

**FINAL ENVIRONMENTAL IMPACT STATEMENT  
HOUSING HELP, INC.  
PROPOSED DEVELOPMENT OF MATINECOCK COURT  
155-UNIT AFFORDABLE HOUSING DEVELOPMENT  
HAMLET OF GREENLAWN, TOWN OF HUNTINGTON**

**PROJECT LOCATION:** 14.574-acre parcel  
North side of Pulaski Road  
West side of Elwood Road and  
South of Long Island Rail Road  
Hamlet of Greenlawn, Town of Huntington

**APPLICANT:** Housing Help, Inc.  
91 Broadway  
Greenlawn, New York 11740

Contact: Stephen R. Angel, Esq.  
Esseks, Hefter & Angel, P.C.  
(631) 369-1700

**LEAD AGENCY:** Town of Huntington Planning Board  
100 Main Street  
Huntington, New York 11743

Contact: Anthony Aloisio, Planning Director  
(631) 351-3196

**PREPARER & CONTACT:** This Final Environmental Impact Statement was  
prepared by:

Freudenthal & Elkowitz  
Consulting Group, Inc.  
1757-24 Veterans Memorial Highway  
Islandia, New York 11749

Contact: Theresa Elkowitz, President  
Kim A. Gennaro, AICP  
(631) 499-2222

With technical input from:

Land Design Associates, P.C.  
91 Green Street  
Huntington, New York 11743  
(Engineering Plans)

Michael P. Chiarelli Engineer, P.C.  
1954 New York Avenue  
Huntington Station, New York 11746  
(Sanitary Engineer)

RMS Engineering, P.C.  
355 New York Avenue  
Huntington, New York  
(Traffic Engineer)

Gary D. Cannella Associates  
55 Knickerbocker Avenue  
Bohemia, New York 11716  
(Architect)

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**DATE OF FILING:**

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- A. Written Comments of the Town Planning Board and the Town Department of Planning & Environment
- B. Public Hearing Transcript (May 10, 2006)
- C. Written Correspondence of other Involved and Interested Agencies and Individuals

This document represents a Final Environmental Impact Statement ("FEIS") for the proposed 155-unit affordable housing development to be known as Matinecock Court.

This FEIS incorporates, by reference, the Draft Environmental Impact Statement ("DEIS") for this proposed action, dated February 2006. The above-referenced DEIS was the subject of a Town of Huntington Planning Board Public Hearing held on May 10, 2006.

The Written Correspondence and Public Hearing Transcript are provided in Volume II of this FEIS, and other Appendices to the FEIS are within Volume I.

## I. INTRODUCTION

This document is a Final Environmental Impact Statement (“FEIS”) prepared in response to comments received by the Town of Huntington Planning Board on the Draft Environmental Impact Statement (“DEIS”) for the application of Matinecock Court, which includes a proposed 155 unit affordable housing development. The DEIS evaluated the potential impacts and proposed mitigation associated with the affordable housing development. The potential environmental impacts and proposed mitigation evaluated included impacts to land, water, plants and animals, aesthetic resources, open space and recreation, transportation, energy and utilities, noise and odor, public health, and growth and community character. The comments include those that were made at the public hearing of May 10, 2006, and other written comments received during the comment period that ended on May 26, 2006. All written correspondence and the public hearing transcript are included in Volume II of this FEIS.

This FEIS includes three sections -- Section I, of which this is a part, is the introduction to the document, which describes the purpose of the FEIS as well as what is included in the document. Section II includes responses to the written correspondence received from the lead agency, the Town of Huntington Planning Board. Section III includes responses to the comments made at the public hearing, and Section IV includes responses to all other written correspondence.

**II. TOWN OF HUNTINGTON PLANNING BOARD  
MEMORANDUM  
APRIL 5, 2006**

**Comment No. 1:**

Address the issue of Suffolk County Department of Public Works' objection to the entrance of the property and whether or not the Planning Board, as lead agency, has the authority to overrule that. [AR]

**Response No. 1:**

In order to address the comments of the Suffolk County Department of Public Works ("SCDPW") with regard to the proposed site access, a meeting was held on July 27, 2006 with representatives of the SCDPW, Suffolk County Director of Affordable Housing, Town of Huntington Planning Department, Town of Huntington Community Development Agency, the applicant, and the project site engineer and traffic engineer (a copy of the sign-in sheet is included in Appendix D). At the direction of the SCDPW, an Alternative Plan was prepared and is included in Appendix D of this FEIS. The Alternative Plan provides full access on Elwood Road, approximately 370 feet north of the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10), and restricted access on Pulaski Road (CR 11), prohibiting exiting left turns, approximately 700 feet west of the aforementioned intersection. While the Planning Board may have the authority to overrule the SCDPW objection to the proposed site access, obtaining a SCDPW Highway Work Permit would be problematic, as the SCDPW has jurisdiction. Pursuant to 6 NYCRR §617.3(b), "*SEQR does not change the existing jurisdiction of agencies nor the jurisdiction between or among state and local agencies. SEQR provides all involved agencies with the authority, following the filing of a final EIS and written findings statement, or pursuant to subdivision 617.7(d) of this Part to impose substantive conditions upon an action to ensure that the requirements of this Part have been satisfied. The conditions imposed must be practicable and reasonably related to impacts identified in the EIS or the conditioned negative declaration.*"

Also discussed were the potential improvements to the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10), Elwood Road (CR 10) and pedestrian accommodations along Elwood Road (CR 10). The construction of an exclusive southbound right turn lane and two westbound receiving lanes that merge into one lane approximately 700 feet west of the intersection, was discussed for the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10). Should these physical improvements be implemented, the traffic signal timing will be adjusted accordingly.

The following improvements were also considered: the construction of a two-way left-turn lane along Elwood Road (CR 10), from the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10) to the LIRR tracks, as well as the construction of a sidewalk on Elwood Road. Sidewalk is currently proposed along the site frontage on Pulaski Road (CR 11), as depicted on the proposed plan (see Appendix D).

As depicted on the original Site Plan (included in Appendix B of the DEIS), a deceleration lane was proposed for westbound traffic on Pulaski Road entering the site. Under the Alternative Plan, incorporating the County's improvements, it was decided that this deceleration lane would result in motorist confusion due to its proximity to the end of the taper of the two receiving lanes that would extend from the above-mentioned intersection. Therefore, under the Alternative Plan, no acceleration or deceleration lanes would be provided at the site access driveway on Pulaski Road (CR 11).

RMS Engineering performed a revised traffic analysis, which incorporates 2006 traffic volume data collected while school was in session (see Appendix E). These volumes were analyzed using the procedures outlined in the original report and adhere to the requirements set forth by the reviewing agencies.

Manual traffic counts were performed for the original and revised 2006 analysis. The revised data was collected on, Wednesday, May 17, 2006 from 7:00 am to 9:00 am and from 2:00 pm to 7:00 pm (this incorporates the school dismissal period). Data were also collected on Saturday, May 13, 2006 from 11:00 am to 2:00 pm. These volumes are presented in the 2006 analysis contained in Appendix E. The analysis included the evaluation of the proposed plan (exclusive access on Pulaski Road) and the Alternative Plan (access on both Pulaski Road and Elwood Road) with the revised 2006 traffic volumes. The “Existing” and “No Build” time periods were analyzed for existing conditions only. The proposed plan was analyzed with and without the implementation of the improvements, which were discussed with SCDPW representatives. As the Alternative Plan proposes access on Elwood Road (CR 10), it was analyzed assuming the aforementioned improvements are implemented.

The results of the 2006 analysis that evaluates the original and Alternative Plan are as follows:

Proposed Site Plan:

- Upon the introduction of the site-generated traffic, the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10) will experience a minor increase in delay and no degradation in the level of service (“LOS”) during the time periods studied. There is no mitigation required at this location;
- Upon the implementation of the improvements proposed by Suffolk County, the intersection, from an overall perspective, experiences a decrease in delay and an improvement in LOS during the AM and Saturday peak hour. The PM peak hour experiences a decrease in delay and no significant change in LOS, from an overall perspective;
- Upon the introduction of the site-generated traffic, the intersection of Pulaski Road (CR 11) at Stony Hollow Road will experience an imperceptible increase in delay and no degradation in LOS during the time periods studied. There is no mitigation required at this location;

- Upon the introduction of the site-generated traffic, the intersection of Elwood Road (CR 10) and the South School Driveway will experience an imperceptible increase in delay and no degradation in LOS during the time periods studied. There is no mitigation required at this location; and
- Upon the introduction of the site-generated traffic, the proposed unsignalized site driveway on Pulaski Road (CR 11) will operate at acceptable Levels of Service during the peak hours studied.

Alternative Plan:

- Upon the implementation of the improvements proposed by Suffolk County at the intersection of Pulaski Road (CR 11) at Elwood Road (CR 10), the introduction of the site-generated traffic will result in a decrease in delay and an improvement in LOS during the AM and Saturday peak hour. The PM peak hour experiences a decrease in delay and no significant change in LOS from an overall perspective;
- Upon the introduction of the site-generated traffic, the intersection of Pulaski Road (CR 11) at Stony Hollow Road will experience an imperceptible increase in delay and no degradation in LOS during the time periods studied. There is no mitigation required at this location;
- Upon the introduction of the site-generated traffic, the intersection of Elwood Road (CR 10) and the South School Driveway will experience an imperceptible increase in delay and no degradation in LOS during the time periods studied. There is no mitigation required at this location;
- Upon the introduction of the site-generated traffic, the proposed unsignalized site driveway on Pulaski Road (CR 11) will operate at acceptable Levels of Service during the peak hours studied; and

- Upon the introduction of the site-generated traffic, the proposed unsignalized site driveway on Elwood Road (CR 10) will operate at acceptable Levels of Service during the peak hours studied.

The LOS results are summarized in Tables 1 through 5 located in Appendix E. Upon review of these tables it can be seen that upon implementation of the County improvements there are no clear advantages of the original proposal when compared to the Alternative Plan and vice versa. However, from a traffic engineering perspective, multiple access driveways will promote enhanced internal circulation as well as circulation to and from the site. Final design selection is subject to the approval of SCDPW. However, since it was the SCDPW that requested there be access from Elwood Road, it is clear that the Alternative Plan would be its preference.

It is noted that RMS Engineering presented the supplemental traffic analysis to the SCDPW in correspondence dated April 20, 2007. A copy of this submission is included in Appendix E of this FEIS. In response, the SCDPW, in correspondence dated May 15, 2007, concurred with the analyses and findings of RMS Engineering, P.C. A copy of the SCDPW's correspondence is also included in Appendix E of this FEIS.

**Comment No. 2:**

Provide an updated status of the development on that roadway (Elwood Road). A particular concern is the exiting and entering during school hours given the fact that all the school buses have to stop at the tracks. It seems that increasing traffic at that intersection could be quite dangerous. [AR]

**Response No. 2:**

At a meeting with the applicant and representatives of SCDPW on July 27, 2006, it was discussed with representatives from SCDPW to propose improvements to the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10). An exclusive southbound right turn lane may be added at this location as well as two westbound receiving lanes that will merge to one lane approximately 700 feet west of the intersection. If these improvements are implemented, timing adjustments will also be necessary at this traffic signal. Also discussed were improvements on Elwood Road that would consist of the installation of a new sidewalk and a two-way left turn lane from Pulaski Road (CR 11) to the LIRR tracks. However, the SCDPW prefers a restricted access on Pulaski Road (CR11), prohibiting exiting left turns, and an Alternative Plan was prepared by the applicant to address this preference.

RMS Engineering performed an analysis of accidents on Pulaski Road (CR 10) and Elwood Road (CR 11) in the vicinity of the site, including the signalized intersection, which involved review and evaluation of accident data from the NYSDOT for the 36-month period between January 2000 and December 2002. This data was summarized using the Highway Analysis Software v3.0 (HSA 3.0). The traffic accident data is summarized in Table 7 of the supplemental traffic analysis in Appendix E of this FEIS. Details of the accident data are also contained in the supplemental traffic analysis.

It is noted that the applicant has requested updated accident data from the NYSDOT and may not be available until after the FEIS is accepted (see correspondence in Appendix E). However, this data is being taken into consideration by the SCDPW with its planned improvements to the intersection (see article published by Suffolk Life, dated July 4, 2007, included in Appendix E of this FEIS). The planned improvements at the intersection of Pulaski Road (CR 10) and Elwood Road (CR 11), including signal upgrades, signal timing adjustments and pedestrian accommodations, would improve traffic conditions and pedestrian safety.

**Comment No. 3:**

Discuss location of entrance/exit and provide alternative plan that shows the impact to the proposed site design. [SS]

**Response No. 3:**

Under the proposed plan, an exclusive site access was proposed on Pulaski Road (CR 11) approximately 700 feet west of the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10). At this location there is a westbound deceleration lane proposed for entering vehicles. A two-way left hand turn lane will provide eastbound vehicles with an exclusive turning lane, as there are no other sites/uses that would utilize this lane. The site exit (southbound) provides a left-turn lane and a right-turn lane. There is an emergency access (crash gate) to the site on Elwood Road (CR 10).

The Alternative Plan will add a full access driveway in place of the proposed emergency access (crash gate) on Elwood Road (CR 10) approximately 370 feet north of the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10). The SCDPW proposes to install a two-way left turn lane on Elwood Road (CR 10) from Pulaski Road (CR 11) to LIRR tracks. This will provide northbound vehicles an exclusive turning lane to enter the site. The proposed site access driveway on Pulaski Road (CR 11) will be reconfigured to prohibit southbound left-turns exiting the site.

**Comment No. 4:**

Identify the number of lanes for [sic] used for egress and number of lanes used for ingress at entrance/exit. [SS]

**Response No. 4:**

See Responses to Comments Nos. 1, 2 and 3.

**Comment No. 5:**

Show the location of crash gate, if one is necessary, for each access alternative. [SS]

**Response No. 5:**

The location of the crash gate for the project site, as depicted on the proposed plan (see Appendix D) prepared by Land Design Associates, is located approximately 370 feet north of the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10).

The Alternative Plan (see Appendix D) will replace the proposed crash gate access with a full access driveway on Elwood Road (CR 10). The proposed site access driveway on Pulaski Road (CR 11) will be reconfigured prohibit southbound left-turns exiting the site.

**Comment No. 6:**

There should be more information on the bus routes and public transportation. It says that there is a pick up [bus stop] on one side of the property. A little bit more coordination with HART, in terms of setting up access for people to actually be able to get to the train station or other spots, might be a good idea. [AR]

**Response No. 6:**

As indicated in Section 4.5 of the DEIS, the project site is currently serviced by the H-4 and H-6 Huntington Area Rapid Transit (“HART”) bus lines. The H-4 line traverses between the Village of Northport and the Walt Whitman Mall offering stops at the Northport LIRR Station and the Greenlawn LIRR Station. The H-6 line traverses between Macy’s Plaza in Commack and Cold Spring Harbor Village offering stops at the Northport LIRR Station and the Greenlawn LIRR Station.

There is currently a HART bus shelter located along the site frontage on the north side of Pulaski Road west of Elwood Road. It is difficult to determine if existing routes will change due to the development of this property. However, the applicant will work with local transit companies to make travel routes convenient and accessible.

**Comment No. 7:**

Resolution of the issue of the Suffolk County DPW letter to Margo Myles dated 3/1/2006 regarding curb cuts on Elwood Road. [PM]

**Response No. 7:**

As indicated in the Response to Comment No. 1, the ingress and egress on Elwood Road was discussed with the SCDPW at a meeting held on July 27, 2006 and the applicant has prepared an Alternative Plan to address the recommended changes.

**Comment No. 8:**

In addition, what is the impact of the traffic light recently installed just north of the site on Elwood Rd. [sic] [PM]

**Response No. 8:**

Based on the 2006 traffic analysis, the newly-installed traffic light at the intersection of the School Driveway and Elwood Road (CR 10) has a negative impact on the traffic flow on Elwood Road, although it presents drivers entering and exiting the school with safer, more controlled turning movements. It is the understanding of RMS Engineering that the timing of the newly-installed traffic signal has not yet been coordinated with the traffic signals at the intersections of Laurel Hill Road and Elwood Road (CR 10) and Elwood Road (CR 10) and Pulaski Road (CR 11). It is recommended that this timing coordination be implemented by the school district and the SCDPW, in order to alleviate the negative impacts on traffic flow.

**Comment No. 9:**

If the MC entrance is moved to Elwood Rd. will the Community Center be moved accordingly?  
[PM]

**Response No. 9:**

The Alternative Plan depicts a full access driveway on Elwood Road (CR 10) and a restricted access driveway on Pulaski Road (CR 11). If the Alternative Plan is implemented, it will not be necessary to relocate the community center.

**Comment No. 10:**

Engineering the sump to deal with a nine inch rainfall seems a little high in terms of what is usually approved. The overall plan may be able to pick up some extra space if the size of the recharge basin can be reduced. [AR]

**Response No. 10:**

A Town of Huntington Department of Planning & Environment Memorandum dated May 12, 2005 from Richard J Nielsen, Assistant Civil Engineer, Item #13 (see Appendix F) reads as follows:

*"The drainage shall be designed in compliance with A-101.1 and A-101.2 of the subdivision regulations. Storage shall be for the required 9" [inches]..."*

As such, the design of the recharge basin to accommodate a nine-inch rainfall complies with the Town's engineering comments.

**Comment No. 11:**

In terms of some of the comments that dealt with the water supply, it appears there were corrections from Richard Machtay that do not seem to have been carried through in terms of the demand [sic] may be over what was available. Is there a requirement in the Town of Huntington that they use potable water for the irrigation system? Quite a lot of [potable] water could be saved if that were not the case. [AR]

**Response No. 11:**

The New York State Department of Health does not permit the use of grey water for irrigation, and therefore, irrigation supply can only be provided by either public water supply or on-site irrigation wells.

While the Suffolk County Department of Health Services (“SCDHS”) evaluates the means of water supply, the New York State Department of Environmental Conservation (“NYSDEC”) has well permitting authority for yields greater than 45 gallons per minute (“gpm”). Should the project scope include the installation of an irrigation well with a yield greater than 45 gpm, it would subject to the review and approval of the NYSDEC.

**Comment No. 12:**

A very general comment is that most of the data in this report is from two to five years old and needs to be updated. For example, in terms of the train whistles, one of the issues is that there are new updated requirements for the blowing of the whistles. It may be appropriate at this time to attempt to have the area designated a “quiet zone.” In any event, that needs to be addressed. [AR]

**Response No. 12:**

This FEIS includes updated (2006) information from the Long Island Railroad (“LIRR”) and an evaluation of same is included in Appendix M of this FEIS. Also, see Response to Comment No. 47.

The Requirements for whistle blowing, as promulgated by the LIRR, indicates in the current Regulation 14(L) in the LIRR “Rules of the Operating Department,” that the requirements for train whistles are as follows:

1. When approaching a public highway grade crossing, a train or locomotive operating at greater than 45 MPH must sound the engine whistle at the whistle post. If operating at 45 MPH or less, a train or locomotive must sound the engine whistle at least 15 seconds but not more than 20 seconds before occupying the crossing. This may require sounding the engine whistle beyond the whistle post. In all cases, the engine whistle must be prolonged or repeated until the train or locomotive occupies the crossing.
2. Approaching locations where Roadway Workers are at work on or near tracks, bridges or other structures.
3. Approaching passenger stations on tracks next to platforms where trains are not scheduled to stop (except Jamaica). To be sounded until passenger station is reached.

Prior to January 2006, Regulation 14(L) required that:

1. The train whistle should be sounded when approaching public crossings at grade, and to be prolonged until crossing is reached;
2. Approaching locations where Roadway Workers are at work on or near tracks, bridges or other structures; and

3. Approaching passenger stations on tracks next to platforms where trains are not scheduled to stop (except Jamaica). To be sounded until passenger station is reached.

The changes as of January 2006 include the duration of the blowing of whistles, not when the whistles are blown. While the older regulations did not require an exact time for whistle blowing, it cannot be determined how long and the varying lengths of time with each engineer. Also, as indicated on Page 137 of the DEIS, the proposed development includes noise mitigation measures to minimize exposure to railroad noise. These mitigation measures include the placement of non-habitable uses at the northwest quadrant of the property, the installation of a six-foot-high solid wood fence and evergreen vegetation along the entire common property line of the subject parcel and the railroad. In addition, evergreens and heavy canopy shade trees would be planted in the open areas around the STP, parking areas and roadways. Overall, the proposed mitigation measures would be expected to reduce noise levels between 4 dBA and 15 dBA.

Moreover, it should be noted that the designation of “quiet zones” is under the jurisdiction of the Federal Railroad Administration (“FRA”). As indicated in Volume 71, No. 159 of the Federal Register (2006),<sup>1</sup> in April 2005 the FRA published a final rule requiring that locomotive horns be sounded while trains approach and enter public highway-rail grade crossings. However, as indicated in numerous iterations of this rule,<sup>2</sup> there are exceptions to this rule, which can be designated as quiet zones. According to §222.33 of the FRA Proposed Rule,<sup>3</sup> “a quiet zone is defined as a segment of rail line within which is situated one or a number of consecutive highway-rail crossings at which locomotive horns are not routinely sounded.” Additionally, the FRA indicates that the minimum length of a quiet zone would be 2,640 feet (one-half mile).

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<sup>1</sup> Federal Railroad Administration (2006) 49 CFR Parts 222 and 229: Use of Locomotive Horns at Highway-Rail Grade Crossings; Final Rule. Federal Register 71 (159) 47614 – 47677.

<sup>2</sup> Exceptions to the horn sounding rule are presented in the following volumes of the Federal Register: Vol. 65, No 9; Vol 68, No 243; Vol. 70, No. 80; and Vol 71, No. 159.

<sup>3</sup> Federal Railroad Administration (2000) 49 CFR Parts 222 and 229: Use of Locomotive Horns at Highway-Rail Grade Crossings; Proposed Rule. Federal Register 65 (9) 2230 – 2270

Under the rule proposing that locomotive horns be sounded at public highway-rail grade crossings, “state or local government may apply to the FRA Associate Administrator for Safety for acceptance of a quiet zone” (see §222.33). It should be noted that “the applying entity must demonstrate through data and analysis that implementation of the proposed measures will effect a reduction in risk at public highway-rail crossings within the quiet zone sufficient to equal the reduction in risk that would have been achieved through the use the locomotive horn.”

As such, it is not within the authority of the applicant to apply to the FRA for the designation of a quiet zone proximate to the subject site.

**Comment No. 13:**

Discuss how far the recharge basin will be from the new home construction and from the school grounds and whether there is any concern for stagnant water and mosquito breeding. [LS]

**Response No. 13:**

The bottom of the recharge basin has been set at a minimum of 80 feet from the closest residential unit of the Matinecock Court complex. The school property is approximately 120 feet from the recharge basin, separated by the LIRR railroad tracks. Recharge basins are not designed to allow for water to stand, but are engineered to drain and percolate water into the subsurface aquifer. Accordingly, the construction of the recharge basin is not expected to result in standing stagnant water, which would facilitate mosquito breeding.

**Comment No. 14:**

The DEIS states that the STP will have capacity of 36,000 GPD. Also states site will generate “approximately” 35,630 GPD. Will there be sufficient capacity? [PM]

**Response No. 14:**

The Sewage Treatment Plant (“STP”) has been sized for the Matinecock Court development and that sizing is based upon the Code Requirements of the SCDHS. Accordingly, there will be sufficient capacity for treatment of the entire sewage flow from the development.

It is important to note that the capacity of the STP has increased from 36,000 gpd to 37,500 gpd due to the reevaluation of the design flow factor for the community building by the SCDHS. The SCDHS has requested that the design flow factor be increased from 0.03 gpd per square foot to 0.3 gpd per square foot. As such, the flow has increased by 1,395± gpd (i.e., from 35,630 gpd to 37,025 gpd). The Engineering Design Report has been modified by the sanitary engineer and is included in Appendix G of this FEIS. Additionally, correspondence to and from the SCDPW regarding the modified design is also included in this appendix.

**Comment No. 15:**

There are discrepancies in the report as it says that all soils will be retained on site, with a “cut and fill” analysis. However, given some of the historic uses of the property, some new soil might have to be brought in for mixing depending on the results of soil testing. This should be addressed. [AR]

**Response No. 15:**

A soil sampling program was implemented by F&E to evaluate on-site soil conditions and the vertical and lateral extent of impacted soils for purposes of site planning (i.e., the removal and/or mixing of soils at the time of construction). A copy of the Soil Management Plan (“SMP”), which includes the findings of the soil sampling program, is included in Appendix H of this FEIS. Relevant sections of the SMP, including findings and the best management practices of impacted and clean soils during construction, is included below.

On January 19, 2007, personnel from the Town, F&E and Housing Help conducted a site inspection in order to select representative sampling locations. As indicated in Figure 2 of the SMP (see Appendix H of this SMP), a total of 14 soil sampling locations were selected in order to assess soil conditions associated with:

- Portions of the subject property proposed for open space (including playgrounds);
- The LIPA electrical substation; and
- General site soil conditions.

A copy of the proposed site plan is included as Plate A in the SMP (see Appendix H of this FEIS).

On February 2 and 5, 2007, F&E conducted the Town-required soil sampling program. Surficial (e.g., surface-to-three-inches below grade surface ["bgs"]) and subsurface (e.g., three-to-six-inches bgs, 1.0-to-1.25-foot bgs and 3.0-to-3.5-foot bgs) soil samples were collected from across the subject property utilizing decontaminated hand sampling equipment (e.g., trowels, hand auger, etc.). All of the soil samples were analyzed by York Analytical Laboratories, Inc. ("York"), a New York State Department of Health ("NYSDOH") Environmental Laboratory Accreditation Program ("ELAP")-certified laboratory. With the exception of the three-to-six-inch bgs samples, York analyzed the soil samples for Suffolk County List ("SCL") volatile organic compounds ("VOCs") by EPA Method 8260, New York State Department of Environmental Conservation ("NYSDEC") STARS semi-volatile organic compounds ("SVOCs") by EPA Method 8270, SCL metals by the EPA 6010/7471 Series, pesticides/PCBs by EPA Method 8081/8082, chlorinated herbicides by EPA Method 8151 and organophosphorus pesticides by EPA Method 8141. At the direction of the Town, the three-to-six-inch bgs soil samples were analyzed for SCL metals and SCL pesticides to ensure compliance with Suffolk County Department of Health Services ("SCDHS") protocols. The aforementioned analytical suite was selected to allow for the detection and quantification of hazardous materials and substances, which could potentially be encountered at the subject property given its history.

However, the SCDHS has established protocols set forth in the *Draft Guidance Document SCDHS Division of Environmental Quality Procedures for Subdivisions, Developments or other Construction Projects with Potentially Contaminated Soils* (issued in draft form in February of 2006, see Attachment A)(hereinafter, the “SCDHS Guidance Document”). According to that document, pesticide and metals analytical results are to be compared to the United States Environmental Protection Agency (“USEPA”) draft Soil Screening Levels (“SSL”) for Residential Scenario.<sup>4</sup>

The SCDHS protocol is based on the premise that pesticide-impacted soils pose a risk to future residents through ingestion or dermal contact with same. The aforementioned mitigation measures are designed to keep residents of mitigated sites from coming into contact with impacted soils.

The following provides a summary of the soil analytical data summarized in Table 1. The original laboratory data sheets are included in Attachment B.

- No organophosphorous pesticides or chlorinated herbicides were detected above laboratory method detection limits (“MDLs”) in any of the soil samples;
- The only PCB detected above MDLs was 0.34 milligrams per kilogram (“mg/kg”) of Aroclor 1254 in the SB-11 surface-to-three-inch bgs soil sample. This is below the NYSDEC RSCO of 1.0 mg/kg for PCBs in surficial soil samples. It should be noted that no PCBs were detected above MDLs in the soil samples collected from adjacent to the LIPA electrical substation (i.e., SB-5, SB-6, SB-7 and SB-8);

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<sup>4</sup> Set forth in Appendix A of the *USEPA Supplemental Guidance for Developing Soil Screening Levels for Superfund Sites* issued draft March 2001

- Dieldrin was the only SCL pesticide detected above its respective USEPA SSL (40 micrograms per kilogram [“ug/kg”]) and NYSDEC RSCO (44 ug/kg) in the on-site soil samples. Dieldrin was detected in the SB-5 3.0-to-3.5-foot bgs soil sample at 58.0 ug/kg, and the SB-6 three-to-six inch bgs sample at 93.8 ug/kg;
- Only two SCL VOCs were detected above MDLs. P-isopropyltoluene was detected in only one sample, the SB-12 surface-to-three-inch bgs sample at 18 ug/kg (the NYSDEC RSCO for this VOC is 10,000 ug/kg). Tetrachloroethene (“PCE”) was detected at various depths at concentrations ranging from 10-to-200 ug/kg (the NYSDEC RSCO for PCE is 1,400 ug/kg);
- NYSDEC STARS SVOCs were not detected above MDLs in the soil samples collected from SB-1, SB-2, SB-4, SB-6, SB-7, SB-8, SB-9, SB-10, SB-12, SB-13 and SB-14. Selected NYSDEC STARS SVOCs were detected at concentrations exceeding their respective RSCOs in the shallow and intermediate-depth soils collected from SB-3, all of the analyzed soil samples collected from SB-5, and the surficial soil sample collected from SB-11; and
- Arsenic was detected in contravention of its Suffolk County Action Level of 4.0 mg/kg in the majority of the soil samples collected from the site. In some cases, the arsenic attenuated to below 4.0 mg/kg with depth (i.e., SB-1, SB-2, SB-4, SB-7, SB-8, SB-9, SB-10 and SB-13). Arsenic was detected at concentrations exceeding its 4.0 Action Level throughout the soil column in the soil samples collected from SB-3, SB-5, SB-6, SB-11, SB-12 (the 1.0-to1.25-foot bgs sample contained 2.68 mg/kg of arsenic) and SB-14. Soil samples collected from SB-11 and SB-14 contained copper exceeding its NYSDEC RSCO and Eastern United States background concentration (there is no USEPA SSL designated for copper). Please note that all of the samples containing elevated concentrations of copper also contained arsenic above 4.0 mg/kg.

## **Soil Management Plan**

In accordance with recent SCDHS Guidance Document, the following protocols are acceptable for addressing impacted soils: *“Remediation measures may include removal and proper off-site disposal, with or without replacement with clean soils. Mitigation measures may include options such as: vertical mixing, where it can be demonstrated that cleaner soils are present below the surface; on-site stockpiling, e.g., in landscape berms, and revegetation at a portion of the site that will remain as undeveloped open space (i.e., buffer areas, not playgrounds or ball fields). On-site burial in excavated areas, or disposal below paving or an impervious cap may also be considered, depending on contaminant concentrations, where potential ground and surface water impacts are not issues.”* Further, although it is not included in the aforementioned protocols, it is understood that the SCDHS also allows for the emplacement of one-foot of clean material overlying impacted soils in site areas slated for development as open areas.

Based upon the vertical and lateral extent of soil impacts, as discussed above, and SCDHS protocols, the following SMP procedures will be implemented at the subject property:

### **SVOC-Impacted Soil Assessment and Remediation**

The soils containing STARS SVOCs in the vicinity of the SB-3, SB-5 and SB-11 boring locations will be addressed, as follows:

- Soil samples from the surface-to-six-inches bgs, two-to-four-feet bgs and six-to-eight-feet bgs will be collected from eight soil borings in the vicinity of each of the aforementioned sampling locations to evaluate the lateral and vertical extent of impact;

- The soil samples will be analyzed for NYSDEC STARS SVOCs by EPA Method 8270;
- All soils containing SVOCs exceeding NYSDEC RSCOs will be removed and disposed of in accordance with prevailing regulations, unless otherwise pre-approved by the Town and SCDHS;
- Up to eight post-excavation endpoint samples per area will be collected and analyzed for STARS SVOCs by EPA Method 8270; and
- A Soil Remediation Summary Report will be prepared and submitted to the Town and SCDHS to document the remediation work conducted.

### **Soil Stripping**

Twelve inches of soils will be stripped off of the entire subject property and stockpiled for later deposition in on-site excavations, as discussed below. This may be conducted in stages, depending on the construction sequencing at the site.

Dust suppression techniques (e.g., use of water trucks) will be utilized to minimize the potential for the fugitive migration of dust off of the site. Such activities are typically required in any construction project. In the short term, stripped and stockpiled soils will be covered with plastic sheeting to prevent dust issues. If the stockpiles are to be in place for more than a few days, same may be hydro-mulched to encourage short term vegetation growth, thus negating the need to cover the piles with plastic sheeting.

On-site construction workers will be informed of the soil conditions and be provided appropriate protective gear (e.g., gloves, long-sleeve shirts, etc.), as requested. Respiratory protection is not believed to be warranted due to the use of the aforementioned dust-suppression measures.

### **Excavation of Soil-Placement Trenches/Soil Management**

Linear soil trenches will be excavated along selected property boundaries for eventual emplacement of the arsenic-impacted soils described above. The following SMP protocols will be conducted:

- An additional one-to-two feet of materials will be stripped off of the trench locations and stockpiled on the site as impacted soils;
- Several soil samples will be collected from the base of each trench and analyzed for SCL metals by the EPA 6010/7471 Series. If no metals are present in the trench bottom samples exceeding the USEPA SSLs and 4.0 mg/kg Action Level for arsenic, than the deeper soils in the trenches will be considered un-impacted and suitable for re-use on the subject property as clean cover material. Additional soil may require excavation based upon the results of the aforementioned testing;
- The clean soils from the trenches will be excavated and stockpiled on the site, away from the area of arsenic-impacted soil stockpiles;
- Appropriate soils will be removed from across the site required for the construction of on-site buildings, roadways and other impermeable surfaces. These soils will be placed in the aforementioned trenches;
- Sufficient soils will be removed to allow the emplacement of one-foot of clean materials in all on-site areas planned for development as open spaces. These soils will be placed in the aforementioned trenches;

- The final grade elevations prior to the emplacement of the clean fill in planned open spaces will be surveyed;
- The clean materials excavated from the aforementioned trenches will be utilized to provide a minimum of one-foot of clean materials overlying the underlying soils;
- Turf, or tested clean topsoil (same will be analyzed for SCL metals and pesticides), will be placed on top of the clean fill materials to allow for the growth of vegetation, as appropriate;
- The final post-emplacement elevations will be surveyed to confirm the presence of at least one-foot of clean fill in the open areas of the site;
- The stockpiled, stripped soils will be placed within the excavated trenches. Some or all of these materials may be emplaced earlier in the process to minimize the potential for dust issues;
- Some of the impacted soils may be utilized to construct perimeter berms. Any berms, or areas on top of backfilled trenches, would be covered by a one-foot-thick layer of clean materials/sod/top soil;
- The final locations and depths of emplaced impacted soils will be included in as-built drawings;
- Soil samples from the surface-to-12-inches bgs will be collected from 14 on-site open area locations and analyzed for SCL metals and SCL pesticides to confirm the successful implementation of the SMP; and
- A Closure Report will be prepared and submitted to the Town (with a copy provided to the SCDHS) summarizing the results of the SMP.

A site grading plan is currently under development for the subject property. The site soils will be “balanced” such that the appropriate amount of trenches are excavated to provide for the required clean fill materials, as well as to determine the amount of soil berms which will be required for the placement of the impacted soils. A copy of the grading plan will be submitted to the Town for review and approval prior to implementing the SMP.

The SMP was submitted to the SCDHS for review and acceptance. SCDHS confirmed its acceptance of the SMP in correspondence dated July 2, 2007. A copy of this correspondence is included with the SMP in Appendix H.

Also, a Soil Management Plan (“SMP”) (see Appendix H) has been developed to address any exceedances of residual pesticides and arsenic should they be found to exist. The SMP also includes removing impacted soils to reduce concentrations in areas of potential exposure routes such as future residential yard areas. This would typically include a re-testing of surface soil for residual pesticide concentrations at the time of final grading and site development at areas not under building footprints or other impervious surfaces.

Prior to implementation of the SMP, the applicant will contact all adjoining landowners.

**Comment No. 16:**

Spills were diaried from 1994. What has occurred on the site over the past 10 years? [LS]

**Response No. 16:**

The report included in Appendix I of this DEIS indicates that there have been no documented spills since 1994. It has been reported that the site was used as a staging area for waste debris from NYC. Also, the SMP (see Appendix H) evaluated soil conditions associated with past uses of the property, including agriculture and a reported staging area for waste debris from property in NYC. General soil conditions were also evaluated to determine if any other activities (as a result of trespass and dumping) impacted the site.

**Comment No. 17:**

There seems to be a discrepancy in the EIS wherein they say that this area is within one of the solid wastes zones where carting is provided. Later on they say they plan on having a private carter service the property. Since this is meant to be affordable housing, it should be clarified why they would pay for additional carting, when it is included in the tax base. [AR]

**Response No. 17:**

Pursuant to a conversation initiated by Freudenthal & Elkowitz Consulting Group, Inc. with Audrey Gallo of the Town of Huntington Resource Recovery Facility on September 7, 2006, 2006, the Town will provide refuse removal.

**Comment No. 18:**

Explore whether the sewage treatment plant can be made as unobtrusive as possible. One idea would be to reduce it down below grade. Another issue that is on the maps, but not really discussed, is a future expansion of the sewage treatment plant, which seems to put it even closer to the property line which would require a further variance. I believe that this needs to be addressed at this time as well. [AR]

**Response No. 18:**

The STP is designed to be as unobtrusive as possible. It is located in a rear corner of the property behind the LIPA substation adjacent to the LIRR right-of-way. The building is a one-story structure of split block construction painted a neutral shade with a peaked roof.

When expansion of a treatment plant is discussed, it refers to the expansion of the leaching fields, not the expansion of the building, which has been sized to accommodate any future expansion needs. The design and sizing of any treatment facility falls under the jurisdiction of SCDPW and leaves very little discretion to the applicant.

**Comment No. 19:**

Address the issue of snow plowing for the property in terms of the overall design. It appears to be virtually impossible for the parking lots to be plowed if there were a nighttime snowfall. It seems possible that the plows (and it is unclear whether these roads are going to be dedicated or not) could completely box in all of the cars. Some thought should be given to the design aspects. [AR]

**Response No. 19:**

The roads in the Matinecock Court Community are designed to be private roads and will be maintained by the Matinecock Court Condominium Association and/or management of the complex. Snow plowing, sweeping, repaving and other aspects of upkeep are to be the responsibility of the community's management. Ample room has been provided for the piling of snow during the winter season.

**Comment No. 20:**

In terms of making this project as attractive as possible, and given the size of it, some attention should be directed towards "green" construction of this project. It would seem that this a rare opportunity to put in some energy saving systems and construction plans to make this project as affordable going forward as it is meant to be initially. To the extent that this increases costs, there may be some available sources of funding to help defray these costs. [AR]

**Response No. 20:**

The following energy saving systems are proposed:

- Energy Star appliances and mechanical equipment;
- Energy Star lighting for interior fixtures;
- Non-toxic insulation and carpet emissions;
- Non-toxic construction glue emissions (plywood, particle board, etc.);
- Anti-mold gypsum board products; and
- Anti-mold paint additives.

In addition, the potential cost savings or increases or long term savings and available funding sources for these techniques will be investigated. The potential funding sources are the manufacturers of the products, state and/or federal grants and/or tax credits, LIPA, KeySpan and trade groups.

**Comment No. 21:**

Are the buffer plantings evergreen and is it a solid buffer along property abutting residential properties? [SS]

**Response No. 21:**

The plantings along the west property line (adjacent to existing residential dwellings) are comprised of a mix of evergreens, deciduous trees and shrubs as well as existing plantings, which would be retained. A four-foot high estate fence is also proposed. In addition, a minimum four-foot high landscaped berm and four-foot high estate fence are proposed on the east and south sides of the property. A six-foot high stockade fence and evergreens are proposed on the north side to deter individuals from approaching or crossing the adjoining LIRR tracks.

**Comment No. 22:**

Sewage treatment map does not show 20 buildings. [LS]

**Response No. 22:**

All plans indicate a total of 18 residential buildings plus the community building for a total of 19 individual structures. The 20<sup>th</sup> building is the STP building.

**Comment No. 23:**

Of the 334 parking spaces, only 18 are handicapped. There should be more handicapped spaces interspersed throughout the project. [LS]

**Response No. 23:**

According to the Americans with Disability Act (“ADA”) Handbook (December 2002), where 301 to 400 parking spaces are provided in a parking lot, the minimum required number of handicapped accessible spaces is 8. The proposed project includes 18 handicapped spaces, which exceeds the ADA requirement of 8. The proposed site plan disperses the 18 handicapped accessible spaces so that single user would need to walk no more than 200 feet to access their unit.

**Comment No. 24:**

Electromagnetic fields are not mentioned in the new DEIS, but were in the 1994 ESA. Is an updated report warranted? [LS]

**Response No. 24:**

The potential impacts associated with EMF were addressed on page 152 of the DEIS.

**Comment No. 25:**

Acknowledge receipt of letter dated 3/6/2006 to provide 6' fencing along perimeter of the property. [PM]

**Response No. 25:**

The project sponsor acknowledges the request for six-foot fencing along the perimeter of the property. See Response to Comment No. 137.

**Comment No. 26:**

Related to this and vegetation/landscaping on the property, who will have the responsibility for maintenance. [PM]

**Response No. 26:**

Housing Help, Inc. ("HHI") will hire a management company, which, in turn, will contract with a landscaping company to maintain all the grounds.

**Comment No. 27:**

Related to fencing and proximity to LIRR, STP, Sump, etc, what precautions will be taken to prevent "dangerous encroachment" by residents of Matinecock Court, especially youths? [PM]

**Response No. 27:**

A six-foot stockade fence with plantings will be placed along the north side of the property to protect residents from the LIRR tracks and LIPA substation property. The on-site STP is situated in a separate building, which would be locked to prevent entry. The perimeter of the recharge basin will include plantings and fencing.

