

State Environmental Quality Review
FINDINGS STATEMENT

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Town of Huntington Planning Board, as lead agency, makes the following findings.

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

Description of Action: The proposed action involves construction of 155 multi-family housing units on a 14.574 acre parcel located within a R-3M Residence district containing no garages or driveways and including a superintendent's apartment. A total of twenty (20) buildings are proposed, to include a community building and a sewage treatment plant [STP] building. Of the 155 condominium units, 78 units would be owned by Housing Help Inc. [HHI] and would be available as rentals to those who meet the income requirements as specified in the EIS and the remaining 77 units would be privately-owned by individuals. As specified in the EIS, the privately owned units and rental units will be intermixed within the entire 155 unit development. Playground areas, in addition to an on-site community building, sewage treatment plant (STP-within the northern portion of the site), recharge basin (within the northwestern portion of the site), and parking for 334 vehicles are proposed. The subject property fronts two (2) county roads, Pulaski Road (CR 11) and Elwood Road (CR 10). Although the applicant's preferred plan proposes site access from Pulaski Road with an emergency crash gate on Elwood Road, there is an alternative access scenario plan that addresses the Suffolk County Department of Public Works [SCDPW] concerns that depicts two site access points, one on Pulaski Road and one on Elwood Road. Public water is to be provided by the Suffolk County Water Authority.

The subject property is located within Town designated open space identified on the Town Open Space Index as OSI # NE27. The proposal will result in the physical alteration of more than 2½ acres. Pursuant to SEQRA sections 617.4(b)(5)(ii) and 617.4(b)(10) [old SEQRA sections 617.12(b)(5)(ii) and 617.12(b)(10)], said action is Classified Type I. The Planning Board as Lead Agency issued a Positive Declaration determination of significance for said action via a July 12, 1995 resolution, adopted a Draft EIS via an April 5, 2006 resolution, and held a public hearing on the DEIS on May 10, 2006 of which a comment period was held open until May 26, 2006. The Planning Board adopted a September 19, 2007 resolution indicating completion of the Final EIS.

Location: (Include street address and the name of the municipality and county.)

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

Agency Jurisdiction(s): The Town of Huntington Planning Board approves Site Plans within the Town of Huntington.

Date Final Environmental Impact Statement Filed: September 19, 2007

Fact and Conclusions in the EIS Relied Upon to Support the Decision:
 (Attach additional sheets, as necessary)

**PLEASE REFER TO THE ATTACHED SEVEN (7) PAGE FINDINGS STATEMENT ADOPTED BY THE
 TOWN OF HUNTINGTON PLANNING BOARD ON OCTOBER 10, 2007.**

A Copy of this Notice with attachments to be forwarded to the following:

The Applicant/Owner

Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of Huntington

Town of Huntington, Office of the Supervisor, Attention: Frank P. Petrone, Town Supervisor

Any person who has requested a copy of the ~~Draft~~ / Final EIS

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

Any other involved / interested agencies

1. New York State Department of Environmental Conservation, Region I, SUNY, Building #40, Stony Brook, New York 11790 2356, Division of Environmental Permits, Attention: Susan Ackerman, Environmental Analyst I
2. Town of Huntington, Office of the Town Clerk, Attn: JoAnn Raia, Town Clerk
3. Town of Huntington, Town Attorney, Attention: John J. Leo
4. Town of Huntington, Planning Board *

