue shows that the width of paved roadway is generally 26 to 28-ft. Accounting for parked vehicles in the residential areas where parking is permitted, this width tends to reduce travel speeds as opposed to wider roadways as motorists drive in a manner consistent with the roadway environment. Refer to Section 3.1.2 of this DEIS for a discussion on the traffic control measures to be implemented at the intersection formed by the Site Access Driveway and Rogers Avenue.

Accident History

As indicated in the TIS, accident data from the NYSDOT Accident Location Information System (ALIS) records for the most recent available three-year period were requested. Also, Accident Verbal Description Reports (VDRs) for the period between September 1, 2016 and August 31, 2019 were requested for the following roadway segments that contain all study intersections:

- The segment of Old Riverhead Road (CR 31) from Montauk Highway (CR 80) to Rogers Avenue Extension
- The segment of Rogers Avenue Extension from Old Riverhead Road (CR 31) to Asphalt Plant Access/Rogers Avenue
- The segment of Rogers Avenue from Asphalt Plant Access/Rogers Avenue to Montauk Highway (CR 80)

The request for accident data included the segments of roadway for Rogers Avenue, Rogers Avenue Extension, and the study intersections; however, the NYSDOT indicated that there were no reportable accidents for Rogers Avenue, Rogers Avenue Extension or Hazelwood Avenue that were not associated with the intersections at Old Riverhead Road (CR 31) or Montauk Highway (CR 80). All accident data is provided in Appendix B of the TIS and summarized in Table 5 of the TIS. Appendix B of the TIS also includes the map provided by the NYSDOT for the location of reportable accidents within the study area

As indicated in the TIS, based on the accident data history available, no fatal accidents occurred at any of the segments studied within the three-year study period. At the study intersection of Old Riverhead Road (CR 31) / Oak Street and Montauk Highway (CR 80), a total of 27 accidents were reported to have occurred during the three-year study period. The accident type that occurred with the highest frequency was "overtaking" (11 accidents – 40.7-percent), which could suggest an accident pattern. A closer look showed that the overtaking accidents were dispersed along each approach and that "Driver Inattention" and "Failure to Yield Right of Way" were apparent factors of nine (9) of the 11 accidents. Therefore, the data suggests there is not a decipherable accident pattern at this location and that the accidents are primarily the result of driver error.

Along the segment of Montauk Highway (CR 80) between Old Riverhead Road (CR 31) and Rogers Avenue, a total of 15 accidents were reported to have occurred during the three-year study period. The accident type that occurred with the highest frequency was "right angle" (eight [8] accidents – 53.3-percent), which could suggest an accident pattern. A closer look showed that the right-angle accidents were dispersed along each approach and that "Driver Inexperience" and "Failure to Yield Right of Way" were apparent factors of six (6) of the eight (8) accidents. Therefore, the data suggests there is not a decipherable accident pattern at this location and that the accidents are primarily the result of driver error.

The remainder of the intersections and segments within the study area did not experience a significant volume of accidents throughout the three-year period examined.

3.1.2 Potential Impacts

No-Build Condition

The 2023 No-Build condition includes all existing traffic and any new traffic due to background traffic growth and any other significant planned developments in the immediate vicinity of the project site. Based on information provided by the Village and through discussions with the Village consultants, there were 11 other planned developments identified for potential consideration in the 2023 No-Build condition. A summary of the 11 other planned developments follows in the sub-section below.

Other Planned Developments

A summary, including status, of the 11 other planned developments follows.

1. 55 Old Riverhead Road, LLC - Proposed senior living residential development with 16 units located at 55 & 59 Old Riverhead Road. It was determined that this project is still under review and would not be open and operating by the 2023 Build Year. As such, the traffic was not included in the No-Build condition.

2. Beechwood Westhampton, LLC - Proposed change-of-zone application for multifamily residential development with 52 units situated at 44 & 60 Depot Road in the Village of Westhampton Beach. It was determined that this project is still under review and would not be open and operating by the 2023 Build Year. As such, the traffic was not included in the No-Build condition.

3. Patio Gardens – Proposed multifamily residential development with 48 units situated at 12, 22, & 88 Montauk Highway in Westhampton Beach. This project was removed from Planning Board consideration on June 23, 2016 following a prolonged period of inactivity. It was determined that this project would not be open and operating by the 2023 Build Year. As such, the traffic was not included in the No-Build condition.

4. 112 WHB, LLC - Proposed community center development situated at 112 Old Riverhead Road in Westhampton Beach. This project is still undefined with no specific development plan being set. It was determined that this project is not close to approval and would therefore not be open and operating by the 2023 Build Year. As such, the traffic was not included in the No-Build condition.

5. Avador - Proposed 11,000 SF commercial building. Due to the size and type of this development, it is unlikely to generate significant volumes of traffic. Accordingly, it was assumed to be reflected in the background growth factor applied to translate the 'Existing' Traffic volumes to the 2023 Build Year.

6. Musnicki – Proposed commercial building. Due to the size and type of this development, it is unlikely to generate significant volumes of traffic. Accordingly, it was assumed to be reflected in

the background growth factor applied to translate the 'Existing' Traffic volumes to the 2023 Build Year.

7. New Office Building - Proposed small office building on the east side of Old Riverhead Road just north of the existing gasoline station at the northeast corner of its intersection with Montauk Highway. Due to the small size and type of this development, it is unlikely to generate significant volumes of traffic. Accordingly, it was assumed to be reflected in the background growth factor applied to translate the 'Existing' Traffic volumes to the 2023 Build Year.

8. HCMC - Proposed 3,796 SF general and special trade contractor's office at 51 Old Riverhead Road. Due to the size and type of this development, it is unlikely to generate significant volumes of traffic. Accordingly, it was assumed to be reflected in the background growth factor applied to translate the 'Existing' Traffic volumes to the 2023 Build Year.

9. James Traynor – Proposed 13,408 SF general and special trade contractor's office at 91 Old Riverhead Road. Due to the size and type of this development, it is unlikely to generate significant volumes of traffic. Accordingly, it was assumed to be reflected in the background growth factor applied to translate the 'Existing' Traffic volumes to the 2023 Build Year.

10. 804F Realty Corp (Valero) – Proposed renovation to an existing service station situated at 112 Montauk Highway to converting an existing 1,936 SF building into a convenience store. This proposed planned development is estimated to generate a net of 84 trips (entering 42 trips, exiting 42 trips) during weekday a.m. peak hour, 82 trips (entering 41 trips, exiting 41 trips) during weekday p.m. peak hour, 95 trips (entering 48 trips, exiting 47 trips) during Saturday midday peak hour, and 95 trips (entering 48 trips, exiting 47 trips) during the Sunday midday peak hour. These volumes were added to the 2023 traffic volumes on the roadways in the study area.

11. 95 & 105 Montauk, LLC - Proposed 4,300 SF fast casual restaurant with approximately 76 seats to be located at 105 Montauk Highway. This restaurant would replace a currently vacant restaurant on the same site. This proposed planned development is estimated to generate 61 trips (entering 34 trips, exiting 27 trips) during weekday a.m. peak hour, 61 trips (entering 34 trips, exiting 27 trips) during weekday p.m. peak hour, 146 trips (entering 80 trips, exiting 66 trips) during Saturday midday peak hour, and 146 trips (entering 80 trips, exiting 66 trips) during the Sunday midday peak hour. These volumes were added to the 2023 traffic volumes on the roadways in the study area.

Figures 8 and 9 in the TIS illustrate the traffic likely to be generated by the aforementioned developments.

Background Traffic Growth

The background traffic growth is to account for increases in general population and background growth not related to the proposed project. As such, an annual growth factor was applied to the existing traffic volumes. Based on NYSDOT published growth rates, the anticipated growth rate for the Village of Westhampton Beach is 1.8-percent per year. However, in consultation with the Village consultants

during preparation of the TIS, an annual growth rate of 2.8-percent was determined as an appropriate rate in order to account for the other planned developments that were not considered specifically, as included above. Therefore, an overall growth rate of 8.4-percent was utilized (i.e., 2.8-percent for 3 years) to translate the 2020 Existing volumes to the 2023 Build Year.

The growth factor was applied to the existing traffic volumes, as presented in Figures 3 and 4 of the TIS, and the traffic volumes associated with the Other Planned Developments was added to arrive at the 2023 No-Build traffic volumes. The No-Build 2023 volumes for the Weekday AM, Weekday PM, and Saturday and Sunday Midday peak hours are shown in Figures 10 and 11 of the TIS.

Build Condition

Projected Trip Generation

The TIS includes an evaluation of the 2023 Build condition along with projected trip generation rates for the proposed action. As indicated in the table below, the peak hour trips for the proposed action include: 26 total trips (6 entering, 20 exiting) during the Weekday AM Peak hour; 33 total trips (21 entering, 12 exiting) during the Weekday PM peak hour; 28 total trips (15 entering, 13 exiting) during the Saturday Midday Peak hour; and 28 total trips (15 entering, 13 existing) during the Sunday Midday Peak hour. The projected peak hour trip generation represents an average of approximately one vehicle trip every two minutes, which would not change the nature of traffic conditions on the roadways in the study area.

Table 10 - Peak Hour Trip Generation Estimates, Gross Unadjusted

Project Component	Weekday AM Peak Hour	Weekday PM Peak Hour	Saturday Midday Peak Hour	Sunday Midday Peak Hour
Multi-Family Residential ITE #220 Low-Rise 1 to 2 Levels (52 Units)	Entering 23% - 6 Trips Exiting 77% - 20 Trips Total: 26 Trips	Entering 63% - 21 Trips Exiting 37% - 12 Trips Total: 33 Trips	Entering 54% - 15 Trips Exiting 46% - 13 Trips Total: 28 Trips	Entering 54% - 15 Trips Exiting 46% - 13 Trips Total: 28 Trips

Trip Distribution and Assignment

The net trips generated by the proposed project were distributed to the adjacent roadways based on the locations of the site access point, the characteristics of the roadway system in the vicinity of the site, and the existing travel patterns in the study area. The directional distribution for the residential use was developed based on an assessment of the likely routes that residents may travel. Figure 12 in the TIS illustrates the directional distribution percentages for the project. The project-generated traffic applied to the Weekday AM and PM Peak Hours, and to the Saturday and Sunday Midday Peak Hours, are also illustrated in Figures 13 and 14 in the TIS. To determine the future Build Condition traffic volumes, the site-generated trips were added to the No-Build traffic volumes at the key intersections and the resulting

Build traffic volumes for the Weekday AM and PM Peak hours and Saturday and Sunday Midday peak hours are shown in Figures 15 and 16 in the TIS.

Site Access

Access to the proposed residential community would be maintained at the existing location of the driveway. This driveway would form the southbound approach to a proposed three-way intersection where Rogers Avenue currently shifts in direction to Rogers Avenue Extension via a horizontal curve from north-south to east-west.

Currently, and as noted in the TIS, the transition from Rogers Avenue to Rogers Avenue Extension occurs by way of a tight horizontal curve, with no traffic control on either approach and there is a yellow full barrier line that runs through the curve. As part of the proposed action, Rogers Avenue would be modified in this area to eliminate the curve and form, along with the proposed access drive to the proposed residential community, a three-way, all-way stop controlled intersection. Furthermore, as indicated previous in discussion traffic calming on Rogers Avenue, it is proposed that the intersection be all-way stop controlled. In this manner, all traffic will be under positive traffic control and be forced to stop, which will provide a safer travel condition when vehicles approach the intersection from multiple directions at one time. This all-way stop condition will also serve to slow traffic through the residential neighborhood in this area by increasing the delay through the intersection. This is desirable, in particular due to concerns expressed by residents of the area regarding excessive speed in the neighborhood, and it will help to discourage cut-through traffic from utilizing this route on Rogers Avenue to go between Montauk Highway and Old Riverhead Road. Finally, it is also proposed to install a pedestrian sidewalk along the site's frontage on Rogers Avenue, as well as to install pedestrian curbs and sidewalks at this intersection. As part of this improvement, the southwest corner of the intersection would be modified to include a tighter radius typical of area intersections, resulting in typical intersection geometry and eliminating the curve. These measures will further serve to decrease travel speeds and improve safety in the area.

Level-of-Service Analysis

As explained in the TIS, to assess the quality of traffic flow, roadway capacity analyses were conducted with respect to the 2020 Existing, 2023 No-Build and 2023 Build conditions. These capacity analyses provide an indication of the adequacy of the roadway facilities to serve the anticipated traffic demands.

The evaluation criteria used to analyze area intersections in this traffic study are based on the Highway Capacity Manual 6th Edition (HCM6). 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 quantitative measure that considers a number of factors including roadway geometry, speed, travel delay and freedom to maneuver. Level of service provides an index to the operational qualities of a roadway segment or an intersection and the 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 is also considered.

It is noted that the LOS designations, which are based on delay, are reported differently for signalized and unsignalized intersections. The detailed LOS definitions for both the signalized and unsignalized intersections are included in Appendix C of the TIS.

LOS analyses were conducted for the 2020 Existing, 2023 No-Build and 2023 Build conditions for the key signalized and 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 A of the TIS.

Signalized Intersection Analysis Results

The signalized intersection of Montauk Highway (CR 80) at Old Riverhead Road (CR 31)/Oak Street was evaluated and the results of the capacity analyses for the 2020 Existing, 2023 No-Build and 2023 Build conditions (as excerpted from Tables 7, 8, 9 and 10 from the TIS) are included below.

Table 11 – Level of Service Summary – Signalized Intersection - Weekday AM Peak Hour

Intersection Approach		Lane Group	Existing 2020		No Build 2023		Build 2023	
			Delay	LOS	Delay	LOS	Delay	LOS
Montauk Highway (CR 80) at Old Riverhead Road (CR 31)/ Oak Street	EB	L	19.3	B	22.6	C	22.8	C
		TR	33.0	C	36.3	D	36.4	D
		Approach	28.3	C	31.5	C	31.7	C
	WB	L	17.0	B	19.1	B	19.3	B
		T	39.6	D	42.7	D	43.2	D
		R	3.4	A	3.4	A	3.4	A
		Approach	25.0	C	27.0	C	27.3	C
	NB	L	20.0	C	21.5	C	21.5	C
		TR	36.9	D	38.1	D	38.1	D
		Approach	35.5	D	36.0	D	36.1	D
	SB	L	23.2	C	25.8	C	25.9	C
		TR	29.5	C	36.5	D	36.6	D
		Approach	27.2	C	32.6	C	32.7	C
	Overall		**27.7**	**C**	**31.0**	**C**	**31.2**	**C**

Table 12 – Level of Service Summary – Signalized Intersection - Weekday PM Peak Hour

Intersection Approach		Lane Group	Existing 2020		No Build 2023		Build 2023	
			Delay	LOS	Delay	LOS	Delay	LOS
Montauk Highway (CR 80) at Old Riverhead Road (CR 31)/ Oak Street	EB	L	23.5	C	28.7	C	29.1	C
		TR	30.2	C	32.2	C	32.3	C
		Approach	27.8	C	31.0	C	31.1	C
	WB	L	17.9	B	19.0	B	19.0	B
		T	49.3	D	54.8	D	54.9	D
		R	2.9	A	3.1	A	3.2	A
		Approach	32.2	C	35.6	D	35.7	D
	NB	L	25.1	C	28.6	C	28.8	C
		TR	48.3	D	50.5	D	51.2	D
		Approach	45.6	D	47.5	D	48.1	D
	SB	L	35.2	D	45.3	D	46.2	D
		TR	40.5	D	52.7	D	53.2	D
		Approach	38.7	D	50.2	D	50.8	D
	Overall		**35.2**	**D**	**40.7**	**D**	**41.0**	**D**

Table 13 – Level of Service Summary – Signalized Intersection – Saturday Midday Peak Hour

Intersection Approach		Lane Group	Existing 2020		No Build 2023		Build 2023	
			Delay	LOS	Delay	LOS	Delay	LOS
Montauk Highway (CR 80) at Old Riverhead Road (CR 31)/ Oak Street	EB	L	25.7	C	30.1	C	30.5	C
		TR	48.3	D	51.9	D	52.1	D
		Approach	41.6	D	45.5	D	45.7	D
	WB	L	25.2	C	36.1	D	36.8	D
		T	48.4	D	50.1	D	50.3	D
		R	3.3	A	3.1	A	3.1	A
		Approach	33.6	C	36.6	D	36.8	D
	NB	L	23.0	C	28.8	C	28.9	C
		TR	44.0	D	50.2	D	50.6	D
		Approach	42.0	D	47.2	D	47.5	D
	SB	L	33.3	C	53.2	D	54.0	D
		TR	42.1	D	67.6	E	68.8	E
		Approach	39.1	D	62.8	E	63.9	E
	Overall		**38.7**	**D**	**48.5**	**D**	**49.0**	**D**

Table 14 – Level of Service Summary – Signalized Intersection – Sunday Midday Peak Hour

Intersection Approach		Lane Group	Existing 2020		No Build 2023		Build 2023	
			Delay	LOS	Delay	LOS	Delay	LOS
Montauk Highway (CR 80) at Old Riverhead Road (CR 31)/ Oak Street	EB	L	21.5	C	25.5	C	25.5	C
		TR	37.4	D	50.5	D	50.3	D
		Approach	32.7	C	43.0	D	42.8	D
	WB	L	21.1	C	28.0	C	28.1	C
		T	41.7	D	46.1	D	46.0	D
		R	3.8	A	3.6	A	3.5	A
		Approach	27.7	C	31.3	C	31.2	C
	NB	L	18.8	B	21.5	C	21.7	C
		TR	34.4	C	33.9	C	35.5	D
		Approach	32.8	C	31.3	C	33.4	C
	SB	L	21.7	C	22.4	C	24.1	C
		TR	35.6	D	44.9	D	45.1	D
		Approach	31.5	C	38.5	D	39.1	D
	Overall		**31.0**	**C**	**36.9**	**D**	**37.1**	**D**

As indicated in the signalized intersection analysis results, the peak hours in the 2023 Build Condition, from an overall perspective, are consistent with the results in the 2023 No-Build Condition. Furthermore, when examining each individual turning movement and approach studied, the only movement that demonstrated a change in LOS was the northbound through/right-turn movement during the Sunday Midday Peak hour. During this time, the movement in question is anticipated to change from LOS C to D. However, this change is due to an increase in delay of only 1.6 seconds as the operation of the movement in the No-Build condition is close to the threshold between LOS C and LOS D. Accordingly, the increase in delay would not be perceptible to motorists and this is not considered a significant impact. As a result, the TIS has determined that no mitigation is required.

Unsignalized Intersections Analysis Results

The unsignalized intersections of Rogers Avenue Extension at Old Riverhead Road (CR 31), Rogers Avenue Extension at Hazelwood Avenue, and Montauk Highway (CR 80) at Rogers Avenue were evaluated and the results of the capacity analyses for the 2020 Existing, 2023 No-Build and 2023 Build conditions (as excerpted from Tables 11, 12, 13 and 14 from the TIS) are included below.

Table 15 – Level of Service Summary – Unsignalized Intersections - Weekday AM Peak Hour

Intersection	Approach/ Movement	Existing 2020		No Build 2023		Build 2023	
		Delay	LOS	Delay	LOS	Delay	LOS
Rogers Avenue Extension at Old Riverhead Road (CR 31)	WB	13.2	B	14.1	B	14.4	B
	SBL	8.6	A	8.8	A	8.8	A
Rogers Avenue Extension at Hazelwood Avenue	EB	7.1	A	7.1	A	7.2	A
	WB	7.1	A	7.1	A	7.2	A
	NB	7.5	A	7.5	A	7.5	A
	SB	7.6	A	7.6	A	7.6	A
	Overall	**7.2**	**A**	**7.2**	**A**	**7.3**	**A**
Montauk Highway (CR 80) at Rogers Avenue	EBL	8.7	A	8.9	A	9.0	A
	SB	14.6	B	15.8	C	16.1	C

Table 16 – Level of Service Summary – Unsignalized Intersection - Weekday PM Peak Hour

Intersection	Approach/ Movement	Existing 2020		No Build 2023		Build 2023	
		Delay	LOS	Delay	LOS	Delay	LOS
Rogers Avenue Extension at Old Riverhead Road (CR 31)	WB	13.7	B	14.7	B	14.9	B
	SBL	9.0	A	9.2	A	9.3	A
Rogers Avenue Extension at Hazelwood Avenue	EB	7.0	A	7.0	A	7.1	A
	WB	7.2	A	7.2	A	7.3	A
	NB	7.4	A	7.4	A	7.5	A
	SB	7.1	A	7.1	A	7.1	A
	Overall	**7.1**	**A**	**7.1**	**A**	**7.2**	**A**
Montauk Highway (CR 80) at Rogers Avenue	EBL	9.5	A	9.8	A	9.9	A
	SB	16.3	C	17.7	C	18.3	C

Table 17 – Level of Service Summary – Unsignalized Intersection – Saturday Midday Peak Hour

Intersection	Approach/ Movement	Existing 2020		No Build 2023		Build 2023	
		Delay	LOS	Delay	LOS	Delay	LOS
Rogers Avenue Extension at Old Riverhead Road (CR 31)	WB	14.1	B	15.4	C	15.6	C
	SBL	8.9	A	9.2	A	9.2	A
Rogers Avenue Extension at Hazelwood Avenue	EB	7.1	A	7.2	A	7.3	A
	WB	7.3	A	7.3	A	7.4	A
	NB	7.6	A	7.6	A	7.6	A
	SB	7.5	A	7.5	A	7.5	A
	Overall	**7.3**	**A**	**7.3**	**A**	**7.4**	**A**
Montauk Highway (CR 80) at Rogers Avenue	EBL	9.0	A	9.4	A	9.4	A
	SB	19.6	C	23.3	C	24.0	C

Table 18 – Level of Service Summary – Unsignalized Intersection – Sunday Midday Peak Hour

Intersection	Approach/ Movement	Existing 2020		No Build 2023		Build 2023	
		Delay	LOS	Delay	LOS	Delay	LOS
Rogers Avenue Extension at Old Riverhead Road (CR 31)	WB	12.2	B	12.8	B	13.1	B
	SBL	8.5	A	8.7	A	8.8	A
Rogers Avenue Extension at Hazelwood Avenue	EB	6.9	A	6.9	A	7.0	A
	WB	7.1	A	7.1	A	7.1	A
	NB	7.4	A	7.4	A	7.4	A
	SB	0.0	A	0.0	A	0.0	A
	Overall	**7.0**	**A**	**7.1**	**A**	**7.1**	**A**
Montauk Highway (CR 80) at Rogers Avenue	EBL	8.6	A	8.8	A	8.8	A
	SB	13.9	B	15.2	C	15.6	C

As indicated in the unsignalized intersection analysis results, all critical approaches would continue to operate safely consistent with the results of the No Build analysis upon the introduction of the traffic that would potentially be generated by the proposed project. As such, the TIS has determined that no mitigation is required.

The LOS at the proposed site access was also evaluated in the TIS. As indicated in Table 15 in the TIS and included below, individual movements and critical approaches at the site access driveway are anticipated to operate at LOS A in the 2023 Build Condition. Furthermore, these results also demonstrate that the introduction of the traffic control on the mainline of Rogers Avenue would not cause any significant delays or congestion.

Table 19 – Level of Service Summary – Unsignalized Site Access

Intersection	Approach/ Movement	AM Peak		PM Peak		Saturday Peak		Sunday Peak	
		Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Site Access/Rogers Avenue at Rogers Avenue Extension	EB	6.6	A	6.8	A	6.8	A	6.7	A
	NB	7.3	A	7.4	A	7.4	A	7.3	A
	SB	6.9	A	6.9	A	6.9	A	6.9	A

Overall, as indicated in the LOS analyses, the projected increases in delay resulting from the proposed development are minor. Also, the locations for which the analysis was prepared would be those which are most impacted based on their proximity to the site. Accordingly, at locations even further from the development outside of the study area, it would not be expected that the operation of traffic would experience any perceptible impacts as a result of the proposed action.

Rogers Avenue Speed Study

As noted in Section 3.1.1 of this DEIS, the TIS collected vehicle speed information on Rogers Avenue approximately 1,300-ft north of the intersection of Montauk Highway (CR 80) and Rogers Avenue in

order to respond to concerns related to motorists driving at excessive speed to or from Montauk Highway (CR 80) and Old Riverhead Road (CR 31) via Rogers Avenue.

As the proposed development would include the introduction of new means of traffic control at the intersection formed by the Site Access Driveway and Rogers Avenue, the continuity of traffic on Rogers Avenue itself would be interrupted, which would encourage drivers to operate at lower speeds in this area. This would increase incrementally the time it takes to navigate through the area for any cut-through traffic using Rogers Avenue to avoid delays at the intersection of Old Riverhead Road at Montauk Highway, making this route less attractive. It is also noted that the proposed development would not result in a change to the speed profile in the area (i.e., it is expected that the residents of the proposed community would drive the area in a similar manner to the existing residents).

Concerns have been raised by residents of the existing neighborhood regarding excessive speeds and cut-through activity on Rogers Avenue. As there is active commercial development at each end of Rogers Avenue, it is difficult to determine the extent of cut-through traffic, and the volumes on Rogers Avenue are low. As noted, the proposed development would not result in a change to the speed profile in the area. Furthermore, traffic associated with the proposed community is not cut-through traffic.

While not due to an impact associated with the proposed community, the TIS included traffic calming measures the Village may wish to implement in order to reduce speeds. A reduction in speed has the added benefit of making the route less attractive to cut thru traffic which may then stay on the major roadways and avoid the residential neighborhood. There are also methods of positively restricting cut thru traffic by way of regulation. Included within such traffic-calming measures: driver-feedback speed signs, speed humps, regulations for permitting local traffic only. Further discussion of these measures is included in the TIS.

Site Parking and Circulation

Site Parking

Pursuant to the Village of Westhampton Beach Code, the required parking for the proposed residences include two (2) spaces per dwelling unit, plus one space for each additional bedroom over three (3). As discussed earlier, the proposed residences include eight (8) One-Bedroom Townhouse units, 36 Two-Bedroom Townhouse units and eight (8) Three-Bedroom Townhouse Units. As such, the total required parking would be 104 spaces (52 units x 2 spaces + 0 spaces required for units with more than 3 bedrooms). As included on the proposed site plan (see Appendix C), a total of 203 parking spaces would be provided, including 2 handicap accessible stalls and 97 guest parking stalls, which exceeds the required parking specified in the Village of Westhampton Beach Code. Accordingly, no parking variance is required for the proposed action.

Due to the extents of the overage in provided parking, demand characteristics for the proposed development would not typically be calculated. Regardless, as required by the Final Scope, the parking generation rates for the site were calculated. To do so, the TIS consulted the industry standard parking generation data provided in the Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition. This source of data provides parking generation rates for various uses based on known variables, including "Multifamily Housing (Low-Rise)" (ITE LUC 220). In accordance with this

information, the 85th Percentile Peak Parking Generation Rates for the proposed development are as follows:

- Typical Weekday: 1.52 parked vehicles/dwelling unit
- Typical Weekend: 1.61 parked vehicles/dwelling unit

Based on this information, the proposed 52-unit development would generate a maximum of 79 parked vehicles on a typical weekday and a maximum of 84 parked vehicles on a typical weekend. Accordingly, the 203 parking stalls provided on the site would be more than adequate to accommodate the parking generated by the community.

Site Circulation

As indicated in the TIS, the Site Plan shows that all primary two-way drive aisles would have a minimum width of 24-ft. One-way alleys, which provide access to the rear of residential buildings are 15-ft wide. Parking stalls are dimensioned at 10-ft wide and 18-ft long for head-in stalls and a limited number of 22-ft long by 9-ft wide curbside stalls are provided along the north side of the site which are each adequate to accommodate full-sized vehicles. Overall, the site as designed provides a good configuration for on-site parking areas and drive aisles which would provide good on-site circulation.

Pedestrian Considerations

Presently, there are no pedestrian accommodations provided on Rogers Avenue in the vicinity of the site. As part of the proposed action, particularly at the curve in the roadway where the site access is to be located, pedestrians within the right-of-way must share the road with vehicles, which results in potential conflicts. The elimination of the curve and establishment of a traditional stop-controlled intersection will improve pedestrian safety conditions here.

To further improve the pedestrian accommodations at the intersection of Rogers Avenue Extension and the proposed site access driveway/Rogers Avenue, improvements are to be installed in addition to the proposed traffic control. These features would include crosswalks along each leg of the intersection and a tightening of the radius at the southwest corner, while providing curbs and sidewalks in line with current ADA standards. The proposed action also includes the installation of a sidewalk on Rogers Avenue. As a result, this would improve pedestrian safety while also serving to discourage speeding on Rogers Avenue.

It is the intention of the applicant to develop the site as a pedestrian-friendly community. The proposed site plan includes a well-developed system of pedestrian sidewalks to allow for safe pedestrian circulation throughout the site. Crosswalks would also be provided at road crossing points.

Public Transit

The project site is located approximately 2,000-ft east of the Westhampton Train Station which operates on the Montauk Line of the LIRR. No Suffolk County Transit bus lines traverse the study area. It is not

anticipated that residents of the proposed community would walk to the train station in any significant number. It is noted that no credit for use of public transit was taken in the TIS.

Accident Data

Based on the accident data presented in the TIS and summarized in Section 3.1.1 of this DEIS, the TIS concluded that due to the moderate level of site-generated traffic associated with the proposed development, as well as the lack of any discernable pattern of crash experience, it is not anticipated that the proposed action would lead to an undue increase in accident rates in the study area.

Overall, based on the TIS, the proposed action inclusive of the proposed improvements to the site access is not expected to result in any significant adverse traffic impacts or undue burdens on the local community. It is further noted that the proposed site access improvement plan would serve to provide better accommodations for pedestrians, while also help to attenuate the travel speeds on Rogers Avenue.

3.1.3 Proposed Mitigation

The proposed action inclusive of the proposed improvements to the site access is not expected to result in any significant adverse traffic impacts or undue burdens on the local community. Accordingly, no mitigation measures are required.

3.2 Land Use, Zoning and Plans

3.2.1 Existing Conditions

Land Use

Subject Property

The subject property is a 9.355±-acre parcel located on the north side of Rogers Avenue, approximately 380-ft east of Hazelwood Avenue within the Incorporated Village of Westhampton Beach. Currently, the site consists of vacant land but with remnants of its historic industrial use as an asphalt production facility. Specifically, of the overall 9.355 acres, 6.630± acres consist of asphalt surface covering and the remaining 2.725± acres consists of woodland and overgrown vegetation/brush.

From approximately 1962 to 2012, an industrial asphalt plant was in operation on the subject property. In 2003, the Village rezoned the property from its historic industrial use (i.e., Industrial-1) to multifamily residential use (MF-20) as an effort to "…encourage the redevelopment of the asphalt plant site..[and] to preserve the residential character of the northern neighborhoods of the Village, and to provide a stimulus for more moderately priced housing." (Residential Comprehensive Plan Update of 2006). In 2017, the processing buildings and plant once associated with the asphalt plant were removed and the site was marketed for sale. Photographs 1 through 8 in Appendix L of this DEIS illustrate the existing conditions of the subject property.

As indicated in Section 1.1.1 of this DEIS, the subject property is currently owned by Lehash LLC and the applicant, Rogers Associates LLC, is a contract vendee to purchase and redevelop the site for multifamily use pending approvals before the Village and other permitting agencies. The subject property has had several owners in the past, including Central Suffolk Paving Inc. (prior to 1986), Gary A. Swawander (1986 to 1987), Gabriel Pennion (1987 to 1990), Twin Fork Asphalt (1990 to 1994), Suffolk Asphalt Supply Inc. (1994 to 2012), and Lehash LLC (2012 to current date). By 2012, the asphalt plant ceased operating and by 2017, the landowner began the removal of the infrastructure for the purpose of resale for residential redevelopment in accordance with the MF-20 zoning.

Surrounding Properties

The land uses in the surrounding area and within a 1,000-ft radius of the subject property consist of a mix of residential, industrial, commercial, transportation and aviation (i.e., LIRR and Gabreski Airport, respectively) (see Figure 3 in Appendix A). Below is a general description of the land uses within a 1,000-ft radius and the corresponding photographs taken to illustrate the surrounding land uses.

- North: To the north of the subject property is the LIRR transportation corridor (see Photograph No. 9 in Appendix L) and further beyond is the Suffolk county-owned Gabreski Airport (see Photograph No. 10 in Appendix L), which is located on the east side of Old Riverhead Road. To the northwest of the site is a vacant commercial property (see Photograph No. 11 in Appendix L). Further north, outside of the 1,000-ft radius, is County owned recreation and open space.

- South: To the south of the subject property are single-family residential uses along Rogers Avenue, Mickie's Way and Avon Court (see Photographs No. 12 and No. 13 in Appendix L). Further south along Montauk Highway, outside of the 1,000-ft radius, are commercial uses followed by single-family residential uses.

- East: To the east of the subject property is vacant land (see Photograph 14 in Appendix L) as well as single-family residential uses along Bridle Path and Adam Lane (see Photographs 15 and 16 in Appendix L). Further east, outside the 1,000-ft radius, is open space, vacant land and industrial uses along South Country Road.

