

APPENDIX C

INVOLVED AGENCY COMMENTS

Appendix C-1

Steven Perrotta, Cashin Spinelli & Ferretti, LLC

**Town of Oyster Bay
June 21, 2010**



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2010 JUN 22 A 10 04

Cashin Spinelli & Ferretti, LLC
Program & Construction Management
Municipal Planning

801 Motor Parkway, Suite 103
Hauppauge, New York 11788

(T) 631-737-9170
(F) 631-737-9171

June 21, 2010

Scott Robin, Senior Environmental Analyst
Town of Huntington
Department of Planning and Environment
100 Main Street
Huntington, New York 11743

Re: **Application of Triangle Equities (a.k.a. Kensington Estates) for a Change of Zone; Southeast Corner of Jericho Turnpike and Plainview Road, Woodbury/West Hills; NCTM 13-D-114 & 115; SCTM 0400-226-01-001 – CSF #40:1013**

Dear Mr. Robin:

At the request of the Town of Oyster Bay, Cashin Spinelli & Ferretti, LLC (CSF) has reviewed the Draft Environmental Impact Statement (DEIS), dated December 2009 and accepted April 13, 2010, which was received from the applicant in the above referenced proposed action. As you are aware, the subject application pertains to a property which spans between the Towns of Oyster Bay and Huntington, and the Town of Huntington is serving as the lead agency for this matter for the purposes of the State Environmental Quality Review Act (SEQRA). The DEIS consists of two volumes, with the main text, figures, tables, and plans contained in Volume I, and the appendices (including a Traffic Impact Study) comprising Volume II.

Our comments in this regard as follows:

Volume I – Main Text, Figures and Plans

1. **Page 2-5, 2nd ¶** – The DEIS provides information regarding the Town of Oyster Bay’s Slopes Law as well as the area of the subject property contained within specific slope gradients. However, no meaningful analysis is presented regarding the effect of the proposed development on these slopes. Though the DEIS indicates in the mitigation section that the project will comply with the slopes law, the FEIS should provide information regarding whether slopes of 25 percent or greater will be disturbed, and offer mitigation to limit the amount of disturbance and the associated impacts.
2. **Page 2-12** – As was requested in CSF’s prior comment letter, dated October 21, 2008, the applicant has prepared a Pesticide Report which provides information regarding testing for pesticides, including arsenic. Several locations on the site contain levels of arsenic that exceed USEPA Soil Screening Guidance. The conclusions of the report recommend further action in the form of additional sampling and soil management, and the preparation of a Soil Management Plan. Page 2-16 indicates that these issues will be resolved prior to site development. It is recommended that the applicant develop a Soil Management Plan, as well

