
Appendix A

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) NO YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ The sand hill, which is a recognizable local landmark that helps people to identify the site, will be removed by the project.	E2g	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) NO YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
----------------------------------	-------------------------------------	--------------------------

6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ More than 10 acres of sloped forest _____	E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: Proposed Action would result in additional forest fragmentation which is known to adversely impact wildlife _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>		<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>		<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) NO YES
If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Other: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached sheets.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Expanded Environmental Assessment Form prepared by VHB Engineering, Surveying, and Landscape Architecture, P.C.
Proposed Site Plan Site Visits and Aerial Photography
Prior SEQRA reviews of the property

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Huntington Town Board as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Syndicated Ventures Zone Change

Name of Lead Agency: Huntington Town Board

Name of Responsible Officer in Lead Agency: Frank P. Petrone

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency: _____

Date: _____

Signature of Preparer (if different from Responsible Officer) _____

Date: _____

For Further Information:

Contact Person: Craig Turner, Planner, Department of Planning and Environment

Address: Town Hall, 100 Main Street, Huntington, NY 11743

Telephone Number: (631) 351-3196

E-mail: planning@huntingtonny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

**ENVIRONMENTAL ASSESSMENT FORM
PART III**

SYNDICATED VENTURES (#2013-ZM-397)

PROJECT DESCRIPTION: The applicant is proposing a zone change from R-40 Residence and C-6 General Business to C-5 Planned Shopping Center to build a commercial development of 486,380 sq. ft. of gross floor area, which would include a supermarket, fitness center, restaurant(s), retail space, office space, and possibly a library on 49.28 acres of land, identified by SCTM# 0400-209-02-(003, 004.001, 005.006). The largest uses would be retail/food service (180,680 sq. ft.), office (129,800 sq. ft.), fitness center (90,000 sq. ft.), and the supermarket (42,500 sq. ft.). While the majority of the commercial space would be in a long, mostly two-story building at the rear of the property, parallel to the road, there would also be five (5) smaller stand-alone commercial buildings at the front of the property. The site plan shows 1,929 parking spaces, which is just a few spaces more than required. There would be 1,283 surface lot spaces, 373 spaces in a basement garage under the main building, and 273 landbanked spaces that would not be developed at this time. There would be 1,131 surface lot spaces in front of the main building and 152 surface lot spaces behind the building. The existing 7,535 sq. ft. commercial strip center on the 0.24 acres that are zoned C-6 would be demolished.

The main entrance to the site would be at the center of the Jericho Turnpike frontage, where a new traffic signal would serve two incoming and three outgoing lanes of traffic. Although not detailed on the plans, Jericho Turnpike is shown being widened at this point, which is likely to make room for new turning lanes to enter the site. There are also two other access points from Jericho Turnpike, including one at the existing traffic signal at the intersection of Jericho Turnpike and Old Country Road. There is also one access driveway to Manor Road. Most of the Manor Road frontage of the property would remain undeveloped. Large buffers are also shown on the north and east sides of the property. The proposed site plan indicates that 7.85 acres of the property would be preserved from development in order to comply with the Town's Steep Slopes Conservation Law. There is a small 6.73-acre portion of land at the eastern edge of the property that would not be rezoned and would remain R-40. This is the eastern half of tax lot 005.006, which contains an existing house that will remain. The western half of the tax lot would be part of the shopping center property, but will primarily be used as a buffer area.

The site plan as currently proposed shows the need for several variances from the Zoning Board of Appeals. Town Code Section 198-10(G) only allows one main building on a lot, while the application shows six (6) separate main buildings. The use of the underground parking garage to provide required parking is not permitted by Section 198-44(D). While underground parking may be provided in the zoning district, only surface lot parking can be used to meet required parking for a building and use. The plan also does not show enough required loading spaces in accordance with Section 198-54, although this issue may be more easily fixed through plan redesign.

This property has been the subject of two other zone change applications in the last 15 years. The

application of Salomon Mediavilla, #2001-ZM-333, requested a zone change to increase the area zoned C-6 General Business and to create an area zoned R-3M Garden Apartment Special District in order to develop 324,130 sq. ft. of commercial space and 360 residential apartments. That application was recommended for denial by the Planning Board on April 10, 2002, and the Town Board did not proceed to hold a public hearing on the proposal. The application known as Orchard Park Developments, Inc., #2005-ZM-353, proposed the creation of a new zoning district for a similar type of development as the previous application. The second application proposed a slightly smaller commercial development at 265,490 sq. ft. That application was withdrawn by the applicant.

In both previous applications there were three areas of concern that needed further study or consideration. One was the traffic impact on adjacent intersections and Jericho Turnpike in general. This is one of the few areas along Jericho Turnpike where traffic is not an issue due to the lack of commercial zoning and driveways along this stretch of the road. To the west, there are often bottlenecks between the nearby intersections of Jericho Turnpike with Park Avenue and with Dix Hills Road/Greenlawn-Broadway. The second concern was the slopes on the property. The northern border of the property is up to 100 feet higher in places than the Jericho Turnpike frontage of the property. However, the proposed site plans have all treated the site as if it were flat. Without any grading information to the contrary, the only way to address the grade issue would be to construct massive retaining walls at the rear of the property. It does appear that the current site plan, by preserving a larger buffer area at the rear of the lot, would require smaller retaining walls than the previous plans. Detailed retaining wall diagrams or photo simulations have never been prepared. The Expanded EAF for this project estimates the maximum wall height at 38 feet, with a total removal of between 650,000-750,000 cubic yards of earth from grading. The third concern is the remaining residentially-zoned properties to the east. Although in different ownership and with some different land characteristics than the subject property, they share the same R-40 zoning and Jericho Turnpike frontage, and are similarly sized. If this property is rezoned, would that set a precedent for rezoning those other properties for commercial use? In that case, should the SEQRA analysis consider the impact of potential increased development on those lots?