- West: To the west of the subject property, along Rogers Avenue and Hazelwood Avenue, are single-family residential uses (see Photograph 17 in Appendix L). An industrial use as well as commercial uses exist along Hazelwood Avenue (see Photographs 18 and 19 in Appendix L). Along Old Riverhead Road, there are commercial uses and some vacant land (see Photographs 20 and 21 in Appendix L). Further west, outside the 1,000-ft radius, are single-family residential uses along Depot Road.

Existing Noise Environment

As the subject property is currently unoccupied, there are no existing noise impacts to surrounding properties. The subject property is located within a mature, established suburban community where the dominant source of environmental noise is from traffic, primarily passenger vehicles along Rogers Avenue. To the adjacent north of the subject property is the LIRR right-of-way which contributes to

ambient noise conditions as well. Additionally, further north is Gabreski Airport in which overhead air traffic is also a notable source of environmental noise in the vicinity of the subject property.

Socioeconomics / Existing Tax Revenues

The existing annual tax revenue of the subject property based on the 2019-2020 tax bills, as provided by Carriage Hill Developers Inc., is shown below in Table 20.

Table 20 – Existing Annual Tax Revenue

		Existing Conditions	
Taxing Jurisdiction	**Tax Rate (Per $1,000)**	**Project Assessed Value ($)**	**Annual Tax Revenue ($)**
Westhampton Beach School	5.885	$3,184,600.00	$18,741.37
Village of Westhampton Beach – General Fund	2.81	$3,184,600.00	$8,948.73
Westhampton Beach Library	0.433	$3,184,600.00	$1,378.93
County	0.164	$3,184,600.00	$522.27
Town of Southampton – General Fund	0.381	$3,184,600.00	$1,213.33
Emergency Dispatch - E911	0.048	$3,184,600.00	$152.86
Out of County Tuition	0.008	$3,184,600.00	$25.48
NY State Real Property Tax Law	0.018	$3,184,600.00	$57.32
New York State MTA Tax	0.006	$3,184,600.00	$19.11
Westhampton Beach Fire District	0.43	$3,184,600.00	$1,369.38
Westhampton War Memorial Ambulance Association	0.08	$3,184,600.00	$254.77
Total:	**N/A**	**N/A**	**$32,683.55**

As an unoccupied, vacant parcel of land, the subject property currently contributes $32,683.55 in annual taxes to the Village, Town of Southampton, Suffolk County and New York State. It is noted that a portion of the Village of Westhampton Beach General Fund goes towards the WHBPD. The projected change in tax revenue, upon implementation of the proposed action, was evaluated and is included in Section 3.2.2.

Zoning

The subject property is located within the Multifamily Residence 20 (MF-20) zoning district of the Village of Westhampton Beach (See Figure 4 in Appendix A). By way of history, the subject property was rezoned by the Village in 2003. As excerpted from LOCAL LAW NO. 2/2003, A LOCAL LAW AMENDING CHAPTER 197 OF THE VILLAGE CODE ENTITLED "ZONING" adopted by the Board of Trustees on March 10, 2003:

> "The Village has pursued its updating of the Village Comprehensive Plan for the last several years. The most recent updating report entitled "Village of Westhampton Beach Comprehensive Plan Update of 2002-03: The Industrial District" has studied the

> Industrial District in the northerly section of the Village and made several recommendations. The report summarized the effects of past and present land use patterns on the residential neighborhoods in this section of the Village and recommends several measures to mitigate adverse impacts.
>
> One of those recommendations was to rezone the area referred to as "Sub-District l" north of Rogers Avenue from Industrial 1 (I-1) to Multi-family 20 (MF-20). This area consists of approximately eighteen acres in size. This recommendation was proposed to provide a zoning district more compatible with the adjacent residential neighborhood as well as one in which the existing property owners in the 1-1 District retain a significant economic value."

Pursuant to §197-11A of the Village Zoning Code, the permitted uses within the MF-20 zoning district include:

(1) A one-family detached dwelling.
(2) Two-family dwelling.
(3) Multiple dwelling as a special exception use.
(4) Condominium or cooperative development consisting exclusively of the uses, including a combination thereof, permitted under Subsection A(2) and (3) hereinabove as a special exception use.
(5) Accessory uses.

The bulk and dimensional requirements associated with the MF-20 zoning district are included in Table 21, below.

Table 21 – Applicable Bulk and Dimensional Requirements for MF-20 Zoning District

Dimensional Regulation	Requirement
Minimum Lot Size:	50,000 SF
Minimum requirements:	
Lot width	75 feet
Front yard	35 feet
Side yard	30 feet
Both side yards	60 feet
Rear yard	50 feet
Landscape area	25%
Maximum permitted dimensions:	
Density (dwelling units/acre)	6 dwelling units/acre
Lot coverage	40%
Building height	32 feet
Number of stories	2
Accessory Building or Structure dimensions:	
Minimum setback rom street accessory structure	50 feet
Minimum side yard	20 feet
Minimum distance rear yard	20 feet
Maximum building size	10,000 SF

Source: Village of Westhampton § 197 Attachment 5, Multifamily Residential Developments Table of Dimensional Regulations

As illustrated on the Zoning Map included as Figure 4 in Appendix A, the properties to the north of the subject property are zoned Park/ Conservation Marina (P&C) and the Town of Southampton is beyond. To the south of the subject property are properties zoned Residential 4 (R-4) with Business District 2 (B-2) further south along the Montauk Highway corridor. To the east of the subject property, there are residential land uses zoned Residential 4 (R-4) with the Town of Southampton beyond. To the west of the subject property are Business District 3 (B-3) properties as well as Industrial District (I-1) properties west of Old Riverhead Road and the Town of Southampton beyond.

Relevant Planning Documents

The land use plans that pertain to the project site and relevant to the proposed land use are described below, including the *Village of Westhampton Beach Comprehensive Plan Update* (2006), *Suffolk County Comprehensive Master Plan 2035*, and *Smart Communities Through Smart Growth.*

Village of Westhampton Beach Comprehensive Plan Update 2006

In 2006, the Village updated its Comprehensive Plan in three separate updates – Business Districts, Industrial Districts and Residential Districts. In the Village of Westhampton Beach Comprehensive Plan Update of 2006, The Residential Districts (hereinafter, the "Comprehensive Plan Update of 2006"), the subject property is specifically identified as a property that was proposed for residential land use. As stated in Section I of the Comprehensive Plan Update of 2006, the Purpose of this Update indicates that:

> "The industrial district update of the Village Comprehensive plan addressed the northern portion of the Village. In order to safeguard the existing residential character and to enhance the future livability of the northern village neighborhoods, the industrial zoning district east of Old Riverhead Road/north of Rogers Avenue was rezoned to a multi-family district (MF-20), which action in the long run will prove its case."

The Comprehensive Plan Update of 2006 discusses the subject property regarding its use as the Suffolk Asphalt Services plant on Rogers Avenue. At the time of the update, the Suffolk Asphalt Services plant was the subject of an application to the Village of Zoning Board to establish an amortization schedule for this use. As noted on page 6 of the Comprehensive Plan Update of 2006, the subject property was rezoned from I-1 to MF-20 "[t]o encourage the redevelopment of the asphalt plant site..[and] to preserve the residential character of the northern neighborhoods of the Village, and to provide a stimulus for more moderately priced housing."

The Comprehensive Plan Update of 2006 also recognized the need for moderate-priced housing in the Village. As indicated on page 11 of the Comprehensive Plan Update of 2006, "A component of all new multifamily developments… should be a 'set-aside' for moderate-income individuals and families. The MF-20 District should no longer be allowed to produce market rate, i.e., luxury, units alone. In a resort community such as Westhampton, these units would sell very quickly so that a 'work-force' family would be priced out of the market. In exchange for the granting of approvals for a multifamily development, a modest twenty percent affordable component should be worked into every site plan."

A discussion of the proposed project's consistency with the Comprehensive Plan Update of 2006 is included in Section 3.2.2 of this DEIS.

Suffolk County Comprehensive Master Plan 2035

In 2015, Suffolk County created the Framework for the Future – Suffolk County Comprehensive Master Plan 2035 (hereinafter the SC Comprehensive Master Plan 2035).[16] This plan provides a roadmap towards a resilient Suffolk County and sets the foundation for sustainable economic growth and helps to maintain and improve the quality of life for Suffolk County residents. To achieve this, the plan identifies key priorities including economic development, environmental protection, transportation, housing diversity, public safety and energy use.

The SC Comprehensive Master Plan 2035 "evaluates existing transportation, economic, natural resource, water quality, and housing conditions throughout the County and identifies specific actions that will ensure that County Policies, Programs and Initiatives (PPIs) are aligned with the County's long-term goals of sustainability" (page 1-5).
As excerpted from Section 1: Introduction of the SC Comprehensive Master Plan 2035 (pg. 3), the key objectives of this plan are as follows:

- Build a 21st Century Transit Network to Provide More Transportation Choices to Improve Mobility, Access, and Safety
- Provide Equitable, Affordable, Fair Housing
- Enhance Economic Competitiveness and Capacity to Build an Innovation Economy
- Support Vibrant Communities
- Streamline Government, Coordinate Policies, and Leverage Investment
- Protect the Environment and Enhance Our Human Capital

It is noted that many of these key objectives and recommendations are focused on municipal action items. Nonetheless, the proposed action would incorporate certain measures that are on par with the SC Comprehensive Master Plan 2035. Consistency of the proposed project with the relevant aforementioned key objectives is discussed in Section 3.2.2, below.

Smart Communities Through Smart Growth

The Suffolk County Planning Commission (SCPC) prepared a report in 2000, *Smart Communities Through Smart Growth,*[17] to address "unsmart growth and sprawl" across Suffolk County by encouraging mixed-use developments and the concentration of resources within developed areas instead of expanding onto

[16] Suffolk County Department of Economic Development and Planning. *Framework for the Future – Suffolk County Comprehensive Master Plan 2035*. Retrieved from: https://www.suffolkcountyny.gov/portals/0/formsdocs/planning/CompPlan/Comp%20Master%20Plan%202035/ADASuffolkCounty_MasterPlanFINAL_07282015.pdf. Accessed August 2020.

[17] Suffolk County Planning Commission. *Smart Communities Through Smart Growth: Applying Smart Growth Principles to Suffolk County Towns and Villages.* March 2000. Retrieved from: https://www.suffolkcountyny.gov/portals/0/formsdocs/planning/Publications/SG032000r.pdf. Accessed August 2020.

undeveloped land. The *Smart Communities Through Smart Growth* identifies eight smart growth principles that can be utilized as tools for developing smarter communities, as shown below.

- Direct development to strengthen existing communities.
- Encourage mixed land uses and mixed-use buildings.
- Encourage Consultation between Communities.
- Take advantage of compact building sizes and create a range of housing opportunities.
- Provide a Variety of Transportation Choices.
- Create Pleasant Environments and Attractive Communities.
- Preserve Open Space and Natural resources.
- Make development decisions predictable, fair and cost effective.

It is noted that the concept of smart communities is community-based, thus "smart growth for one area may be different than another area" (page 5). Each community can create and tailor their own smart growth principles to meet the needs of their locality. See Section 3.2.2., below, for the proposed project's consistency with the relevant aforementioned smart growth principles.

Other Potential Developments

With respect to other proposed or planned developments, or developments under construction, based on consultations with the Village of Westhampton Beach and its consultants (see correspondence in Appendix N of this DEIS), there are other potential developments in the vicinity of the proposed development (see Figure 17 in Appendix A). An analysis of these other potential developments in relation to the proposed action is included in Section 4.2, *Cumulative Impacts,* of this DEIS.

3.2.2 Potential Impacts

Land Use

Upon implementation of the proposed action, the subject property would be altered from a vacant and underutilized parcel of land to a multifamily residential development. The proposed "Townes at Ketchaponack" residential development would include 52 multifamily units in 13 buildings. Upon entry to the community from Rogers Avenue, a recreational and community space would be situated to the west. The proposed recreational area would consist of an outdoor swimming pool (2,000 SF), tennis courts (3,456 SF), community center (2,669 SF) and gazebo with sheltered seating.

The community layout is a grid-type system with alleys situated in the rear yards of each residential block to provide access to unit garages and driveways, leaving unencumbered frontage towards the street. All alleys are proposed at a minimum width of 15-ft, with exception of the alley to the north which is 30-ft in width to accommodate parallel parking to the north.

As noted in Section 1.1.1 of this DEIS, there were two recorded scenic easements associated with the 1992 Industrial Subdivision of the subject property; however, the industrial subdivision was never developed. No lots were sold, and no infrastructure was ever constructed. Since the industrial subdivision was never developed, the scenic easements that had been recorded were never physically

created and their purposes were never needed. In 2003, as part of a coordinated plan to eliminate the industrial use of the property, the Village rezoned the property to MF-20, establishing entirely different site development parameters. This rezoning totally eliminated the need and purpose of the scenic easements that had been placed on the industrial subdivision.

In light of the fact that the current site plan application will formally cause the abandonment of the industrial subdivision, the applicant requests, for the reasons set for above, that as part of the approval process of this Site Plan application, the Village consent to the cancellation of record of the scenic easements thereby removing this obsolete record impediment on the applicant's title.

The proposed building style is townhouse development with two building types proposed: two (2), two-unit buildings and 11 four-unit buildings. All units would be two-stories in height (31-ft 3.875± inches) and would be constructed with basements. The two (2), two-unit buildings are both comprised of two-bedroom units, and the remaining buildings are mixed with one-, two- and three-bedroom units. Overall, the following is proposed: eight [8], one-bedroom; 36 two-bedroom; and eight [8], three-bedroom units. The individual unit sizes would range in area from 1,050± SF to 2,100± SF.

The affordable or income-eligible units offered within the proposed development would be one-bedroom units and situated on the ends of four separate buildings on the west side of the community. According to §197-81.B. of the Village Zoning Code, the permitted yield is six (6) units per acre; however, pursuant to §197-80.3.H, for every market-rate unit proposed over four (4) units per acre, there must be at least one affordable unit reserved for income-eligible families. Accordingly, the permitted yield for the 9.355±-acre property is 56 units, which would require nine (9) affordable units (56 units - 37 units [four units per acre] = 19 units; of the 19 units, 8.5 units would be required to be affordable).

Due to the site area, lot configuration, proposed unit size and recreational amenities, as well as design and parking requirements, the proposed action includes only 52 multifamily units. Of the 52 units, which includes 15 units in excess of the four units per acre yield (without an affordability component), seven (7) are proposed as market-rate and eight (8) are proposed for income-eligible families. As such, the proposed development complies with the affordability component set forth in the special exception criteria for multifamily residential development (see the following *Zoning* subsection).

As shown on the Architectural Elevations (see Appendix D) and as illustrated on the advertisement in the Market Demand Study (see Appendix E), the proposed buildings would incorporate a variety of materials and colors that would be consistent with as well as compliment the character of the surrounding residential houses. The townhomes and community center would incorporate variations of tan coloring with grey/black roofing, although, the final color selections would be subject to approval by the Board of Architectural Review. As shown on the Architectural Floor Plans and Elevations (see Appendix D), there are two options proposed for the architecture of the townhouse buildings.

The proposed townhouse buildings would include covered decorative porches with columns in the front entry ways for all units for both options 1 and 2. Both options for the proposed buildings would contain a variety of architectural elements, including different materials, separations between walls and roofs with articulated rooflines, changes in plane and height, as well as column façade. The proposed townhomes would incorporate different types of materials. For option 1, the townhomes would be sided with a combination of vinyl clapboard and vinyl cedar wood shake alternating between the façade

module intervals. For option 2, the townhomes would be sided with a combination vinyl clapboard, vinyl cedar wood shake as well as cobblestone alternating between the façade module intervals as suggested in §197-80.3M and §197-80.3N.

The community center would be designed to complement the residential buildings, with a similar colonial style design with a decorative covered patio with columns. The proposed community center would incorporate different types of materials such as asphalt roof shingles along the roof, vinyl cedar wood shake along portions of the front and left roof façades, vinyl clapboard along the middle of portion of the building façade, and cobble stones to outline the base of the buildings. The community center would include separations between the walls and rooflines and would also have a façade modulation stepping back a portion of the façade for each interval. The community center would have large windows along the front, left and right sides of the building with a pitched roof.

As indicated in the architectural floor plan for the community building (see Appendix D), the community building would include an exercise room, a billiards room, a card room, a lounge area, bathrooms, an office and a mail room for the residents.

The proposed site access would be provided via the existing curb cut located on the southern property line approximately 630-ft east of Hazelwood Avenue and aligned with Rogers Avenue. As part of the proposed action, modifications are proposed to create an all-stop, T-intersection at Rogers Avenue. The intent of the proposed T-intersection is for a controlled entry into the proposed development but has also been identified as a traffic calming measure for vehicles that currently use Rogers Avenue as a cut-through from Old Riverhead Road to access Montauk Highway. A landscaped drive aisle would separate the proposed one-lane ingress lane and one-lane egress lane. Upon entry into the development, internal roadways are proposed to be privately held and maintained by the HOA.

The proposed action also includes the installation of a sidewalk on Rogers Avenue and a well-developed system of internal sidewalks and crosswalks, as well as posted speed limits, to allow for safe circulation to and from, and throughout the site. Furthermore, all units would be accessible from walkways in the front yard (as well as rear-yard entry from the alleys).

Parking is proposed as garage parking, driveway parking, and on-site asphalt parking. The on-site parking is located along the north, east, and west property lines, maintaining a minimum of a 20±-ft off-set from the property lines. The eight (8), three-bedroom retail market units are each provided with an attached one-car garage, a one-car driveway, and on-site surface asphalt parking. The 36, two-bedroom retail market units are each provided with an attached one-car garage and a one-car driveway. The one-bedroom affordable housing units are each provided two (2) on-site asphalt parking spaces in front of the individual units. The proposed development also provides 89 on-site guest parking spaces and two (2) ADA parking spaces, located nearby to the community center, along the east and west side yards, along the alley in the rear yard, and within the center drive aisle. Overall, the proposed development includes 203 parking spaces.

In addition to retaining trees along the property perimeter (with approximately 40 percent of the existing trees to remain), the proposed action includes supplemental landscaping for visual screening and aesthetically-pleasing vegetative buffer. As indicated on the Site Landscape Plan in Appendix C, planted landscape around the site perimeter would consist of Leyland Cypress (*Cupressocyparis*

leylandii), London Planetree (*Platanus acerifolia*) and native grasses as groundcover. Along the northern property line and adjacent to the residential units, the Leyland Cypress would be planted atop a three (3)-ft berm for visual screening of the railroad tracks. Leyland Cypress would also be planted as visual screening to the STP area. London Planetrees would also be planted as shade trees within the proposed community, including in landscaped aisles adjacent to parking areas. In addition to the perimeter screening and shade trees to be planted, the proposed Site Landscape Plan includes London Planetrees and groundcover around building footprints as well as groundcover seeding between those existing trees to be retained to create an aesthetically-pleasing environment.

Site fencing is also proposed and would consist of six (6)-ft chain link with fabric insert on the east, west and northern sides and four (4)-ft chain link with fabric insert on the south side. Along the northern property line, the proposed fencing would be placed upon the proposed three (3)-ft berm to provide further protection from the adjacent LIRR railroad tracks. Landscape as well as the retention of existing trees is proposed along the extent of all proposed fencing.

The proposed site lighting would consist of light poles and building fixtures (see Proposed Lighting Plan, *Sheet C-500* in Appendix C). In accordance with §197-25.5 of the Village Code, the proposed lighting plan includes 10-ft lamp poles along the internal roadways and adjacent to surface parking areas. Each lamp pole would include a shielded LED luminaire to direct all light downwards with no upward glare. All wall-mounted, building fixtures would also be shielded LED luminaires. A photometric analysis of each proposed pole was performed and is illustrated on the Site Lighting and Details Plan. As indicated in the photometric analysis, there would be no off-site lighting impacts in terms of trespass. As such, there would be no off-site impacts to the adjacent properties.

Upon implementation of the proposed action, the area of impervious surfaces would decrease by approximately 1.784 acres, from 6.630± acres to 4.846± acres. As indicated in Table 3 of this DEIS, the area of lawn and landscape would increase by 3.977± acres. Approximately 1,848 SF or 0.040± acre of natural area (woodland) would remain.

Upon implementation of the proposed action, the proposed residential community would function similarly to other multifamily developments. The proposed development is an ownership community and on-site amenities would only be available to owners of the units. The pool and tennis courts would be restricted to seasonal operation and access would be limited to daylight hours only. The community center would be available year-round with key fob access. As noted earlier, the community center is proposed to have a mail room for all residents and the delivery trucks would be able to drop off mail and deliveries by utilizing an available parking spot at the community center. If an individual townhome would need a delivery to the unit, the delivery trucks would utilize the alleys behind the buildings.

The applicant will hire a management company prior to the complete turnover to HOA for the management of the subject property. Once turned over, the operation and maintenance of the community would be the responsibility of the HOA. It is expected that the HOA would contract service companies for landscaping and snow removal and would resolve community maintenance needs as necessary. There would not be an on-site staff or superintendent for the site, but rather the HOA fees would be used for the maintenance of facilities. Homeowners would be responsible for all unit-related maintenance needs.

Projected Changes in Noise Environment

Regarding the compatibility of the proposed multifamily residential land use with the surrounding community, it is important to note that the proposed development is expected to attract both current residents of the Village as well as a new population. The projected age cohorts based upon market research would be expected to range from a working population of 30-to-65, and retirees that are seeking to downsize from single-family home ownership and the associated maintenance required for those homes. The proposed development would include "house" rules for residents, inclusive of resident-only controlled access to the community center, posted hours for the pool and tennis courts, and key fob access to these areas during allowable times to ensure a quiet and enjoyable setting for not only the residents but the surrounding neighborhood. Also, occupancy of the pool area would be controlled with a limited number of pool lounge chairs with rules in place to prohibit residents from bringing personal seating to the pool area. Each unit would be constructed with covered decorative porches for enjoyment, but it is expected that the house rules would include restrictions such as no barbeques or outdoor speakers. All residents would also be made aware of the Village noise ordinance regulating noise levels between 11:00 p.m. and 7:00 a.m.,[18] although the house rules would be consistent if not more prohibitive (i.e., 10:00 p.m. to 8:00 a.m.).

As a residential use, the noise levels would be consistent with other condominium developments. The attracted age cohorts and demographics would be expected to result in a peaceful and unobtrusive setting. In those instances when a resident may disobey the Village noise ordinance or house rules for noise generation, it is expected that the situation would be handled in a manner similar to other noise complaints in the Village. However, it is also expected that residents of the community would enforce the house rules (consistent with the Village ordinance). Regarding the use of landscape equipment, the HOA would contract with a local landscape company and would restrict the times in which landscape activity occurs on the property, both for its residents and the surrounding community. There would be no landscape activity permitted in early hours (prior to 8:00 a.m.), late hours (after 6:00 p.m.) or weekends.

Regarding noise during project operations in relation to parking areas and internal site circulation, homeowners would utilize the private internal roadways to the alleys to access their personal driveways behind the individual buildings, internal to the development. The roadways are set up such that they would not be permitted to be traversed at high speeds. This would be controlled through posted speed

[18] Chapter 110 (Noise) of the Village Code provides standards and provisions to secure and promote the health, comfort, convenience, safety, welfare, property and the peace and quiet of the Village and its inhabitants. Pursuant to § 110-3 of the Village code:

A. The operation of any radio, television receiver, phonograph or the use of any musical instrument in such a manner or with such volume so as to annoy or disturb the comfort, repose, health or sleep of persons in the general area thereof. The operation or use of any such set, instrument, phonograph or receiver between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

C. Yelling, shouting, whistling or singing on the public streets or in any dwelling, hotel or other type of residence between the hours of 11:00 p.m. and 7:00 a.m. so as to annoy or disturb the quiet, comfort or repose of persons in the general vicinity thereof.

limit signage. For those that would park near the community center, there would be extensive vegetative buffering to mitigate any potential noise impacts associated with internal site circulation and parking.

It is noted that the subject property borders the LIRR tracks and is also proximate to Gabreski Airport, where rail and aircraft activity, respectively, have the potential to impact residents of the community. Consultations were undertaken with Gabreski Airport management and in correspondence dated September 9, 2020, the Assistant Airport Manager (Joshua Smith) advised that the Airport routinely receives noise complaints from aircraft activity and referred the applicant to FAA Advisory Circular 150/5000-9B – Guidelines for Sound Insulation of Structures Exposed to Aircraft Noise for design mitigation.

Given the site's proximity to the LIRR tracks and Gabreski Airport, the following design measures will be incorporated into the townhouse structures to mitigate obtrusive noise while indoors:

- Extra sound insulation and windows with a high sound transmission class (STC) and Outdoor/Indoor Transmission Class (OITC) - The STC rating is a measure of a material's ability to insulate against sound - the higher the STC rating, the better insulating properties the material will have. The OITC rating for the proposed windows (i.e., Andersen 400 double-hung and picture units) is 28 (non-coastal laminated, insulating); the OITC rating for the patio doors is 30 (non-coastal laminated, insulating).
- Elimination of Openings – A townhouse design inherently has a reduction in openings due to the shared fire-wall and inability to have openings at the fire-wall. The attic will be isolated from the thermal envelope of the unit with no equipment, thus eliminating openings at the ceiling/roof plane.
- Adding mass to walls or ceilings - A combination of products would be used to add additional mass to the walls and ceilings;
- Adding absorptive materials between the studs or joists in a wall - Maxing out the wall cavity with insulation materials will help to attenuate exterior noise

During the construction document phase, the project applicant would also work closely with the local building officials to implement the above procedures as best as possible, while meeting all the relevant building codes and Board of Architectural Review guidelines.

The design mitigation also considers impacts from vibrations associated with passing trains. Specifically, as provided by the project architect, vibrations would be mitigated by the wind load strapping and hold-downs extending from the building footings to the roof during construction.

As further mitigation for the rail activity, the northern property boundary is proposed to be developed with a landscape berm of three (3)-ft with a six (6)-ft chain link fence with fabric insert placed thereon. It is expected that such landscaping would provide additional noise attenuation for those units situated on the north side of the development.

Socioeconomics

Projected Tax Revenues

The proposed action would result in a modification of the land use from its currently vacant use to a multifamily residential use with associated amenities and utilities. As such, the projected annual tax revenues would significantly increase both the property value of the subject property and surrounding properties as well. Table 22, below, shows the existing tax revenue of the subject property as compared to the projected tax revenue under the proposed development, as provided by Carriage Hill Developers Inc. (see Appendix G).

Table 22 – Existing and Proposed Projected Tax Revenues

		Existing Conditions		Proposed Development	
Taxing Jurisdiction	**Tax Rate (Per $1,000)**	**Project Assessed Value ($)**	**Projected Annual Tax Revenue ($)**	**Project Assessed Value ($)**	**Projected Annual Tax Revenue ($)**
Westhampton Beach UFSD	5.885	$3,184,600.00	$18,741.37	$41,000,000.00	$241,285.00
Village of Westhampton Beach – General Fund	2.81	$3,184,600.00	$8,948.73	$41,000,000.00	$115,210.00
Westhampton Beach Library	0.433	$3,184,600.00	$1,378.93	$41,000,000.00	$17,753.00
County	0.164	$3,184,600.00	$522.27	$41,000,000.00	$6,724.00
Town of Southampton – General Fund	0.381	$3,184,600.00	$1,213.33	$41,000,000.00	$15,621.00
Emergency Dispatch - E911	0.048	$3,184,600.00	$152.86	$41,000,000.00	$1,968.00
Out of County Tuition	0.008	$3,184,600.00	$25.48	$41,000,000.00	$328.00
NY State Real Property Tax Law	0.018	$3,184,600.00	$57.32	$41,000,000.00	$738.00
New York State MTA Tax	0.006	$3,184,600.00	$19.11	$41,000,000.00	$246.00
Westhampton Beach Fire District	0.43	$3,184,600.00	$1,369.38	$41,000,000.00	$17,630.00
Westhampton War Memorial Ambulance Association	0.08	$3,184,600.00	$254.77	$41,000,000.00	$3,280.00
Total:	**N/A**	**N/A**	**$32,683.55**	**N/A**	**$420,783.00**

According to the table above, the total projected annual tax revenue from implementation of the proposed project would significantly increase by 1,287 percent to approximately $420,783.00. As noted above, a portion of the Village of Westhampton Beach General Fund goes towards the WHBPD.

Economic Benefits

As noted above, the proposed action would alter the land use from its currently vacant use to a multifamily residential use with associated amenities and utilities. The proposed action is expected to result in positive direct, indirect and induced economic benefits during the construction and operation phases, related to construction spending, job generation, and the purchasing power represented by the

additional proposed multifamily households in the community, as well as in the form of property tax generation (as shown in Table 22, above).

In the short-term, construction-related jobs will be created, and there will be increased patronage to construction material suppliers. In the long-term, the residential development would utilize landscaping, home maintenance, irrigation and other home-related services. Long term jobs also include maintenance for the proposed internal roadways, the STP, the outdoor swimming pool, the community center and the private carter services for solid waste disposal.

Overall, the proposed action would create opportunities for diversified housing stock, would bring purchasing power to local businesses throughout the Village of Westhampton Beach from project residents, and create temporary and long-term jobs from implementation of the proposed action, representing significant benefits to the surrounding community.

Market Study

According to the market demand study conducted by Kerrigan Country Realty, in correspondence dated September 4, 2020 (see Appendix E), "there appears to be a need for expanding condo production given the large demographic demand, the continuing strong economy and the challenge of both home-buyer affordability and availability."

Pursuant to the professional opinion of Kerrigan Country Realty:

> "The interest level for the new condo development has proven to be very strong. The demographic interest is showing that the typical consumer is in the 50-60 age bracket and looking for a second residence in a beach community without the expensive burden of maintaining a private residence.
>
> Downsizing is also a major consideration for our older local community who are looking to sell their larger homes in the area, but do not want to leave lifelong friends, family, community and doctors whose relationships have been built over time. The new development holds a high level of interest for this consumer, as well.
>
> There has been interest from our local community in the 30-40 age bracket who have a desire to continue living in the immediate area but have had to stall their purchasing because of lack of inventory and increasing price points of existing, renovated and newer homes."

Overall, the proposed development would be inhabited by both the local community and newcomers, thus contributing to a community character of tradition blended with growth.

Projected Population

Upon implementation of the proposed project, the subject property would be redeveloped with a multifamily residential use that would result in a permanent resident population at the property. In order to determine the residential population that would be generated by implementation of the proposed action, residential demographic multipliers published by *Rutgers University, Center for Urban*

Policy Research (CUPR)[19] were used. The Rutgers Residential Demographic Multipliers (hereinafter "Rutgers CUPR multipliers"), are based on census data from 2000. The demographic multipliers show the population associated with different housing categories as well as housing differentiated by housing value, housing size (bedrooms), and housing tenure. Table 23, below, indicates the anticipated resident population generation for each type of residential unit proposed using the appropriate factors from the study cited above.

Table 23 – Projected Total Population (Rutgers CUPR Multipliers)

Type of Unit	Unit Count	Total Persons Multiplier	Total Persons Generation
One-bedroom	8	1.86[(a)]	14.88
Two-bedroom	36	1.88[(b)]	67.68
Three-bedroom	8	3.00[(c)]	24
TOTAL	**52**	**N/A**	**106.56 (107)**

Notes: [(a)]5+ Units-Own, 1 BR (All Values), [(b)]5+ Units-Own, 2 BR (All Values), [(c)]5+ Units-Own, 3 BR (All Values)

As indicated in the table above, according to the Rutgers CUPR multipliers for total population, an estimated future population of 107 people is expected. It should be noted that the projected population of 107 residents is conservative in that it assumes that the proposed development would not include existing residents from within the Village of Westhampton Beach. The total population of the Village of Westhampton Beach is estimated at 1,653 according to the 2018 American Community Survey 5-Year Estimates.[20] The project's total residential population would increase the total population of the Village of Westhampton Beach by approximately 6.5 percent.

It is noted, however, that the Village rezoned the property for multifamily residential use in 2003 and has established standards for density of four units per acre, plus a density bonus for affordable units. As indicated above in this section, the proposed action complies with the density requirement plus provides eight (8) affordable units. Accordingly, while the proposed action would increase the permanent resident population, the projected growth was foreseen with the rezoning from industrial to multifamily residential use in 2003.

Zoning

As discussed above, the subject property is located within the Village of Westhampton Beach MF-20 zoning district. Pursuant to §197-11A, the proposed multifamily residential development is permitted by a special exception from the Zoning Board of Appeals. A shown below in Table 24, the proposed action would be developed in conformance with the bulk and dimensional standards of the MF-20 zoning district.

[19] 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.
[20] United States Census Bureau. *American Community Survey 5-Year Estimates.* Retrieved from: https://data.census.gov/cedsci/table?q=westhampton%20beach%20village%20new%20york&g=1600000US3680181&hidePreview=false&tid=ACSDP5Y2018.DP05&layer=VT_2018_160_00_PY_D1&cid=DP05_0001E&vintage=2018. Accessed August 2020.