TOB 1
Sec. 2.2.2

TOB 2
Sec. 2.6

- as provide any information relating to the mitigation of the elevated arsenic levels prior to the conclusion of the SEQR process.
3. **Page 2-32, 2nd ¶** – The DEIS states “landscaping would be maintained in accordance with applicable laws and regulations which govern the use of fertilizer and pesticide products.” It would be helpful in evaluating the mitigative value of this measure if additional information were provided regarding the specific laws and regulations that would apply in this case, as well as any aspects of the proposed landscape maintenance plan that would exceed the minimum requirements set forth under said laws and regulations. **TOB 3
Sec. 2.2.4**
 4. **Page 2-36, table 2-6** – The DEIS provides the quantities of existing ecological habitats on the subject property, and lists the Costal Oak-Hickory Forest habitat as occupying 10.16 acres. However, the September 2008 version of the DEIS indicates this habitat as having 11.70 acres. It is unclear why this acreage has changed. **TOB 4
Sec. 2.2.4**
 5. **Page 2-46, 2nd ¶** – The DEIS states that the proposed development “would require the clearing of approximately 6.82 acres (37 percent) of the existing natural vegetation on the site.” This statement is not consistent with information on Table 2-6, which indicates that the site contains approximately 10.16 acres of Costal Oak-Hickory Forest, of which 3.34 acres would remain upon completion of the proposed development (i.e., 6.82 acres, or approximately 67 percent of the existing total, would be removed). **TOB 5
Sec. 2.2.4**
 6. **Page 3-34, 2nd ¶** – The DEIS indicates that the Syosset School District would receive \$59,931 in net revenue from the proposed development. The tax estimates provided on page 3-33 used to derive this estimate should be updated to include appropriate reference citations and explanations for all factors included in the calculation. **TOB 6
Sec. 2.4.1**
 7. **Page 3-35, 1st ¶** – The DEIS states that all issues regarding emergency response and jurisdiction will be worked out with the Nassau and Suffolk Police Departments during site plan review. However, the site plan review process in the Town of Oyster Bay occurs concurrently with the review of the zone change application. Therefore, it is recommended that emergency access and jurisdictional/inter-municipal coordination issues be resolved in conjunction with the SEQR process, including not only the two police departments and fire departments (addressing emergency response and access considerations), but also roadway maintenance and other Town-level services, and water supply. **TOB 7
Sec. 2.4.2**
 8. **Page 3-36, 2nd through 4th ¶¶** – The DEIS does not describe the recycling program that would be implemented for the proposed project (e.g., methods that residents would use to separate recyclables, methods and facilities to collect this material for retrieval by a hauler, etc.). **TOB 8
Sec. 2.4.3**
 9. **Page 4-5, 6th bullet** – The DEIS presents adverse impacts that cannot be avoided, one of which is the “loss of 7.48 acres of Coastal Oak-Hickory Forest”. This statement appears to conflict with a statement on page 2-46, which indicates that 6.82 acres of this ecological community will be lost. A definitive estimate of natural vegetation lost should be provided so as to be internally consistent and to ensure compliance with the Town’s APO legislations. **TOB 9
Sec. 2.2.4**
 10. **Pages 5-8 thru 5-10** – The alternative cluster development A and B should be updated to discuss the benefits of those alternatives with respect to increased preservation of woodland **TOB 10
Sec. 2.7.1**

and the attendant enhancement of aquifer protection (as recommended under the SGPA Plan and the Town of Oyster Bay's APO legislation).

Please do not hesitate to contact me if you have any questions.

Very truly yours,

CASHIN SPINELLI & FERRETTI, LLC

A handwritten signature in black ink, appearing to read "Steve Perrotta". The signature is fluid and cursive, with a large initial "S" and "P".

Steven Perrotta
Planner

cc: Neil Bergin, Commissioner, Department of Environmental Resources
Attention: Aldona Lawson, TEQR Division

Appendix C-2

Shaik A. Saad, P.E., New York State Department of Transportation

Civil Engineer III, Traffic Engineering & Safety
June 15, 2010

Scott



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
STATE OFFICE BUILDING
250 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788-5518

RECEIVED
JUN 16 2010

TOWN OF HUNTINGTON
DEPARTMENT OF PLANNING
& ENVIRONMENT
BY GEE
ACTING COMMISSIONER

SUBIMAL CHAKRABORTI, P.E.
REGIONAL DIRECTOR

June 15, 2010

Mr. Scott Robin, Senior Environmental Analyst
Town of Huntington
Department of Planning and Environment
100 Main Street
Huntington, NY 11743

Nelson, Pope & Voorhis, LLC 5/19/10 Submission
DEIS for Indian Head Ranch
Shire Estates / Kensington Estates
NY 25, Oyster Bay (NC) & West Hills (SC)
NCTM 13-D-114 & 115, SCTM 0400-226-1-1
Our Case No. 06-407P

Dear Mr. Robin:

We are writing in response to the subject submission and we offer the following comments:

1. We previously recommended that there should be only one access to NY 25 from this parcel and it should be relocated opposite Avery Road to access the existing signal. All other access points should be removed and the right-of-way restored in such a manner so as to prevent access along the rest of the NY 25 frontage. We also recommended that NY 25 should be widened between Plainview Road and Avery Road to provide increased left turn lane storage capacity eastbound and westbound. This may involve property dedications.