COMPREHENSIVE PLAN: The Horizons 2020 Comprehensive Plan Update Generalized Future Land Use Map shows the use of the property as Commercial in in the extreme southwest corner where the existing C-6 zoning lies, and low-density residential across the rest of the property which is currently zoned R-40. There are many strategies of the Plan that are relevant to the project and/or property because of its location on Jericho Turnpike, a Major Commercial Corridor, in close proximity to a Minor Commercial/Mixed Use Activity Center:

A.1.4 – Apply appropriate environmental criteria (e.g., sensitivity and extent of natural features, implications for water resources) in regulating development intensity/density.

D.1.2 – Enact regulations and standards to protect neighborhoods and other established uses from higher intensity uses, e.g.:

- Commercial depth extensions into residential areas.
- Buffer requirements/performance standards for commercial and other incompatible uses adjacent to residential areas.

D.2.1 – Enact regulations and standards to improve development patterns, visual character, traffic circulation (i.e., access management), and the pedestrian environment in major commercial centers and corridors.

D.2.3 – Focus more intense commercial/mixed-use development in appropriately located “nodes” along Jericho Turnpike, with less intense development between the nodes.

D.6.1 – Strengthen standards for design character and quality (scale of commercial development, façade/architectural treatment, access management, corridor landscaping, single-family residential compatibility, etc.) to improve economic viability and encourage walkable centers.

F.1.2 – Work with NYSDOT and Suffolk County to coordinate traffic signals along congested roadways as part of an integrated, state-of-the-art Intelligent Transportation System.

F.2.1 – Promote land use patterns that reduce automobile usage (e.g., compact, walkable mixed-use nodes rather than linear (“strip”) commercial development along highway corridors).

F.2.2 – Manage access along arterial roadways to reduce congestion and increase safety.

The Comprehensive Plan contains a lot of relevant language for properties along Jericho Turnpike because it is one of the most traveled and most intensely developed corridors in the Town. The Plan recommended that commercial development be clustered into “nodes” where Jericho Turnpike connected with major north-south roads, including Walt Whitman Road, Depot Road/Pidgeon Hill Road, a wide node between Dix Hills Road/Greenlawn-Broadway and Park Avenue, East Deer Park Road/Elwood Road, Larkfield Road, and Commack Road (see Figure 6.3 on Pg 6-15).

Recommendations for the location of nodes is found under the Jericho Turnpike Geographic Focal Area section on pages 10-19 to 10-21, and includes:

- Good north-south as well as east-west roadway access.
- Larger, deeper lots with minimal environmental constraints.
- Compatibility with adjacent land uses.
- Redevelopment of previously developed properties as opposed to new “greenfield” development.
- Coordination with transit service.

The recommendations for land in between the nodes are:

- Limit size of commercial development.
- Allow residential as a stand-alone use.
- Limit depth extensions/intrusions into adjacent residential neighborhoods.

Development applications along Jericho Turnpike are expected to address any concerns about traffic (including access management and non-vehicular travel options), compatibility with surrounding residential neighborhoods, and community amenities. Projects must be examined for how they relate to the rest of the commercial corridor.

SURROUNDING LAND USE AND ZONING: The property is located near the geographic center of the Town, at the end of a commercial zoning strip along Jericho Turnpike. To the east is one of the few residentially-zoned sections of Jericho Turnpike, and the only place besides the County border where there is residential zoning on both sides of the road. The zoning is R-40 because of the steep slopes. The slopes and R-40 zoning run north to Northport Harbor and south to Dix Hills, to the west of Deer Park Avenue. Various members of the Mediavilla family own the residentially-zoned land on the north side of the road. Across the street from the majority of the subject property's road frontage is a wooded conservation area that was created by a subdivision that was clustered to limit construction on steep slopes. To the north of the subject property is Berkeley Jackson County Park, a passive park of 101 acres that is heavily wooded and contains hiking trails. Commercial properties, mostly zoned C-6 General Business, lie to the west along Jericho Turnpike. The closest neighbor on the north side of Jericho Turnpike is a Jaguar car dealership. North of the dealership along Manor Road is a high-density residential neighborhood with R-5 zoning. To the south of the existing commercial center on the Mediavilla property is a shopping center in a C-5 zone that is anchored by a Pathmark supermarket.

PLANNING AND ZONING ISSUES: It should be noted that the tax parcels that are the subject of this application were not created through the subdivision process. The larger parcel, along with adjacent Mediavilla family parcels to the east, were created by deed in accordance with the Will of Gaspar Mediavilla in 1987. The commercial lot was created by deed in 1965. The strip shopping center was built with permits granted by the Town. No permits have been issued on the larger lots that were created by deed. The Town does not recognize these lots as buildable lots. A proper subdivision of the overall property must be completed before any development can take place. The subdivision may consider potential land dedication issues that would affect development plans, such as road widening, drainage, and the provision of public parkland. The location of Berkeley Jackson County Park adjacent to this property may result in a recommendation for a park dedication to expand the size of the existing park.

The proposed project does not comply with §198-10(G) and §198-70 of the Town Code. Both of the aforementioned sections dictate that there shall be only one main building on a lot. The conceptual proposal as it stands depicts six (6) main buildings on the shopping center property. The layout of the buildings in this fashion does not exist on any other property in the Town of Huntington. While there occasionally may be a smaller commercial building in front of a larger commercial building, there are no known locations with six separate buildings.