**Comment No. 28:**

In DEIS pg. XXI re: Health: Statement regarding exposure to EMF from LIPA sub-station....” [sic] it is not expected” for residents to be exposed to strong electromagnetic fields so as to impact health? [sic] This is not very strong assurance. [PM]

**Response No. 28:**

The National Institute of Environmental Health Services (“NIEHS”) (Electric and Magnetic Fields Research and Public Information Dissemination Program), in its publication *EMF Questions & Answers* (June 2002),<sup>5</sup> answers the question of “How strong is the EMF from electric power substations?” The NIEHS response is as follows:

“In general, the strongest EMF around the outside of a substation comes from the power lines entering and leaving the substation. The strength of the EMF from equipment within the substations, such as transformers, reactors, and capacitor banks, decreases rapidly with increasing distance. Beyond the substation fence or wall, the EMF produced by the substation equipment is typically indistinguishable from background levels.”

Also, see pages 151 and 152 of the DEIS.

Figure 1 of this FEIS was extracted from this NIEHS publication to demonstrate how magnetic field strength decreases with distance. This magnetic field shown is a 60-Hz power frequency field. The power frequency field for a transmission tower is 50 or 60 Hz. As shown on Figure 1, the magnetic field can diminish, even as little as one to two feet (30 to 61 centimeters) from the source.

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<sup>5</sup> Published on-line at <http://www.niehs.nih.gov/emfrapid/booklet/home.htm>

Electric fields may also be shielded and weakened by buildings, trees, and other objects that conduct electricity. The presence of these structures can, therefore, have a significant effect on the electric fields to which people are exposed. Houses can attenuate electric fields from nearby power lines by roughly 90 percent.<sup>6</sup>

Magnetic fields, on the other hand, are shielded only by structures containing large amounts of ferrous and other special metals. However, as indicated above, magnetic fields significantly diminish with distance.<sup>7</sup>

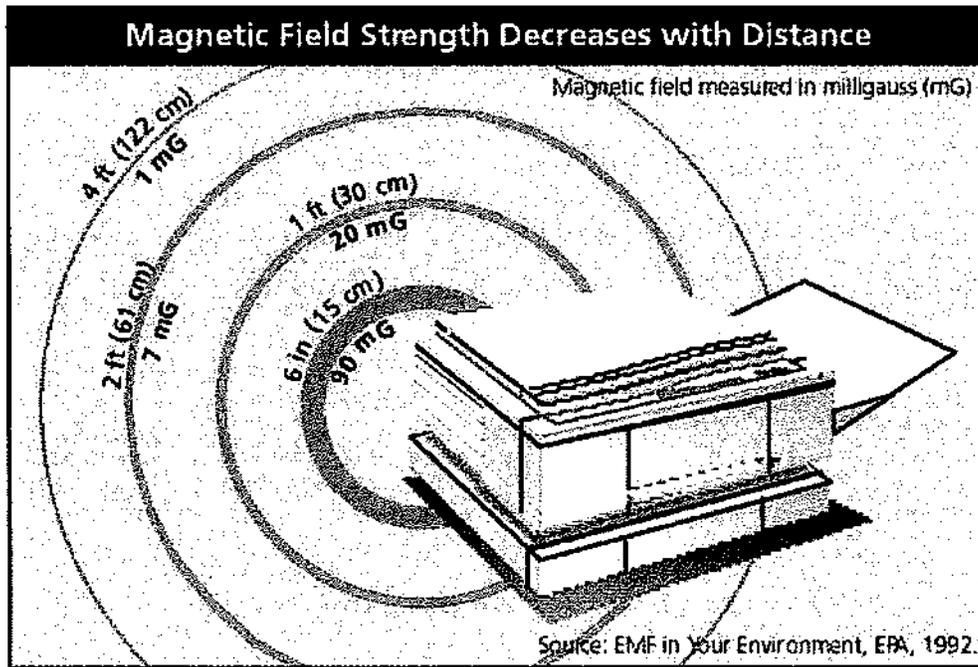
From a public health perspective, the proposed location of the buildings in relation to the substation would not result in significant adverse public health effects. It is also noteworthy that there are many residential developments in the Town and across Long Island situated proximate to power lines and substations.

Finally, from a building and zoning perspective, there are no building setback requirements for development adjoining an electric substation. The R-3M Residence district requires a minimum side yard setback of 12 feet and a rear yard setback of 25 feet. The sponsor has elected to provide a self-imposed minimum setback from all property boundaries of 50 feet. Of the four northernmost residential buildings; one is located 50 feet from the property line, one is located 65 feet away and the other two are located no closer than 100 feet.

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<sup>6</sup> <http://www.bpslaw.com/art/pdf/cancerphobis.pdf>

<sup>7</sup> A person standing within 10 yards of a 500 kV transmission line is exposed to an electric field of 10 kV/m and a magnetic field of 100 mG respectively. But if the person walks 100 yards away the exposure would drop to about 10 V/m and 1 mG, respectively. [<http://www.bpslaw.com/art/pdf/cancerphobis.pdf>]



**Figure 1**

**Source:**  
The National Institute of Environmental Health Sciences  
Electric and Magnetic Fields Research and Public Information Dissemination Program  
[<http://www.niehs.nih.gov/emfrapid/booklet/images/1chart3.gif>]

**Comment No. 29:**

In the same letter HH indicated that owner and rental properties will be intermixed. Agree with that approach. [PM]

**Response No. 29:**

This is correct. The owner and rental properties will be intermixed.

**Comment No. 30:**

There should be some discussions in terms of the length of the leases, and what the terms would be on renewals. Once people qualified, would they have to re-qualify in terms of their income on each lease renewal? A little bit more information on how the covenants and restrictions would work and how the properties would be allowed to appreciate in value, and in terms of mortgageability, should also be addressed in terms of the issues that the Planning Board has reviewed on other projects sponsored by the Town of Huntington for affordable housing. [AR]

**Response No. 30:**

The NYS Division of Housing and Community Renewal will determine the terms and length of the leases according to federal guidelines for Tax Credit subsidized properties. Most likely one and two year leases will be offered. Increases in rents will be determined by federal guidelines for the program. Rental tenants would be required to re-certify upon lease renewal, however, the re-certification/re-qualification procedures and standards will be determined and monitored annually by the state and federal funding sources, not HHI.

For the sale units, deed restrictions will be placed on the properties so that all re-sales will meet the requirements of state and federal funding programs that subsidize the units. In addition, HHI will place resale restrictions “in perpetuity” so that all subsequent sales are affordable to families according to HUD guidelines (families earning less than 80 percent of the HUD median income for Long Island [see excerpted tables from the NYS Division of Housing and Community Renewal and NYS Housing Trust Fund Corporation “Unified Funding Reference Materials 2007” in Appendix V of this FEIS]). Houses will be allowed to appreciate up to these levels.

**Comment No. 31:**

Since the DEIS used the Highview at Huntington and Millenium Hills sites as examples for similar developments both sites were compared. An investigation should be made into occurrences of similar incidents at both Highview and Millenium Hills over the last 2-3 years and a report generated. It is acknowledged that the number of bedrooms allocated is different. Highview appears to have fewer complaints about residents or the lottery process. On the other hand Millenium Hills seems to have had some problems, including excessive amounts of broken windows and property problems caused by residents/ tenants, many evictions, and a questionable lottery selection process. [PM]

**Response No. 31:**

The applicant’s representative, Susan Lagville, communicated with Richard Wankel of the Town of Huntington Housing Authority. Mr. Wankel stated that there was one window broken to date and no evictions at Millennium Hills (Highview at Huntington is all ownership).

Also, the applicant's environmental consultant corresponded with Joseph Blaettler, Commanding Officer of the Suffolk County Police Department ("SCPD") – Second Precinct (see correspondence and associated request form in Appendix J), requesting data on the number of incidents reported in 2005 for the Millennium Hills and Highview at Huntington housing communities. Additional information (road names and street numbers) was provided by telephone to Mr. Richard Agostini of the SCPD on Friday, September 22, 2006 in order to process the request. In correspondence dated October 2, 2006, the SCPD advised that , in 2005, there were 95 calls for service at Millennium Hills and 51 calls for service at Highview at Huntington. During the same timeframe calls for service at Highview at Huntington During the same timeframe (i.e., 2005), the Second Precinct responded to 85,883 calls.

The lottery for Matinecock Court will follow all state and federal regulations. The state will have a representative present at the lottery drawing to monitor the process. Families must be income qualified to live at Matinecock Court. Families with combined income earnings between \$50,960 and \$96,080, based on family size, will be eligible to purchase the 77 equity units. The homes are available to first-time homebuyers only.

Seventy of the rental units will be affordable to families earning between \$31,850 and \$72,060 a year, based on family size. Rents are projected to range between \$640 to \$1,150 a month. Eight units in the development will be made affordable to households with incomes between \$19,100 and \$38,200. These will target lower income seniors and the disabled. All incomes provided above are based on HUD guidelines for 2006, however, the applicable income will be the calendar year within which the proposed units are developed.

**Comment No. 32:**

MC does not have garages, but there is an allocation of storage space. What requirements will be imposed on the residents to reduce clutter, i.e. toys, bicycles, rubbish, tools, garbage cans, etc from being strewn about on lawns and roadways in an unsightly manner? [PM]

**Response No. 32:**

According to the applicant, all residents must adhere to the requirements as listed in the lease agreement. Excessive clutter, not removed when requested, could result in termination of the lease. The residents will be actively involved in the operation of the development via the Matinecock Court Condominium Association, and will adhere to the Matinecock Court “House Rules” document. A copy of the “House Rules” for the Highview at Huntington development has been provided in Appendix K of this FEIS as an example of what a house rules document would include.

**Comment No. 33:**

It has been purported that many residents of Millenium Hills were “placed” there arbitrarily and did not get there via the “proper” lottery approach. This has created some mixed perceptions, including that people that “deserve” to be there by placing their names legally in the lottery process missed out because of these illegal/improper “placements” and there are significant amounts of evictions and damage being done to the Millenium Hills buildings. Additional security has been required to be called in to aid in evictions and reduce disturbances. An analysis of how the lottery was conducted on both sites should be included in the DEIS to assure that the process has no flaws and that the proper security and safety is provided for both the residents and the surrounding community. Accordingly, what assurances and controls will there be to assure the MC lottery process will be fair? Who has responsibility for oversight?

**Response No. 33:**

See Response to Comment No. 31.

**III. TOWN OF HUNTINGTON PLANNING BOARD  
PUBLIC HEARING FOR THE MATINECOCK COURT  
SEQRA PROCESS  
MAY 10, 2006**

**David Scro**

**Chair of the Matinecock Court Citizens Advisory Committee**

**Comment No. 34:**

On behalf of the entire committee... The committee attempted to analyze comfort and livability, attractiveness, storage, affordability, traffic, school impact, health and safety and quality of life and other general factors.

**Response No. 34:**

The comment is noted.

**Comment No. 35:**

...the scope of this DEIS is based on a public scoping session that was held on September 27, 1995 and the 1995 Environmental Assessment Form and site plan. Certainly a lot has changed since then and I ask this Board to consider expanding the scope and content of the DEIS...

**Response No. 35:**

See Response to Comment No. 138.

**Comment No. 36:**

As we take a look at this site plan ten years later, the entrance and exit of this community has still not been resolved. Not included in the DEIS is information and studies concerning the Long Island Railroad grade crossing and community concerns about extensive traffic backup, putting school age children at risk.

**Response No. 36:**

See Response to Comment No. 1.

There are grade level crossings of the LIRR at numerous locations throughout Long Island. However, the elimination of the grade level crossing near the subject proposal, by elevating the tracks above Elwood Road (CR 10), is clearly outside the scope of this project. The roadway in the vicinity of the project is undoubtedly congested due to the converging morning peaks of local vehicular travel and the LIRR commuter peak. However, the overlapping peak time is discernable and relatively short.

With regard to the risk posed to school children during the morning peak, the installation of sidewalks combined with the assistance of a crossing guard (already provided by the district) would provide for safe pedestrian movements.

**Comment No. 37:**

What is the impact of a traffic light recently installed north of the site on Elwood Road? The traffic conditions were evaluated and based on traffic volume from field counts taken three years ago, May 8<sup>th</sup> '03 on a weekend and May 10<sup>th</sup> '03 on a weekday. This leads to the following conclusion on page 62. "As indicated above, the intersection of Pulaski and Elwood Roads is currently operating below capacity during a.m. peak hours." No current traffic counts are provided to back up this conclusion. This seems contrary to an article that appeared in the Observer on April 27, 2006 when the county executive, who also analyzed the capital improvements on this intersection, had the following to say, and I quote. [sic] "This intersection has become heavily congested in the past few years and has been identify [sic] as a high accident location." I ask that the article be reviewed in the DEIS.

**Response No. 37:**

See the Response to Comment No. 8. The revised traffic impact study is based on traffic volumes from the field counts collected by RMS Engineering in May 2006 when school was in session. In addition, RMS Engineering has prepared tables that compare the roadway volumes collected in 2003 to the volumes collected in 2006. During all time periods studied, the intersection of Pulaski Road (CR 11) and Stony Hollow Road experienced a decrease in volume. The intersection of Pulaski Road (CR 11) and Elwood Road (CR 10) experiences a slight increase in volume in the AM and PM peak periods and a moderate increase during the Saturday peak period. These results indicate that the eastbound and westbound traffic on Pulaski Road (CR 11) has not increased significantly, while there has been an increase in vehicles traveling on Elwood Road (CR 10) northbound and southbound and/or an increase in vehicles turning onto Elwood Road (CR 10) via the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10). Tables 14 through 16, contained in Appendix E, depict the difference between 2003 and 2006 traffic volumes for all time periods studied.

**Comment No. 38:**

Roadway improvements need to be evaluated, such as road dedication, road widening, acceleration and deceleration lanes and school crossing safety.

**Response No. 38:**

See Responses to Comment Nos. 1, 2 and 3

**Comment No. 39:**

I would also like to address a memo dated 12/28/96 from the Town of Huntington which states, "Reasonable alternatives and the preferred plan must be able to be designed to comply fully with applicable Town, County, State regulations and requirements." That was not done. The preferred plan, which is the only plan presented here tonight, fails to comply with Suffolk County DPW setbacks and separation distances and entrance and emergency access is not in conformance with County requirements. Why were no other reasonable alternatives identified?

**Response No. 39:**

As indicated in the Response to Comment No. 1 above, an Alternative Plan has been prepared to address the comments of the SCDPW. It should also be noted that, given the time over which this project has been considered, the comments of the Town Planning Department and the input of the CAC have all been considered and the proposed site plan has been modified and refined.

**Comment No. 40:**

Internal Roadways. Why has the internal roadway width been reduced to twenty-five feet?... This is contrary to the Town comments made on several occasions and the recommendations of this committee and the applicant's own consultant when they first changed the road from twenty-five to thirty. His official response was this: "This would create a safer vehicle flow, provide better visibility [sic] allow for delivery trucks and reduce congestion, which seems to be a legitimate concern of the committee" I ask the following question: Can the roadways as currently designed, if blocked by one car or several, safely accommodate school buses, garbage trucks and emergency vehicles? How will snow be reviewed [sic] from the shoulders? Where would it be piled?

**Response No. 40:**

The internal roadway (Matinecock Court) measures a minimum of 30 feet in width; and in some cases 35 feet, with the exception of a small portion in the area of the recycling center (approximately 160 linear feet), which measures 24 feet in width. All interior parking court roadways measure 24 feet in width, which is a standard recognized by the Town of Huntington and the Suffolk County Planning Department.

As indicated on page 145 of the DEIS, Land Design Associates, project engineer, has designed the internal roadways with proper turning radii for fire equipment and emergency vehicles. The Town's engineering and fire prevention bureau will also ensure that the internal roadways comply with New York State building and fire codes.

Also, see Response to Comment No. 19.

**Comment No. 41:**

...although the applicant's engineer has personally guaranteed that the site design and internal roadways have proper radii for fire equipment and emergency vehicles, the Northport Fire District should confirm and verify and review this information. Emergency service vehicles should also be evaluated in the same manner.

**Response No. 41:**

The applicant's engineer utilized the accepted standards in the design of the roadways, which have long been recognized by the Town of Huntington. Also, the East Northport Fire District (William Gilman, Chief) has reviewed the DEIS and issued comments in correspondence of May 26, 2006 (see Comment No. 233). See Response to Comment No. 40.

Furthermore, it should be noted that each unit within the Matinecock Court complex has been equipped with automatic sprinklers in accordance with the National Fire Protection Association standards.

**Comment No. 42:**

Are increased setbacks for buildings along the LIPA-Keyspan substation considered and evaluated? The Town should not tolerate exposure to even low levels of electromagnetic fields, and such exposure should not be allowed to happen to future residents of Matinecock Court who may not have any other alternative place to live. Would the Town be subject to future lawsuits by residents exposed to such risks if this is approved by the Town?

[The] DEIS states the following: "This strength of the electromagnetic field, EMF, from equipment within the substation decreases rapidly with increasing distance." How much from twenty-five to fifty and fifty to a hundred, if the longer the distance the better, the safer it is for the community.

**Response No. 42:**

See Response to Comment No. 28. There is no legal theory under which the Town would be liable for damages due to injury from electromagnetic fields as a result of issuing an approval for the development of the site.

**Comment No. 43:**

Pedestrian traffic patterns are not explored in the DEIS. The walkways from buildings, from one building in a safe manner.

**Response No. 43:**

The site plan denotes an extensive internal pedestrian walkway system that allows residents to access each building, various parking areas, the community building and the internal open spaces within the project. This internal system also connects to the proposed off-site sidewalk pattern.

**Comment No. 44:**

Also [sic] very important that the layout and design of this development have sufficient storage space that is provided to eliminate fire and safety hazards resulting from possessions placed in hallways, stairways and entrances, which leads me to a comparison that the committee did which reviewed this development in relationship to Highview Millenium Hill, Soundview Village and others.

**Response No. 44:**

The interior/exterior storage areas for the personal use of each resident are as follows:

- 1 bedroom first floor: 45 sf ± / 360 cf ±
- 1 bedroom second floor: 50 sf ± / 400 cf ±
- 2 bedroom first floor: 45 sf ± / 360 cf ±
- 2 bedroom second floor: 50 sf ± / 400 cf ±
- 3 bedroom first floor: 60 sf ± / 395 cf ±
- 3 bedroom second floor: 76 sf ± / 488 cf ±
- 4 bedroom first floor: 90 sf ± / 645 cf ±
- 4 bedroom second floor: 73 sf ± / 509 cf ±

In addition, each first floor unit has limited height floor storage under the stairs (varies).

It should be noted that these storage areas are equal or exceed generally recommended state agency standards as contained in NYS Division of Housing and Community Renewal Project Design Handbook (latest edition).

**Comment No. 45:**

Based on the fact there is no storage, based on the fact you have a four bedroom unit that has no access to the backyard, limited emergency access as far as getting up the stairs for emergency personnel, that you can have that many people in the unit under thirteen hundred square feet, I implore this Board not allow this dangerous situation which could result in a tragedy in the future.

**Response No. 45:**

A dangerous situation does not exist in any type unit. All construction and code emergency access requirements have been met or exceeded in and around all units. Also, as detailed in Comment No. 166, pursuant to §124-12(A) of the Town Code, “[e]very dwelling unit shall contain a minimum gross floor area of at least 150 square feet for the first occupant, at least 100 square feet for each of the next two occupants and at least 75 square feet of gross floor area for each occupant thereafter.” The proposed design would comply with the housing standards set forth in the Town Code.

**Comment No. 46:**

School impacts. This Board has the right to restrict the number of bedrooms per unit. It should consider that as far as mitigating some of the impacts on the school district.

**Response No. 46:**

The comment is noted. It should be understood that, pursuant to the Stipulation of Settlement and Consent Decree in Full Settlement of Claims by Plaintiff Against Defendants The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, and The Community Development Agency of the Town of Huntington, New York, dated October 10, 2000 (“Stipulation of Settlement”), (see Page 6, Subsection III.E. of the Stipulation of Settlement, a copy of which is annexed hereto as Appendix L), Honorable Justice Edward R. Korman (Chief Judge of the United States District Court – Eastern District of New York) has ordered that “[i]n the event that HHI submits a site plan application for 155 residential units at the development, in accordance with the terms of this Consent Decree, the Planning Board shall not deny approval of HHI’s site plan on the basis of the proposed density of the Development.” In accordance with SEQRA and its implementing regulations, the Planning Board, as lead agency, will review the impacts of the pending application, as proposed by HHI, on the Northport-East Northport Union Free School District, and will determine what, if any, mitigation is required.

**Comment No. 47:**

Comfort and livability. Why was the noise impact study based on information provided by the Traffic and Transportation Department of the Long Island Railroad based on the existing schedule in 2003? Certainly whistle requirements, speed and number of trains, number of locomotives have changed and should be evaluated.

**Response No. 47:**

The Noise Impact Study was prepared on March 8, 2004 and the information provided by the LIRR was based on 2003 operations. This Noise Impact Study was included as part of the initially-filed March 2005 DEIS. There were no comments issued by the Town of Huntington Planning Department or any of the involved agencies relating to the Noise Impact Study. Therefore, the study was not modified or updated.

It is also important to note that, as indicated in the Response to Comment No. 12, the proposed development includes noise mitigation measures to minimize exposure to railway noise. These mitigation measures include the placement of non-habitable uses at the northwest quadrant of the property, the installation of a six-foot-high solid wood fence and evergreen vegetation along the entire common property line of the subject parcel and the railroad. In addition, evergreens and heavy canopy shade trees would be planted in the open areas around the STP, parking areas and roadways. Overall, the proposed mitigation measures would be expected to reduce noise levels between 4 dBA and 15 dBA.

Notwithstanding same, correspondence was forwarded to the LIRR Traffic and Transportation Department to update the 2003 data (see Appendix M of this FEIS). In correspondence dated November 2, 2006, the LIRR provided updated (2006) information and the noise impact analysis has been modified pursuant to the new data received (see Appendix M of this FEIS). The 2006 data did not substantially affect the projected noise levels at the two noise assessment locations ("NALS"). In fact, the 2006 data projects that the combined noise level at both NALS would decrease from the projected levels using 2003 data.

Also, see Response to Comment 12.

**Comment No. 48:**

As far as affordability, I see no reason why people who live and work in Northport should be given a preference in the lottery, and the lottery should be monitored and safeguarded for fairness.

**Response No. 48:**

There are no preferences for those who reside or work in Northport. The preference will be given to those who live in the Town of Huntington, however, the total number of units would be determined by the NYS Division of Housing and Community Renewal (“DHCR”).

Also, see Response to Comment No. 31.

**Comment No. 49:**

As far as attractiveness, I agree with Housing Help as far as the estate fence, that it be along Pulaski and Elwood Road. I think it would be more attractive. A stockade fence will discolor and will require maintenance.

**Response No. 49:**

The comment is noted. See response to Comment No. 137.

**Comment No. 50:**

One further comment. We also looked at the livability and comfort of this new community. As a board, you don't want the new residents before you complaining about the existing conditions they're in. It is my sincere hope that five years after this development is built, that it's something that we can be proud of.

**Response No. 50:**

The comment is noted.

**Janet Allen**  
**Resident of South Huntington**  
**Member of the Citizen's Advisory Committee**

**Comment No. 51:**

We are very concerned about the quality of life issues, sanitary and safety, privacy, size of the rooms and units be adequate so that the people that live there will be comfortable, it will create a stable community and be attractive and be a long lasting contribution to the neighborhood and to our overall town.

**Response No. 51:**

The comment is noted.

**Diana Weir**  
**Long Island Housing Partnership**

**Comment No. 52:**

I'm representing the Long Island Housing Partnership. We're at 180 Oser Avenue in Hauppauge, and I'm here to speak in support of the application. I thank the Chair and Planning Board for giving us the opportunity. We support the application.

I know tonight you will hear comments and will thoughtfully review them, as will the applicant. We want you to know the need is so tremendous. This has been so long in happening. We ask you to expedite this and give the application your positive consideration. That's it. Thank you.

**Response No. 52:**

The comment is noted.

**Louis J. Ohlig**  
**Retired County Court Judge**  
**[No Address Provided]**

**Comment No. 53:**

I'm concerned about the environmental impact with the number of cars and the pollution and the traffic congestion that the roads will be subjected to.

**Response No. 53:**

The increase in vehicles due to the development of this property will not be significant when compared to the projected "No Build" roadway volumes. This increase in vehicles is not anticipated to have a perceptible impact to the air quality in the vicinity of the project site. The findings are summarized below:

**Proposed Plan**

Maximum vehicular increase by intersection:

- Pulaski Road (CR 11) and Elwood Road (CR 10)  
1.95% increase (58 vehicles) – Saturday peak period
- Pulaski Road (CR 11) and Stony Hollow Road  
3.86% increase (59 vehicles) – Saturday peak period
- Elwood Road (CR 11) and South School Driveway  
0.66% increase (13 vehicles) – Saturday peak period

**Alternative Plan**

Maximum vehicular increase by intersection:

- Pulaski Road (CR 11) and Elwood Road (CR 10)  
1.48% increase (44 vehicles) – Saturday peak period
- Pulaski Road (CR 11) and Stony Hollow Road  
3.86% increase (59 vehicles) – Saturday peak period

- Elwood Road (CR 11) and South School Driveway  
0.72% increase (14 vehicles) – Saturday peak period

The information presented above is summarized in Tables 8 through 12 located in Appendix E.

**Comment No. 54:**

The roads in the Town of Huntington, throughout the entire town [sic] of Huntington are really antiquated. 25A has never been improved. It's one lane in each direction. Pulaski Road, one lane in each direction. Elwood Road, one lane in each direction, and Cuba Hill and Clay Pitts, Vernon Valley Road, one lane in each direction.

**Response No. 54:**

The comment is noted.

**Comment No. 55:**

You're going to have over three hundred cars at this location here. You have two schools right there. The congestion right now, I live there; I know what it is. It takes two to three traffic lights to get through, starting at three o'clock in the afternoon...There is traffic congestion there and it's going to be pollution with all the cars waiting at the lights to change.

**Response No. 55:**

See Response to Comment No. 53.

**Comment No. 56:**

I think it's a disservice to the new people coming into Matinecock Village here. They're going to be subjected to traffic and so forth. What about the cars that might visit them. You might be having four hundred cars - -

**Response No. 56:**

The trip generation estimates were taken from the *Institute of Transportation Engineers (ITE) Trip Generation Handbook 2003* (the newest trip generation publication). Land Use Code 220 (Apartments) was utilized to estimate the number of trips anticipated to be generated by the 78 rental units and Land Use Code 230 (Residential Condo/Townhouse) was utilized to estimate the number of trips anticipated to be generated by the 77 privately owned units. The values calculated by the ITE manual are based on observations at various locations and account for visitors, deliveries, etc.

By utilizing the numbers provided by the ITE manual, it is anticipated that the proposed project will generate a total of 84 trips during the weekday AM Commuter peak hour (15 entering, 69 exiting), 109 trips during the weekday PM Commuter peak hour (72 entering, 37 exiting) and 116 trips during the Saturday peak hour (60 entering, 56 exiting). There has been no change in the ITE trip generation values since the original submission.

**Charles Kerner**  
**230 Sweet Hollow Road, Huntington**

**Comment No. 57:**

I think Housing Help has considered in good faith all the reasonable suggestions made by the Advisory Board. I thank the Planning Board members for their suggestions, which I found in the eight hundred pages of DEIS. I think the professionals in the Planning Department have also added to this. The process has enhanced the quality of life of the future residents of this neighborhood in East Northport.

**Response No. 57:**

See Responses to Comment Nos. 1, 2 and 3.

**Comment No. 58:**

About the need. Matinecock Court is badly needed in Huntington. A typical [sic] family house on Long Island costs four hundred thirty thousand dollars. A prospective buyer would need an income of one hundred seventy-five thousand dollars a year, or almost twice the median income of Nassau and Suffolk Counties. Young people twenty-four to thirty-four are leaving Long island at a rate five times the national demographic.

**Response No. 58:**

The comment is noted.

**Comment No. 59:**

Second, businesses can't find entrance level workers, nor can they expand on Long Island. They are relocating elsewhere and prospective businesses avoid Long Island. Affordable workforce housing is a must.

**Response No. 59:**

The comment is noted.

**Comment No. 60:**

The Housing Helps [sic] list of applicants will form a pool for the lottery. Fifteen percent of that list, folks, are residents of East Northport and Northport and seventy percent are residents of Huntington, the Town of Huntington. That means we will be taking care of our own.

**Response No. 60:**

The comment is noted.

**Comment No. 61:**

School children, I read the eight hundred pages and I saw the two very definitive studies by Rutgers University and National Association of Homebuilders. They said forty-nine students.

These two studies were validated by applying them to Avalon I, Millenium [sic] Hills and Highview. That means the formulas used by the experts have been showed to be exact by experience of what school children came from those developments.

**Response No. 61:**

The comment is noted.

**Stephen Monez**  
**698 Fifth Avenue, East Northport**

**Comment No. 62:**

Throughout the report, two similar projects have been listed to show my concerns with the lottery system. There is no way to understand what type of people will be moving into this community. This concerns me since my two children attend Pulaski Elementary School and they will probably be attending my school. How does the HHA plan to execute a process that people who move in will not be affected by crime?

**Response No. 62:**

The proposed development is within the service area of the Suffolk County Police Department - Second Precinct. As included in Appendix H of the DEIS, the Second Precinct has been made aware of the proposed development and no concerns have been expressed.

**Comment No. 63:**

Why can't the R 3-M zoning be changed to L 3-M zoning? The opposition of the existing residents may not be so strong.

**Response No. 63:**

The zoning of the subject parcel (i.e., R-3M Garden Apartment Special District) was decided by the Federal Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989).

**Comment No. 64:**

The current population of the school is also a concern. The report shows a total increase of enrollment to over six hundred students. If the project went forward today, I can understand. I do construction, I understand what it takes to get stuff done. You already have six hundred students planned for in that. How are we supposed to handle another hundred plus, and how will our taxes be effected?

**Response No. 64:**

The potential influx of students from the proposed development was identified in the Superintendent's Annual Report for 2002-2003, which included the need to include school-aged children from this community in its facility planning. On page 38 of the Annual Report, within a discussion of enrollment, it is indicated that "projections by Dr. Hughes calls for an additional increase of 1032 students to 7424 total over the next decade, not including children who might reside in the planned housing of Matinecock Court...it will be important to review annually the available space to be cure [sic] the facilities are adequate to deliver the program to the larger population. **With the settlement of the Matinecock Court lawsuit, estimates for the population that will reside there must also be built into planning estimates.**" (emphasis added) (See Page 144 of the DEIS). Therefore, because the District has anticipated the incoming students from the proposed development, it is the responsibility of the District to address and appropriately plan for future spatial needs.

Additionally, given that the proposed development would generate tax revenues, is consistent with prevailing zoning, and the proposed development has the subject of a Stipulation of Settlement (see Appendix L of this FEIS) with the Town of Huntington, the District has a legal obligation to provide educational services to the residents of the Matinecock Court as it does to all residents of the District.

**John LaMonica**  
**16 Christine Lane, East Northport**

**Comment No. 65:**

I think that we can all identify with the need to have affordable housing in the Town of Huntington on Long Island. There are many people who really need this type of housing, and with this I really sympathize, but many of us moved here perhaps from New York City or [sic] Nassau County looking for a certain quality of life. We came here with the awareness of what zoning already existed and we have encountered an increase in population, an increase in private housing, and now we seem to be moving towards another element, an element which comes perhaps more out of the city of multiple dwellings.

**Response No. 65:**

It should be noted that there are two similar developments in the Town of Huntington – Highview at Huntington and Millennium Hills. As acknowledged by the commentator, this property has been zoned R-3M Garden Apartment Special District for nearly 20 years, and therefore, the proposed use has been anticipated for the same amount of time. Also, it is noteworthy that the proposed use and density have been litigated and resolved in a Stipulation of Settlement. See Response to Comment No. 46.

**Comment No. 66:**

I think that the Board should also consider not only the fact that we need affordable housing, and we do, but the fact that the quality of our lives as a result of the affordable housing in the numbers concerned, perhaps will have a negative impact upon the rest of us. We should be part of the concern as well.

**Response No. 66:**

As indicated in the Response to Comment No. 63, the zoning of the subject parcel (i.e., R-3M Garden Apartment Special District) has been decided by the Federal Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989). Also, the development of the site is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement.

**Comment No. 67:**

I think the major issue to me is the traffic, and although we can not consider the fact of the density of this unit as being an issue, according to a Federal judge, [sic] a result of the density is that it is going to impact on a number of issues, a primary one being traffic. Not only will there be three hundred thirty-four spaces issued, but there will also be, as has already been stated, people coming; fire delivery, different types of trucking issues, dealing with the water treatment plant. But we also have people coming to visit these wonderful people who are going to be living there, and that is going to bring more traffic.

**Response No. 67:**

The DEIS included an analysis of the potential impacts to water quality (Sections 3.3 and 4.3), traffic (Sections 3.5 and 4.5), and fire-protection services (Sections 3.7 and 4.7).

**Chris Sellers**  
**Representative of Bethany Presbyterian Church**

**Comment No. 68:**

Our church, our members have become so concerned about this housing issue that we created a special team and have done special studies on the subject. One of the reasons we have been concerned is because we have members who have had trouble finding housing; they can't afford to be homeowners.

I think I can speak to all us who have been involved in Bethany, that we welcome the project. It looks like a pretty good thing from the picture, and we welcome having some of our members move in.

**Response No. 68:**

The comment is noted.

**Linda Amarante  
Resident of East Northport**

**Comment No. 69:**

Housing Help wants to put up a development in our neighborhood, but this development offers no benefits to me and my family. To me, it has a number of negative effects on the neighborhood than positive ones. A few of the environmental concerns; increased traffic, noise pollution and air pollution, both from the construction and proposed completed development. Increase in noise pollution and air pollution is a major concern, since this proposed development is next to both the high school and elementary school. Has anyone realistically considered the number of school children walking to both the high school and Pulaski Road School along with the increased traffic?

**Response No. 69:**

The DEIS evaluated the potential impacts to water quality (Sections 3.3 and 4.3), noise and air quality (Sections 3.6 and 4.6) and traffic (Sections 3.5 and 4.5). Also, the traffic analyses have been updated and are included in Appendix E of this FEIS. The school-aged children from the proposed development would take similar routes from adjoining residential neighborhoods. The crossing of Elwood Road to the Pulaski Road School is assisted with the presence of a crossing guard.

The proposed development includes a sidewalk along the frontage on Pulaski Road, which would allow for safe movements off the roadway. Also, the construction of a sidewalk on Elwood Road has been suggested by SCDPW and has been included on the Alternative Plan (see Appendix D of this FEIS). Currently, the site is undeveloped and walking occurs along the roadway shoulders. Therefore, the proposed action would improve safety conditions for pedestrians.

Also see Response to Comment No. 47.

**Comment No. 70:**

The development is out of character with the surrounding neighborhood in terms of housing and population density. It is not required that this number of units be put on that lot.

**Response No. 70:**

The development of the site is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement.

**Joe Lyons**  
**Resident of East Northport**

**Comment No. 71:**

As usual, the children are being forgotten here. Overcrowding in schools is not a concern to these people.

**Response No. 71:**

See Response to Comment No. 64.

**Comment No. 72:**

Almost half of the property has to turn into leach field to support this many housing units. As the first speaker mentioned, all of these items have never been addressed and need to be updated.

**Response No. 72:**

The Engineering Report in Appendix J of the DEIS and discussed in Section 4.3 of the DEIS (see pages 106 through 111) evaluated the proposed STP. The on-site STP has been designed for the Matinecock Court development, and the design is based upon the Code Requirements of the SCDHS. Also, as indicated in the Response to Comment No. 155, the SCDPW requires that the developer install 200 percent of the effluent recharge needs of the STP at the time of the initial construction of the STP and leave a "land bank" sized for an additional 100 percent for the future. Both of these parameters have been provided for in the Engineering Report in Appendix J of the DEIS.

Moreover, on July 19, 2004, Michael P. Chiarelli, P.E. presented the proposed STP to the SCDPW – Suffolk County Sewer Agency. As indicated in the meeting minutes included in Appendix J of the DEIS, the Suffolk County Sewer Agency granted conceptual certification of the proposed STP.

**Comment No. 73:**

As far as the soil is concerned, my understanding is that the area and soil is contaminated...Those contaminants will be airborne, my children will be not more than a thousand feet from that area and I'm concerned. There are PCB's in that soil and EMS in that electric plant; all these things exist.

**Response No. 73:**

Section 3.1 of the DEIS summarized the Phase I Environmental Site Assessment ("ESA") prepared for the subject property by Bienstock, Lucchesi & Associates, P.C. ("BL&A") in February 1994. A copy of the Phase I ESA was included in Appendix C of the DEIS.

A Soil Management Plan ("SMP") was prepared by Freudenthal & Elkowitz Consulting Group, Inc., included herein as Appendix H, to evaluate on-site soil quality conditions and to determine the best management practices of impacted and clean soils during construction. The SCDHS has reviewed and accepted the SMP. See Response to Comment No. 15 for relevant sections of the SMP. A copy of the SMP in its entirety is included in Appendix H of this FEIS.

**Comment No. 74:**

It's a vacant property. No one said let's build a great park. All they said is let's put in more housing because we're not overcrowded enough.

**Response No. 74:**

The zoning of the subject parcel (i.e., R-3M Garden Apartment Special District) has been decided by the Federal Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989). The development of the site is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement.

**Irene More**  
**48 Biltmore Circle, Huntington Station**  
**Member of Outreach Committee at Highview in Huntington**

**Comment No. 75:**

I support the Matinecock Court application. It is much needed and long overdue. It would help to alleviate the housing shortage in the Township of Huntington and prevent the loss of our valuable resources, meaning our children, with college degrees, who can no longer afford to live in the Town of Huntington.

Once the environmental study is completed and health and safety issues are ensured for all parties involved, perhaps the Town could stop spending taxpayers' money on legal fees and spend more money on expediting this project as quickly as possible.

**Response No. 75:**

The comment is noted.

**Nancy Berg**  
**22 Biltmore Circle, Huntington Station**

**Comment No. 76:**

I live at Highview in Huntington, which is an affordable housing community. I'm here just to allay some of the fears...

The first thing that I would like to say is affordable housing emphatically is not welfare housing. Seventy percent of my neighbors -- we did a survey recently, there are a hundred units -- seventy percent of residents have degrees and advanced degrees. We're working people. I'm an R.N. My neighbors hold such jobs as teachers, policemen, firefighters, railroad workers, engineers and office workers. We supply the human infrastructure that makes a community work...

My children both have New York State college degrees and they live out of state because they cannot afford to move back to where they grew up.

Out of a hundred units in our development, there are less than fifty children enrolled in school. We all pay taxes and we cover their enrollment with our taxes.

**Response No. 76:**

The comment is noted.

**Bill Elkins**  
**Resident of East Northport**

**Comment No. 77:**

I reside near the corner of Elwood and Pulaski where the units are going to be built. I walk a seven year old son and a neighbor that has an eleven year old daughter and seven year old daughter to school in the morning. It takes me the same amount of time to walk at a seven year old's pace, the same amount to drive, which is horrible.

**Response No. 77:**

See Response to Comment No. 36.

RMS Engineering collected vehicular travel time data from Laurel Hill Road and West 6<sup>th</sup> Avenue on Elwood Road (C 10) in the northbound and southbound directions. Between the study times listed below, a vehicle was traveling Southbound on Elwood Road (CR 10) from Laurel Hill Road to West 6<sup>th</sup> Avenue noting the time it took to travel between each intersection as well as the overall travel time. When the vehicle reached the end of this route (West 6<sup>th</sup> Avenue) it would then reverse its travel direction and repeat the exercise. This loop was performed until the end of the study period.

Travel time data was collected on Saturday May 13, 2006 (11:00 am - 2:00 pm) and on Wednesday May 17, 2006 (7:00 am - 9:00 am and 2:00 pm - 6:00 pm). The data collected is summarized in Tables 17 through 22 and are located in Appendix E. Our findings are as follows:

Saturday: Southbound

- The maximum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 3 minutes and 23 seconds, which occurred at 12:00 pm and 12:20 pm.
- The minimum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 1 minute and 48 seconds, which occurred at 11:28 am.

Saturday: Northbound

- The maximum travel time experienced to travel from West 6<sup>th</sup> Avenue to Laurel Hill Road was 5 minutes and 4 seconds, which occurred at 12:13 pm.
- The minimum travel time experienced to travel from West 6<sup>th</sup> Avenue to Laurel Hill Road was 1 minute and 48 seconds, which occurred at 11:25 pm.

Wednesday: AM Southbound

- The maximum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 3 minutes and 17 seconds, which occurred at 7:34 am.
- The minimum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 1 minute and 24 seconds, which occurred at 8:28 am.

Wednesday: AM Northbound

- The maximum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 6 minutes and 12 seconds, which occurred at 7:38 am.
- The minimum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 1 minute and 5 seconds, which occurred at 8:08 am.

Wednesday: PM Southbound

- The maximum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 3 minutes and 29 seconds, which occurred at 3:07 pm.
- The minimum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 1 minute and 15 seconds, which occurred at 5:52 pm.

Wednesday: PM Northbound

- The maximum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 3 minutes and 11 seconds, which occurred at 3:01 pm.
- The minimum travel time experienced to travel from Laurel Hill Road to West 6<sup>th</sup> Avenue was 1 minute and 24 seconds, which occurred at 4:23 pm.

**Comment No. 78:**

I find in the workforce there are issues with the affordability on Long Island, but my biggest concern is more the safety of the children that walk. I think it's third or fourth grade the children are able to walk by themselves if the parents want them to. My children will not.

**Response No. 78:**

See Response to Comment No. 69.