Table 24 – Consistency with Bulk and Dimensional Requirements – MF-20 Zoning District

Dimensional Regulation	Requirement	Proposed Action
Minimum Lot Size:	50,000 SF	407,522± SF
Minimum requirements:		
Lot width	75 feet	272.92±-ft
Front yard	35 feet	64±-ft
Side yard	30 feet	62±-ft
Both side yards	60 feet	136±-ft
Rear yard	50 feet	55± feet (STP: 35±-ft)
Landscape area	25%	43%
Maximum permitted dimensions:		
Density (dwelling units/acre)	6 dwelling units/acre	52 units
Lot coverage	40%	17.3± percent
Building height	32 feet	31-ft-3.875 inches±
Number of stories	2	2
Inner Court	14-feet-11.5 inches	15-ft±
Outer Court	7-feet-4.5 inches	8-ft-6 inches±
Accessory Building or Structure dimensions:		
Minimum setback from street accessory structure	50 feet	64±-ft
Minimum side yard	20 feet	136±-ft
Minimum distance rear yard	20 feet	487±-ft
Maximum building size	10,000 SF	8,400± SF

Article II District Regulations – §197-11 – Multifamily Residences District 20

Multifamily Residence District 20, the following regulations shall apply:

A. Permitted uses:
- *(1) A one-family detached dwelling.*
- *(2) Two-family detached dwelling.*
- *(3) Multiple dwelling as a special exception use.*
- *(4) Condominium or cooperative development consisting exclusively of the uses, including a combination thereof, permitted under Subsection A(2) and (3) hereinabove as a special exception use.*
- *(5)* Accessory uses.

B. The minimum lot area shall not be less than 7,250 square feet per dwelling unit with a minimum total lot area of not less than 20,000 square feet. The minimum lot width shall not be less than 75 feet.

C. The building area lot coverage shall not exceed 25% of the lot area.

D. Yard required:
- *(1) One-family and two-family detached dwellings and accessory buildings and structures shall have the same yards, stories and heights as required in the Residential District 4 pursuant to § 197-9D and E.*

(2) Multiple dwellings and condominium and cooperative developments shall comply with the dimensional requirements pursuant to § 197-80.3D, as included at the end of this chapter in the Multifamily Residential Developments Table of Dimensional Regulations.

E. No building shall exceed a height of two stories, but in no event shall the height exceed 32 feet.

F. Minimum floor area:
(1) The minimum floor area for a two-family detached dwelling shall be that set forth for such dwellings in § 197-34B.
(2) The minimum floor area for dwelling units in a multiple dwelling, including those that are condominiums and cooperatives, shall be that set forth in § 197-34D.

G. In multiple dwellings and condominium and cooperative developments, courts and the spacing between buildings shall conform to the following standards.
(1) Outer courts or spaces:

(a) The least width at the lowest level of an outer court or of a space between building walls shall be not less than the largest of the following three dimensions:

[1] One-third of the maximum building height above such lowest level of the building walls erected on the same lot and bounding such court or space.
[2] Two-thirds of the horizontal depth of such court or space.
[3] Fifteen percent.

(b) The horizontal depth of an outer court or of a space between building walls shall not exceed 1 1/2 times the least width.

(1) Inner courts or spaces.

(a) The least horizontal dimension of an inner court at its lowest level shall not be less than the larger of the following two dimensions:

[1] Two-thirds of the maximum building height above such lowest level of the building walls erected on the same lot and bounding such court or space.
[2] Fifteen percent.

As shown in Table 24, above, the proposed action complies with these bulk and dimensional requirements under the MF-20 zoning district.

Special Exception Use Permit – §§ 197-79 and 80

The proposed multifamily residential development requires a special exception use permit from the Village Board of Trustees (hereinafter "Village Trustees"). Sections 197-79 and 197-80 Article VIII of the Village Code set forth general standards as well as matters to be considered when issuing said permit. A consistency analysis of the proposed action with the general standards and matters follows. No special

exception approval shall be granted unless the Village Trustees specifically finds and determines the following:

General Standards – Section: 197-79

A. *That the special exception use will not prevent the orderly and reasonable use of adjacent properties or of properties in the surrounding area or impair the value thereof.*

The proposed development would be limited to 52 housing units within 13 individual two-story buildings. The buildings would be concentrated towards the center of the subject property, where possible, with internal roadways and site circulation towards the perimeter of the subject property. The proposed development would include posted "house" rules for residents, inclusive of resident-only controlled access to the community center, controlled hours for the pool and tennis courts, and key fob access to these areas during allowable times to ensure a quiet and enjoyable setting for not only the residents but the surrounding neighborhood.

The recreational facilities and community center are not expected to be intensive uses. The swimming pool and tennis courts would also only be a seasonal use during the warmer months of the year. Also, occupancy of the pool area would be controlled with a limited number of pool lounge chairs and prohibiting residents from bringing personal seating to the pool area and the use of audible speakers would not be permitted. Residents would be expected to enjoy music via personal headphones. Also, the proposed action includes extensive landscaping to supplement the existing trees to remain for visual screening and with adequate setbacks to the property lines, the proposed development would not be expected to adversely impact adjacent property owners. The proposed use is also not projected to result in any significant adverse traffic impacts, as evaluated in Section 3.1 of this DEIS. Overall, the proposed action would not be expected to prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use districts.

B. *That the special exception use will not prevent the orderly and reasonable use of permitted or legally established uses in the district wherein the proposed special exception use is to be located or of permitted or legally established uses in adjacent districts.*

As stated above, the proposed development would be limited to 52 housing units within 13 individual two-story buildings. The buildings would be concentrated towards the center of the subject property, where possible, with internal roadways and site circulation towards the perimeter of the subject property. As noted above, the proposed development would include "house" rules for residents, inclusive of resident-only controlled access to the community center, posted hours for the pool and tennis courts, and key fob access to these areas during allowable times to ensure a quiet and enjoyable setting for not only the residents but the surrounding neighborhood. The recreational facilities and community center are not expected to be intensive uses. The swimming pool and tennis courts would also only be a seasonal use during the warmer months of the year. Extensive landscaping, retention of existing trees and adequate setbacks to the property lines would also ensure that the multifamily residential use would not affect adjacent property owners. The proposed use is also not expected to result in any traffic impacts.

It is important to note that the proposed special exception use for multifamily residential development is consistent with the rezoning action of the Village in 2003, which modified the subject property from industrial zoning to MF-20. The proposed special exception use is also consistent with the Village goals to increase housing diversity and income-eligible units, as stated in Chapter 40 of the Village Code (Administration of Affordable Housing Units). As stated in §40-1.B. of the Village Code:

> "*The lack of affordable housing creates many adverse effects for the Village. Employers often grapple with the task of hiring and retaining employees because of the limited availability of affordable housing. Recruiting and retaining essential personnel (e.g., public safety, health care, municipal employees, volunteer EMS, and fire protection) has increasingly become a challenge because of the lack of affordable housing. Volunteer emergency services also are impacted by the lack of affordable housing, prompting the possibility of paid services. While the Village has benefited from increased tourism and second-home ownership, the Village Trustees find there is a need to ensure housing opportunities for income-eligible households in order to sustain the local economy and community services*…"

The commitment to increase the supply of affordable housing is evidenced by the priority review status provided by the Planning Board to those applications that include "a referral on a special exception application pursuant to §197-80.3 from the Village Trustees that contains affordable units" (§40-3.A.)

As indicated in the Comprehensive Plan Update of 2006, the rezoning efforts were undertaken "*…to preserve the residential character of the northern neighborhoods of the Village, and to provide a stimulus for more moderately priced housing*." The proposed development is consistent with the intended use of the property. Furthermore, and discussed in Section 1.1.2 of this DEIS, a local realtor, Kerrigan Country Realty, located in Westhampton Beach, has confirmed the need and demand for condominium units. In correspondence dated September 4, 2020 (see Appendix E), Kerrigan Country Realty indicated "*There appears to be a need for expanding condo production given the large demographic demand, the continuing strong economy and the challenge of both home-buyer affordability and availability."* Notable points in the Kerrigan Country Realty correspondence included:

- *The demographic interest is showing that the typical consumer is in the 50-60 age bracket and looking for a second residence in a beach community without the expensive burden of maintaining a private residence.*

- *Downsizing is also a major consideration for our older local community who are looking to sell their larger homes in the area, but do not want to leave lifelong friends, family, community and doctors whose relationships have been built over time.*

- *There has been interest from our local community in the 30-40 age bracket who have a desire to continue living in the immediate area but have had to stall their purchasing because of lack of inventory and increasing price points of existing, renovated and newer homes.*

Overall, based on the aforementioned, the proposed action would not be expected to prevent the orderly and reasonable use of permitted or legally established uses in the district wherein the proposed use is to be located or of permitted or legally established uses in adjacent use districts. Rather, the proposed development responds to a demand in the community while also being consistent with the rezoning to multifamily residential development by the Village in 2003.

C. *That the safety, health, welfare, comfort, convenience or the order of the Village will not be adversely affected by the proposed special exception use and its location.*

The proposed development would be constructed in accordance with all applicable building and fire codes and in consultation with Village officials and staff to ensure there are no safety concerns. Site access has been evaluated in the traffic impact study and the proposed access plan has been designed to adequately provide for the projected traffic entering and exiting the access driveway to assure the public safety and to minimize traffic congestion. Moreover, the proposed site plan includes intersection improvements (i.e., proposed T-intersection with all-way stop signs and installation of sidewalk) that would be expected to reduce traffic speeds along Rogers Avenue, which serves to benefit the surrounding residential landowners. As indicated in the TIS and discussed in Section 3.1.2 of this DEIS, the introduction of new means of traffic control at the intersection formed by the Site Access Driveway and Rogers Avenue would encourage drivers to operate at lower speeds in this area. This would increase incrementally the time it takes to navigate through the area for any cut-through traffic using Rogers Avenue to avoid delays at the intersection of Old Riverhead Road at Montauk Highway, making this route less attractive.

Regarding noise, the proposed development would include "house" rules for residents, inclusive of resident-only controlled access to the community center, posted hours for the pool and tennis courts, and key fob access to these areas during allowable times to ensure a quiet and enjoyable setting for not only the residents but the surrounding neighborhood.

Water for fire protection would be supplied from the same water distribution system that provides potable water and six hydrants would be installed for adequate protection. The proposed community center would also be provided with an automatic fire sprinkler system. Overall, the proposed action would not adversely affect the safety, the health, the welfare, the comfort, the convenience or the order of the Village.

D. *That the special exception use will preserve and protect the environment and be in harmony with and promote the general purposes and intent of this chapter.*

The proposed development is to be situated within the Village's MF-20 District and in compliance with the bulk and dimensional requirements and regulations of the MF-20 zoning district. As evaluated later in this section, the proposed use is consistent with many of the goals of the Comprehensive Plan Update of 2006. The proposed development would also incorporate a 15 percent affordable housing component, thus complying with §197-80.3.H of the Village Zoning Code. As such, the proposed development complies with the affordability component set forth in the special exception criteria for multifamily residential development.

Upon implementation of the proposed action, the former industrially zoned asphalt plant would be redeveloped with multifamily residences. The proposed action includes retaining 264 existing trees and all supplemental plantings are native and/or drought-tolerant species to reduce irrigation and fertilizer demands. Also, while the density of the proposed development requires the utilization of a sewage treatment facility, the proposed STP results in a sanitary effluent quality that is more beneficial in terms of reduced nitrogen loading to groundwater. As evaluated in Section 5.1 of this DEIS, when compared to the proposed action, the As-of-Right plan (which includes the utilization of I/A OWTS) results in a nitrogen loading that is 2.34 lbs. / day. The proposed STP results in approximately 533 lbs. /yr. less nitrogen than if the property were developed as-of-right with I/A OWTS. Accordingly, the proposed special exception use with STP provides a benefit to the As-of-Right plan.

The proposed development would also be constructed with an integrated stormwater management system consisting of catch basins, leaching pools and three biofiltration swales designed to accommodate a three-inch rain event.

Overall, the proposed use will preserve and protect the environment and be in harmony with and promote the general purposes and intent of the chapter.

Considerations to be used in making determinations – Section 197-80

A. In making the determinations required in § 197-79 above, the Village Board shall give consideration, among other things, to:

(1) The character of the existing and probable development of uses in the district and the particular suitability of such district for the location any special exception use.

The proposed project would change the character of the subject site from a vacant and underutilized former industrial property to a multifamily residential development in accordance with the Village's rezoning efforts from I-1 to MF-20 in 2003. As evaluated herein, the proposed development is consistent with various local planning documents relevant to the Village of Westhampton Beach. The proposed development would be limited to 52 housing units within 13 individual two-story buildings that would reflect the existing scale of existing buildings in the surrounding area (i.e., low density, two-story structures). Public views of the proposed townhomes would be limited and obscured by proposed landscaping and dense vegetative buffers (see Site Development Plans in Appendix C and 3-D Computer Imagery in Appendix D). Accordingly, the proposed development would be consistent with the character of the neighborhood.

(2) The conservation of property values and the encouragement of the most appropriate uses of land.

Based on an assessment provided by Carriage Hill Developers Inc., there would be an increase in tax revenue to various taxing jurisdictions, including (but not limited to) the Village of Westhampton Beach General Fund, New York State, Suffolk County, the Town of Southampton, and the local fire protection, EMS services, police protection and school districts. Pursuant to information provided by Carriage Hill Developers Inc., the proposed development would

generate approximately $420,783.00 in total tax revenue to various applicable taxing jurisdictions as described above, based on 2019-20 Village of Westhampton Beach and Town of Southampton tax rates (see Appendix G).

Regarding the appropriateness of the use, the existing vacant subject property was formerly used as an asphalt mixing plant. In March of 2003, the subject property was rezoned to MF-20. The proposed "Townes at Ketchaponack" would provide 52 units within 13 individual, two-story buildings and include a 15 percent affordability component, which is intended to meet an existing demand, as well as meet the goals of the Comprehensive Plan Update of 2006 and the SC Comprehensive Master Plan 2035. Upon implementation of the proposed action, it is also expected that project residents would frequent the businesses located along Old Riverhead Road and Montauk Highway. Accordingly, based on the above, property values would be conserved, and the proposed multifamily development would generate significantly greater tax revenues from its current vacant and underutilized state.

(3) The availability of adequate and proper public or private facilities for the treatment, removal or discharge of sewage, refuse or other effluent, whether liquid, solid, gaseous or other material, that may be caused or created by or as a result of such special exception use.

Consultations were undertaken with the SCWA and water service has been confirmed for the proposed development. The proposed action includes the construction of a STP to accommodate the total demand from the residential and community center uses. As evaluated in the Section 2.2.2 of this DEIS, there are no significant adverse impacts expected to occur from the STP. Of importance is that the nitrogen load from wastewater from the proposed development would be approximately 533 lbs./year less than that of an "as-of-right" development, due to the presence of the proposed STP, which would not be required in the as-of-right development. This reduction would improve the overall groundwater and surface water quality over an as-of-right development.

All solid waste from the proposed development would be collected and disposed of by a licensed private carter. Recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. The central trash dumpster area for the community center would be enclosed by a fence and pick-ups from the individual residential units would occur at the back of the buildings within the alleys. All pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures.

(4) The availability of utilities, such as electricity, gas and water, including such considerations as hook-in locations and the compatibility of these utilities for the proposed special exception use.

Consultations were undertaken with PSEG Long Island, National Grid and SCWA. Service availability has been confirmed for PSEG Long Island (see correspondence in Appendix M). The proposed action would connect to the existing established infrastructure in the vicinity of the subject property (i.e., overhead utility wires are present to the south of the subject property along Rogers Avenue and north of the subject property, parallel with the LIRR right-

of-way). Service availability has also been confirmed by National Grid and SCWA (see correspondence included in Appendix M and Appendix I, respectively). There is an eight-inch gas main located in Rogers Avenue and an eight-inch water main located in Rogers Avenue. The proposed development would hook-in to these locations and it is not expected to place a significant demand on the corresponding purveyors.

(5) *Whether a hazard to life, limb or property because of fire, flood, erosion or panic may be created by reason of or as a result of the special exception use or by the structures to be used therefor by the inaccessibility of the plot or structures thereon for the convenient entry and operation of fire and other emergency apparatus or by the undue concentration or assemblage of persons upon such plot.*

The proposed action is of small-scale (52 units within 13 individual two-story buildings) and would not create a hazard to life, limb or property because of fire, flood, erosion or panic.

(6) *Whether the special exception use or the structures thereon will cause an overcrowding of land or undue concentration of population.*

The proposed multifamily residential development would not be expected to result in an overcrowding of land or undue concentration of people. As noted on the proposed site plan and in Table 24, the lot coverage for the proposed plan is 17.3-percent, which is 22.7-percent less than the maximum permitted coverage of 40-percent under Village Code. The projected population of 107 persons is also expected to include current Village residents that either elect to downsize from single-family homes or may seek condominium living or income-eligible housing. It is also noted that proposed community center and recreational areas are for residents-only and house rules would be implemented to control access (key fobs).

(7) *Whether the operations in pursuance of the special exception use will cause undue interference with the orderly enjoyment by the public of parking or of recreational facilities, if existing, or if proposed by the town or by other competent governmental agency.*

The subject property would provide adequate parking on-site for all community residents and their guests. The proposed action would not interfere with the orderly enjoyment by the public of parking facilities as all parking would be contained on-site. Also, as the proposed development includes recreational areas, there would be no adverse impact to existing recreational facilities. Finally, as noted earlier, the projected population of 107 persons is expected to include current Village residents that either elect to downsize from single-family homes or may seek condominium living or income-eligible housing. As such, the proposed units would not be expected to result in an entirely "new" Village population.

(8) *Whether the special exception will be in harmony with the ecology of the surrounding area and promote the conservation of the same.*

The proposed development would preserve 264 of the 657 trees on the subject property, with 105 trees greater than four inches in caliper. The subject property is adjacent to the LIRR transportation corridor (i.e., active railroad tracks) and proximate to Gabreski Airport, which

are each active land uses that impact any site's ecological value. Upon implementation of the proposed action, the area of woodland and landscaped vegetation would increase by 1.292± acres from existing conditions (totaling 4.107± acres) while the area of impervious surfaces would decrease by 1.784± acres from existing conditions (totaling 4.846± acres). The proposed development would also incorporate approximately 0.492 acre of permeable pavement in the proposed alleys. While the activity of the LIRR Transportation corridor and Gabreski Airport would remain unchanged, the proposed Site Landscape Plan, placement of the townhomes, and residential usage of the site would be expected to improve the ecology of the site by attracting suburban wildlife, songbirds, etc. that utilize the surrounding residential neighborhood. As such, the granting of the special exception for the proposed multifamily development would be in harmony with the ecology of the surrounding area and would also promote an improved environmental setting with increased pervious and vegetated areas.

Multiple dwellings; family residential development – Section 197-80.3

A. *Purpose. The standards contained herein are required with regard to design, yield determination and other requirements in order to provide housing opportunities that promote independence and a high quality of life as well as ensuring that multi-unit housing is compatible with surrounding land uses. It is also the purpose of this special exception use to assist in facilitating the creation of affordable housing opportunities.*

As the proposed action is a multifamily residential development, it would allow for a higher density of residents to occupy the subject property as compared to single-family residential homes. By increasing the density on site, the proposed action offers a mix of different housing units and prices, including affordable housing, within the same development creating opportunities for diversified housing stock within the Village. The proposed development would be compatible with surrounding land uses in an area that is predominantly residential to the south and east with commercial and transportation uses to the west and north. As demonstrated below, the proposed action would be consistent with the overall purpose of the standards contained in §197-80.3.

B. *Building types permitted. There are four types of buildings permitted: one-family dwelling, two-family dwelling, three-family dwelling (also called triplex), four-family house (all of which are included in the definition of a manor house) and townhouse (also called rowhouse), which shall be designed to appear as a single-family residence from the street utilizing the architectural elements outlined in "Multifamily Housing Designs to Enhance Neighborhoods" (incorporated by reference).*

The proposed project consists of 52 residential units within 13 two-story townhouse buildings. Thus, the proposed action is consistent with the permitted building types under the Village's zoning code.

C. *Orientation*

(1) *Requirement. Each building type shall be oriented toward the street, with primary entrance, porches and property demarcation facing the public right-of-way or internal street. All buildings facing an existing public street shall be designed to appear as single-family residences. The principal building shall be designed to orient toward public streets and provide pedestrian and*

vehicular connections to adjacent areas or roadways. Techniques for complying with the orientation requirement include, but are not limited to:

(a) Using a modified street grid system where most buildings in a project front on an existing or proposed street. Where no public streets exist, creating a grid street system within the project.

(b) Locating parking areas behind or under buildings and accessing such parking from alley-type driveways. If driveway access from streets is necessary, minimum width driveways meeting the fire code standards should be used.

(c) Providing each building with direct pedestrian access from the main street fronting the building and from the back where the parking is located.

(d) When located on a corner lot, the front building facade shall be oriented toward the road having the higher road classification, i.e., arterial or collector, as applicable.

As shown on the Site Development Plans (see *Sheet C-100* in Appendix C), all 13 buildings proposed would be oriented such that they would be facing the proposed internal roadways on-site. The community layout is a grid-type system with alleys situated in the rear yards of each residential block to provide access to unit garages and driveways, leaving unencumbered frontage towards the street. Each townhome building as well as the community center would provide direct pedestrian access from the main internal roadways as well as from the back of the townhomes. It is the intention of the applicant to develop the site as a pedestrian-friendly community. The proposed site plan includes a well-developed system of pedestrian sidewalk paths to allow for pedestrian circulation throughout the site. Crosswalks will also be provided at road crossing points. The proposed development would be consistent with this provision.

D. Dimensional requirements. The Multifamily Residential Developments Table of Dimensional Regulations is included at the end of this chapter.

As indicated in Table 24, the proposed development would comply with all dimensional regulations for the MF-20 zoning district.

H. Affordable units' component. For every market-rate unit proposed over four units per acre at least one affordable unit shall be reserved for income-eligible families as defined in § 197-1 of this chapter.

(1) The distribution of affordable units shall be evenly distributed between moderate-, median-, and middle-income households, i.e., 30% of the units for moderate income, 30% of the units for median income, and 30% of the units for middle income, with the first unit being reserved for a middle-income household. The distribution of affordable units may be amended, subject to Planning Board approval, after the housing needs of income eligible participants are formally determined, pursuant to applicable sections of the Village Code.

(2) Priority households. To the extent permitted by law and by federal, state, and county programs, priority for affordable housing opportunities is as follows:

(a) Income-eligible households residing year round in the Village of Westhampton Beach. Higher priority will be given to at least one adult member who is a qualified active member of the Westhampton Beach fire/EMS volunteer community services.

(b) Income-eligible households residing year-round in the Town of Southampton. Higher priority will be given to at least one adult member who is a qualified active member of the Westhampton Beach fire/EMS volunteer community services, and then to those households residing in the Westhampton Beach School District.

(c) Income-eligible households residing year-round outside of the Village of Westhampton Beach, but in which an adult member works at a location physically within the Village. A higher priority will be given to those households in which at least one adult family member is currently employed by the Village of Westhampton Beach, and then to those employed by general community services providers, as defined herein.

(3) The control and administration of occupancy of the affordable housing units shall be consistent with the regulations and standards set forth in applicable sections of the Village Code.

Regarding the requirements in H(1) – H(3) above, all of the affordable units offered within the proposed development are one-bedroom units, which are situated on the west side of the community. As indicated in this provision of the zoning code, for every market-rate unit proposed over four units per acre, there must be at least one affordable unit reserved for income-eligible families. Of the proposed 52 units, which includes 15 units in excess of the four units per acre yield (without an affordability component), seven (7) are proposed as market-rate and eight (8) are proposed for income-eligible families. As such, the proposed development complies with the affordability component set forth in this special exception criteria for multifamily residential development.

I. Minimum floor area. The development shall meet the minimum floor area requirement provided in §197-34 of the Village Code.

The proposed development would comply with the minimum floor area requirement for multifamily residential which is at least 250 SF according to Section 197-34E. As indicated on the building summary table on the Proposed Site Plan (Sheet C-100), the minimum unit size is 1,050 SF.

J. Bedroom mix. The average number of bedrooms per unit shall not exceed two.

The proposed "Townes at Ketchaponack" would consist of eight (8) one-bedroom residential units, 36 two-bedroom residential units and eight (8) three-bedroom residential units. The total number of bedrooms for the proposed development would be 104 bedrooms. The average number of bedrooms per unit equals two bedrooms. As such, the proposed development complies with this provision.

K. Neighborhood scale; requirement. To the extent reasonable and practicable, the architectural scale of new buildings proposed for existing neighborhoods shall be compatible with or complement the architectural character of neighboring buildings.

As noted above, the proposed development would be limited to 52 housing units within 13 individual two-story buildings that would reflect the existing scale of existing buildings in the surrounding residential area (i.e., low density, one- and two-story structures).

L. Privacy; requirement. Buildings shall be oriented for privacy, to the extent practicable, both within the project and to the neighborhood. Techniques for complying with this requirement include, but are not limited to:

(1) Reducing the number of windows or decks on the proposed building which overlook the neighbors;

(2) Staggering windows to avoid aligning with adjacent windows;

(3) Increasing the side or rear yard setback, or stepping back the upper floors so that window areas are farther from the property line.

The proposed development would orient buildings and windows for privacy to the maximum extent practicable. The front of the buildings would be staggered such that buildings across the street would not be directly aligned. Furthermore, as shown on the Site Development Plans (see *Sheet C-100* in Appendix C), the layout of the overall buildings along with the internal site circulation provides for a breaking up of the masses of the buildings and offset from each other to provide for maximum privacy. As such, the proposed development complies with this privacy provisions.

M. Facade, footprint, and roof articulation.

(1) Requirement. Buildings shall have a design theme that provides variety and character within a project. Walls and roofs shall include separations, changes in plane and height, and architectural elements such as balconies, porches, dormers, and cross gables. Techniques for complying with this requirement include, but are not limited to:

(a) Facade modulation stepping back or extending forward a portion of the facade for each interval;

(b) Articulating each interval with architectural elements like a porch, balcony, bay window, and/or covered entry;

(c) Articulating the roofline by stepping the roof, rotating roof ridge to be perpendicular to the length and by emphasizing dormers, chimneys, or gables; and

(d) Providing a ground- or wall-mounted fixture, a trellis, a tree, or other site feature within each interval.

As shown on the Architectural Floor Plans and Elevations (see Appendix D), there are two options proposed for the style of architecture for the townhouse buildings. The proposed townhouse buildings would include covered decorative porches with columns in the front entry ways for all units for both options 1 and 2. The proposed townhomes would be designed as colonial style townhouses providing a variety of architectural elements, including different materials, separations between walls and roofs, changes in plane and height, as well as column façade. The proposed buildings would have façade modulation stepping back a portion of the façade for each interval. The windows along the second floor in options 1 and 2 would be emphasized with a portion of the roof façade extended outward (option 1 would be triangular and option 2 would be rectangular) (see *Sheet A1.6* in Appendix D).

The community center would be designed to complement the residential buildings, with a similar colonial style design with a decorative covered patio with columns. The proposed community center would include separations between the walls and rooflines and would also have a façade modulation stepping back a portion of the façade for each interval. The building would have large windows along the front, left and right sides of the building with a pitched roof (see *Sheet A.2* in Appendix D). As such, the proposed action is in keeping with this standard.

N. Materials and colors; requirement. Exterior materials and colors in new building construction shall be compatible with or complement the character of surrounding buildings. Techniques for complying with this requirement include, but are not limited to:

(1) Wood siding and roofing is preferred, however, other building material of substantial quality that emulates cedar shingles or woodlike appearance may be permitted. Brick, stone, or other material may be utilized to complement the building facade. Building materials that are durable and easily maintained. Building construction shall be compatible with or complement the character of residential buildings in the surrounding area.

(2) Using materials with textures or patterns; and

(3) Using exterior colors that are subdued and emphasize earth tones.

As shown on the Architectural Elevations (see Appendix D) and as illustrated on the advertisement in the Market Demand Study (see Appendix E), the proposed buildings would incorporate a variety of materials and colors that would be consistent and compliment the character of the surrounding residential houses. The townhomes and community center are proposed to incorporate variations of tan coloring with grey/black roofing. However, the final color selections would be subject to approval by the Board of Architectural Review.

As indicated above (and shown on the Architectural Floor Plans and Elevations in Appendix D), there are two options proposed for the architecture of the townhouse buildings. For option 1, the townhomes would be sided with a combination of vinyl clapboard and vinyl cedar wood shake alternating between the façade module intervals. For option 2, the townhomes would be sided with a combination vinyl clapboard, vinyl cedar wood shake as well as cobblestone alternating

between the façade module intervals. Architectural asphalt roof shingles would be used to line the roof of the townhomes for both options 1 and 2.

The proposed community building would also incorporate different types of materials such as asphalt roof shingles along the roof, vinyl cedar wood shake along portions of the front and left roof façades, vinyl clapboard along the middle of portion of the building façade, and cobble stones to outline the base of the buildings (see *Sheet A.2* in Appendix D).

O. Off-street parking.

(1) The number of off-street parking shall meet the parking requirements provided in § 197-21 of the Village Code.

The proposed development meets the parking requirements of Section 197-21 of the Village Code, as shown in the Site Development Plans on *Sheet C-001* in Appendix C. As discussed in Sections 1.3.3 and 3.1.2 of this DEIS, parking is proposed as garage parking, driveway parking, and on-site asphalt parking. The on-site parking is located along the north, east, and west property lines, maintaining a minimum of a 20-ft off-set from the property lines. The eight (8), three-bedroom retail market units are each provided with an attached one-car garage, a one-car driveway, and on-site surface asphalt parking. The 36, two-bedroom retail market units are each provided with an attached one-car garage and a one-car driveway. The one-bedroom affordable housing units are each provided two (2) on-site asphalt parking spaces in front of the individual units. Pursuant to §197-21 of the Village Code, the required parking is two spaces per unit plus one space per bedroom over three bedrooms. As such, 104 spaces are required.

As detailed in Table 2 in Section 1.3.3 of this DEIS, there are 104 proposed parking spaces located in the attached garages and driveways of the retail market housing units, which complies with the on-site parking requirements. The proposed development also provides 97 on-site guest parking spaces and two (2) ADA parking spaces, located nearby to the community center, along the east and west side yards, along the alley in the rear yard, and within the center drive aisle. Overall, the proposed development includes 203 parking spaces.

(2) Parking location and design.

(a) Requirement. The impact of driveways and parking lots on pedestrians and neighboring properties shall be minimized by designing, locating, and screening parking lots, carports, and garages in a way that creates few interruptions on the internal or public street, sidewalk, or building facade. Techniques for complying with the requirements of this section include, but are not limited to:

1. Locating surface parking at the rear or side of lot;

2. Internal parallel on-street parking provided on site may be utilized to meet the off-street parking requirements and is encouraged over traditional parking lots;

3. Minimizing the number and width of driveways and curb cuts;

4. Sharing driveways with adjacent property owners;

5. Locating driveways so they are visually less dominant, and berming and landscaping them when they are visible from the street;

6. If a parking lot is necessary, it shall contain no more than 20 spaces and be designed in a way that provides easy access for pedestrians;

7. Locating parking in areas that are less visible from the street;

8. A minimum twenty-foot buffer with landscaping and/or fencing shall be provided for parking lots abutting single-family residences. All fencing shall comply with section § 197-43.

The subject property would provide adequate parking on-site for all project residents and their guests as well as for the recreational areas which are only available to project residents. As shown on *Sheet C-001* of the Site Development Plans in Appendix C, parking for the residences would be provided via proposed alleys behind the buildings with individual driveways leading up to the residential units. This would help to minimize interruptions on the internal streets, sidewalks and building façade.

Surface parking for guests and the recreational facilities would be located along the eastern, and western boundaries of the subject property with a dense vegetative buffer, landscaping and a perimeter fence so as to screen parking from the vacant land and residential use to the east of the site and the industrial use to the west of the site. Internal, parallel on-street surface parking would also be provided on the north side of the subject property with a vegetative buffer and perimeter fence to screen the LIRR right-of-way to the north. As required, a minimum 20-ft buffer with landscaping and/or fencing would be provided for parking lots abutting single-family residences. Also, all fencing would comply with §197-43, which requires fences in the front yard to be four-ft or less, and fences located within a side or rear yard to be six-ft or less.

There would also be surface parking in the middle of the property with no more than 20 parking stalls and would be landscaped on both the southern and northern sides so as to minimize views from passersby. Thus, the proposed action is in keeping with the parking location and design standards.

(b) Parking lot landscaping. Parking lots larger than 14 spaces and/or 5,500 square feet shall provide at least one shade tree for every nine parking spaces. Trees shall be located in internal planting islands or along the perimeter of the parking lot.

1. Planting areas shall be no less than 160 square feet per tree with a minimum width of five feet, excluding curb.

2. Trees planted as part of parking lot landscaping shall be of a noncolumnar, shade-tree variety with an expected height at maturity of at least 30 feet.