5. Town of Huntington, Planning and Environment Department (two additional copies)
6. Town of Huntington, Department of Engineering Services, Attention: Patricia A. Del Col, Director
7. Town of Huntington, Conservation Board, Attention: J. Squires, Chairperson
8. Town of Huntington Bureau of Fire Prevention, Attention: James M. Logan, Chief
9. Town of Huntington, Community Development Agency, Attention: Douglas Aloise, Director
10. Town of Huntington, Town Assessor, Attention: Bryan Monaghan
11. Suffolk County Planning Department, H. Lee Dennison Bldg., 100 Veterans Memorial Highway, Hauppauge, New York 11788, Attention: Thomas A. Isles, AICP, Director
12. Suffolk County Department of Health Services, 360 Yaphank Avenue - Suite 2C, Wastewater Management Division, Yaphank, New York 11980, Attention: Walter J. Hilbert, P.E., Chief
13. Suffolk County Department of Health Services, 360 Yaphank Avenue - Suite 2B, Office of Ecology, Yaphank, New York 11980, Attention: Ms. Kimberly Shaw, Bureau Supervisor
14. Suffolk County Department of Public Works, 335 Yaphank Avenue, Yaphank, New York 11980 Attention: William Hillman, P.E., Chief Engineer
15. Suffolk County Water Authority, Administrative Services, 4060 Sunrise Highway, Oakdale, New York 117690901 Attn: Steven T. Burns, P.E. Director of Distribution
16. LIRR Public Affairs, Jamaica Station-1131, Jamaica, New York 11435, Attention: Peter Palamaro
17. Long Island Power Authority, 175 East Old Country Road, Hicksville, NY 11801, Attention: Director of Government Relations
18. Northport-East Northport School Board of Education c/o Arlene S. Munson, President, Central Office, 158 Laurel Avenue, Northport, New York 11768
19. Northport-East Northport School District c/o Dr. Marylou McDermott, Superintendent of Schools, and Christina McCulloch, District Clerk, Central Office, 158 Laurel Avenue, Northport, New York 11768
20. Harborfields Public Library, 31 Broadway, Greenlawn, NY 11740, Attn: Reference Librarian
21. East Northport Public Library, 185 Larkfield Road, East Northport, NY 11731, Attn: Reference Librarian
22. Northport Public Library, 151 Laurel Avenue, Northport, NY 11768, Attn: Reference Librarian

* = copy of Findings Statement already forwarded

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750

enb@gw.dec.state.ny.us

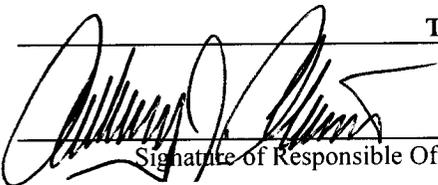
A Copy of the DEIS, FEIS, and Findings Statement is posted on the Town of Huntington website in the On-line Library (Planning and Environment Department section under Matinecock Court):

http://town.huntington.ny.us/permit_forms.cfm

Certification To Approve/Fund/Undertake:

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met; and
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
3. (And if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

Town of Huntington Planning Board	
Name of Agency	
	Anthony J. Aloisio
Signature of Responsible Official	Name of Responsible Official
Director of Planning and Environment	October 11, 2007
Title of Responsible Official	Date
100 Main Street, Huntington, New York 11743	
Address of Agency	

Certification To Deny:

Having considered the draft and final Environmental Impact Statement and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.11, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have not been met; and
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that does not avoid or minimize adverse environmental impacts to the maximum extent practicable, and that adverse impacts will not be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
3. (And if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR 600.5, this action will not achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

Town of Huntington Planning Board	
Name of Agency	
Signature of Responsible Official	Name of Responsible Official
Director of Planning and Environment	
Title of Responsible Official	Date
100 Main Street, Huntington, New York 11743	
Address of Agency	

cc: Other Involved Agencies
Applicant

HUNTINGTON TOWN PLANNING BOARD

MEETING OF OCTOBER 10, 2007

The following resolution was offered by A. Rosen

and seconded by L.A. Santoianni

WHEREAS, HOUSING HELP INCORPORATED, 91 Broadway, Suite 6, Greenlawn, New York 11740, submitted a site plan application on June 7, 1995 for the **MATINECOCK COURT** property located on the northwest corner of Pulaski Road (CR 11) and Elwood Road (CR 10) in East Northport, indicated as parcel 0400-114-04-007 on the Suffolk County Tax Map; and

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

WHEREAS, the action was classified a **Type I Action** pursuant to 6 NYCRR PART 617 of the State Environmental Quality Review sections 617.4(b)(5)(ii) and 617.4(b)(10) [old SEQRA sections 617.12(b)(5)(ii) and 617.12(b)(10)]; and

WHEREAS, the Planning Board had been established as the lead agency pursuant to SEQRA § 617.6 for the action; and

WHEREAS, the Huntington Town Planning Board determined that there was potential for significant adverse environmental impacts to result from the implementation of the initially proposed project based on the information provided with the application and in the Full Environmental Assessment Form, Parts I, II, and III., and issued a Positive Declaration on July 12, 1995; and