The DEIS indicates that the property owner is willing to dedicate property; however, the property owner does not appear to be willing to construct the changes. If these changes cannot be implemented as part of the development of the subject site, we must withdraw our previous recommendations. NYSDOT will not undertake and / or fund highway improvements necessitated by traffic increases from developments.

2. We recommend that all NY 25 access to the subject site should be at the east end of the property frontage and that only right turn movements shall be permitted. All left turn movements should occur through Plainview Road as this site has frontage on the local road. As we previously noted access through this local road would enhance the safety and mobility of NY 25.

DOT 1
Sec. 2.3.1

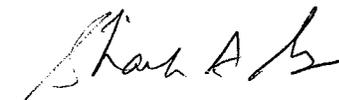
3. The exit driveway should be equipped with a stop sign, stop line and an "All Traffic" sign with a three (3) o'clock arrow. | DOT 2
Sec. 2.3.2
4. Left turn restriction signs should be installed for westbound NY 25 at the site driveway. | DOT 3
Sec. 2.3.2
5. The consulting engineers should submit four (4) hard copies of the TIS.
6. The TIS incorrectly states that Plainview Road is a connector to the Northern State Parkway (NSP). This is not the case as there is no direct connection to the NSP, though there is connection for I495 and NY 25. | DOT 4
Sec. 2.3.3
7. Twelve (12) sets of site plans shall be submitted for our review. The plans must include all of the information we require. We recommend that the applicant consult our driveway policy manual, which includes a checklist of items that should be on site plans submitted for our review. This policy manual is available on our website at www.nysdot.gov. On the NYSDOT A-Z bar click on "H," then click on Highway Work Permits and then click on Policy and Standards for the Design of Entrances to State Highways. All work and material details shall be shown on the plans referenced to NYSDOT specification item numbers.

In all future correspondence, please refer to the subject **Case Number** and the **County Tax Map Numbers**.

Mr. Mark Wolfgang is coordinating review of the subject material. He can be contacted at (631) 952-7973 if you have any questions regarding this matter. Please send all correspondence to his attention at the above address.

Thank you for your cooperation concerning this matter.

Very truly yours,



SHAIK A. SAAD, P.E.
Civil Engineer III
Traffic Engineering and Safety

cc: Mr. Frederick P. Ippolito, Commissioner, Planning & Development, Town of Oyster Bay
Mr. Anthony Aloisio, Director of Planning and Environment, Town of Huntington
Mr. William Naughton, Superintendent of Highways, Town of Huntington
Ms. Patricia Del Col, Department of Engineering Services, Town of Huntington
Mr. Craig Turner, Planner, Planning and Environment, Town of Huntington

SAS:MDW:ajf

Appendix C-3

Carlos A. Pareja, P.E., Nassau County Department of Health
Public Health Engineer, Division of Environmental Health
June 21, 2010

&

Michael J. Alarcon, P.E., Nassau County Department of Health
Director, Bureau of Environmental Protection
August 16, 2007

EDWARD P. MANGANO
COUNTY EXECUTIVE



MARIA TORROELLA CARNEY, M.D., F.A.C.P.
COMMISSIONER

NASSAU COUNTY
DEPARTMENT OF HEALTH
108 CHARLES LINDBERGH BLVD.
UNIONDALE, NEW YORK 11553
TELEPHONE: 516.227.9672
FAX: 516.227.8813

June 21, 2010

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, NY
2010 JUN 21 P 2:52

VIA FACSIMILE AND US MAIL

Mr. Scott Robin, Senior Environmental Analyst
Department of Planning and Environment
Town of Huntington Town Board
100 Main Street
Huntington, New York 11743

Re: Notice of Completion of Draft EIS
DEIS - Accepted April 13, 2010
Triangle Equities (Kensington Estates)
Oyster Bay Side of Action

Dear Mr. Robin:

We have reviewed the Notice of Completion of Draft EIS and the DEIS (CD Rom received June 2, 2010) and have appended copies of the following correspondence itemizing our comments regarding the proposed action:

1. Comment letter forwarded to Nelson Pope & Voorhis dated August 16, 2007 regarding the Phase I environmental site assessment currently appendix B of the DEIS.
2. Comment letter forwarded to the Town of Oyster Bay TEQR Division regarding the proposed realty subdivision project at the referenced property.