As noted above and illustrated on the Site Landscape Plan, landscaping would be provided throughout the site including near the proposed surface parking stalls and the required planting area of 160 SF per tree with a minimum of five-ft is provided. The proposed Site Landscape Plan also complies with providing one shade tree for every nine parking spaces and the height maturity for the proposed plantings range from 40 to 65-ft.

(c) Alleys are encouraged to provide access to parking facilities located in the rear or side yards. Alleys serve an important role in neighborhoods. They enable properties to have an unencumbered frontage towards the street by eliminating the need for driveways. Alleys create an ordered, pedestrian-scaled front to a property by placing service and maintenance functions in less visible locations. Alleys shall be a minimum of 12 feet wide, and shall be set back from any structure or property line a minimum of five feet.

As described above, the parking for the residences would be provided via proposed alleys behind the buildings with individual driveways leading up to the residential units. All alleys are proposed at a minimum width of 15±-ft, with exception of the alley to the north which is 30-ft in width to accommodate parallel parking to the north. The alleys would provide a minimum 13±-ft setback from the proposed townhomes. Community residents would dispose of solid waste via curbside collection in the alleys, behind their respective building. Sewer mains are also proposed to be placed underground in the alleys which would be 15±-ft in width. As such, the proposed action is consistent with this provision.

P. Utilities and Services.

(1) Water supply and sewage disposal. Developments shall be served by public water. All necessary approvals shall be obtained from the Suffolk County Department of Health Services for sewage disposal. For purposes of supplying water for fire protection, the Planning Board shall solicit comments and review from the Fire Marshal and Fire District.

The proposed action would utilize public water supply for domestic water and irrigation from SCWA. The proposed development also includes the installation and utilization of an on-site STP that would be designed in conformance with all SCDHS standards and regulations and all required permits and approvals would be obtained before construction. A total of six (6) fire hydrants would be placed throughout the subject property for fire protection. Consultations have been undertaken with the Westhampton Beach Fire Department regarding the proposed development. To date, no reply correspondence has been received; however, it is anticipated that consultations with the Fire Department and Fire Marshal would be undertaken during this process or during site plan review such that any recommendations for fire protection can be addressed. Furthermore, SCWA has been consulted and they have confirmed adequate water supply for fire protection. Accordingly, based on the above, the proposed action would be consistent with this standard.

(2) Drainage. Stormwater drainage systems serving any multi-family development shall be designed so that the rate of runoff from the site during a one-hundred-year storm will not exceed that which would have occurred prior to its construction. The calculation of such runoff rate and the design of the drainage system shall be subject to the approval of the Village Engineer.

As discussed above in Section 2.2.2, the volume of stormwater runoff generation from the proposed development would be 11,989± CF less than under existing conditions for 100-year storm event. The proposed action would also provide a greater amount of stormwater infrastructure and management than under existing conditions and no stormwater runoff will be permitted to run overland onto surrounding properties or Rogers Avenue public right-of-way. The stormwater management system will be subject to the review and approval of the Village Engineer prior to construction. Thus, the proposed development would comply with this standard.

(3) Refuse storage and collection. Plans for the storage and collection of refuse shall be subject to Planning Board approval. The outside storage of refuse, if permitted, shall be in rodent-proof containers conveniently located and enclosed or otherwise screened from view. Such facilities shall comply with all setback requirements applicable to accessory buildings and shall be fully screened and landscaped. In addition, regular trash collection shall be required. The Planning Board may impose additional covenants to ensure property maintenance and upkeep.

Community residents would dispose of solid waste via curbside collection in the alleys, behind their respective building. A dumpster would also be located south of the proposed ADA parking spaces just north of the community center for the collection and storage of solid waste generated by the community center and would be screened within a fenced enclosure. Solid waste would be picked up and disposed of by a private licensed carter. As such, the proposed development would comply with this provision.

(4) Underground utilities required and screening of appurtenances on building facades. All utilities, including electric, telephone and cable television service, shall be placed underground. Utility meters and other appurtenances shall be screened by lattice enclosures and/or landscaping to soften appearance. Condensing units and other mechanical systems shall likewise be screened, as determined by the Planning Board.

All utilities including, sewer, water and gas mains, and electric, telephone and cable television services would be placed underground. Individual townhouses would have their own gas and electric meter boxes located on the exterior of the units and screened by landscaping around the units. Accordingly, the proposed development would comply with this provision.

(5) Fire protection and emergency services provisions. The site plan shall provide proper access for fire-fighting equipment and emergency services personnel. Where applicable, fire hydrants shall be installed in such number and location and with such water flow as may be determined adequate and approved by the Planning Board, based upon the recommendations of the Village Engineer, Village Fire Marshal, and Fire District.

(a) Fire zones and parking restrictions on accessways. Any private road or driveway serving as the access way shall be subject to fire zone designation and parking restrictions, subject to Planning Board approval during site plan review.

(b) All building construction shall meet the regulations pursuant to the NYS Building and Fire Prevention Code.

The proposed development would provide adequate access for emergency service vehicles such as fire trucks and ambulances. The proposed internal roadways would be constructed in conformance with adequate widths and turning radii for emergency services vehicles to safely traverse. As noted above, a total of six (6) fire hydrants would be installed throughout the subject property for fire protection services. The proposed community center would also be provided with an automatic fire sprinkler system. Consultations have been undertaken with the Westhampton Beach Fire Department regarding the proposed development. To date, no reply correspondence has been received; however, it is anticipated that consultations with the Fire Department and Fire Marshal would be undertaken during this process or during site plan review such that any recommendations for fire protection can be addressed. Furthermore, SCWA has been consulted and they have confirmed adequate water supply for fire protection. The Westhampton War Memorial Ambulance Association has also been consulted regarding the proposed development and a response is pending. All building construction would meet the standards and regulations pursuant to the NYS Building and Fire Prevention Code. The proposed action would be consistent with this standard.

Q. Other conveniences.

(1) Laundry. Each unit shall contain or have access to a washer and dryer.
(2) Mailboxes. Each building shall have a mailbox facility located in a convenient area for occupant retrieval as well as postal delivery.

Each individual townhome unit would be equipped with a washer and dryer. The individual units would not have their own mailbox, but rather all mail would be received and delivered to a mail room in the community center. Accordingly, the proposed action is in keeping with this standard.

R. Exterior lighting. A lighting plan shall be submitted illustrating compliance with § 197-25.5 and § 197-25.6I(1) for review and approval as part of the overall plan submission for the development.

A lighting plan has been developed and is included in the Site Development Plans, *Sheet C-500,* in Appendix C. The proposed lighting design includes light poles and building fixtures (see Proposed Lighting Plan, Sheet C-500 in Appendix C). As illustrated on the Proposed Lighting Plan (see *Sheet C-500* in Appendix C), the proposed lighting has been designed, located, lamped, direct and maintained in order to prevent those lighting impacts as listed above. A photometric analysis of each proposed lighting pole was performed as illustrated on the Proposed Lighting Plan and indicates there would be no off-site or trespass lighting with the proposed lighting in place. All lamp poles along the internal roadways (excluding alleys) and adjacent to surface parking areas as well as all wall-mounted, building fixtures would include a shielded LED luminaire to direct all

light downwards with no upward glare. The lighting plan would comply with Section 197-25.5, as discussed below, and would be submitted for review and approval prior to construction. As such, the proposed development is in keeping with this standard.

S. Recreation areas. Except as provided below, there shall be a recreation area which is designed, improved and maintained for the exclusive use of the residents of such development and their nonpaying guests. The recreation area shall contain at least 120 square feet of lot area per dwelling unit. The plan for the recreation area shall be subject to Planning Board approval as to location, design and adequacy, taking into consideration the size of the development and the anticipated occupancy of the units.

(1) The options for types of recreational areas that can be considered are:

(a) Parks and playgrounds: a landscaped area, bordered on at least one side by a street designed for either passive or active recreational uses. The space shall not contain buildings or structures other than a pool, pool house/community center, tennis courts, pavilions or play equipment.

(b) Community greens, squares, commons: a natural or landscaped area, bordered on all sides by streets and/or buildings. The space shall not contain buildings or structures other than pavilions, memorials or monuments.

(c) Community gardens: a series or grouping of plots of land that neighborhood residents may use for the purposes of growing flowers or edible produce.

(d) Bikeways, greenway, trails: a linear feature, consisting of a minimum five-foot-wide paved or hard-packed surface within a corridor space that can vary in length and width, but should not be narrower than 20 feet wide. Regular access points from public rights-of-way [sic] should be provided.

(e) Alleys: Alleys serve as informal play areas and walkways for the immediate residents, therefore the rights-of-way [sic] of public alleys may count towards the open space requirements for the neighborhood. To encourage the use of alleys, up to 30% of the total area used for alleys can count towards a maximum of 5% of the recreation requirements.

The proposed development would incorporate a variety of recreational amenities and spaces for the community residents, including an outdoor swimming pool (2,000 SF), tennis courts (3,456 SF), community center (2,669 SF) and gazebo with sheltered seating would be available for the use and enjoyment of project residents. As required, the recreation area is to contain at least 120 SF of lot area per dwelling unit or 6,240 SF. Excluding the gazebo, the proposed development provides 8,125 SF of recreational area in the pool, tennis area and community building. As indicated in the Architectural Floor Plan for the community center (see Appendix D), the community building would include an exercise room, a billiards room, a card room, a lounge area, bathrooms, an office and a mail room for the residents. Each of the residential units would also have an unencumbered front yard that can be used for child play area.

The proposed development has also been designed with alleys behind the townhomes which could serve as informal play areas and walkways for the immediate residents, although ample lawn space in the front yards of each unit have also been provided and could be used for resident play area. Sidewalks are also proposed throughout the site for safe walking activities. Overall, the proposed development complies with the intent of this standard for adequate recreation area.

(2) Private outdoor space. In addition to the recreation area required above, each individual multi-family dwelling unit shall be provided with a private outdoor space in the form of a patio, terrace, garden, courtyard, deck or balcony, which space shall be immediately adjoining and directly accessible to the dwelling unit which it serves.

The proposed development would incorporate a screened porch that would be extended from the rear of each individual townhome units. In addition, a covered porch in the front of the individual townhomes is also proposed. Thus, the proposed development complies with this provision.

(3) Park fee. Notwithstanding the provisions of § 197-63Q, or § 197-40.1 of the Village Code, the applicant shall not be required to set aside any reserved area for park or recreation purposes, or to pay a recreation area or park fee to the Village in lieu thereof respecting any affordable unit, as defined in § 197-1, depicted in any multi-family site plan, and the number of dwelling units used to calculate park fees set forth in § 197-63Q shall be reduced by the number of affordable units provided. Any recreation areas set forth herein on any multi-family development site plan may be used to satisfy, in part or whole, the requirements for a reserved area for park or recreation purposes, or the payment of a recreation or park fee as required under § 197-63Q. The extent to which recreation areas may be used to satisfy the requirements for reserved area for park or recreation purposes, or payment of a recreation or park fee as required under § 197-63Q shall not exceed 50% of the requirement under that section.

As described above, the proposed development would incorporate a variety of recreational facilities and private outdoor space for community residents. Accordingly, the proposed development satisfies the requirements for a reserved area for park or recreation purposes under Section 197-63Q of the Village code.

T. Covenants and restrictions. The Village Trustees and the Planning Board may require the applicant or owner to execute agreements and covenants deemed necessary. Said agreements or covenants shall be recorded in the office of the Suffolk County Clerk and constitute a covenant running with the land. Such covenant or agreement may be modified or released only as set forth in said covenant or agreement or by the Village Trustees.

If deemed necessary, the applicant would execute agreements and/or covenants.

U. Architectural review. All construction shall be subject to the review of the Board of Architectural Review pursuant to § 5-14. Building prototypes and design shall reflect local architecture and the special character of Westhampton Beach as a rural and resort community. In their reviewing of the subject application, the Planning Board and the Board of Architectural Review shall use the design guidelines contained in "Multifamily Housing Designs to Enhance Neighborhoods in the Village of Westhampton Beach," filed in the Office of the Village Clerk and the Building Department, as may be amended.

As required, the applicant will submit all architectural elevations, renderings, building prototypes and designs to the Board of Architectural Review.

V. Other requirements.

(1) Individual unit access. In general, each individual dwelling unit shall have its own separate entrance/exit leading directly to the outside, or via a common entrance vestibule.

Each townhouse unit would have their own individual entrance in the front of the unit as well as at the rear through the garage. Thus, the proposed action is consistent with this standard.

(2) Television service. Cable or other television service shall be provided in accordance with plans approved by the Planning Board. Exterior antennas for individual multi-family buildings or dwelling units shall not exceed 24 inches in diameter and shall not be seen from any public right-of-way.

Cable or other television service would be placed underground as required. While the installation is up to the service providers, the HOA would ensure that all residents and service providers are familiar with development restrictions. As such, the development would conform with this standard.

(3) *Storage. For the convenience of the residents of the development, provision shall be made for general storage of bulky items, such as trunks.*

The proposed townhome units would each have a garage and basement for the general storage of bulky items. As such, the proposed development would be consistent with this standard.

(4) Basements, cellars, attics, and garages. No living units or habitable spaces shall be permitted in an attic, basement or cellar area. Garages shall not be converted to habitable living space.

As part of the proposed action, basements would be installed for each individual townhouse unit. However, the basements would be unfinished and would not contain any living units or habitable space. The proposed garages would not be permitted for conversion to a habitable living space. The aforementioned space restrictions would be included in the sales and/or resident contracts and the HOA would be responsible for enforcement should any space be converted in contravention of the sales and/or resident contracts. As such, the proposed project would comply with this standard.

(5) Universal design. Projects consisting of more than 10 units, but which are designed using building prototypes that are less than four units per building such as a triplex (three-family house), to the extent practicable, shall incorporate elements of universal design standards to address the requirements for accessibility pursuant to the Americans with Disabilities Act (ADA) and Fair Housing Act (FHA). Universal design is a flexible, inclusive process aimed at enabling all occupants access regardless of size, age, or abilities, including but not limited to accessibility code compliance. The diverse needs of the development's population should be accommodated in a cost-effective yet dignified and pleasant manner assuring a convenient, safe, and secure environment for all persons residing in such development, whether active or physically challenged, youthful or elderly.

(a) Due consideration shall be given in planning walks, ramps, and driveways to prevent slipping or stumbling, and handrails and ample places for rest shall be provided. Gradients of walks shall not exceed 5% and single riser grade changes in walks shall not be permitted, unless it is impractical to do so because of terrain or unusual characteristics of the site. All outdoor areas available to residents shall permit such residents to move about without danger and with minimum effort.

(b) Residential units, to the extent practicable, shall incorporate visitable design concepts which include but are not limited to the following features being provided on the first level of a dwelling unit: a zero-step entrance, accessible hallways, and bathrooms with doors wide enough for a wheelchair user to enter. These universal design standards are supplemental to, not in substitution of, other existing federal and state requirements which may impact accessibility and fair housing provisions of the residential development.

The proposed development would incorporate requirements for accessibility pursuant to the Americans with Disabilities Act (ADA) and Fair Housing Act (FHA). The site and all common area buildings, pool area, and community building would be handicapped accessible and ADA compliant. Access to the individual units with zero-step would be provided at the rear of the townhouses through the garage. ADA compliance for the individual townhomes would be handled on a case by case basis. If a buyer requires ADA compliance for a townhome, this would be able to be accommodated by the builder. The proposed community center would contain a zero-step entrance in the front of the building for wheelchair access, with zero-steps to access the covered patio on the right side of the community center. The bathrooms in the community center would also be ADA compliant with one handicap stall per bathroom.

(6) Applications providing affordable housing components and meeting the special exception standards shall receive first priority status throughout the review process.

Pursuant to §197-80.3.H of the Village Zoning Code, every market-rate unit proposed over four units per acre, there must be at least one affordable unit reserved for income-eligible families. Of the 52 units, which includes 15 units in excess of the four units per acre yield (without an affordability component), seven (7) are proposed as market-rate and eight (8) are proposed for income-eligible families. As such, the proposed development complies with the affordability component set forth in the special exception criteria for multifamily residential

development. It is respectfully submitted that the proposed action is eligible to receive first priority status throughout the review process.

(7) Gatehouse or driveway entrance gates shall not be permitted.

The proposed development will not have any gatehouses or driveway gates.

(8) Accessory apartments pursuant to the Zoning Code of the Village of the Westhampton Beach are prohibited.

The proposed action does not include any accessory apartments and upon implementation, the sales and/or resident contracts would prohibit the modification of units for accessory apartments.

Article IV Supplementary Regulations

Outdoor lighting – Section 197-25.1

A. Purpose and intent. The purpose of the outdoor lighting standards contained in Article IV is to provide regulations which will protect the health, safety and welfare of the general public, conserve valuable energy resources, prevent light trespass from interfering with our quality of life, protect our ecological and natural resources, and preserve the ability to view the celestial features of the night sky for present and future generations. By this legislation, the Village Trustees wish to establish provisions and a process for review so that outdoor lighting that is protective of the environment is installed on all new construction and is used when current outdoor lighting fixtures that are not in compliance with the outdoor lighting standards need replacement.

B. These standards provide for the following:

(1) Comprehensive regulations and guidelines in order for residents, business owners, and the municipality to comply with standards set by the community for outdoor lighting.

(2) Preservation of our rural character, aesthetic value, and the unique quality of life enjoyed by Westhampton Beach residents by preserving and enhancing the ability to view the night sky.

(3) Advancement of sound environmental policies which will benefit residents and serve as a positive example.

(4) Proper direction and use of light in order to minimize light trespass, glare, and energy wasted on unnecessary and indiscriminate illumination.

(5) Elimination of the need for commercial establishments to compete for visual attention by escalating outdoor lighting levels.

(6) Reduction in excessive illumination which can have a detrimental effect on flora and fauna that depend on the natural cycle of day and night for survival.

(7) Prevention of nuisances caused by unnecessary light intensity, glare, and light trespass.

The proposed site lighting would consist of light poles and building fixtures (see Proposed Lighting Plan, *Sheet C-500* in Appendix C). The proposed site lighting has been designed to illuminate the subject property in an efficient manner that preserves the surrounding aesthetic value of the Village, would minimize nuisances from light intensity, glare and light trespass. See below for an in-depth discussion of the proposed lighting plan in accordance with §197-25.4 and §197-25.5 of the Village Code.

General Standards for all outdoor lighting installations – Section 197-25.4

A. All new or replacement outdoor lighting shall be designed, located, lamped, directed, and maintained in order to prevent the following:

(1) Nuisance lighting.

(2) Excessive lighting and energy consumption.

(3) Glare.

(4) Light trespass.

(5) Unnecessary skyglow.

(6) Potential negative effects on human health.

(7) Unnecessary detriment to species in natural communities proximate to lighting locations.

(8) Interference with pedestrian or vehicular travel on streets, roadways and highways.

As illustrated on the Proposed Lighting Plan (see *Sheet C-500* in Appendix C), the proposed lighting has been designed, located, lamped, directed and maintained in order to prevent those lighting impacts as listed above. A photometric analysis of each proposed lighting pole was performed as illustrated on the Proposed Lighting Plan and indicates there would be no off-site or trespass lighting with the proposed lighting in place. All lamp poles along the internal roadways (excluding alleys) and adjacent to surface parking areas as well as all wall-mounted, building fixtures would include a shielded LED luminaire to direct all light downwards with no upward glare. As such, the proposed action is consistent with this provision of the Village code.

Residential lighting standards – Section 197-25.5

A. Nuisance prevention. Outdoor lighting on residential properties shall be designed and installed so that all light which is emitted by any outdoor light fixture shall not shine on or illuminate any neighboring property. No outdoor lighting shall be maintained nor operated in such a manner so as to be nuisance lighting, as defined in § 197-1.

As indicated above, a photometric analysis of each proposed pole was performed and is illustrated on the Proposed Lighting Plan. Based on the photometric analysis, there would be no off-site lighting impacts in terms of trespass from the proposed lighting. As such, the proposed action is consistent with this standard.

B. Shielding. All outdoor lighting fixtures shall be fully shielded and aimed straight downward, with the following exceptions;

(1) Outdoor lighting fixtures with total light output of 900 lumens or less (60 watts incandescent or less) are exempt from the shielding and aiming requirement above.

(2) Unshielded outdoor lighting fixtures operated by motion sensors are permitted, provided that:

(a) The fixture is set to only go on when activated and to go off within five minutes after activation has ceased; and
(b) The sensor shall not be triggered by activity off the property; and
(c) The output per fixture does not exceed 1,800 lumens (100 watts incandescent).

(3) Unshielded floodlights not exceeding 1,800 lumens per fixture (100 watts incandescent) are permitted, provided they are aimed no higher than 45° and do not cause nuisance lighting, as defined in § 197-1 (see Figure 1).

All lamp poles along the internal roadways (excluding alleys) and adjacent to surface parking areas as well as all wall-mounted, building fixtures would include a shielded LED luminaire to direct all light downwards with no upward glare. The proposed action is in keeping with this standard.

C. Mounting height

(1) The mounting height of a fixture attached to any structure shall not exceed 12 feet from the lowest light emitting point on the fixture to the area to be lit directly below the fixture, except for fully recessed soffit lighting that otherwise complies with this section.

As shown on the Proposed Lighting Plan, no wall-mounted, building fixtures would exceed 12-ft from the lowest light emitting point on the fixture to the area to be lit directly below the fixtures. All wall-mounted lighting fixtures would be approximately 7.5-ft, with the exception of two light building fixtures at eight (8)±-ft located at the rear of the two affordable one-bedroom units on the west side of building #7 and #8. Thus, the proposed action is consistent with this standard.

(2) The mounting height of any freestanding light fixture associated with the driveway or parking area shall not exceed 10 feet; and along walkways, shorter pedestrian-scaled lighting, ground or bollar lighting is preferred, the pole height shall not exceed eight feet. When located in side and/or rear yards shall meet the setback requirements of Subsection D below, unless otherwise authorized by the Village.

The Proposed Lighting Plan includes 10-ft lamp poles along the internal roadways and adjacent to surface parking areas. As noted above, each lamp pole would include a shielded LED luminaire to direct all light downwards with no upward glare. A such, the proposed action is in keeping with this standard.

D. Setback. The setback for freestanding light fixtures from closest side and/or rear yard property lines shall be greater than or equal to three times the mounting height (see Figure 2), except as provided in § 197-43.

As the freestanding lamp poles are proposed to be 10-ft in height, all lamp poles would be setback a minimum of 30-ft from the closest side and/or rear yard property. Thus, the proposed action is consistent.

E. Hours of operation. Automated shut-off controls for outdoor lighting are encouraged to conserve energy, to extinguish lighting that is not needed for safety, and to alleviate nuisance lighting.

(1) Nonessential outdoor lighting shall not remain on continuously from midnight until dawn.

(2) Essential outdoor lighting sufficient for security purposes may be in operation continuously from midnight until dawn, provided that illumination on the ground or on any vertical surface is not greater than 0.5 footcandle as determined by the manufacturer specifications for the lighting fixtures.

As the outdoor swimming pool and recreational facilities would have limited operational hours from dawn to dusk, there are no freestanding lamp poles associated with these uses which would minimize energy usage. Automated shut-off controls for all nonessential lighting would also be incorporated to the maximum extent practicable. All essential outdoor lighting would comply with the Village standards such that illumination on the ground or on any vertical surface would not be greater than 0.5 footcandle.

Overall, based on the above, as the proposed action is consistent with the relevant zoning provisions of the Village Code for multifamily residential developments, no significant adverse impacts are expected.

Consistency with Relevant Planning Documents

Village of Westhampton Beach Comprehensive Plan Update of 2006

As indicated above, in Section 3.2.1, the Comprehensive Plan Update of 2006 identified the subject property as well as the surrounding industrial zoned property as properties proposed for residential land use. The following statements were identified as relevant to proposed project (in italics) and an assessment of the proposed project's conformance with each statement follows.

- *To encourage the redevelopment of the asphalt plant site, it along will all the industrially zoned property north of Rogers Avenue was rezoned multi-family (MF-20) in 2003. Additional reasons to rezone from the industrial to multifamily residential were to preserve the residential character of the*

northern neighborhoods of the Village, and to provide a stimulus for more moderately priced housing. Should this incentive not be sufficient, and should adverse conditions develop around the concrete plant, the Village may wish to utilize the amortization tool for this land use as well.

The proposed action is consistent with the Comprehensive Plan Update of 2006 as the proposed project includes the redevelopment of the former industrially zoned asphalt plant with a multifamily residential development in accordance with the prevailing zoning for the subject property. The proposed development would convert the subject property from its current vacant and underutilized state, to an aesthetically-pleasing residential community. Expansive lawn areas, sidewalks and walkways are proposed which adds to the residential character typical of a suburban single-family community. Furthermore, of the 52 units, seven (7) are proposed as market-rate and eight (8) are proposed for income-eligible families complying with affordability component in the Village.

- *A component of all new multi-family developments, including senior citizen and "work-force" developments, should be a "set-aside" for moderate-income individuals and families. The MF-20 District should no longer be allowed to produce market rate, i.e., luxury, units alone. In a resort community such as Westhampton, these units would sell very quickly so that a "work-force" family would be priced out of the market. In exchange for the granting of approvals for a multi-family development, a modest twenty percent affordable component should be worked into every site plan.*

  The proposed development would incorporate a 15-percent affordable housing component. While this percentage is less than the 20-percent in this recommendation, pursuant to §197-80.3.H of the Village Zoning Code, for every market-rate unit proposed over four units per acre, there must be at least one affordable unit reserved for income-eligible families. Of the 52 units, which includes 15 units in excess of the four units per acre yield (without an affordability component), seven (7) are proposed as market-rate and eight (8) are proposed for income-eligible families. As such, the proposed development complies with the affordability component set forth in the special exception criteria for multifamily residential development.

Framework for the Future – Suffolk County Comprehensive Master Plan 2035

As described above, the SC Comprehensive Master Plan 2035 was created to provide a framework for improving the quality of life for Suffolk County residents by prioritizing economic development, environmental protection, transportation, housing diversity, public safety and energy use. The following are key objectives and recommendations to create a sustainable Suffolk County:

- Provide Equitable, Affordable, Fair Housing

  The proposed action would provide for 15-percent of the 52 units to be affordable housing. The SC Comprehensive Management Plan 2035 notes a priority action under this key objective which is to "promote and support areas that best accommodate multifamily housing" (pg. 22). As noted above, the subject property was rezoned from I-1 to MF-20 in 2003 along with other industrially zoned parcels within the northern portion of the Village. The proposed development would be consistent with this recommendation with the construction of a multifamily residential

development in accordance with the prevailing zoning and on property that the Village rezoned for multifamily residential use in 2003.

- Protect the Environment and Enhance Our Human Capital

  A priority action that is included under this key objective is to "*implement the recommendations containing in the 2015 Suffolk County Comprehensive Water Resources Management Plan*" (pg. 44). As described in Section 2.2.2, above, the proposed action would be consistent with the relevant recommendations of the *Suffolk County Comprehensive Water Resources Management Plan*, including the installation of an STP that would reduce nitrogen loading from wastewater on-site.

  Another priority action related to this key objective is to "*facilitate the development of stormwater management projects (rain gardens, permeable pavement, etc.) for enhanced coastal resiliency*" (pg. 50). As described in Section 2.2.2., the proposed development would also implement a comprehensive stormwater management plan to contain and recharge all stormwater runoff on-site. Three biofiltration swales would be created throughout the site to manage stormwater runoff, filter pollutants associated with runoff from impervious surfaces, and increase rainwater infiltration. The proposed landscaping would utilize a smart irrigation system which would be installed with a drip line as well as rain sensors for water conservation purposes.

Smart Communities Through Smart Growth

As identified above in Section 3.2.1, the *Smart Communities Through Smart Growth*, published by Suffolk County Planning Commission in March 2000, identifies eight smart growth principles that can be utilized as tools for developing smarter communities. The relevant principles are discussed below in relation to the proposed project.

- Direct development to strengthen existing communities and sites.

  This recommendation acknowledges the redevelopment of older areas including commercial, industrial and residential sites so as not to place new service demands on undeveloped pieces of land in unestablished areas. The proposed action would utilize a currently vacant piece of land that was once used as an industrial site but has since been abandoned. In 2003, the Village rezoned the property from its historic industrial use (i.e., Industrial-1) to multifamily residential use (MF-20) as an effort to "…encourage the redevelopment of the asphalt plant site..[and] to preserve the residential character of the northern neighborhoods of the Village, and to provide a stimulus for more moderately priced housing." (Residential Comprehensive Plan Update of 2006). The proposed multifamily residential development would be developed in an established, mature community with existing infrastructure and resources such as the LIRR and proximity to the business districts along Old Riverhead Road and Montauk Highway. The proposed action is consistent with this recommendation.

- Take advantage of compact building sizes and create a range of housing opportunities.

  As the proposed action is a multifamily residential development, it would allow for a higher density of residents to occupy the subject property as compared to single-family residential

homes. Of the 52 units, seven (7) are proposed as market-rate and the eight (8) one-bedroom units would be offered as affordable rate housing consistent with the special exception standards for MF-20 development (§197-80.3.H) as well as one of the stated purposes of the rezoning. The increase in the availability of affordable rate units is also consistent with the Long Island Workforce Housing Act implemented by the New York State Legislature in 2008. As defined under the Act, affordable workforce housing is that which is at or below 130 percent of the median income for the Nassau-Suffolk primary statistical area (the "area median income"), which in 2019 was $124,000. Thus, the proposed development would be consistent with this recommendation.

- Provide a Variety of Transportation Choices

  The proposed development is proximate to a variety of transportation uses. According to the project traffic engineer, VHB, the project site is located approximately 2,000-ft easterly from the Westhampton Train Station which operates on the Montauk Line of the LIRR. While access to rail travel is available in proximity to the site, no Suffolk County Transit bus lines traverse the study area. It is not anticipated that residents of the proposed community would walk to the train station in any significant number. Montauk Highway, a major east to west arterial roadway, is located approximately 0.55 mile south of the subject property and the entrance to Gabreski Airport is located 0.65± mile northwest of the subject property. Thus, the proposed development would be in an area that would provide future project residents with a variety of transportation choices, consistent with this recommendation.

- Create Pleasant Environments and Attractive Communities

  The proposed action would redevelop a currently underutilized property to one that is more attractive and inviting. Expansive planted and natural areas, sidewalks and walkways would be created to add to the residential character typical of a suburban single-family community. As indicated in Section 1.3.5 of this DEIS, planted landscape around the site perimeter would consist of Leyland Cypress, London Planetree and native grasses. Along the northern property line and adjacent to the residential units, the Leyland Cypress would be planted atop a three (3)-ft berm for visual screening of the railroad tracks. Leyland Cypress would also be planted as visual screening to the STP area. London Planetrees would also be planted as shade trees within the proposed community, including in landscaped aisles adjacent to parking areas. In addition to the perimeter screening and shade trees to be planted, the proposed Site Landscape Plan includes London Planetrees and groundcover around building footprints as well as groundcover seeding between those existing trees to be retained to create an aesthetically-pleasing environment. The preservation of approximately 40 percent of all existing trees would also mitigate potential impacts to the adjacent landowners by maintaining familiar and distinct landscape.

  As shown on the Architectural Elevations and Renderings (see Appendix D), the proposed buildings would incorporate a variety of materials that would be consistent and compliment the character of the surrounding residential houses. As part of the proposed action, all architectural elevations, renderings, building prototypes and designs will be submitted for review by the Board of Architectural Review. Pursuant to §5-1 of the Village Code, the purpose of the Board of Architectural Review is "to preserve and promote the character, appearances and aesthetics of the Village..." Thus, the proposed action would be consistent with this recommendation.

Overall, the proposed action is consistent with the relevant planning documents. As such, no significant adverse impacts are expected from implementation of the proposed action.

3.2.3 Proposed Mitigation

No significant adverse land use or zoning impacts have been identified, and thus, mitigation is not required. A summary of the measures included in the proposed project that effectively to minimize or eliminate any potential adverse impacts follows:

- The layout of the proposed residential development is a grid-type system with alleys situated in the rear yards of each residential block to provide access to unit garages and driveways, leaving unencumbered frontage towards the street and allowing maintenance services to function in a less visible location within the proposed development.

- The proposed Site Landscape Plan includes extensive vegetative buffers for perimeter screening and shade trees throughout the site to reduce visual and noise impacts from the proposed development. Furthermore, the northern property boundary is proposed to be developed with a landscape berm of three (3)-ft and a chain link fence with fabric insert placed thereon to provide further protection from the adjacent LIRR railroad tracks.

- The preservation of approximately 40 percent of all existing trees will mitigate impacts to the adjacent landowners by maintaining familiar and distinct landscape.

- The proposed development will include "house" rules for residents, inclusive of resident-only controlled access to the community center, posted hours for the pool and tennis courts, and key fob access to these areas during allowable times to ensure a quiet and enjoyable setting for not only the residents but the surrounding neighborhood.