WHEREAS, after review and revision, the Huntington Town Planning Board accepted the Draft Environmental Impact Statement [DEIS] (dated March 2005, revised February 2006, and received on February 22, 2006) on April 5, 2006 for the purpose of commencing public review and held a public hearing on May 10, 2006 and substantive comments were received up until the end of the public comment period which expired on May 26, 2006; and

WHEREAS, after review and revision, the Huntington Town Planning Board accepted the Final Environmental Impact Statement [FEIS] (dated October 2006, revised August 2007, and received on August 17, 2007), on September 19, 2007; and

**Matinecock Court Resolution Adopting a Findings Statement
October 10, 2007**

WHEREAS, the Huntington Planning Board as lead agency, has taken a hard look at the environmental aspects of the action, pursuant to SEQRA and has given consideration to the DEIS and the FEIS, including the comments on the DEIS and responses thereto and the annexed Findings Statement and finds that the necessary requirements pursuant to 6 NYCRR 617.11(d) have been met; now therefore be it

RESOLVED, that the Huntington Planning Board hereby **adopts the annexed Findings Statement** and imposes the mitigating conditions described therein in compliance with section 617.3(b) of SEQRA and authorizes its filing in accordance with 617.12(b) of SEQRA, and be it further

RESOLVED, that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the alternative plan that depicts vehicular access from both Pulaski and Elwood Roads with directional ingress and egress at both of the site's proposed access points is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that the FEIS and this Findings Statement have identified as practicable and appropriate, subject to any and all requirements and approvals.

VOTE: 6 AYES: 6 NOES: 0 ABSENT: 0

P. Mandelik, Chair	NOT VOTING
J. Devine, Vice Chair	AYE
M. Sommer	AYE
L.A. Santoianni	AYE
A. Rosen	AYE
S. Schnittman	AYE
M. G. Healy	AYE

The resolution was thereupon declared to be duly adopted.

STATEMENT OF FINDINGS
on
THE FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)
[dated October 2006, revised August 2007, and received on August 17, 2007]
for
Housing Help, Inc.
Proposed Development of Matinecock Court [Site Plan]
155-Unit Affordable Housing Development
in
HUNTINGTON, NEW YORK
(Adopted by the Town of Huntington Planning Board on October 10, 2007)

PROJECT LOCATION

The project site is located on the northwest corner of Pulaski Road (CR 11) and Elwood Road (CR 10) in East Northport, within the Town of Huntington, indicated on the Suffolk County Tax Map as District 0400, Section 114, Block 04, Lot 007.

PROJECT DESCRIPTION

The proposed action involves construction of 155 multi-family housing units on a 14.574 acre parcel located within a R-3M Residence district containing no garages or driveways and including a superintendent's apartment. A total of twenty (20) buildings are proposed, to include a community building and a sewage treatment plant [STP] building. Of the 155 condominium units, 78 units would be owned by Housing Help Inc. [HHI] and would be available as rentals to those who meet the income requirements as specified in the EIS and the remaining 77 units would be privately-owned by individuals. As specified in the EIS, the privately owned units and rental units will be intermixed within the entire 155 unit development. Playground areas, in addition to an on-site community building, sewage treatment plant (STP-within the northern portion of the site), recharge basin (within the northwestern portion of the site), and parking for 334 vehicles are proposed. The subject property fronts two (2) county roads, Pulaski Road (CR 11) and Elwood Road (CR 10). Although the applicant's preferred plan proposes site access from Pulaski Road with an emergency crash gate on Elwood Road, there is an alternative access scenario plan that addresses the Suffolk County Department of Public Works [SCDPW] concerns that depicts two site access points, one on Pulaski Road and one on Elwood Road. Public water is to be provided by the Suffolk County Water Authority.

PROJECT HISTORY

The subject property is located within Town designated open space identified on the Town Open Space Index as OSI # NE-27. The proposal will result in the physical alteration of more than 2½ acres. Pursuant to SEQRA sections 617.4(b)(5)(ii) and 617.4(b)(10) [old SEQRA sections 617.12(b)(5)(ii) and 617.12(b)(10)], said action is Classified Type I. The original site plan development proposal had depicted a total of one-hundred-seventy-nine (179) multi-family housing units containing no garages or driveways and including a superintendent's apartment, with playground areas, an on-site community building, sewage treatment plant, recharge basin, and off-

Findings Statement (continued)

Housing Help, Inc.,

Proposed Development of Matinecock Court [Site Plan], 155-Unit Affordable Housing Development

street parking for 243 vehicles. The Planning Board as Lead Agency issued a Positive Declaration determination of significance for said action through a July 12, 1995 resolution.