**Comment No. 79:**

Elwood, I don't believe would be a good idea to have an exit or entrance. You're asking for more traffic into an already congested area, so you're talking about Pulaski is really the only avenue for that traffic to go onto.

Secondly, the traffic going down Elwood heading south towards the Expressway is also getting more congested because you also have schools down that way also. So there is a lot of congestion at that time of the morning going in both directions to the schools, away from the schools.

I don't know where these people are going to be able to go, unless they want to go east and west on Pulaski Road. You're asking a lot more cars. If there are three hundred plus spots on there and that is fully occupied, that is a lot of cars for that area. Are people going to work in the middle of the night? Most people don't work in the middle of the night.

**Response No. 79:**

See Responses to Comment Nos. 1, 2 and 3.

**Scott Lyon**  
**Organizer for the Long Island Campaign for Affordable Rental Housing**

**Comment No. 80:**

Some studies need to be updated and this and that, but the thing that has most changed is the need. The need has grown exponentially on Long Island for more affordable housing units.

We support this development in large part due to the rental component of this. Rentals are a big important part of the housing puzzle that is missing from most of Long Island and we definitely support that. Most of all, I'm imploring you not to limit the number of units

**Response No. 80:**

The comment is noted.

**Rita Cipriano  
122 Scudder Place, Northport**

**Comment No. 81:**

Unfortunately, I was kind of blindsided about this meeting. A lot of residents weren't notified.

**Response No. 81:**

Pursuant to Chapter 198-116 (B) of the Town Code,

*B Public hearing. In addition to any public hearing which may be required by SEQRA and its implementing regulations, the Planning Board has the option of holding as many public hearings as it deems necessary or advisable during the site plan review process. Such public hearing(s) shall be held within sixty-two (62) days of the date a complete application is filed, unless adjourned by mutual consent of the applicant and Planning Board. Notice of the public hearing(s) shall be published in the official newspaper(s) of the Town no later than five (5) days prior to the hearing date.*

The Public Hearing was held on May 10, 2006. The Affidavit of Publication for *The Observer* (see Appendix N of this FEIS), which confirms the publication of "Notice of Public Hearing" on April 20, 2006. As such, the notice of public hearing was published in accordance with (and actually well beyond) the required five days cited above. As indicated on the Town of Huntington's website, the Town's official newspapers are both *The Long Islander* and *The Observer*.

Also, given that the public hearing was well attended, it is apparent that residents were aware of the hearing.

**Comment No. 82:**

.. my concern is the lottery. I understand that the other two housing developments had problems with one of the systems. They had broken windows, they had evictions. I understand fifty percent of it will be rentals. How will that screening be done? How can we monitor the amount of tenants that are going to be coming in and out of these units? That is my question.

**Response No. 82:**

See Responses to Comment No. 31.

Seventy of the rental units will be affordable to families earning between \$31,850 and \$72,060 a year, based on family size. Rents are projected to range between \$640 to \$1,150 a month. Eight units in the development will be made affordable to households with incomes between \$19,100 and \$38,200. These will target lower income seniors and the disabled. All incomes are based on HUD guidelines for 2006.

All applicants must pass credit, employment, and background checks. Birth certificates or other legal documentation must be provided to show that all tenants in a single unit are members of the family occupying the unit. All family members are listed on the lease.

All apartment complexes have evictions. Homeowners sometimes default on their mortgages. HHI provides credit counseling, budgeting and mortgage default counseling for all residents of the township of Huntington.

**Abby Pariser  
15 Eleanor Place, Huntington**

**Comment No. 83:**

I did want to wonder if twelve houses were put on these twelve acres, the kind of houses that would probably be two million dollars. It would still be construction, construction dust and so forth and so on. I tend to doubt whether that is an environmental issue or it's really an issue that is dealing with income levels and different -- what did you say from Bethany -- people who are different from us.

**Response No. 83:**

The comment is noted.

**Patti Gosman  
5 Dover Place, Northport**

**Comment No. 84:**

Today my concern is the traffic and on such short notice that I didn't have a chance to actually read up on everything that is going to be decided...

When the traffic study was done, I think it was done two years ago, I think it should be done again and different times of the day, like when school gets out.

**Response No. 84:**

As indicated in the Response to Comment No. 1, manual traffic counts were performed for the original and revised 2006 analysis. The revised data was collected on, Wednesday, May 17, 2006 from 7:00 am to 9:00 am and from 2:00 pm to 7:00 pm (this incorporates the school dismissal period). Data were also collected on Saturday, May 13, 2006 from 11:00 am to 2:00 pm. These volumes are presented in the 2006 analysis contained in Appendix E.

**Annmarie DiPasquale  
3 Bluff Point Road, Northport**

**Comment No. 85:**

I would like to address two issues this evening. The burden on the schools. I don't know if your board is aware, but we have had expansion in the middle school and the high school to accommodate our growing population. I take strong exception to the number being quoted as eighty-four children being filtered into our school district. I believe that is an inaccurate and old number...

We cannot provide space for full day K for the children that area already in our district. If we had an influx of other children, we will have to build -- our community has voted this down because we cannot afford full day K in our school district. I don't know how we can absorb these additional children...

I am strongly recommending that you look at bringing that number down to work for what is best with Matinecock Court residents and the community at large that are currently there.

**Response No. 85:**

The projected increase in school-aged children and the potential impacts of the proposed development on the school district were evaluated in Sections 3.7 and 4.7 of the DEIS. Also, as indicated in the Response to Comment No. 64, the Superintendent's Annual Report for 2002-2003 included the Matinecock Court development and acknowledged the need to include school-aged children from this community in its facility planning. As such, the District has been aware of the proposed development and the school-aged children that would be generated upon its completion.

The development of the site, including the number of units, is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement.

**Comment No. 86:**

The other point that I would like to address is the traffic. I have been a district-wide health and safety committee member on all levels of secondary and elementary school and we are privy to everything that goes on in each school. Elwood Road is highly highly congested for our high school kids, as well as our elementary kids.

**Response No. 86:**

If the aforementioned improvements discussed with representatives from the SCDPW are implemented, the coordination of the traffic signals on Elwood Road (CR 10) from Laurel Hill Road to Pulaski Road (CR11) should help to improve the progression of traffic. The construction of a two-way left-turn lane on Elwood Road (CR 10), which will provide more capacity and storage on the roadway, will further improve traffic conditions.

**Comment No. 87:**

Last but not least, I was blindsided by this meeting as well. I looked in the Observer and I did not see it posted.

**Response No. 87:**

See Response to Comment No. 81.

**Barbara Clemens  
24 Woody Lane, Northport**

**Comment No. 88:**

I'm worried about the impact of the projected eighty-four students that will be coming into the school district, and I'm also wondering if there are [sic] going to be some sort of system in place that will try and maintain that number given.

**Response No. 88:**

See Responses to Comment Nos. 64 and 85.

Also, it is contrary to federal and state law to restrict the number of children that families have. Clearly, neither local governments nor school districts can regulate the number of children that families who reside in single-family homes have. The same applies for residents of condominiums and apartments. Moreover, as explained in detail in Section 4.7 of the DEIS, demographic research indicates that more school-aged children are generated from a single-family home than from a condominium or apartment.

**Comment No. 89:**

Also, I don't know if it has been printed anywhere or public, but I was wondering what the property taxes are going to be that would be generated from the units. Are the rental units going to be paying into the property taxes? Will the owners of the units be paying into the property tax, and how much will actually be coming into the community from those units?

**Response No. 89:**

According to the Town of Huntington Tax Assessor, both the rental and equity units will pay full property taxes based on their legal status as a condominium and their fair market value. Property taxes from the rental units will be paid from the rents collected by HHI.

Correspondence from Bryan J. Monaghan, Town Assessor, dated September 22, 2006, (see Appendix O of this FEIS), provided the approximate assessed valuation for the proposed units, as follows:

| <b>Unit Type</b> | <b>Assessed Valuation</b> | <b>No. of Units</b> | <b>Total Valuation</b> |
|------------------|---------------------------|---------------------|------------------------|
| 1 BDR            | \$900                     | 20                  | \$18,000               |
| 2 BDR            | \$1,150                   | 90                  | \$103,500              |
| 3 BDR            | \$1,400                   | 37                  | \$51,800               |
| 4 BDR            | \$1,500                   | 8                   | \$12,000               |
|                  |                           | 155                 | \$183,300              |

Based on the assessed valuations provided by the Assessor and the current (2005-06) tax rate of 206.095 (per \$100 of assessed valuation less plus refuse and less Basic STAR school tax exemption), the projected total annual tax revenue from the proposed 155 units would be \$377,773±.

The tax rate for the school district is 131.675 per \$100 of assessed valuation. Therefore, approximately \$241,361± of the estimated annual total of \$377,773± would be generated as revenue to the Northport-East Northport Union Free School District from the proposed development. Moreover, the revenue to the East Northport Fire Department would be approximately \$17,341, based on the current tax rate of 9.46 per \$100 of assessed valuation.

**Ken Christenson  
86 Cuba Hill Road, Greenlawn  
President of Huntington Town Housing Coalition**

**Comment No. 90:**

On behalf of this organization and many other organizations and individuals that understand the compelling need for all kinds of affordable housing, we are here to urge you after to give a speedy approval for this long overdue development . .

We urge Housing Help to move with all speed remaining approvals. We know it's the State's decision with you, but we urge Housing Help to seek approval from the State to give precedents [sic] to local residents.

**Response No. 90:**

The comment is noted.

**Sharon LaColla  
Catherine Street, East Northport  
Member of ABC Civic Community**

**Comment No. 91:**

This is a significant impact on the community, but it is significant in that will affect many, many lives...

The sewage treatment plant will be at one hundred percent of its capacity before the community opens its doors. That is a problem because if the population in our community has not increased over the last thirty years, then everybody must have grown up, bought a house and bought two cars. They will have children, as I have had a child, and my child has had children. And if all of these stay in Suffolk County, we will not be able to drive on the roads, nor will people be able to flush their toilets.

**Response No. 91:**

See Response to Comment No. 99. It should also be noted that the proposed STP would be utilized by Matinecock Court alone, and therefore, it would have no effect on the capacity of any other sewage treatment systems in the Town.

See Response to Comment No. 1.

**Comment No. 92:**

So traffic, without a doubt, is terrible between seven-fifteen in the morning and probably a quarter to ten in the morning. Coming down Elwood Road past the high school, past Pulaski Road School it is impossible.

**Response No. 92:**

As indicated in the Response to Comment No. 1, manual traffic counts were performed for the original and revised 2006 analysis. The revised data was collected on, Wednesday, May 17, 2006 from 7:00 am to 9:00 am and from 2:00 pm to 7:00 pm (this incorporates the school dismissal period). Data were also collected on Saturday, May 13, 2006 from 11:00 am to 2:00 pm. These volumes are presented in the 2006 analysis contained in Appendix E.

Also, as indicated in the Response to Comment No. 77, the travel time data indicated that during the AM peak hour, there is only a short period of time where Elwood Road (CR 10) experiences extensive delays. In the southbound direction, the travel time for the roadway segment on Elwood Road (CR 10) between Laurel Hill Road and West 6<sup>th</sup> Avenue varies between 2 minutes to just over 3 minutes from 7:00 am to 8:00 am. After this time period the travel time drops to below 2 minutes.

In the northbound direction, the travel time for the roadway segment on Elwood Road (CR 10) between Laurel Hill Road and West 6<sup>th</sup> Avenue varies between 1 minute to just under 3 minutes from 7:00 am to 8:30 am with the exception of a long delay that occurred between 7:30 am and 7:50 am. After this time period the travel time drops to below 2 minutes.

There may be isolated times where this section of roadway takes long to traverse due to the newly installed traffic signal at the south school driveway and/or the LIRR crossing. As indicated in the Response to Comment No. 1, the coordination of the traffic lights on Elwood Road (CR 10) from Laurel Hill Road to Pulaski Road (CR 11) should help to improve the progression of traffic in this area.

**Comment No. 93:**

My concern is really that in the twenty-five or thirty years we have been talking about this and suing people and doing all sorts of things, we don't have any updates. Currently, the ABC Civic Community submitted a document, a scoping document from 1995. It's ten years later. In ten years, many, many things have happened. We need to update all of those studies so that we know this community will be as successful as Highview is.

**Response No. 93:**

See Response to Comment No. 138

**Rick Cody**  
**709 10<sup>th</sup> Avenue, East Northport**

**Comment No. 94:**

Based conservatively, the average person using fifty gallons of water a day, that is roughly fifty thousand gallons of sewage that has to be treated a day that has to be dumped back into the ground.

The nitrates in that sewage water in such a small area is ultimately going to make its way back to our drinking water...

Long Island is very unique with deep water wells. Once they get filled up with nitrates, you can't get it out.

**Response No. 94:**

As indicated in footnote 27 on page 106 of the DEIS, the minimum design sewage flow rates are defined by the SCDHS in the *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single-Family Residences*. As defined by the SCDHS, for units with gross floor areas of 601 to 1,200 square feet, the minimum design flow rate is 225 gpd per unit; and for units 1,200 square feet or greater, the minimum design flow rate would be 300 gpd per unit. The one, two and three-bedroom units proposed as part of this project are all less than 1,200 square feet, and thus, the factor of 225 gpd per unit applies. The design flow factor of 300 gpd per unit applies to the proposed four bedroom units, as all are greater than 1,200 square feet. Finally, the SCDHS design flow factor for the community building is 0.3 gpd per square foot (see Response to Comment No. 14).

As indicated on pages 107 through 111 in the DEIS and in the Response to Comment No. 118, the proposed STP includes, among other things, a nitrogen removal process such that the total nitrogen is below the New York State drinking water limit of 10 mg/l. It should also be noted that the design, maintenance and operation of the STP is subject to the review and approval of the SCDPW and SCDHS.

It is also noted that the DEIS included an extensive groundwater modeling study to evaluate the potential impact that the wastewater discharge from the proposed on-site STP could potentially have on the SCWA Laurel Hill well field (see Section 4.2 and Appendix C of the DEIS). The SCWA Laurel Hill well field is located approximately 2,500 feet to the north of the project site and is equipped with four wells with pumping capacities ranging from 1,200 to 1,300 gallons per minute (GPM). Based upon the results of the three-dimensional groundwater modeling, the proposed 36,000 GPD of sanitary waste discharge will have no adverse impact on the four SCWA potable water wells located at the Laurel Hill well field.

**Comment No. 95:**

Secondly, the traffic, before this project can even start, LIRR has to do something with the grade crossing.

**Response No. 95:**

See Response to Comment No. 36

**Charles McGowan**

**Comment No. 96:**

If I were to speak, I would be redundant because Mr. Lyons has more than adequately expressed my views.

**Response No. 96:**

The comment is noted.

**Dick Eberl**  
**Oleander Drive, Northport**

**Comment No. 97:**

I'm basically opposed to this project. When I moved here, I came here for open space ...

I like it the way it is and I wish it would stay the way it is. I think the Board has done a great job keeping this community in demand because we have some of the highest housing costs in the country right here...

We have new immigrants coming in from Mexico to the tune of thirty thousand coming in here. These people are finding places to live. I see them down in Florida, they live, they have communities, they work their way up. Come to the community and buy homes.

**Response No. 97:**

As explained in the Response to Comment No. 63, the zoning of the subject parcel (i.e., R-3M Garden Apartment Special District) has been decided by the Federal Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989). Furthermore, as indicated in the Response to Comment No. 46, the development of the site is governed by the terms of the Stipulation of Settlement.

As explained in the Response to Comment No. 82, all applicants must pass credit, employment, and background checks. Birth certificates or other legal documentation must also be provided.

**Comment No. 98:**

I think there should be more consideration and more senior housing in this development like they have near Waldbaums.

**Response No. 98:**

As indicated in the Response to Comment No. 31, the proposed development has been designed for lower income seniors, in addition to other groups.

**Comment No. 99:**

What does it cost to put in the extra sewage some day when you find you can't put the sewage in the ground there. The cost of the extra lights, extra police that you need to police this place.

There are an infinite number, maybe a hundred items of cost that you experts could probably put your fingers on, and I would really like to see how that impacts my tax from the County, the Town of Huntington, and the State by funding this program.

**Response No. 99:**

The proposed STP will be a BESST process designed to handle 37,500 gpd. As indicated in the Response to Comment No. 14, the capacity of the STP has increased from 36,000 gpd to 37,500 gpd due to the SCDHS reevaluation of the design flow factor for the community building by the SCDHS. The Engineering Design Report has been modified by the sanitary engineer and is included in Appendix G of this FEIS.

The projected sanitary flow is based on the 155 proposed units and the community building, as described in Table 13 in the DEIS and the Engineering Design Report in Appendix G of this FEIS. Also, in footnote 27 of the DEIS, the minimum design sewage flow rates used to determine the projected flow are published rates of the SCDHS. The projected flow would not increase “some day” as the unit count of 155, as proposed and Stipulated not to exceed 155 residential units, would not change.

The electrical costs associated with lighting on the site would be paid from the income received from rents and maintenance fees from the ownership units. Also, the proposed development would not require extra police, as police protection would be under the jurisdiction of the Second Precinct. As indicated on Page 146 of the DEIS, consultations were undertaken with the Second Precinct by the applicant’s environmental consultant. In correspondence of November 21, 2003, Inspector Dominick Varrone of the Second Precinct indicated that, “We can not disclose the numbers and types of equipment assigned to the precinct. Suffice it to say the Second Precinct has the requisite equipment to carry out its mission.” It should also be noted that the proposed development would contribute to the local tax base, which includes the Suffolk County Police Department.

Finally, as indicated in the Response to Comment No. 89, the Matinecock Court development would contribute its fair share of taxes to compensate for the community services and facilities it would potentially utilize, like any other development in the Town. The operations of the proposed development (e.g., electricity, potable water, roadway maintenance, etc.) would be paid from rents and maintenance fees.

**Bob Hill**  
**26 Georgia Street, East Northport**

**Comment No. 100:**

I live, like I say, three or four blocks from this area. I can't get out of any of those streets.

I'm retired right now and I go in and out on some, you know, chores and errands during the day and stuff like that. You can't get in and out of that area at all.

I understand you need affordable housing, and I'm all for that. This doesn't seem to be an appropriate area for this. It's too congested.

**Response No. 100:**

The Traffic Impact Study prepared as part of the DEIS, with supplemental analyses prepared and included within this FEIS, evaluated the post-development traffic impacts and has incorporated mitigation measures, as necessary. The applicant has met with the SCDPW, the agency with jurisdiction of both Elwood and Pulaski Roads, and has modified the plan pursuant to requests made by this agency.

As indicated in the Responses to Comment Nos. 46 and 63, the zoning of the subject parcel (i.e., R-3M Garden Apartment Special District) has been decided by the Federal Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989). The development of the site is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement.

**Frances Whittelsey  
50 Summit Drive, Huntington**

**Comment No. 101:**

People in that neighborhood are concerned about the traffic, they might want to consider that situation and perhaps - - I drive past that parking lot at the high school and see a thousand cars in that parking lot.

That is the problem, not the cars that will be brought into the neighborhood by a hundred fifty families, who have limited income, who are unlikely to be able to afford more than one and possibly two cars. So I think the community needs to address the traffic problem itself and consider, from an energy standpoint, and perhaps even from a fitness standpoint, that it might be desirable for the children to walk to school or take the bus.

**Response No. 101:**

The comment is noted.

**Comment No. 102:**

The other issue that the people raised, the country has gone from Long Island. Why? Because of sprawl. Had we had this kind of project built for the last thirty years we would have more open space left. Instead we have half acre, one and two acres, McMansions, four and five bedrooms, everyone with numerous cars using tremendous amounts of energy to get any place at all.

**Response No. 102:**

The comment is noted.

**Mark Edwards  
Resident, Elwood Road**

**Comment No. 103:**

I just wanted to say there really wasn't notification about this meeting.

**Response No. 103:**

See Response to Comment No. 81.

**Comment No. 104:**

I have three children in the school district right now. They're required to walk past the project. I want to find out what safety measures are going to be put in place to ensure their safety, whether it's police or crossing guards.

**Response No. 104:**

The Alternative Plan, prepared to address the comments of the SCDPW, includes the installation of a pedestrian sidewalk on Elwood Road (CR 10) from Pulaski Road (CR 11) to the LIRR tracks to improve safety and facilitate pedestrian traffic. Also, RMS Engineering, during its traffic assessments, observed a crossing guard on Elwood Road (CR 10) at 10<sup>th</sup> Avenue. If this crossing guard is not present at all times, RMS Engineering recommends that the school district obtain crossing guards during school arrival and dismissal times to promote pedestrian safety from all proximate communities (not only the subject site).

**Comment No. 105:**

You mentioned before, what can we do. It's not really the exits and entrances of the proposed development, it's more what you have to deal with the road on the whole. The previous speaker mentioned all the children driving. It's their right to drive. We pay the money so they can do it.

We work in order for them to afford to drive their cars to school, in order for them to do what they want to do.

**Response No. 105:**

The comment is noted.

**Comment No. 106:**

Jobs, I want to know what the complex or community is doing for the limited amount of jobs in the area for the children. I know a lot of the children are in low income housing. I just want to know what is going to be done for them to create jobs in the neighborhood. What are they going to do for money? How are they going to go out there, if their parents can't afford to give them money to do things that other children do. How are they going to earn money, are they going to sell drugs or engage in crimes?

**Response No. 106:**

Children will be part of the community just like those who reside in residential neighborhoods throughout Greenlawn and East Northport. The applicant is not aware of any requirement in the Town that residential developers be required to create commercial employment opportunities for residents. Moreover, it is widely understood that, predominantly because of the lack of affordable housing, many employers with various levels of employment opportunities are experiencing difficulties in finding employees. Thus, the residents of Matinecock Court may actually assist in providing needed employees.

**Comment No. 107:**

I would like to know what the rental units are required to pay as well as the owned units.

**Response No. 107:**

Income levels for both tenants and owners are state-mandated. Tenants can earn no more than 60 percent of the median income for Nassau / Suffolk County, by family size. Owners can earn no more than 80 percent of the median income for Nassau / Suffolk County, by family size. The Nassau-Suffolk area median income (for all family sizes) is established annually by the United States Department of Housing and Urban Development (“HUD”). For example, the 2006 HUD median income for a family of two in the Nassau-Suffolk region is \$72,800. Therefore, 60 percent of the current HUD median income for a family of two is \$43,680, and 80 percent of the current HUD median income for a family of two is \$58,240. These are the income limits that will be applied at the time of purchase.

As indicated in the Response to Comment No. 82, seventy (70) of the rental units will be affordable to families earning between \$31,850 and \$72,060 a year, based on family size. Rents are projected to range between \$640 to \$1,150 per month. Eight units in the development will be made affordable to households with incomes between \$19,100 and \$38,200. These will target lower income seniors and the disabled. All incomes are based on HUD guidelines for 2006.

**Comment No. 108:**

I wanted to know what is Housing Help going to do to help alleviate some of the pressure on the school budget.

**Response No. 108:**

As indicated in the Response to Comment No. 89, the rental and equity units will pay full property taxes based on their legal status as a condominium and the fair market value of the units. Based on the assessed valuations provided by the Assessor and the current (2005-06) tax rate of 206.095 (per \$100 of assessed valuation less plus refuse and less Basic STAR school tax exemption), the projected total annual tax revenue from the proposed 155 units would be \$377,773±.

Of the total annual revenue, approximately \$241,361± would be generated as revenue to the Northport-East Northport Union Free School District. Therefore, the proposed development would contribute to the school district at the same rate as similar developments within the District boundary.

Also, see Response to Comment No. 64.

**Marilyn Cody**  
**709 10<sup>th</sup> Avenue, East Northport**

**Comment No. 109:**

Where I live on 10<sup>th</sup> Avenue is a cross street of Elwood, and I live three houses off 10<sup>th</sup> Avenue. So, when I go to Elwood Road to make a left or right, I never sit there for less than three minutes and it's very frustrating, and if there is a train coming, it's ten times worse.

**Response No. 109:**

If the installation of the two-way left-turn lane on Elwood Road (CR 10) is implemented, it will help to alleviate congestion at this intersection by providing a central storage lane to provide better ingress and egress to 10<sup>th</sup> Avenue. In addition, see the Response to Comment No. 1.

**Comment No. 110:**

Taxes on the housing project will be nothing more but an additional burden on the taxpayers.

**Response No. 110:**

See Responses to Comment Nos. 89 and 108.

**Samuel Wigatou  
32 Middle Drive, Huntington**

**Comment No. 111:**

I would like to point out that these low income people, someone pointed out that they won't be able to afford more than one or two cars, if at all. I would like to point out that mass transit is available to all of us on Long Island. There is a LIRR train station. The Northport train station is right near the intersection. I believe there is a HART bus stop right there.

**Response No. 111:**

The comment is noted.

**Virginia Volpe  
14 Cathy Court, Northport  
Leader of ABC Civic Association**

**Comment No. 112:**

...according to the Town of Huntington Website stated, quote, “not a public meeting -- not a public hearing, but open to the public.” In compliance with SEQRA, there has to be thirty days advance notification that this is a public hearing and that public comment will be welcome.

**Response No. 112:**

SEQRA does not require a 30-day advance notice of a public hearing. Pursuant to 6 NYCRR Part 617.12(a)(2)(iii) and (iv):

*(iii) A notice of completion must identify the type of EIS (draft, final, supplemental, generic) and state where copies of the document can be obtained. For a draft EIS the notice must include the period (not less than 30 calendar days from the date of filing or not less than 10 calendar days following a public hearing on the draft EIS) during which comments will be accepted by the lead agency.*

*(iv) A notice of hearing must include the time, date, place and purpose of the hearing and contain a summary of the information contained in the notice of completion. The notice of hearing may be combined with the notice of completion of the draft EIS*

As indicated in the Response to Comment No. 81, the Public Hearing was held on May 10, 2006. The Affidavit of Publication for *The Observer* (see Appendix N of this FEIS), confirms the publication of “Notice of Public Hearing” on April 20, 2006. As such, the notice of public hearing was published in accordance with (and actually well beyond) the required five days cited above.

Additionally, in accordance with Chapter 198-129(D) of the Town Code, the applicant posted the Notice of Public Hearing on the site for the ten-day period prior to the hearing. As such, the public hearing was properly noticed, and, contrary to the commentator's statement, the SEQRA requirements were complied with.

**Comment No. 113:**

Secondly, the Draft Environmental Impact documents are supposed to be available at the public libraries thirty days prior to the hearing. It's my understanding they were not available at the East Northport library until April 21<sup>st</sup>.

**Response No. 113:**

The commentator's statement is false. The Draft Environmental Impact Statement was shipped to the Northport Public Library via FedEx Priority Overnight Delivery on April 14, 2006 and received on April 17, 2006 (see shipment confirmation in Appendix P). Also, see Response to Comment No. 112.

**Comment No. 114:**

Thirdly, in September of 1995, the ABC Civic Association and community compiled an extensive scoping document. I would like that all of those issues are addressed, and wherever those impacts are high, it is the responsibility of the developer to mitigate the impacts so they don't have a negative adverse impact on [sic] community.

**Response No. 114:**

On June 16, 2005, Richard Machtay, then-planning director, and Charles Mangano of the Planning Department limited the DEIS to those relevant issues that were raised during the SEQRA process and these issues were evaluated in the DEIS.

Pursuant to 6 NYCRR 617.9(b)(2),

“EISs must be clearly and concisely written in plain language that can be read and understood by the public. Within the framework presented in paragraph 617.9(b)(5) of this subdivision, **EISs should address only those potential significant adverse environmental impacts that can be reasonably anticipated and/or have been identified in the scoping process.** EISs should not contain more detail than is appropriate considering the nature and magnitude of the proposed action and the significance of its potential impacts. Highly technical material should be summarized and, if it must be included in its entirety, should be referenced in the statement and included in an appendix.” (emphasis added)

As detailed in the Response to Comment No. 138, the environmental evaluations contained in the DEIS reflect current conditions and contain relevant and recent analyses.

**Sue Newton  
16 Rocco Drive, East Northport**

**Comment No. 115:**

I am more concerned about the environmental concerns like soil, electrical power plant, sewer treatment.

**Response No. 115:**

These issues were comprehensively addressed in Sections 4.1, 4.3 and 4.10 of the DEIS.

**Comment No. 116:**

Why not have more ownership in the units? Fifty percent is not enough. Also, the density is way too high.

**Response No. 116:**

The percentage of rental and ownership units (i.e., 50 percent of each), and the density consisting of no more than 155 residential units, is court mandated as detailed in the Stipulation of Settlement (see Appendix L of this FEIS).

**Comment No. 117:**

If we lower the density, I think you would have a lot more support of it.

The increase of population of the children would likely be more than what is proposed. Who is going to live in the homes? Obviously children will be living in the four bedroom units. If not, then who is? Are we talking about multiple families living in the units? Our schools can't handle that many more children.

**Response No. 117:**

The zoning of the subject parcel (i.e., R-3M Garden Apartment Special District) has been decided by the Federal Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989). The development of the site, including the number of units, is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement (see Appendix L of this FEIS). As such, the number of units would not be reduced.

These are single-family units that are available to those who meet the income limits (see Response to Comment No. 107). Of course, children will likely occupy the four-bedroom units, however, there would likely be many units that do not contain children. As indicated in Section 4.7 of the DEIS, the projected number of school-aged children was based on statistical data within the 2000 US Census and published planning documents.

See Responses to Comment Nos. 64 and 88 for the issue of school-aged children.

**Comment No. 118:**

The sewer treatment plant facility, has been talked about for many years. It's going to be a high concern. It doesn't sound safe, and honestly, I wouldn't let my children live there because of the environmental concerns, and I have four children and I want to see them stay on Long Island, too...

**Response No. 118:**

Sewage treatment in Suffolk County is very highly regulated because the drinking water supply is from a "sole source aquifer." The NYSDEC, SCDHS and the SCDPW are the agencies that regulate the design, construction and operation of public and private STPs in Suffolk County.

The Suffolk County regulations regarding sewage treatment require that all sewage generated from a development of the Matinecock Court size and configuration receive treatment to meet an effluent standard relative to nitrogen compounds, which is similar to the NYSDEC-mandated drinking water standard of 10 mg/l. This standard assures that the STP design will have the capability to produce an effluent relative to nitrogen compounds that match the drinking water standard.

The design of a STP facility also requires the installation of groundwater monitoring wells, which are to be sampled on a quarterly basis and the sample tested in a NYSDEC-approved laboratory to determine the impacts of the STP discharge on the groundwater, relative to nitrogen enrichment.

The State Pollution Discharge Elimination System (“SPDES”) permit is the NYSDEC “License” which allows for the ownership and sets the rules for the operation, maintenance and monitoring of the STP. This document along with the Operation and Maintenance Manual (to be prepared by Michael P. Chiarelli Engineering, P.C. during the construction phase of the STP) will detail the operation requirements for the STP, such as visitation by a NYSDEC-licensed operator once a day for 365 days per year. It will also detail the requirements to perform daily analytical testing of the sewage being processed at various points in the process and reporting of the results of the testing to the County and State offices mentioned above.

It is noteworthy that the individual on-site septic systems that are common for single-family residential homes, remove virtually no nitrogen compounds and discharge up to 60 mg/l of nitrogen compounds directly into the ground. The proposed STP will have a treated sewage discharge of less than 10 mg/l of nitrogen compounds, which, as stated, is the NYSDEC drinking water standard.

**Comment No. 119:**

I have a concern about the percentage of Section 8 or equivalent of Section 8 housing that will be there. I don't know the newest number on that and I would like to hear that.

**Response No. 119:**

None of the apartments are specifically designated for Section 8 voucher holders. However, no one will be turned away solely because they hold a Section 8 voucher. All vacant units will be filled by a lottery process, as detailed in the Response to Comment No. 31. Also see Response to Comment No. 107.

**Stacy DiConsiglio**  
**7 Fresno Court, East Northport**

**Comment No. 120:**

...I have so many cars going around my court because they don't want to sit on Elwood, and they don't want to sit on the other streets because it's backed up with traffic.

**Response No. 120:**

The increase in vehicles due to the development of this property will be minimal when compared to the projected (No Build) roadway volumes. The volumes presented below depict the anticipated increase in roadway volume at the stated intersection. These numbers will correspond directly with the anticipated increase in vehicles that will travel past 10<sup>th</sup> Street on Elwood Road.

Maximum vehicular increase by intersection: Proposed Plan.

- Elwood Road (CR 11) and South School Driveway  
0.66% increase (13 vehicles) – Saturday peak period

Maximum vehicular increase by intersection: Alternative 1

- Elwood Road (CR 11) and South School Driveway  
0.72% increase (14 vehicles) – Saturday peak period

The information presented above is summarized in Tables 8 through 13 located in Appendix E.

If the aforementioned improvements discussed with representatives from the SCDPW are implemented, the coordination of the traffic signals on Elwood Road (CR 10) from Laurel Hill Road to Pulaski Road should help to improve the progression of traffic. The construction of a two-way left-turn lane on Elwood Road (CR 10) which will provide more capacity and storage on the roadway will further improve traffic conditions.

**Comment No. 121:**

I walk my children to school every day. I have to stand on 10<sup>th</sup> Avenue a good three to five minutes before I can cross the street just to go to the school.

**Response No. 121:**

See Response to Comment No. 104.

**Rena Kantrowitz  
20 Salisbury Drive North, East Northport**

**Comment No. 122:**

The issue of traffic is abominable. Mr. Rosen, you asked one of the gentlemen that was up here where should the entrance be to this housing site. Somebody in that process should be sitting at that corner and counting cars and traffic lights.

**Response No. 122:**

Manual traffic counts were performed for the original and revised 2006 analysis. The revised data was collected on Wednesday, May 17, 2006 from 7:00 am to 9:00 am and from 2:00 pm to 7:00 pm (this incorporates the school dismissal period). Data were also collected on Saturday, May 13, 2006 from 11:00 am to 2:00 pm. These volumes are presented in the 2006 analysis contained in Appendix E.

**Comment No. 123:**

The transformer issue of people by the transformer towers...Nobody should be subjected to being so close to these electrical towers where people are saying nitrates are coming out into the water.

**Response No. 123:**

See Response to Comment No. 42, which relates to the adjoining substation. Also, as indicated on Page 90 of the DEIS, beyond the substation fence or wall, the EMF produced by substation equipment is typically indistinguishable from background levels. As such, it is not expected that the future residents of the proposed Matinecock Court development would be exposed to strong electromagnetic fields that could potentially result in adverse health impacts.

The discharge of nitrates is not related to the LIPA substation – it is related to sanitary discharge. As indicated in the Response to Comment No. 118, sanitary waste would be treated on the site with the proposed STP. The SCDHS regulations require that an STP be sized and configured to receive treatments and meet an effluent standard relative to nitrogen compounds, which is similar to the NYSDEC-mandated drinking water standard of 10 mg/l. This standard assures that the STP design will have the capability to produce an effluent relative to nitrogen compounds that match the drinking water standard.

**Eric Alexander**  
**164 Main Street, Northport**  
**Director of Vision Long Island Smart Growth Planning Organization**

**Comment No. 124:**

We want to comment tonight in support of the project. It's not a model on community process or design, it is something clearly that needs to get done.

**Response No. 124:**

The comment is noted.

**Comment No. 125:**

The second question is really the question for local preference. A lot of fears; fear of outsiders. I don't think that is racism. I think people try to throw in the race card. I think that is wrong. The question is who will benefit from the project. I think if there is a preference for Northport or Northport residents, that is a positive. Given the fact there is a preference for Huntington residents, that is a positive.

**Response No. 125:**

The comment is noted. For a discussion of the preference in the lottery, see the Responses to Comment Nos. 48 and 195.

**Comment No. 126:**

In regard to taxes, I disagree that rentals are a drain on the school district. Most rental houses is [sic] tax positive, there are studies to prove that.

**Response No. 126:**

The comment is noted.

**Comment No. 127:**

Regarding sewers, we wish there are was [sic] more sewer capacity in Suffolk County in general.

**Response No. 127:**

The comment is noted.

**Comment No. 128:**

Regarding building design, I think it's certainly been an improvement over the years. Well designed, appropriately designed buildings with respect to character and key, bottom line, rental housing is not a blight to the community.

**Response No. 128:**

The comment is noted.

#### **IV. WRITTEN CORRESPONDENCE**

**Joy S. Squires, Chairperson  
Town of Huntington Conservation Board  
May 22, 2006**

**Comment No. 129:**

The Conservation Board notes the long agricultural history of the land use, and acknowledges some anecdotal information regarding the past use of the property for stockpiling demolition materials. The applicant proposes soil testing and appropriate mitigation after site plan approval. We maintain that soils [sic] testing and appropriate mitigation planning must occur prior to final site plan approval. The finding of possible “hot spots” and the appropriateness of mitigative measures to the specific site use, particularly the playground and common recreational areas, must not be compromised by the hardship created by finalization of the site plan. The specific mitigation, whether relating to on site mixing of soils, runoff or fugitive dust controls, must be planned well in advance of site approval.

**Response No. 129:**

See Response to Comment No. 15 and the SMP included herein as Appendix H

**Comment No. 130:**

In order to meet the requirements of Suffolk County Groundwater Management Zone I, the applicant proposes installation of a STP, sized to meet the anticipated 35,630 gpd sanitary sewage flow. We acknowledge the groundwater modeling which indicates impact to downgradient public supply wells is unlikely. However, we do continue to regard the construction of small STPs to be an undesirable way for scattered high-density developments to meet this need. These plants, providing nitrate removal capabilities, have not demonstrated long-term reliability. Operation and maintenance, and unit replacement costs are, on a residential unit basis, likely to be high. We are concerned that these costs may, in the long term, be difficult to be borne by entry-level income families. It should also be noted that STP siting variances may be granted by the County Health Department, which may include odor control requirements, an additional operating cost.

**Response No. 130:**

See Responses to Comment Nos. 14 and 118. All STPs provide nitrogen removal and have been constructed in Suffolk County since the mid 1980s and in some cases, prior to that time. Costs for the operation and maintenance of all components of the STP will be made known to potential purchasers of dwelling units prior to the sale. These costs for the STP will also be built into the rent structure of the rental units.

**Comment No. 131:**

The Traffic Study failed to analyze the safety of those residents leaving the project area by making a left turn to head eastbound on Pulaski Road (CR 11). Although Pulaski Road has a posted speed limit of 40 miles per hour along most of the site, personal observations indicate that the average driver is traveling above this speed. The danger of a resident turning eastbound onto Pulaski Road is compounded by the fact that there is limited sight distance due to the curve and hill immediately west of the project site. With this in mind, the Study should re-evaluate the possibility of locating the main entrance/exit on Elwood Road. Alternatively, the addition of a stop signal on either road that is timed in conjunction with the Elwood and Pulaski roads intersection stoplight should be considered.

**Response No. 131:**

The required sight distance (i.e., the farthest away a motorist on the main road can be from a driveway and still be seen by a driver waiting to exit, and vice versa) is dependent upon the main road's 85<sup>th</sup> percentile speed (the speed below which 85% of motorists are traveling). Sight requirements are listed in the text, **A Policy of Geometric Design of Highways and Streets**, published by the American Association of State Highway and Transportation Officials (AASHTO) in 2004.

The AASHTO text requires a 305-foot line of sight from the driveway, considering the 40 mph speed limit. The site distance at the proposed entrance/exit on Pulaski Road (CR11) meets these design standards.

The Alternative Plan will replace the proposed crash gate access with a full access driveway on Elwood Road (CR 10). At the location of the proposed access driveway on Pulaski Road (CR 11), it is proposed to prohibit exiting vehicles from performing left-turns. The traffic analysis in Appendix E of this FEIS evaluates this Alternative Plan. See Responses to Comment No. 1

**Comment No. 132:**

Access to the Pulaski Road Elementary School from the project site should be encouraged. Such access is suggested for several reasons:

It will increase recreational opportunities for the residents of Matinecock Court

It will integrate what is an otherwise isolated development into the surrounding community

It will allow any elementary school students to walk to and from school each day

The most practical means to accomplish the access would be by designating a pedestrian crosswalk at the emergency access way on the east end of the project with appropriate signage so that drivers on Elwood Road will observe state laws respecting pedestrian right-of-way. The school district should provide a matching entranceway to school grounds at this site.

**Response No. 132:**

Currently, at the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10), there is only one crosswalk present on Pulaski Road just east of the intersection. Upon the reconfiguration of the intersection, the possibility exists to provide a crosswalk on Elwood Road just north of the intersection. Improvements on Elwood Road are subject to review and approval of the SCDPW.

Access to the school is under the jurisdiction of the school district. The applicant will work with the district and SCDPW to determine where crosswalks could be installed to address the needs of both the population of the proposed development and current pedestrian activity.

**Comment No. 133:**

The Conversation Board also recommends that continuous sidewalks be installed along Pulaski Road to allow residents to safely walk to the shopping center less than one mile to the west (the “Waldbaum’s” Shopping Center).

**Response No. 133:**

The comment is noted. However, the sponsor is not responsible for such an extensive off-site improvement. A sidewalk along the Pulaski Road frontage is proposed and the SCDPW has recommended sidewalks along Elwood Road (see Alternative Plan in Appendix D of the FEIS), allowing for possible future connection to properties or destinations both to the north (Northport High School) and to the west (Waldbaums).

**Comment No. 134:**

Although six designated play areas are indicated on the site map, there is no clear provision for playground equipment or type of use if no equipment will be provided.

**Response No. 134:**

All playground areas would be covered with rubberized surfaces. The playground equipment and layout will be designed after building permits are acquired. In all open space areas, uses will be restricted by the condominium board. Such restrictions will include that these areas not be used for gardens or playgrounds.

**Comment No. 135:**

While the site is included in the Open Space Index, the Conservation Board recognizes the significant legal history of the site and the inevitability that a housing project for this purpose and at this density must go forward. There is growing awareness of the need for entry level and rental housing all across Long Island, including Huntington.

**Response No. 135:**

The comment is noted.