The preliminary site plan with projected building usage shows a parking requirement of 1,926 vehicle spaces for the property. The proposed site plan shows 1,929 spaces. However, all of these spaces cannot be considered as viable spaces to meet the parking requirement. In accordance with Section 198-44(D) of the Zoning Code, parking garages cannot be used to provide required parking spaces unless the spaces could be conventionally yielded on the property and are being landbanked instead. In this case, 373 parking spaces are being provided in garage space under the largest commercial building. The use of garage parking enables a

developer to increase the size of buildings on the property in excess of what could be built using only surface lot parking. The site plan also shows that 273 parking spaces will be landbanked because they are not expected to be needed. No analysis is provided in the Expanded EAF to indicate what the actual parking demand is expected to be from the development proposal.

The preliminary site plan also does not provide any loading spaces as required by §198-26(C) & §198-54 of the Town Code. Pursuant to §198-54 this site would require at least eight (8) loading spaces. This may simply be a detail left off of the preliminary site plan to be handled at a later date. Loading spaces may compete with parking spaces for the available land around the buildings.

SEQRA CLASSIFICATION: Type I. The proposed area rezoning meets several of the criteria on the Type I list under §6 NYCRR 617.4(b)(3, 6, & 10). This is a large commercial project adjacent to public parkland. The project will disturb over 10 acres of land, have parking for more than 1,000 cars, and have 240,000 sq. ft. of commercial space. This assessment considers possible implementation of the proposed rezoning, and potential development impacts explored in review of the applicant's Expanded Environmental Assessment Form (EEAF) and Conceptualized Site Plan, which are to be considered an appendix hereto. Should the Town Board determine that the action will not be further entertained, then it may be reclassified as a Type II action per 6 NYCRR 617.5(c)(37) and no further SEQRA review shall be required.

SEQRA RECOMMENDATION: It is suggested that the rezoning of 49.28 acres of this property to C-5 Planned Shopping Center be issued a positive declaration pursuant to SEQRA. Even though the rezoning alone will not result in immediate impacts, the potential site impacts and effects the action might lead to have been considered. The planned development has the potential to pose significant adverse impacts on the environment. This project would result in the construction of a large commercial center that would generate significant levels of traffic on a wooded, steeply sloped property adjacent to other open space lands, including public parkland. It would extend commercial zoning along Jericho Turnpike into an area currently zoned residential, which would leave a large agricultural property bordered by commercial uses to the east and west. It could help to establish a precedent for allowing smaller pad buildings in front of shopping centers, which is not currently permitted in the Town. It could establish a precedent to allow other commercial property owners to utilize underground or garage parking to meet parking yield, which would increase the amount of commercial, office, and industrial space allowed on properties. The proposal conflicts with the Horizons 2020 Comprehensive Plan by building a large commercial center on a greenfield site, away from the nodes created by major road intersections where the Plan recommends that development be focused. The plan would require a large amount of grading and soil removal from the property, resulting in the construction of large retaining walls, and a significant difference in the appearance of the property. The grading work would alter drainage patterns on the property and create concerns regarding erosion, particularly during the construction process.

The Expanded EAF submitted by the applicant notes that the adjacent properties to the east, while owned by relatives of the subject property owners, do not share any related ownership. The issue of cumulative impact assessment is dismissed by the Expanded EAF on these grounds. However, the issue in this case is not family relation. It is the similarity of the physical size, location, and zoning of these properties. They are adjacent properties with the same R-40 Residence zoning. When combined they have the same depth from Jericho Turnpike and represent some of the largest undeveloped or underdeveloped lots in the Town. In addition, all of the sites are affected by steep slopes, with the elevation of the land rising northwards from Jericho Turnpike. Under SEQRA, Part 617.7(c)(2), the Town Board needs to consider actions that may result indirectly from the proposed zone change application, particularly when it is the current action that establishes the characteristics that can be used to justify a potential future development action. Should the subject property be determined to be suitable for commercial zoning over most of its area, what arguments would exist to deny a similar rezoning on the adjacent parcels? The properties to the east may actually be more suited for development as they are less impacted by steep slopes, and the land has already been disturbed by agricultural use. However, a full development of the eastern properties would still have the potential to pose adverse impacts on traffic, open space, flora and fauna, noise, and community character, as well as potential environmental impacts to the soil and groundwater from the agricultural use. Conformance with the Comprehensive Plan would also be an issue raised again. It is therefore reasonable for the Town to consider the cumulative environmental impact of developing the adjacent parcels with a similarly designed shopping center.

The rezoning and redevelopment of land in this location poses irreversible impacts. Once the land is cleared and graded, it is unlikely that the natural contours of the property will ever be restored. The natural vegetation is also unlikely to be restored, as the development of land creates conditions that benefit invasive species. The potential impacts to open space and wildlife may be felt on over 100 acres of land. The orchard property is viewed as a temporary land use. Agricultural use has drastically declined in the Town of Huntington because land economics favor residential or commercial development. There are few farms left that grow field crops, and a number of them only exist because land development rights have been stripped from the properties. When considering the future use of the orchard property, the use of the subject property provides an important basis for comparison.

Should the Town Board approve the rezoning, any future site plan application for the property will have to be consistent therewith; therefore, this report has been prepared to serve the Town Board, Planning Board, and the Zoning Board of Appeals in related application reviews. The review has been coordinated with the Planning Board and Zoning Board of Appeals as identified involved agencies. It is based on the Expanded EAF, a proposed site plan layout, and site visitation. If any future land use application is significantly different from the plans presented for the zone change application, the reviewing agency may elect to complete a new SEQRA review. The completion of a SEQRA review does not prevent future review agencies from requesting additional information that may be relevant to their deliberations, such as traffic studies, soil studies, planning studies, or real estate studies.

This review identifies the fact that the project requires relief from numerous sections of the Zoning Code by the Zoning Board of Appeals to develop the property as proposed. While this review conducts a cursory examination of these issues, the Zoning Board of Appeals will conduct a more thorough review and analysis of the particular requests, which may vary slightly from the information listed here.