The subject site, and the right to locate an affordable housing development on the subject site, has been the subject of numerous legal actions beginning in 1981 and ending in 2002. These legal actions were brought in both state and federal courts, and involved three applications to the United State Supreme Court. Pursuant to the October 10, 2000 consented and agreed Stipulation of Settlement between HHI and the Town of Huntington so ordered by the United State District Judge on October 11, 2000, the subject development shall consist of no more than one-hundred-fifty-five (155) residential units, with 50% of all such units to be rental units and 50% of all such units to be equity units. As a result of all this litigation, Housing Help Inc. [HHI] has established through the courts that the site is properly zoned for an affordable multi-family housing development of no more than one-hundred-fifty-five (155) units, and that the Planning Board must expedite HHI's application.

IMPACT ON LAND, PLANTS, AND ANIMALS

The subject parcel is generally flat in topography and contains successional naturalized meadow vegetation in various stages of recovery from having been cleared from past agricultural use. As indicated in the EIS, the action is expected to result in the removal/dispersal of existing on-site wildlife species, mostly perching birds and small mammals which are likely to re-establish themselves on adjacent or nearby properties. **Except for retention of some peripheral wooded areas along the north side of the subject property, the majority of the site's existing naturalized vegetation will likely be removed as a consequence of the action and of the necessary soil remediation work for any on-site residential development proposal.**

IMPACT ON WATER

Long Island is a sole source aquifer region for water supply. The Long Island Comprehensive Waste Treatment Management Plan (the 208 Study) as revised by the "Long Island Groundwater Management Plan," and subsequent revisions adopted by the Long Island Regional Planning Board places the subject site within Hydrogeologic (or groundwater management) Zone 1. Hydrogeologic Zone 1 is designated as a deep recharge area with vertical flow. Although the subject site is within Hydrogeologic Zone 1, it is not located within the boundaries of the Long Island Regional Planning Board Special Groundwater Protection Area [SGPA] that provides recharge to portions of the deep flow aquifer system, nor does the site contain or is in the vicinity of any Town or State regulated surface waters. **Impacts to groundwater are not expected to be substantial due to the fact that the proposed action will incorporate an on-site sewage treatment plant that will reduce the potential for groundwater contaminants when compared to a development having typical subsurface sanitary disposal systems for each building.**

IMPACT ON AESTHETIC RESOURCES

The action will result in a visual change to the property from that of former agricultural and now vacant successional vegetated land to a developed residential community. As indicated in the FEIS, the applicant would prefer partial peripheral screening vegetation placed on berms with a proposed estate type fence on three sides of the property (along the eastern, western, and southern

Continue Next Page
Date Printed: 10/11/07

property lines) with the fourth side along the northern property line and abutting the railroad tracks containing a six foot tall wood stockade fence. **However, the Planning Board believes that features typical of a development of this type with partial screening vegetation placed on berms bordered by a proposed estate type fence along the eastern and southern property lines fronting Pulaski and Elwood Roads are appropriate. Along the western and northern property lines, the Planning Board believes that the screening vegetation placed on berms in concert with a six foot tall wood stockade fence will both improve the visual aesthetics of the site and neighborhood while providing some visual screening between the subject property and adjacent residences to the west and the railroad tracks to the north.**

IMPACT ON OPEN SPACE AND RECREATION

The 14.574-acre subject parcel is within the eastern half of a larger approximately 30-acre parcel designated as OSI #NE-27 in the 1974 Town of Huntington Open Space Index Report prepared by the Huntington Conservation Advisory Council. The property was described as “farmland and woods” and was given a priority rating of five, on a scale of one through six, relative to the value of the land as open space due to its proximity to parks, schools, or other land use which will be enhanced by the additional open area. One of the latest Town of Huntington adopted plans, the “Comprehensive Plan Update of April 1993”, is currently the governing master plan for the Town. The Comprehensive Plan identifies the need for this type of housing within the Town (i.e. the need for entry level and rental housing all across Long Island, including Huntington). **Page 121 of the DEIS acknowledges the loss of “open space,” and points to the fact that, although valid, the open space designation was made over 30 years ago, and the legal history of this parcel, notably the court-ordered change of zoning designation to R-3M Garden Apartment Special District and the accepted residential density of no more than 155 residential units (pursuant to the Stipulation of Settlement), eliminates its potential for the entire site to be preserved as open space. Open space features in the subject development will include peripheral vegetative buffer areas as well as on-site recreational playgrounds for residents of the development in order to soften the loss of the Town of Huntington Open Space Index parcel.**