**William Hillman, P.E., Chief Engineer**  
**Suffolk County Department of Public Works**  
**March 1, 2006**

**Comment No. 136:**

This Department has reviewed various plans for development at the referenced parcel since 1995. Over the years, we have consistently stated that all access to this development should be by way of CR 10, Elwood Road. The plans must be revised to show full access onto CR 10 located of a [sic] minimum distance of 450 ft. north of the signalized intersection at CR 11, Pulaski Road, with a gated, unpaved emergency access onto CR 11, located as far from the signalized intersection as possible.

The developer will be responsible for providing a northbound turn lane into this site on CR 10, as well as dedications along the site's CR 10 and CR 11 frontage, to provide for the construction of a southbound right turn lane and an additional westbound through lane, which the developer must construct prior to occupation of units within this development. In turn, our Department will perform all necessary modifications to the existing signal, as well as utility relocations.

The traffic study should include an analysis of accidents on CR 10 and CR 11 in the vicinity of this site, including the signalized intersection.

A permit from this Department will be required pursuant to Section 136 of the Highway Law for the proposed access and improvements this Department deems necessary along the County right-of-way.

Before a permit is issued by this Department for these improvements, documentation pursuant to Section 239F of the New York State General Municipal Law must be forwarded to us from the Town Building Department for our review and comments.

Plans have been forwarded to our Transportation Section for their review and comment. Improvements relating to public transportation may be necessary to be installed under a permit from this Department.

Plans must be revised to show existing edge of pavement elevations along the site's entire CR 10 and CR 11 frontage to determine drainage requirements. Also, any existing drainage systems and or structures on these County roads in the vicinity of this project should be shown on the plans.

The developer should provide unobstructed pedestrian and wheelchair accessibility from the County right-of-way to the proposed facility.

The access must provide unimpeded movement onto the site from CR 10 for a minimum distance of 75 ft. This precludes the installation of medians, gates, planters and/or signs in the driveway.

Due to the nature of this site, significant clearing and/or grading is required. Therefore, the applicant must obtain a construction access permit. We, hereby, request the Town's Building Department withhold any building or clearing permits until said construction access permit is executed through this Department. We will issue a temporary construction access permit upon receipt of an acceptable site plan.

**Response No. 136:**

See Responses to Comment Nos. 1, 2, 3 and 230

It is noted that RMS Engineering presented the supplemental traffic analysis to the SCDPW in correspondence dated April 20, 2007. A copy of this submission is included in Appendix E of this FEIS. In response, the SCDPW in correspondence dated May 15, 2007, concurred with the analyses and findings of RMS Engineering, P.C. A copy of the SCDPW's correspondence is also included in Appendix E of this FEIS.

**Kim A. Gennaro, AICP**  
**Freudenthal & Elkowitz Consulting Group, Inc.**  
**March 6, 2006**

**Comment No. 137:**

This will confirm that the Final Environmental Impact Statement (“FEIS”) for the Proposed Development of Matinecock Court will address two comments made by Mr. Paul Medelik, Planning Board Chairman. The first comment relates to the proposed fencing. It is our understanding that stockade peripheral fencing and six-foot decorative wood fencing at the roadways are preferred. The second comment relates to how the units will be organized within the community, and the preference for the rental and owner-occupied units to be intermixed.

**Response No. 137:**

The Planning Board has recommended the six-foot decorative fencing for the purposes of screening and aesthetics from the adjoining roadways. However, HHI is proposing to place a four-foot estate fence with landscaping berms along the east, west and south sides of the property. The intent of the estate fence and landscaping is to allow for partial views into the site. The six-foot decorative fencing would not only create a “residential compound,” but would add significant cost to the development. Wooden stockade fencing (six foot) will be placed on the rear property lines.

It is important to note that the Matinecock Court Citizens Advisory Committee (“CAC”) has also requested that the estate fencing be used at the roadway frontages. The CAC was established pursuant to a requirement in the Stipulation of Settlement (see Appendix L of this FEIS) to “advise and assist HHI with respect to issues pertaining to the design, layout, use of property and landscaping of the Development during the planning, design, construction and operation of the Development.” While the CAC has no decision-making authority, it is comprised of seven members including three members selected by the Town Board of the Town of Huntington. Its design recommendations have been considered and incorporated, to the maximum extent practicable, during the site plan development process. See Comment Nos. 49 and 201 for the related comment by the CAC.

Accordingly, the applicant respectfully submits that the Planning Board allow the proposed estate fencing.

**Matinecock Court Citizens Advisory Committee  
In Accordance with the “Consent Decree” between the  
Town of Huntington (TOH) and Housing Help, Inc. (HHI)  
May 10, 2006**

**Comment No. 138:**

The public scoping [sic] process (completed 9/27/95) for SEQRA and this DEIS was based on a 1995 Environmental Assessment Form (EAF) and site plan. Shouldn't the scope of this DEIS be reevaluated and expanded based on the new site plan and current information and conditions that have changed since 1995?

**Response No. 138:**

Pursuant to the Stipulation of Settlement (see Page 6, Subsection III.E of the Stipulation of Settlement, a copy of which is annexed hereto as Appendix L), Honorable Justice Edward R. Korman (Chief Judge of the United States District Court – Eastern District of New York) ordered that, “another scoping session is not required.”

Additionally, the scoping process that was completed in 1995 was extremely comprehensive and required that the DEIS to be prepared by the applicant address the following issues:

- Impact on Land;
- Impact on Water;
- Impact on Plants and Animals;
- Impact on Aesthetic Resources;
- Impact on Open Space and Recreation;
- Impact on Transportation;
- Impact on Energy and Utilities;
- Impact on Noise and Odor;
- Impact on Public Health; and
- Impact on Growth and Community Character.

Upon review of the above list, there are no new elements of the environment that would have been identified, even if the Planning Board could have undertaken a further scoping process. However, it is important that the DEIS contain recent and relevant data, reflect current conditions, and include analyses based upon current standards. In this case, the DEIS contains such data and analyses and reflects current conditions. For example, the traffic study uses the Institute for Transportation Engineers' *Trip Generation Manual 7<sup>th</sup> Edition*, which was published in 2003. It does not use an older edition from 1995. Furthermore, the traffic counts contained in the DEIS were collected in 2003 -- the traffic study did not use outdated counts. As an additional example, the DEIS evaluates the consistency of the HHI application with the NYSDEC Phase II Stormwater Regulations, which became effective in 2003. The DEIS did not evaluate consistency with outdated stormwater standards from 1995. Accordingly, there was no need to re-evaluate or expand the scope of the DEIS, and the DEIS appropriately reflects current conditions. Additionally, contacts with community service providers were made in 2003, and the DEIS reflect recent responses received from such providers.

In conclusion, the environmental evaluations contained in the DEIS reflect current conditions and contain relevant and recent analyses. Accordingly, there was no need for an additional scoping process, and the Honorable Justice Edward R. Korman agreed with same, as he ordered that no further scoping be conducted.

**Comment No. 139:**

Since the purpose of the scoping secession [sic] is to outline the "scope of a DEIS" and the scoping was not updated and revised, isn't it true that the scope and content of this DEIS is limited and outdated?

**Response No. 139:**

See Response to Comment No. 138.

**Comment No. 140:**

As per the Planning Board's general comment from 4/6/06 that most of the data in the DEIS is "two to five" years old, how could the Planning Board "take a hard look" as required by the SEQRA at the present site plan if this DEIS is based on an outdated scoping session (9/27/95) and data and information that is "two to five" years old?

**Response No. 140:**

The conditions at the site have not changed in the last two to five years that would affect the impacts to land, water, ecology, aesthetics, open space and recreation, energy and utilities, odor, public health, or growth and community character.

As indicated in the Response to Comment No. 47, the changes in LIRR operations have been requested by the LIRR Track and Transportation Department. However, the use of the site for residential purposes at a density of no more than 155 residential units has already been established and is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement. Also, the proposed development includes noise mitigation measures to minimize exposure to railroad noise. These mitigation measures include the placement of non-habitable uses at the northwest quadrant of the property, the installation of a six-foot-high solid wood fence and evergreen vegetation along the entire common property line of the subject parcel and the railroad. In addition, evergreens and heavy canopy shade trees would be planted in the open areas around the STP, parking areas and roadways. Overall, the proposed mitigation measures would be expected to reduce noise levels between 4 dBA and 15 dBA.

Also, the traffic analysis has been updated by RMS Engineering, P.C. and a copy of same is included as Appendix E herein.

**Comment No. 141:**

The executive summary states the following: “The Town of Huntington Planning Department prepared a Full Environmental Assessment Form (“EAF”), which identified the following impact issues to be evaluated in a DEIS.” The document goes on to list only ten impact issues. This EAF was dated 6/7/95. Why weren’t these ten impact issues expanded and reevaluated nearly ten years later?

**Response No. 141:**

See Response to Comment No. 138.

**Comment No. 142:**

Was a new EAF submitted with the new site plan? Why not?

**Response No. 142:**

Pursuant to the aforesaid Stipulation of Settlement (see Page 6, Subsection III.E. the Stipulation of Settlement, a copy of which is annexed hereto as Appendix L), the Honorable Justice Edward R. Korman (Chief Judge of the United States District Court – Eastern District of New York) ordered that the SEQRA process proceed from the point after scoping. Also, the purpose of an environmental assessment form (“EAF”) is, pursuant to 6 NYCRR §617.2(m), assist the lead agency “...in determining the environmental significance or nonsignificance of actions.” In this case, a positive declaration was issued, which required the preparation of a DEIS. Accordingly, even if the Stipulation of Settlement had permitted preparation of a new environmental assessment form, it would have served no functional purpose, as the determination of significance was already issued, and, in accordance with that determination, a DEIS was prepared.

**Comment No. 143:**

The 1995 EAF, on which this DEIS is based, states the following: “The proposed development plan may require changes from that which was submitted to comply with the Town’s Zoning Ordinance, drainage requirements, and requirements of other involved agencies. As identified in the attached June 9, 1995 and June 15, 1995 Planning Department letters and the attached June 13, 1995 Planning department memorandum copied to the Applicant, the site plan currently under review by the Planning department [sic] does not comply with section 198-47 of the Town Zoning Ordinance and site design and layout changes are recommended” No copy of the planning department’s letter dated 6/9/95 is provided or any memos or letters analyzed in the DEIS. Why did the 1995 Site Plan not comply with the Town Ordinances? Were any site design and layout changes recommended? Does the new site plan comply with Town Zoning Ordinance? New York State fire prevention and building code?

**Response No. 143:**

The Town of Huntington Department of Planning and Environment, in correspondence dated April 8, 2005, provided the draft and final scoping documents, Planning Board minutes and Town communications be included in the DEIS. All of these documents were included in Appendix A of the DEIS and relate to the 1995 site plan.

The plan that is the subject of the application before the Planning Board is entitled *Layout Plan*, prepared by Land Design Associates, P.C., last revised January 30, 2007. This is the plan that is the subject of the environmental review being conducted by the Planning Board, and it is the plan that is described as the “proposed action” in the DEIS. Pursuant to 6 NYCRR 617.9(b)(5):

*“The format of the draft EIS may be flexible, however, all draft EISs must include the following elements.*

*(i) a concise description of the proposed action, its purpose, public need and benefits, including social and economic considerations;*

*(ii) a concise description of the environmental setting of the areas to be affected, sufficient to understand the impacts of the proposed action and alternatives;*

*(iii) a statement and evaluation of the potential significant adverse environmental impacts at a level of detail that reflects the severity of the impacts and the reasonable likelihood of their occurrence. The draft EIS should identify and discuss the following only where applicable and significant.*

*(a) reasonably related short-term and long-term impacts, cumulative impacts and other associated environmental impacts,*

*(b) those adverse environmental impacts that cannot be avoided or adequately mitigated if the proposed action is implemented,*

*(c) any irreversible and irretrievable commitments of environmental resources that would be associated with the proposed action should it be implemented;*

*(d) any growth-inducing aspects of the proposed action;*

*(e) impacts of the proposed action on the use and conservation of energy (for an electric generating facility, the statement must include a demonstration that the facility will satisfy electric generating capacity needs or other electric systems needs in a manner reasonably consistent with the most recent state energy plan);*

*(f) impacts of the proposed action on solid waste*

*management and its consistency with the state or locally adopted solid waste management plan;*

*(g) impacts of public acquisitions of land or interests in land or funding for non-farm development on lands used in agricultural production and unique and irreplaceable agricultural lands within agricultural districts pursuant to subdivision (4) of section 305 of article 25-AA of the Agriculture and Markets Law; and*

*(h) if the proposed action is in or involves resources in Nassau or Suffolk Counties, impacts of the proposed action on, and its consistency with, the comprehensive management plan for the special groundwater protection area program as implemented pursuant to article 55 or any plan subsequently ratified and adopted pursuant to article 57 of the Environmental Conservation Law for Nassau and Suffolk counties;*

*(iv) a description of the mitigation measures;*

*(v) a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor. The description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed. The range of alternatives must include the no action alternative. The no action alternative discussion should evaluate the adverse or beneficial site changes that are likely to occur in the reasonably foreseeable future, in the absence of the proposed action. . . ."*  
*(emphasis added)*

Based on the foregoing, it is evident that SEQRA and its implementing regulations require that the impacts of the “proposed action” be evaluated in the DEIS. As the aforesaid 1995 site plan does not constitute the “proposed action” in this matter, it is not relevant to the SEQRA process being conducted by the Planning Board for the Matinecock Court application.

Notwithstanding this, it is noteworthy that the site plan has been modified since 1995, including the reduction of the number of units from 179 units to 155 units. The proposed plan has been analyzed and complies with the bulk requirements of the R-3M Garden Apartment Residence Zoning District, as well as the density and parking terms of the Stipulation of Settlement. See Table 14 in the DEIS.

Also, the plans do and will continue to conform to the latest fire prevention and building codes. Prior to completing construction plans, all of the designs will conform to applicable code updates.

**Comment No. 144:**

Are there any variances or special relief needed under the new site plan? List them and state what involved agency approval is needed.

**Response No. 144:**

The only variance required for the proposed action is for the setback of the STP, which would be determined by the SCDHS.

**Comment No. 145:**

The Stipulation of Settlement between Housing Help and Town of Huntington, on page 6, states the following: “Nothing contained herein, however, is to be construed as conferring upon the Planning Board the exclusive right to serve as Lead Agency in the SEQRA process, and nothing contained herein shall constitute or be deemed a waiver, approval, or satisfaction of any requirement or element of the SEQRA process or the site plan review process with regard to the development” In light of the above: 1. Why wasn’t an EAF filed and reviewed by the Town of Huntington? 2. Why was this DEIS scope limited to the ten impact issues based on a 1995 EAF and Site Plan? 3. Why wasn’t the scope expanded and revised based on the new site plan and conditions and circumstances that have changed since 1995?

**Response No. 145:**

See Responses to Comment Nos. 138 and 142.

**Comment No. 146:**

The Stipulation of Settlement also states the following on page six (6): “The parties acknowledge the Planning Board has previously conducted a Scoping Session pursuant to SEQRA in connection with HHI’s June 1995 site plan submission to the Planning Board and that another scoping session is not required. All other public participation provisions as set forth in SEQRA shall remain applicable to the Development” In light of the above statement: 1. Is it correct to state that the parties agreed that another “Public” scoping session would not be required, hence the word all “other public participation provisions” would apply.

**Response No. 146:**

The comment is noted. See Response to Comment No. 138.

**Comment No. 147:**

Besides the required “no action” alternative, no other alternative plan and its impact was reviewed and evaluated in the DEIS, [sic] Why?

**Response No. 147:**

See Response to Comment No. 223.

**Comment No. 148:**

Does the site data for the site plan meet all of the town requirements?

**Response No. 148:**

Although refinement of the site plan will be performed as part of the Planning and Environment Department review process, no variances from any Town requirements will be needed.

**Comment No. 149:**

The project design is subject to review and approval of the Town of Huntington? [sic] This design includes the number of one, two, three and four bedroom units? [sic]

**Response No. 149:**

As indicated in the DEIS, site plan approval from the Town of Huntington Planning Board is required in order to commence construction of the proposed project:

**Comment No. 150:**

The one over one design, commonly called “flats”, is subject to the approval of the Town? [sic]

**Response No. 150:**

See Response to Comment No. 149.

**Comment No. 151:**

Is it possible to design one community to address all the varying ranges of persons and families in the Town of Huntington?

**Response No. 151:**

As indicated in the Response to Comment No. 107, tenants can earn no more than 60 percent of the median income for Nassau/Suffolk counties, by family size, and owners can earn no more than 80 percent of the median income for Nassau/Suffolk counties, by family size. Therefore, 60 percent of the current HUD median income for a family of two is \$43,680, and 80 percent of the current HUD median income for a family of two is \$58,240.

**Comment No. 152:**

The Planning Board cannot deny approval of HHI site solely on the basis of density, but the Town can deny approval based on the design and layout and other factors? [sic]

**Response No. 152:**

The counsel for the applicant is of the opinion that the Town cannot deny approval to the project.

**Comment No. 153:**

Project is listed as the Hamlet of Greenlawn, is this correct?

**Response No. 153:**

Yes. Figure 1 of the DEIS indicates the site location and the hamlet boundaries indicate the property as being in the hamlet of Greenlawn. Another copy of a site location map is included in Appendix Q of this FEIS.

**Comment No. 154:**

Accessibility to work locations-where? No industry in the local area. Where will people work? Show public transportation interconnection to work areas.

**Response No. 154:**

Residents of Matinecock Court will work where they work now. The HART (Huntington Area Rapid Transit) bus that stops at the corner of Pulaski Road (CR 11) and Elwood Road (CR 10) provides transportation to the Northport Railroad Station, the Greenlawn Railroad Station and the Huntington Railroad Station. The HART bus also makes other stops in the area. Furthermore, railroad stations can typically be used as a transfer location for patrons to switch to a different bus line (such as Suffolk Transit) to reach various locations.

**Comment No. 155:**

No mention of variance for less than 100% expansion of leading [sic] fields for STP only for set back variance? Why?

**Response No. 155:**

No variance is required for the effluent recharge as designed for the STP.

The SCDPW requires that the developer install 200% of the effluent recharge needs of the STP at the time of the initial construction of the STP and leave a “land bank” sized for an additional 100% for the future. Both of these parameters have been provided for in the Engineering Report.

**Comment No. 156:**

Will the construction be phased?

**Response No. 156:**

No. The proposed construction will be a single-phase over 18 months.

**Comment No. 157:**

Will tenants be part of the Condominium Association? Separate Association? How will this be managed?

**Response No. 157:**

Both tenants and owners will be part of the Condominium Association. The Offering Plan, which must be approved by the NYS Attorney General, will outline the legal structure of the Condominium Association.

**Comment No. 158:**

Identify the amount of sq. ft. storage to be used on the first floor units outside? [sic] Is this areas [sic] considered a limited common area solely for such owners or tenants?

**Response No. 158:**

See Response to Comment No. 44.

The area immediately to the rear of the unit is for the use of the residents of the building. Other areas (i.e., playgrounds and green space) will be designated as common area for community use and will be managed by Housing Help, Inc.

**Comment No. 159:**

Attic storage area: Is the development going to be built with trusses? What is the height and dimensions of available storage in the upstairs unit? Does the building department permit this use? Where and how will the attic be accessed?

**Response No. 159:**

The unit roofs will be truss construction. There are no provisions for attics to be used for storage. There may be mechanical equipment located in attics. Access will be from the interior for maintenance only.

**Comment No. 160:**

How much space per unit will be available in the cellar of the community building? What about safety and security of items stored? Will the association or HHI handle this? Who will have keys and access to such areas? How will the space be allocated and divided?

**Response No. 160:**

It has been determined by the project architect that there would not be sufficient square footage in the cellar of the community building to accommodate storage for every resident. HHI is exploring other solutions, such as bike racks in the cellar. The Condominium Association or Housing Help, Inc. would be responsible for the amount of storage, and securing, regulating and operating the storage process. The building design will be in accordance with all code and fire regulations for its specific and permitted uses.

**Comment No. 161:**

Were increased set backs for the buildings along the railroad tracks considered and evaluated?

**Response No. 161:**

Setbacks have been evaluated and considered in the original design and layout of the project. The setbacks that have been established are considered more than adequate and exceed the minimum requirements set forth in the zoning code and Table 14 of the DEIS has been included below to demonstrate same.

**Consistency Analysis with the Bulk Regulations of the  
R-3M Garden Apartment Special District**

| <b>Dimensional Regulation</b>  | <b>Dimensional Requirement</b>  | <b>Proposed Action</b>                                   |
|--|---------------------------------|--|
| <b>Maximum Height (stories/feet)</b>   | 3 stories/45 feet               | 2 stories/25 feet  |
| <b>Minimum Depth of Yards (front/rear)</b>   | 30 feet/25 feet                 | 50 feet/50-feet  |
| <b>Minimum Side Yard (Interior)<br/>Width of One Yard<br/>Combined Width of Two Yards</b>          | 12 feet<br>24 feet              | 50 feet<br>100 feet                                      |
| <b>Minimum Side Yard (Corner)<br/>Width of Yard On Street Side<br/>Width of Interior Side Yard</b> | 30 feet<br>12 feet              | 50 feet<br>50 feet                                       |
| <b>Minimum Lot Area<br/>Area per Dwelling Unit<br/>Gross Area</b>                                  | 3,000 sq. ft.<br>15,000 sq. ft. | 4,096 sq. ft.<br>634,844± sq. ft.                        |
| <b>Minimum Lot Width</b>   | 100 feet                        | 365± feet  |
| <b>Minimum Lot Frontage</b>  | 40 feet                         | 1,405± feet (total frontage on Elwood and Pulaski roads) |

**Comment No. 162:**

The mitigation measures for air quality and noise do not seem sufficient given the location of the buildings proposed and the surrounding uses. Were any other measures considered and any alternative plans evaluated?

**Response No. 162:**

While the commentator does not explain what is significant about the project location with respect to air quality and noise, Section 4.6 of the DEIS evaluated the potential noise and air quality impacts.

**Comment No. 163:**

Will privacy fences be provided for each downstairs unit?

**Response No. 163:**

Due to the distances between and placement of patios, there is no need for privacy fences or walls. Therefore, none are planned.

**Comment No. 164:**

Why was the noise impact analysis in the DEIS based on information provided by the Track and Transportation Department of the LIRR existing schedule in 2003?

**Response No. 164:**

As indicated in the Response to Comment No. 47, the Noise Impact Study was initially prepared on March 8, 2004 and the information provided by the LIRR was based on 2003 operations. This Noise Impact Study was included as part of the initially-filed March 2005 DEIS. There were no comments issued by the Town of Huntington Planning Department or any of the involved agencies relating to the Noise Impact Study. Therefore, the study was not modified or updated. Notwithstanding same, correspondence was forwarded to the LIRR Traffic and Transportation Department to update the 2003 data (see Appendix M of this FEIS) and the noise impact analysis was modified pursuant to updated (2006) data. The noise impact analysis is included in Appendix M of this FEIS and revealed no substantial changes from the analysis utilizing 2003 data.

**Comment No. 165:**

Does the preparer believe that this information accurately reflects current conditions and existing noise level and impacts if train schedules, equipment, whistle requirements, speed, number of rail cars per train, number of locomotives per train has changed?

**Response No. 165:**

See Response to Comment No. 12 and 46.

**Comment No. 166:**

The DEIS states that the proposed development could increase population by 400 to 425 is misstated and ignores the three and four bedroom units provided in this community. (NYS code allows one (1) person per 50 sq. ft. of bedroom space available). Revise DEIS accordingly.

**Response No. 166:**

The “one (1) person per 50 sq. ft. of bedroom space available” refers to housing standards for the purposes of protecting the public health, safety, morals and welfare of the people. Chapter 124 of the Town Code of the Town of Huntington provides the housing standards for residential dwellings within the Town. The purpose of said housing standards, pursuant to §124-2, is “**to protect the public health, safety, morals and welfare of the people** of the Town of Huntington by establishing minimum standards governing the condition, occupancy and maintenance of dwellings, dwelling units, rooming houses, rooming units and premises; establishing minimum standards governing utilities, facilities and other physical components and conditions essential to **make dwellings, dwelling units, rooming houses, rooming units and premises safe, sanitary and fit for human habitation...**” (emphasis added)

These standards<sup>8</sup> are not meant as demographic factors for projecting population. The projection of population is performed through the use of census data and typically the average number of persons in a dwelling. As indicated in Section 4.8 of the DEIS, the population projection was performed utilizing 2000 Census for the Town of Huntington and the Greenlawn CDP includes the average number of persons in owner-occupied and renter-occupied units.

**Comment No. 167:**

Will barbeques be permitted on second story decks?

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<sup>8</sup> Pursuant to §124-12(A), “[e]very dwelling unit shall contain a minimum gross floor area of at least 150 square feet for the first occupant, at least 100 square feet for each of the next two occupants and at least 75 square feet of gross floor area for each occupant thereafter. Every habitable room shall have a minimum ceiling height of seven feet over 50% of the floor area; and the floor area where the ceiling height is less than five feet shall not be considered as part of the floor area in computing minimum gross floor area.” Subsection 124-12(B) sets forth the minimum standards for sleeping rooms “In every dwelling unit of two or more habitable rooms, every room occupied for sleeping purposes by one occupant shall have a minimum gross floor area of at least 70 square feet. Every room occupied for sleeping purposes by more than one occupant shall have a minimum gross floor area of 50 square feet per occupant thereof. In the case of children under six years of age, the requirement shall be 35 square feet per child for two or more children. Every room used for sleeping purposes shall have a minimum width of seven feet. Kitchens shall not be used for sleeping purposes.”

**Response No. 167:**

No.

**Comment No. 168:**

Where will second story units store outside items?

**Response No. 168:**

There will be exterior storage for second floor units, as shown on the floor plans prepared by the project architect. Also refer to the Responses to Comment Nos. 44 and 158.

**Comment No. 169:**

What are the required separation distances between buildings per Town Code?

**Response No. 169:**

The NYS Building Code standard of 15 feet applies.

**Comment No. 170:**

1/16/96 letter sent by applicant's consultant states "as part of the alternative layout scenario and a maximize open space alternative will be considered in the DEIS." No such alternative is included? [sic]

**Response No. 170:**

See Responses to Comment Nos. 138, 140 and 143.

**Comment No. 171:**

All concerns specifically addressed in the Planning Board's adopted EAF III should be considered in the DEIS.

**Response No. 171:**

See Responses to Comment Nos. 114 and 138.

**Comment No. 172:**

Analyze for more Play Ground areas [sic]

**Response No. 172:**

The design, location and number of playgrounds have been evaluated in the initial design phase and determined to be adequate. There is no municipal or agency requirement for the number, design or location of playgrounds.

**Comment No. 173:**

Comments on STP address order [sic] control as not being necessary. Site is bordered by three schools. Also in discussing set back requirements report only notes LIRR Tracks, no mention that school is on the opposite side of tracks.

**Response No. 173:**

The location of the STP does not meet the 150-foot separation distance from the northerly property line (LIRR right-of-way), but does meet the 200-foot separation distances from habitable buildings (e.g., school buildings). Also, as indicated in Section 4.3 of the DEIS, the proposed design utilizes “aerobic” type processes which provide an oxygen rich environment to maintain odor free operation.

**Comment No. 174:**

Appears units are being kept intentionally small to stay below 300 gal/day for sewer design calculations. Livability is being sacrificed to provide artificial [sic] results.

**Response No. 174:**

The proposed units have been sized so as to make and keep them affordable. Also, the size of the units were determined by generally accepted standards and recommended state and federal guidelines and practicality.

It is commonplace to design units in order to conform to sanitary design constraints. This is particularly relevant in an affordable housing development wherein one of the main goals is to ensure that sales prices, rents and associated carrying costs are reasonable for the purchasers/renters. In fact, the commentator, who has developed affordable housing in the Towns of Brookhaven and Smithtown (i.e., 50 units of 1,175 square feet in size at the Victorian Homes at Medford condominium development, 66 units of 1,175 square feet in size at the Country View Estates at Middle Island condominium development [both within the Town of Brookhaven], and 40 of 42 units below 1,200 square feet in the Country View Estates at Smithtown condominium development in the Town of Smithtown), has developed units less than 1,200 square feet in size so that such units would be below the 300 gpd sewage generation rate.

**Comment No. 175:**

Why didn't the DEIS, the applicant and Town of Huntington Planning Board consider mitigation measures to reduce the impacts of the school district by reducing the number of three and four bedroom units? Increase number of one (1) bedroom units?

**Response No. 175:**

Approximately 71 percent (110 units) of the proposed 155 units are one- and two-bedroom units. This development has been designed to meet the affordable housing needs of families, as well as individuals. Therefore, the increase in the number of one-bedroom units would reduce the number of units available to families, and this would be contrary to one of the main goals of the applicant.

**Comment No. 176:**

The DEIS states that the Town is legally obligated to educate all the residents in Matinecock Court, however, the Town is not legally obligated to approve three and four bedroom units? Town can restrict number of bedrooms per unit.

**Response No. 176:**

The Town Planning Board, as lead agency, pursuant to SEQRA, is responsible to determine that significant adverse impacts are mitigated to the maximum extent practicable (6 NYCRR §617.11(d)(5)). Moreover, Page 144 of the DEIS indicates that the Northport-East Northport Union Free School District (not the Town), under the jurisdiction of the New York State Education Department, has a legal obligation to provide educational services to the residents of the Matinecock Court as it does to all residents of the District.

**Comment No. 177:**

Based on the many impacts that this development will have on [sic] school district, including those listed on page 81, “the district will need to consider the possibility of adding some classrooms, redistricting or raising class size to accommodate the increase in enrollment.” Why weren’t any mitigation measures considered and evaluated? Alternatives?

**Response No. 177:**

See Responses to Comment Nos. 64, 71, 85, 88 and 108. Also, the spatial needs of the District due to the projected enrollment growth do not relate only to the school-aged children from the proposed development, but to the school-aged children that are and will continue to be generated by existing and future applications for the development of residential communities within the District boundaries as well as growing families.

This is clear from the five-year enrollment projections provided by the District that did not include the proposed development (despite the recommendations in the 2002-2003 report). The impact to the school district was evaluated in Section 4.7 of the DEIS and the applicant submits that the impact is not significant.

**Comment No. 178:**

The school district impact does not include the negative revenue and expense from this development? [sic] How bad is the negative impact to the school in dollars? Please use current school district cost per pupil in your analysis.

**Response No. 178:**

See Responses to Comment Nos. 89 and 108.

It is noteworthy that the “per pupil expenditure” in 2003-2004, which is the most recent published record by the New York State Education Department (see the *New York State School Report Card Fiscal Accountability Supplement for Northport-East Northport Union Free School District* in Appendix R), was \$10,342 for general education and \$19,213 for special education. Based on this figure, a single-family residence with two children attending the Northport-East Northport Union Free School District would “cost” the district \$20,684. This expenditure is hardly paid for in its entirety from the property taxes on one single-family home. Accordingly, there is nothing different about the Matinecock Court development than any other development in the Town.

**Comment No. 179:**

Figures for school age children in Ownership condominium and rental units for four (4) bedrooms units were not available according to table 20 and 21, footnote 41. Does this indicate that number of bedrooms for such attached housing in [sic] not common? (Single family attached housing number was used instead for condominiums and adding of bedrooms was done for rental units) [sic]

**Response No. 179:**

It cannot be determined why the Rutgers University Center for Urban Policy Research publication does not include factors for four-bedroom units. As such, due to this information not being available, the conservative factor for single-family attached housing was used to calculate the number of school-aged children.

**Comment No. 180:**

Although the Applicant's engineer has personally guaranteed that the site design and layout and internal roadways have proper turning radii for fire and equipment and emergency vehicles, the East Northport Fire District should confirm, verify and review it. East Northport Fire District should also verify that they would be able to have access to and service each building in the development in a timely and safe manner based on the proposed layout and design of the site? [sic] Emergency service vehicles should also be evaluated in the same manner? [sic]

**Response No. 180:**

See Response to Comment No. 41.

**Comment No. 181:**

Were increased set backs for the buildings along the LIPA substation considered and evaluated?

**Response No. 181:**

See Responses to Comment Nos. 42 and 161.

**Comment No. 182:**

The Town should not tolerate exposure to even low levels of electromagnetic fields and such exposure should not be allowed to happen to future residents of Matinecock Court who may not have any other alternative place to live. Would the Town be subject to future lawsuits by residents exposed to such risks if this is permitted and approved by the Town?

**Response No. 182:**

See Responses to Comment Nos. 28 and 42.

**Comment No. 183:**

Fire protection is a ¼ page in this whole report. No comments have been received from the East Northport Fire Department or included in this report. It is not even clear if they have reviewed the 2005 site plan? [sic] This is clearly insufficient and needs to be addressed? [sic] This is the same with emergency and ambulance service.

**Response No. 183:**

As indicated on page 145 of the DEIS, the East Northport Fire Department has been notified of the proposed action and has been provided a copy of the site plan. There have been no comments or concerns raised by the Fire Department related to the fire access to each dwelling unit.

It should also be noted that the Town of Huntington Planning Board, as lead agency, provided a copy of the DEIS to James M. Logan, Chief of the Town of Huntington Bureau of Fire Prevention. No comments or concerns related to this matter have been received from the Bureau of Fire Prevention by the lead agency.

Ms. Thelma G. Haller, District Secretary-Treasurer of the East Northport Fire Department, in correspondence dated December 5, 2003, provided the number of fire and rescue calls in an average year (i.e., 45 fire calls and 1,200 rescue calls) pursuant to a request made by the applicant's environmental consultant. While the number of calls would be expected to rise every year due to population increases, aging structures, etc., it is not expected that this one community would have a significant adverse impact on the Department.

It should also be noted that the East Northport Fire Department has not issued any comments or concerns related to the impact on fire protection services. In fact, Chief William Gilman of the East Northport Fire Department commented on the DEIS in correspondence dated May 26, 2006. Chief Gilman's comments, which are included herein as Comment No 233, related to (1) ensuring that all roadway width and parking regulations be strictly adhered to for the purpose of egress of emergency apparatus, and (2) making units available to its volunteers.

**Comment No. 184:**

It has not been demonstrated in this DEIS that there is satisfactory fire access to each dwelling unit? [sic]

**Response No. 184:**

See Response to Comment No. 183. Each unit meets or exceeds state code requirements for safety and egress in addition to its fire sprinkler system through escape windows from all required rooms and main access doors. However, any necessary changes to the fire access for each dwelling unit would be made during site plan approval.

**Comment No. 185:**

The DEIS states that “the strength of the EMF from equipment within the substations... decreases rapidly with increasing distance: How much from 25 feet to 50 feet? From 50 to 75? From 75 to 100? From 100 to 150? What is the range of certainty when the DEIS states that it is not “expected” that future residents of the proposed development would be exposed to EMF?

**Response No. 185:**

See Response to Comment No. 42.

**Comment No. 186:**

Where are the safe areas for children to ride bicycles, roller skate, etc. in this community?

**Response No. 186:**

The community has been provided with a number of playground areas strategically placed throughout for the benefit and enjoyment of the residents. Also, as indicated in the Response to Comment No. 43, there is an extensive internal pedestrian walkway system to allow safe bicycle riding and skating for children.

**Comment No. 187:**

Pedestrian traffic patterns are not explored in the DEIS. Walkways from building to building is a safe manner?

**Response No. 187:**

See Response to Comment No. 43.

**Comment No. 188:**

How will the plan inhibit children from crossing LIRR right of way as short cut to school?

**Response No. 188:**

As indicated in the Response to Comment No. 27, a six-foot stockade fence with plantings will be placed along the north side of the property to protect residents from the LIRR tracks and LIPA substation property.

**Comment No. 189:**

It is essential in the layout and design of this development that sufficient storage space be provided to eliminate fire and safety hazards resulting from possessions being placed in hallways, stairways and entrance.

**Response No. 189:**

As indicated in the Response to Comment No. 44, each of the proposed units would have enclosed storage spaces. The first floor units would have limited height floor storage under the stairs (varies) as well as individual exterior enclosed storage areas at the rear of the unit. The second floor units would have individual exterior and/or interior storage areas.

Also, as indicated in the Response to Comment No. 32, all residents must adhere to the requirements as listed in the lease agreement. Excessive clutter, not removed when requested, could result in termination of the lease. The residents will be actively involved in the operation of the development via the Matinecock Court Condominium Association, and will adhere to the Matinecock Court "House Rules" document. Furthermore, as indicated in the Response to Comment No. 160, HHI is exploring the placement of bike racks in the cellar of the community building with the management company overseeing this use of space.

Also, refer to Responses to Comment Nos. 44, 158, 160 and 168 (storage).

**Comment No. 190:**

Proposed sewage treatment of 35,630 gpd with design capacity of 36,000 – no reserve.

**Response No. 190:**

The STP size is based upon the design flow factors established by the SCDHS, which have been developed over the years to prevent under sizing of STPs. See Response to Comment No. 94.

**Comment No. 191:**

Water supply usage is indicated as that being equal to waste water generation. What about usage not entering the sewage system? How is this addressed?

**Response No. 191:**

The SCDHS, SCDPW and the Suffolk County Water Authority (“SCWA”) accept and utilize the potable-water-in equal to the waste-water-out formula calculation as a means to evaluate water usage and sanitary flows. Water not entering the sewage system is considered negligible.

As indicated on Page 118 of the DEIS, consultations were undertaken with the SCWA and it has been determined that water usage at the site, including irrigation, would not stress the water supply system.

**Comment No. 192:**

Will storm water be treated before entering recharge basin due to the sole source aquifer (i.e. vortex unit) since the report indicates “the recharge basin will provide valuable groundwater recharge for the site.”

**Response No. 192:**

There is no requirement for the treatment of stormwater prior to discharging into a recharge basin. A recharge basin is a stormwater management practice to filter sediments from stormwater and is an acceptable practice within the *New York State Stormwater Design Manual*.

**Comment No. 193:**

Dec. 5, 2003 letter from East Northport Fire Dept. indicates 45 Fire Calls for an average year. This seems low.

**Response No. 193:**

This information was provided by Ms. Thelma G. Haller, Secretary-Treasurer of the Fire District.

**Comment No. 194:**

Recycle center should be set back from road for safety concerns?

**Response No. 194:**

The recycling facility has been set back from the roadway and is provided with its own drop-off lane.

**Comment No. 195:**

Why can't East Northport residents be given a preference in the lottery process?

**Response No. 195:**

Persons who live or work in theTown of Huntington will be given a preference to the extent the law and the funding requirements permit. However, the preferences (i.e., number of dwelling units) have not yet been determined. See Responses to Comment Nos. 31 and 48.

**Comment No. 196:**

Will the affordability be permanent? If not, how many years will the restriction be placed on the unit?

**Response No. 196:**

All of the rental and ownership units will be affordable in perpetuity through deed restrictions.

**Comment No. 197:**

What restrictions will be placed on the unit to insure that it will be affordable in the future?

**Response No. 197:**

Deed restrictions will be included in the offering plan, which must be approved by the NYS Attorney General.

**Comment No. 198:**

The DEIS states that the ownership units will be available with income ranges from 60 to 80 percent of median. How many units will be in each range? What is the projected selling price for each range? What was the estimate used for real estate taxes? Common charges? Insurance? Interest rate used to develop range? Monies needed to close for qualified buyers at each projected price range? Could it be analyzed based on 2005 income and present interest rates?

**Response No. 198:**

See Response to Comment Nos. 107 and 119. As per the DHCR requirements, ownership units must be affordable to persons whose income is no more than 80% of median for Nassau/Suffolk Counties. The tax analysis has also been included as part of the Response to Comment No. 89. The interest rate, common charges, and required down payments have not yet been determined, and are not relevant to the environmental review in accordance with the State Environmental Quality Review Act and its implementing regulations as 6 NYCRR Part 617.

**Comment No. 199:**

The DEIS states that the rental units income range will be between 30 to 60 percent of income. How many units in each range? What is the projected rent for each range? How was this calculated? Based on what year? Could it be analyzed based on 2005 income and data?

**Response No. 199:**

As indicated in the Response to Comment No. 82, seventy of the rental units will be affordable to families earning between \$31,850 and \$72,060 a year, based on family size. Rents are projected to range between \$640 to \$1,150 a month. Eight units in the development will be made affordable to households with incomes between \$19,100 and \$38,200. These will target lower income seniors and the disabled. All incomes are based on HUD guidelines for 2006.

**Comment No. 200:**

Lottery process should be monitored and have safe guards to insure fair and equal lottery process.

**Response No. 200:**

See Response to Comment No. 31.

**Comment No. 201:**

Why is the Planning Board requiring a six foot wood fence instead of a maintenance free estate fence that will not discolor or require any further maintenance and would be aesthetically far more attractive in appearance?

**Response No. 201:**

See Response to Comment No. 137.

**Comment No. 202:**

No front elevation renderings were presented for views from both Pulaski and Elwood to evaluate the visual impacts from such roadways. Why?

**Response No. 202:**

An elevation of the site interior from Matinecock Court was included in an elevation drawing in Appendix K of the DEIS. The applicant respectfully asserts that the view provided is a realistic depiction of the post-development condition.

**Comment No. 203:**

How will this community change the character of the community? What can be done to make the unit and design layout more comfortable and livable?

**Response No. 203:**

As indicated in Section 4.4 of the DEIS, from a land use perspective, the proposed action will be consistent with surrounding residential properties. As discussed throughout the DEIS, the development of the site for affordable housing has been the subject of litigation and has been deemed acceptable, and therefore, is consistent with the intended land use of the site. Currently, its overgrown condition on the subject property does not provide a significant visual benefit to any of its surrounding properties.

Views of the site, as included in Section 4.9 of the DEIS (page 150), would be improved to consist of a four-foot-high estate fence and light poles along Pulaski Road and Elwood Road. Earth berms and vegetation would also be planted along both roadways and along the western property line to partially obscure views into the subject property, as well as to increase privacy for those residents on the site perimeter. While the views of the site from the surrounding roadways and properties would change, the proposed development would be visually consistent with similar residential communities. It should also be noted that the current views of overgrown vegetation and the LIPA substation would be greatly improved with the proposed development.