- The proposed development will incorporate a variety of recreational amenities and spaces for the community residents, including an outdoor swimming pool (2,000 SF), tennis courts (3,456 SF), community center (2,669 SF) and gazebo with sheltered seating would be available for the use and enjoyment of community residents, thus exceeding the recreation area requirement of at least 120 SF of lot area per dwelling unit or 6,240 SF. The proposed layout also includes ample lawn space in the front yards of each unit for use by residents as play area.

- Given the site's proximity to the LIRR tracks and Gabreski Airport, design measures will be incorporated into the townhouse structures to mitigate obtrusive noise while indoors, including: extra sound insulation and windows with a high sound transmission class (STC) and Outdoor/Indoor Transmission Class (OITC); elimination of Openings; additional mass would be included in the walls and ceilings; absorptive materials would be added between the studs or joists in a wall.

3.3 Community Facilities and Services

3.3.1 Existing Conditions

School District

The subject property is located within the Westhampton UFSD. The Westhampton UFSD currently operates one elementary school, one middle school and one high school. The elementary school, Westhampton Beach Elementary School, is located at 379 Mill Road; the middle school, Westhampton Beach Middle School, is located at 340 Mill Road; and the high school, Westhampton Beach High School, is located at 49 Lilac Road.

Based on publicly available resources from the New York State Education Department (NYSED) for the 2019-2020 school year, the total district enrollment for the Westhampton UFSD is 1,778 students.[21] According to enrollment data for the past decade, as depicted in Table 25 below, enrollment reached a peak of 1,846 students in 2014-2015 (highlighted), and has since fluctuated over the succeeding five years with overall enrollment decreasing.

Table 25 – Westhampton UFSD Enrollment by Year

School Year	Enrollment	Increase/(-)Decrease
2019-2020	1,778	-26
2018-2019	1,804	25
2017-2018	1,779	11
2016-2017	1,768	-21
2015-2016	1,789	-57
2014-2015	1,846	16
2013-2014	1,830	-12
2012-2013	1,842	10
2011-2012	1,832	12
2010-2011	1,820	--

According to the NYSED, the total per pupil expenditures is approximately $25,982.49.[22] As the subject property does not currently contain any residential uses, no PSAC reside at the subject property. Based on existing property tax revenues at the subject property, as indicated in Section 3.2.2 of this DEIS, the subject property currently contributes approximately $18,741.37 to the Westhampton Beach UFSD.

[21] New York State Education Department. *New York State Property Tax Report Card*. Retrieved from: http://www.p12.nysed.gov/mgtserv/propertytax/#Data. Accessed July 2020.

[22] New York State Education Department. *Westhampton Beach UFSD 2018-2019 School Year Financial Transparency Report.* Retrieved from: https://data.nysed.gov/expenditures.php?instid=800000036831. Accessed September 2020.

Police

The subject property is located within the service area of the WHBPD. The WHBPD headquarters are located in Westhampton Beach at 165 Mill Road, which is approximately 1.3 miles southwest of the subject property. Consultations were undertaken with the WHBPD through correspondence sent to Chief Trevor Gonce on August 6, 2020 to advise of the proposed project and to request service-related information. As provided by the WHBPD in correspondence dated August 18, 2020 (see Appendix M), the WHBPD serves an approximate 3.1 square miles and is split amongst two community police sectors – the North and South Sectors. The subject property is located in the WHBPD's North Sector which consists of one patrol officer in one motor patrol unit, covering 1.5± square miles. A majority of this sector is within the Village's commercial district. The North Sector is also responsible for investigating traffic collisions and traffic-related crimes in this area. The correspondence noted that there is no minimum staffing requirement and there could be only one officer on patrol for both the North and South Sectors.

The average response time from the WHBPD headquarters to the subject property would be between five and six minutes. The WHBPD has 18 assigned police personnel which includes patrol officers, detectives and civilians. It is noted that the WHBPD participates in the Mutual Aid Memorandum of Agreement for the East End Police agencies in the Town of Southampton. This reciprocal agreement provides participating agencies police personnel and resources to assist other member agencies during emergencies. In 2019, there was 4,000 calls made to the WHBPD and there has been 2,056 calls in 2020 to July 31, 2020. The Village and the WHBPD have no current plans to expand the police department or increase the number of personnel assigned to it. As indicated in Section 3.2.2 of this DEIS, the subject property currently contributes approximately $8,948.73 in existing tax revenue to the Village of Westhampton Beach General Fund, a portion of which goes to the WHBPD.

Fire and Ambulance Services

The subject property is located within the service area of the Westhampton Beach Fire District and the nearest firehouse is the Westhampton Beach Fire Department headquarters located at 92 Sunset Avenue in Westhampton Beach, approximately 1.2 miles southwest of the subject property. Correspondence was sent to Chief Halsey Stevens on August 6, 2020 to advise of the proposed project and to request service-related information, including the number of households and non-residential sites within the service area, number of active fire personnel, total number of fire and rescue calls responded to in 2019 (or the most recent available year), and the estimated response time to the subject property (see Appendix M). To date, no response has been received.

Based on existing property tax revenues at the subject property, as indicated in Section 3.2.2 of this DEIS, the subject property currently contributes approximately $1,369.38 to the Westhampton Beach Fire Department.

It should be noted that under existing conditions, there is one fire hydrant located on the southern property boundary, west of the existing curb cut on Rogers Avenue. A discussion of the locations of the proposed fire hydrants throughout the site is discussed below in Section 3.3.2.

The subject property is located within the service area of the Westhampton War Memorial Ambulance Association for emergency medical services (EMS) and ambulance services. Its headquarters is located at 3 Hazelwood Avenue in Westhampton Beach, approximately 0.5 mile southwest of the subject property. Correspondence was sent to Chief Robert Bancroft on August 6, 2020 to advise of the proposed project and to request service-related information, including the number of active EMS personnel, total number of annual ambulance calls responded to in 2019 (or the most recent available year), the hospitals to which residents of the proposed project would be transported, and the estimated response time to the subject property (see Appendix M). To date, no response has been received.

Based on existing property tax revenues at the subject property, as indicated in Table 20 in Section 3.2.2 of this DEIS, the subject property currently contributes approximately $254.77 to the Westhampton War Memorial Ambulance Association.

Water Supply

The subject property is located within the SCWA Distribution Area 20 for potable water supply. According to information from the *Suffolk County Water Authority 2020 Drinking Water Quality Report* (SCWA 2020 Report), in 2019, the SCWA system served 1.2 million people in 27 Distribution Areas.[23] To meet the water demand of its customers, SCWA pumped 73.2 billion gallons from 593 active wells in 2019.

The subject property does not currently utilize potable water as the site is vacant. According to the 2009 SCWA Distribution Maps, there is an eight-inch water main on Rogers Avenue.

Correspondence was sent to SCWA on August 6, 2020 to advise of the proposed project and request availability of SCWA to serve the proposed multifamily residential development. A response was received on September 18, 2020 from SCWA confirming water availability for the proposed development (see Appendix I).

Sanitary

As the subject property is currently vacant, there is no sewage generation. The subject property is located in an unsewered area and there is no municipal sewage infrastructure in the vicinity of the subject property. A discussion of the prevailing SCDHS regulations with respect to on-site sanitary waste systems is included in Section 2.2.2, above.

Solid Waste

The subject property is currently vacant and does not produce any solid waste.

[23] Suffolk County Water Authority. 2020 *Drinking Water Quality Report.* Retrieved from: http://s1091480.instanturl.net/dwqr2020/AWQR2020_52620_FINAL.pdf. Accessed August 2020.

Energy

As the subject property is currently vacant and not developed, there is no energy consumption (i.e., natural gas and electricity) under existing conditions. The subject property does not contain any natural gas or electricity infrastructure. There is an eight-inch gas main on Rogers Avenue. South of the subject property along Rogers Avenue and north of the subject property, parallel with the LIRR right-of-way, contains overhead utility wires.

3.3.2 Potential Impacts

School District

Upon implementation of the proposed project, the subject property would be redeveloped with a multifamily residential use that would result in a permanent resident population at the property (including PSAC). In order to determine the PSAC that would be generated by implementation of the proposed action, residential demographic multipliers published by *Rutgers University, Center for Urban Policy Research (CUPR)*[24] and the *Long Island Housing Partnership (*LIHP*)*[25] were used. As noted in Section 3.3.1, the Rutgers CUPR multipliers show the population associated with different housing categories as well as housing differentiated by housing value, housing size (bedrooms), and housing tenure. The Multifamily Housing on Long Island study published by LIHP (hereinafter LIHP multipliers), is based on data collected from the number of school-aged children generated from existing multifamily developments in both Nassau and Suffolk counties.

Table 26 and Table 27, below, indicate the anticipated PSAC population generation for each type of residential unit proposed using the appropriate factors from the studies cited above.

Table 26 – Projected Public School-Age Children Generation (Rutgers CUPR Multipliers)

Type of Unit	Unit Count	Public School-Age Children Multiplier	Public School-Age Children Generation
One-bedroom	8	0.15[(a)]	1.20
Two-bedroom	36	0.09[(b)]	3.24
Three-bedroom	8	0.49[(c)]	3.92
TOTAL	**52**	**N/A**	**8.36 (9)**

Notes: [(a)]5+ Units-Own, 1 BR (All Values), [(b)]5+ Units-Own, 2 BR (All Values), [(c)]5+ Units-Own, 3 BR (All Values)

Using the Rutgers multipliers, the project's PSAC (9 students) would represent approximately 0.5 percent of the Westhampton Beach UFSD's 2019-2020 school year enrollment (1,778 students). It should

[24] 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.

[25] Kamer, Pearl M, Ph.D., *Multifamily Housing on Long Island: Impact on Number of School-Age Children and School District Finances.* 2009.

be noted that the Rutgers study is from 2000 and it does not account for trends in the last two decades. Demographic changes have occurred in Suffolk County which have created a new housing demand that includes a higher proportion of smaller, multifamily units.[26] The demographic multipliers from 2000 are likely overstating the number of PSAC generated through the proposed multifamily residential development.

Table 27 – Projected Public School-Age Children Generation (LIHP Multipliers)

Type of Unit	Unit Count	Public School-Age Children Multiplier[(a)]	Public School-Age Children Generation
One-bedroom	8	0.18	1.44
Two-bedroom	36	0.18	6.48
Three-bedroom	8	0.18	1.44
TOTAL	**52**	**N/A**	**9.36 (10)**

Notes: [(a)]Ratio for multifamily housing complexes studied in Suffolk County

Using the LIHP multipliers, the project's PSAC (10 students) would represent approximately 0.5 percent of the Westhampton Beach UFSD's 2019-2020 school year enrollment (1,778 students). It should be noted that the LIHP study only analyzed a portion of multifamily housing complexes mostly those within the larger school districts and Towns of Nassau and Suffolk counties and does not represent smaller school districts, such as the Westhampton Beach UFSD.

Consultations were undertaken with the Westhampton Beach UFSD in connection with the proposed action. Correspondence was forwarded to Superintendent Michael Radday on August 11, 2020, informing the Westhampton Beach UFSD about the proposed action and requesting information relative to school district operations. Specifically, information regarding facility capacity was requested (see Appendix M). To date, no response has been received.

As indicated above, the total per pupil expenditure for the Westhampton Beach UFSD is approximately $25,982.49.[27] As indicated in Section 3.2.2 of this DEIS, the proposed development would generate approximately $241,285 to the Westhampton Beach UFSD. As such, the projected tax revenue would fund the costs associated with 9.29 students, based on the current tax rate and per pupil expenditure. As shown above, the proposed development could generate 9.36 students. As such, no significant adverse impacts would be expected associated with school financing.

It is also noteworthy that the proposed action would generate less PSAC than if developed with single-family homes. As noted in Table 29, if the property is developed with single-family homes, this would generate approximately 18 PSAC (based on a factor of 1.00 from the Rutgers CUPR multiplier for Single-Family Detached, 4 BR all values). Based on the declining student enrollment within the Westhampton

[26] Suffolk County Department of Economic Development and Planning. *Framework for the Future – Suffolk County Comprehensive Master Plan 2035*. Retrieved from: https://www.suffolkcountyny.gov/portals/0/formsdocs/planning/CompPlan/Comp%20Master%20Plan%202035/ADASuffolkCounty_MasterPlanFINAL_07282015.pdf. Accessed August 2020.

[27] New York State Education Department. *Westhampton Beach UFSD 2018-2019 School Year Financial Transparency Report.* Retrieved from: https://data.nysed.gov/expenditures.php?instid=800000036831. Accessed September 2020.

Beach UFSD over the last decade (i.e., a decrease of over 42 students over that time period), the projected addition of nine (9) to 10± PSAC resulting from the proposed development is not expected to adversely impact capacity within this district.

Overall, based on the above, no significant adverse impacts to the Westhampton Beach UFSD are anticipated.

Police

As indicated above, the subject property is in the service area of the WHBPD for police protection. It is expected that the WHBPD would provide police protection services to the subject property following completion of the proposed development.

Based on planning standards contained in the *Urban Land Institute (ULI) Development Impact Assessment Handbook* (1994), two police officers and 0.6 police vehicle are required per 1,000 individuals. Based on these factors, the 107 future residents are projected to generate a demand for 0.21± and 0.06± additional police personnel and vehicle, respectively. Thus, it is expected that the proposed development would have minimal impact on the cost of police services for the WHBPD. Furthermore, correspondence was received from Chief Trevor Gonce on August 18, 2020, has indicated that the proposed development would not have an adverse impact to the WHBPD that would create a need for additional demand for police protection services (see Appendix M). Finally, as indicated in Section 3.2.2 of this DEIS, the proposed development would generate approximately $115,210 in tax revenue to the Village of Westhampton Beach General Fund, a portion of which would go to the WHBPD.

Fire and Ambulance Services

As discussed above, the subject property is in the service area of the Westhampton Beach Fire Department for fire protection services. It is expected that the Westhampton Beach Fire Department would provide fire protection services to the subject property following completion of the proposed development.

Based on planning standards contained in the *ULI Development Impact Assessment Handbook* (1994), it is estimated that 1.65 fire personnel per 1,000 individuals is required to serve a new population. Based on these factors, the 107 projected residents would generate a demand for 0.17± additional fire personnel. It is noted that the additional 107 residents could add to the pool of potential volunteer firefighters. Thus, it is expected that the proposed development would have minimal impact on the cost of fire protection services for the Westhampton Beach Fire Department. Consultations were undertaken with the Westhampton Beach Fire Department, and a response is pending.

A total of six fire hydrants would be installed on the subject property. The existing fire hydrant located on the southern property boundary is proposed to be relocated further west as the existing curb cut would be expanded for site access. Five new fire hydrants would be installed throughout the subject property as follows (see Site Development Plans, *Sheet C-100*, in Appendix C):

- One hydrant would be located north of the site access, on the north side of the second landscaped median as one enters the site.
- The second fire hydrant would be located on near the southeastern portion of the subject property on the east of the proposed internal roadway.
- A third fire hydrant would be installed near the northeastern portion of the subject property, south of the proposed sewage treatment plant, on the east side of the proposed internal roadway.
- A fourth fire hydrant would be located along the south side of the proposed internal roadway between the four buildings on the north side of the subject property, abutting the LIRR right-of-way, and the two buildings directly south of those.
- A fifth fire hydrant would be located near the southwest portion of the subject property on the east side of the proposed internal roadway on the west side of the site.

Finally, as indicated in Section 3.2.2 of this DEIS, the proposed development would generate approximately $17,630 in tax revenue to the Westhampton Beach Fire Department. Overall, it is not expected that the proposed action would result in significant adverse impacts on fire protection services.

Regarding ambulance services, the subject property is in the service area of the Westhampton War Memorial Ambulance Association for EMS and ambulance services. It is expected that the Westhampton War Memorial Ambulance Association would provide EMS and ambulance services to the subject property following completion of the proposed development.

Based on planning standards contained in the *ULI Development Impact Assessment Handbook* (1994), it is estimated that one EMS vehicle and 4.1 EMS personnel per 30,000 individuals would be required to serve a new population. Based on these factors, the 107 projected residents would generate a demand for 0.003± and 0.015± additional EMS vehicle and personnel, respectively. It is noted that the additional 107 residents could add to the pool of potential volunteer EMS personnel. Thus, it is expected that the proposed development would have minimal impact on the cost of EMS and ambulance services for the Westhampton War Memorial Ambulance Association. Furthermore, as indicated in Section 3.2.2 of this DEIS, the proposed development would generate approximately $3,280 in tax revenue to the Westhampton War Memorial Ambulance Association.

Access to the subject property would be provided via modifications to an existing curb cut off Rogers Avenue and internal roadways would be constructed within the subject property to provide access to the individual buildings. Internal site circulation would consist of two-way and one-way roadways, designed in accordance with Village roadway standards. Furthermore, analysis of the required turning radii for fire trucks and ambulances was performed indicating that emergency service vehicles would be able to traverse the proposed development safely and efficiently (see *Sheet C-800* of the Site Development Plans in Appendix C). Overall, no significant adverse impacts would be expected.

Water Supply

Upon implementation of the proposed action, the proposed development is expected to generate a demand of 16,065± gpd of water, including 15,000 gpd for domestic/potable use and 1,065± gpd (averaged annually) for irrigation.

As indicated in Section 2.2.2 of this DEIS, the project hydraulic flow is as follows:

- Housing Unit > 1200 SF: 44 units x 300 gpd/unit (hydraulic load) = 13,200 gpd
- Housing Unit < 1200 SF > 600 SF: 8 units x 225 gpd/unit (hydraulic load) = 1,800 gpd

Total Projected Hydraulic Flow: 15,000 gpd

Projected Irrigation Demand:

One inch of water per week for the landscaped areas (173,238.8 SF [3.977 acres])
Less volume of precipitation during irrigation season = 24± inches[28]

= 2,158± gpd per irrigation season (26 weeks)
Total Irrigation Demand (Averaged Annually): 1,065± gpd

The subject property is within the SCWA Distribution Area 20. Consultations have been undertaken with SCWA regarding domestic water supply and irrigation for the proposed development and in correspondence dated September 18, 2020 (see Appendix I), service availability was confirmed. The SCWA advised that the proposed development would be serviced from the existing water main on Rogers Avenue. In addition, 12-inch water mains would be installed throughout the proposed development in the internal roadway system to provide water supply to the individual units and the community center (see Site Development Plans, *Sheet C-200,* Proposed Drainage and Grading Plan in Appendix C).

Accordingly, based on the above, it would be expected that no significant adverse impacts on the public water supply would result from the proposed action.

Sanitary

Under existing conditions, the subject property does not generate any sanitary waste. As indicated, a STP would be installed on the north easternmost corner of the subject property to accommodate sanitary waste generated from the proposed development. Based upon the SCDHS sanitary design density factors, the proposed development is anticipated to generate 15,000± gpd of sanitary waste, as indicated in Section 2.2.2 of this DEIS and in the section above. The proposed STP would accommodate the projected sanitary load of 15,000± gpd.

As described in Section 2.2.2 of this DEIS, sanitary waste would be accommodated via sewer mains from the individual units and community center, in the internal roadway system, and diverted to an on-site STP to be situated at the northeast corner of the subject property (see Site Development Plans, *Sheet C-200 and Sheet C-300* in Appendix C). The proposed sewer mains would be eight inches in diameter made of PVC piping.

The proposed STP is proposed to be designed with a 100-percent expansion of leaching pool area in accordance with SCDHS requirements. The treated effluent would discharge into an effluent leaching

[28] National Weather Service NOAA. *Islip, NY Historical Data*. Retrieved from: http://www.weather.gov/okx/IslipHistorical. October 2020.

pool groundwater disposal system. The effluent disposal system would consist of six, 10-ft diameter-leaching pools with an approximate effective depth of 16-ft. Additionally, in accordance with SCDHS and NYSDEC regulations, groundwater monitoring wells would be installed both upstream and downstream of the effluent disposal system to monitoring groundwater impacts as part of the SPDES permit obtained for the STP. The proposed STP would be equipped with a dual canister carbon-based odor control system connected to the treatment tanks, pump station, splitter box and influent screen.

Solid Waste

The subject property does not generate any solid waste as it is currently vacant. Based on a factor of 4.51 lbs. per person per day (as indicated in Section 1.3.7), and a potential population of 107 persons, the estimated solid waste generation would be 7.34± tons per month at 100 percent occupancy, see below.

4.51 lbs./person/day x 107 projected people	= 482.57± lbs. per day
(482.57 lbs. x 365 days)/12 months	=14,678.17± lbs. per month
14,678.17 lbs. per month/2000	= **7.34± tons per month**

As compared to existing conditions with no solid waste generation, the proposed development would generate a larger quantity of solid waste. However, as the Village of Westhampton Beach does not collect solid waste, the proposed development would utilize a licensed private carter service to haul all solid waste off the subject property. Residents would dispose of solid waste via curbside collection in the alleys, behind their respective building, for pick up and disposal by the private carter service. Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash.

A central trash dumpster area at the community center would accommodate solid waste associated with the community center and recreational facilities. The dumpster area would be screened with vegetation. All pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures.

It is anticipated that the 7.34± tons of solid waste per month from the subject property would not result in a significant impact upon local and regional solid waste management practices; it is expected that the private carter service chosen will be able to provide adequate services to collect and process the solid waste. Based on the foregoing, no impacts to solid waste management are expected.

Energy

Natural Gas

As noted in Section 3.3.1 the subject property does not utilize natural gas and there is no gas infrastructure present on the site; however, a new connection to the National Grid natural gas main is

proposed. Consultations were undertaken with National Grid on October 3, 2019 (see Appendix M). In correspondence dated November 12, 2019, National Grid confirmed availability of service after completion of improvement projects that must take place to improve its overall supply. It is expected that such improvement projects would be undertaken and completed prior to the project's Build Year (2023).

Electricity

Upon implementation of the proposed action, the proposed development would be supplied electricity via the existing PSEG Long Island infrastructure. The existing infrastructure would be extended and diverted underground throughout the proposed development to reach and serve the housing units and the community center. Consultations were undertaken with PSEG Long Island on October 3, 2019 (see Appendix M) and service has been confirmed for the proposed action. The proposed action would connect to the existing infrastructure in the vicinity of the subject property. As such, implementation of the proposed action is not expected to represent a significant demand on the established infrastructure in the vicinity of the project area.

Proposed Energy Efficiency Measures

The proposed development would be constructed with energy conservation and efficiency measures. As provided by the project architect and applicant, the proposed buildings would be designed to meet or exceed the requirements of the NYS Building and Energy Code (NYS Code). As of May 2020, New York state adopted the 2020 International Codes which have increased the energy efficiency requirements. By following and complying the current requirements of this code, all townhomes would meet the minimum requirements for a LEED/Green certification. The following measures will be addressed beyond what is required by the code in terms of energy efficiency:

- Lighting - The current NYS Code now requires that 90-percent of all lighting installed be high efficiency. The proposed action includes 100-percent of all lighting being high efficiency (i.e., LED lighting).

- Insulation - The proposed action would incorporate current NYS Code requires at a minimum the following R or U values for building components, which is based on the current NYS Code requirements:
    - Ceiling/Roof – A minimum R-35 value is required for ceilings and roofs according to the NYS Code. As the proposed development would incorporate mitigation measures for aircraft noise, the ceilings and roofs of the proposed buildings would exceed the R-35 value between approximately 25-to-50 percent.
    - Walls – A minimum R-20 value is required for walls pursuant to the NYS Code. As the proposed action would incorporate mitigation measures for aircraft noise, the walls in the proposed buildings would exceed the R-20 between approximately 25-to-50 percent.
    - Windows – A minimum U-0.32 value is required for windows according to the NYS Code. As noted in Section 3.2.2, windows with a high sound transmission class (STC) would be installed to mitigate noise from aircraft and rail activity. As such, the windows of the

proposed buildings would exceed this requirement between approximately 25-to-50 percent.

- Flooring – A minimum R-19 value is required for floors pursuant to the NYS Code. The proposed design includes a minimum R-30 value, thus exceeding the minimum requirement of the NYS Code.

- Mechanical Systems - The current NYC Code requires a minimum SEER (Seasonal Energy Efficiency Ratio) rating of 13 for the Heating, Ventilation, and Air Conditioning (HVAC) system. The proposed action includes a SEER rating of 16, thus exceeding the required minimum SEER. In addition, as the building structure is tight, a Heat Recovery Ventilation unit would be utilized to provide fresh air into the townhomes.

- Pursuant to the NYS Code, the townhomes would be designed with a conduit from the basement to the roof for conversion to solar power and solar hot water if feasible to do so. Once the units are sold, the new homeowners would have the option to install solar if it is allowed by the HOA. If new homeowners elect to pursue solar, those homeowners would have to comply with all Village regulations, including Section 197-44, *Accessory Solar Energy Systems* of the Village Code.

3.3.3 Proposed Mitigation

The proposed development would not be expected to result in any significant adverse impacts to community facilities and services. The proposed action has incorporated the following measures that effectively mitigate any potential adverse impacts:

- A total of six fire hydrants will be installed on the subject property. The existing fire hydrant located on the southern property boundary is proposed to be relocated further west as the existing curb cut would be expanded for site access. Five new fire hydrants will be installed throughout the subject property.

- On-site smart irrigation controls for water conservation, including rain sensors, will be installed.

- The proposed action includes the construction of a STP to accommodate all sanitary waste from the development. The proposed BESST system has demonstrated that effluent meets the NYSDEC SPDES requirements for reduction of nitrogen and suspended solids. Adequate space has also been allocated for the 100-percent expansion of the treatment plant and leaching pools in accordance with SCDHS requirements.

- Energy conservation measures will be undertaken, including the installation of LED lighting for 100-percent of the proposed development; the R and U values for ceilings, roofs, walls, windows and flooring would exceed the minimum required R value; the SEER rating for HVAC system would exceed the required minimum; a Heat Recovery Ventilation unit would be utilized; and the units would be equipped with infrastructure for the conversion to solar if desired by the new homeowners and allowed by the HOA.

3.4 Community Character

3.4.1 Existing Conditions

As discussed in Section 3.2.1 of this DEIS and illustrated on Figure 3 in Appendix A, the land uses within a 1,000-ft radius include single-family residential, industrial, commercial, transportation and aviation. The zoning is also consistent with the existing land uses, other than the subject property which is zoned for multifamily residential development (i.e., MF-20) but is currently vacant with visual remnants of its past industrial use. Based upon the diversity of land uses and zoning designations within the 1,000-ft radius of the subject property, the community character of the surrounding area is likewise varied and is representative of a typical suburban setting.

According to the Comprehensive Plan Update of 2006, in the 1800's, the hamlet areas along the south shore of Long Island was comprised of residential neighborhoods with farms along the outskirts. Hamlets began to create incorporated villages to provide its residents with more community-based government and provide better services and facilities. Those villages on the South Fork attracted a growing number of residents during the summer months. All villages along the South Fork were mapped to include land up to and north of the LIRR train tracks to capture future industrial growth. In 1953, the Village of Westhampton Beach adopted local community-wide zoning to protect residential areas. However, in the early twenty-first century, when the Comprehensive Plan Update of 2006 was written, little vacant developable residential land existed, residential land values had risen, and the dependence on commercially or industrially zoned land to provide tax ratables for the village was diminished. It is noted that adverse impacts from certain industrial and other activities could depress economic values of the residential neighborhood. As such, the zoning began to include "pre-existing non-conforming" uses, which would limit future land uses that were deemed nuisance conditions and prohibited them by zoning. Additionally, the Village of Westhampton Beach turned to the principle of amortization of objectionable non-conforming land uses as a tool to remove certain land uses with the Village. Included in this, was the former asphalt plant that was operating on the subject property. To encourage redevelopment of this site, the property (along with all industrially zoned properties north of Rogers Avenue), was rezoned to MF-20 "to preserve the residential character of the northern neighborhoods of the Village."

Under existing conditions, the subject property is a vacant parcel of land at the terminus of Rogers Avenue and the Rogers Avenue Extension, that is visually dominated at the road by a chain link fence, wooded fence and locked gate. Photograph 8 in Appendix L illustrates the current view of the site from Rogers Avenue. Along Rogers Avenue, and the connecting secondary roads, the character of the community generally consists of a typical suburban neighborhood with single-family homes, ample lawns and street trees. To the west of the site, along Hazelwood Avenue and further west on Old Riverhead Road, are both commercial and industrial land uses intermixed into the residential community. It is noted that the subject property is located within walking distance (approximately 800-ft east) of commercial uses along Old Riverhead Road.

As noted in Section 3.2.1 of this DEIS, the subject property is bordered to the north by the LIRR right-of-way with Gabreski Airport further north (see Photograph Nos. 9-10 in Appendix L). Single-family residential uses are typical throughout this area in the vicinity of the subject property, to the east and south. Based upon a site and surrounding area visit conducted on July 20, 2020, many of the residences

range from one to two stories in height, have wood, vinyl, brick, and/or stone façades, as well as garages and driveways for off street parking (see Photographs No. 12-14, 16, and 17 in Appendix L). The streets in this residential area (i.e., along Rogers Avenue and Hazelwood Avenue to the south and southwest, and Bridle Path and Adam's Lane to the east), were observed to be relatively low-traffic areas on Rogers Avenue and Hazelwood Avenue, street trees, and other curb-side landscaping, contributing to the residential character of this area.

Industrial uses within the 1,000-ft radius study area are located along Hazelwood Avenue on the north side of Rogers Avenue. Commercial uses within the study area are generally confined to Old Riverhead Road with one commercial use along Hazelwood Avenue to the north of Rogers Avenue. These commercial uses are generally one and two-story non-descript buildings with white, gray, and/or tan stucco building façades. Old Riverhead Road and Hazelwood Avenue are lined with overhead utility wires, street trees and other curb-side landscaping elements (see Photographs No. 11, 18-21 in Appendix L).

The community character of the immediate area surrounding the subject property (within the 1,000-ft radius study area), can be described as varied with an established, mature residential neighborhood to the south and east, transportation and aviation uses to the north, and residential, industrial and commercial service uses to the west.

3.4.2 Potential Impacts

Upon implementation of the proposed action, the subject property would be converted from its current vacant and underutilized state, to an aesthetically-pleasing residential community. The existing views of chain link fencing and gate on Rogers Avenue would be replaced with a townhouse-style, condominium development buffered with extensive landscaping. The existing terminus of Rogers Avenue with the Rogers Avenue Extension would be replaced with a full-stop, T-intersection, which would result in the positive impact of traffic calming for those drivers who currently use Rogers Avenue as the cut-through from Old Riverhead Road to Montauk Highway. Also, a sidewalk would be installed along Rogers Avenue. The proposed intersection improvements would, therefore, create a road condition that is more consistent with the surrounding secondary roads of the residential neighborhood.

Visually, the frontage of the subject property along Rogers Avenue is limited to 256±-ft, such that the development would be largely blocked from view along the public roadway. The proposed community building with the outdoor swimming pool and tennis courts would be largely shielded from view on Rogers Avenue with the proposed landscape treatments and chain link fencing with fabric inserts. The rooflines of the community building and townhouse buildings would be visible from Rogers Avenue, as would the larger development from the entryway only.

As indicated in the 3-D Computer Imagery prepared by the project architect and included in Appendix D of this DEIS, the proposed design includes vegetated setbacks to the property lines and the proposed townhouse buildings are interior to the site to minimize the impacts to surrounding properties. Along the west, east and north, views of the proposed development would be largely blocked from adjacent properties with extensive and dense vegetated buffers as well as the existing natural trees that would be retained. A portion of the proposed vegetation (at full maturity) and the existing natural trees to remain would be higher than the proposed building rooflines obscuring views from adjacent properties. The

community center and recreational facilities would be blocked from adjacent views to the west and south due to the dense vegetative buffers. To the south, the proposed development would only be visible from the entryway along Rogers Avenue.

Further, as illustrated on the advertisement in the Market Demand Study in Appendix E, the proposed townhouse building design includes varied roof lines, covered decorative porches, and traditional residential façade. Expansive lawn areas, sidewalks and walkways also add to the residential character typical of a suburban single-family community. The community layout is a grid-type system with alleys situated in the rear yards of each residential block to provide access to unit garages and driveways, leaving unencumbered frontage towards the street and allowing maintenance services to function in a less visible location within the proposed development. All alleys are proposed at a minimum width of 15-ft, with exception of the alley to the north which is 30-ft in width to accommodate parallel parking to the north. The proposed alleys would effectively screen garages from the internal roadways and eliminate the need for driveways. The alleys could serve as informal play areas and walkways for the residents.

The proposed design considers all designs elements, as set forth in Section 197-80 of the Village Code. The design intent of the proposed development is to complement the surrounding residential neighborhood through landscaped buffers, maintaining existing trees, and incorporating architectural elements that are residential in character. As part of the proposed action, all architectural elevations, renderings, building prototypes and designs will be submitted for review by the Board of Architectural Review. Pursuant to §5-1 of the Village Code, the purpose of the Board of Architectural Review is "to preserve and promote the character, appearances and aesthetics of the Village..." The proposed action incorporates two separate options for the style of architecture to be considered by the Board of Architectural Review.