IMPACT ON TRAFFIC AND TRANSPORTATION

The subject property has frontage on two Suffolk County roadways; Pulaski Road (CR 11) and Elwood Road (CR 10). The EIS indicates that the action will generate increased traffic volumes along adjacent roadways from that which currently exist on-site (the ‘No Build’ scenario). The applicant’s preferred plan seeks to have primary access through Pulaski Road with a fire emergency crash gate on Elwood Road.

In response to the Suffolk County Department of Public Works [SCDPW] concerns regarding the action, the applicant prepared an alternative plan that depicts vehicular access from both Pulaski and Elwood Roads with directional ingress and egress at both of the site’s proposed access points. The EIS indicates that from a traffic engineering perspective, multiple access driveways as reflected on the alternative plan will promote enhanced internal circulation as well as circulation to and from the site (without causing an undue conflict with the existing railroad crossing to the north), and although the EIS indicates relatively imperceptible traffic flow level of service [LOS] differences for proposed site accesses between the applicant’s preferred plan and

the alternative plan, **the Town of Huntington Planning Board believes that site access should be left to the discretion of the SCDPW, the permitting agency for the issuance of highway work permits on the County roads for the proposed curb cut[s].**

Irrespective of the subject application, the Suffolk County Department of Public Works [SCDPW] is proposing roadway improvements along the Pulaski/Elwood Road intersection. The Suffolk County Legislature on June 12, 2007 past a bond resolution authorizing the issuance of \$245,000 in bonds to finance the cost of Planning for intersection improvements on CR 10, Elwood Road at CR 11, Pulaski Road, within the Town of Huntington. Consequently, **it would be mutually beneficial to the Town and County to have the Matinecock Court subject application currently under review by the Town of Huntington Planning Board in concurrence with the proposed SCDPW intersection improvements on CR 10, Elwood Road at CR 11, Pulaski Road.**

IMPACT ON ENERGY AND UTILITIES

There is adequate capacity within the Town of Huntington for a residential development of this size to handle the anticipated increase in energy and utility uses.

IMPACT ON NOISE AND ODOR

As indicated in the EIS, the action is not expected to generate substantial noise or odor impacts. However, new residents of the proposed development may be subject to the existing noise generating impacts of the Long Island Railroad [LIRR] line located directly north of the subject property with regard to required train sounds and whistle blowing when approaching a public crossing at grade. The FEIS includes updated (2006) information from the Long Island Railroad ("LIRR") and an evaluation of same is included in Appendix M of this FEIS. Noise abatement measures, such as the placement of non-habitable uses at the northwest quadrant of the property, the installation of a six-foot-high solid wood fence and evergreen vegetation along the entire common property line of the subject parcel and the railroad, the addition of evergreens and heavy canopy shade trees planted in open areas around the STP, parking areas and roadways are proposed in order to reduce expected noise levels between 4 dBA and 15 dBA. Page 138 of the DEIS indicates that the approximate national average for noise reduction by the exterior shell of a typical residential building is 25 dBA with the windows closed. Therefore, noise levels in the interior spaces would be attenuated as well. **The Planning Board feels that this matter has been mitigated to the greatest extent practicable.**

IMPACT ON PUBLIC HEALTH

As identified in the DEIS and FEIS, the Planning Board is cognizant of the potential for existing on-site soil contaminants. A soil sampling program was implemented by the applicant's consultant (Freudenthal & Elkowitz Consulting Group, Inc.) to evaluate on-site soil conditions and the vertical and lateral extent of impacted soils for purposes of site planning (i.e., the removal and/or mixing of soils at the time of construction). A copy of the Soil Management Plan [SMP], which includes the findings of the soil sampling program, is included in Appendix H of the FEIS. The SMP was performed using the Suffolk County Department of Health Services [SCDHS] established protocols set forth in the *Draft Guidance Document SCDHS Division of Environmental Quality Procedures for Subdivisions, Developments or other Construction*