Please contact me at 516-227-9672 should you have any questions or desire additional information..

Very truly yours,

Carlos A. Pareja
Carlos A. Pareja, P.E.

Bureau of Environmental Engineering

cc. Michael J. Alarcon, P.E., Patricia Ramirez, P.E.

2006-ZM-363

DIRECTOR	
DEPUTY DIR	
ASST. DIRECTOR	
S.R.	
C.T.	
AGENDA	
ADDED STARTER	
TECH	CORR.

THOMAS R. SUOZZI
COUNTY EXECUTIVE



DAVID M. ACKMAN, M.D., M.P.H.
COMMISSIONER

**NASSAU COUNTY
DEPARTMENT OF HEALTH**
240 OLD COUNTRY ROAD
MINEOLA, NEW YORK 11601-4250
VOICE: 516 571-3410
FAX: 516 571-3828

December 14, 2006

Ms. Aldona Lawson
Town of Oyster Bay
Town Environmental Quality Review
(TEQR) Division
150 Miller Place
Syosset, New York 11791

Re: Shire Estates at Woodbury
Proposed 27 Condo Units
Environmental Assessment Form
Woodbury, New York

Dear Ms. Lawson:

Department staff have reviewed the referenced Environmental Assessment Form describing the proposed construction of 27 condominium units located in the Town of Oyster Bay and have the following comments and recommendations with regarding the realty subdivision:

1. Realty Subdivision plans and applications must be submitted to the Nassau County Department of Health (the Department) for the approval of the design of the water supply, and on site sewage disposal system or sewer connection, to serve each residential development of five (5) or more units or lots. NCDH 1
Sec. 2.6
2. Private Sewage Disposal System plans and applications must be submitted to the Department for the approval of the design of all individual on site sanitary sewage disposal systems that are proposed to serve apartment buildings, and institutions as well a non residential developments including restaurants, office buildings, recreational or other commercial and industrial buildings. NCDH 2
Sec. 2.6
3. Applications for the approval of all realty subdivision and individual on site sewage disposal systems must include a current letter of water availability from a public water supplier and a current letter of sewer connection availability from the NCDH 3
Sec. 2.6

local public sewer district. The installation of private wells as a source of drinking water, cooking, sanitary or laundry use, in an area served by a public water system, is prohibited.

4. The construction of realty subdivisions, and other residential and non residential developments that require Department approval may not proceed until realty subdivision or private sewage disposal system plans are approved by the Department, as well as by other county and local agencies having jurisdiction including the local building department. NCDH 4
Sec. 2.6
5. All land development in the Special Groundwater Protection Areas (SGPAs) of Nassau County must comply with the requirements of Article X of the Nassau County Public Health Ordinance (NCPHO). This regulation limits the number of dwelling units to one per 40,000 square feet for residential developments, limits the daily design rate of sewage discharged per square foot of net area for non-residential developments to no more than .00375 gallons per square foot, and prohibits all discharges of industrial wastewater, whether or not treated. NCDH 5
Sec. 2.6
6. Engineering plans and specifications for the construction of new or modification of existing water mains which will serve the proposed development must be submitted, through the public water supplier, to the Department for review and approval. NCDH 6
Sec. 2.6
7. Evidence must be provided to the Department indicating that all water mains constructed as part of the development be deeded to the public water supplier, along with a dedicated easement as may be necessary, to assure proper operation, repair and maintenance. NCDH 7
Sec. 2.6
8. Dead-end water mains shall not be proposed unless approved by the Department pursuant to conditions in Article VI of the NCPHO. All water mains should be connected to adjacent street mains or otherwise looped for improved water distribution. NCDH 8
Sec. 2.6
9. The developer must comply with all water supplier requirements for backflow prevention devices on water service lines. NCDH 9
Sec. 2.6
10. Engineering plans and specifications for the construction of any new or modified public swimming pool must be submitted to the Department for review and approval. NCDH 10
Sec. 2.6
11. The installation, removal, or abandonment of all toxic and hazardous material storage tanks or areas containing fuel oil, waste oil and regulated petroleum or chemical products must be performed in accordance with the requirements of Article XI of the NCPHO and the Article XI NCPHO Regulations. NCDH 11
Sec. 2.6
12. Any hazardous materials encountered at the site must be removed by an industrial waste transporter registered with the NYSDEC and be taken to an approved hazardous waste disposal facility. The NYSDEC and the NCDH must be notified NCDH 12
Sec. 2.6