It should also be noted, that while the historic use of the property was industrial, the Comprehensive Plan Update of 2006 recognizes this use was a nuisance and depressed the economic values of the surrounding residences. Accordingly, the proposed action is consistent with the intent of the Comprehensive Plan Update of 2006 to develop multifamily residential to preserve the residential character of the neighborhood and emulate the historic layout of this neighborhood as a walkable neighborhood. The subject property is located 800±-ft east of the commercial corridor along Old Riverhead Road which project residents would be in walking distance of and promote the intent and character of a walkable neighborhood. The applicant would also develop the site as a pedestrian-friendly community including the installation of a sidewalk on Rogers Avenue and a well-developed system of internal sidewalks and crosswalks, and posted speed limits, to allow for safe circulation to and from, and throughout the site. Furthermore, all units would be accessible from walkways in the front yard (as well as rear-yard entry from the alleys).

As explained in Section 1.3.5 and 3.2.2 of this DEIS, the proposed lighting plan includes 10-ft lamp poles along the internal roadways and adjacent to surface parking areas. Each lamp pole would include a shielded LED luminaire to direct all light downwards with no upward glare. All wall-mounted, building fixtures would also be shielded LED luminaires. As indicated in the photometric analysis, there would be no off-site lighting impacts in terms of trespass from the proposed lighting to surrounding properties.

It is expected that a portion of the community would be existing residents of the Village, that elect to transition from single-family home ownership or rentals, to condominium living. Intermixed with the current Village residents, will be a new population. As noted in the correspondence from Kerrigan Country Realty in Appendix E, the attracted population within the local community lies within the "30-40 age bracket who have a desire to continue living in the immediate area but have had to stall their purchasing because of lack of inventory and increasing price points of existing, renovated and newer homes." Additionally, "Downsizing is also a major consideration for our older local community who are looking to sell their larger homes in the area, but do not want to leave lifelong friends, family, community and doctors whose relationships have been built over time. The new development holds a high level of interest for this consumer, as well." For those new to the community, the market demand has shown the proposed community to be of attraction to "50-60 age bracket and looking for a second residence in a beach community without the expensive burden of maintaining a private residence." Overall, the proposed development would be inhabited by both the local community and newcomers, thus contributing to a community character of tradition blended with growth.

Based on the above, the proposed development is expected to result in positive, beneficial impacts to the overall community character by replacing a vacant and underutilized parcel with an aesthetically-pleasing residential community that is consistent with the Village's 2006 plan for multifamily residential use on the subject property.

3.4.3 Proposed Mitigation

No significant adverse impacts to community character would be expected from the proposed action, and thus, mitigation is not required. A summary of the measures included in the proposed project that effectively to minimize or eliminate any potential adverse impacts follows:

- The proposed *Site Landscaping Plan* includes extensive vegetative buffers for perimeter screening, maintenance of existing trees, and new planted shade trees to reduce visual and noise impacts from the proposed development. Furthermore, the northern property boundary is proposed to be developed with a landscape berm of three (3)-ft to provide further visual screening from the adjacent LIRR railroad tracks.

- The preservation of approximately 40 percent of all existing trees will mitigate impacts to the adjacent landowners by maintaining familiar and distinct landscape.

- The layout of the proposed residential development is a grid-type system with alleys situated in the rear yards of each residential block to provide access to unit garages and driveways, leaving unencumbered frontage towards the street and allowing maintenance services to function in a less visible location within the proposed development.

- All lighting will comply with §197-25.5 of the Village Code and will not result in any off-site impacts. The proposed lighting plan includes 10-ft lamp poles along the internal roadways and adjacent to surface parking area, which would include a shielded LED luminaire to direct all light downwards with no upward glare. All wall-mounted, building fixtures will also be shielded LED luminaires.

- The proposed development will be a pedestrian-friendly community with the installation of a sidewalk on Rogers Avenue and a well-developed system of internal sidewalks and crosswalks, and posted speed limits, to allow for safe circulation to and from, and throughout the site. Also, all units will be accessible from walkways in the front yard (as well as rear-yard entry from the alleys).

4.0 OTHER REQUIRED SECTIONS

4.1 Construction-Related Impacts

4.1.1 Proposed Construction Schedule

As described in Section 1.4.1 of this DEIS, the proposed development would be constructed in one phase over a duration of 18± months. As indicated in the preliminary construction schedule prepared by Carriage Hill Developers Inc. (see Appendix F), the proposed construction commencement date is summer of 2021 with project completion in December 2022. Prior to the commencement of site clearing, all existing trees to be retained would be clearly marked with silt fencing and/or tagging to prevent removal during the site clearing phase. Site utilities (including the underground electric, gas mains, communication utilities, sewage treatment plant, underground sewage piping and underground site lighting conduits) would be installed throughout the site beginning July 2021 until November 2021. During this time frame, and extended into January of 2022, the multifamily residential Buildings #1 and #2 would be constructed along with the community center, and the associated sidewalks, walkways, paved roadways and site lighting around these three buildings.

Rough grading of the site and the proposed internal roadways would be constructed throughout the site from mid-November to mid-December of 2021. Curbing would be added along the roadways over the next three months from December 2021 to March 2022. The construction of Buildings #3 through #7 would begin at the beginning of August 2021 until the end of April 2022. From mid-April 2022 to the beginning of June 2022, the sidewalks, walkways, paved roadways and site lighting around these buildings would be installed.

From January 2022 to October 2022, Buildings #8 through #13 would be constructed. Following construction of these buildings, the sidewalks, walkways paved roadways and site lighting would be installed around the buildings from October 2022 until December 2022. Once completed, demobilization would occur in mid-December to remove all construction equipment and contractors before project operations in late 2022/early 2023.

Carriage Hill Developers Inc. would be the construction manager on-site and a temporary trailer to serve as an on-site field office would be positioned near the site entrance on the property. All equipment storage/staging would be located on-site, as well as all contractor and worker parking. Delivery routes for materials to the site would be Rogers Avenue from either Old Riverhead Road or Montauk Highway, depending on the origination point.

4.1.2 Potential Impacts Associated with Land Disturbance

Based upon the proposed site plan, the whole site would involve ground disturbance to some extent. As noted in Section 1.3.5 of this DEIS, while the proposed landscape design intends to preserve 264 trees on-site (i.e., 0.040± of natural woodlands), it is also proposed that groundcover seeding would be added throughout the site between the existing trees to remain. While this disturbance would be nominal and would not significantly impact the underlying soils, it is included in the overall site disturbance as a conservative estimate.

During construction activities, there is the potential for erosion and sedimentation with prolonged soil exposure and fugitive dust during dry periods. To minimize the potential for erosion and sedimentation, a Sediment Erosion and Sediment Control Plan has been prepared (see *Sheets C-600* and *C-601* in Appendix C) , which includes, at minimum, stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads.

The proposed action will require coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001), which includes the preparation of a SWPPP for submission to both the Village and the NYSDEC prior to any construction activity. As discussed in Section 2.2.2 of this DEIS, the SWPPP would be designed in accordance with the *New York State Stormwater Management Design Manual* and would meet the standards and specifications of the *New York Standards and Specifications for Erosion and Sediment Control*. Furthermore, the proposed stormwater management system and sediment and erosion controls to be implemented would be consistent with Chapter149, *Stormwater Management and Erosion and Sediment Control,* of the Village Code.

As indicated in Section 2.1.2 of this DEIS, prior to construction in areas in the northeastern portion of the subject property, all C&D debris such as brick/concrete fragments, wood and miscellaneous trash would be removed from the site. All C&D debris in soils at the site, as well excess soils generated during construction would be managed in accordance with 6 NYCRR Part 360. Also, as noted in the 2020 Phase II ESA, the former sanitary system would be properly closed in accordance with SCDHS procedures.

Based on the above, no significant adverse impacts associated with land disturbance during construction would be expected.

4.1.3 Potential Construction-Related Noise Impacts

The proposed construction activities may result in temporary increases to ambient noise levels in connection with clearing, earth moving, and construction of the 52-unit multifamily residential development. Chapter 110 (Noise) of the Village Code provides standards and provisions to secure and promote the health, comfort, convenience, safety, welfare, property and the peace and quiet of the Village and its inhabitants. Pursuant to §110-3.E. of the Village Code, the following acts are not permitted:

> *E. The operation of any construction device or the performance or engagement in construction work, building, demolition, excavating, pile driving, hoisting, demolishing, dredging, hammering, or sawing within the limits of the Village of Westhampton Beach, other than between the hours of 7:00 a.m. and 6:00 p.m. on Monday through Friday and between the hours of 8:00 a.m. and 5:00 p.m. on Saturday and Sunday, except during the months of July and August, when none of the activities set forth in this subsection shall be permitted on Sunday.*

In accordance with Village Code, all construction activities associated with the proposed development would not be undertaken prior to 7:00 a.m. or later than 6:00 p.m. on weekdays or prior to 8:00 a.m. or later than 5:00 p.m. on Saturday and Sunday. Also, construction would not be undertaken at any time on Sundays during the months of July and August in accordance with the Village Code §110-3.

Overall, although the proposed action would result in an increase in ambient noise levels during construction, they would be temporary in duration and all activities would comply with the Village Noise Code.

4.1.4 Potential Construction-Related Air Quality Impacts

Construction activities in connection with the proposed development have the potential for temporary air quality impacts such as generating fugitive dust emissions from soil particles that become airborne when disturbed by heavy equipment operation or through wind erosion of exposed soil after groundcover (e.g., lawn, pavement) is removed. Excavation, grading, and loading/unloading materials in trucks also contributes to fugitive dust emissions.

As part of the proposed action, the construction manager would inspect all construction vehicles and equipment to ensure proper maintenance of their emission control equipment. Also, construction vehicles would be controlled to reduce idling on-site to the maximum extent practicable. To minimize fugitive dust emissions, water would be utilized for the wetting of surfaces during dry periods. Based on the above, no significant adverse air quality impacts would be expected.

4.1.5 Potential Construction-Related Traffic Impacts

As part of the TIS (see Appendix K of this DEIS), the potential construction-related impacts associated with site activity and traffic were evaluated. The construction traffic would include trucks for performing operations on the site as well as the delivery and removal of materials as well as worker vehicles and tradesman vans.

The number and types of construction vehicles would vary considerably depending on the phase of construction and the particular operations underway at any given time. The site's location on at the terminus of the north-south section of Rogers Avenue is key in consideration of construction traffic, particularly truck traffic. All construction vehicles would arrive and depart via the existing driveway, which would be repurposed as a construction entrance, at the northerly terminus of Rogers Avenue.

Construction traffic originating from Sunrise Highway (New York State Route 27) or areas north of the development will utilize Old Riverhead Road (CR 31) southbound to access the western terminus of the Rogers Avenue Extension and, from there, the site. Similarly, construction traffic originating from the nearby vicinity would traverse Montauk Highway (CR 80) to Old Riverhead Road (CR 31) where they would travel north to the easterly terminus of the Rogers Avenue Extension where they would turn to access the site. It is the intention of the developer to use local suppliers for construction materials and they have indicated that they would pursue a 50/50 split of more distant suppliers and local suppliers.

Parking and storage of all construction worker vehicles and construction equipment would be maintained on site. While the number of workers would vary with the phases of construction, it is anticipated that a maximum of 100 workers would be present at any one time throughout the construction period. No parking of vehicles or equipment would occur on the surrounding roadways. Laydown areas would be provided on-site for any materials that will be stockpiled during construction.

No construction vehicles or heavy equipment would be left at the site overnight, exception for large excavators and grading equipment.

As noted, the proposed development would generate a significant amount of cut material in accommodating the excavation for basements and other infrastructure. This material is estimated at 24,000 CY, which would be removed from the site via trucks which could accommodate 20 CY of material. This equates to 1,200 trucks arriving and departing over the 15-month construction period and, assuming approximately 420 working days per year (which includes weekends outside of July and August but excludes Holidays) yields an average of three (3) trucks loaded with cut material from the site per day. Over an 8-hour day, this equates to an average of less than one full truck trip to and from the site per hour.

All construction activities would be overseen by a Construction Manager (CM) and dictated by a Construction Management Plan developed in coordination with the Village of Westhampton Beach. The CM will facilitate coordination among the appropriate governmental agencies/departments and interested parties to minimize potential construction impacts in the surrounding area. It is also anticipated that the Village of Westhampton Beach will provide independent oversight on behalf of the public. While the Applicant will strive to ensure that impacts as a result of demolition and construction are minimized, the public can express any issues during construction to the Village, which would then notify the Applicant; and, if necessary, the Village could oversee the implementation of any corrective action.

Overall, no significant adverse traffic impacts during construction are anticipated.

4.1.6 Proposed Mitigation Measures

During construction, the following mitigation measures would be implemented to minimize potential adverse impacts:

- Prior to the commencement of site clearing, all existing trees to be retained will be clearly marked with silt fencing and/or tagging to prevent removal during the site clearing phase.

- Erosion and sedimentation controls will be undertaken prior to and during construction and will include, at minimum, stockpile protection, minimizing the extent and duration of exposed areas, installation of sediment barriers and sediment traps (silt fencing and hay bales), and the construction and maintenance of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads.

- The construction manager will inspect all construction vehicles and equipment to ensure proper maintenance of their emission control equipment and also control the idling of construction vehicles. Fugitive dust emissions will be mitigated with the use of water during dry periods.

- All equipment storage/staging will be located on-site, as well as all contractor and worker parking, to minimize off-site traffic impacts.

- Prior to construction in areas in the northeastern portion of the subject property, all C&D debris such as brick/concrete fragments, wood and miscellaneous trash will be removed from the site. All C&D debris in soils at the site, as well excess soils generated during construction would be managed in accordance with 6 NYCRR Part 360.

- The former sanitary system would be properly closed in accordance with SCDHS procedures.

4.2 Cumulative Impacts

It is recognized that other pending projects in the vicinity of the site could result in cumulative impacts. Cumulative impacts, as excerpted from the *SEQR Handbook* (page 80), are those impacts that occur "…when multiple actions affect the same resource(s). These impacts can occur when the incremental or increased impacts of an action, or actions, are added to other past, present, and reasonably foreseeable future actions. Cumulative impacts can result from a single action or from two or more individually minor but collectively significant actions taking place over time. Cumulative impacts do not have to all be associated with one sponsor or applicant. They may include indirect or secondary impacts, long-term impacts, and synergistic effects."

In coordination with the Village and its consultants (see correspondence in Appendix N), the following projects have been identified as pending, approved or in review:

Table 28 – Other Potential Developments

Map #	Project / Application Name	Project Type	Project Status (Approved, In Review, Advertised)	Projected Build Year
A	Avador	Commercial (11,000 SF)	In Review	Prior to 2023
B	Musnicki	Commercial	In Review	Prior to 2023
C	Office – Old Riverhead Road	Office	In Review	Prior to 2023
D	James Traynor – 91 Old Riverhead Road	Commercial (13,408 SF)	In Review	Prior to 2023
E	HCMC – 51 Old Riverhead Road	Commercial (3,796 SF)	In Review	Prior to 2023
F	804F Realty Corp (Valero)	Retail/Convenience Store	In Review	Prior to 2023
G	95 & 105 Montauk LLC	New Restaurant (4,300 SF)	In Review	Prior to 2023
H	55 Old Riverhead Road LLC	Senior Housing	In Review	Unknown
I	Beechwood Westhampton LLC	Change of Zone / Multifamily Development	In Review	Unknown
J	Patio Gardens	Multifamily Development	Approved/Inactive	Unknown/Inactive
K	112 WHB LLC	Public/Community Service	Advertised	Unknown

As noted in this DEIS, the Build Year for the proposed action is early 2023. It is at this time that the applicant projects all units to be constructed and purchased for occupancy.

As indicated on Figure 17 in Appendix A of this DEIS, the only application or pending project that is in proximity to the subject property is Item K, 112 WHB LLC, which is the community center being contemplated by the

Town of Southampton at the intersection of Old Riverhead Road at Rogers Avenue. However, there are no renovation or redevelopment plans published at this time. As such, it is unknown what the specific intended use would provide, the programs it will offer, the planned build year, etc. Accordingly, a cumulative assessment cannot be performed. Correspondence was also undertaken with the Town of Southampton on September 8, 2020 requesting any information on this potential project (see Appendix N). To date, no response has been received.

With respect to Items A through E, these developments were instructed by the Village consultants to be included in the background growth rate for traffic as they will likely be constructed and operational by late 2022/early 2023. Items F and G were evaluated for the potential traffic generation and included in the capacity analyses. As such, the background growth factor of 2.8-percent was applied to the existing traffic volumes and the traffic volumes associated with the Other Potential Developments to arrive at the 2023 No-Build traffic volumes in the TIS prepared by VHB (see Section 3.1.2 of this DEIS and the TIS in Appendix K). As evaluated, no significant adverse cumulative traffic impacts would be expected upon implementation of the proposed action with the other potential developments.

As for the cumulative impacts on other resources, including soils, topography, water resources, land use and zoning, community services, and community character, it must be recognized that these applications are under review by the Village. Impacts beyond their respective site boundaries, including those associated with increased water usage, sanitary discharge, solid waste and energy demand, are all addressed by the corresponding agencies (e.g., SCDHS, SCWA, PSEG LI, National Grid). Also, it is expected that the impacts to the service agencies, inclusive of schools, fire, ambulance and police, are all considered by the Village and have also been consulted with as part of this environmental review process. Based on the potential impacts as evaluated herein, no cumulative impacts would occur.

With respect to Items H, I and J, these applications are in various stages of review. Accordingly, the Village consultants indicated that such developments should not be considered in the cumulative impact assessment.

4.3 Use and Conservation of Energy

As indicated in Section 3.3.1, the proposed development would occur on property with existing utility connections for electricity and natural gas. As the site is currently vacant, the proposed development would increase the demand for electricity and natural gas. Accordingly, consultations were undertaken with PSEG LI and National Grid (see correspondence in Appendix M). PSEG Long Island has confirmed service availability for the proposed action. Regarding natural gas, service for the proposed development would be available after completion of National Grid improvement projects (see correspondence dated October 3, 2019 in Appendix M).

As discussed in Section 3.3.2 of this DEIS, the proposed development would be constructed with energy conservation and efficiency measures. As of May 2020, New York state adopted the 2020 International Codes which have increased the energy efficiency requirements. By following and complying the current requirements of this code, all townhomes would meet the minimum requirements for a LEED/Green certification. As provided by the project architect and applicant, the proposed buildings would be designed to meet or exceed the requirements of the NYS Building and Energy Code (NYS Code) by including the energy conservation and efficiency measures.

Based on the above, it is not expected that the proposed action would result in adverse impacts to the use of energy.

4.4 Unavoidable Adverse Impacts (Short-Term and Long-Term)

The short-term impacts would occur during the proposed construction activities; however, these impacts would be temporary and cease upon completion of the construction phase of the project. These impacts would include:

- Although erosion and sedimentation controls would be in place prior to and maintained during the entirety of the proposed construction, limited erosion may occur.
- Increase in noise levels during construction activities; however, construction would be limited to the permitted hours set forth by the Village.
- During construction, fugitive dust may be generated during dry periods; however, watering methods will be used to mitigate fugitive dust to the maximum extent practicable.
- There would be a temporary impact to roadways due to the movement of materials to and from the site.

Upon implementation of the proposed action, long-term adverse impacts that cannot be fully mitigated would occur. These impacts would include:

- Change in the use of the property from a vacant, former industrial-use property to multifamily residential use. However, this change is consistent with the Village's Comprehensive Plan and rezoning in 2003.
- Water usage for potable and irrigation supply would be required for the proposed development; however, the SCWA has indicated that there is an availability of service to meet the projected demand.
- Sanitary generation and the discharge of treated effluent to groundwater would result from the proposed development; however, the proposed STP would comply with all regulatory standards and the proposed system is designed to protect groundwater resources by discharging effluent that meets LI drinking water nitrogen standards.
- PSAC would be generated from the new residential community, which would require the services of the Westhampton Beach UFSD.

4.5 Irretrievable and Irreversible Commitment of Resources

For any development or new land use, there is a certain commitment of resources (natural and human or man-made) for consumption, conversion or made unavailable for further use as a result of the development and/or use. The construction and operation of the proposed development would require a commitment of natural and human resources, as follows:

- Building and construction-related materials would be committed to achieving the proposed development, including but not limited to wood, steel, concrete, and topsoil.
- The operation of construction equipment and post-development operations would require electricity, water resources and fossil fuels.

- Water demand would increase by approximately 16,065± gpd for the proposed developments there is not water demand under existing conditions.
- On-site sewage disposal would increase by approximately 15,000± gpd, with all sanitary waste being accommodated with an on-site STP to be constructed in the rear of the property.

4.6 Growth-Inducing Impacts

Growth-inducing aspects can be generally described as long-term secondary effects of a development, which are either directly or indirectly related to the project. The direct growth-inducement aspects of a project would include the attraction of a significant increase in population to the area due to the creation of jobs, new institutions (e.g., universities, hospitals) or support facilities (e.g., major retail stores). Indirect growth-inducement aspects are those that increase the development potential of an area. The proposed action would result in a potential increase of 107 persons in the Village population. However, a portion of the residents are expected to be existing Village residents that seek an alternate housing type, as set forth by Kerrigan Country Realty (see Appendix E of this DEIS).

Of the additional 107 persons, the proposed development is projected to generate between nine (9) and 10 PSAC (see Table 26 and Table 27 and Section 3.3.2 of this DEIS). However, a portion of these PSAC may already be enrolled at the Westhampton UFSD but living elsewhere. Also, the proposed development would generate tax revenues for the school district.

The proposed development would increase the demand for services by the local providers, inclusive of the public school district (Westhampton Beach UFSD), police (WHBPD), fire (Westhampton Beach Fire Department), and ambulance (Westhampton War Memorial Ambulance Association); however, as indicated in Table 22 of this DEIS, the proposed development would increase tax revenues to each of these providers. Specifically, the proposed development would increase tax revenues as follows:

- Westhampton Beach UFSD: $18,741.37 (existing) / $241,285 (projected post-development)
- Village of Westhampton Beach – General Fund (a portion of which goes to the WHBPD): $8,948.73 (existing) / $115,210 (projected post-development)
- Westhampton Beach Fire District: $1,369.38 (existing) / $17,630 (projected post-development)
- Westhampton War Memorial Ambulance Association: $254.77 (existing) / $3,280 (projected post-development)

It is not expected that the proposed development would adversely impact any of the aforementioned service providers that result in the need to significantly expand staffing or require facility upgrades.

It is important to note that while the proposed development converts a vacant parcel to multifamily use, the proposed development is consistent with the prevailing zoning and the goal of the Village to redevelop the site for residential purposes. As indicated in the Village Comprehensive Plan of 2006, the subject property was rezoned in 2003 from industrial to multifamily residential "to preserve the residential character of the northern neighborhoods of the Village, and to provide a stimulus for more moderately priced housing."

4.7 Impacts on Solid Waste Management

As the proposed action would convert a currently vacant parcel of land to multifamily residential use, there would be an expected increase in solid waste that requires carting and disposal. As indicated in Section 3.3.2 of this DEIS, based on a factor of 4.51 lbs. per person per day and a projected potential population of 107± persons, the estimated solid waste generation would be 7.34± tons per month.

Solid waste generation is proposed to be collected and disposed of by a contracted licensed private carter. Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. The central trash dumpster area for the community center would be screened with vegetation and pick-ups from the individual residential units would occur at the back of the buildings within the alleys. All pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures.

As the Village does not contract for solid waste management and disposal services, and relies upon landowners for such service, it is expected that the private carter to be contracted for the proposed development has disposal locations that can accommodate trash and recyclables. Overall, no significant adverse impacts associated with solid waste generation are expected.

4.8 Climate Change and Carbon Footprint

As evaluated in Section 3.2.2 of this DEIS, the potential impacts on climate change and the associated impacts due to the effects of climate change were considered by the applicant. According to the NYSERDA Sea Level Rise Viewer (see Figure 16 in Appendix A), the subject property is not projected to be directly impacted by sea level rise. As the sea level rises, so would the groundwater elevation. Given the current average depth to groundwater of 36±-ft bgs, even a five (5)-ft increase in groundwater with a recurrence interval of 50 years would not impact the project. Both the leaching system for the proposed sewage treatment plant and the storm drainage systems would still maintain the minimum three (3)-ft separation below the bottom of the structures and groundwater (as the current separation is designed to be at minimum 12±-ft bgs). It is noted that the bottom of the STP leaching pools, which are the deepest proposed structures, would be 21-ftbgs. As groundwater is approximately 36-ftbgs, the separation distance would be approximately 15-ft bgs.

As noted earlier, the proposed buildings would be designed to meet or exceed the requirements of the NYS Building and Energy Code (NYS Code) by including energy conservation and efficiency measures which in turn would decrease greenhouse gas emissions. The proposed action also includes the preservation of approximately 40 percent of existing trees on the site.

Overall, based on the above, the proposed action would not have significant adverse impact on, nor be significantly impacted by climate change.

5.0 ALTERNATIVES AND THEIR IMPACTS

Pursuant to §617.9(b)(5)(v) of the implementing regulations of SEQRA, a DEIS is to include a range of reasonable alternatives to the proposed action that are feasible, considering the objectives and capabilities of the project sponsor. The Final Scope dated July 21, 2020 requires the following alternatives to be evaluated:

- Alternate 1: As-of-Right (No Action) Alternative
- Alternate 2: Multifamily Development at Four Units Per Acre
- Alternate 3: Alternate Layout with Relocated Entrance and Recreational Facilities
- Alternate 4: Alternate Layout with Relocated Recreational Facilities
- Alternate 5: Proposed Action with Scenic Easements with 52 Units

The following sections evaluate each of the aforementioned alternatives to the proposed action. The table below provides a comparative analysis of the site and project-related details for the proposed action and all of the alternatives.

Table 29 – Comparative Analysis of Proposed Plan and Alternatives

	Existing Conditions	Proposed Action	Alternate 1: As-of-Right (No Action)	Alternate 2: Multifamily (4 Units per Acre)	Alternate 3: Relocated Entrance and Recreational Facilities	Alternate 4: Alternative Layout and Recreational Facilities	Alternate 5: Proposed Action with Scenic Easements with 52 Units
Land Use	Vacant	52 MF Units	18 Residential Lots	36 MF Units	52 MF Units	52 MF Units	52 MF units
Total Landscaped Area	0± ac	3.977± ac	5.675± ac	5.118± ac	4.198± ac	4.243± ac	3.502± ac
Landscape area - % of Site	0%	43%	70%	55%	45%	46%	37.4%
Total Impervious Area	6.630± ac	4.846± ac	3.650± ac	4.170± ac	5.115± ac	4.580± ac	4.674± ac
Total Permeable Paving	0	0.492± ac	0	0	0	0.492± ac	0.492± ac
Natural Area to Remain	2.725± ac	0.040± ac	0.030± ac	0.067± ac	0.042± ac	0.040± ac	0.687± ac
Trees Removed/To Remain	0/657	390/264	467/190	238/419	391/266	402/255	285/372
Trees to Remain (Total / > 4")	657/364	264/105	190/61	419/202	266/104	255/103	372/180
Total Gross Floor Area	-	103,469± SF	31,950± SF	78,269± SF	103,469± SF	103,469± SF	103,469± SF
Building Height/Stories	-	31-ft. 3.875 in. / 2	32-ft. / 2	31.75±-ft/ 2	31.75±-ft / 2	31.75±-ft / 2	31-ft. 9 in. / 2
Front yard setback	-	64±-ft	40±-ft	142.58±-ft	47.20±-ft	38±-ft	63.35±-ft
Min. Side yard setback	-	62±-ft	15±-ft	52.43±-ft	70.25±-ft	52.25±-ft	62.70±-ft
Both side yards	-	136±-ft	40±-ft	79.21±-ft	74.75±-ft	74.50±-ft	74.50±-ft
Rear yard setback	-	55±-ft	40±-ft	71.5±-ft	61.38±-ft	59.78±-ft	59.50±-ft
Lot coverage	-	17.3±%	4.42±%	13.1±%	17.3±%	17.3±%	17.3±%
Site Utilization Data							
Parking Required/Provided	-	104 /203	72 / 72	72 /129	104 /178	104/178	104 /178
Weekday AM Peak Hour Trips	-	26 trips	18 trips	18 trips	26 trips	26 trips	26 trips
Weekday PM Peak Hour Trips	-	33 trips	20 trips	24 trips	33 trips	33 trips	33 trips
Sat. Midday Peak Trips	-	28 trips	33 trips	19 trips	28 trips	28 trips	28 trips
Sun. Midday Peak Trips		28 trips	25 trips	19 trips	28 trips	28 trips	28 trips
Water Usage	-	15,000± gpd	5,400± gpd	10,800± gpd	15,000± gpd	15,000± gpd	15,000± gpd
Irrigation Demand	-	1,065± gpd	1,520± gpd	1,359± gpd	1,124± gpd	1,136± gpd	938± gpd
Sanitary Generation	-	15,000± gpd	5,400± gpd	10,800± gpd	15,000± gpd	15,000± gpd	15,000± gpd
Sanitary Method	-	STP	I/A OWTS	I/A OWTS	STP	STP	STP
Total N Leached (lbs./yr.) / N Concentration (mg/L) (BURBS Summary)	-	386.82/3.12	383.73/4.16	551.39/4.99	383.78/3.09	385.74/3.11	368.91/3.02
Solid Waste	-	7.34± tons/month	4.66± tons/month	4.66± tons/month	7.34± tons/month	7.34± tons/month	7.34± tons/month
Projected Population[(1)]	-	107± people	68± people[(2)]	68± people	107± people	107± people	107± people
Public School-Age Children	-	9-10± PSAC[(3)]	18± PSAC[(4)]	4-7± PSAC[(3)]	9-10± PSAC[(3)]	9-10± PSAC[(3)]	9-10± PSAC[(3)]
Annual Tax Revenues							
Village of Westhampton Beach General Fund	$8,948.73±	$115,210.00±	$60,696.00±	$68,283.00±	$115,210.00±	$115,210.00±	$115,210.00±
Westhampton Beach UFSD	$18,741.37±	$241,285.00±	$127,116.00±	$143,005.50±	$241,285.00±	$241,285.00±	$241,285.00±
Westhampton Beach Library	$1,378.93±	$17,753.00±	$9,352.80±	$10,521.90±	$17,753.00±	$17,753.00±	$17,753.00±
Westhampton Beach Fire District	$1,369.38±	$17,630.00±	$9,288.00±	$10,449.00±	$17,630.00±	$17,630.00±	$17,630.00±
Westhampton War Memorial Ambulance Association	$254.77±	$3,280.00±	$1,728.00±	$1,944.00±	$3,280.00±	$3,280.00±	$3,280.00±
Town of Southampton – General Fund	$1,213.33±	$15,621.00±	$8,229.60±	$9,258.30±	$15,621.00±	$15,621.00±	$15,621.00±

	Existing Conditions	Proposed Action	Alternate 1: As-of-Right (No Action)	Alternate 2: Multifamily (4 Units per Acre)	Alternate 3: Relocated Entrance and Recreational Facilities	Alternate 4: Alternative Layout and Recreational Facilities	Alternate 5: Proposed Action with Scenic Easements with 52 Units
Total Annual Tax Revenue	$32,683.55±	$420,783.00±	$221,680.80±	$344,088.00±	$420,783.00±	$420,783.00±	$420,783.00±

Notes: [1] The Rutgers CUPR multipliers were used to estimate the future population under all alternatives.
[2] The Rutgers CUPR multiplier was used to estimate the future population under this alternative.
[3] The Rutgers CUPR multipliers and the LIHP multipliers were used to project the PSAC generation, respectively.
[4] The Rutgers CUPR multiplier was used to project the PSAC generation under this alternative, as the LIHP multipliers are for multifamily housing units only.

5.1 Alternate 1: As-of-Right (No-Action) Alternative

This alternative plan includes an as-of-right build out of the subject site, as permitted under §197-11 (Multifamily Residence District 20), without the need for special exception approval. The NYSDEC's *SEQR Handbook, Fourth Edition – 2020* (*SEQR Handbook*) provides guidance on which alternatives to consider and how to analyze them. The *SEQR Handbook* states, in pertinent part (page 124): *The 'no action' alternative must always be discussed to provide a baseline for evaluation of impacts and comparisons of other impacts. The substance of the no action discussion should be a description of the likely circumstances at the project site if the project does not proceed. For many private actions, the no action alternative may be simply and adequately addressed by identifying the direct financial effects of not undertaking the action,* ***or by describing the likely future conditions of the property if developed to the maximum allowed under the existing zoning***. (emphasis added). Accordingly, under this alternative, the subject property would be developed to the maximum development allowed under existing zoning, which would consist of 18 single-family residential homes.

As illustrated on the As-of-Right Alternate Plan in Appendix O of this DEIS, access to the site would be via the existing curb cut off Rogers Avenue and the residential lots would be situated along a single roadway that would loop internally around the subject property. Parking would be accommodated in site driveways and on-street parking similar to the surrounding residential neighborhood.