The Zoning Board may request additional information from the applicant to complete their review. Approval of the zone change application by the Town Board and the adoption of a SEQRA determination in no way guarantees the applicant that any portions of their application to the Zoning Board of Appeals will be approved. The Zoning Board may approve or deny some of the requests, or may grant partial relief for some of the requests, and may set any conditions of approval that they deem appropriate. They may also reconsider SEQRA if new information is provided that would warrant a new review.

IMPACT ON LAND:

1. Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site.

*Yes. There will be significant impacts to the land as large-scale clearing and grading will be required to develop the site as proposed. The only land that will not be disturbed is the proposed buffers and conservation easements on the edges of the property, which preserve the largest amount of land in the northwest portion of the property. The Expanded EAF estimates that the total removal of soil and sand as a result of grading operations will be in the range of 650,000-750,000 cubic yards. This is because there are steep slopes throughout the property, with a maximum elevation difference of approximately 100 feet between the highest and lowest points on the site. The developer plans to build on a majority of the land and to establish a relatively flat commercial development to meet standards for access and handicapped accessibility. These regulations will lead to a large land disturbance on any significant development of the property. Large retaining walls will be required to create the flat land needed for construction. The changes to the land will be easily visible to everyone. It will contrast with the sloped appearance of the lands around it.

IMPACT ON GEOLOGICAL FEATURES

2. The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site? (i.e.: cliffs, dunes, fossils, caves, etc.)

*Yes. Along the western portion of the property's Jericho Turnpike road frontage the slopes running down to the road are covered entirely by sand. These sandy slopes are well known to Huntington residents as a prominent feature of the landscape along the road. The hillside would be removed by the proposed development, and would likely be removed by any proposed development on this property because of its proximity to Jericho Turnpike and the sloped nature of the property which requires grading for development. These sandy slopes are not a natural condition, but are believed to be a result of people digging into the slopes to mine the sand. A 1930 aerial of the property shows the sandy area as completely wooded. When you consider that the majority of the rest of the property is wooded, less disturbed, and adjacent to other open space parcels, the unique sand hills become one of the preferred locations for development on the subject property.

IMPACTS ON SURFACE WATER:

3. The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes).

*No. There are natural wetlands to the southeast of the property, on the other side of Jericho Turnpike, but it is not expected that they would be affected by the proposed development. This small wetland appears to be the typical wetland found along Jericho Turnpike; a result of perched water prevented from draining by clay soils underneath them. The formal drainage system required for all new development and the septic systems for the buildings will ensure that all water discharge can leach appropriately into the ground.

IMPACT ON GROUNDWATER:

4. The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

*Yes. The large sizes of the property and the proposed development have the potential to use a lot of groundwater, both inside the buildings and for landscaping. The exact amount of water use is highly dependent on the particular uses that occupy the site. The existing commercial building, although small, uses a significant amount of water because it is occupied by restaurants and a laundromat, which are among the highest water users permitted in a commercial zone. The preliminary site plan shows one restaurant space in the new buildings, but it is likely that there will be additional food uses on the site. Public sewer service is not an option for wastewater on this property. At this time the applicant is proposing to use septic systems to handle all wastewater flow. Should the sanitary density requirements for the site be exceeded, it may be more cost effective to purchase Transfer of Density Flow Rights (TDFR) credits rather than build an on-site sewage treatment plant. Although the Expanded EAF did not estimate sanitary flow for the property, based upon the plan and current Health Department regulations it appears that the current proposal uses approximately two-thirds of the property's septic capacity. Septic systems are used for wastewater treatment across most of the Town of Huntington. Although they do allow the potential for contaminants to be discharged into the ground, they also increase the amount of water that is returned to the groundwater supply.

IMPACT ON FLOODING:

5. The proposed action may result in development on lands subject to flooding.

*Yes. Soil is typically not tested for drainage suitability until the location of future septic systems and drainage basins is determined at the site plan review stage, so only general information can be provided at this time. Drainage is an important issue to consider during plan design because of the steep slopes on the subject property, the large amount of clearing and grading that will be required to develop the site as proposed, and the large amount of impervious surfaces that will cover what is now open land. The site is likely to continue to slope down towards Jericho Turnpike. Town regulations require that all runoff be handled on site. There are natural wetlands located on the south side of Jericho Turnpike, east of the subject property. Similar wetlands are found throughout the length of Jericho Turnpike in the Town of Huntington and are typically a result of clay deposits preventing soil drainage. There is no evidence of similar soils on this property. The drainage plan must be designed to prevent any runoff from traveling into the existing wetlands.

IMPACTS ON AIR:

6. The proposed action may include a state regulated air emission source.

*No. The only expected air emissions would be the typical emissions from any building or motor vehicle on or visiting the property.

IMPACT ON PLANTS AND ANIMALS:

7. The proposed action may result in a loss of flora or fauna.

*Yes. Due to its large size and interconnections with other open space properties, this site is known or expected to be home to a variety of animal populations. This would include a variety of birds, bats, squirrels, chipmunks, raccoons, opossum, and red fox. These species utilize the project site for hunting and/or foraging. Evidence of several different types of mammals and birds was observed during field visits to the site. This includes raccoon tracks, rabbit droppings, bird nests, and visual sightings of various birds. The nature and diversity of the flora provides sustenance for a variety of bird and small mammals, and the proposed action will result in displacement of native wildlife as habitat is lost. The retention of connections between various open space properties would help to reduce the impact of development on wildlife populations.