Findings Statement (continued)

Housing Help, Inc.,

Proposed Development of Matinecock Court [Site Plan], 155-Unit Affordable Housing Development

Projects with Potentially Contaminated Soils (issued in draft form in February of 2006), also referred to as the “SCDHS Guidance Document”. According to the SCDHS Guidance Document, pesticide and metals analytical results are to be compared to the United States Environmental Protection Agency [USEPA] draft Soil Screening Levels [SSL] for Residential Scenario. The SCDHS protocol is based on the premise that pesticide-impacted soils pose a risk to future residents through ingestion, inhalation, or dermal contact with same. The mitigation measures identified in the FEIS are designed to keep residents of sites with non-hazardous soils from coming into contact with impacted soils. Relevant sections of the SMP, including findings and the best management practices of impacted and clean soils during construction, have been included in the FEIS.

A total of fourteen (14) soil sampling locations were selected in order to assess soil conditions associated with the site’s proximity to the LIPA electrical substation, general site soil conditions, and portions of the subject property proposed for open space (including playgrounds). As referenced in the FEIS, certain on-site contaminants that exceeded acceptable levels were identified in some of the samples. As discussed in the FEIS, upon the vertical and lateral extent of soil impacts and SCDHS protocols, the SMP procedures outlined in the FEIS will be implemented at the subject property. Some of these measures to prevent people from coming into contact with contaminated soils include but are not limited to the twelve inch stripping off of the entire subject property for stockpiling and later deposition in on-site linear soil trench excavations along selected property boundaries, emplacement of one-foot of clean material overlying impacted soils in site areas slated for development as open areas, the placement of turf or tested clean topsoil on top of the clean fill materials to allow for the growth of vegetation as appropriate, and the installation of rubberized surfaces within all playground areas (re: FEIS pages 21, 23, 116). **The SMP included in Appendix H of the FEIS was determined to be an acceptable practice for remediation and was identified as such through a July 2, 2007 SCDHS letter included in Appendix H of the FEIS. The Planning Board also finds as an added measure of protection that placement of thorny compatible landscaped vegetation (i.e. including but not limited to rugosa and multiflora rose varieties, barberry varieties, pyracantha varieties, juniper varieties, holly varieties, etc.) at the base of the site’s peripheral bermed areas (between the subject buildings and the peripheral berms) shall be constructed during site development and shown on a revised landscape plan as such during the site plan review process to better protect disturbance of the capped soils within the bermed areas. Also, prior to implementation of the SMP, the applicant will be required to contact all adjoining landowners as identified in the FEIS.**

IMPACT ON GROWTH AND COMMUNITY CHARACTER

Many of the concerns regarding growth and community character relate to the population of the school and future enrollment. The EIS indicates that the potential influx of students from the proposed development was identified in the Superintendent’s Annual Report for 2002-2003, which included the need to include school-aged children from this community in its facility planning, and because the District has anticipated the incoming students from the proposed development, it is the responsibility of the District to address and appropriately plan for future spatial needs. The impact to the school district was evaluated in Section 4.7 of the DEIS and the applicant submits that the impact is not significant. As noted in the Response No. 89 of the

Continue Next Page
Date Printed: 10/11/07

Findings Statement (continued)
Housing Help, Inc.,
Proposed Development of Matinecock Court [Site Plan], 155-Unit Affordable Housing Development

FEIS, the rental and equity units will pay full property taxes based on their legal status as a condominium and the fair market value of the units. The FEIS states “Based on the assessed valuations provided by the Assessor and the current (2005-06) tax rate of 206.095 (per \$100 of assessed valuation less plus refuse and less Basic STAR school tax exemption), the projected total annual tax revenue from the proposed 155 units would be \$377,773±.” The FEIS also indicates that of the estimated annual total revenue of \$377,773±, approximately \$241,361± would be generated from the proposed development as revenue to the Northport-East Northport Union Free School District and \$17,341 would be generated as revenue to the East Northport Fire Department, based on the current tax rate of 9.46 percent per \$100 of assessed valuation. **The proposed development would therefore contribute to the school district at the same rate as similar developments within the District boundary. Given that the proposed development will generate tax revenues, is consistent with prevailing zoning, and the proposed development is the subject of a Stipulation of Settlement (Appendix L of this FEIS) with the Town of Huntington, the District has a legal obligation to provide educational services to the residents of the Matinecock Court as it does to all residents of the District.**