As compared to the proposed action, the area of impervious surface would be expected to decrease by 1.196± acres (from 4.846± acres to 3.650± acres), the area of lawn and landscaping would also increase by 1.698± acres (from 3.977± acres to 5.675± acres), and the area of natural vegetation to remain would decrease by 0.010± acre (from 0.040± acre to 0.030± acre). This alternative would not include any permeable paving as compared to the proposed action which would incorporate 0.492± acre of permeable pavement for the proposed alleys. It is noted that under this alternative, 190 trees out of the existing 657 trees (approximately 29 percent) would be retained. Of these 190 trees to remain, 61 trees are greater than 4 inches in caliper (see Appendix O). Compared to the proposed action, which would retain 40 percent of existing trees, this alternative would rid of 11 percent more trees overall.

This alternative is being presented only to provide a baseline comparison of the maximum development of the site under existing zoning and without a special exemption, to the proposed action. This alternative does not achieve the objective of the applicant as a developer of multifamily residential communities and is not considered a feasible alternative for the applicant. Moreover, as discussed in Section 3.2.2 of this DEIS, it does not achieve the purpose and intent of the Village in its rezoning of the property in 2003.

Soils and Topography

As this alternative plan would include the development of 18 residential homes with associated appurtenances (e.g., driveways, garages, swimming pools, fully landscaped lawns, and fencing), the potential impacts would be similar to that of the proposed action. The soils on the subject property present few engineering limitations for the development of buildings, streets or parking lots, and the establishment for sanitary disposal. There are noted severe engineering limitations for the establishment of lawns and/or landscaping; however, these limitations could be overcome with topsoil and soil mixing. As the site is relatively flat, the slopes on the site would not be significantly modified. The grading program for construction of the As-of-Right plan would be expected to generate cut material for removal from the site, which would be handled in the same manner as

that for the proposed action. Overall, as with the proposed action, the As-of-Right plan would not be expected to result in significant adverse impacts associated with on-site soils, removal of soils or topographic changes.

Water Resources

Based upon a design flow factor of 300 gpd per single-family residence, the projected potable water demand and sewage discharge for the 18 residential lots would be approximately 5,400 gpd (300 gpd x 18 lots = 5,400 gpd). As noted in Section 2.2.2 of this DEIS, the allowable sanitary density flow is 5,613 gpd for the subject property. This alternative would be assumed to be developed with I/A OWTS as the sanitary disposal method.

As indicated in Table 29, the potable water demand under the As-of-Right plan would be less than under the proposed action; however, irrigation demand for the As-of-Right plan would be expected to be greater as the area of lawn and landscaping would be greater (i.e., 1.698± acres more lawn/landscaping for the As-of-Right plan). The As-of-Right plan is expected to generate a demand for 1,520± gpd (averaged annually) for irrigation, based on the same assumptions for the proposed plan (one inch per week for 26 weeks and less the projected volume of precipitation that occurs [i.e., 24± inches]). However, as the combined potable water and irrigation demand is less than the proposed action (i.e., 6,920± gpd vs. 16,065± gpd), and the SCWA has confirmed availability for the proposed action, no significant adverse impacts would be expected.

As indicated in the BURBS analysis (see Appendix J) and summarized in Table 29 of this DEIS, the As-of-Right plan with I/A OWTS has a total nitrogen leached of 383.73 lbs./year, which is 3.09 lbs./year lower than the proposed action. However, the concentration of nitrogen leached under this alternative is 4.16 mg/L, as compared to 3.12 mg/L under the proposed action with STP (which is 1.04 mg/L less). Therefore, based on the BURBS analysis, the proposed action would have less impact on the groundwater from a nitrogen perspective than the As-of-Right development.

Regarding stormwater management, the As-of-Right plan would be developed with a drainage system similar to that which is proposed (i.e., catch basins, leaching pools and the various lawn areas for infiltration). All stormwater would be accommodated and recharged on-site in accordance with Village Code. Also, during construction, proper erosion and sedimentation controls in accordance with Village Code as well as NYSDEC regulations would be implemented. As such, there would be no significant adverse impacts associated with stormwater or drainage expected from the As-of-Right plan.

Transportation

As illustrated by the trip generation data in the TIS and summarized in Table 29 of this DEIS, the proposed development would generate more traffic than this alternative plan during all time periods with the exception of Saturday, when this as-of-right alternative would generate marginally more traffic. Regardless, the overall level of traffic for any of these developments is modest and similar and would result in the same patterns of site generated traffic. As there were no significant impacts associated with the analysis prepared for the proposed development, it can be concluded that the same would be true for this alternative plan. Accordingly, there is no substantial benefit with regards to the operation of area traffic in this alternative plan in comparison with the development that is currently being proposed.

Land Use, Zoning and Plans

The As-of-Right plan converts the subject property from a vacant and unoccupied parcel of land to a residential use; however, this alternative plan would not include an income-eligible component and would not provide an alternate housing type for Village residents who may seek same. As such, while this alternative permitted uses within the MF-20 District, pursuant to § 197-11A and would comply with the bulk and dimensional requirements of Residential District 4 (R-4) zoning (as required under the MF-20 District) the plan could be considered inconsistent with the goals and initiatives of the rezoning and 2006 Comprehensive Plan Update, as discussed in Section 3.2.1 of this DEIS. This updated comprehensive plan calls for more moderately priced housing in the northern neighborhoods of the Village. Furthermore, the As-of-Right plan is not consistent with the *Smart Communities Through Smart Growth*, which encourages compact building sizes, a range of housing opportunities and predictable, fair and cost-effective development decisions. The As-of-Right plan would place 18 single-family houses on lot sizes ranging from 14,375± SF to 25,920± SF and, as such, these would likely be offered as market rate houses with no affordability component. Overall, therefore, the As-of-Right plan does not provide the land use benefits achieved under the proposed action (i.e., increasing housing diversity and income-eligible units in the Village).

Socioeconomics

Projected Tax Revenues

As indicated in Table 29 of this DEIS, the As-of-Right plan would increase the annual tax revenue to approximately $221,680.80. Of this, approximately $60,696.00± would be generated for the Village of Westhampton Beach General Fund, $127,116.00± for the Westhampton Beach UFSD, $11,016.00± for the Westhampton Beach Fire District and Westhampton War Memorial Ambulance Association, and $9,352.80± for the Westhampton Beach Library. It is also expected that the proposed development would utilize local businesses for landscaping and general property maintenance.

Economic Benefits

The As-of-Right plan would alter the land use from its currently vacant use to a single-family residential use. This alternative is expected to result in positive direct, indirect and induced economic benefits during the construction and operation phases, related to construction spending, job generation, and the purchasing power represented by the additional proposed 18 single-family households in the community, as well as in the form of property tax generation, as indicated above. While the As-of-Right plan would bring economic opportunities to this area of the Village, it would not be expected to be as beneficial as the proposed action creating both temporary and long-term jobs with a higher population and greater purchasing power.

Projected Population

Upon implementation of the As-of-Right plan, the subject property would be redeveloped with a single-family residential use that would result in a permanent resident population at the property. Using the Rutgers CUPR multipliers for single-family detached homes with four bedrooms (i.e., a multiplier of 3.76 persons per

household), the total estimated future population for the As-of-Right plan would be 68± people.[29] The total population of the Village of Westhampton Beach is estimated at 1,653 according to the 2018 American Community Survey 5-Year Estimates.[30] Accordingly, assuming the estimated population represents new residents, the As-of-Right plan would increase the Village of Westhampton Beach population by approximately 4.1 percent.

Noise

The As-of-Right plan would comply with Chapter 110, *Noise*, of the Village code. It is expected that this alternative would have significant noise impacts as that of the surrounding single-family residences. Any noise disturbances generated would be expected to be handled in a manner that is similar to existing single-family homes (i.e., a noise complaint responded to by code enforcement). It is noteworthy that the As-of-Right plan has the potential to generate more noise as compared to the proposed action as there would be no community rules for expected behavior posted, and individual single-family homeowners would have larger lot sizes with private yards (front, side and rear) to utilize and host large outdoor events.

Community Facilities and Services

School District

As indicated above, the As-of-Right plan would result in a permanent resident population of 68± persons at the subject property (including PSAC children). However, as shown in Table 29, above, the As-of-Right plan would be expected to generate 18 PSAC, which is eight (8)-to-nine (9) additional PSAC from that projected for the proposed development. This calculation was based on the Rutgers CUPR multipliers for Single-Family Detached, 4 BR all values, as the LIHP multipliers are specific to multifamily developments.

Based on a total per pupil expenditure of $25,982.49 for the Westhampton Beach UFSD, the As-of-Right plan would potentially cost the District a sum of approximately $467,684.82. Based on the tax projections for the alternate plan (see Appendix G of this DEIS and summarized in Table 29), the projected tax revenues for the As-of-Right plan to the District is approximately $127,116, which is significantly less than the cost to the District.

Police

As discussed in Section 3.3.1, the subject property is located in the North Sector of the WHBPD. Based on planning standards contained in the *ULI Development Impact Assessment Handbook* (1994), two police officers and 0.6 police vehicle are required per 1,000 individuals. Based on these factors, the 68 future residents under the As-of-Right plan are projected to generate a demand for 0.14± and 0.04± additional police personnel and vehicle, respectively. Thus, it is expected that the As-of-Right plan would have minimal impact on the cost of

[29] 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.

[30] United States Census Bureau. *American Community Survey 5-Year Estimates.* Retrieved from: https://data.census.gov/cedsci/table?q=westhampton%20beach%20village%20new%20york&g=1600000US3680181&hidePreview=false&tid=ACSDP5Y2018.DP05&layer=VT_2018_160_00_PY_D1&cid=DP05_0001E&vintage=2018. Accessed August 2020.

police services for the WHBPD. As indicated in Table 29 above, the As-of-Right plan would generate approximately $60,696.00 in tax revenue to the Village of Westhampton Beach General Fund, a portion of which would go to the WHBPD. Furthermore, correspondence was received from the WHBPD indicating that the proposed action would not have an adverse impact to the WHBPD (see Appendix M). As such, it is not expected that the As-of-Right plan would have a significant adverse impact on police services.

Fire and Ambulance Services

Based on planning standards contained in *the ULI Development Impact Assessment Handbook* (1994), it is estimated that 1.65 fire personnel per 1,000 individuals is required to serve a new population. Based on these factors, the 68± projected residents would generate a demand for 0.11± additional fire personnel. It is noted that the additional 68± residents could add to the pool of potential volunteer firefighters. Thus, it is expected that the As-of-Right plan would have minimal impact on the cost of fire protection services for the Westhampton Beach Fire Department. As indicated in Table 29 above, the As-of-Right plan would generate approximately $9,288 in tax revenue to the Westhampton Beach Fire Department.

Regarding ambulance services, based on planning standards contained in the *ULI Development Impact Assessment Handbook* (1994), it is estimated that one EMS vehicle and 4.1 EMS personnel per 30,000 individuals would be required to serve a new population. Based on these factors, the 68 projected residents would generate a demand for 0.002± and 0.009± additional EMS vehicle and personnel, respectively. It is noted that the additional 68 residents could add to the pool of potential volunteer EMS personnel. Thus, it is expected that the As-of-Right plan would have minimal impact on EMS and ambulance services for the Westhampton War Memorial Ambulance Association. Furthermore, the As-of-Right plan would generate approximately $1,728 in tax revenue to the Westhampton War Memorial Ambulance Association (see Table 29, above).

Overall, there would be no significant adverse impact expected from the As-of-Right plan on fire and ambulance services.

Water Supply

As evaluated earlier in this subsection, the total projected volume of water demand (potable water and irrigation supply) would be 6,920± gpd which is less than the water demand for the proposed action (i.e., 16,065± gpd). As the SCWA would have capacity to serve the proposed action, the As-of-Right plan would not have any significant adverse impacts to the public water supply.

Sanitary

The As-of-Right plan would have a projected sewage discharge of 5,400± gpd and I/A OWTS would be utilized. As indicated earlier in this subsection, the As-of-Right plan with I/A OWTS would have a total nitrogen leached of 383.73 lbs./year, which is 3.09 lbs./year lower than the proposed action. However, the concentration of nitrogen leached under this alternative is 4.16 mg/L, as compared to 3.12 mg/L under the proposed action with STP (which is 1.04 mg/L less). Therefore, based on the BURBS analysis, the proposed action would have less impact on the groundwater from a nitrogen perspective than the as-of-right development.

Solid Waste Management

Based on a factor of 4.51 lbs. per person per day,[31] and a potential population of 68± persons, the estimated solid waste generation for the As-of-Right plan would be 4.66± tons per month, see below.

Projected Solid Waste Generation Calculations

4.51 lbs. per person per day x 68 projected people = 306.68 lbs. per person

$\frac{(306.68 \text{ lbs. x } 365 \text{ days})}{12 \text{ months}}$ =9,328.18 lbs. per month

$\frac{9{,}328.18 \text{ lbs. per month}}{2{,}000}$ = **4.66± tons per month**

As indicated earlier in this DEIS, the Village of Westhampton Beach does not provide municipal solid waste pickup. As such, the As-of-Right alternative would utilize a licensed private carter service for residential solid waste pickup. Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. All pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures. No significant impacts are expected with regard to solid waste as it is expected the private carter service would have sufficient capacity to pick up solid waste generated on the subject property.

Energy

It is expected that the As-of-Right alternative would be supplied natural gas and electricity via the existing infrastructure surrounding the subject property. Based on consultations with National Grid and PSEG Long Island for the proposed action, it is expected that both utility companies would supply the necessary resources without a significant adverse impact to the supply system.

Community Character

Implementation of the As-of-Right plan would result in views similar to the immediate surrounding area, which consists of single-family residential houses to the south and east. As such, no significant adverse impacts to the community character would be expected.

5.2 Alternate 2: Multifamily Development (4 Units per Acre)

This alternative plan includes the development of the subject property at four units per acre, in accordance with the MF-20 zoning regulations. At four units per acre, this alternative plan would not provide any affordable housing units but rather 36 multifamily residential units at market rate. As illustrated on the

[31] United States Environmental Protection Agency (USEPA) *National Overview: Facts and Figures on Materials, Wastes and Recycling.* 2017. Retrieved from: https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials. Accessed September 2020.

Alternative 2: Multifamily Development (4 Units per Acre) plan in Appendix O of this DEIS, the 36 units would be developed within nine buildings, a community center with recreational facilities, a gazebo and a STP. The residential units would only consist of two-bedrooms.

The overall layout of the residential units would be four (4) buildings concentrated on the western and eastern portions of the subject property with one building on the southern portion of the site. The community center and recreational facilities would be constructed along the northern portion of the subject property closest to the LIRR. The STP would remain in the same location as the proposed action. Internal roadways and alleys would be constructed throughout the subject property, similar to the proposed action, and this alternative would utilize the existing curb cut off Rogers Avenue for site access. Parking would be provided throughout the subject property via driveways off the alleys and along the east, southeast, west and northwest portions of the subject property. Parking would also be provided south of the community center and recreational facilities and to the east and west of the gazebo.

As compared to the proposed action, the area of impervious surface would be decreased by 0. 676± acre (from 4.846± acres to 4.170± acres), the area of lawn and landscaping would be increased by 1.141± acres (from 3.977± acres to 5.118± acres), and the area of natural vegetation to remain would increase by 0.027± acre (from 0.040± acre to 0.067± acre). This alternative would not include any permeable paving as compared to the proposed action which would incorporate 0.492± acre of permeable pavement for the proposed alleys. Under this alternative, 419 trees out of the existing 657 trees (approximately 64-percent) would be retained. Of these 419 trees to remain, 103 trees are greater than 4 inches in caliper (see Appendix O). Compared to the proposed action, which would retain 40-percent of existing trees, this alternative would retain of 24-percent more trees overall.

This alternative is being presented as a reduced density alternative to the proposed action. This alternative does not achieve the objective of the applicant for the proposed yield of 52 units and is not, therefore, considered a feasible alternative for the applicant.

Soils and Topography

The Multifamily Development (4 Units per Acre) plan would include similar impacts to that of the proposed action, as this alternative includes residential housing within nine individual buildings, a community center, and gazebo. The soils on the subject property present few engineering limitations for the development of buildings, streets or parking lots, and the establishment for sanitary disposal. There are severe engineering limitations for the establishment of lawns and/or landscaping; however, these limitations could be overcome with topsoil and soil mixing. A SWPPP would be developed with standard erosion and sediment controls. As the site is relatively flat, the slopes on the site would not be significantly modified. The grading program for construction of the Multifamily Development (4 Units per Acre) plan would be expected to generate cut material for removal from the site, which would be handled in the same manner as that for the proposed action. Overall, as with the proposed action, the Multifamily Development (4 Units per Acre) plan would not be expected to have any significant adverse impacts associated with on-site soils, removal of soils or topographic changes.

Water Resources

Based upon a design flow factor of 300 gpd for housing units greater than 1,200 SF, the projected potable water demand and sewage discharge for the 36 multifamily residential units would be approximately 10,800 gpd (300 gpd x 36 lots = 10,800 gpd). As noted in Section 2.2.2 of this DEIS, the allowable sanitary density flow is 5,613 gpd for the subject property. However, the Multifamily Development (4 Units per Acre) plan would meet the SCDHS requirements for I/A OWTS with the purchase of sanitary credits through Transfer of Development rights (TDR's) and is, therefore, assumed for this analysis to be developed with I/A OWTS's as the sanitary disposal method.

As indicated in Table 29, the potable water demand for the Multifamily Development (4 Units per Acre) plan would be less than under the proposed action; however, irrigation demand would be expected to be greater as the area of lawn and landscaping would be greater (i.e., 1.141± acres more lawn/landscaping for the 36-Unit alternate plan). This alternate plan is expected to generate a demand for 1,359± gpd (averaged annually) for irrigation, based on the same assumptions for the proposed plan (one inch per week for 26 weeks and less the projected volume of precipitation that occurs [i.e., 24± inches]). However, as the combined potable water and irrigation demand is less than the proposed action (i.e., 12,159± gpd vs. 16,065± gpd), and the SCWA has confirmed availability for the proposed action, no significant adverse impacts would be expected.

As indicated in the BURBS analysis (see Appendix J) and summarized in Table 29 of this DEIS, the Multifamily Development (4 Units per Acre) plan with I/A OWTS has a total nitrogen leached of 551.39 lbs./year, which is 164.57 lbs./year higher than the proposed action. Also, the concentration of nitrogen leached under this alternative is 4.99 mg/L, as compared to 3.12 mg/L under the proposed action with STP (which is 1.87 mg/L less). Therefore, based on the BURBS analysis, the proposed action would have less impact on the groundwater from a nitrogen perspective than this 36-unit alternate plan.

Regarding stormwater management, this alternate plan would be developed with a drainage system similar to that which is proposed (i.e., catch basins, leaching pools and the various lawn areas for infiltration). All stormwater would be accommodated and recharged on-site in accordance with Village Code. Also, during construction, proper erosion and sedimentation controls in accordance with Village Code as well as NYSDEC regulations would be implemented. As such, there would be no significant adverse impacts associated with stormwater or drainage expected from this alternate plan.

Transportation

As illustrated by the trip generation data in the TIS and summarized in Table 29 of this DEIS, the proposed development would generate more traffic than this alternative plan during all time periods. Regardless, the overall level of traffic for any of these developments is modest and similar and would result in the same patterns of site generated traffic. As there were no significant impacts associated with the analysis prepared for the proposed development, it can be concluded that the same would be true for this alternative development. Accordingly, there is no substantial benefit with regards to the operation of area traffic in either of the alternative plans in comparison with the development which is currently being proposed.

Land Use, Zoning and Plans

Similar to the proposed action, the Multifamily Development (4 Units per Acre) plan converts the subject property from an unoccupied parcel of land to a multifamily residential use. The Multifamily Development (4

Units per Acre) plan introduces 36 multifamily residential units within nine buildings. The Multifamily Development (4 Units per Acre) plan includes permitted uses within the MF-20 District, pursuant to §197-11A. The plan also complies with the bulk and dimensional requirements of the MF-20 District, as summarized in Table 29 earlier in this section. The Multifamily Development (4 Units per Acre) plan would also need a special exception approval similar to the proposed action.

As this alternative only includes two-bedroom units and does not provide an affordable component, it is not consistent with the goals and initiatives of the Village's 2006 Comprehensive Plan Update, as discussed in Section 3.2. This updated comprehensive plan calls for more moderately priced housing, affordable housing components and diversity of housing stock in the northern neighborhoods of the Village. Furthermore, while the Multifamily Development (4 Units per Acre) plan includes compact building sizes, overall, it is not consistent with the *Smart Communities Through Smart Growth*, which also encourages a range of housing opportunities and predictable, fair and cost-effective development decisions. The Multifamily Development (4 Units per Acre) plan would place 36 market-rate, multifamily units on the subject property.

As part of this analysis, it is important to recognize Chapter 40 of the Village Code (Administration of Affordable Housing Units). As excerpted from §40-1.A, the purpose of Chapter 40 of the Village Code is "to provide for control and administration of affordable housing units created pursuant to Chapter 197 (Zoning) of the Village of Westhampton Beach." The adverse effects of a limited supply of affordable housing in the Village is acknowledged in §40-1.B. of the Village Code, as excerpted below:

> "The lack of affordable housing creates many adverse effects for the Village. Employers often grapple with the task of hiring and retaining employees because of the limited availability of affordable housing. Recruiting and retaining essential personnel (e.g., public safety, health care, municipal employees, volunteer EMS, and fire protection) has increasingly become a challenge because of the lack of affordable housing. Volunteer emergency services also are impacted by the lack of affordable housing, prompting the possibility of paid services. While the Village has benefited from increased tourism and second-home ownership, the Village Trustees find there is a need to ensure housing opportunities for income-eligible households in order to sustain the local economy and community services. Presently, income-eligible households priced out of market-rate housing include but are not limited to health-care professionals, teachers, municipal staff, shop clerks, mechanics, and many others. Additionally, the Village has found that there is a need to sustain the ranks of its volunteers who provide critical public-safety services for fire protection and emergency medical services."

The commitment to increase the supply of affordable housing is evidenced by the priority review status provided by the Planning Board to those applications that include "a referral on a special exception application pursuant to §197-80.3 from the Village Trustees that contains affordable units" (§40-3.A.)

Overall, the Multifamily Development (4 Units per Acre) plan is a standard development that does not provide the benefits of providing affordable units for the community.

Socioeconomics

Projected Tax Revenues

As shown in Table 29, above, the Multifamily Development (4 Units per Acre) plan would increase overall tax revenues to approximately $344,088.00. Of this, approximately $68,283.00 would be generated for the Village of Westhampton Beach General Fund, $143,005.50± for the Westhampton Beach UFSD, $12,393.00± for the Westhampton Beach Fire District and Westhampton War Memorial Ambulance Association, and $10,521.90± for the Westhampton Beach Library. It is also expected that the proposed development would utilize local businesses for landscaping and general property maintenance through contracts with the HOA.

Economic Benefits

The Multifamily Development (4 Units per Acre) plan would alter the land use from its currently vacant use to a multifamily residential use. This alternative is expected to result in positive direct, indirect and induced economic benefits during the construction and operation phases, related to construction spending, job generation, and the purchasing power represented by the additional proposed 36 multifamily residential units in the community, as well as in the form of property tax generation (as shown in Table 29, above).

As with the proposed action, this alternative would bring purchasing power to local businesses throughout the Village and would create temporary and long-term jobs from construction of the 36 multifamily residential units and community center. While the Multifamily Development (4 Units per Acre) plan would bring economic opportunities to this area of the Village, it would not be as beneficial as the proposed action creating both temporary and long-term jobs with a higher population and greater purchasing power.

Projected Population

Upon implementation of the Multifamily Development (4 Units per Acre) plan, the subject property would be redeveloped with a multifamily residential use that would result in a permanent resident population at the property. Using the Rutgers CUPR multiplier for total population (1.88 persons per two-bedroom unit) and the total number of units (36), an estimated future population of 68± people could be expected for the Multifamily Development (4 Units per Acre) plan.[32]

The total population of the Village of Westhampton Beach is estimated at 1,653 according to the 2018 American Community Survey 5-Year Estimates.[33] As such, assuming that all residents at this alternate development would be new residents, the impact on the Village of Westhampton Beach population would be an increase of

[32] Factor for 5+ Units-Own, 2 BR (All Values). 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.

[33] United States Census Bureau. *American Community Survey 5-Year Estimates.* Retrieved from: https://data.census.gov/cedsci/table?q=westhampton%20beach%20village%20new%20york&g=1600000US3680181&hidePreview=false&tid=ACSDP5Y2018.DP05&layer=VT_2018_160_00_PY_D1&cid=DP05_0001E&vintage=2018. Accessed August 2020.

approximately 4.1-percent. However, as with the proposed action, it is assumed that this housing type would attract current residents within the Village thus resulting in less direct population growth.

Noise

As with the proposed action, the Multifamily Development (4 Units per Acre) plan would comply with Chapter 110, *Noise*, of the Village code. It is expected that operational noise impacts from this alternative would not be significant as the swimming pool and recreational facility hours would be controlled by an HOA. Also, this alternative development would be held to the same standards as the other residential developments (single-family and multifamily) throughout the Village. As such, this alternate plan would not be expected to result in significant adverse noise impacts to the surrounding neighborhood.

Community Facilities and Services

School District

As shown in Table 29, above, the Multifamily Development (4 Units per Acre) plan would potentially generate four (4)-to-seven (7)± PSAC based upon the Rutgers CUPR multipliers and the LIHP multipliers of 0.09 (5+ Units-Own, 2BR All Values) and 0.18, respectively. As such, this alternate plan would generate less PSAC that that of the proposed action. Based on a total per pupil expenditure for the Westhampton Beach UFSD of approximately $25,982.49,[34] the potential cost to the District would range from $103,297.96 to $181,877.43. Based on the tax projections for the alternate plan (see Appendix G of this DEIS and summarized in Table 29), the 36 units would generate approximately $143,005.50 in tax revenue to the Westhampton Beach UFSD. As such, the property tax revenue would cover the majority of cost of the projected PSAC from this alternative. As discussed in Section 3.3.2, based on the declining student enrollment within the Westhampton UFSD over the last decade (i.e., a decrease of over 42 students over that time period), the projected addition of two (2)-to-six (6)± PSAC resulting from the Multifamily Development (4 Units per Acre) plan, which is less than the proposed action, is not expected to adversely impact capacity within this district.

Police

As discussed in Section 3.3.1, the subject property is located in the North Sector of the WHBPD. Based on planning standards contained in the *ULI Development Impact Assessment Handbook* (1994), two police officers and 0.6 police vehicle are required per 1,000 individuals. Based on these factors, the 68 future residents under this alternative plan are projected to generate a demand for 0.14± and 0.04± additional police personnel and vehicle, respectively. Thus, it is expected that the Multifamily Development (4 Units per Acre) plan would have minimal impact on the cost of police services for the Westhampton Beach Police Department. As indicated in Table 29 above, the Multifamily Development (4 Units per Acre) plan would generate approximately $68,283 in tax revenue to the Village of Westhampton Beach General Fund, a portion of which would go to the WHBPD. Furthermore, correspondence was received from the WHBPD indicating that the proposed action would not have an adverse impact to the WHBPD (see Appendix M). As such, it is expected that the Multifamily Development (4 Units per Acre) plan would not have an adverse impact.

[34] New York State Education Department. *Westhampton Beach UFSD 2018-2019 School Year Financial Transparency Report.* Retrieved from: https://data.nysed.gov/expenditures.php?instid=800000036831. Accessed September 2020.

Fire and Ambulance Services

Based on planning standards contained in *the ULI Development Impact Assessment Handbook* (1994), it is estimated that 1.65 fire personnel per 1,000 individuals is required to serve a new population. Based on these factors, the 68± projected residents would generate a demand for 0.11± additional fire personnel. It is noted that the additional 68± residents could add to the pool of potential volunteer firefighters. As indicated in Table 29 above, the Multifamily Development (4 Units per Acre) plan would generate approximately $10,449.00 in tax revenue for the Westhampton Beach Fire Department. Thus, it is expected that the Multifamily Development (4 Units per Acre) plan would have minimal impact on the cost of fire protection services for the Westhampton Beach Fire Department.

Regarding ambulance services, based on planning standards contained in the *ULI Development Impact Assessment Handbook* (1994), it is estimated that one EMS vehicle and 4.1 EMS personnel per 30,000 individuals would be required to serve a new population. Based on these factors, the 68± projected residents would generate a demand for 0.002± and 0.009± additional EMS vehicle and personnel, respectively. It is noted that the additional 68± residents could add to the pool of potential volunteer EMS personnel. The Multifamily Development (4 Units per Acre) plan would generate approximately $1,944.00 in tax revenue for the Westhampton War Memorial Ambulance Association. Thus, it is expected that the Multifamily Development (4 Units per Acre) plan would have minimal impact on the EMS and ambulance services for the Westhampton War Memorial Ambulance Association.

Overall, there would be no significant adverse impact from the Multifamily Development (4 Units per Acre) plan on fire and ambulance services.

Water Supply

As noted above, the total projected water demand for the Multifamily Development (4 Units per Acre) plan would be approximately 12,159 gpd, which is 3,906± gpd less than the water demand for the proposed action (i.e., 16,065± gpd). As the SCWA has the capacity to serve the proposed development, this alternate plan with less units would also be able to be served without any significant adverse impacts to the public water supply.

Sanitary

The Multifamily Development (4 Units per Acre) plan would have a projected sewage discharge of 10,800± gpd, which would meet the requirements for I/A OWTS with the purchase of sanitary credits through TDR's. As indicated in the BURBS analysis (see Appendix J of this DEIS) and summarized in Table 29 herein, the Multifamily Development (4 Units per Acre) plan with I/A OWTS is projected to have a total nitrogen leached of 551.39 lbs./year, which is 164.57 lbs./year higher than the proposed action. Also, the concentration of nitrogen leached under this alternative is 4.99 mg/L, as compared to 3.12 mg/L under the proposed action with STP (which is 1.87 mg/L less). Therefore, based on the BURBS analysis, the proposed action would have less impact on the groundwater from a nitrogen perspective than this 36-unit alternate plan.

Solid Waste Management

Based on a factor of 4.51 lbs. per person per day, and a potential population of 68± persons, the estimated solid waste generation would be 4.66± tons per month, see below.

Projected Sold Waste Generation Calculations

4.51 lbs. per person per day x 68 projected people = 306.68 lbs. per person

(306.68 lbs. x 365 days) / 12 months =9,328.18 lbs. per month

9,328.18 lbs. per month / 2,000 = **4.66± tons per month**

The Village of Westhampton Beach does not provide municipal solid waste pickup. As such, the Multifamily Development (4 Units per Acre) alternative would utilize a licensed private carter service for residential solid waste pickup Recycling on the property would be implemented with separate trash receptacles; however, recycling methods (single-stream or dual-stream) would be determined by the carter contracted to collect and dispose of the on-site trash. The central trash dumpster area for the community center would be screened with vegetation and pick-ups from the individual residential units would occur at the back of the buildings within the alleys. All pick-ups would be scheduled to eliminate wastes being held for a long duration. This schedule would be developed with the collector and would be undertaken to prevent the potential for odors to develop near the trash enclosures. No significant impacts are expected with regard to solid waste as it is expected the private carter service would have sufficient capacity to pick up solid waste generated on the subject property.

Energy

Similar to the proposed development, the Multifamily Development (4 Units per Acre) alternative would be expected to supplied natural gas and electricity via the existing infrastructure surrounding the subject property with on-site improvements.

Community Character

Implementation of this alternate plan would alter views along Rogers Avenue as compared to the proposed development. This plan would situate the community center and recreational facilities towards the north of the site such that views for passersby, along Rogers Avenue, would be multifamily residential homes. Visually, this alternative development would be largely screened from view along the public roadway as there would be landscape treatments and dense vegetation, including the 419 existing trees to remain, (1.168 acres of landscaping and natural woodlands more than the proposed action) as well as chain link fencing with fabric inserts.

The internal roadways, rooflines of the townhouse buildings and the gazebo would be visible from Rogers Avenue, as would the larger development from the entryway only. Based on the above, the Multifamily Development (4 Units per Acre) plan is not expected to result in significant adverse impacts to the overall community character, as it would replace a vacant and underutilized parcel with an aesthetically-pleasing development compatible with the residential community character of this area.

5.3 Alternate 3: Alternative Layout with Relocated Entrance and Recreational Facilities

This alternative plan would modify the entrance to the project and also relocate the recreational facilities to the northern portion of the site. This alternate layout would be similar to the proposed action with 52 multifamily residential units within 13 buildings, a community center with recreational facilities, a gazebo and a STP (see Appendix O). However, in addition to the recreational area being relocated to the north, the existing curb cut off Rogers Avenue would be closed, and the relocated entrance would be on the east-west portion of Rogers Avenue, a minimum of 150-ft west of the terminus of the north-south section of Rogers Avenue.

The overall layout of the residential units would be five buildings concentrated on the western portion, six buildings on the eastern portion and two buildings on the southern portion of the site. The community center and recreational facilities would be constructed along the northern portion of the subject property closest to the LIRR. The STP would remain in the same location as the proposed action. Internal roadways and alleys would be constructed throughout the subject property, similar to the proposed action. Parking would be provided throughout the subject property via driveways off the alleys and along the east, west and southwest portions of the subject property. Parallel parking would also be provided north of the community center and recreational facilities.