upon discovery of any hazardous substance in order to determine if further investigation is necessary.

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|---|---------------------|
| 13. A Phase I Environmental Site Assessment (ESA) must be submitted to the Department for review prior to the approval of all realty subdivisions and other residential or property redevelopment projects. A Phase II and Phase III ESA must also be submitted to the Department of Health if completed. | NCDH 13
Sec. 2.6 |
| 14. The following information must also be submitted to the Department as part of, or in addition to, the ESA:

a) Information that describes the past use of the property including a site map, which shows the present and former locations of buildings, and subsurface structures including underground storage tanks, drywells, leaching pools, cesspools and any floor drains connected to these structures.

b) The results of approved laboratory testing of soil and groundwater on the site below all drywells, leaching pools or cesspools which have received discharges of sanitary waste, waste water, interior drainage, petroleum products or toxic or hazardous waste.

c) A listing of the capacity, contents and status of all aboveground and underground petroleum, chemical or other hazardous substance storage tanks or storage areas that have existed at the site. Evidence should be submitted that these tanks or storage areas were properly installed, registered and/or removed or abandoned in accordance with USEPA, NYSDEC, Nassau County Fire Marshal or NCDH regulations. | NCDH 14
Sec. 2.6 |
| 15. Drywells, leaching pools or cesspools must be closed or permitted for use in accordance with all applicable federal, state or local regulations. The agencies regulate subsurface contaminant discharges include the USEPA, which administers the Underground Injection Control (UIC) program, the NYSDEC, which administers the State SPDES permitting program and the NCDH, which assists both agencies in the implementation of select program requirements. | NCDH 15
Sec. 2.6 |
| 16. The NYSDEC Region I Stony Brook Office must be contacted in order to obtain and then submit a record to the Department of the location of all petroleum and chemical spills and Inactive Hazardous Waste Sites within 250 feet of the site, and the status of the investigation or remediation of the contamination at these locations. | NCDH 16
Sec. 2.6 |
| 17. All properties being considered for residential development should be surveyed for potential contamination sources (i.e. gas stations, automotive repair shops, dry cleaners, manufacturing facilities, etc.) at the site and adjacent to or surrounding the property. A map and a listing of all non-residential properties within 250 feet of the proposed development should be submitted to the NCDH. If any sources of potential contamination are suspected in the proximity to the site, the property | NCDH 17
Sec. 2.6 |

should be further investigated to determine the impact of this contamination in the soil, groundwater and soil gas beneath the site.

18. The Department will require the removal of all contamination sources on the site and may require testing to determine if any organic or inorganic chemical contaminants are present in the soil or groundwater at the site. This may include an investigation of soil vapor intrusion to determine if there is potential for contamination of indoor air by volatile organic chemicals. Soil vapor, indoor and ambient air testing must be conducted in accordance with the New York State Department of Health (NYSDOH) "Guidance for Evaluating Soil Vapor Intrusion in the State of New York" (A copy of this Guidance may be obtained from the NYSDOH website). The Department may also request the installation of a soil gas ventilation system to protect indoor air quality in any proposed new or modified site buildings.

NCDH 18
Sec. 2.6

19. A rodent survey and demolition permit must be obtained from the Department's Office of Community Sanitation prior to any demolition at the site.