The majority of the property is wooded. The vegetation is representative of a morainal oak-dominated mixed hardwood forest. This habitat type was once common on Long Island, particularly on the north shore of Nassau and western Suffolk County. The woodland area is fairly homogeneously vegetated. Only a minor component of the subject property has been degraded by prior activity (construction of the commercial center at the corner, some sand mining, and a site debris composting/chipping area). While the original plant community was likely affected by past activity, based upon available records and field observations it is likely that some areas of the property were never cleared for farming. The proposed development activity will result in the destruction of large areas of natural vegetation that have had minimal disturbance from people. There are also areas of the property that are classified as unvegetated or successional growth. These areas are mostly at the front of the property along Jericho Turnpike. The land where sand has been exposed has remained stable over the years, but the areas around the sand slopes where soil was maintained are developing into meadows and early woodland.

The lack of prior disturbance has resulted in finding a variety of native plants found on the property. Although no endangered or threatened species have been found on the property, there are several species that are listed by the New York State Department of Environmental Conservation (NYSDEC) as Exploitably Vulnerable. These species include spotted wintergreen, mountain laurel, American holly, Canada mayflower, and northern bayberry, all of which were observed by both Town staff and the environmental consultant for the applicant. Also observed by at least one reviewer were flowering dogwood, trailing arbutus, wild sarsaparilla, lady slippers, trailing ground pine, and butterfly weed. These species have no official protected status, but the NYSDEC does recommend preserving populations where possible in order to ensure a viable future population. Species designated as Exploitably Vulnerable are ones which could become threatened or endangered in the future. The high concentration of such species infers a specialized habitat to which they are particularly adapted (due to soils, drainage, canopy/sunlight, slope).

Natural areas that remain close to the limits of clearing will be indirectly impacted by the construction. Areas that were once securely surrounded by forest will now become edge areas. Increased sunlight, air movement, and noise may result in species displacement. Retention of large blocks of woodland is preferable to long, shallow buffer areas. The proposed conservation areas on the western portion of the property will likely be more able to retain native species than the smaller conservation areas on the eastern portion of the land.

IMPACT ON AGRICULTURAL RESOURCES:

8. The proposed action may impact agricultural resources?

*Yes. The easternmost tax lot currently receives a reduced tax bill due to its participation in an agricultural commitment program. While it does not appear that there is intensive farming activity on the site, there are areas of the property that are used in conjunction with the orchard to the east. The proposed site plan shows that most of the area associated with agriculture will not be developed by this commercial plan. The house and the area around it will be maintained on a new 6.73-acre lot. The eastern edge of the commercial lot will contain a 200-foot wide "license area" which has not been described in detail. The impact on agricultural resources is not a direct one, but an indirect impact. While the orchard will not be closed down by the commercial development, the rezoning of the property along its borders to a commercial use increases the possibility that the orchard itself could be rezoned for a more valuable commercial use. The agricultural land is no longer surrounded mostly by R-40 zoning with homes and forestland. It would become a residentially-zoned property in between the Syndicated Ventures commercial property to the west and the Anastasio Mason Supplies commercial property to the east. The case for the orchard to be rezoned would have a stronger argument.

IMPACT ON AESTHETIC RESOURCES:

9. The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource.

*Yes. The development of the property would remove an aesthetic resource that is well known to Town residents. Most people know this property as the "sand hill". It is not the sand that is important, but the fact that this is part of an undeveloped section of Jericho Turnpike that provides a visual break from strip commercial development along both sides of the road. Its location close to the geographic center of the Town of Huntington helps to divide the west and east portions of the Town. While there is some modern land use such as the telephone tower property, the more rural aesthetic of woodland and farmland is the dominant feature on this stretch of road. A large shopping center would be a significant aesthetic change from the current site conditions. If the orchard property is also developed that would significantly alter the sense of place that now exists.

The steep slopes on the property are also a concern. Development of large areas of land will require large retaining walls. The Expanded EAF indicates that retaining walls will line the rear of the developed area on the site. The expected maximum wall height is listed as 38 feet. This is subject to change during more detailed site plan design review. The aesthetic impact of these walls is not

understood at this time. The buildings may be able to hide some or all of the walls. Large, visible retaining walls would further contrast the developed site from the natural properties around it.

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES:

10. The proposed action may occur in or adjacent to a historic or archaeological resource.

*Yes. The property is shown as having archaeological potential by the State's Archaeological Inventory Map. However, an archaeological study performed on the property, which included test pits to search for artifacts, did not find any archaeological resources.

IMPACT ON OPEN SPACE AND RECREATION:

11. The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

*Yes. The proposed development would result in the loss of an open space important to the community. The parcel under consideration for rezoning is considered designated open space as it is listed on the Town Open Space Index, part of #NE-43, and lies directly adjacent to Berkeley Jackson County Park, which contains over 100 acres of passive parkland with hiking trails through forested land. It is likely that hikers in the County park use the subject property as well since trails connect the properties and the boundary line is not demarcated in the field. The Town has previously taken action to protect lands in the vicinity of the County park. The Town purchased Manor Farm Park under the EOSPA Program and Manor Road Park/L.I. Botanical Gardens with assistance from the federal Land and Water Conservation Program. These parks have connections to the County park and provide an additional 25 acres of open space. The Planning Board has required parkland dedication from subdivisions that have been proposed contiguous to the Town park holdings (e.g., Dumplin Hill Meadows, Section 1). The parkland and open space assemblage is recognized as a valued asset to the Elwood community.

The Open Space Index (OSI) for the Town of Huntington was compiled and adopted by the Town Board in 1974 pursuant to Article 12-F, Section 239-Y of New York State General Municipal law. The enabling legislation defined potential open space areas worthy of being listed on the Index as:

...any area characterized by natural scenic beauty or existing openness, natural condition or present state of use, if preserved would enhance the present or potential value of abutting or surrounding development or would establish a desirable pattern of development or would offer substantial conformance with the planning objectives of the municipality or would maintain and enhance the conservation of natural (historical or scenic resources).