The project architect has carefully considered the unit and design layout and the proposed design diverts from the uniform building facades seen at many multi-family housing developments. The proposed design includes slight variations in the architectural features between one building and the next to provide a distinct character for each building. This distinct character offers a sense of visual identity for each unit, which is enhanced by variations in the setbacks of the individual units. Setting the individual units back at different distances also provides an appearance of separate residences not common of condominium communities.

Together with the tactical placement of landscaped vegetation and lighting fixtures, these techniques provide for a pleasant overall appearance of the proposed neighborhood, and of the individual units as well.

**Comment No. 204:**

One of the items in SEQRA is if the project is out of character with the surrounding area. The area around the site is schools and single family residential, not high density multi-story. How will this be addressed since [sic] project is out of character for the area?

**Response No. 204:**

As indicated in the Response to Comment No. 203, the development of the site for affordable housing has been the subject of litigation and has been deemed acceptable, and therefore, is consistent with the intended land use of the site. The proposed plan includes estate fencing, earthen berms, landscaping and light poles along Pulaski Road and Elwood Road to partially obscure views into the subject property (as well as to increase privacy for those residents on the site perimeter). As indicated in Section 4.9 of the DEIS, the proposed berming and landscaping would result in only portions of the proposed buildings being visible beyond. It should also be noted that the current views of overgrown vegetation and the LIPA substation would be greatly improved with the proposed development. Accordingly, the development would not be out of character with the area.

**Comment No. 205:**

The DEIS states the following on page 59: "A Traffic Impact Study was prepared by RMS Engineering, P.C. to evaluate the existing traffic conditions and the potential traffic impacts of the proposed action." How could "existing" traffic conditions be evaluated if the impact study is based on traffic volume from field counts taken three years ago (5/3/03;5/8/03)?

**Response No. 205:**

Due to the lengthy review of this project, the data collected in May of 2003 has become outdated, and, therefore, new data were collected in May 2006 and reanalyzed.

Manual traffic counts were performed for the original and revised 2006 analysis. The revised data was collected on, Wednesday, May 17, 2006 from 7:00 am to 9:00 am and from 2:00 pm to 7:00 pm (this incorporates the school dismissal period). Data were also collected on Saturday, May 13, 2006 from 11:00 am to 2:00 pm. These volumes are presented in the 2006 analysis contained in Appendix E.

**Comment No. 206:**

Isn't it true that there has been [sic] increase in students at the East Northport School District, new developments added, others changed, and new traffic patterns during the past three (3) years?

**Response No. 206:**

The "new" traffic patterns have been analyzed in the supplemental traffic analysis included in Appendix E of this FEIS. See Response to Comment No. 37.

**Comment No. 207:**

Why only one peak weekday traffic count?

**Response No. 207:**

It is typical to collect data one weekday and one day on the weekend as any given average weekday or weekend is largely similar to any other. The new data was collected on a Wednesday when school was open. The counts were collected on a partly cloudy day with warm weather. These volumes were analyzed using the procedures outlined in the original report and adhere to the requirements set forth by the reviewing agencies.

**Comment No. 208:**

The DEIS on page 62 makes the following conclusion: "As indicated above, the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10) is currently operating below capacity during AM Peak hour. No "current" data is provided to back up this conclusion? [sic] (Only one (1) traffic count in peak weekday hour taken three (3) years ago).

**Response No. 208:**

See Response to Comment No. 205.

**Comment No. 209:**

What if approval is not obtained by DPW to have access from Pulaski Road? New layout would have to be provided and evaluated by the Town. Would this new layout be evaluated in the DEIS? If not, Why [sic]? Why haven't alternatives been presented in the DEIS now? Reason for omission.

**Response No. 209:**

Based on discussions with representatives of SCDPW at a meeting held on July 27, 2006, an Alternative Plan has been developed that provides a full access on Elwood Road approximately 370 feet north of the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10) and a restricted access that prohibits exiting left turns approximately 700 feet west of the aforementioned intersection. As indicated in the Response to Comment No. 2, RMS Engineering, P.C. evaluated the Alternative Plan and the proposed plan with updated 2006 traffic volumes. The findings of this supplemental analysis concluded that upon review of these tables it can be seen that upon implementation of the County improvements there are no clear advantages of the original proposal when compared to the Alternative Plan and vice versa. However, from a traffic engineering perspective, multiple access driveways will promote enhanced internal circulation as well as circulation to and from the site. Final design selection is subject to the approval of SCDPW. However, since it was the SCDPW that requested there be access from Elwood Road, it is clear that the Alternative Plan would be its preference.

It is noted that RMS Engineering presented the supplemental traffic analysis to the SCDPW in correspondence dated April 20, 2007. A copy of this submission is included in Appendix E of this FEIS. In response, the SCDPW, in correspondence dated May 15, 2007, concurred with the analyses and findings of RMS Engineering, P.C. A copy of the SCDPW's correspondence is also included in Appendix E of this FEIS.

**Comment No. 210:**

Where will the new emergency access be located? Will this be reviewed and evaluated by the Town, Fire Department and in the DEIS? Why haven't alternatives been developed in the DEIS?

**Response No. 210:**

The Alternative Plan depicts two access driveways to the site, one on Pulaski Road (CR 11) and one on Elwood Road (CR 10). The access on Elwood Road will be located in place of the original emergency access (crash gate) approximately 370 feet north of the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10). Therefore, an emergency access will not be necessary with dual access driveways depicted on the Alternative Plan.

The proposed site plan has already been provided to the East Northport Fire Department. Also, as indicated in the Response to Comment No. 40, the Town's engineering and fire prevention bureau will also ensure that the internal roadways comply with New York State building and fire codes.

**Comment No. 211:**

The two study intersections, Pulaski Rd/Elwood and Pulaski Road/Stony Hollow Road were evaluated based on 2003 traffic volume data and were not revised based on current existing conditions. Why not?

**Response No. 211:**

See Response to Comment No 205.

**Comment No. 212:**

The future traffic conditions were based on a layout and design that is not acceptable to DPW. Why? No alternative analysis for future conditions is evaluated. Why? How could the Town take a "hard look" at the proposed traffic impact based on a layout and design that is not acceptable to the County DPW and is based on traffic volume data that was taken on just one (1) day during the week three years ago and when the school was not open?

**Response No. 212:**

See Responses to Comment Nos. 1 and 205.

**Comment No. 213:**

Based on the above, how could the capacity analysis conclusion on page ten (10) of Appendix F be relied upon and accurately and fairly depicting [sic] the impacts associated with this development?

**Response No. 213:**

See Responses to Comment Nos. 1, 2, 3 and 205.

**Comment No. 214:**

What is the roadway width? Increasing the roadway width to 34 feet reduces the parking requirement to 2.5 spaces per dwelling. Narrow road raises many safety issues.

**Response No. 214:**

See Response to Comment No. 40.

**Comment No. 215:**

Any roadway improvements (i.e. road widening, dedication, re-stripping) been reviewed and evaluated to mitigate any traffic impacts?

**Response No. 215:**

See Responses to Comment Nos. 1, 2 and 3.

**Comment No. 216:**

What is the impact of the traffic light recently installed just north of the site on Elwood Rd.?

**Response No. 216:**

See Response to Comment No. 8.

**Comment No. 217:**

More coordination and review of public transportation system should be provided.

**Response No. 217:**

See Response to Comment No. 154.

**Comment No. 218:**

No discussion about pedestrian access around the site. (Walk ways, etc.)

**Response No. 218:**

See Responses to Comment Nos. 43 and 186.

**Comment No. 219:**

Town of Huntington Planning Department memorandum dated 12/28/95 in connection with scoping of DEIS states the following: "include alternatives to maximize open space and to provide greater buffering to proposed on-site infrastructure (e.g. STP, recharge basin) [sic] None is provided. Why?

**Response No. 219:**

See Response to Comment No. 137. Also, as indicated in the Responses to Comment Nos. 143 and 223, the proposed action has been considered and modified over the last 10+ years to address the comments and recommendations of the Planning Board and other involved agencies as well as the CAC. Pursuant to 6 NYCRR §617.9(b)(5)(v), DEISs are to include "...reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor." The only feasible alternative to the proposed action is the development of no more than 155 residential units, as Stipulated with the Town.

As indicated in the Response to Comment No. 221, the location of the proposed STP requires a variance for the setback distance to the property line of the LIRR, an uninhabited parcel, except for the occasional passage of trains. The SCDHS Board of Review will determine the acceptability of this variance request.

Finally, as indicated in the Response to Comment No. 13, the recharge basin is a minimum of 80 feet from the closest residential unit of the Matinecock Court complex, and approximately 120 feet from the school property, although separated by the LIRR railroad tracks. Plantings and fencing are also proposed around the recharge basin to provide adequate buffering.

**Comment No. 220:**

TOH memo date [sic] 12/28/95 states: "Discuss technology alternatives to STP that may be feasible to SCHD, if any. None provided. Why?"

**Response No. 220:**

Technology alternatives acceptable to the SCDHS and the SCDPW were addressed in the STP Engineering Report. The proposed process was selected for its capability of providing the most reliable and cost effective treatment for this project.

**Comment No. 221:**

TOH memo dated 12/28/96 states: "Reasonable alternatives and the preferred plan must be able to be designed to comply fully with applicable town, county, state regulations and requirements" [sic] This was not done. The preferred plan, which is the only plan presented, fails to comply with Suffolk County DPW set back and separation distances and the entrance and emergency egress is not in conformance with Suffolk County DPW recommendations for the two county roads, Pulaski and Elwood. Why are no other reasonable alternatives been [sic] identified?

**Response No. 221:**

The STP location requires that the SCDHS Board of Review grant a variance from setback distances to a property line, said property line being the LIRR, an uninhabited parcel, except for the occasional passage of trains. The SCDHS will determine the acceptability of this variance request. It is important to note, however, that the SCDHS has granted setback variances of similar type to other residential developments including St. Anne's (Housing) (Brentwood) - 15,000 gpd Chromaglass, Cabrini Gardens (Housing) (Coram) - 15,000 gpd Chromaglass, Medford Nursing Home (Medford) - 48,000 gpd sequence batch reactor, and Oakcreek Commons (Housing) (Oakdale) - 5,000 gpd Chromaglass.

With regard to the comments related to ingress and egress, see Responses to Comment Nos. 1, 2 and 3.

**Comment No. 222:**

Why is no quantitative capacity analysis presented to evaluate traffic impacts and possible mitigation measures?

**Response No. 222:**

The capacity analysis to evaluate the traffic impacts is presented herein (see Appendix E) and in the traffic analysis prepared as part of the DEIS.

**Comment No. 223:**

Alternative to “as of right” development in scoping contained in Applicant’s scoping summary dated 12/28/95, page 11, is confusing based on changes since such date. At the very least the DEIS should provide reasonable alternatives, changes in unit mix, density and location of structures and different designs and layouts.

**Response No. 223:**

As indicated in the DEIS, the No-Action alternative involves leaving the subject site in its current state as vacant and undeveloped, which would not meet the objectives of the project sponsor to develop affordable housing and is contrary to prevailing zoning and relevant court decisions (i.e., *Huntington v. Huntington Branch, NAACP*, 488 U.S. 15 (1988), *Housing Help, Inc. v. The Town of Huntington, New York*, *The Planning Board of the Town of Huntington, New York*, *The Community Development Agency of the Town of Huntington, New York State Division of Housing & Community Renewal, New York State Housing Trust Fund Corporation and Joseph Lynch* (CV97-3430[ERK] [VVP]), and the Stipulation of Settlement and Consent Decree). Also, pursuant to 6 NYCRR §617.9(b)(5)(v), DEISs are to include “...reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor.” The only feasible alternative is the development of no more than 155 residential units, as Stipulated with the Town.

Over the last decade, the time over which this project has been considered, the proposed site plan has been considered and modified pursuant to the comments and recommendations of the Town Planning Department and involved agencies as well as the input of the CAC.

Also, see Response to Comment No. 143.

**Comment No. 224:**

Can the roadways as currently designed, if blocked by one car or several, safely accommodate school buses, garbage trucks, fire and emergency vehicles? How will snow be removed from streets and road shoulders, and where will it be piled? Will the roadway be able to handle all of the above if there is a sufficient snowfall? What about fire, emergency and safety of the residents and children in the community?

**Response No. 224:**

The roadways, as designed, meet all the required minimum radii and curvature standards of both the Town of Huntington and Suffolk County. Obviously if cars park illegally, problems could arise, which is a management issue that can occur in any multi-family community. If management determines that cars are parked illegally, it will deal with the matter. The areas along the roadways and in parking courts are adequate for snow storage.

**Comment No. 225:**

Community concern about extensive traffic back up at RR crossing, particularly school aged children at risk. New signal on Elwood Road. The increased vehicle and pedestrian traffic will increase the risk of accidents. Traffic safety issues need to be addressed [sic] i.e. road width, dedication of at least 10' of road frontage on both roads, school crossing safety, redesign of LIRR crossing, etc.)

**Response No. 225:**

See Response to Comment No. 104.

**Comment No. 226:**

Traffic study in book #2 charts indicate that the study data was collected on June 20, 2003 after school was out for the summer.

**Response No. 226**

The original traffic volume counts were collected on Saturday, May 3, 2003 from 11:00 am to 3:00 pm and on Thursday, May 8, 2003 from 7:00 am to 9:00 am, 11:00 am to 2:00 pm and 4:00 pm to 6:00 pm. Also, see Responses to Comment Nos. 122 and 205.

**Comment No. 227:**

What revision information in 2005 is in Traffic Report?

**Response No. 227:**

A revised analysis has been performed with 2006 traffic volume data. This data was collected while school was in session.

**Comment No. 228:**

Acceleration and de-acceleration lanes need to be provided at entrance? [sic]

**Response No. 228:**

See Response to Comment No. 1.

**Comment No. 229:**

Why is road width 25'? Recommendation of Town and this committee for wider, safer residential roadways.

**Response No. 229:**

See Response to Comment No. 40.

**Comment No. 230:**

Traffic analysis on trip generation conflicts with traffic finding by SCDPW as cited in newspaper article that “intersection is heavily congested and has been identified as a high accident location”.

**Response No. 230:**

See Response to Comment No. 2.

**Comment No. 231:**

Not included in the report is information related to the LIRR Grade Crossing being one of the 10 busiest on Long Island.

**Response No. 231:**

Correspondence has been forwarded to the LIRR Track and Transportation Department to verify the commentator’s claim that the grade crossing of concern is, in fact, one of the ten busiest on Long Island (see Appendix M). A response is pending. Also, see Responses to Comment Nos. 36 and 77.

**David A. Scro, Chair**  
**Matinecock Court Citizens Advisory Committee**  
**May 25, 2006**

**Comment No. 232:**

Nearly everyone is in agreement that a mix range of housing is necessary for a healthy and thriving community. Further, it has been acknowledged that securing a proper place to live is a challenge for many residents of the Town of Huntington whether it is labeled affordable or workforce housing.

The Matinecock Court Citizens Advisory Committee has submitted a list of concerns/question and comments in connection with Matinecock Court Environmental Impact Statement (“DEIS”). We hope that these concerns and comments will be addressed so that this project will be a “success”.

The Committee supports the orderly and successful completion of Matinecock Court in accordance with the rules of the Town, State, County, and applicable Federal laws that govern such actions.

*The Committee’s endorsement of the affordable aspect is given not just to have less fortunate people move into Town of Huntington, but so that people already living and working here don’t have to move out.*

**Response No. 232:**

The comment is noted.

**William Gilman, Chief  
East Northport Fire Department  
May 26, 2006**

**Comment No. 233:**

It is my understanding that there have been some questions brought up at various meetings in regards to the roadway width and the parking that will be available to the residents in and around the community with attention drawn to the proposed recycle center.

It is of concern to me that all roadway width and parking regulations should be strictly adhered to for the purpose of egress of emergency apparatus. As we know today's fire apparatus can range anywhere in length of up to 45' to 50' foot [sic]. And during the winter months with severe weather and a significant snowfall, not adhering to proper building codes could hinder firefighting operations.

As we all know recruitment and retention has been an on going issue with the volunteer Fire Departments throughout Nassau and Suffolk Counties. Over the past years our call volume has been on the increase. Last year our department responded to over 1500 alarms. 1148 of those alarms were calls for EMS. It is my understanding that a number of these units are being set aside for low income families. In my opinion it would be both helpful to the community and the residents of Matinecock Court if a number of units were set aside at either a reduced rental rate or cost, to persons that were to volunteer their time to the "Rescue Squad" of the East Northport and the residents of Matinecock Court in knowing that medical assistance is "right next store [sic]".

**Response No. 233:**

As indicated in the Response to Comment No. 40, Land Design Associates, project engineer, has designed the internal roadways with proper turning radii for fire equipment and emergency vehicles. The Town's engineering and fire prevention bureau will also ensure that the internal roadways comply with New York State building and fire codes.

It should be noted that the parking requirements for the proposed development comply with the provisions of the Town of Huntington Zoning Code, Sections 198-44 through Section 198-49, as it existed prior to December 6, 1994. Therefore, 1.33 parking spaces per unit or 207 parking spaces would be required. There are 334 parking stalls provided for the project site, which allocates at least two spaces per unit.

Adhering to parking requirements and regulations is a management issue. As such, "No Parking" signage will be installed along all internal roadways and in other such locations.

See Responses to Comment Nos. 48 and 195 for details regarding preferences for the community.

**Donald H. Bornkamp Jr., P.E.**  
**407 4<sup>th</sup> Avenue, East Northport**  
**Member of the Citizens Advisory Committee for Matinecock Court**  
**May 24, 2006**

**Comment No. 234:**

Traffic: The report submitted by the consultant is less than adequate for this project. The report data sheets indicate the study was performed on June 30, 2003. This is a week after the schools have ended and is into prime vacation time substantially reducing traffic flow. The consultant then states that the roadways are adequate. At a minimum the consultant used poor judgment and at worst may have intentionally done this to provide favorable results to their benefit. Either way it brings in to [sic] question the credibility of HHI and their Consultants.

In the attached article (Attachment #1) from The [sic] April 27, 2006 edition of "The Observer" it indicates that the County has determined "This intersection has become heavily congested in the past few years and has been identified as a high accident location." The consultant for HHI had more than sufficient time to properly perform a study and to make the necessary contacts with Suffolk County. The DEIS also contains a copy of concerns raised by ABC Civic Association at the 1995 scoping session. The ABC submission (attachment #2) cites the "1993 Comprehensive Plan Update for Pulaski Road", figures 2-4 & 2-6 page 2.10. The report indicated then that the roadways were at or near capacity and even without the complex the roadway would be performing at poor levels by 2000.

Since the traffic count by HHI's consultant was done, the County has added a traffic signal at the rear entrance to Northport High School on Elwood Road. No mention was made of this or its impact to the traffic flow in the area in the Consultants [sic] report. Nor has any information concerning the LIRR grade crossing been addressed. This crossing has previously been identified by the LIRR as one of the ten (10) busiest crossings on Long Island.

The County in a letter to Margo Myles dated March 1, 2006 (attachment #10) clearly addresses the requirement that HHI must meet prior to obtaining approval from the County to perform their work. At a minimum HHI must redo the entire traffic study and account for all of the missing items from their original submission.

Further at the hearing a member of the Planning Board stated that the “Community had to present facts on the traffic issues”. It is not the Communities [sic] responsibility to perform Studies, it is the Developer’s. The community is pointing out the failure of the Developer to properly perform their task and address long standing documented issues that HHI did not address.

**Response No. 234:**

See Responses to Comment Nos. 8, 205 and 230.

**Comment No. 235:**

Sewage Issues: The issue of the sewage treatment system has also been well documented and as shown on the plans submitted by HHI does not conform to the present design guidelines with out [sic] obtaining variances. The surrounding community has had poor experience with sewage treatment plants. Specifically the Oak Tree Dairy plant located a little more than a mile south of this site. The issue of odor control should be clearly addressed and identified in the HHI proposal.

The design criteria utilized to project the plants capacity by HHI has a detrimental impact on the livability of the housing units they wish to install. The CAC has made numerous requests to HHI to increase the size of the three (3) and four (4) bedroom units. This would provide more livable space specifically in the bedrooms and more storage space which is sorely needed in the units. Based on the information provided in the DEIS, "Table 13 and the foot notes on page 106" (attachment #3) clearly show why the units are small. To size housing units to stay at a minimum design flow rate of 225gpd [sic] per unit verses 300gpd [sic] for units over 1200 sq. ft. is a flawed design process. This is an example of the tail wagging the dog. The units should be properly sized to provide adequate living space. Not sized to provide artificial design criteria for sewage flows. HHI has never provided an alternate plan that meets the County guideline for the layout of the plant with out [sic] the need for a variance. The leaching field also lacks the requisite 100% area for future expansion/replacement as required under the Counties [sic] design standards. The CAC has requested a copy of an "alternate" plan for well over a year and has not received any response from HHI.

Funding for this system should not be of major concern to HHI since a significant amount of the cost of the system will be covered by an appropriation that was arranged several years ago by Congressman Gary Ackerman when he represented this area.

**Response No. 235:**

See the Response to Comment No. 221. The Oak Tree Dairy STP is more of an industrial treatment facility that treats waste containing very little domestic sewage. The project's sanitary engineer, Michael P. Chiarelli Engineering, P.C. has been informed that the dairy waste is not delivered to the STP on a regular schedule since the volume of the waste generated is dependent on market conditions related to dairy product production. Additionally, dairy wastes are traditionally much stronger in pollutants than the domestic sewage, which is what will be generated by the Matinecock Court development. Also, see Response to Comment No. 155 for a discussion of the effluent recharge facilities to be provided.

As indicated in the Response to Comment No. 174, it is commonplace to design units in order to conform to sanitary design constraints, with particular relevance in affordable housing developments wherein one of the main goals is to ensure that sales prices, rents and associated carrying costs are reasonable for the purchasers/renters. The commentator has developed affordable housing in the Towns of Brookhaven and Smithtown (e.g., Country View Estates at Middle Island, Victorian Homes at Medford, Country View Estates at Smithtown), where units have been less than 1,200 square feet in size so that such units would be below the 300 gpd sewage generation rate.

Regarding the need for “more livable space specifically in the bedrooms and more storage space,” the proposed bedroom sizes are consistent with other affordable housing developments, including those sponsored by entities that the commentator has developed or is developing as indicated in the table below.

|   | Unit Type                                      | Largest Bedroom             | Smallest Bedroom           | Storage Areas   |
|---|--|-----------------------------|----------------------------|---|
| <b>Proposed Matinecock Court</b>          | Three-Bedroom Unit<br>1 <sup>st</sup> Floor    | 11' x 11'<br>(121 SF)       | 9'4" x 9'<br>(84 SF)       | (1) 5'8" x 8' exterior storage <sup>9</sup><br>(4) standard closets<br>(1) storage below stairs<br>(1) linen closet                                     |
|   | Three-Bedroom Unit<br>2 <sup>nd</sup> Floor    | 11'10" x 11'<br>(130 SF)    | 9'2" x 9'<br>(83 SF)       | (1) 6'x5'8" exterior storage <sup>9</sup><br>(3) standard closets<br>(2) linen closets<br>(1) storage area  |
|   | Four-Bedroom Unit<br>1 <sup>st</sup> Floor     | 11'10" x 10'10"<br>(128 SF) | 9'4" x 10'7"<br>(99 SF)    | (1) 5'8" x 5'4" exterior storage<br>(1) 5'8" x 8' exterior storage <sup>9</sup><br>(5) standard closets<br>(1) storage below stairs<br>(1) linen closet |
|   | Four-Bedroom Unit<br>2 <sup>nd</sup> Floor     | 11'10" x 10'6"<br>(124 SF)  | 9'2" x 10'6"<br>(96 SF)    | (1) 5'8" x 8' storage<br>(1) storage area <sup>9</sup><br>(1) linen closet<br>(4) standard closets  |
| <b>Other Developments</b>                 |  |                             |                            |   |
|   |  | <b>Bedroom 1</b>            | <b>Bedroom 2</b>           |   |
| <b>Country View Estates Middle Island</b> | Two-Bedroom                                    | 13'8" x 12'<br>(164 SF)     | 11'10" x 10'4"<br>(122 SF) | (3) standard closets <sup>10</sup>  |
|   | Two-Bedroom                                    | 13'8" x 11'10"<br>(162 SF)  | 11'10" x 10'4"<br>(122 SF) | (3) standard closets <sup>10</sup>  |
| <b>Country View Estates</b>               | Two-Bedroom<br>Model A/B 1 <sup>st</sup> Floor | 12' x 14'<br>(168 SF)       | 10' x 10'<br>(100 SF)      | (1) 5'6" x 8'2" walk-in closet<br>(3) standard closets  |

<sup>9</sup> Note that the hot water heater is located within this storage space

<sup>10</sup> Note that in first floor units, the closet under the stairs is deep

|   | Unit Type                                      | Largest Bedroom            | Smallest Bedroom           | Storage Areas   |
|---|--|----------------------------|----------------------------|---|
| <b>Smithtown</b>                          | Two-Bedroom<br>Model A/B 2 <sup>nd</sup> Floor | 12' x 14'<br>(168 SF)      | 11'6" x 10'<br>(115 SF)    | (1) 5'8"x8'5" walk-in closet<br>(2) standard closets<br>(1) linen closet                |
|   | Two-Bedroom<br>Model C/D 1 <sup>st</sup> Floor | 12'2" x 13'8"<br>(166 SF)  | 10' x 9'10"<br>(98 SF)     | (1) 6'3"x9'8" walk-in closet<br>(2) standard closets<br>(1) linen closet                |
|   | Two-Bedroom<br>Model C/D 2 <sup>nd</sup> Floor | 12'2" x 13'8"<br>(166 SF)  | 10' x 11'4"<br>(113 SF)    | (1) 6'x9'8" walk-in closet<br>(2) standard closets<br>(1) linen closet                  |
|   | Two-Bedroom<br>Model E/F 1 <sup>st</sup> Floor | 12'2" x 15'<br>(183 SF)    | 10' x 9'8"<br>(97 SF)      | (1) 5'5"x8' walk-in closet<br>(1) standard closet<br>(1) linen closet                   |
|   | Two-Bedroom<br>Model E/F 2 <sup>nd</sup> Floor | 13' x 16'<br>(208 SF)      | 10' x 10'4"<br>(103 SF)    | (2) walk-in closets: 6'x7' and<br>4'6"x3'4"<br>(1) standard closet<br>(2) linen closets |
|   | Two-Bedroom<br>Model G/H 1 <sup>st</sup> Floor | 12'2" x 15'<br>(183 SF)    | 10' x 9'8"<br>(97 SF)      | (1) 5'5"x8' walk-in closet<br>(1) standard closet<br>(1) linen closet                   |
|   | Two-Bedroom<br>Model G/H 2 <sup>nd</sup> Floor | 13' x 16'<br>(208 SF)      | 10' x 10'4"<br>(103 SF)    | (2) walk-in closets: 6'x7' and<br>4'6"x3'4"<br>(1) standard closet<br>(2) linen closets |
| <b>Victorian<br/>Homes at<br/>Medford</b> | Two-Bedroom                                    | 13'8" x 12'<br>(164 SF)    | 11'10" x 10'4"<br>(122 SF) | (3) standard closets <sup>10</sup>  |
|   | Two-Bedroom                                    | 13'8" x 11'10"<br>(162 SF) | 11'10" x 10'4"<br>(122 SF) | (3) standard closets <sup>10</sup>  |

With regard to the commentator's comment on the lack of storage space, the proposed units have closets in every bedroom, as well as other internal and external closets storage areas.

**Comment No. 236:**

Fire Department Issues: The subject plans have no documented input from the East Northport Fire Department (ENFD) or the Town Fire Marshal since September 19, 1995 (attachment #4).

Upon review of the ENFD letter of September 19, 1995 the ENFD requested the complex incorporate a "continuous roadway around the complex" and the roads be widened. In the CAC's review of the plans we also recommended that the roads be widened to thirty (30) feet for the travel lanes and that parking lots were too tight for garbage pick up and deliveries. If this is a concern for general deliveries the same concern applies to larger vehicles such as a Ladder Truck.

In addition access to the westerly most pod has no direct connection to parking/roadway areas for emergency equipment to access this complex. Vehicles or gurneys would have to be driven or carried over sidewalk and grass areas to gain entrance to the complex. Modification or relocation of the unit should be reviewed.

In general it appears based on review of the plans supplied that the HHI's consultants have not checked the turning radius of the various Fire Department apparatus that may be used within the complex. This should be done by the design consultants and the ENFD should receive a complete design package for review.

A December 5, 2003 letter (attachment #5) in the DEIS referencing the number of call [sic] for that time period, has a very apparent error that does not reflect the correct number of Fire Calls. Annual fire calls is [sic] indicated as 45 this is clearly low for an area of the size or East Northport. In an article (attachment #6) in the May 17, 2006 edition of "Neighborhood Newspaper" the total number of calls in 2005 was reported as follows:

Rescues – 1148

MVA's – 93

Fire calls – 543

Total calls – 1784

Again it appears that the HHI Consultant's [sic] did not diligently follow through to obtain up to date and accurate information. The recent counts were available well before the DEIS was submitted to the Town for review.

**Response No. 236:**

See Response to Comment No. 40.

Also, as indicated in the Response to Comment No. 183, Ms. Thelma G. Haller, District Secretary-Treasurer of the East Northport Fire Department provided the number of fire and rescue calls **in an average year** (i.e., 45 fire calls and 1,200 rescue calls) pursuant to a request made by the applicant's environmental consultant. While the number of calls would be expected to rise every year due to population increases, aging structures, etc., it is not expected that this one community would have significant adverse impacts on the Fire Department.

It should also be noted that the East Northport Fire Department has not issued any comments or concerns related to the impact on fire protection services. In fact, Chief William Gilman of the East Northport Fire Department commented on the DEIS in correspondence dated May 26, 2006. Chief Gilman's comments, which are included herein as Comment No. 233, related to (1) that all roadway width and parking regulations be strictly adhered to for the purpose of egress of emergency apparatus, and (2) making units available to its volunteers.

**Comment No. 237:**

Growth – Inducing Aspects: Page 161 of the DEIS (attachment #7) indicates that the complex could increase the population by 400 to 450 persons based on the criteria indicated. Based on the number of bedrooms (attachment #3) at 343 and an allowable HUD occupancy of two (2) persons per bedroom you could have a theoretical occupancy of 686 persons. The EIS should reflect a maximum number as well as a minimum number.

**Response No. 237:**

The projected population is based on the average household sizes for rental and owner-occupied housing units contained in the US Census data. While theoretically one bedroom could accommodate two persons, this would likely not occur. In fact, based on the Urban Land Institute (Development Impact Assessment Handbook, p. 293), “a convenient way of remembering the magnitude of household size is that the number of people per household is roughly equivalent to the number of bedrooms in the unit.” Therefore, based on this factor, the proposed development of 20 one-bedroom units, 90 two-bedroom units, 37 three-bedroom units and eight four-bedroom units, would yield approximately 343 persons. This projection is actually less than that using the US Census data.

**Comment No. 238:**

Energy Conservation: The Planning Board has already questioned the use of “Green Building” in their comments. The CAC has also brought this up in our comments to HHI, as well as the ability to obtain grants to cover the cost from the Utility Companies and the State. This should be followed through on by HHI and its Designers.

Page 162 (attachment #8) indicates insulation values for the construction. These values appear to be below those specified in the New York State Energy Code for this region. The Designer should review the latest edition of the Energy Code and apply correct values to the project design.

**Response No. 238:**

The insulation values meet or exceed the energy code requirements. When construction plans are completed and the development is constructed, the insulation values will meet or exceed all code requirements.

**Comment No. 239:**

Air Quality: Due to the close proximity to the athletic fields dust control must be addressed and fully complied with. The consultant indicates that water trucks and hosing the area will be used. This is a very inconsistent means of control and may not mitigate the condition. It is recommended that daily Community air monitoring be performed during all construction operations. Air monitoring stations (such as Data ram) should be placed around the site to monitor the air for particulate emissions coming off the site. This will help to alleviate the Community's concerns and to also provide a back up to relieve the Developer from nuisance complaints of dust emissions form [sic] the property.

**Response No. 239:**

The proposed action consists of the development of 155 residential units, within a developed area that is bounded by Pulaski Road (CR 11) to the south, Elwood Road (CR 10) to the east and surrounded by the Long Island Railroad, a LIPA substation, residences, the Pulaski Road Elementary School and gas station on the southwest corner of Pulaski Road and Elwood Road. The construction methods to be employed would be similar to any other residential development in the Town, and the level of construction impacts would also be similar to other such residential developments. While it is true that any development results in construction-related impacts, such as dust, the generation of dust, especially given that the applicant has proposed mitigation measures, is not expected to be significant. Moreover, the impact will cease upon completion of construction.

Specifically, as included in the SMP (see Appendix H), the following measures will be employed by the applicant during construction to control dust:

- Stockpiled soils would be covered with plastic sheeting, as needed;
- If stockpiled soils are proposed to be in place for more than a few days, the stockpiles may be hydro-mulched to encourage short term vegetative growth;

- After site clearing, the area will be paved and/or planted to minimize the amount of time that soils are exposed; and
- As necessary, a water truck will be kept on site during dry periods to wet down soils to prevent wind erosion.

These measures are generally deemed to be sufficient to control dust on a residential construction site. Moreover, the commentator's suggestion that "daily Community air monitoring be performed during all construction operations" would not serve to control dust. Dust is an impact that is visible, and can typically be controlled through the measures identified above.

**Comment No. 240:**

Noise: An issue that must be addressed is the noise from construction and the impact on the grammar school (Pulaski Road School). There are numerous special needs students at Pulaski that can be impacted by outside noise sources. Students with conditions such as Auditory Processing issues will have a detrimental impact to their learning abilities with a noise impact of 75 to 81 dBA (attachment #9) increasing the distraction levels within the class room. How will the construction activities [sic] be controlled or mitigated to address these issues and not impact the students?

**Response No. 240:**

As indicated in Section 4.6 of the DEIS, to reduce noise levels during construction, noise-control features (e.g., mufflers, shields, temporary enclosures etc.) would be employed to reduce the noise levels of construction equipment by 3 dBA to 16 dBA. Pumps and compressors would be relocated in screened-off areas, out of the line of sight of the closest residential receptors. Also, a 12-foot fence with geograde material that delimits the boundaries of the construction site would be installed and result in a 5 dBA reduction in sound level. In accordance with Chapter 141 of the Town Code (Noise Ordinance), construction would be performed Monday through Friday between 7:00 am and 6:00 pm.

It is also noted on page 138 of the DEIS that the approximate national average for noise reduction by the exterior shell of a typical residential building is 25 dBA with the windows closed. Therefore, noise levels in the interior spaces would be attenuated.

Furthermore, there are homes proximate to the school property (10<sup>th</sup> Avenue, Fresno Court, etc.) and any renovations on those homes would also generate construction-related noise. As some of those homes are closer to the Pulaski Road Elementary School than the Matinecock Court development, those impacts would likely have a noise impact. However, like Matinecock Court, those residences would have to comply with the Town noise regulations.

**Comment No. 241:**

Advertisement & Posting: The SEQRA requirements for the review of the DEIS call for the documents to be made [sic] available to the public thirty (30) days prior to the public meeting. This did not occur in the Northport and East Northport Library's [sic]. In fact the East Northport branch did not receive their copy until May 16, 2006. Further as noted by a speaker at the hearing on May 10, 2006 the town web site indicated no public comment would be allowed at the planning board meeting. This may have caused confusion to residents in the area reducing the turn out.

**Response No. 241:**

As explained in the Response to Comment No. 81, the SEQRA does not require that the documents be available 30-days prior to the public hearing. Pursuant to 6 NYCRR Part 617.12(a)(2)(iii) and (iv):

*(iii) A notice of completion must identify the type of EIS (draft, final, supplemental, generic) and state where copies of the document can be obtained. For a draft EIS the notice must include the period (not less than 30 calendar days from the date of filing or not less than 10 calendar days following a public hearing on the draft EIS) during which comments will be accepted by the lead agency*

*(iv) A notice of hearing must include the time, date, place and purpose of the hearing and contain a summary of the information contained in the notice of completion. The notice of hearing may be combined with the notice of completion of the draft EIS.*

As indicated in the Response to Comment No. 81, the Public Hearing was held on May 10, 2006. The Affidavit of Publication for *The Observer* (see Appendix N of this FEIS) confirms the publication of "Notice of Public Hearing" on April 20, 2006. As such, the notice of public hearing was published in accordance with (and actually well beyond) the required five days cited above. Additionally, in accordance with Chapter 198-129(D) of the Town Code, the applicant posted the Notice of Public Hearing on the site for the ten-day period prior to the hearing.

The *Notice of Completion and Notice of SEQR Hearing* adopted by the Planning Board on April 6, 2006 advised of the public hearing on May 10, 2006 and indicated the public comment period as expiring on May 26, 2006. Upon adoption of the Notices, copies of the DEIS and related notices and correspondence were sent via Federal Express on April 14, 2006, next day delivery to all involved and interested agencies. See copies of the Notices and the Affidavits of Service in Appendix N of this FEIS.

As such, the actions undertaken by the Planning Board fully comply with the notification and filing requirements set forth in 6 NYCRR §617.12(a)(2)(iii) and (iv).

**Comment No. 242:**

Track Record: A major concern that has not been addressed is the lack of experience HHI has in developing housing. While the courts may have sided with their rights to build, it does not address their abilities to accomplish the task. Tax dollars, tax credits and private funding will be utilized to fund the construction of this complex. Yet HHI has no experience in construction management, bidding of projects, monitoring cash flow or any of the basic requirements to run a project of this magnitude. Who will be monitoring the cash flow to insure it is spent wisely?

**Response No. 242:**

DHCR has requested that HHI hire an experienced affordable housing developer as its consultant. To that end, HHI has hired the Long Island Housing Partnership (“LIHP”), which has developed over 3,000 affordable housing units. LIHP is monitoring the finances, overseeing two pre-development loans, and will continue to work with HHI during construction, marketing, renting and purchasing. Once the units are completed, a professional management company with affordable housing experience will manage the units. In addition, HHI will have its office located in the community building to provide further oversight.

**Comment No. 243:**

The CAC has previously offered to assist HHI in their budget development, cost analysis or in any other avenue of financial concern. HHI has refused to discuss any of their finances with the group. At least three (3) members of the CAC have extensive construction background. The chair of the group has successfully developed several affordable housing developments with his firm. One member is a licensed contractor specializing in home construction and renovation. As for my background I am a licensed Professional Engineer in New York & Virginia and hold a New York State Code Compliance Certification. Presently I [sic] employed with one of the largest Construction Management Firms in the Metropolitan Region and have administered numerous construction projects with budgets in the range of \$50 to \$100 Million over the past twenty (20) years. The offer to assist HHI was made to bring our many years of relevant experience to their aid in negotiating the many hurdles they will face with this project.

With the large value of public funding involved in this project all of the parties involved must be able to fully account for all of [sic] funds from the start of the project to its completion.

**Response No. 243:**

HHI did not refuse to discuss the financials with the CAC. A copy of the complete development budget was provided to the "facilitator" of the CAC – David Scro, more than a year ago (see Appendix S of this FEIS). In the past two years, Ms. Lagville, the HHI director, has been asked to attend a CAC meeting only once. Ms. Lagville did so, and, as requested, provided the CAC with the newly-updated site plan.

In addition, HHI advised Mr. Scro that since the construction figures were estimated in 2002, construction costs have greatly risen. The general contractor advised HHI that it is too soon to re-estimate construction costs since construction would not be started for at least two years. HHI advised Mr. Scro that his assistance would be welcomed at that time.

**Comment No. 244:**

Community out Reach [sic]: The relationship between HHI and the community has been less than desirable since the start of this process over twenty five years ago. If HHI wants this project to be received in a positive light it must start acting as a contributing member of the community. This will not be an over night [sic] accomplishment, but then again this complex will be around long after many of the people presently involved have moved on. A significant effort of out reach [sic] to the community is the only way to make this long term project a success. Any private professional developer would proceed in the same manner to win acceptance for their project from the Community. HHI should follow the same path, step up and start performing like a professional corporation.

**Response No. 244:**

The comment is noted.

**Christopher E. Kollmeier  
12 Arcy Drive, East Northport  
May 8, 2006**

**Comment No. 245:**

The first matter I wish to have discussed and amplified in public detail is the matter of a sewage treatment plant. As a commuter to NYC, I have seen these, and they are not something I would wish to have in any community. There needs to be significant discussion as to the size, scope, hazardous materials handling, storage and shipment, emergency planning, the odors, the handling and disposal of treated waste and other byproducts, effects on the surrounding areas and the cost that the taxpayer will have to absorb.

**Response No. 245:**

The lack of a provision by Suffolk County for the design, construction, ownership and operation of STPs has caused the need for individual developers to provide sewage treatment and disposal on a site by site basis for developments similar to the Matinecock Court project. There will be no hazardous chemicals shipped, handled, stored or used in the STP.

Relative to other issues raised in this comment, please see Response to Comment No. 118 above.

The total cost for the construction of the STP will be borne by the developer; and the operation and maintenance costs will be borne by owners and residents of the project, not local taxpayers.

**Comment No. 246:**

I find it amusing that the authors of the documents I have read continuously refer to this housing project as being located in “The Hamlet of Greenlawn”. While I am not certain of the zip code, this housing project falls within the Northport/East Northport School District, the East Northport Fire District and I presume the Northport/East Northport Library System. Having said that, this housing project has no true impact (other than possibly endangering its residents with the aforementioned treatment plant) in Greenlawn in any way, and as a result, comparative data derived from Greenlawn, whether income, home prices, census data, etc [sic] is at best flawed, and at worst, disingenuous. Relative to this issue is the research data that was used to make the argument in favor of the housing project.