NCDH 19
Sec. 2.6

20. A New York State Department of Labor (NYSDOL) licensed inspector must survey any existing buildings or structures for the presence of Asbestos Containing Building Material (ACBM) prior to demolition. If ACBM's are identified, they must be handled in accordance with NYSDOL and USEPA regulations.

NCDH 20
Sec. 2.6

The developer or project consultant must submit a written response to the Department regarding the itemized comments within 30 days. Please contact me at 516-571-2339 should you need additional information or have any questions.

Very truly yours,

Carlos A. Pareja, P.E.
Public Health Engineer
Division of Environmental Health

cc. Triangle Equities
Attn: Elysa Golman

New York State Department of Environmental Conservation Region I
Attn: Walter Parish, P.E., Karen Gomez, P.E.

Nassau County Department of Health
Attn: Michael J. Alarcon, P.E., Pat Ramirez, P.E.

THOMAS R. SUOZZI
COUNTY EXECUTIVE



ABBAY J. GREENBERG, M.D.
ACTING COMMISSIONER

**NASSAU COUNTY
DEPARTMENT OF HEALTH**
240 OLD COUNTRY ROAD
MINEOLA, NEW YORK 11501-4250
FAX: 516-571-1210

August 16, 2007

Ms. Carrie O'Farrell, AICP
Nelson, Pope & Voorhis, LLC.
572 Walt Whitman Road
Melville, New York 11747

Re: Kensington Estates
Triangle Equities
(Shire Estates at Woodbury)
Phase I Environmental Site Assessment
Site Investigation Report
1130 West Jericho Turnpike
Huntington, New York

Dear Ms. O'Farrell:

We have reviewed the Phase I Site Environmental Assessment (ESA) Report, prepared by Freudenthal & Elkowitz in August of 2005 and the Site Investigation Report referenced above, prepared by GZA GeoEnvironmental of New York in June of 2006, and as discussed in our meeting of August 14, 2007 have the following comments and recommendations:

1. The physical position (County) of the areas of concern (AOC) described in the reports must be denoted as either located in Nassau or Suffolk County. For example, the AOC where past agricultural use has occurred is not County specific (Page 53 of the ESA). We do concur with the preparer's recommendation to perform a surficial soil sampling study to delineate the aerial and vertical extent of the contamination or to verify the presence or absence of contaminants related to agricultural activities during past property uses.

NCDH 21
Sec. 2.6

2. With regards to the aboveground and underground fuel oil storage tanks located in the County of Nassau, please be advised that a representative of this Department must witness the removal of all aboveground and underground storage tanks at the site. Also, in accordance with Article XI of the Nassau County Public Health

NCDH 22
Sec. 2.6

Ordinance the property owner is required to notify the Department, in writing, seven days prior to the removal or abandoning of any of the fuel oil storage tanks at the site. Please forward all Article XI field notification correspondence to Ms. Robin Putnam of this Department or call her at 516-571-3314 for additional information regarding Article XI requirements.

3. The bottom of the cesspool associated with the Dougal family residence should be sampled for VOCs, SVOCs and metals. The analytical results should be compared against the values listed in the NYSDEC TAGM 4046 and any exceedances of the listed values would require further remediation of the contents of the cesspool via excavation and proper disposal. NCDH 23
Sec. 2.6
4. Please be advised that all soils at the site that exceed the TAGM value of 7.5 mg/Kg for Arsenic must be excavated and removed by an industrial waste transporter registered with the NYSDEC and transferred to an approved hazardous waste disposal facility. The extent (boundaries) of the Arsenic contamination around sample location TP-2 should be determined and the contaminated soil should be processed as aforementioned. NCDH 24
Sec. 2.6
5. We concur with the Site Investigation Report (06/2006) preparer's recommendation to excavate and properly dispose of soils that exhibit any petroleum like odors in the southwestern portion of the site. NCDH 25
Sec. 2.6

Please prepare a site remediation work plan incorporating items 1 – 5 of this letter. Only include those AOCs that are located in the County of Nassau. Please return your reply directly to Mr. Carlos A. Pareja whom you may contact if you have any additional questions at 516-571-2339.