The subject property is mapped as parcel #NE-43 on the Open Space Index (OSI). It comprises approximately 93.4 acres, of which 49.28 acres would be rezoned under this application. The area bears the descriptors: "steep slopes with erosion potential", "field, farm, meadow, nursery", and "includes areas excavated for sand and gravel". The OSI classifies #NE-43 as a Priority 3. Priority 3 is defined as "properties with slopes in excess of 15% on all or part of the parcel." The recommendation for these properties is: "Calls for restriction on design and plan for development,

zone change or complete preservation depending upon site.”

In 1987 the Huntington Town Board included the 100+ acres (of which the subject site is part) in its nominations for open space/farmland preservation acquisition using New York State Environmental Quality Bond Act funding. The Town has listed the site among its acquisition priorities since that time and has recommended the property to other agencies, including the Suffolk County Planning Department and Long Island Regional Planning Board. The subject property has been nominated in the past for acquisition under the Environmental Open Space and Park Improvements Fund (EOSPA) Program; however, acquisition under this program requires the owner to be a willing seller, and the owner was not interested in selling their land.

The open space on the property will be impacted by the large amount of clearing and grading needed to develop the site as proposed. Open spaces buffer and natural areas will be left on the edges of the property, but these will be hard edges marked by large retaining walls. The project also fragments remaining open space in the neighborhood as the orchard property to the east will be cut off from Berkeley Jackson County Park. A small sliver of wooded land will be maintained in the northeast corner of the subject property that may serve wildlife, but it could not serve people unless an easement or dedication was obtained. Once the orchard land is separated from the municipal open space, then its open space and recreational value is diminished. The isolation from other meaningful open space becomes an additional argument to allow for the development of that land.

IMPACT ON CRITICAL ENVIRONMENTAL AREAS:

12. The proposed action may be located within or adjacent to a critical environmental area (CEA).

*No.

IMPACT ON TRANSPORTATION:

13. The proposed action may result in a change to existing transportation systems.

*Yes. Jericho Turnpike is one of the most-traveled roads in the Town of Huntington. It is the only major arterial in the Town with two lanes of traffic in each direction for its entire length. It travels through the geographic center of the Town, splitting it into north and south halves. It is also a major commercial shopping corridor, containing both neighborhood services and townwide destination retail. The section in front of the subject property has long served as a traffic relief point due to its lack of traffic generators. The proposed development would establish this site as a destination property. It would become the largest traffic generator directly on Jericho Turnpike in the Town.

The development would have four access points to public roads. One would be on Manor Road, and would be the likely access for people traveling to/from the north. Three access driveways would be on Jericho Turnpike. One would be directly opposite Old Country Road and would involve modifying the existing traffic signal for new traffic patterns. A new traffic signal would be installed at a new access driveway near the center of the property's Jericho Turnpike frontage.

This would be designed to have capacity for a large number of vehicles. The last access point would be at the east end of the property, and would be limited to rights-in, rights-out only. The road would be widened along the property in order to provide for dedicated right-turn lanes at the site access points and Manor Road.

The applicant has submitted a traffic study that analyzes the impacts from this development and the proposed mitigation measures. The first intersection that will be reviewed is the very busy intersection of Jericho Turnpike with Park Avenue/Deer Park Avenue. The traffic study shows that the development would pose significant delay increases during PM and Saturday peak travel times for the southbound left turn movement and all eastbound movements. As mitigation the traffic study recommends adding a protected left turn phase for eastbound and westbound travel, and constructing a new right turn lane for westbound traffic. The suggested mitigation solves some of the traffic flow issues but does not eliminate all traffic impacts. Through travel movements in all directions would experience increased delay time during the AM peak hour, with the greatest impact of 22 additional seconds of delay associated with the westbound through traffic movement. In the PM peak hour, the mitigation improves the eastbound through traffic delay by 20 seconds, improving the Level of Service from F to E. However, the northbound through traffic delay is increased by 20 seconds, and the southbound through traffic delay is increased by 37 seconds, leading to a Level of Service drop from D to F.

The Jericho Turnpike and Manor Road intersection functions well for east-west traffic but experiences some problems for northbound and southbound traffic because of its design. There is a single green phase for all movements. There is a shared left-through southbound lane and a right turn southbound lane. Northbound there is a left turn lane and a through/right lane. The proposed development would increase northbound left turn delays in the PM peak hour, and would greatly increase those delays in the Saturday peak hour. The traffic study has recommended adding a protected left turn phase for northbound and southbound movement, and reconfiguring the southbound lanes by moving the through movement to the right turn lane. A westbound right turn lane is also added. A new signal controller would also be installed because the existing controller is shared with the Old Country Road intersection. While the mitigation results in some minor delay increases, particularly for southbound right turns, traffic delays will be more evenly distributed among the various travel movements. In particular this benefits the northbound movements where stacking at the intersection is more of a problem because of the shopping center's internal site layout.

The Jericho Turnpike and Old Country Road intersection would be thoroughly modified by the addition of a fourth leg to the intersection for a new site driveway. The traffic study shows that the addition of a northbound through movement to the current northbound right turn lane would increase delays during all peak hours. In addition, the westbound left turn traffic would experience increased delays during PM and Saturday peak hours. The suggested solution is to add a new northbound lane for through movement while maintaining the right turn only lane. The new commercial development would require protected signal phases for northbound/southbound and eastbound left turns. A westbound right turn lane would be constructed. A look at the revised traffic delay projections show the impact of the new development. In the PM peak hour, a 34-second increase in the eastbound through traffic delay results in a Level of Service change from A to D. A similar 38-second increase in the westbound

left turn movement results in a Level of Service change from A to D. During the Saturday peak hour the eastbound through movement is less affected, but the westbound left turn movements experiences a delay increase of 44 seconds, leaving a Level of Service change from B to E.