The FEIS indicates that the lottery for Matinecock Court will follow all state and federal regulations. The State will have a representative present at the lottery drawing to monitor the process. Families must be income qualified to live at Matinecock Court. Families with combined income earnings between \$50,960 and \$96,080, based on family size, will be eligible to purchase the 77 equity units. The homes are available to first-time homebuyers only. Seventy of the rental units will be affordable to families earning between \$31,850 and \$72,060 a year, based on family size. Rents are projected to range between \$640 to \$1,150 a month. Eight units in the development will be made affordable to households with incomes between \$19,100 and \$38,200. These will target lower income seniors and the disabled. All incomes provided above are based on HUD guidelines for 2006, however, the applicable income will be the calendar year within which the proposed units are developed.

The FEIS indicates that there are no preferences in the lottery for those who reside or work in Northport. The lottery preference will be given to those who live in the Town of Huntington and the total number of units to those who live in the Town of Huntington would be determined by the NYS Division of Housing and Community Renewal (“DHCR”). The FEIS recognizes the critical need for housing for emergency responders in the Northport area. The Town of Huntington in consultation with the NYS DHCR should jointly work to establish lottery preferences for these individuals.

ALTERNATIVES

The EIS examined a limited range of alternatives due to the fact that there was a consented and agreed Stipulation of Settlement between HHI and the Town of Huntington so ordered by the United State District Judge on October 11, 2000. The alternatives are as follows:

No-Action Alternative

The no-action alternative involves leaving the subject site in its current state as vacant and undeveloped. As stated in the DEIS, “the No-Action Alternative

would fail to meet the needs of the project sponsor, and would be contrary to prior court decisions and the *Town's 1993 Comprehensive Plan Update*.”

Applicant's Preferred Scenario

This is the same as that indicated in the Project Description above (site access from Pulaski Road with an emergency crash gate on Elwood Road) with more specific detail included in the EIS.

Alternative Site Access Scenario

This is the same as that indicated in the Project Description above with exception of depicting two site access points, one on Pulaski Road and one on Elwood Road. More specific detail has been included in the EIS. **The Planning Board believes that, although the EIS indicates relatively imperceptible traffic flow level of service [LOS] differences for proposed site accesses between the applicant's proposal and the alternative site access scenario, this alternative should be the selected action as such an alternative complies with the intent of that requested of the SCDPW and, from a traffic engineering perspective, multiple access driveways as reflected on the alternative plan will promote enhanced internal circulation as well as circulation to and from the site.**

CONCLUSIONS

Analysis of the draft and final EIS and comments received during the SEQRA process have shown that the proposed project will result in adverse environmental impacts. Adverse impacts include:

- Loss of open space and visual resources.
- Substantial removal of existing naturalized vegetation on the majority of the subject parcel, most of which are the result of regrading and soil remediation.
- Permanent alteration of the natural topography.
- Displacement and/or loss of wildlife species.
- Erosion and off-site sedimentation during site remediation and site construction will be stabilized through typical construction design techniques.
- The action will result in an increase of sanitary wastewater flows from that of an existing vacant site. However, due to the construction and implementation of an on-site sewage treatment plant [STP] specifically designed to handle the capacity of the subject development under the purview of Suffolk County, and in compliance with the Suffolk County Sanitary Code, impacts to groundwater are not expected to be significant.
- Increase in vehicle trips to local roadways will be ameliorated to the greatest extent practicable through the applicant's alternative site access directional curb cut design scenario from both Pulaski and Elwood Roads that has been recommended and deemed acceptable in concept by the Suffolk County Department of Public Works [SCDPW].
- Increase in the number of residents and demand for community services.
- Temporary increase in construction traffic, fugitive dust and noise during construction, which will be ameliorated with design controls.

END

u:\word\matinecock court\10-10-07 matinecock findings statement.doc

Date Printed: 10/11/07