Very truly yours,

Michael J. Alarcon, P.E., Director
Bureau of Environmental Protection

cc. New York State Department of Environmental Conservation Region I
Attn: Walter Parish, P.E., Karen Gomez, P.E.

Suffolk County Department of Health 15 Horseblock Place, Farmingville NY 11738
Attn: Peter Shramel

Nassau County Department of Health
Attn: Patricia Ramirez, P.E., Carlos A. Pareja, P.E., Sal Caruso, Robin Putnam

Appendix C-4

Andrew P. Freleng, Suffolk County Department of Planning

Chief Planner, Department of Planning

May 17, 2010



COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

FILE

HU-10-CZ

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P.
DIRECTOR OF PLANNING

May 17, 2010

Town of Huntington
Department of Town Clerk
100 Main Street
Huntington, NY 11743
Att: Jo-Ann Raia, Town Clerk

Applicant: Triangle Equities
Zoning Action: Change of Zone R-40 to R-RM
Municipal File No.: 2006-ZM-363
S.C.T.M. No.: 0400-226.00-01.00-001.000
S.C.P.D. File No.: HU-10-LD

Dear Ms. Raia:

Pursuant to the requirements of Sections A 14-14 to 25 of the Suffolk County Administrative Code, the above referenced application which has been submitted to the Suffolk County Planning Commission is considered to be a matter for local determination as there is no apparent significant county-wide or inter-community impact(s). A decision of local determination should not be construed as either an approval or disapproval.

SCPC
Sec. 2.1.5

5/17/10

Very truly yours,

Thomas A. Isles, AICP
Director of Planning

Andrew P. Freleng
Chief Planner

HU "Triangle Equities"

APF:jc

cc: Craig Turner, Planner

LOCATION
H. LEE DENNISON BLDG. - 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5191
TELECOPIER (631) 853-4044

Appendix C-5

Satish C. Sood, Nassau County Planning Commission

Deputy Commissioner
May 17, 2010



Jeffrey Greenfield
Chair

Marty Glennon
Vice-Chair
Clara Gillens-Eromosele
Neal Lewis
Mary A. McCaffery
Jean-Marie Posner
Leonard Shapiro
Eric Sussman
Robert Young

Nassau County Planning Commission

100 County Seat Drive
Mineola, L.I., New York 11501 - 4841
Main Office 516.571.5847 • 516.571.1624
Fax 516.571.3839

May 17, 2010

Thomas Isles, Planning Director
Department of Planning
H. Lee Dennison Building -- 4th Floor
100 Veterans Memorial Highway
PO Box 6100
Hauppauge, NY 11788

Re: Change of Zone Application - Triangle Equities (Kensington Estates) -
Town of Huntington/Town of Oyster Bay

Dear Mr. Isles:

We have reviewed the above-referenced application. It appears that the applicant has worked with the Town of Huntington and surrounding neighbors that results in a development that is less intensive than originally conceived, proposes single-family homes along Plainview Rd., incorporates natural areas and water features to facilitate naturally runoff, improves traffic flow, looks at the cumulative traffic impacts from the proposed development and other nearby proposed developments and incorporates several affordable units.

As you are no doubt aware, additional steps in the approval process are necessary as a portion of the subject property is located in unincorporated Oyster Bay Township. As some of the townhouses are located in Woodbury (Town of Oyster Bay), the applicant will be required to apply for a change of zone with the Town from single-family to townhouse. Additionally, the applicant will be required to apply to the Nassau County Planning Commission for a major subdivision (more than five lots) that will create the three single-family lots along Plainview Rd., the abutting ten condominium units and the HOA property on the southeast corner of Jericho Turnpike and Plainview Rd. As part of the map review process (including sewer hookup), approvals from both the Nassau County Departments of Public Works and Health will be required as a portion of the subject property is located in the Town of Oyster Bay. Both departments would coordinate their review with the Town of Huntington and County of Suffolk.

NCPC 1
Sec. 2.1.5

Yours truly,

Satish C. Sood
Deputy Commissioner
Nassau County Planning Commission