**Response No. 246:**

A copy of the relevant portion of the Hagstrom map is included in Appendix Q of this FEIS, which depicts the property as being entirely located within the hamlet of Greenlawn, zip code 11740. Therefore, all data for the hamlet of Greenlawn presented in the DEIS were appropriate and not “disingenuous.” It is noteworthy that the demographic data for the Town of Huntington were also presented and analyzed in the DEIS. Research relative to the need for affordable housing included statistical data for Suffolk County as well.

Although the subject parcel is within the hamlet of Greenlawn, it is within the service areas of the Northport-East Northport Union Free School District (and the Northport/East Northport Library System as the public library serving this District) and the East Northport Fire District. In fact, as indicated on the School District boundary map in Appendix T of this FEIS, there is a portion of the hamlet of Greenlawn within the boundary of the Northport-East Northport Union Free School District, not only the subject parcel. Moreover, the DEIS evaluated the impact to the school district and to fire protection services through correspondence and communications with both the Northport-East Northport Union Free School District and the East Northport Fire District.

**Comment No. 247:**

With regards to impact on schools, one study they referred to done by Rutgers University didn't have a date, but I assume it has been some time. Further, they referred to Highview at Huntington, which opened five years ago, as generating 31 school age children. Of course, we have no idea how many children have been born since the units opening, but its entirely possible that there are many more at this time. Further, Highview at Huntington has 100 units. So by using a simple ratio, its possible to have 45 or more school age kids in this housing project. I have one in elementary school and one in the Middle School, and I can assure you that space, teachers and resources are at the maximum. The three-year old report from the School District that the housing project cites is outdated and unusable. We have had to fight each year for additional classrooms and teachers with the children we have right now. I would encourage you to demand that they reexamine this impact and for you to discuss with the School Board and Superintendent about the potential ramifications, both physical and financial that this community will possibly have to suffer.

**Response No. 247:**

See Responses to Comment Nos. 64 and 88.

**Comment No. 248:**

Documents I have read make mention of a 1993 "Comprehensive Plan Update" that the Town of Huntington published. It is mentioned to illustrate a desperate need for housing in the Town of Huntington. I cannot fathom that anyone would reference a document 13 years old as justification for a plan of this magnitude, nor can I imagine that any persons in authority could allow it to be passed as a reference document. The DEIS also mentions a 2000 Census, 2004 housing prices and other outdated reference material. The data that I am going to refer to now is dated today, May 8, 2006. I have a background in mortgages and real estate. This information goes to the heart of their argument when discussing "need".

**Response No. 248:**

The Town of Huntington's *Comprehensive Plan Update, April 1993* is the latest plan prepared by the Town of Huntington, and therefore, is the governing master plan for the Town. As such, this document must be reviewed and analyzed as part of the DEIS. It is noteworthy that the scope of the DEIS also included an analysis of the *1974 Town of Huntington Open Space Index Report*.

**Comment No. 249:**

Mortgages rates are at historical lows. As of the week of May 5<sup>th</sup>, the national average conforming (5% Down) 30 year rate was 6.59%, and a FHA as of this week is 7%. In 1993 the conforming rate was as high as 7.99% with 1.6% points, and FHA approximately 7.5% plus related costs. Standard mortgage and credit rules are more relaxed and more accessible than they have ever been. FHA limits and rules are better than ever (362K on a purchase), easy to navigate and often, many people find that they no longer need the government to insure their mortgages. Bottom line – its [sic] more likely that people who want to own have more opportunity to do so than ever before.

**Response No. 249:**

The 2006 HUD median income for a family of two in the Nassau-Suffolk region is \$72,800.

As indicated on Page 11 of the DEIS, according to the Long Island Board of Realtors, the median sales prices for single-family homes in Suffolk County increased from \$230,000 in August 2001 to \$361,000 in August 2004. Assuming a three-percent down payment, property taxes of \$7,000, mortgage insurance of \$263.00 per month and 30 percent of gross income to the average home of \$361,000, the homeowner would need to earn \$117,816 per year, which is **161 percent** of the 2006 HUD median income for a family of two in Nassau-Suffolk, NY.

Therefore, the median income is well below that required to afford the median-priced single-family home in Suffolk County.

As indicated in the Response to Comment No. 107, tenants can earn no more than 60 percent of the median income for Nassau/Suffolk counties, by family size, and owners can earn no more than 80 percent of the median income for Nassau/Suffolk counties, by family size. Therefore, 60 percent of the current HUD median income for a family of two is \$43,680, and 80 percent of the current HUD median income for a family of two is \$58,240.

**Comment No. 250:**

There was a reference made to HUD Income limits and mortgage ratios, and the ability to afford housing. As of today in Suffolk County there are approximately 200 houses priced at \$300,000 and less (excluding mobile homes, houseboats and cottages). In the Zone #'s 20 and 24 (which encompass this area) of the Long Island MLS, there are 37 houses \$325,000 under available for sale. A check for rentals in those same zones #'s 20 and 24 via the Long Island MLS reveals that there are 219 rentals available for \$2000.00 a month and less, many of which are whole houses. Finally in those same zone #'s 20 and 24 there are 38 co-op's and condominiums for sale at \$300,000 and less. These numbers hardly indicate a desperate need for housing as is claimed by the housing project, in fact, if allowed to proceed, would likely have a negative effect on the Real Estate market by perpetuating a glut of available housing units.

**Response No. 250:**

The Long Island Housing Partnership has advised that it currently maintains a list of approximately 20,000 people in need of affordable housing.

**Rev. James B. Rea, Jr., Pastor  
Bethany Presbyterian Church  
May 23, 2006**

**Comment No. 251:**

The Session and leadership of Bethany Presbyterian Church would like to give support to the proposed Matinecock Court condominium development sponsored by Housing Help, Inc. We share the hope that it will be successful and provide a sound living environment for a long time to come.

Housing that is affordable and easily maintained is urgently needed by many, including members of our own congregation. We are mindful that life situations place many in a position where home ownership is not feasible, so we celebrate the opportunity that renters will also have access to this development. We trust that the remaining issues can be quickly resolved for the mutual benefit of not only the existing residents of the surrounding communities, but also for the new residents who will come together with great hope and expectations to form this new community.

**Response No. 251:**

The comment is noted.

**Correspondence Dated May 22, 2006 (Form Letter)  
From Nine Individuals**

**Comment No. 252:**

I feel the entrance/exit of Matinecock Court should be on Pulaski Road not Elwood Road, as Elwood Road is now congested and difficult to access from 10<sup>th</sup> Avenue and Northport High School. Elwood Road is the main road to Northport Village, Ashroken [sic], and Easton's Neck. During rush hours in particular traffic is very heavy. There is also the problem that the railroad tracks cross Elwood Road.

**Response No. 252:**

Based on discussions with SCDPW representatives, an Alternative Plan has been developed that includes a restricted access driveway on Pulaski Road (CR 11) and a full access driveway on Elwood Road (CR 10). The restricted access will not permit left turns exiting the site. The full access driveway on Elwood Road (CR 10) is proposed to be located approximately 370 feet north of the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10). The County also proposes to improve the intersection of Pulaski Road (CR 11) and Elwood Road (CR 10) by installing a new sidewalk and a two-way left turn lane on Elwood Road (CR 10) from Pulaski Road (CR 11) to the LIRR tracks. An exclusive southbound right turn lane will also be added at this location and two westbound receiving lanes will be constructed, which will merge to one lane approximately 700 feet west of the intersection.

This alternative plan was analyzed and compared to the proposed plan and the SCDPW will determine which plan is preferred. However, since it was the SCDPW that requested there be access from Elwood Road, it is clear that the Alternative Plan would be its preference.

**Comment No. 253:**

I am also concerned about possible lack of parking in the development which would mean that there would be additional cars parked on our local streets. 155 units could easily have need of 300 parking spaces.

**Response No. 253:**

The parking requirement, which is mandated by the Town of Huntington's planning and zoning regulations, is calculated based upon bedroom count and the number of parking spaces per unit. Based on the Stipulation of Settlement, the required parking is 1.33 spaces per unit. Therefore, this formula calculation results in a requirement of 207 parking spaces to be provided to serve the 155 units. The applicant and its consultants have chosen to provide a total of 334 spaces (2.15 spaces per unit), which results in a surplus of 127 spaces beyond that which is required.

**Comment No. 254:**

I am very concerned that that sewage treatment plant planned will be inadequate for the large number of units and residents that will be there. We already have two large schools and many residences in the area. In the past there has been a rash of cancer cases at the High School. It is vital that we protect our water supply.

**Response No. 254:**

See Responses to Comment Nos. 118 and 190.

**Comment No. 255:**

In my estimate you have vastly underestimated the possible amount of children that will reside there. I believe that it is more likely that 155 units would average about 2 children per unit making the total over 300 children. That means a whole additional school will be needed. This will drastically affect our school district and our taxes.

**Response No. 255:**

As part of the DEIS, the projected number of school-aged children was estimated using four sources of information, as follows:

- Published demographic factors from Rutgers University, Center for Urban Policy Research;
- Published demographic factors from the National Association of Home Builders;
- Demographics of the Millenium Hills development (Melville); and
- Demographics of the Highview at Huntington development (Huntington Station).

It is important to note that the first two sources noted above are used in almost all school-aged children analyses for proposed developments in Nassau and Suffolk Counties.

In an effort to further study this issue, the National Center for Education Statistics (“NCES”) was consulted. In the demographic profile for the District, based on the 2000 Census, there were 12,787 households within the District boundary and 5,723 students, or 0.448 students per occupied household. The application of this factor to the proposed development results in a projection of 70 school-aged children. This represents a 1.2 percent increase in enrollment (based on the 5,723 students).

However, as indicated in the 2000 Census for the Town of Huntington, Greenlawn, East Northport and Northport Village (see Appendix U of this FEIS), the percentage of single-family homes in these Census Designated Places are 87.1 percent, 84.4 percent, 90.3 percent and 73.5 percent, respectively. As indicated in Table 22 of the DEIS, demographic data for single-family residences reveal that the number of school-aged children is traditionally higher than that for multi-family units (61.4 children per 100 households vs. 36.9 children per 100 households). Therefore, the NCES demographic data, in that it combines single-family homes with multi-family housing in the total household figure, and single-family homes comprise the majority of the households, the number of students per occupied household is likely an overestimate for the proposed housing development.

As such, the applicant submits that the projections in the DEIS do not present numbers that are “vastly underestimated,” as asserted by the commentator.

Also, see Responses to Comment Nos. 64 and 88.

**Comment No. 256:**

I would also like to know if this plan includes residences for Seniors.

**Response No. 256:**

The proposed development would be open to senior if they meet the income limit requirements outlined in the Response to Comment No. 107.

**Leslie Lichtman**  
**715 3<sup>rd</sup> Avenue, East Northport**  
**May 18, 2006**

**Comment No. 257:**

We need affordable housing! We have waited 27 years for this housing. Please support Matinecock Court.

**Response No. 257:**

The comment is noted.

**Phyllis Y. Haber**  
**33 John Daves Lane, Huntington**  
**May 12, 2006**

**Comment No. 258:**

There is a desperate need for affordable housing in the Town of Huntington. For more than 25 years, Housing Help has been attempting to build housing that will be available to lower income families in our community.

I urge that the Town Planning Board do whatever possible to move this project forward as quickly as possible.

**Response No. 258:**

The comment is noted.

**Ken Grotell**  
**32 Charmain Street, Huntington Station**  
**May 15, 2006**

**Comment No. 259:**

I am in support of the proposed housing development Matinecock Court. Huntington needs affordable housing, both rental and ownership.

**Response No. 259:**

The comment is noted.

**Benjamin Acevedo**  
**96 East 11<sup>th</sup> Street, Huntington Station**  
**May 18, 2006**

**Comment No. 260:**

We need affordable housing! We have waited 27 years for this housing. Please support Matinecock Court.

**Response No. 260:**

The comment is noted.

**Pearl F. Staller**  
**19 Count Rumford Lane, Huntington**  
**May 22, 2006**

**Comment No. 261:**

I have followed the plans for the development of the affordable housing project Matinecock Court located on the corner of Pulaski and Elwood Roads in the Town of Huntington for over 30 years! It is hard to believe that our community has resisted this well thought out housing project for so long. Now more than ever we are aware of the lack of affordable housing and the impact it is having on our families and on the economy when employers can no longer find housing for their employees. Families both young and old are being priced out of the housing market.

I am well aware of the opposition that has been the main reason that this project has not been approved in the past. The folks who have been involved all these years have tried to be accommodating to the wishes of the surrounding community whose consistent stand has been against the development no matter what.

I think it is time for the Planning Board to approve this proposal. When it comes to satisfying the demand for affordable housing it is only a drop in the bucket and compared to other towns in Suffolk County we have done very little in the past. Let's show that in the future we will act for the good of the entire community.

**Response No. 261:**

The comment is noted.

**Joseph Anthony DeVincent**  
**105 Prime Avenue, Apartment A2, Huntington**  
**May 23, 2006**

**Comment No. 262:**

I am writing as a Huntington resident in support of the Matinecock Court housing development. Having reviewed the referenced document, and attended the public hearing, I believe that it reasonably addresses all the important issues and on the whole warrants adoption.

The scarcity of reasonably price [sic] housing in Huntington speaks to the urgent need for this development.

The contention of many who attended the hearing that the heavy local traffic flow should either limit or prevent construction of the development has no basis in either law or fairness. The multi-family zoning of the parcel has been in place for seventeen years, and traffic has not been a valid consideration for impeding other residential development in town, the vast majority of which being luxury accommodations dictated by a very exclusive zoning code.

What technical issues remain to be worked out are mostly within the purview of Suffolk County, in particular: sewage treatment and curb cuts. It would appear from the testimony at the hearing that local residents are more concerned about the school traffic on Elwood Road, in comparison to the traffic flow on Pulaski which may be greater overall but does not include the issues of a grade crossing or school access. As a result, it would seem that Housing Help made the correct decision to design its primary access off of Pulaski.

**Response No. 262:**

The comment is noted.

**Kenneth A. Christensen**  
**86 Cuba Hill Road, Greenlawn**  
**May 23, 2006**

**Comment No. 263:**

I wish to convey to you my personal support for the construction of the affordable housing project known as Matinecock Court. This project has been delayed far too long and has cost the Town of Huntington far too much because of the past litigation. The stipulations have been made and the project designed. No effort should be made to put anymore road blocks in the path of completing this project. If some fine tuning is needed, such as to off of what road to place the entrance, it should be done quickly and amicably. Please expedite this project.

**Response No. 263:**

The comment is noted.

Mary E. Lally MSW  
May 18, 2006

**Comment No. 264:**

I am writing to you in support of the building of Matinecock Court. It should have been done yesterday but that's besides the point. The advocates for Matinecock have fought a long, arduous battle to get this far. I believe it's been more than ten year's [sic]. Their Plans haven't changed in that many years, but the mind set of people have. NIMBYISM is not as prevalent as it once was about housing. People seem to be more open if they are told every step of the way. Tell them every step you are taking. And do the people who opposed it years ago still live in the surrounding area. [sic] Some yes, some no. Some have fled to other states to find affordable digs. So why can't we keep them here with housing they can afford. The people who are already established in the neighborhoods will soon realize that they grew up with the guy who just won the lottery to live in Matinecock Court. Perhaps a senior will not die, while waiting to live at one of the Paumanacks. Please make it happen. It will generate jobs, give local merchants the boost they need and it will give the little guy something to fulfill his dream with. Thank you for reading this.

**Response No. 264:**

The comment is noted.

**Marc Klein**  
**[No Address Provided]**  
**May 15, 2006**

**Comment No. 265:**

I believe, after 26 years, the Matinecock project is long overdue and that complaints re [sic] additional traffic are an artificial concoction calculated to stop the project. Please give this matter your judicious and expeditious attention.

**Response No. 265:**

The comment is noted.

**Elizabeth B. Hubbard**  
**27 Mallard Drive, Huntington**  
**May 15, 2006**

**Comment No. 266:**

I did not speak at the hearing last Wednesday but want to express my view that you should approve the submissions of Housing help [sic], Inc. as soon as you can do so, in order that construction of this badly-needed facility can begin. It's [sic] location on Pulaski Road, one of Huntington's major arteries, means that traffic should not be so much of a concern as in other locations. The near-by school can also contribute to reducing traffic if it is a problem.

I find that the plans for the complex are attractive and appropriate for the site. It will be a positive addition to the community and, after it is built and populated, I believe that the neighbors who object so strongly now will soon find that they have nothing to fear or complain about and will enjoy their new neighbors.

I hope that the lottery will be able to give substantial preference to members of the community, to Northport and to Huntington residents, because we badly need this housing for many people already living among us.

**Response No. 266:**

The comment is noted.

**Judith A. McElwain  
18 Cliftwood Drive, Huntington  
May 15, 2006**

**Comment No. 267:**

This letter is in support of the proposed affordable housing development Matinecock Court. The project has been thoughtfully planned to help meet some of the dire and well-known need for reasonably-priced housing in our town.

Apartment complexes can be well maintained. They need not detract from the surrounding area.

As a long-time Huntington resident who was grateful to find an apartment when my husband and I came to Huntington from graduate school in 1955, it is my hope that the Huntington Town Planning Board will approve the Matinecock Court development to provide decent housing for at least some of the many people who are so in need of it.

**Response No. 267:**

The comment is noted.

**Edwin Rivera**  
**31 Lafayette Street, Huntington**  
**May 12, 2006**

**Comment No. 268:**

As someone who is being assisted by Housing Help Inc., and a resident of the township of Huntington, I am writing to let you know of my support for the affordable housing development Matinecock Court.

Not everyone in Huntington can afford \$500,000 homes. Many of us can barely make ends meet. Please look out for the needs of all Huntington residents.

**Response No. 268:**

The comment is noted.

**Stanley E. DeVeaux**  
**91-101 Broadway, Unit 6, Greenlawn**  
**May 25, 2006**

**Comment No. 269:**

Since moving to the Huntington area in 1991, I have personally encountered the challenge of finding a place to live that is affordable. This is so unsettling because I also know of many others with a similar experience of “housing hunting” as mine.

Without reservation I support the construction of Matinecock Court in accordance with the rules of the Town, State, County, and the applicable Federal laws that govern such actions.

This building venture will be another move toward assisting people who live and work in the Town of Huntington in finding a place to live that is affordable and safe.

**Response No. 269:**

The comment is noted.

**Louise M. Sneed  
9 Walwin Place, Huntington  
May 23, 2006**

**Comment No. 270:**

I am writing in support of the Matinecock development that has been proposed. The need for quality affordable housing in Huntington is acute and dire and cannot be overstated.

I have been a resident of Huntington for over 25 years. I can recall when this project was proposed over 25 years ago. The opposition at that time was just as strong and vehement as it is today. However, at that time, those who opposed Matinecock were open in their disapproval and openly stated their fears which had racial and class overtones. Today, the opposition is couched in more politically correct terms, such as concern for the environment, noise pollution, air pollution, traffic congestion and safety concerns for children. While some of these concerns may have some merit, they are not sufficient reasons to halt or abandon the project. These concerns are "fixable" where there is a will to do so. All of the aforementioned obstacles can be surmounted. What I heard at the town meeting was the underlying real fear, which is the same fear expressed 25 years ago, namely fears centered around race and class. One man openly stated that if Matinecock Court came to fruition, drugs would be sold, crime would increase and the neighborhood would deteriorate. Still others alleged that the addition of the estimated 84 children who would be residents of Matinecock Court would put a severe strain on the Northport school system. I am a retired elementary school principal and have an appreciation of school budgets. If the addition of 84 children would cripple the entire Northport school system, then it is in poor shape indeed.

These fears are groundless. Please do not pander to them. Instead, be bold, be courageous, stand up for what is right and do the right thing. Build Matinecock Court without delay. Afford hard working, decent, law abiding citizens like my daughters, college grads both, and my church members and others the opportunity to be a part of the Long Island dream of home ownership and decent, attractive, affordable rentals.

**Response No. 270:**

The comment is noted.

**Mary Beth Guyther**  
**5 Little Plains Court, Huntington**  
**May 26, 2006**

**Comment No. 271:**

I have been a resident of Huntington for the past 20 years and a Greenlawn resident for the past 11. I currently reside at 5 Little Plains Ct. in Greenlawn. I am writing to voice my support for the Matinecock Ct. housing initiative. It is a much needed affordable housing development that has been planned with goodwill, respect for collaboration through the use of a citizens' advisory board, diligence in preparing the DEIS and thoughtful design and maintenance that takes community needs into account.

Many of the objections raised at the recent hearing were based on fear or misinformation. While I realize that change of this sort can generate fear about property values and financial security, we must not let these fears – which studies have proven unfounded – get in the way of progress. Progress in this case is defined by recognizing fairness, respecting the rule of law and meeting a dire need for shelter for those among us who need it most.

Some at the hearing voiced concerns about traffic. Increased traffic is an issue in many of the congested areas of Long Island, but any new construction that takes place causes this concern. Efforts will be made to manage traffic as much as possible at Matinecock Ct. Housing Help will cooperate with the county on any suggestions that might improve the flow of traffic. Since this question is being addressed, the project should move ahead without delay.

In Huntington, affordable housing faces a chicken and egg problem. Until residents can experience these developments firsthand and realize that they do not cause property values to go down, or bring increased crime or deterioration, we will not move forward. Once successful examples are up and running (like Highview), fears will be dispelled and resistance will decrease. But these first projects must be allowed to move forward for this to happen.

**Response No. 271:**

The comment is noted.

**Judith R. White**  
**6 Spring Hollow Road, Centerport**  
**May 23, 2006**

**Comment No. 272:**

I am writing in support of Matinecock Court on Pulaski and Elwood Rd. Although I do not live in the Northport School District, I do live in the neighboring community and my business is in Greenlawn. I believe that this development is long overdue and will be a benefit to the community.

There can be no question of the need for Matinecock Court, as you cannot pick up a paper or watch a Long Island News program without hearing of the desperate need for affordable housing. The concern for the school district is valid, but unfounded. Because of work that I am involved in I have seen the number of school children from different apartment complexes and affordable housing developments in both Nassau and Suffolk. As I am sure you and the planning board members are aware, the actual number of children coming from these developments is minor compared to the numbers that are given by members from the community who are in opposition.

The Planning Board has an opportunity to approve this historic project and I would urge you to do so at the earliest possible time.

**Response No. 272:**

The comment is noted.

**Abdul Satar Muhayya  
18 Ross Avenue, Melville  
May 23, 2006**

**Comment No. 273:**

I am the strongest supporter of the Development Plans of the Project Metinecock [sic] Court in the Waiting List for a HOUSE in this project since the year 1995.

I was attending REGULARLY to any of the meeting [sic] and hearings about this project conducted by: Housing Help Inc.

I did not miss any of the meetings and hearing [sic], but only the last hearing that was in the Town House, that I could not attend due to my other problems.

I like to furnish my support for the Plan Approval & the soonest implementation of this project, I hope, some time my dream comes true and I will be able to receive a house in this project with your kind favors and attentions. And be able to move to my own house (from the rented apartment) in this Project also.

I hope, the Development Plans of Project Matinicock [sic] Court, will be approved by the Board sooner, and May [sic] I look forward to your good news.

**Response No. 273:**

The comment is noted.

**Michael Wigutow, Esq.**  
**Touro Law School, Housing Rights Project**  
**300 Nassau Road, Huntington**  
**May 15, 2006**

**Comment No. 274:**

I am an attorney with Nassau/Suffolk Law Services Committee, Inc. Since 1999, I have worked in our Housing Rights Project, based out of Touro Law School, and I have represented and/or advised more than one thousand low-income households facing evictions or other questions effecting their housing. I write in support of the proposed development of Matinecock Court on the corner of Pulaski and Elwood Roads.

**Response No. 274:**

The comment is noted.

**Comment No. 275:**

There is a compelling need for development of housing for low-income households in Huntington and throughout Long Island. Low-income families face two simple difficulties: the market rents in this region are consistently equal to seventy-five (75%) percent of their household income, and is coupled with the paucity of rental housing in this region, maybe even to a greater degree in Huntington. These families are often forced to live in smaller sized units than would best accommodate their household, or unwittingly agree to a rental obligation they cannot afford...

**Response No. 275:**

The comment is noted.

**Comment No. 276:**

The fears expressed by those who oppose Matinecock Court are ill-informed and misguided attempts to prevent low-income households, the majority of whom are minority ethnicities, or races. The numerous claims of traffic congestion made at the public hearing on May 10 is based, as it must be, on the current population residing in the community, which is one hundred (100%) percent single-family homes, almost all owner-occupied. There is simply no evidence, or data supporting the allegation that development of Matinecock Court as a multiple dwelling unit will substantially add to traffic congestion. The argument against Matinecock Court based on traffic congestion is essentially a claim that we, those who already live here in single family homes, have made it impossible for those who need rental units to fit in.

**Response No. 276:**

The comment is noted.

**Comment No. 277:**

Another claim made by many who testified in opposition to Matinecock Court invoked the image of school buildings ready to burst at the seams. Education of children under 18 years of age is mandatory. Schools must accept not only children who reside in homes with an equity value of greater than three hundred thousand (\$300,000) dollars, owned by their parents. Schools must accept children who live in rental units, even those in a multiple dwelling property.

**Response No. 277:**

The comment is noted.

**Comment No. 278:**

When the Town held hearings on the Greens at Half Hollow Hills a few years ago, many Town residents spoke in favor of a senior development for empty nestors [sic], i.e., those parents whose children are grown, and who are looking to move-on to a smaller residence, without the responsibilities of maintaining a property. In turn, they would sell their home to a young family, effectively continuing the cycle and adding to the school population. It is these natural life changes that have the more significant impact on school populations, and not the development of one, small multi-family housing project.

**Response No. 278:**

The comment is noted.

**Bud Peyton, President  
Fair Housing in Huntington Committee, Inc.  
May 25, 2006**

**Comment No. 279:**

The many needy families who were denied housing by the decades long malfeasance of the Town have not received access to housing they were denied. While law has been restored to some degree, justice for the victims remains un-served. Thus we believe the PB has the added moral obligation to review the M.C. DGEIS for this 26 year old proposal with the maximum feasible fairness and promptness. M.C. can begin to bring justice to the victims of the Town's transgressions.

**Response No. 279:**

The comment is noted.

**Comment No. 280:**

Since the 1964 passage of its infamous zoning code prohibiting private development of multiunit assisted family housing from all but the racially impacted Urban Renewal area, thousands of families have been blocked by the Town from a decent place to live, raise their kids and educate them in a secure environment.

Following are some of the more egregious examples:

CDA innovative program: 106 units

Eliminated by Town from plan 1975 106 units x 31 years = 3286 Family Years

Millennium Hills 84 units:

Blocked by Town from 1978-2003            84 " x 25 " = 2100 " "

Matinecock Court 155 units

Blocked by Town from 1980-2002            155 " x 22 " = 3410 " "

|                                |            |          |            |          |                       |
|--------------------------------|------------|----------|------------|----------|-----------------------|
| Highview 100 units             |            |          |            |          |                       |
| Blocked by Town from 1980-2002 | 100        | “        | x 22       | “        | = 2200 “ “            |
| The Greens 275 units           |            |          |            |          |                       |
| Blocked by Town from 2000-2006 | 275        | “        | x 6        | “        | = 1650 “ “            |
| Ruland Road 114 units          |            |          |            |          |                       |
| Blocked by Town from 2000-2006 | <u>114</u> | <u>“</u> | <u>x 6</u> | <u>“</u> | <u>= 684 “ “</u>      |
| 834 units                      |            |          |            |          | = 13,330 Family Years |

To view the scale of family deprivation from another perspective, consider that 834 families were denied housing for an average of about 19 years. If there had been an occupancy turn over of just once in that time period, 1668 families would have lost their fair housing opportunity. Had the occupancy turnover had been twice, it would have affected 3,336 families.

**Response No. 280:**

The comment is noted.

**Comment No. 281:**

The DGEIS for MC was prepared in infinite detail, in extensive collaboration with the Planning Department in the effort to foresee and address every contingency. The sheer size of this DGEIS for its 155 units on 14+ acres rivals that for the Greens with its 1375 units on 382 acres. Another telling comparison is the processing time for these two projects: For the Greens it took four years to get from application to occupancy. For MC it took 26 years just to get to the DGEIS. Further, we have been told that the Planning Department actually prepared the DGEIS for a wealthy private developer’s 200+ unit project for sum of \$6,000, a tiny fraction of Housing Help’s cost in meeting the Department’s requirements for its DGEIS. This is not to suggest that we hold the PB responsible for the Town’s tactics but to be sure that you are aware of the roadblocks placed before MC from its very inception.

**Response No. 281:**

The comment is noted.

**Comment No. 282:**

While we write from the perspective of the Fair Housing in Huntington Committee, Inc., some of us have also served on the HHI board for more than 30 years. We look forward to a continuing positive process for Matinecock Court.

**Response No. 282:**

The comment is noted.

Lawrence McNally  
60 School Street, Northport  
May 25, 2006

**Comment No. 283:**

Over a quarter of a century has passed since Matinecock Court was first proposed to the Town of Huntington to address the need for affordable family housing.

Since that time, the need for affordable family housing has become more acute, especially in Huntington where most of the housing stock is financially beyond the means of families with modest incomes.

Let us not wait any longer to provide this affordable housing to a few of the families with limited income who desperately need this housing today as they needed it over a quarter of a century ago.

**Response No. 283:**

The comment is noted.

**Charles Kerner**  
**Member of the Community Advisory Committee of Matinecock Court**  
**230 Sweet Hollow Road, Huntington**  
**May 10, 2006**

**Comment No. 284:**

Need

Matinecock Court is badly needed in Huntington. A typical family house on Long Island costs \$430,000. A prospective buyer would need an income of \$175,000 a year or almost twice the median income of Nassau and Suffolk. There are two main problems here: 1. Young people, ages 24-34, are leaving Long Island at a rate 5 times that of the national demographic. 2. Businesses can't find entrance-level workers, nor can they expand on Long Island. They are relocating elsewhere and prospective businesses avoid Long Island. Affordable workforce housing is a must.

**Response No. 284:**

The comment is noted.

**Comment No. 285:**

Remedy

At Matinecock Court, 70 rental units will be offered to those earning up to 60% of the median, or \$54,000. Eight will be offered to Seniors and the handicapped at 30% of the median. 77 homes will be available to first-time buyers who earn up to 80% of the median, or \$71,200. That makes Matinecock Court affordable by HUD standards, and a middle class development as well.

Housing Help will ask the State for preferences which were accorded to Millennium Hills and Highview. Then, Housing Help's list of applicants will form the pool for the lottery. 15% of that list are residents of East Northport and Northport; and 70% are residents of Huntington. We will be taking care of our own.

**Response No. 285:**

The comment is noted.

**Comment No. 286:**

School Children

Matinecock Court will generate only 49 children of school age. That figure was arrived at by two definitive studies, one of Rutgers University and the other of the National Association of Home Builders. Their formulas were validated by applying them to the actual figures from Highview, Millennium Hills and Avalon I and II, developments in the town of Huntington.

**Response No. 286:**

The comment is noted.

**Arlene Harris**  
**139 Waterside Avenue, Northport**  
**May 30, 2006**

**Comment No. 287:**

This letter concerns are in reference to Housing. I was lucky enough to buy a home in Northport where I enjoy the wonderful schools and services. What concerns me is not everybody is or will be given the opportunity I have been given. If you can realize this, this year my daughter starts Harvard College thanks to Northport High School and the community and the thought that I was given such an opportunity. I ask for the many working families who are looking for decent housing. They are not asking for free stuff they want to pay to live in a decent surrounding where families can strive to be better. Thank you.

**Response No. 287:**

The comment is noted.

**Frances Whittelsey**  
**50 Summit Drive, Huntington**  
**May 15, 2006**

**Comment No. 288:**

As a 30-year resident of Huntington, I strongly support construction of the Matinecock Court housing project on the corners of Pulaski and Elwood Roads.

It is my conviction that this project will enhance the Town and the local community, and will not have any adverse environmental impact.

In particular, I believe there will be no significant change in traffic as the result of this project. This belief is based on the fact that I regularly travel through that intersection and along Elwood and Pulaski Roads, and have never experienced or observed any significant waiting time due to traffic congestion. I use Pulaski Road to travel east to the Sagtikos Parkway at many hours of the day, including morning and evening rush hours. I travel down Elwood Road past the high school in the morning and during evening rush hours on my way to the Gold's Gym in East Northport on Larkfield Road. Further, there are other east-west and north-south roads through the area that make traveling through this part of Huntington easy and open.

Reports to the contrary are either entirely false or vastly exaggerated.

However, it is true that at schools starting times and dismissal times, Elwood in front of the high school and the elementary school is congested. This is due to parents dropping off children in private cars, and to high school students driving themselves to school, one in each car

The children who will live in Matinecock Court will be so close to both schools that it is inconceivable that they will do anything but walk to the schools. Thus, the project will not add to the traffic burden during morning school start and evening dismissals.

I note that during the hearing on this project on May 10, one mother who lives on 10<sup>th</sup> Avenue said that her child does not use the school buses because they live too close to the school to be eligible for bus service. Therefore, she drives her child to school. A father testified that he has worked hard to be able to afford to give his son a car, and that it is his son's right to drive himself.

Perhaps construction of sidewalks along 10<sup>th</sup> Avenue would make it possible for more children to walk safely. The local community might also consider their own impact on the environment and lessen the use of cars to save energy and decrease air pollution. Fitness would be improved if more children walked.

While it is up to the local community to decide those issues, and it is certainly their right to use their private cars, it is not their right to then oppose construction of an affordable housing community on the grounds that it would add to the traffic burden. Their argument is both false on its face – because children from the project would walk to school – and selfish in the extreme.

I urge you to approve the environmental impact statement as quickly as possible so that construction of this long-needed and long-delayed project can begin.

**Response No. 288:**

The comment is noted.

**Kathi Kutner**  
**28 Acorn Drive, East Northport**

**Comment No. 289:**

Throughout this process, a major issue for our community has been the proposed density of this development and the infrastructure capabilities of our community to support it. Therefore, I am concerned when statements are made that summarize the Consent Decree as stipulating that the Planning Board can not deny the site plan on the basis of proposed density. I would like to remind you of the assurances the community received at the September 13, 2000 meeting, and I have received personally from Town Officials and attorneys, that while density alone can not be the sole basis for rejecting the applicant's site plan, the impacts that the proposed density has on issues concerning the health, welfare and safety of residents of the surrounding community and the proposed development, can and should be considered. If these impacts can not be adequately mitigated to provide necessary levels of current and future protection, the issue of density becomes an appropriate area of discussion.

**Response No. 289:**

As explained in detail in Section 2.0 of the DEIS and in the Response to Comment No. 46, the density is the result of a federal court order. The Planning Board, as lead agency for the proposed action, has caused to be prepared a DEIS to evaluate the potential adverse impacts associated with the proposed action (i.e., of 155 units). It should be noted that the DEIS has undergone several revisions to address the concerns and comments of the Planning Board so as to protect the health, welfare and safety of the community. This FEIS is to address all public and agency comments with respect to the action.

However, it should be noted, pursuant to 6 NYCRR Part 617 (the implementing regulations of the State Environmental Quality Review Act ["SEQRA"]), "it is the intention of this Part that a suitable balance of social, economic and environmental factors be incorporated into the planning and decision-making processes of state, regional and local agencies. It is not the intention of SEQRA that environmental factors be the sole consideration in decision-making." The Planning Board will use this "balance" in its decision making.

**Comment No. 290:**

Open Space: In reviewing the applicant's site plan I am confused as to the percentage of open space notated. It is my understanding from a past meeting with a representative of Suffolk County's Department of Ecology that open space areas are defined as follows:

Must be in a natural form – no pavement, or hardscapes

Buffers, set-backs, leaching fields for Sewage Treatment Facilities and areas covering underground Sewage Treatment Facilities can not be included in Open Space calculations

Contiguous parcels of undeveloped property can not be included in calculating open space.

**Response No. 290:**

The DEIS does not indicate a percentage of open space, but the amount of pervious area on the site upon implementation of the proposed action. Page 121 of the DEIS acknowledges the loss of "open space," and points to the fact that the open space designation was made over 30 years ago, and the legal history of this parcel, notably the court-ordered change of zoning designation to R-3M Garden Apartment Special District and the accepted residential density of no more than 155 residential units (pursuant to the Stipulation of Settlement), eliminates its potential to be preserved as open space.

**Comment No. 291:**

Fire/Rescue Department: In reviewing the DEIS I find a discrepancy in the number of fire calls which the East Northport Fire Department responds to on an annual basis. I believe there is an under-reporting of approximately 300 fire calls as the numbers for 2005 were reported as 356 fire calls and 1,274 rescue calls. This is a significant difference from what is reported in the DEIS and should make a difference in evaluating the department's response capabilities.

Given the relatively small square footage of the proposed apartments, please address issues regarding access and egress from these apartments to ensure safety.

**Response No. 291:**

See Responses to Comment Nos. 183, 193 and 236.

Each unit meets or exceeds state code requirements for safety and egress in addition to its fire sprinkler system through escape windows from all required rooms and main access doors.

**Comment No. 292:**

Sewage Treatment Facility: With the Sewage Treatment Facility operating at nearly full capacity at build-out, I am concerned as to what will happen with the sewage should the system go off-line at any time. Breakdowns and routine maintenance issues can be confidently foreseen. With no excess capacity, how will this be handled? With three schools and their playgrounds and athletic fields surrounding the property, any discharge of sewage and odors, chemicals, etc. are a [sic] issue of health and safety to the children who use these facilities.

**Response No. 292:**

See Responses to Comment Nos. 118 and 190 above.

**Comment No. 293:**

Lottery: With recruitment and retention of fire and rescue volunteers being an issue throughout Long Island, as chronicled in a recent Newsday series of articles, perhaps a set-aside of a few rental and home-ownership units for members of the East Northport Fire Department could be provided. Possibly a priority could be given in the lottery process to the fire department members as long as they fall within the income guidelines for prospective residents.

Additionally, the issue of giving priority to current residents of the school district, the East Northport community and the Town of Huntington is an issue that has been discussed at length with the applicant. The applicant has always stated that they will give priority to the extent the law and funding requirements dictate. Other affordable housing developments, both within Huntington and throughout Long Island, have been able to grant this so the applicant should include a written plan to accomplish this goal. This is important to quantify because the property while serviced by Northport-East Northport schools, libraries and fire and rescue services, the property's zip code apparently places it in the hamlet of Greenlawn. If the East Northport community is providing the infrastructure and services it also deserves to receive a priority in the lottery process.

**Response No. 293:**

See Response to Comment No. 195.

**Daniel Karpen  
Professional Engineer & Consultant, P.C.  
3 Harbor Hill Drive, Huntington**

**Comment No. 294:**

Housing Help apparently helped themselves to an apparent illegal loan from the New York State Division of Housing and Community Renewal in December, 2004, according to the attached Observer article.

Please note that the loan was illegal because a state agency must comply with SEQRA prior to the funding of an action. At the time of the loan, no hearing had been held on the DEIS.

I spoke to Peter Moses at the NYSDHCR, and told him about the apparent illegal loan. He said if the loan was illegal, then the agency would reclaim the money. He is in press office, and he knows his way around the agency. It may take him several weeks for him to do an investigation.

The Town of Huntington must STOP THE CLOCK on the processing of this application in accordance with 6 NYCRR 617.9(a)(5)(ii)('b'). as there are problems with the proposed action that require material reconsideration.

**Response No. 294:**

HHI obtained a loan from the Long Island Housing Partnership – not the DHCR. The article in the *Observer* was incorrect.

Second, this FEIS has addressed all of the public comments, and where material reconsideration or modification have been identified, additional analyses were prepared. As such, the FEIS fully complies with 6 NYCRR 617.9(a)(5)(iii)('b').

**Annemarie DiPasquale  
3 Bluff Point Road, Northport  
May 25, 2006**

**Comment No. 295:**

Burden on the Northport School District No. 4. Please find attached the requested letter on my behalf from the Northport School District confirming the burden on our school system. Barbara Salatto, Asst. Superintendent for Business of the Northport School District authored the letter. A hard signed copy with [sic] be forwarded under separate cover as well.

**Response No. 295:**

See Responses to Comment Nos. 64, 85 and 108.

**Comment No. 296:**

Traffic safety issues surrounding am and pm dismissal on Pulaski Road (Pulaski Avenue Elementary School) and Elwood Road (Northport-East Northport High School). This [sic] congestion and unsafe conditions have been documented with growing concern at the Districtwide Health and Safety Committee for which I have been a PTA and PTSA representative over the years. Also note, in addition to Northport High School having 2 peak congestion periods at am arrival and pm dismissal, they also experience a 3<sup>rd</sup> peak congestion period due to sports. The sports locker rooms are located on the south side of the building with student sport dismissal occurring during evening commuter rush hour creating a 3<sup>rd</sup> congestion period

Elwood Road **must not** have full egress for Matinecock Court residents or community attempting to pass Northport High School or Matinecock Court.

Pulaski Road **must have** additional crossing guards to help increase safe crossing of Pulaski Rd. for the elementary children and their parents who must escort their children to ensure safety. Also note, limited sidewalks exists [sic] on Pulaski Rd enabling safe passage to the Pulaski Rd. entrance to the Pulaski Avenue Elementary School.

**Response No. 296:**

See Responses to Comment Nos. 1, 2 and 132.

**Comment No. 297:**

I understand: the Court Order, history of 20 years, 100% “low income” rentals changed to 50% equity and 50% affordable”, 179 units to 155. [sic]

But the Planning Dept. must understand that the community is accepting Matinecock Court with the hopes that a fair and balanced approach will consider the impacts on the community. To Mitigate [sic] school and traffic burdens on the community, smaller number of units and less bedrooms within the units must be implemented.