As compared to the proposed action, the area of impervious surface would be increased by 0.269± acre (from 4.846± acres to 5.115± acres), the area of lawn and landscaping would be increased by 0.221± acre (from 3.977± acres to 4.198± acres), and the area of natural vegetation to remain would decrease by 0.002± acre (from 0.040± acre to 0.042± acre). This alternative would not include any permeable paving as compared to the proposed action which would incorporate 0.492± acre of permeable pavement for the proposed alleys. Under this alternative, 266 trees out of the existing 657 trees (approximately 40.4 percent) would be retained. Of these 266 trees to remain, 104 trees are greater than 4 inches in caliper (see Appendix O). Compared to the proposed action, which would retain 40 percent of existing trees, this alternative would retain 0.4 percent more of trees overall.

It is important to note that this alternative is being presented at the request of the Village; however, as will be discussed later, the relocation of the entrance is not considered a desirable alternative from a traffic engineering and safety perspective.

Soils and Topography

The Alternative Layout with Relocated Entrance and Recreational Facilities plan would include similar impacts to that of the proposed action, as this alternative includes residential housing within 13 individual buildings, a community center, gazebo and a STP. The soils on the subject property present few engineering limitations for the development of buildings, streets or parking lots, and the establishment for sanitary disposal. There are severe engineering limitations for the establishment of lawns and/or landscaping; however, these limitations would be overcome with topsoil and/or soil mixing. A SWPPP will be developed with standard erosion and sediment controls. As the site is relatively flat, the slopes on the site would not be significantly modified. The grading program for construction of this alternative plan would be expected to include a similar volume of cut, with excess materials being transported off-site. Overall, as with the proposed action, the Alternative Layout with Relocated Entrance and Recreational Facilities plan would have no significant adverse impacts associated with on-site soils, removal of soils or topographic changes.

Water Resources

As the Alternative Layout with Relocated Entrance and Recreational Facilities plan contains the same number of multifamily units with the same bedroom mix, the projected potable water demand and sewage discharge for this alternative is the same as that of the proposed action (i.e., 15,000± gpd).

As this alternate layout includes greater lawn and landscape area (i.e., an increase of 0.221± acre), irrigation demand for this plan would be slightly greater. Based on the same assumptions for the proposed plan (one inch per week for 26 weeks and less the projected volume of precipitation that occurs [i.e., 24± inches]), the projected irrigation demand would be 1,124± gpd (averaged annually). As the SCWA has confirmed availability for the proposed action, it is expected that this alternate plan could be served without any significant adverse impacts to the public water supply.

As indicated in the BURBS analysis (see Appendix J) and summarized in Table 29 of this DEIS, this alternate plan with STP has a total nitrogen leached of 383.78 lbs./year, which is 3.04 lbs./year less than the proposed action. Also, the concentration of nitrogen leached under this alternative is 3.09 mg/L, as compared to 3.12 mg/L under the proposed action with STP (which is 0.03 mg/L less). Therefore, based on the BURBS analysis, this alternate plan would have similar impacts as the proposed action, which achieves a nitrogen removal efficiency of 85 percent (see Section 2.2.2 of this DEIS).

Regarding stormwater management, this alternate plan would be developed with a drainage system similar to that which is proposed (i.e., catch basins, leaching pools, pervious pavement in the alleys, and the various lawn areas for infiltration). All stormwater would be accommodated and recharged on-site in accordance with Village Code. Also, during construction, proper erosion and sedimentation controls in accordance with Village Code as well as NYSDEC regulations would be implemented. As such, there would be no significant adverse impacts associated with stormwater or drainage expected from this alternate plan.

Transportation

The TIS evaluated this alternative, which would result in a new three-legged intersection on the east-west portion of the Rogers Avenue Extension while maintaining the existing curve on Rogers Avenue at the location of the driveway to the site. Quantitatively, the traffic generated by the alternative would be the same as the proposed development and the overall directional distribution of that activity would also remain the same. As a result, the operational impacts associated with the project as evaluated in this study for the proposed project would remain valid but, despite this, the alternative development would be less desirable for the following reasons:

- The creation of the new site access driveway to the west would form a new intersection with the Rogers Avenue Extension. In so doing, a greater number of potential conflict points would be generated in comparison to the proposed action. A well-accepted tenant of traffic engineering is that minimizing the number of intersections and conflict points results in better traffic flow and fewer safety concerns.

- Locating the proposed site access to the west would eliminate the construction of a traditional T-intersection and not eliminate the uncontrolled curve on Rogers Avenue. This would eliminate or significantly reduce the effectiveness of the traffic control and pedestrian measures proposed there.

Based on the above, from a traffic engineering and safety perspective, the proposed action is superior to this alternative plan.

Land Use, Zoning and Plans

Similar to the proposed action, the Alternative Layout with Relocated Entrance and Recreational Facilities plan converts the subject property from an unoccupied parcel of land to a multifamily residential use. This alternative plan introduces 52 multifamily residential units within 13 buildings and would comply with the bulk and dimensional requirements of the MF-20 District, as summarized in Table 29. The Alternative Layout with Relocated Entrance and Recreational Facilities plan would also need a special exception approval similar to the proposed action.

Similar to the proposed development, this alternative would provide a mix of bedroom units (i.e., one-bedroom, two-bedroom and three-bedroom units) and incorporates an affordable housing component. This alternative plan is consistent with the goals and initiatives of the Village's 2006 Comprehensive Plan Update, the recommendations in the Smart Communities Through Smart Growth, and consistent with the affordability component of the special exception standards for MF-20 development (§197-80.3.H) Overall, the Alternative Layout with Relocated Entrance and Recreational Facilities plan is a compatible land use as it meets the purpose and needs for the subject property and provides benefits to the community.

Economic

The Alternative Layout with Relocated Entrance and Recreational Facilities plan would provide the same economic benefits as compared to the proposed action. The alternative plan would bring economic opportunities to this area of the Village, similar to that of the proposed action, by creating both temporary and long-term jobs with a high population and great amount of purchasing power. As the number of units and projected population would remain the same as that of the proposed action, the annual tax revenue would also be the same (see Table 29, above).

Noise

The Alternative Layout with Relocated Entrance and Recreational Facilities plan would comply with Chapter 110, *Noise*, of the Village code. Furthermore, in contrast to the proposed development, the community center and recreational facilities would be placed on the northern side of the property such that noise impacts would be mitigated on-site to the nearby residential houses to the south and east. It is expected that this alternative would not have significant adverse noise impacts.

Community Facilities and Services

School District

As noted above, the Alternative Layout with Relocated Entrance and Recreational Facilities plan, if developed, would result in the same permanent resident population of 107 people as the proposed action. As such, this alternative would generate the same number of PSAC (i.e., 9-10± PSAC) (see Table 29, above). As discussed in Section 3.3.2, based on the declining student enrollment within the Westhampton UFSD over the last decade

(i.e., a decrease of over 42 students over that time period), the projected addition of 9-10± PSAC resulting from this alternative plan is not expected to adversely impact capacity within this district.

Police

As the Alternative Layout with Relocated Entrance and Recreational Facilities plan would result in the same amount of projected future population as the proposed development, only a demand for 0.21± and 0.06± additional police personnel and vehicle, respectively, would be generated. Thus, it is expected that this plan would not have an adverse impact on the WHBPD police services.

Fire and Ambulance Services

As the Alternative Layout with Relocated Entrance and Recreational Facilities plan would result in the same amount of projected future population as the proposed development, only a demand for 0.17± additional fire personnel, 0.003± for additional EMS vehicle and 0.015± additional EMS personnel would be generated. Overall, there would be no significant adverse impact from the Alternative Layout with Relocated Entrance and Recreational Facilities plan on fire and ambulance services.

Water Supply

The projected potable water demand for this alternative is the same as that of the proposed action (i.e., 15,000± gpd). Regarding irrigation supply, the Alternative Layout with Relocated Entrance and Recreational Facilities plan is expected to generate a demand for 1,124± gpd (averaged annually) for irrigation, as demonstrated in the above in this section of the DEIS. Although the area of lawn and landscaping is greater than the proposed action (i.e., 4.198± acres for this alternative plan versus the 3.977 acres for the proposed action), irrigation would only constitute a minor increase. As this alternative would utilize the same amount of potable water as that of the proposed action, SCWA has the capacity to serve both domestic and irrigated water as the overall demand is only 59± gpd more than the proposed development (16,065± gpd for total water supply demand under the proposed development).

Sanitary

As noted in this section, as the Alternative Layout with Relocated Entrance and Recreational Facilities plan contains the same amount of multifamily units with the same bedroom mix, the projected sewage discharge for this alternative is the same as that of the proposed action (i.e., 15,000± gpd). Pursuant to Article 6 of the SCSC, this alternative would utilize an STP as the alternative exceeds the allowable sanitary density flow of 600 gpd/per acre or 5,613 gpd for the site. The proposed STP would be in the same location as under the proposed action and would be designed to the same applicable standards.

Solid Waste Management

The Alternative Layout with Relocated Entrance and Recreational Facilities plan would generate the same amount of solid waste as the proposed action (i.e., 7.34± tons/month of solid waste, as shown in Table 29, above). Solid waste would be managed the same as the proposed action (i.e., by a licensed private carter service for residential solid waste pickup). No significant impacts are expected with regard to solid waste as it is expected the private carter service would have sufficient capacity to pick up solid waste generated on the subject property.

Energy

Similar to the proposed development, the Alternative Layout with Relocated Entrance and Recreational Facilities plan would be supplied natural gas and electricity via the existing infrastructure surrounding the subject property with on-site improvements required.

Community Character

Implementation of the Alternative Layout with Relocated Entrance and Recreational Facilities plan would alter views along Rogers Avenue as compared to the proposed development. This plan would situate the community center and recreational facilities towards the north of the site such that views for passersby, along Rogers Avenue, would be multifamily residential homes which would be compatible with the residential community character in this area. However, as indicated in Transportation sub-section above, from a traffic engineering and safety perspective, the creation of the new site access driveway to the west would form a new intersection with Rogers Avenue and in so doing, create a greater number of potential conflicts points in comparison to the proposed action. Also, this alternative plan would eliminate the T-intersection that is included in the proposed action and determined to significantly improve the effectiveness of the traffic control for speed and pedestrian safety. As a residential neighborhood, the potential benefit to the community that could be realized by the proposed redevelopment of the site would not be realized.

5.4 Alternate 4: Alternative Layout with Relocated Recreational Facilities

The Alternative Layout with Relocated Recreational Facilities (see Appendix O) would be similar to the proposed action, with 52 multifamily residential units within 13 buildings and STP; however, the recreational amenities have been relocated to the northern portion of the site. The overall layout positions six buildings on the western portion, five buildings on the eastern portion and two buildings on the southern portion of the site. As a result of the relocation of the recreational space, views of the community from Rogers Avenue are replaced with the townhouse units. The STP would remain in the same location as the proposed action.

Internal roadways and alleys would be constructed throughout the subject property, similar to the proposed action. This alternate plan also provides for internal parallel on-street parking along the north side of the development, adjacent to the recreational area and two residential townhouse buildings with a vegetative buffer and perimeter fence to screen the LIRR right-of-way to the north. Parking would continue to be provided in driveways off the alleys and along the east, west and southwest portions of the subject property. However, parking has been eliminated in the central portion of the property, replaced with a proposed gazebo. Overall, the total parking count decreased by 25 spaces to 178 stalls. Site access is the same as that proposed, i.e., via the existing curb cut off Rogers Avenue, with the same T-intersection improvements as that proposed.

As compared to the proposed action, the area of impervious surface would decrease by 0.266± acre (from 4.846± acres to 4.580± acres), the area of lawn and landscaping would be increased by 0.266± acre (from 3.977± acres to 4.243± acres), and the area of natural vegetation to remain would remain the same (i.e., 0.040± acre). This alternative would incorporate the same amount of permeable pavement in the proposed alleys as the proposed action (i.e., 0.492± acre). Under this alternative, 255 trees out of the existing 657 trees (approximately 38-percent) would be retained. Of these 255 trees to remain, 103 trees are greater than 4 inches in caliper (see Appendix O). Compared to the proposed action, which would retain 40-percent of existing trees, this alternative would retain two percent less trees overall.

It is noted that the intent of this alternative layout is to primarily address community concerns on the location of the recreational area on the southerly portion of the site and to develop multifamily residential units along Rogers Avenue, for consistency in the viewshed along the street frontage. This alternative achieves the objective of the applicant for the proposed yield of 52 units and would be considered a feasible alternative for the applicant.

Soils and Topography

The Alternative Layout with Relocated Recreational Facilities plan would include similar impacts to that of the proposed action, as this alternative includes residential housing within 13 individual buildings, a community center, gazebo and a STP. The soils on the subject property present few engineering limitations for the development of buildings, streets or parking lots, and the establishment for sanitary disposal. There are severe engineering limitations for the establishment of lawns and/or landscaping; however, these limitations could be overcome with topsoil and/or soil mixing. As the site is relatively flat, the slopes on the site would not be significantly modified. The grading program for construction of this alternative plan would be expected to include a similar volume of cut, with excess materials being transported off-site. Overall, as with the proposed action, the Alternative Layout with Relocated Recreational Facilities plan would have no significant adverse impacts associated with on-site soils, removal of soils or topographic changes.

Water Resources

As the Alternative Layout with Relocated Recreational Facilities plan contains the same number of multifamily units with the same bedroom mix, the projected potable water demand and sewage discharge for this alternative is the same as that of the proposed action (i.e., 15,000± gpd).

As this alternate layout includes greater lawn and landscape area (i.e., an increase of 0.266± acre), irrigation demand for this plan would be slightly greater. Based on the same assumptions for the proposed plan (one inch per week for 26 weeks and less the projected volume of precipitation that occurs [i.e., 24± inches]), the projected irrigation demand would be 1,136± gpd (averaged annually). As the SCWA has confirmed availability for the proposed action, it is expected that this alternate plan could be served without any significant adverse impacts to the public water supply.

As indicated in the BURBS analysis (see Appendix J) and summarized in Table 29 of this DEIS, this alternate plan with STP has a total nitrogen leached of 385.74 lbs./year, which is 1.08 lbs./year less than the proposed action. Also, the concentration of nitrogen leached under this alternative is 3.11 mg/L, as compared to 3.12 mg/L under the proposed action with STP (which is 0.01 mg/L less). Therefore, based on the BURBS analysis, this alternate plan would have similar impacts as the proposed action, which achieves a nitrogen removal efficiency of 85 percent (see Section 2.2.2 of this DEIS).

Regarding stormwater management, this alternate plan would be developed with a drainage system similar to that which is proposed (i.e., catch basins, leaching pools, pervious pavement in the alleys, and the various lawn areas for infiltration). All stormwater would be accommodated and recharged on-site in accordance with Village Code. Also, during construction, proper erosion and sedimentation controls in accordance with Village Code as well as NYSDEC regulations would be implemented. As such, there would be no significant adverse impacts associated with stormwater or drainage expected from this alternate plan.

Transportation

This alternative would develop the same number and type of residential units as the proposed action and would provide the same location and means of site access. The only modification in this alternative plan would be the relocation of the common recreational/community center from the south side of the property to the north side of the development, and the placement of residential units along the Rogers Avenue Extension.

As evaluated in the TIS (see Appendix K), review of this alternative layout was performed to assess the site circulation. This review revealed that all primary two-way drive aisles would maintain a minimum width of 24-ft along with 18-ft-long by 10-ft-wide, head-in parking stalls. The design of the one-way alleys was also maintained at 15-ft wide, providing strong circular access to each of the homes as well as the rear of the recreational/common area. A limited number of 22-ft-long by 9-ft-wide curbside stalls are still provided along the north side of the site behind the recreational/common building, and these stalls are each adequate to accommodate full-sized vehicles. Overall, this alternative plan would provide a good configuration for on-site parking areas and drive aisles, thus resulting in good on-site circulation. Were this alternative to be implemented, it would not be expected to result in any undesirable conditions compared to the proposed action.

Land Use, Zoning and Plans

Similar to the proposed action, this alternate plan converts the subject property from an unoccupied parcel of land to a multifamily residential use. This alternative plan introduces 52 multifamily residential units within 13 buildings and would comply with the bulk and dimensional requirements of the MF-20 District, as summarized in Table 29. A special exception approval similar to the proposed action would be required for this alternate plan.

Similar to the proposed development, this alternative would provide a mix of bedroom units (i.e., one-bedroom, two-bedroom and three-bedroom units) and incorporates an affordable housing component. This alternative plan is consistent with the goals and initiatives of the Village's 2006 Comprehensive Plan Update, the recommendations in the Smart Communities Through Smart Growth, and consistent with the affordability component of the special exception standards for MF-20 development (§197-80.3.H) Overall, this Alternative Layout with Relocated Recreational Facilities plan is a compatible land use as it meets the purpose and needs for the subject property and provides benefits to the community.

Economic

The Alternative Layout with Relocated Recreational Facilities plan would provide the same economic benefits as compared to the proposed action. The alternative plan would bring economic opportunities to this area of the Village, similar to that of the proposed action, by creating both temporary and long-term jobs with a high population and great amount of purchasing power. As the number of units and projected population would remain the same as that of the proposed action, the annual tax revenue would also be the same (see Table 29, above).

Noise

The Alternative Layout with Relocated Recreational Facilities plan would comply with Chapter 110, Noise, of the Village code. Furthermore, in contrast to the proposed development, the community center and

recreational facilities would be placed on the northern side of the property such that noise impacts would be mitigated on-site to the nearby residential houses to the south and east. It is expected that this alternative would not have significant adverse noise impacts.

Community Facilities and Services

School District

As noted above, the Alternative Layout with Relocated Entrance and Recreational Facilities plan, if developed, would result in the same permanent resident population of 107 people as the proposed action. As such, this alternative would generate the same number of PSAC (i.e., nine [9]-10± PSAC) (see Table 29, above). As discussed in Section 3.3.2, based on the declining student enrollment within the Westhampton UFSD over the last decade (i.e., a decrease of over 42 students over that time period), the projected addition of nine (9)-10± PSAC resulting from this alternative plan is not expected to adversely impact capacity within this district.

Police

As the Alternative Layout with Relocated Entrance and Recreational Facilities plan would result in the same amount of projected future population as the proposed development, only a demand for 0.21± and 0.06± additional police personnel and vehicle, respectively, would be generated. Thus, it is expected that this plan would not have an adverse impact on the WHBPD police services.

Fire and Ambulance Services

As the Alternative Layout with Relocated Entrance and Recreational Facilities plan would result in the same amount of projected future population as the proposed development, only a demand for 0.17± additional fire personnel, 0.003± for additional EMS vehicle and 0.015± additional EMS personnel would be generated. Overall, there would be no significant adverse impact from the Alternative Layout with Relocated Entrance and Recreational Facilities plan on fire and ambulance services.

Water Supply

The projected potable water demand for this alternative is the same as that of the proposed action (i.e., 15,000± gpd). Regarding irrigation supply, the Alternative Layout with Relocated Recreational Facilities plan is expected to generate a demand for 1,136± gpd (averaged annually) for irrigation, as demonstrated in the above in this section of the DEIS. Although the area of lawn and landscaping is greater than the proposed action (i.e., 4.243± acres for this alternative plan versus the 3.977 acres for the proposed action), irrigation would only constitute a minor increase. As this alternative would utilize the same amount of potable water as that of the proposed action, SCWA has the capacity to serve both domestic and irrigated water as the overall demand is only 71± gpd more than the proposed development (16,065± gpd for total water supply demand under the proposed development).

Sanitary

As noted in this section, as the Alternative Layout with Relocated Recreational Facilities plan contains the same number of multifamily units with the same bedroom mix, the projected sewage discharge for this alternative is the same as that of the proposed action (i.e., 15,000± gpd). As indicated in the BURBS analysis (see Appendix J)

and summarized in Table 29 of this DEIS, this alternate plan with STP has a total nitrogen leached of 385.74 lbs./year, which is 1.08 lbs./year less than the proposed action. Also, the concentration of nitrogen leached under this alternative is 3.11 mg/L, as compared to 3.12 mg/L under the proposed action with STP (which is 0.01 mg/L less). Therefore, based on the BURBS analysis, this alternate plan would have similar impacts as the proposed action, which achieves a nitrogen removal efficiency of 85-percent (see Section 2.2.2 of this DEIS).

Solid Waste Management

The Alternative Layout with Relocated Recreational Facilities plan would generate 7.34± tons/month of solid waste, as shown in Table 29, above. The Village of Westhampton Beach does not provide municipal solid waste pickup. As such, this alternative would utilize a licensed private carter service for residential solid waste pickup. No significant impacts are expected with regard to solid waste as it is expected the private carter service would have sufficient capacity to pick up solid waste generated on the subject property.

Energy

Similar to the proposed development, the Alternative Layout with Relocated Recreational Facilities plan would be supplied natural gas and electricity via the existing infrastructure surrounding the subject property with on-site improvements required.

Community Character

Implementation of the Alternative Layout with Relocated Entrance and Recreational Facilities plan would alter views along Rogers Avenue as compared to the proposed development. This plan would situate the community center and recreational facilities towards the north of the site such that views for passersby, along Rogers Avenue, would be multifamily residential homes which would be compatible with the residential community character in this area. Visually, this alternative development will be largely blocked from view along the public roadway as there would be landscape treatments and dense vegetation, including the 255 existing trees to remain, (0.266 acre of landscaping and natural woodlands more than the proposed action) as well as chain link fencing with fabric inserts. The internal roadways, rooflines of the townhouse buildings and the gazebo would be visible from Rogers Avenue, as would the larger development from the entryway only. Based on the above, the Alternative Layout with Relocated Entrance and Recreational Facilities plan is not expected to result in significant adverse impacts to the overall community character, as it would replace a vacant and underutilized parcel with an aesthetically-pleasing development compatible with the residential community character of this area.

5.5 Alternate 5: Proposed Action with Scenic Easements with 52 Units

As part of the scope of this DEIS, the applicant was requested to provide a history of the prior subdivision of the parcel. As indicated in Sections 1.1.1 of this DEIS, in 1990, the Village Planning Board granted preliminary approval of a six-lot industrial subdivision, by resolution adopted August 2, 1990 (copy included in Appendix G). The final subdivision approval was granted in 1992 and the approval required the applicant to convey a 50-ft scenic easement along the southerly and westerly boundaries of Lot 6 (now Tax Lot 7.8) and a 25-ft scenic easement along the southern and western boundaries of Lot 1 (now Tax Lot 7.1) to buffer the future industrial uses from adjoining residential properties and from Rogers Avenue, which is referred to in this DEIS as the "1992 Industrial Subdivision." The location of these buffer areas is depicted on the Alternative 5 Site Plan (included in Appendix O of this DEIS).

However, in 2003, as part of a coordinated plan to eliminate the industrial use of the property, the Village rezoned the property to MF-20, establishing entirely different site development parameters. This rezoning totally eliminated the need and purpose of the scenic easements that had been placed on the Industrial Subdivision. In light of the fact that the current site plan application will formally cause the abandonment of the 1992 Industrial Subdivision, the applicant requests that, as part of the approval process of this site plan application, the Village consent to the cancellation of record of the scenic easements thereby removing this obsolete record impediment on the applicant's title. Despite the fact that the scenic easement's restrictions should not be applied to this site plan application, the applicant has nevertheless prepared this alternative layout that conforms to the setbacks contained in the scenic easements.

The differences between the proposed action and Alternate 5 are limited to the following:

(1) A reduction in the area of landscaping in Alternate 5 as the scenic easements would remain in their natural state (i.e., a reduction of 0.475± acre);
(2) A reduction in the area of impervious surfaces in Alternate 5 as the scenic easements would remain in their natural state (i.e., a reduction of 0.17± acre);
(3) A 16± percent increase in the number of overall existing trees to be retained (i.e., Alternate 5 would preserve 372 trees as opposed to 264 under the proposed action); Of the 372 trees to remain, 180 trees are greater than 4 inches in caliper (i.e., a 9±-percent increase from the proposed action).
(4) Change in the views from Rogers Avenue from the proposed landscaping with a portion of the trees to remain, to an alternate view of the existing woodland area.

Soils and Topography

As this alternative includes the same number and type of units, and the same location and placement of recreational amenities, the impacts to soils and topography would be similar to the proposed action.

Water Resources

As this alternative includes the same number and type of multifamily units, and the same location and placement of recreational amenities, the impacts to water resources would be similar to the proposed action. The projected potable water demand and sewage discharge for this alternative is the same as that of the proposed action (i.e., 15,000± gpd). Due to the reduced landscaped area (i.e., a decrease of 0.475± acre), there would be a slight reduction in irrigation demand (i.e., a decrease of 127± gpd). As the SCWA has confirmed availability for the proposed action, it is expected that this alternate plan could be served without any significant adverse impacts to the public water supply.

As indicated in the BURBS analysis (see Appendix J) and summarized in Table 29 of this DEIS, this alternate plan with STP has a total nitrogen leached of 368.91 lbs./year, which is 17.91 lbs./year less than the proposed action. Also, the concentration of nitrogen leached under this alternative is 3.02 mg/L, as compared to 3.12 mg/L under the proposed action with STP (which is 0.10 mg/L less). Based on the BURBS analysis, this alternate plan with STP would achieve a nitrogen removal efficiency of 85 percent (see Section 2.2.2 of this DEIS).

Regarding stormwater management, this alternate plan would be developed with a drainage system similar to that which is proposed (i.e., catch basins, leaching pools, pervious pavement in the alleys, and the various lawn and natural areas for infiltration). However, no stormwater infrastructure would be installed within the scenic easement areas as they would remain natural and undisturbed. The volume of stormwater runoff generation is expected to be reduced as the area of impervious surfaces would decrease by 0.17± acre under this alternate

plan. Similar to the proposed action, all stormwater would be accommodated and recharged on-site in accordance with Village Code. Also, during construction, proper erosion and sedimentation controls in accordance with Village Code as well as NYSDEC regulations would be implemented. As such, there would be no significant adverse impacts associated with stormwater or drainage expected from this alternate plan.

Transportation

As this alternative includes the same number and type of units, the same location and placement of recreational amenities, and the site access would remain the same as that proposed, the impacts to transportation would be similar to the proposed action.

Land Use, Zoning and Plans

Similar to the proposed action, this alternate plan converts the subject property from an unoccupied parcel of land to a multifamily residential use. This alternative plan introduces 52 multifamily residential units within 13 buildings and would comply with the bulk and dimensional requirements of the MF-20 District, as summarized in Table 29. A special exception approval similar to the proposed action would be required for this alternate plan.

As this alternative includes the same number and type of units, and the same location and placement of recreational amenities, the impacts to land use would be similar to the proposed action. As Alternative 5 only replaces the proposed lawn and landscape area with the current vegetation that exists, the impact analyses with respect to compliance with the prevailing zoning district and special permit standards, and consistency with the relevant plans, are the same as of the proposed action. It is important to note, however, in 2003, as part of a coordinated plan to eliminate the industrial use of the property, the Village rezoned the property to MF-20, establishing entirely different site development parameters. This rezoning totally eliminated the need and purpose of the scenic easements that had been placed on the 1992 Industrial Subdivision.

Economic

The Proposed Action with Scenic Easements with 52 Units plan would provide the same economic benefits as compared to the proposed action. The alternative plan would bring economic opportunities to this area of the Village, similar to that of the proposed action, by creating both temporary and long-term jobs with a high population and great amount of purchasing power. As the number of units and projected population would remain the same as that of the proposed action, the annual tax revenue would also be the same (see Table 29, above).

Noise

As this alternative includes the same number and type of units, and the same location and placement of recreational amenities, the noise impacts would be similar to the proposed action.

Community Services and Facilities

As this alternative includes the same number and type of units, the same location and placement of recreational amenities, and the site access would remain as proposed, the impacts to community services and facilities would be similar to the proposed action.

Community Character

Implementation of this alternate plan would alter views along Rogers Avenue as compared to the proposed development which would consist of views of landscaping and a portion of the trees to remain. As this plan would retain the woodland areas within the scenic easement setback along the site frontage, views for passersby, along Rogers Avenue, would remain the same as existing conditions.

The internal roadways, rooflines of the townhouse buildings and the gazebo would be visible from Rogers Avenue, as would the larger development from the entryway only. Based on the above, the Proposed Action with Scenic Easements with 52 Units plan is not expected to result in significant adverse impacts to the overall community character, as it would replace a vacant and underutilized parcel with an aesthetically-pleasing development compatible with the residential community character of this area.

6.0 REFERENCES

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.

Kamer, Pearl M, Ph.D., Long Island Housing Partnership. *Multifamily Housing on Long Island: Impact on Number of School-Age Children and School District Finances*. 2009.

Long Island Nitrogen Action Plan (LINAP). Retrieved from: https://www.dec.ny.gov/lands/103654.html

Long Island Regional Planning Board. 1992. *The Long Island Comprehensive Special Groundwater Protection Area Plan*.

Long Island Regional Planning Board. 1978. *Long Island Comprehensive Waste Treatment Management Plan* (L.I. 208 Study), Hauppauge, New York.

Long Island Regional Planning Board. *The Long Island Segment of the Nationwide Urban Runoff Program*. 1982. Retrieved from: https://www.suffolkcountyny.gov/Portals/0/formsdocs/planning/Publications/Long%20Island%20Segment%20of%20the%20Nationwide%20Urban%20Runoff%20Program%20(NURP).pdf?ver=2019-03-26-113342-000

National Weather Service NOAA. Islip, NY Historical Data. Retrieved from: http://www.weather.gov/okx/IslipHistorical.

New York State Department of Environmental Conservation. *New York State Stormwater Management Design Manual*. January 2015.

New York State Department of Environmental Conservation. *New York State Standards and Specifications for Erosion and Sediment Control*. July 2016.

New York State Department of Environmental Conservation. *The SEQR Handbook Fourth Edition, 2020.* Retrieved from: https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf.

New York State Department of State, Office of Planning and Development. *Long Island South Shore Estuary Reserve Comprehensive Management Plan*. Retrieved from: https://www.dos.ny.gov/opd/sser/pdf/Full%20CMP%20Document.pdf.

New York State Education Department. *New York State Property Tax Report Card*. Retrieved from: http://www.p12.nysed.gov/mgtserv/propertytax/#Data.

New York State Education Department. *Westhampton Beach UFSD 2018-2019 School Year Financial Transparency Report*. Retrieved from: https://data.nysed.gov/expenditures.php?instid=800000036831.

Suffolk County Department of Economic Development and Planning. *Framework for the Future – Suffolk County Comprehensive Master Plan 2035*. Retrieved from: https://www.suffolkcountyny.gov/portals/0/formsdocs/planning/CompPlan/Comp%20Master%20Plan%202035/ADASuffolkCounty_MasterPlanFINAL_07282015.pdf.

Suffolk County Department of Health Services. *Suffolk County Comprehensive Water Resources Management Plan*. March 2015. Retrieved from: https://www.suffolkcountyny.gov/Departments/Health-Services/Environmental-Quality/Water-Resources/Comprehensive-Water-Resources-Management-Plan

Suffolk County Department of Health Services. Suffolk County Sanitary Code.

Suffolk County Department of Health Services. *Standards For Approval Of Plans And Construction For Sewage Disposal Systems For Other Than Single-Family Residences*, Revised July 21, 2020. Retrieved from: https://www.suffolkcountyny.gov/Portals/0/FormsDocs/Health/WWM/Commercial%20Standards%202020.07.21.pdf

Suffolk County Planning Commission. *Smart Communities Through Smart Growth: Applying Smart Growth Principles to Suffolk County Towns and Villages*. March 2000. Retrieved from: https://www.suffolkcountyny.gov/portals/0/formsdocs/planning/Publications/SG032000r.pdf

Suffolk County Water Authority. *2020 Drinking Water Quality Report*. Retrieved from: http://s1091480.instanturl.net/dwqr2020/AWQR2020_52620_FINAL.pdf.

Suffolk County Water and Land Invasive Advisory Board. Suffolk County Do Not Sell/Transfer List of Invasive Species. Adopted 2011. Retrieved from: https://pb.state.ny.us/assets/1/6/SC_Do_not_sell_list.pdf

United States Census Bureau. *American Community Survey 5-Year Estimates*. Retrieved from: https://data.census.gov/cedsci/table?q=westhampton%20beach%20village%20new%20york&g=1600000US3680181&hidePreview=false&tid=ACSDP5Y2018.DP05&layer=VT_2018_160_00_PY_D1&cid=DP05_0001E&vintage=2018.

United States Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey Soil Survey. Retrieved from: https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

United States Environmental Protection Agency (USEPA) *National Overview: Facts and Figures on Materials, Wastes and Recycling*. 2017. Retrieved from: https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials.

United States Department of Housing and Urban Development, *FY 2019 Income Limits Documentation System -- Summary for Nassau-Suffolk, NY HUD Metro FMR Area*. June 1, 2019. Retrieved from: https://www.huduser.gov/portal/datasets/il/il2019/2019summary.odn.

Warner, John W. Jr., et al. Soil Survey of Suffolk County, New York. United States Department of Agriculture and Cornell University Agricultural Experiment Station. 1975.