There are two issues with the Jericho Turnpike/Old Country Road intersection that could use further review. One is that the westbound through traffic is shown as having a *decrease* in delay with the new development, despite having a shorter green time to get through the intersection and an increase in vehicle flow from 791 vehicles to 1046 vehicles during the Saturday peak hour and smaller increases during the other peak hours. The other issue is the proposed addition of an eastbound left turn lane at the intersection. Adding the turning lane here would require that the westbound left turn lane at the Jericho Turnpike/Manor Road intersection be shortened. There is no discussion in this document regarding the stacking required in each turn lane and whether the space available would be sufficient. With this short offset between intersections there is a safety concern that vehicles could collide trying to enter the lane from opposite directions. The traffic study indicates that there is limited use of the westbound left turn lane, but even a lane with limited stacking needs sufficient space for vehicles to enter and slow down. Other options that may be considered is removing the new eastbound left turn lane at Old Country Road, with vehicles instead having to turn left onto Manor Road or at the new traffic signal at the central site entrance. Or removing the westbound left turn lane at Manor Road, with vehicles instead having to turn left at Old Country Road, then making a right turn to enter the shopping center.

The intersection of Jericho Turnpike and Warner Road is shown as having existing difficulties during the Saturday peak hour with its eastbound left turn and southbound movements. These traffic delays would be exacerbated by the new development. The traffic study finds that simply adjusting the signal phase timing at the intersection can result in traffic improvements over existing conditions, even with the construction of the new commercial development.

The intersection of Deer Park Avenue and Old Country Road is shown by the traffic study to be impacted by the proposed development. The traffic movements most impacted would be the westbound left turns and southbound left turns during the PM peak hour. A review of the intersection led to the recommendation to change the southbound lane configuration from left turn-through lane-right turn to left turn-left turn-through/right turn. There is limited southbound right turn traffic at this intersection. The signal would also be modified to have a protected southbound left turn, as well as short northbound and westbound protected left turns. In most cases this improves the northbound and westbound left turn movements over existing conditions. The southbound left turn delays as a result of the development are decreased, but they are still greater than existing conditions during weekday peak hours. But the southbound left turns have been mitigated at the expense of northbound through traffic, which will see delay increases at all peak hours, including an additional 41 seconds during the PM peak hour which will drop the Level of Service from C to E. The proposed intersection revisions do not affect the dominant eastbound and westbound through traffic during the week, but both movements are estimated to have a delay increase of 16 seconds during the Saturday peak hour, which drops their Level of Service from A to C.

The last intersection to show negative impacts requiring mitigation from the proposed

development is the intersection of Deer Park Avenue and East Deer Park Road. This intersection uses the same signal controller as the East Deer Park Road and DeForest Road North intersection. Large delay increases are shown in the northbound through traffic movement during the AM and Saturday peak hours, with the AM delay increased by 42 seconds and the Saturday delay increased by 58 seconds before mitigation. The traffic study recommends that the cycle time of the signals be lengthened by 5 seconds to improve traffic flow. The mitigation is estimated to have no negative impacts except for in the AM peak hour, when the westbound left turn traffic (southwest East Deer Park road headed to Deer Park Avenue south) has a delay increase of 24 seconds, leading to a Level of Service change from B to D.

The traffic study identifies areas of expected traffic impacts and suggests mitigation to alleviate the worst traffic delays that would occur if the property is developed as proposed. However, the mitigation cannot accomplish the elimination of all traffic impacts. Even with the recommended mitigation, the major traffic movements at the busiest intersection in close proximity to the project (Jericho Turnpike and Park Avenue/Deer Park Avenue) show increases in travel delay. When taken into consideration with the fact that the intersection has been identified as a Minor Commercial/Mixed Use Activity Center in the Horizons 2020 Comprehensive Plan where additional land development around the intersection may be appropriate, and that almost 50 acres of land remain underdeveloped to the east of the subject property, there is a concern that the carrying capacity of Jericho Turnpike and connecting major roads may be exceeded.

IMPACT ON ENERGY:

14. The proposed action may cause an increase in the use of any form of energy.

*Yes. The proposed commercial development will result in a significant increase in energy usage from current conditions since the majority of the property is currently undeveloped. However, the energy demand is not expected to have an impact on energy sources in the region.

IMPACT ON NOISE, ODOR, AND LIGHT:

15. The proposed action may result in an increase in noise, odors, or outdoor lighting.

*Yes. There are both short-term and long-term impacts from this project. The site preparation work needed to make this site buildable will be quite substantial. Over 28 acres of forested land must be cleared and graded. Large amounts of soil will have to be removed. Development of this magnitude will likely utilize large construction vehicles that may pose noise and odor impacts. The number of trucks utilized in site preparation and construction work will also likely be substantial. A project of this size will take a long time to build. Noise, odors, and lights may impact the adjacent residential neighborhoods and the wildlife in Berkeley Jackson County Park.

Noise, odors, and lighting will also be a concern following the completion of construction. As a significant traffic generator there will be noise, odor, and light impacts associated with vehicles on the property. The traffic will include not only cars but also a large number of trucks to service the project. There are access roads and parking lots close to nearby residences. Odors are possible from the large amount of garbage that will be generated by the project. The impacts

of odors will be affected by how often garbage is picked up, how it is stored, and how much is created. The development will require private contractors to handle the garbage collection. The method of handling the garbage affects the possibility of odors and health and safety issues with animals or insects. Lighting is also a concern because of the size of the project. The land now is mostly dark, covered by trees. There will be a lot of lighting installed for the buildings and parking lots. The lighting is expected to have an impact at night.