**Response No. 297:**

As explained in detail in Section 2.0 of the DEIS and in the Response to Comment No. 46, the density of the development is governed by the Stipulation of Settlement (see Appendix L of this FEIS). The unit types (i.e., one, two, three and four bedroom-units) are being offered to provide affordable housing for individuals and families.

**B. Ray Family [Handwriting Illegible]  
224 Norwood, Northport  
May 20, 2006**

**Comment No. 298:**

We are adamantly against this project going thru. With all due respect, how much more are we hard working slobs expected to shell out in additional taxes, as far as the school expenditures go (free lunches, breakfasts, etc) We have a lot of young people graduating college then returning home because they can't afford to live on their own! What about our senior citizens? They're squeezed between-a-rock-and-a-hard-place. This should have been designed for senior housing!

**Response No. 298:**

The proposed development is providing affordable housing for individuals and families, and would be open to those seniors who meet the income limits defined in Response to Comment No. 107.

**Margaret and Robert Hill**  
**26 Georgia Street, East Northport**  
**May 25, 2006**

**Comment No. 299:**

We have always been very concerned about this issue. We were very upset that there wasn't more notification informing the residents of our town that there was a hearing on this matter. We saw a sign about 2' x 2' posted on the fence of the proposed site, we feel this is very sneaky and underhanded. If this is legit as Housing Help claims, why wasn't there letters sent out to all residents? This is very unfair to the community and all who live here and have paid taxes for so many years.

**Response No. 299:**

See Response to Comment No. 81.

**Comment No. 300:**

The traffic is the number one problem, this community doesnot [sic] need any more traffic. We can't get out of our street as it is now, what will we do with this site?

**Response No. 300:**

See Response to Comment No. 56.

**Comment No. 301:**

As far as the rental units go, home ownership is the only way to go. People who own their own home will [sic] more likely to take care of it and work harder to keep what they own. As we ourselves do everyday. On our street we have renters, and if you drive down it you can pick out those houses. More renting is not what our community needs. And how safe can it be to live right next to high tension power lines, one of LIPA's substations. [sic]

Our schools are crowded now, did any one do an impact study on how many more children will be going to these schools, and which ones will be effected [sic]? And how high will our taxes go to cover any new students that live in these housing units?

**Response No. 301:**

See Responses to Comment Nos. 32, 89, 178, 189, 195 and 255.

**Comment No. 302:**

We are reading in local papers the Housing Help is in conjunction with NAACP. When did this happen and why wasn't the public told of such a unity, this was the first time we ever heard of this. Also, that there is an undertone of classism [sic], or racism towards people of lesser incomes. Where is this coming from? Not everyone is a racist and feels this way. We feel that Housing Help is not as willing to work with the community as they say they are, and that they are holding back information so they can get this through without the community knowledge.

**Response No. 302:**

As indicated in Section 2.0 of the DEIS, the subject site, and the right to locate an affordable housing development on the subject site, has been the subject of numerous legal actions beginning in 1981 and ending in 2002. These legal actions were brought in both state and federal courts.

The litigation began in the federal court, i.e., the United States District Court for the Eastern District of New York. This federal action raised the following issue:

“... whether an overwhelmingly white suburb’s zoning regulation, which restricts private multi-family housing projects to a largely minority “urban renewal area,” and the Town Board’s refusal to amend that ordinance to allow construction of subsidized housing in a white neighborhood violates the Fair Housing Act.”

Huntington Branch NAACP v. Town of Huntington, 844 F.2d 926, 928 (2d Cir. 1988).

HHI and its co-plaintiff, the Huntington Branch of the National Association for the Advancement of Colored People (“NAACP”) argued that the Town’s zoning limited public housing projects to an “urban renewal” area in Huntington Station, which was the site where many minority residents already resided. HHI and the NAACP argued that this zoning limitation perpetuated segregation in the Town. The courts agreed with HHI and the NAACP. The Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court, found, among other things:

“... that Huntington’s refusal to amend the restrictive zoning ordinance to permit privately-built multi-family housing outside the urban renewal area significantly perpetuated segregation in the Town.”

Id. at 938

“... that the disproportionate harm to blacks and the segregative impact on the entire community resulting from the refusal to rezone create[d] a strong prima facie showing of discriminatory effect - ... “

Id. at 938

“... that the Town violated Title VIII [the Fair Housing Act] by refusing to amend the zoning ordinance to permit private developers to build multi-family dwellings outside the urban renewal area.”

Id. at 941

“... that the Town violated Title VIII by refusing to rezone the ... site.”

Id. at 941

The result of these findings was a judgment ordering the Town to rezone the site to R-3M status, and striking from the R-3M zoning the provision which limited multi-family housing projects to the urban renewal area (Id. at 942). The findings of the Federal Circuit Court of Appeals were affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989).

In 1986, HHI was forced to bring another lawsuit in New York State Supreme Court to enforce its contract to purchase the property.<sup>11</sup> This action was also successful. On November 9, 1990, the trial court issued a decision directing specific performance of the property under the contract to HHI. The Appellate Division affirmed the trial court's judgment, but modified the amount of damages due to HHI (Housing Help, Inc. v. Casper-Staller Venture, 196 AD2d 805 [2d Dept. 1993]).

In June 1995, Housing Help, Inc. filed a site plan application and Part 1 of the Environmental Assessment Form (EAF) with the Town of Huntington for the proposed Matinecock Court Development, which consisted of 179 units at that time. The Town of Huntington Planning Department caused to be prepared Parts 2 and 3 of the EAF and adopted a Positive Declaration for the proposed action on July 15, 1995. A public scoping was scheduled and held on September 27, 1995.

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<sup>11</sup> Housing Help, Inc. v. Casper-Staller Venture (Suffolk County Index No 86-7996, Luciano, J )

In 1997, after numerous applications for funding and failed attempts at negotiation with the Town and State, HHI, once again, had to resort to litigation. HHI filed a lawsuit against agencies of the Town and New York State.<sup>12</sup> This lawsuit was settled in two phases. The claims against agencies of the Town of Huntington were settled in 2000. The claims against New York State's Division of Housing and Community Renewal were settled in August 2002. Under terms of the August 2002 settlement, New York State is to release at least \$14 million in state and federal funds.<sup>13</sup>

Finally, the Stipulation of Settlement and Consent Decree in Full Settlement of Claims by Plaintiff Against Defendants The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, and The Community Development Agency of the Town of Huntington, New York dated October 10, 2000, which, among other things, governs the development of the site for no more than 155 residential units.

As indicated in the Response to Comment No. 137, the Matinecock Court CAC was established pursuant to the Stipulation of Settlement (see Appendix L of this FEIS) to "advise and assist HHI with respect to issues pertaining to the design, layout, use of property and landscaping of the Development during the planning, design, construction and operation of the Development." While the CAC has no decision-making authority, it is comprised of seven members including three members not affiliated with the applicant or the Long Island Housing Partnership, which are selected by the Town Board of the Town of Huntington. As such, given that the CAC has representative members of the community, and that the applicant has and will continue to meet with the CAC to consider its design recommendations during the site plan development process, the commentator's statement that the applicant is not willing to work with the community is false.

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<sup>12</sup> Housing Help, Inc. v The Town of Huntington, New York, The Planning Board of the Town of Huntington, New York, The Community Development Agency of the Town of Huntington, New York State Division of Housing & Community Renewal, New York State Housing Trust Fund Corporation and Joseph Lynch (CV97-3430[ERK] [VVP]).

<sup>13</sup> National Low-Income Housing Coalition ([www.nlihc.org](http://www.nlihc.org))

**Comment No. 303:**

Who is Housing Help to determine what is good for a community that they do not live in or really care about? This is where we live, grew up and decided to raise our 3 children, I think that we know what is best for OUR community!

**Response No. 303:**

The comment is noted.

**Paul Amarante  
Resident of East Northport  
May 25, 2006**

**Comment No. 304:**

I understand the proposed project is to be built on a tract of land that lies adjacent to a power switching station that emits EMR [sic]. Are we (the town of E. Northport) responsible to pay legal and settlement fees in the event a resident of this community sues if they are stricken with an illness that is related to this?

It will be [sic] my tax dollars paying to settle suits of this nature. I'm tired of paying sky high taxes as it is, this project will only cause additional stress and taxation on the residents of Northport/East Northport.

**Response No. 304:**

See Responses to Comment Nos. 28 and 42.

**Stacie and Anthony Colonna  
Residents of Pulaski Road, East Northport  
May 25, 2006**

**Comment No. 305:**

We are three year residents of East Northport. My husband and I own a home on Pulaski Road one block from where it is proposed to build low income housing and rentals. We are very concerned about this happening in our area. It is most difficult for us on a daily basis as it is to get in and out of our driveway, but adding more congestion to this are [sic] would be a nightmare. We are also concerned as we have a child that will be school age soon. Where are these children going to be schooled? In our district? Aren't we already crowded? I guess they will raise our school taxes again to help fund this, that is just what we need. We would like to go on record as opposing the building of theses houses, and we will be selling our home and moving out of Northport/East Northport all together.

**Response No. 305:**

The subject property is within the boundary of the Northport-East Northport Union Free School District. As indicated in the Responses to Comment Nos. 64 and 88, the school district has been aware of the proposed development and has recognized the need to include the needs of this development in its facility planning.

Finally, as indicated in the Response to Comment No. 89, both the rental and equity units will pay full property taxes based on their legal status as a condominium and their fair market value

Valerie A. Romanczyk  
431 Second Avenue West, East Northport  
May 24, 2006

**Comment No. 306:**

Has anyone investigated the impacts of traffic, a sewer treatment plant, soil testing and/or the influx of students that would enter the surrounding school districts? These are very, very important issues the MUST be addressed. In addition, why as a Huntington taxpayer wasn't I notified of the past public hearing? The town knows where to send my tax bill! I feel the people of Huntington should be made aware of when the next public hearing (in regards to this issue) is going to take place. A small sign hanging on a telephone pole 2 days before a public hearing isn't fair or ample notice! Shouldn't the public have 30 days notice prior to a public hearing?

**Response No. 306:**

As indicated in the Response to No. 69, the DEIS evaluated the potential impacts to soils (Sections 3.1 and 4.1), water quality (Sections 3.3 and 4.3), noise and air quality (Sections 3.6 and 4.6) and traffic (Sections 3.5 and 4.5). Also, the traffic analyses have been updated and are included in Appendix E of this FEIS.

As indicated in the Response to Comment No. 81, the Town of Huntington Planning Board, as lead agency, published the *Notice of Completion of Draft and Notice of SEQOR Hearing* in accordance with Chapter 198-116(B) of the Town Code. The supporting Affidavit of Publication in *The Observer* is included in Appendix N of this FEIS. Also, as indicated on the Town of Huntington's website, the Town's official newspapers are *The Long Islander* and *The Observer*.

The SEQRA noticing requirements are set forth in the Response to Comment No. 112.

**John Weber**  
**May 16, 2006**

**Comment No. 307:**

I just wanted to re-iterate my response to Mr. Rosen's question as to where the entrance to the complex should be. In my mind it would make absolutely no sense what so ever to have the entrance on Elwood road [sic].

**Response No. 307:**

See Response to Comment No. 3.

**Patricia and Wayne Gosman  
5 Dover Place, Northport  
May 22, 2006**

**Comment No. 308:**

We are writing with great concern about the traffic implications affecting the Northport East Northport area with the development of the Matinecock development.

The traffic is currently backed up bumper to bumper on Elwood Road at certain hours of the day on the north end to Dickenson Avenue and the south end to Fifth Avenue. There are two schools in the immediate area plus the train tracks.

Elwood is a two lane road as is Pulaski on the other side of this property. As is [sic] all the surrounding roads that will be impacted such as Fifth Avenue, Clay Pitts, Bellerose, Tenth Avenue, Fort Salonga Road (or 25A) Larkfield, .... This will most certainly have people cutting through back roads, for example Sandy Hollow, Stony Hollow, Laurel Hill, Maplewood, Oleander etc, that are narrow two lane roads and windy to boot.

This will add an estimated 300 cars from the new residents on all these roads and we are deeply concerned that the roads will be nearly impassable and certainly a safety hazard.

**Response No. 308:**

See Responses to Comment Nos. 3, 56 and 230.

**Comment No. 309:**

I feel there was not enough notice, time and publishing wise, for a public hearing for people to read over the facts and make their feelings known. As I have not had the time to read all there is to know, I do not know when the last independent traffic study was done, if it was recent or when the project was first proposed. But I strongly feel another one should be done, at ALL hours of the day and evening. And an extensive one. Such as closing Elwood Road between by the High School to Pulaski and see where the traffic goes, as this will surely be the case as Elwood road [sic] will be completely clogged.

**Response No. 309:**

As indicated in the Response to Comment No. 81, the Town of Huntington Planning Board, as lead agency, published the *Notice of Completion of Draft and Notice of SEQOR Hearing* in accordance with Chapter 198-116(B) of the Town Code. The supporting Affidavit of Publication in *The Observer* is included in Appendix N of this FEIS. Also, as indicated on the Town of Huntington's website, the Town's official newspapers are *The Long Islander* and *The Observer*.

**Comment No. 310:**

We strongly feel the number of units should be reduced. Or the number of 3 and 4 bedroom units. Or more housing for seniors, who possibly will have less vehicles. We are all well aware that our seniors are leaving our area because they cannot afford to live here in their current homes as they are now on fixed income and the utilities and taxes are too much of a burden. I think the other residence, Paumanok Village has a waiting list? This they can own and/or rent.

**Response No. 310:**

As indicated in the Response to Comment No 297, the density of the development is governed by the Stipulation of Settlement (see Appendix L of this FEIS). The unit types (i.e., one, two, three and four bedroom-units) are being offered to provide affordable housing for individuals and families. This development would also be available to those seniors who meet the income limits described in the Response to Comment No. 107.

**Charlie Carrara**  
**545 Fifth Street, East Northport**  
**May 26, 2006**

**Comment No. 311:**

What concerns me is the lack of concern for not only the environment but the men, women and children that live in the surrounding area and those that will be living in the new development. Based on recent comments by Susan Lagville (News 12), she still brings up discrimination and never mentions any concern for the people or the environment [sic]; all she wants to do is WIN! I hope this letter is accepted and the Huntington Planning Board makes Housing Help revisit various aspects of the Environmental Impact Statement.

**Response No. 311:**

The comment is noted.

**Debra Ray**  
**[No Address Provided]**  
**May 26, 2006**

**Comment No. 312:**

I would like for the town planning board to reconsider making this location into housing. I think that is an outdated need. . .It would be wonderful if the town would consider placing a park at that location.

**Response No. 312:**

The zoning of the subject parcel (i.e., R-3M Garden Apartment Special District) for the development of affordable housing has been decided by the Federal Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989). The development of the site is governed by the terms of the settlement with the Town's agencies, which was executed in 2000, i.e., the Stipulation of Settlement.

**Comment No. 313:**

If this project is going to be built, then I would prefer for it to be owner occupied, rather than rental apartments. Northport/East Northport School District has tons of apartment rentals in our area. . . We really don't need anymore rental properties in this area. . . I believe that Housing Helps [sic] claim that rental properties are needed is very much outdated.

**Response No. 313:**

Pursuant to the Stipulation of Settlement (see Appendix L of this FEIS), the proposal containing no more than 155 residential units are to consist of 50 percent rental and 50 percent ownership.

**Comment No. 314:**

I also feel strongly that the entrance and exit should not be on Elwood Road... I really feel that if we purposely add more traffic to that corner it would set us back to making it more dangerous there again... It is so close to the train tracks, the elementary school and the high school. More cars backed up over there means more pollution that will be affecting our students.

**Response No. 314:**

See Response to Comment No. 307.

**Joseph Milizio**  
**716 Glenridge Lane, East Northport**  
**May 26, 2006**

**Comment No. 315:**

Glenridge Lane is a dead end street, with ingress and egress only from Elwood Road (approximately ¼ mile from the proposed development...Often, I cannot turn onto Elwood Road from Glenridge Lane due to heavy traffic on Elwood Road. This results in having to make a dangerous entry onto Elwood Road or be stuck on my block without any means of exit. Obviously, there is no choice but to risk entry onto Elwood Road, creating a dangerous situation for both myself and vehicles and pedestrians on Elwood...Elwood Road serves as a school bus route for elementary and high schools students, with children picked up and dropped off on Elwood Road...There are no sidewalks along portions of this route, requiring the children to walk in the street. Moreover, school busses [sic] stopped to pick up or drop children off create major traffic congestion.

**Response No. 315:**

See Responses to Comment Nos. 1, 3, 56 and 230.

**Comment No. 316:**

I strongly object to the approval of the proposed development and request that the board examine all of the foregoing matters before moving ahead with this project in any respect. I would also like to be apprised of any studies that have been done indicating the effects of this project on traffic in this area.

**Response No. 316:**

The comment is noted.

Mary Friese  
426 Old Bridge Road, Northport  
May 26, 2006

**Comment No. 317:**

I am writing to express strong opposition to the Mattinecock Ct housing (E. Northport).

**Response No. 317:**

The comment is noted.

**Janet Weber  
24 Owen Place, East Northport  
May 26, 2006**

**Comment No. 318:**

I have some questions concerning the proposed Matinecock Court housing development:

If, as expected, the soil on the site is found to contain PCBs and/or other contaminants, what precautions will be taken to protect nearby residents and school children from being exposed to these contaminants once they become airborne?

What precautions will be taken to prevent sewer leakage and odor from contaminating the water supply and air of the surrounding area?

In addition, I understand public notices were placed in the Observer and Long Islander concerning the public hearing which took place on May 10<sup>th</sup>. Please be aware that the Observer is a Northport newspaper, not an East Northport newspaper where the project will be located. In addition, very few people receive The Long Islander. In all fairness, many residents were unaware of this public hearing and did not have a chance to attend in person. The signs posted on the sight were extremely small to passing motorists and unable to be read unless drivers pulled off the road onto the grass.

**Response No. 318:**

See Response to Comment No. 73.

In response to the comment related to precautionary measures for the STP, the sanitary system would be constructed with high quality pipe in accordance with the standards of the SCDPW. Rigorous testing of the installed system, witnessed by representatives of the SCDPW and the Engineer of Record will be performed to the standards of the SCDPW. The design of the sanitary system will be in accordance with the standards of the SCDHS and the SCDPW, which require a minimum of ten-foot distance between installation of the water system piping and the sanitary system components. The sanitary system will be designed to provide for continuous flow profile through the pipes to allow for an odor free environment.

See Response to Comment No. 81.

**Ariella Werner**  
**621 Pulaski Road, East Northport**  
**May 12, 2006**

**Comment No. 319:**

We DO NOT want these “affordable” rentals/homes across the street from our house for a number of reasons:

**1. THE INCREASED VOLUME:**

The traffic on Elwood and Pulaski in the morning is already a nightmare...all extra traffic on Pulaski will be heard in our house. It will be more dangerous for my children to walk to school. There will be more fumes in the air when I walk our dogs. I do not want the extra volume of people and cars in my immediate neighborhood!!!

**Response No. 319:**

See Responses to Comment Nos. 1, 3, 56 and 230.

**Comment No. 320:**

And just how will the increased volume of children be handled in the schools? Where on earth will the tiny Pulaski Road School put the extra children? We paid our hard-earned money so that our children will be in a 20 student classroom. When our child starts school in a few years this might really no longer be the case.

**Response No. 320:**

See Responses to Comment Nos. 64, 88 and 89.

**Comment No. 321:**

2. HOUSING PRICES

Let's be honest- "affordable" mean [sic] lower-income. Lower income is associated with increased crime, litter and lower school test scores. Again, the value of our home is ensuring our retirement. We are angry that these apartments are being put on our corner to lower our hard earned investment!

**Response No. 321:**

The comment is noted.

**Daniel C. Brown**  
**11 Hickory Hill Road, Dix Hills**  
**May 11, 2006**

**Comment No. 322:**

We should be ashamed that an urgently needed housing application should take twenty years and enormous expenditures to resolve.

**Response No. 322:**

The comment is noted.

**Comment No. 323:**

It seems to me that our town is faced with two valid-but distinct problems that must be solved separately, based on their needs. Problem one is a traffic situation that is bad now, before this housing development is even started. Problem two is the need for affordable housing. Both CAN be solved satisfactorily with good will and some creative thinking.

We have seen how New York has turned alternate north-south avenues in Manhattan into one-way streets, with computer controlled traffic lighting which permits a "wave-flow" of cars. With this system, cars can travel long distances without ever stopping (if they obey the set speed limit). Why can't this be done with Pulaski Road in Huntington-with a parallel road shepherding traffic (one-way) in the opposite direction? This would greatly speed up the flow of cars. Other streets could be made one-way if this is necessary, and (like Great Neck) parking be prohibited.

If made into a one way highway, Pulaski I believe, is wide enough now for 4 lanes of traffic. Three of those lanes can be reserved for autos with the right lane devoted strictly to school buses. No parking would be permitted. If the "wave flow" is incorporated as well, traffic would be tremendously expedited.

**Response No. 323:**

The comment is noted.

**Comment No. 324:**

Bus traffic can be improved as well, by setting up a system of pick-ups and drop offs at specific (alternate block) school bus stops so that the buses can have longer runs and stop less frequently.

**Response No. 324:**

It is not the responsibility of HHI to determine new school bus routes and pick up/drop off locations. This is the responsibility of the school district.

**Comment No. 325:**

Crossing guards, where needed, at every corner, with two at each stopping point, can protect the children from their instincts to run across the street, while vehicular traffic can move without interruption.

**Response No. 325:**

See Responses to Comment Nos. 104 and 132.

**Comment No. 326:**

High school parking lots should prohibit student cars, and ALL school children of all ages should be required to take buses.

**Response No. 326:**

The comment is noted.

**Comment No. 327:**

As for the second problem of affordable housing and the “school crowding” objection: this is obviously invalid in this case. An additional 84 children, spread over an entire school district (that includes elementary; [sic] middle school and high schools) could be absorbed without any disruption to the individual schools at all.

We urge rapid approval of this and all other requests for affordable housing without delays.

**Response No. 327:**

The comment is noted.

**Eric Sperling**  
**12 Lipson Court, East Northport**  
**May 22, 2006**

**Comment No. 328:**

As a town resident you are surely aware that our streets are already overpopulated. The safety concerns already exist, especially with regards to our children. How would increasing traffic in an area where many of our children walk to and from school *preserve our safety and well-being?*

**Response No. 328:**

See Response to Comment No. 325.

**Comment No. 329:**

Beyond the traffic there is extreme anxiety among community residents with regards to the proposed sewer treatment plant for this development. This plant could expose our families to a variety of hazardous chemical agents responsible for causing damage to respiratory systems, allergies, dermatitis, chronic diseases, etc. This is an obvious threat to the health and quality of life of all town residents. How would supporting the building of this sewer treatment plant, across from an elementary school and down the road from our High School, *maintain our health, safety and well-being?*

**Response No. 329:**

See Response to Comment No. 118.

**Comment No. 330:**

As member of law enforcement I am all to familiar with the burden that low income housing places on police, social services and schools. Overburdening a city with low income neighborhoods drains the very social welfare systems meant to support the poor. Placing income restrictions on housing units prevents those units from gaining value if a neighborhood improves. Therefore, the only direction income restricted housing and the neighborhoods surrounding it can go, is down. That is what has happened with public housing projects. Our town needs to be attractive to people with the money to own, build and renovate homes, spend money in our restaurants, support our cultural organizations and *enhance the character of the community*.

**Response No. 330:**

The DEIS evaluated the potential impacts to community character (Section 4.4), police protection and educational services (Section 4.7), and aesthetics (Section 4.9).

The commentator's statement that "[o]verburdening a city with low income neighborhoods drains the very social welfare systems meant to support the poor" is quite an exaggeration as the Town of Huntington only contains three multi-family affordable housing developments – Kane Court (6 units), Highview at Huntington (100 units) and Millenium Hills (84 units). As indicated in the Response to Comment No. 250, there are currently 20,000 names on a waiting list (maintained by the Long Island Housing Partnership) for affordable housing.

Also, as indicated in Section 2.0 of the DEIS and in the Response to Comment No. 302, the Circuit Court of Appeals, whose opinion was affirmed by the United States Supreme Court, found, among other things:

“... that Huntington's refusal to amend the restrictive zoning ordinance to permit privately-built multi-family housing outside the urban renewal area significantly perpetuated segregation in the Town.”

Id. at 938

“... that the disproportionate harm to blacks and the segregative impact on the entire community resulting from the refusal to rezone create[d] a strong prima facie showing of discriminatory effect - ... “

Id. at 938

“... that the Town violated Title VIII [the Fair Housing Act] by refusing to amend the zoning ordinance to permit private developers to build multi-family dwellings outside the urban renewal area.”

Id. at 941

“... that the Town violated Title VIII by refusing to rezone the .. site.”

Id. at 941

The result of these findings was a judgment ordering the Town to rezone the site to R-3M status, and striking from the R-3M zoning the provision which limited multi-family housing projects to the urban renewal area (Id. at 942). The findings of the Federal Circuit Court of Appeals were affirmed by the United States Supreme Court. 488 U.S. 15 (1988), rehearing denied, 488 U.S. 1023 (1989).

Therefore, the commentator’s statement that “[o]ur town needs to be attractive to people with the money to own, build and renovate homes, spend money in our restaurants, support our cultural organizations and *enhance the character of the community*” is contrary to the United States Supreme Court decision.

The Long Island Housing Partnership was consulted on the commentator’s assertion that “[p]lacing income restrictions on housing units prevents those units from gaining value if a neighborhood improves.” The Long Island Housing Partnership advised that placing income restrictions on affordable homes in no way affects the value of homes. These homes are still worth what a comparable market rate home is, and the appraised values of the affordable homes are in line with the average cost of a home on Long Island. The subsidies make these homes affordable. They are not of any less quality than a market rate home, and are actually built to higher standards because of those subsidies and their restrictions.

**Bert and Donna Regensburger  
16 Lipson Court, East Northport  
May 22, 2006**

**Comment No. 331:**

If you allow this housing development to be built with the density now proposed, it will completely overwhelm our school district, with Pulaski Road School being the most **NEGATIVELY IMPACTED**. Right now our school district has all the students it can handle; it is not fair to the current families living here and paying their fair share of property taxes to add such a considerable burden to the school system. The children will suffer, especially the students at Pulaski. It is inequitable to them and they do not deserve to be impacted in this way.

**Response No. 331:**

See Responses to Comment Nos. 64, 88 and 89.

**Comment No. 332:**

We are also concerned at how the proposed housing project will negatively affect our property values. Placing income restrictions on housing units will prevent those same units from gaining in value, therefore, our housing values can only decrease. With such an influx of poverty-level and below-poverty level families moving into the area, without question East Northport will become a less desirable area to live.

**Response No. 332:**

As indicated in the Response to Comment No. 107, the proposed development is not for “poverty-level and below-poverty level families.” The proposed income limits are as follows: tenants can earn no more than 60 percent of the median income for Nassau / Suffolk county, by family size; and owners can earn no more than 80 percent of the median income for Nassau / Suffolk county, by family size. The Nassau-Suffolk area median income (for all family sizes) is established annually by the United States Department of Housing and Urban Development (“HUD”). For example, the 2006 HUD median income for a family of two in the Nassau-Suffolk region is \$72,800. Therefore, 60 percent of the current HUD median income for a family of two is \$43,680, and 80 percent of the current HUD median income for a family of two is \$58,240. These are the income limits that will be applied at the time of purchase and will be based on the HUD guidelines for the applicable year. All incomes presented above are based on the HUD guidelines for 2006.

There are no data to support the commentator’s assertion that placing income restrictions on units limits the ability of property to gain value.

**Comment No. 333:**

You suggest and approve of such a large percentage of rental units for this project; studies have shown that when you have renters, not owners, in low-income housing, it can have nothing but a damaging effect on the surrounding community.

**Response No. 333:**

As indicated in the Response to Comment No. 313, pursuant to the Stipulation of Settlement (see Appendix L of this FEIS), the 155 units are to consist of 50 percent rental and 50 percent ownership. The applicant is not aware of any data that supports the commentator's assertion that rentals have a damaging effect on the surrounding community. A professional management company with affordable housing experience will manage the Matinecock Court community and HHI will have its office located in the community building to provide further oversight.

Also, as indicated in the Response to Comment No. 32, all residents must adhere to the requirements as listed in the lease agreement. Excessive clutter, not removed when requested, could result in termination of the lease. The residents will be actively involved in the operation of the development via the Matinecock Court Condominium Association, and will adhere to the Matinecock Court "House Rules" document.

**Comment No. 334:**

From my research there has been an increase in crime, as well as foreclosures of owned units, within *Millenium Hills*. And *Millenium Hills* is not even placed in a residential area. Obviously, this will have a MAJOR impact on surrounding homes in a residential area of East Northport.

**Response No. 334:**

See Response to Comment No. 31.

**Comment No. 335:**

The traffic generated will also negatively impact East Northport. With so many people proposed to be living in such a small area, it will most certainly create a great safety hazard for those children now walking to and from both Northport High School and Pulaski Road School. There is simply no room for more traffic. We understand there is talk of widening Elwood to four lanes where the development will be built. How can this possibly be done? There are so many schoolchildren in the area walking to and from Pulaski Road School and Northport High School! Between the traffic light at the high school, the train crossing and the major intersection of Pulaski and Elwood Roads, this would be such a mistake to place this project here. The traffic impact study previously done MUST be updated.

**Response No. 335:**

See Responses to Comment Nos. 1, 2, 3, 53, 56 and 132. Additionally, pedestrian counts were collected on June 15, 2006 during AM school arrival times and PM school dismissal times. A number of pedestrians were observed, however, the volumes were not extremely high. If additional crosswalks are provided and crossing guards are stationed at these locations, it should minimize potential vehicular and pedestrian conflicts and increase pedestrian safety.

**Comment No. 336:**

We understand that soil testing needs to be extensively revisited. If this land was used for farming for many, many years, then there most assuredly are chemicals, fertilizers, pesticides, etc. in the ground and water that would most certainly become airborne and thus be inhaled by not only the homeowners and renters, but by the nearby schoolchildren. This is a frightening thought to us; that our children could be breathing in cancer-causing chemicals as they play and learn at Pulaski Road School and Northport High School. This in and of itself should be enough of a concern to derail this “affordable housing” development.

**Response No. 336:**

See Response to Comment No. 73.

**Comment No. 337:**

With regards to building a sewage treatment plant on the premises, if the density you propose is developed, the plant will be running at maximum capacity when it is completed. This will obviously impact the surrounding areas, including both schools and homes which are located very close by. The odors and pollution will be significant

**Response No. 337:**

The STP will be designed to incorporate time tested sanitary equipment, which is capable of running 24 hours per day – 7 days per week and 52 weeks per year. Critical systems within the STP are designed with stand-by pieces of equipment to allow for the normal maintenance of the systems and provide for continuous operation of the STP, if a piece of equipment fails or must be removed for service.

Treatment processes are designed to operate within an oxygen rich environment and harbor an aerobic environment to prevent odors. All treatment processes are contained inside a building.

Treated effluent from the STP will be discharged into the ground via a system of effluent recharge pools. Sewage will be treated to meet the NYSDEC standard for sewage effluent of less than 10 m/l.

The facility will be run by a private sewage treatment company under contract to Housing Help Inc. The private operation company will perform all the treatment tasks necessary to control and adjust the process, maintain the equipment, report the results of testing of various treatment parameters as required by the NYSDEC and the SCDHS and perform all the housekeeping chores required to meet the NYSDEC issued State Pollution Discharge Elimination System (SPDES) permit.

Efforts on the part of the Town of Huntington are not required in the normal operation of the STP. There are no hazardous chemicals employed in the treatment of the sewage.

**Bernadette Dube**  
**2 Patrician Court, East Northport**  
**May 23, 2006**

**Comment No. 338:**

My biggest concern is the traffic and congestion it will bring to the area. With such a large number of units being built and the number of parking spaces planned, an already very busy and congested area will become impassable.

**Response No. 338:**

See Responses to Comment Nos. 56 and 359.

**Comment No. 339:**

In addition, I feel the number of units and additional families with children will push an already burdened school district over the edge. Our classroom sizes are already in the high twenties [sic], With the difficulties we have had in the past few years to pass the school budget, additional teachers and teacher aides will not be had. This will definitely affect the quality of education children of this district will receive. The children are the future.

**Response No. 339:**

Section 4.7 of the DEIS and the Responses to Comment Nos. 64, 88 and 89.

**Comment No. 340:**

I can appreciate the need for lower income housing. But why not build a small number of homes that are owner occupied and accessed by lottery for mortgages.

**Response No. 340:**

See Responses to Comment Nos. 46, 63 and 302.

**Hilary B. Hoschel**  
**808 2<sup>nd</sup> Street North, East Northport**  
**May 23, 2006**

**Comment No. 341:**

According to the Long Island Housing Partnership, "Highview of Huntington" is a 51 unit community, all consisting of equity units with no rentals. Located directly across the street from the LIRR walking distance to shopping etc., making the necessity for a vehicle for commuting less of a burden than that for a resident of Matinecock court, which is located over ½ mile to the local train station and 1 mile to shopping. Obviously this cannot be used for comparison as far as environmental impact, population impact to our schools, or traffic problems versus Matinecock Court.

**Response No. 341:**

The DEIS referenced the Highview at Huntington development, which contains 100 units, only for the purposes of projecting school-aged children (another development and two published sources were also used for the projection of school-aged children). The potential environmental and traffic impacts did not involve a comparison to the Highview at Huntington development.

**Comment No. 342:**

As stated in your own reports there are security issues at Millenium Hills, there had to be added security hired and that there was [sic] damages made to some of the units as well as a number of evictions taking place.

**Response No. 342:**

See Response to Comment No. 31.

**Comment No. 343:**

Why Housing Help is determined to stuff 155 units (their largest project as of yet) onto this small area with no regard for its neighbors [sic] potential negative health and environmental effects is not reasonable. I cannot only begin to think that the potential profit from the subsequent rental income from agencies such as Section 8 has somewhat blinded them to the repercussions of overdevelopment.

**Response No. 343:**

See Responses to Comment Nos. 46 and 302.

**Comment No. 344:**

In the event of a spill or malfunction of this plant what emergency plan has been put in place to clean up and decontaminate the area? How will the odors be contained? How will the subsequent release of treated water affect the ground water? Who is going to run this facility? Will Housing Help employ these trained personel [sic] or will they be Town of Huntington employees trained extensively in HAZMAT procedures? Will there be an emergency plan for the Schools which are located within yards of the facility if a malfunction occurs? Will the School personal [sic] be trained to deal with this type of hazardous situation?

**Response No. 344:**

See Response to Comment No. 337.

**Comment No. 345:**

The area known as “Tiny’s Field” was used for many, many years for agricultural use and the use of pesticides and fertilizers were common place. There was farming equipment stored there and I have not read when the potential adverse affects [sic] of the alleged contaminated land has really been studied enough.

**Response No. 345:**

See Response to Comment No. 73.

**Comment No. 346:**

This is a highly traveled intersection and it goes without saying that the addition of 300 plus cars to this area can and will create a traffic disaster. I cannot stress to you enough how detrimental this will become to our community. The idling cars and emissions emitted from the vehicles that will be standing in traffic at this intersection have the potential to create a health hazard to all.

**Response No. 346:**

See Responses to Comment Nos. 53 and 56.

**Comment No. 347:**

The potential safety hazards to pedestrians (mostly who are school age children who must travel along the sides of the common roadways to get to and from school) are also part of this major problem associated with the proposal.

**Response No. 347:**

See Response to Comment Nos. 43 and 104.

**Walter Werner, Mary Jo Epstein, et. al.  
Residents of East Northport  
Petition Received May 26, 2006**

**Comment No. 348:**

I am a resident of East Northport, NY. With my signature below, I attest that I am against the development of the Matinecock Courts [sic] on the corner of Pulaski and Elwood Roads. Please take my feelings into consideration when making your decision.

**Response No. 348:**

The comment is noted.

**Deborah Litsch**  
**199 Clay Pitts Road, East Northport**  
**[Undated]**

**Comment No. 349:**

There is always so much traffic around the corner of Pulaski and Elwood Road [sic], I was shocked to hear that after all these years of the community fighting against it, we have gotten this close to building so many housing units!! I thought the town understood the traffic problem, and that's why they put up a new traffic light in front of the High School on Elwood Road. I can't even imagine what the roads will be like if we have that many more cars on the road!!

**Response No. 349:**

See Response to Comment No. 56.

**Helen Lesawich  
142 Stony Hollow Road, Greenlawn  
May 23, 2006**

**Comment No. 350:**

Having been a homeowner for 42 years on Stony Hollow Rd., Greenlawn, parallel to Elwood Road and off Pulaski, I have been [sic] traffic multiplied many times over, and accidents increased during that time.

**Response No. 350:**

Based on the accident data presented in Appendix E, there is no data that supports the comment above. The data does not show an increase in accidents at each location on Pulaski Road (CR 11) each year.

**Comment No. 351:**

Also, it is a proven fact in many communities across the state and country where there have been rental developments, that they have been run down and have a tendency toward neglect. For this reason, the plan should call for all ownership units that would benefit the community.

**Response No. 351:**

The property will be a condominium association and overseen by a management company. Also, as indicated in the Response to Comment No. 313, pursuant to the Stipulation of Settlement (see Appendix L of this FEIS), the proposed 155 residential units are to consist of 50 percent rental and 50 percent ownership.

**Comment No. 352:**

Finally, there are other open areas in the Huntington Township which are not as congested as that busy corner where this housing could be constructed.

**Response No. 352:**

There has been a Federal Court-ordered change of zone to the subject property to accommodate the development of the proposed community. As such, there is no need to further evaluate the possibility of alternate locations. Additionally, the Town of Huntington has already approved the housing units and the proposed parking. A copy of the Stipulation of Settlement is annexed hereto as Appendix L.

**Clifford J. Austen**  
**15 Kew Avenue, East Northport**  
**1<sup>st</sup> Vice President of the East Northport Chamber of Commerce**  
**Member of Matinecock Court Citizens Advisory Committee**  
**May 25, 2006**

**Comment No. 353:**

While reading all the outdated traffic studies and comments in the DEIS, we have not found find [sic] any statistics or plans that coincides with the county's plans to widen the road and the DPW's request to place the entrance on Elwood Road. Housing Help Incorporated needs to meet with the county and work together to help ease existing and future traffic by incorporating each others plans and roadway entries to Matinecock Court. The entrance should be placed on Pulaski Road with acceleration and deceleration lanes to help control the back up of traffic onto the main county road and internal roadway of Matinecock Court.

**Response No. 353:**

See Responses to Comment Nos. 1 and 2.

**Comment No. 354:**

I would like to see the internal roadway expanded to at least 34' as requested by Richard Mactay, outlined in his letter in the DEIS. Our committee requested the roadway to be increased and it was told by HHI it would be at least 30'; but only scales to 25' wide. I personally dropped off at the East Northport Fire Department a copy of a site plan and floor plans for the fire marshal to review for fire and safety issues. Roadway access for this equipment and the hook and ladder turning radius as well as other equipment for fire rescue [sic]. The internal stairways for EMT access and fire codes. The boiler rooms are quoted and noted as "storage" areas.

**Response No. 354:**

See Response to Comment No. 40.

**Comment No. 355:**

I hope the planning board will follow up with having the three surrounding town Fire Departments review and comment on the internal roadways and structures for accessibility for equipment and personal [sic] for their safety.

**Response No. 355:**

See Responses to Comment Nos. 40 and 41.

**Comment No. 356:**

Another issue I would like to address is parking. The internal layout of this community needs help. The recycling center needs to be pushed back off the road so cars can pull off the road and not stop in the road to discard their items and block traffic. The parking lot style parking areas with islands in the center creates a service maintenance issue with plowing lots and lawn service equipment parking. As a snow plower with 20 yrs [sic] experience, these lots with full parking renders nowhere to push snow and stock pile snow. Maintenance trucks have nowhere to stop or park.

**Response No. 356:**

See Responses to Comment Nos. 19, 40 and 194.

**Comment No. 357:**

The development has proposed a community center with inadequate parking available. A floor plan or layout of the internal workings of this building have not been produced or spelled out. The site plan shows 10 parking spaces and 2 handicap spaces in front of the community center. My understanding is HHI is going to have their offices on the 2<sup>nd</sup> floor and possibly using [sic] the basement for a storage area for residence. I would hope this building would be available to the general public and for scouting and/or non-profit meetings. By calling this a community center and only allocating 10 spaces to park with no way of keeping tenants from parking in front along with HHI employees and visitors would render this building unavailable to get at or use if you can not park anywhere, there is no land bank parking areas anywhere.

**Response No. 357:**

As indicated in the Response to Comment No. 253, the proposed action includes 334 parking spaces (18 of which are handicap parking spaces), which averages approximately 2.15 spaces per unit and is well in excess of the 1.33 spaces per unit required as part of the aforesaid Stipulation of Settlement. The community center would only be available to those who live in the community, and therefore, additional parking for outside, non-resident use is not necessary.

**Comment No. 358:**

Site Plan: Some issues I would like to address are the development is [sic] called Matinecock Court but should be named Matinecock Parking Lot. Their proposed main entry area and area by the recycling center are the only areas that are not backed up by parking on both sides of said court or street. Please review and notice how far some tenant [sic] or owners need to walk.

**Response No. 358:**

See Responses to Comment Nos. 253 and 357.

**Comment No. 359:**

To generalize 36 units with 2 cars per unit equates to 72 cars average for this area. With 43 spaces in this area available plus 4 handicap allocated spaces equates to a serious quality of life issue for the proposed owners and tenants of this community. This needs a good hard look from all parties to avoid “major management problems”.

Please review all the pod and parking areas to confirm that there is not enough adequate parking for the tenants yet [sic] a community center.