The level of these impacts will be greatly dependent on geography. The preliminary site plan shows that a buffer area will be retained along Manor Road to the west and the County Park to the north. Since the buffer areas are hilly, the slopes may help to hide some of the noise, odor, and light impacts from the development for neighbors to the north and west. The level of reduction is dependent on the final site design. To the south the nearest residential homes sit at a lower elevation than the subject property. Although these homes have a buffer area along Jericho Turnpike, the higher elevation of the new development may affect the effectiveness of the treed buffer. The greatest change from current conditions will be observed by drivers on Jericho Turnpike, who will certainly notice the lighting from the new development as well as the increase in automotive activity around the property.

IMPACT ON HUMAN HEALTH:

16. The proposed action may have an impact on human health from exposure to new or existing sources of contaminants.

*Yes/Unknown. It is believed that the majority of the property has always been wooded, which reduces the likelihood that contaminants would be found on much of the site. A 1930 aerial photograph shows that much of the eastern tax map lot was farmed. It is possible that agricultural chemicals could be found in that area, particularly longer-lasting contaminants such as arsenic, which is often found on former farms in the area. A 1994 aerial photo shows that most of the eastern lot has undergone succession and developed into woodland, indicating a significant passage of time since the cessation of farming activities. No commercial-scale farming is currently visible on this site. There does appear to be an area near the eastern property line where the land is used for materials/vehicle storage associated with the farm. This would be a recommended area for soil testing if it is deemed necessary. Most of this area is shown on the draft site plan as a buffer area, so it would not normally be disturbed by development, except for the fact that landscaping will likely be necessary to fill in the areas that are currently cleared or disturbed.

CONSISTENCY WITH COMMUNITY PLANS:

17. The proposed action is not consistent with adopted land use plans.

*Yes. As stated in the Comprehensive Plan section above, the Horizons 2020 Comprehensive Plan Update identifies appropriate locations for more intense development along Jericho Turnpike, in nodes identified as Major or Minor Commercial/Mixed Use Activity Centers. The subject property is not located in one of those nodes. Page 10-21 lists five criteria for determining the proper locations for these nodes. In evaluating this project's conformance with the listed criteria, there are a number of factors that must be considered. This property is not a

redevelopment site with minimal environmental constraints. It is a greenfield site that has been forested since at least prior to 1930. It contains steep slopes throughout much of the property, with the most significantly sloped areas in the middle of the property, where they will be disturbed by any development of the full property. The project is also not compatible with some of the adjacent land uses. While the property is large and deep, as the depth increases so too does the distance to other commercial uses. To the north lies Berkeley Jackson County Park, where the sloped woodlands were preserved. To the east lies agricultural land that may seek a similar rezoning or redevelopment if the subject property is allowed to be rezoned from R-40 to a commercial zoning classification. This project would establish deeper commercial zoning than is typical along most of Jericho Turnpike, particularly outside of the nodes. While there is some north-south access, the steep slopes and cul-de-sac communities in the neighborhood provide limited travel paths. Manor Road is a narrow road with limited drainage, curbs, and sidewalks, and no commercial zoning along its length.

Since this location has not been established to fit the commercial node classification, it should be developed in accordance with the recommendations for properties in between the nodes. This includes limiting the size of commercial developments based upon the size of adjacent commercial uses and the proximity to other non-commercial land uses. Large traffic generators are not recommended. Residential uses may be appropriate in place of commercial development. The Plan identifies the fact that this property is part of a "significant break in the predominantly commercial land use pattern of the corridor." (Pg 10-20). Any new development should retain some of the benefits that result from this break – traffic relaxation, open space, noise reduction, aesthetic appeal, etc. The applicant should provide additional information and analysis to show how the project conforms with various recommendations in the Comprehensive Plan.

CONSISTENCY WITH COMMUNITY CHARACTER:

18. The proposed action is inconsistent with the existing community character.

*Yes. The property is located in a location where residential zoning was placed along Jericho Turnpike to prevent impacts from the development of steep slopes. The land directly to the south was developed as a cluster subdivision to preserve the majority of the property. This zone change proposal shows the preservation of the minimum amount of land required by the Zoning Code. This proposal also contrasts the application with other recent zone change applications along Jericho Turnpike. The application closest in proximity was called the Wilbur Breslin/Easa Easa zone change, slightly less than 2000 feet to the west. In that case existing commercial zoning along the property's road frontage was deepened, but only to a point approximately half of the depth of the land. A residential development using the existing R-40 zoning was built at the rear of the site, and a strip of land in between the commercial and residential uses was dedicated to the Town as passive parkland. That property was relatively flat, and is located inside a Minor Commercial/Mixed Use Activity Center node. Other recent zone change applications that have offered buffers in excess of those required by zoning include A.J. Richards, East Northport Ventures I & II, and Lowe's. The Lowe's application disturbed a small portion of the steep slopes on its land.

The property is currently covered mostly by forest. This matches the characteristics of Berkeley Jackson County Park behind it to the north, which is the largest park in the center of the Town of

Huntington. It matches the residential subdivision to the south. To the east, the Mediavilla family agricultural property is occupied by either orchard trees or natural forest. Across from the orchard property is a farm field owned by Suffolk County and leased to farmers. This is a large mass of open space that benefits the community. The commercial lots to the west on the north side of Jericho Turnpike are approximately half as deep. Two of the properties are occupied by automotive sales dealerships, which require large parking lots for vehicle storage. The shopping center to the southwest covers almost 8 acres and runs from Jericho Turnpike to Old Country Road. The proposed commercial shopping center on approximately 35 acres of land represents a significant change in community character because of its size and site conditions. This will especially be true if the orchard property applies for a similar rezoning in the future. The open space area would become a retail destination on par with a small mall or shopping center cluster.

September 8, 2014

Huntington Town Department of Planning and Environment