**Response No. 359:**

As indicated on the proposed site plan prepared by the project engineer, there are 334 parking stalls provided for the project site. The 334 parking stalls exceed the 207 stalls required. A variance for parking is not required. Also, see Response to Comment No. 253.

**Comment No. 360:**

The submitted site plan is based on the sewage treatment plant variance from LIPA & the MTA for set back issues being granted. Also not addressed was the DPW’s recommendation of putting the entrance on Elwood. We saw no alternate plan, based on not getting variances from all parties, and DPW’s approval to move the entry to Pulaski. Where is the plan that should have been submitted because the one being shown should be the alternate “wanted” plan. [sic]

**Response No. 360:**

See Responses to Comment Nos. 39 and 221. With regard to the plan being the “wanted” plan, the applicant’s proposed plan is the “proposed action” pursuant to SEQRA and its implementing regulations. See Responses to Comment Nos. 39, 143 and 223.

**Comment No. 361:**

The property is located in East Northport, the Post Office of Greenlawn and the Northport East Northport School District. I would like the board to consider a set aside preference of ten units, 5 rental and 5 ownership to encompass the East Northport, Northport and Greenlawn Fire Department [sic] and EMT members and also Northport – East Northport School District employees as these agencies and entities will be the most greatly impacted by the development of Matinecock Court. A large set aside percentage for existing East Northport and Elwood residents and balance to Town of Huntington residents. [sic]

**Response No. 361:**

See Responses to Comment Nos. 48 and 195.

**Michelle Santantonio, Executive Director  
Long Island Housing Services, Inc.  
May 25, 2006**

**Comment No. 362:**

I am writing to express support for the Board's approval of the plans for development of Matinecock Court at Pulaski Road and Elmont Road intersection. Although I am not a resident of Northport, I serve an organization whose mission is the elimination of unlawful discrimination and promotion of decent and affordable housing. Many agency friends and associates, along with Board and Advisory Council members do reside within the Town.

**Response No. 362:**

The comment is noted.

**Comment No. 363:**

As the media, the LI Regional Planning Board and the well researched and respected LI Index 2006 (and its prior public reports) documents: the lack of affordable housing has reached crisis proportions and has (and will continue to have) a devastating effect on the economy and culture of Long Island. Research (which I am sure has been provided to the Board) has also revealed that multi-family rental housing does not in fact produce more children than that which comes from single family developments. I have previously written and publicly testified before the Town as to concerns related to illegal discrimination and the possible liability of those that seek to exclude families with children or because they may in future have children. Such illegal preferences or limitations are prohibited acts of discrimination under both the NYS Human Rights Law and the Federal Fair Housing Amendments Act of 1998.

**Response No. 363:**

The comment is noted.

**Geida P. MacAneney  
Resident of Greenlawn  
May 20, 2006**

**Comment No. 364:**

As a Greenlawn resident for 23 years I am adamantly opposed to your “Affordable Housing”

**Response No. 364:**

The comment is noted.

**Comment No. 365:**

I feel I do not want my property value to go down because of what you call “Affordable Housing”.

**Response No. 365:**

The comment is noted.

**Marion C. Hanna**  
**37 Maple Circle, Northport**  
**May 20, 2006**

**Comment No. 366:**

Traffic has always been heavy on Elwood [sic] especially between Laurel Hill & Pulaski Roads. This problem has recently been exacerbated by adding a traffic light at the High School. I now must allow additional time when I am using Elwood Road.

**Response No. 366:**

See Responses to Comment Nos. 131, 225 and 234.

**Written Correspondence**  
**Form Letter From 823 Individuals**  
**[Undated]**

**Comment No. 367:**

TRAFFIC – The estimated 300 plus vehicles from the new residents added to our already overpopulated roads will not only create a safety hazard to all those traveling, but the children in particular who must walk along the common roadways in order to attend the (2) schools located in the direct vicinity of the development. The emissions and air pollution from the idling vehicles will create an overwhelming health hazard to us all. It is obvious that the traffic impact must be revisited and reassessed as part of the final (FEIS) statement.

SEWER TREATMENT PLANT – The proposed sewer treatment plant that will reportably be running at maximum density upon completion of the project is particularly disturbing. The obvious health concerns from this plant must be reevaluated. The odors, pollution and potential spills could be extremely detrimental to all residents. These hazards would directly affect the residents of the development, surrounding neighbors and the students and faculty in the schools which are located within yards of the site.

SOIL TESTING – The grounds on which the proposed project will be constructed has been rumored to be tainted with numerous toxins and possible carcinogens from years of farming and the subsequent use of pesticides and fertilizers. Upon ground breaking for the development these toxins will obviously become airborne. Once airborne these poisons will contaminate the air and become a health hazard to the entire community. With our children attending school within yards of the project we cannot help but feel the most sense of urgency with regards to this matter. More extensive testing must be done before any further land clearing and or development commences.

RENTAL UNITS – The elimination of the 70 plus units could only improve the proposed project in the eyes of the community. The overall environmental, health and safety issues could be greatly improved by lowering the amount of people, vehicles and pollution that will impact the community. Only owner occupied homes will help maintain and preserve the sanctity of the community as taxpaying residents have a vested interest in the community.

**Response No. 367:**

With regard to the “TRAFFIC” comments above, the trip generation estimate anticipates that Matinecock Court will generate a total of 84 trips during the weekday AM Commuter peak hour (15 entering, 69 exiting), 109 trips during the weekday PM Commuter peak hour (72 entering, 37 exiting) and 116 trips during the Saturday peak hour (60 entering, 56 exiting). RMS believe that this provides the most conservative depiction of the site generated traffic. The revised traffic impact study report is based on these rates.

The increase in vehicles due to the development of this property will not be significant when compared to the projected (No Build) roadway volumes. This increase in vehicles is not anticipated to have a perceptible impact to the air quality in the vicinity of the project site. Our findings are summarized below:

**Proposed Plan**

Maximum vehicular increase by intersection:

- Pulaski Road (CR 11) and Elwood Road (CR 10)  
1.95% increase (58 vehicles) – Saturday peak period
- Pulaski Road (CR 11) and Stony Hollow Road  
3.86% increase (59 vehicles) – Saturday peak period
- Elwood Road (CR 11) and South School Driveway  
0.66% increase (13 vehicles) – Saturday peak period

### Alternative Plan

Maximum vehicular increase by intersection:

- Pulaski Road (CR 11) and Elwood Road (CR 10)  
1.48% increase (44 vehicles) – Saturday peak period
- Pulaski Road (CR 11) and Stony Hollow Road  
3.86% increase (59 vehicles) – Saturday peak period
- Elwood Road (CR 11) and South School Driveway  
0.72% increase (14 vehicles) – Saturday peak period

The information presented above is summarized in Tables 8 through 12 located in Appendix E.

With regard to the “SEWER TREATMENT PLANT” comments above, sewage treatment in Suffolk County and elsewhere on Long Island is common practice for residential developments. There are many other areas in the county where a STP was a requirement for the development of housing. Paumanack Village is a senior housing development, located just down the road from Matinecock Court and has been in existence since the early 1980’s with a well functioning STP. Also, see Responses to Comment Nos. 118 and 130.

With regard to the “SOIL TESTING” comments above, see Response to Comment No. 15.

With regard to the “RENTAL UNITS” comments above, it is indicated that the elimination of rental units would lower “the amount of people, vehicles and pollution.” The projected population and trip generation are not related to ownership or rental. Also, see Response to Comment No. 313.

**Manfred Biedermann**  
**(Handwritten Notes on Form Letter #1)**

**Comment No. 368:**

155 units on this lot seems overly dense. Resident children will be all over the place, crossing Elwood Road to play on Pulaski school grounds, and causing danger to motor traffic as well. Also kids crossing LIRR tracks to play on high school grounds. It's just a bad location for 155 units.

**Response No. 368:**

See Responses to Comment Nos. 46, 66, 116 and 117.

**Marie Sciallo**  
**(Handwritten Notes on Form Letter #2)**

**Comment No. 369:**

This affects my grandchildren living in the area with traffic, etc. Perhaps you might consider this development where your grandchildren reside.

**Response No. 369:**

The comment is noted.

**Lori Levy**  
**(Handwritten Notes on Form Letter #3)**

**Comment No. 370:**

Also class sizes now are all up to maximum capacity with so many new families entering our school district. This will effect [sic] all levels and will make class [sic] exceed the maximum capacity.

**Response No. 370:**

See Responses to Comment Nos. 64, 85 and 88.

**APPENDIX A**

**PLANNING BOARD MEMBER COMMENTS**

The following is a compendium of the concerns/questions/comments (grouped by topic) raised and considered by the Planning Board members at their meeting of April 5, 2006 concerning the adequacy of the proposed Matinecock Court Draft Environmental Impact Statement ("DEIS"). All comments should be addressed in the Final Environmental Impact Statement

**TRAFFIC IMPACTS**

- 1. Address the issue of Suffolk County Department of Public Works' objection to the entrance of the property and whether or not the Planning Board, as lead agency, has the authority to overrule that. [AR] ] 1
- 2. Provide an updated status of the development on that roadway (Elwood Road). A particular concern is the exiting and entering during school hours given the fact that all the school buses have to stop at the tracks. It seems that increasing traffic at that intersection could be quite dangerous. [AR] ] 2
- 3. Discuss location of entrance/exit and provide alternative plan that shows the impact to the proposed site design. [SS] ] 3
- 4. Identify the number of lanes for used for egress and number of lanes used for ingress at entrance/exit. [SS] ] 4
- 5. Show the location of crash gate, if one is necessary, for each access alternative. [SS] ] 5
- 6. There should be more information on the bus routes and public transportation. It says that there is a pick up [bus stop] on one side of the property. A little bit more coordination with HART, in terms of setting up access for people to actually be able to get to the train station or other spots, might be a good idea. [AR] ] 6
- 7. Resolution of the issue of the Suffolk County DPW letter to Margo Myles dated 3/1/2006 regarding curb cuts on Elwood Road. [PM] ] 7
- 8. In addition, what is the impact of the traffic light recently installed just north of the site on Elwood Rd. [PM] ] 8
- 9. If the MC entrance is moved to Elwood Rd. will the Community Center be moved accordingly? [PM] ] 9

**WATER RESOURCE IMPACTS**

- 1. Engineering the sump to deal with a nine inch rainfall seems a little high in terms of what is usually approved. The overall plan may be able to pick up some extra space if the size of the recharge basin can be reduced. [AR] ] 10
- 2. In terms of some of the comments that dealt with the water supply, it appears there were corrections from Richard Machtay that do not seem to have been carried through in terms ] 11

of the demand may be over what was available. Is there a requirement in the Town of Huntington that they use potable water for the irrigation system? Quite a lot of [potable] water could be saved if that were not the case. [AR]

11  
(CONTINUED)

3. A very general comment is that most of the data in this report is from two to five years old and needs to be updated. For example, in terms of the train whistles, one of the issues is that there are new updated requirements for the blowing of the whistles. It may be appropriate at this time to attempt to have the area designated a "quiet zone." In any event, that needs to be addressed. [AR]

12

4. Discuss how far the recharge basin will be from the new home construction and from the school grounds and whether there is any concern for stagnant water and mosquito breeding. [LS]

13

5. The DEIS states that the STP will have capacity of 36,000 GPD. Also states site will generate "approximately" 35,630 GPD. Will there be sufficient capacity? [PM]

14

#### LAND IMPACTS

1. There are discrepancies in the report as it says that all soils will be retained on site, with a "cut and fill" analysis. However, given some of the historic uses of the property, some new soil might have to be brought in for mixing depending on the results of soil testing. This should be addressed. [AR]

15

2. Spills were diaried from 1994. What has occurred on the site over the past 10 years? [LS]

16

#### COMMUNITY SERVICE IMPACTS

1. There seems to be a discrepancy in the EIS wherein they say that this area is within one of the solid wastes zones where carting is provided. Later on they say they plan on having a private carter service the property. Since this is meant to be affordable housing, it should be clarified why they would pay for additional carting, when it is included in the tax base. [AR]

17

#### AESTHETICS AND DESIGN

1. Explore whether the sewage treatment plant can be made as unobtrusive as possible. One idea would be to reduce it down below grade. Another issue that is on the maps, but not really discussed, is a future expansion of the sewage treatment plant, which seems to put it even closer to the property line which would require a further variance. I believe that this needs to be addressed at this time as well. [AR]

18

2. Address the issue of snow plowing for the property in terms of the overall design. It appears to be virtually impossible for the parking lots to be plowed if there were a nighttime snowfall. It seems possible that the plows (and it is unclear whether these roads are going to be dedicated or not) could completely box in all of the cars. Some thought should be given to the design aspects. [AR]

19

3. In terms of making this project as attractive as possible, and given the size of it, some attention should be directed towards “green” construction of this project. It would seem that this a rare opportunity to put in some energy saving systems and construction plans to make this project as affordable going forward as it is meant to be initially. To the extent that this increases costs, there may be some available sources of funding to help defray these costs. [AR] 20
4. Are the buffer plantings evergreen and is it a solid buffer along property abutting residential properties? [SS] 21
5. Sewage treatment map does not show 20 buildings. [LS] 22
6. Of the 334 parking spaces, only 18 are handicapped. There should be more handicapped spaces interspersed throughout the project. [LS] 23
7. Electromagnetic fields are not mentioned in the new DEIS, but were in the 1994 ESA. Is an updated report warranted? [LS] 24
8. Acknowledge receipt of letter dated 3/6/2006 to provide 6’ fencing along perimeter of the property. [PM] 25
9. Related to this and vegetation/landscaping on the property, who will have the responsibility for maintenance. [PM] 26
10. Related to fencing and proximity to LIRR, STP, Sump, etc, what precautions will be taken to prevent “dangerous encroachment” by residents of Matinecock Court, especially youths? [PM] 27
11. In DEIS pg. XXI re: Health: Statement regarding exposure to EMF from LIPA sub-station....”it is not expected” for residents to be exposed to strong electromagnetic fields so as to impact health? This is not very strong assurance. [PM] 28
12. In the same letter HH indicated that owner and rental properties will be intermixed. Agree with that approach. [PM] 29

PROJECT AFFORDABILITY

1. There should be some discussions in terms of the length of the leases, and what the terms would be on renewals. Once people qualified, would they have to re-qualify in terms of their income on each lease renewal? A little bit more information on how the covenants and restrictions would work and how the properties would be allowed to appreciate in value, and in terms of mortgageability, should also be addressed in terms of the issues that the Planning Board has reviewed on other projects sponsored by the Town of Huntington for affordable housing. [AR] 30
2. Since the DEIS used the Highview at Huntington and Millenium Hills sites as examples for similar developments both sites were compared. An investigation should be made into 31

occurrences of similar incidents at both Highview and Millenium Hills over the last 2-3 years and a report generated. It is acknowledged that the number of bedrooms allocated is different. Highview appears to have fewer complaints about residents or the lottery process. On the other hand Millenium Hills seems to have had some problems, including excessive amounts of broken windows and property problems caused by residents/ tenants, many evictions, and a questionable lottery selection process. [PM]

31  
(CONTINUED)

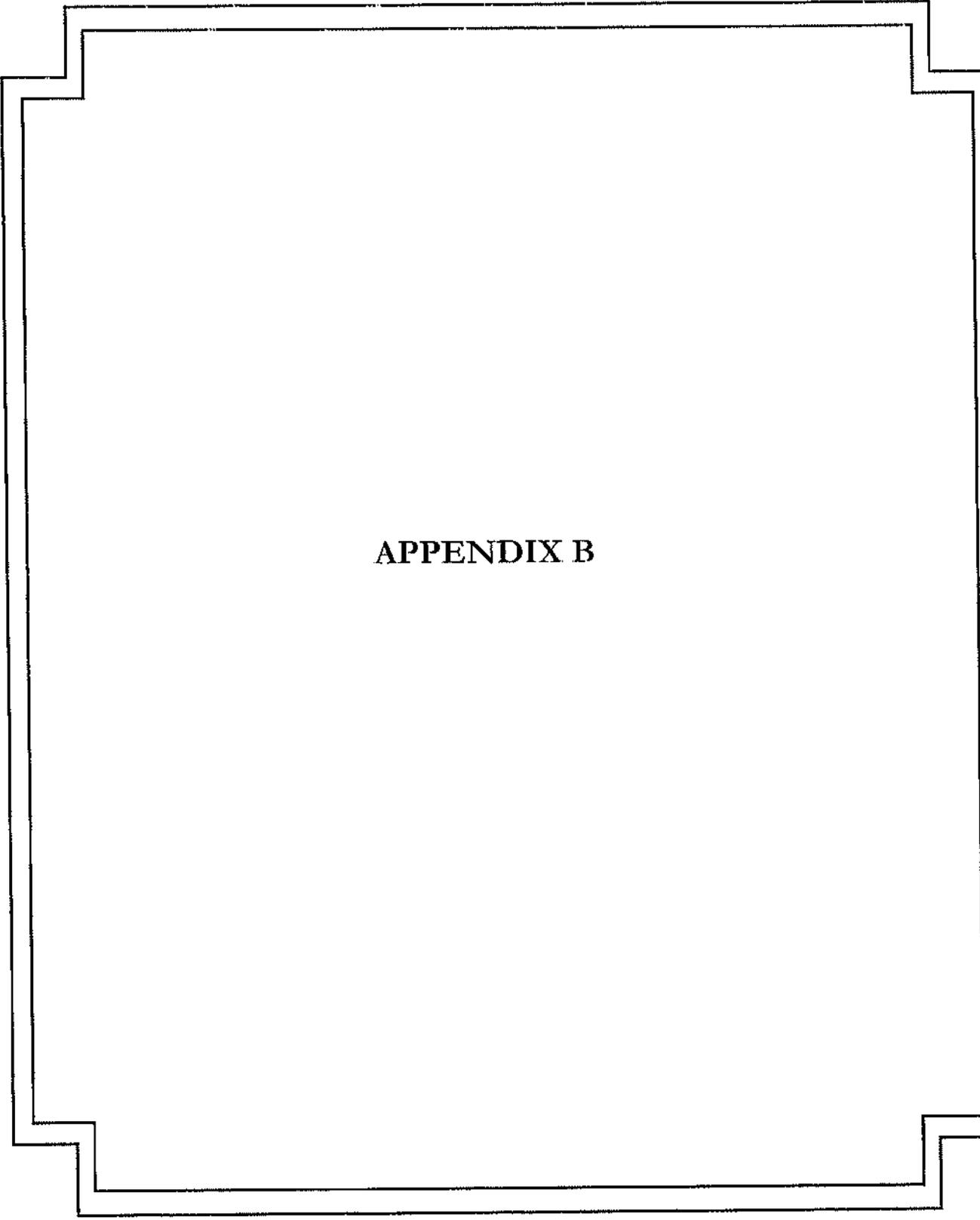
3. MC does not have garages, but there is an allocation of storage space. What requirements will be imposed on the residents to reduce clutter, i.e. toys, bicycles, rubbish, tools, garbage cans, etc. from being strewn about on lawns and roadways in an unsightly manner? [PM]

32

4. It has been purported that many residents of Millenium Hills were "placed" there arbitrarily and did not get there via the "proper" lottery approach. This has created some mixed perceptions, including that people that "deserve" to be there by placing their names legally in the lottery process missed out because of these illegal/improper "placements" and there are significant amounts of evictions and damage being done to the Millenium Hills buildings. Additional security has been required to be called in to aid in evictions and reduce disturbances. An analysis of how the lottery was conducted on both sites should be included in the DEIS to assure that the process has no flaws and that the proper security and safety is provided for both the residents and the surrounding community. [PM]

33

Accordingly, what assurances and controls will there be to assure the MC lottery process will be fair? Who has responsibility for oversight? [PM]



**APPENDIX B**

Handed out to [unclear] / [unclear]



Town of Huntington  
Department of  
Planning and Environment

Welcome to the Town of Huntington Planning Board Public Hearing for the Matinecock Court SEQRA Process.

The sequence for the proceedings will be as follows:

- The Applicant will make a presentation about the project.
- When the applicant is completed, members of the public may speak on the Draft Environmental Impact Statement and site plan.
- Please complete the form to speak. The Forms are located at the desk in the hallway. We will call the speakers up in the order in which we receive the forms.
- When speaking or testifying, please start by stating your name, address and affiliation for the record.
- Please try to restrict your comments to fewer than 3 minutes. If other members of the community have expressed the same comments, as you would have, it would be sufficient to state that you agree. These proceedings and that information are being appropriately recorded.
- There will be no tolerance for personal attacks of any kind.
- A brief history of the application as it relates to how the Court has obligated the Town to proceed has been provided on a separate hand out.
- Upon completion of the public comments, the Board may request the applicant to provide additional clarification if necessary.
- Members of the public will not be allowed to speak again, but may submit their comments in writing to the Planning Board as soon as possible after the hearing. Comments must be submitted by May 26<sup>th</sup>. The DEIS is available on the Town website and in the Northport-East Northport and Harborfields Libraries.
- In accordance with the State Environmental Quality Review Act, all substantive comments will receive a response in a Final Environmental Impact Statement (FEIS).
- Once an FEIS is adopted, the Final step in the SEQRA process is adoption of elaboration for the decision to be made by the Planning Board on the site plan.
- No decisions will be made on the night of the hearing.
- All decisions of the Planning Board are made in accordance with the rules of the Town, State, County, and when necessary Federal laws that govern such actions.

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*HANDED OVER TO XEROX*



*Town of Huntington  
Department of  
Planning and Environment*

*AL*  
*PM*  
*Read*

**Summary of Federal Court Settlement For Matinecock Court  
(This process began in the 1980's)**

The Court settlement guarantees that Matinecock Court will be subject to the very same scrutiny as any other residential development

The comprehensive site plan review of Matinecock Court will include a comprehensive SEQRA (State Environment Quality Review Act), a full adherence to planning and building code requirements, as well as regulatory oversight by Suffolk County concerning sewage and transportation.

Housing density was reduced from 210 units to 155 units.  
(77 Equity units, 77 Rental Units & 1 Unit for an on-site Superintendent)

The Consent Decree, ordered by a Judge, obligated the Town as follows:

- The Planning Board shall not deny the site plan on the basis of proposed density.
- The Planning Board will expedite site plan review.
- The procedures of the Planning Board shall not be more demanding or stringent than with other applications.
- The Court retains jurisdiction over the matter.

A research study estimated approximately 84 children will reside in a development of this size. The Northport-East Northport School district is well aware of this potential.

A Federal Judge ordered the Zoning for this site in 1989. The current Town Board was not in office at that time.

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:  
TOWN OF HUNTINGTON PLANNING BOARD :  
PUBLIC HEARING FOR THE MATINECOCK COURT :  
SEQRA PROCESS :  
:  
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May 10, 2006  
Huntington Town Hall  
7:30 p.m.

BOARD MEMBERS:

PAUL MANDELIK, Chairperson  
JANE DEVINE, Vice-Chairperson

STEVEN SCHNITTMAN  
MITCHEL SOMMER  
LORRAINE SANTOIANNI  
LYNN HEALY  
AVRUM ROSEN

ALSO PRESENT:

J. EDWARD GATHMAN, JR., ESQ.,  
Attorney for Planning Board

ANTHONY J. ALOISIO, Director of Planning  
ROBERT E. RIEKERT, Deputy Director of Planning

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THE CHAIRMAN: Ladies and gentlemen,  
we are going to be starting in a couple of minutes. Please  
find seats. Good evening, ladies and gentlemen. Welcome  
to the Town of Huntington Planning Board public hearing for  
the Matinecock Court SEQRA process.

By the way, these two pages of documents, there  
are copies up on the shelves in the corridors so you can  
follow me along, if would you like. And the rules that we  
will follow are on these documents. The sequence for the  
proceedings will be as follows:

The applicant will make a presentation about the  
project. When the applicant is completed, members of the  
public may speak on the Draft Environmental Impact  
Statement and site plan. Please complete the form to  
speak. The forms are located at the desk in the hallway.  
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receive the forms.

When speaking or testifying, please start by  
clearly stating your name, address and affiliation for the  
record. Please try and restrict your comments to fewer  
than three minutes. If other members of the community have  
expressed the same comments as you would have, it would be  
sufficient to state that you agree. These proceedings and  
that information are being appropriately recorded. Please  
provide your written testimony to Judy, the court

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1 stenographer.

2           There will be no tolerance for personal attacks  
3 of any kind. A brief history of the application as it  
4 relates to how the Court has obligated the Town to proceed  
5 has been provided on a separate handout. In addition,  
6 after I read these two pages, Ed Gathman, the attorney for  
7 the Planning Board, will also give you additional  
8 information on litigation history.

9           Upon completion of the public comments, the Board  
10 may request the applicant to provide additional  
11 clarification, if necessary. Members -- listen to this  
12 clearly -- members of the public will not be allowed to  
13 speak again, but may submit their comments in writing to  
14 the Planning Board as soon as possible after the hearing.  
15 Comments must be submitted by May 26th. The DEIS is  
16 available on the Town Website and in the Northport and East  
17 Northport and Harborfields libraries.

18           In accordance with the State Environmental  
19 Quality Review Act, all substantive comments will receive a  
20 response in a Final Environmental Impact Statement. Once a  
21 Final Environmental Impact Statement is adopted, the final  
22 step in the SEQRA process is adoption of a finding  
23 statement, which provides the reasoned elaboration for the  
24 decision to be made by the Planning Board on the site  
25 plan.

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1 No decisions will be made on the night of the  
2 hearing. All decisions of the Planning Board are made in  
3 accordance with the rules of the Town, State County, and  
4 when necessary, Federal laws that govern such actions.

5 That is the sequence for the proceedings. I'm  
6 going to read the summary of Federal Court rules Matinecock  
7 Court, and this process began in the 1980's, actually maybe  
8 even 1978. The Court settlement guarantees that Matinecock  
9 Court will be subject to the very same scrutiny as any  
10 other residential development. The comprehensive site plan  
11 review of Matinecock Court will include a comprehensive  
12 SEQRA, a full adherence to planning and building code  
13 requirements, as well as regulatory oversight by Suffolk  
14 County concerning sewage and transportation.

15 Housing density was reduced from two hundred ten  
16 units to a hundred fifty-five units. There are  
17 seventy-seven equity units, seventy-seven rental units and  
18 one unit for an on-site superintendent.

19 The Consent Decree, ordered by the judge,  
20 obligated the Town as follows: The Planning Board shall  
21 not deny the site plan on the basis of proposed density.  
22 The Planning Board will expedite site plan review. The  
23 procedures of the Planning Board shall not be more  
24 demanding or stringent than with any other applications.  
25 And the Court retains jurisdiction over the matter.

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A research study estimated approximately eighty-four children will reside in a development of this size. The Northport-East Northport School District is well aware of this potential, and a Federal judge ordered the zoning for this site in 1989. The current Town Board was not in office at that time. Ed?

MR. GATHMAN: Good evening. My name is Ed Gathman. I'm the attorney for the Board. I'm going to give you a very brief legal history. I will also let you know that the applicant's attorney will probably be providing this audience with some of the legal history.

Tonight we're having the hearing just for purposes of the State Environmental Quality Review Act hearing and to receive comments --

THE FLOOR: (Interposing) We can't hear.

MR. GATHMAN: And to receive comments on the Draft Environmental Impact Statement that was received by the Town. By way of background, the Town of Huntington has been involved in litigation concerning this development for almost twenty years. The Town has spent, since 1999, over three quarters of a million dollars on legal fees, and before that the Town had spent over one million dollars on legal fees.

There is no doubt that the Town is required to

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1 proceed apace this evening with the SEQRA review process,  
2 and the subsequent site plan review process by virtue of a  
3 Consent Decree that was entered into with the Town and the  
4 applicant, and before a Federal Court. The Federal Court  
5 continues to retain jurisdiction over this process. In sum  
6 and substance, what that means is if the Federal Court or  
7 the applicant requests relief from the Federal Court, the  
8 case is till open and they can go back to court  
9 immediately.

10 So that the public is aware, this is a case that  
11 actually made it almost all the way to the Supreme Court  
12 and it was sent back down to the Federal Courts for further  
13 review. The Town entered into a Consent Decree in the year  
14 2000, and this decree provided that the number of units  
15 that could be built here was going to be up to a hundred  
16 fifty-five units. Under zoning regulations in the Town,  
17 this could have been developed with two hundred ten units.

18 Additionally, instead of the possibility of all  
19 the units being rental units, half of these units will be  
20 owned by individuals or families.

21 THE CHAIRMAN: We call upon the  
22 applicant to make a presentation about the site plan.

23 MR. ANGEL: Mr. Chairman, members of  
24 the Board, Mr. Gathman, my name is Steven Angel. I'm a  
25 member of the firm of Essex, Hefter & Angel. We're

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1 attorneys in Riverhead, New York. We are the current  
2 attorneys for the applicant in this long legal process. We  
3 represent Housing Help, and we're here to just introduce  
4 our team, give you a little bit of background, explain the  
5 project and then listen to all the comments

6 As has been pointed out already, ultimately our  
7 team's obligation will be to prepare a Final Environmental  
8 Impact Statement, based in large part upon what is said and  
9 generated tonight. Of course with that, it's already been  
10 done in that voluminous Draft Environmental Impact  
11 Statement you're familiar with.

12 MR. ROSEN: I'm going to move this  
13 sign so people can sit over here and see because we have a  
14 lot of people in the back. I didn't mean to interrupt  
15 you.

16 MR. ANGEL: Besides me on the  
17 Housing Help team that is here tonight, this is the  
18 environmental planning and design team, Executive Director  
19 Susan Lagville, Bob Manniello from Land Design in  
20 Huntington, Wayne Mueller from RMS Engineering, our traffic  
21 consultant, Terry Elkowitz in Commack, who is the  
22 environmental consultant whose firm prepared the Draft  
23 Environmental Impact Statement and will take the lead on  
24 the Final Impact Statement, Mike Chiarelli of Chiarelli  
25 Engineering here in Huntington, who designed the sanitary

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1 system and sewage treatment plants, and the architect, Gary  
2 Cannela, is not here tonight, but he's well represented by  
3 Bob Manniello.

4 As was pointed out beforehand, the purpose of  
5 this hearing is really to listen to comments on the issues  
6 that are raised in the Draft Environmental Impact  
7 Statement. It's a hearing called under the State  
8 Environmental Quality Review Act. As I understand it,  
9 we're not involved in a substantive hearing on the site  
10 plan application as yet. What we're focusing on is the  
11 comments that are generated by the project and by the  
12 already well documented comments contained in the DEIS.

13 Now, hopefully, we're at the beginning, at least,  
14 of the end game of this project. I think that the Board  
15 was, I think, accurate on the dates. I could quickly look  
16 through my file. Though the property in which Matinecock  
17 Court is proposed was identified, I think, in the late  
18 '70's, an option to purchase the property was actually  
19 executed in January of 1980. So we're on our -- we passed  
20 our twenty-sixth year on this project. A testament to the  
21 Housing Help people is that they're still actively involved  
22 enthusiastically behind the project.

23 What did happen is litigation began in 1981 after  
24 the then Town Board effectively made, passed a resolution  
25 disapproving this site for multiple residence affordable

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1 housing. Ultimately, in 1988 the Federal Court of Appeals  
2 for the Second Circuit issued a decision and judgment  
3 directing that the Town rezone the property to its current  
4 zoning, the R 3-M zoning. That judgment, and it's a slight  
5 correction of Mr. Gathman's statement, it was actually the  
6 subject of a United States Supreme Court decision in a  
7 United States Supreme Court case, which is very rare. In  
8 my career, I tried to get there once and I haven't been  
9 successful. I'm sort of envious of the guy that was there  
10 in 1988, especially since he won.

11 The Supreme Court affirmed the Second Circuit, so  
12 the highest court in the country has confirmed the wisdom  
13 of this site and this zoning, and we're progressing from  
14 that basic premise. Now, there was a later lawsuit in  
15 1997, also in Federal Court that started out basically on  
16 funding issues, that led to the Consent Decree and  
17 Stipulation of Settlement that has been mentioned by the  
18 Board. I think you accurately summarized the important  
19 points of it.

20 We're starting with a one hundred fifty-five unit  
21 project, and though we are not shortcutting the SEQRA  
22 process or site plan process, there was a commitment on the  
23 part of the Planning Board, which was a party to the  
24 lawsuit, to move forward expeditiously with the zoning and  
25 environmental hearings and process.

1 We're open to all comments. We, the team put  
2 together by Housing Help, is a very sophisticated  
3 professional team. We hope that the Board and the public,  
4 the citizens, the neighbors all act in good faith and  
5 discuss real material, salient issues to resolve the  
6 project.

7 THE CHAIRMAN: I'm sorry to interrupt,  
8 but your statement about open to all comments. Let me just  
9 clarify that to the audience. That is that the comments  
10 that Mr. Angel is referring to are comments or testimony  
11 that you will provide to us, either oral or written, that  
12 will be provided to Housing Help and Mr. Angel. We will  
13 not be discussing or debating those comments at this  
14 hearing tonight.

15 MR. ANGEL: That is correct. I  
16 think that is a good point. This is at the beginning of  
17 the public SEQRA process, you're going to put together  
18 those comments and we will have to respond to them and  
19 ultimately that will be disseminated, right. We don't  
20 intend -- we intend to listen tonight, not to engage in  
21 debate. With that let me --

22 MR. SOMMER: (Interposing)  
23 Mr. Angel?

24 MR. ANGEL: Yes.

25 MR. SOMMER: Before you do that, let

1 me ask you this question. Undoubtedly, there are some  
2 members of the public here who may not be exactly aware of  
3 what the State Quality Environment Review Act is and what  
4 precisely we will be looking at tonight as opposed to  
5 review of the site plan. If would you like or feel  
6 comfortable, would you discuss what those types of issues  
7 are as opposed to other issues?

8 MR. ANGEL: I do have a summary of  
9 the areas of concern but, you know, maybe what I should do,  
10 rather than take the risk of incorrectly summarizing the  
11 regulations, I'll introduce Terry Elkowitz and let her go  
12 through with that. Maybe we should have Bob Manniello come  
13 up. Give me guidance from the Board. I can have somebody  
14 explain the site plan and then go through the SEQRA process  
15 or I can have somebody explain the SEQRA process and then  
16 go through the site plan. It's up to you.

17 THE CHAIRMAN: Let's go through the  
18 SEQRA process first and then the site plan.

19 MR. ANGEL: I will call on Terry  
20 Elkowitz from Freudenthal & Elkowitz, who will tell you  
21 what are the topics that are mandated under SEQRA to be  
22 discussed in the Environmental Impact Statement in the  
23 SEQRA process.

24 MS. ELKOWITZ: Good evening, Chairman  
25 Mandelik and members of the Board. As Mr. Angel said, I'm

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1 Terry Elkowitz. I'm a principal of the firm of Freudenthal  
2 & Elkowitz with offices at 368 Veterans Memorial Highway in  
3 Commack.

4 To answer Mr. Somer's question, the State  
5 Environmental Quality Review Act is a State law that  
6 requires all municipalities making discretionary  
7 determinations on projects such as this site plan  
8 application to evaluate the environmental impacts of that  
9 project prior to making a determination on that project.  
10 This Board has taken that responsibility very seriously.  
11 This Board reviewed the application of Housing Help and  
12 issued what is called a positive declaration on July 15,  
13 1995. Thus, this Board determined that the granting of  
14 this application may result in one or more significant  
15 adverse impacts on the environment.

16 By issuing that positive declaration, it required  
17 that Housing Help prepare a Draft Environment Impact  
18 Statement. I see one in front of Mr. Riekert. It's a two<sup>2</sup>  
19 volume book. This Board then determined that the public  
20 should participate in what should be evaluated in that  
21 Environmental Impact Statement and this Board held a public  
22 scoping hearing on September 27, 1995 to get the public's  
23 input on what we should evaluate.

24 There was litigation that ensued after 1995 and  
25 the Draft Environmental Impact Statement was initially

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1 submitted to my office on March 28, 2005. This Board  
2 reviewed it and determined it wanted some revisions before  
3 filing a Notice of Completion, which determined that it  
4 would be adequate for public review. We met with  
5 representatives of the Planning Department to go over what  
6 your concerns were, revised the environmental impact  
7 statement and submitted a revised Draft Environmental  
8 Impact Statement on February 21, 2006, you reviewed that  
9 document and this Board issued the Notice of Completion on  
10 April 5, 2005, deeming that the document was adequate for  
11 public review,

12 Briefly, because I'm not going to go through the  
13 hundreds of pages sitting in front of Mr. Riekert, the  
14 document evaluated all of the aspects of the environment  
15 that this Board identified, including soils and topography,  
16 ecology, water resources, land use and zoning  
17 transportation, air quality and noise, community facilities  
18 and services, demographics, aesthetics and cultural  
19 resources and public health, and in accordance with SEQRA,  
20 we identified mitigation measures and we also evaluated  
21 alternatives. So I, like everyone else on the team and  
22 Board, is here to listen to the comments of the public and  
23 I assume it will be my responsibility to prepare a Final  
24 Environmental Impact Statement ultimately for this Board to  
25 review. If you have any questions I'll be happy to answer

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them.

THE CHAIRMAN: Thank you,

Ms. Elkowitz.

MR. ANGEL: If I could have Bob

Manniello come up and explain the site plan so the public knows what we're proposing.

MR. MANNIELLO: Thank you, Mr. Angel.

Good evening, ladies and gentlemen, members of the Board, Mr. Chairman. My name is Bob Manniello. I'm the president of Land Design Associates. We are landscape architects land planners and site engineers located in Huntington. I'm going to attempt to very briefly describe the site plan. There are copies around the room, out on podium in the back. There is a colored rendering up here in the front on the Board. In essence, I will give you a summation of what that shows,

It's approximately fifteen acres located on the northwest corner of Elwood and Pulaski in East Northport. Its school district is School District 4 Northport. Greenlawn post office, East Northport fire district and Suffolk County Water Authority has authority over the water supply.

The site itself, as has been indicated, contains or is designed to include a hundred fifty-five dwellings. There are condominium or apartment type units, units on top

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1 of units. There are clusters of buildings. The clustered  
2 buildings themselves contain either eight or ten units.  
3 There is one building of three units which contains -- I'm  
4 sorry, five units which contains the superintendent's --  
5 on-site superintendent's residence.

6 The bedroom mixes consist of thirteen percent one  
7 bedroom, fifty-eight percent two bedroom that is the  
8 preponderance of the units. Thirty-seven or twenty-four  
9 percent three bedroom units and eight, or five percent four  
10 bedroom units. Parking has been provided at a ratio of two  
11 point one five spaces per unit. Total of three hundred  
12 thirty-four exceeds the zoning requirements of one point  
13 three three.

14 The site will be heavily landscaped.

15 Approximately thirteen percent of the site is covered by  
16 buildings, twenty-eight percent of the site is covered by  
17 pavements of various kinds. That leaves almost sixty  
18 percent of the site in open space or green area itself.

19 The site will be fenced for security purposes as well as  
20 for aesthetics. There is a berming and landscaping that is  
21 proposed to surround the property, as it fronts on both  
22 Pulaski and Elwood, and a sewer treatment plant on site has  
23 been designed and located in the northwest corner of the  
24 property, along with the septic or the drainage systems for  
25 the drainage of the site for stormwater management.

1                   Once again, I'm available to answer any questions  
2 that the Board may have. We are here to listen, too; I  
3 would like to emphasize that. Any members of the Board?

4                   MR. SOMMER:                   Just to clarify for the  
5 members of the public. We don't have jurisdiction over  
6 sewage concerns; is that correct?

7                   MR. MANNIELLO:                 That's correct.

8                   MR. SOMMER:                   If any members have the  
9 concerns about that, they should address that with Suffolk  
10 County.

11                   MR. MANNIELLO:                 Suffolk County Health  
12 Department has jurisdiction over that and Mr. Chiarelli is  
13 here as a representative of the team, who is a sanitary  
14 engineer.

15                   THE CHAIRMAN:                 Any other members of  
16 the Board have any questions of the applicant?

17                   (No response)

18                   Okay, thank you, Mr. Manniello.

19                   MR. MANNIELLO:                 Okay.

20                   THE CHAIRMAN:                 We will call speakers up  
21 in the order in which we received forms that we talked  
22 about to be filled out. Mr. Schnittman will call the names  
23 of the speakers.

24                   MR. SCHNITTMAN:                David Scro.

25                   MR. SCRO:                     David Scro.

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1 Mr. Chairman, members of the Planning Board --

2 MR. SOMMER: (Interposing) Excuse  
3 me, you have to give your name and address before you  
4 speak.

5 MR. SCRO: I will. Mr. Chairman,  
6 members of the Planning Board, my name is David Scro. I'm  
7 Chair of the Matinecock Court Citizens Advisory Committee  
8 in accordance with the Stipulation of Settlement Consent  
9 Decree, October 10, 2000 between the Town of Huntington and  
10 Housing Help, Inc.

11 The committee consists of three members of  
12 Housing Help and three members of the community at large.  
13 The Chair, based on my background and experience in  
14 affordable housing and development, was approved and  
15 accepted by the Town and Housing Help, Inc. and the Court.

16 Prior to this submission of the DEIS, our  
17 committee had reviewed and commented on the floor plans and  
18 site plans that were supplied by Housing Help, Inc.  
19 They're included in a report which I have submitted to the  
20 clerk, and I would like same to be part of the record here  
21 tonight.

22 As Chair, as a legal entity in this legal matter,  
23 I ask the indulgence of the Board. Clifford Austin, who is  
24 a member of the committee, has allocated additional time to  
25 me in the event that I exceed the three minutes of public

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comments tonight.

THE CHAIRMAN:

By how much will you

exceeding your three minutes?

MR. SCRO:

Six and a half minutes.

MR. SOMMER:

Are you representing a

group who will abstain from addressing us?

MR. SCRO:

Yes, Clifford will

allocate his time to me.

THE CHAIRMAN:

You represent a

community committee?

MR. SCRO:

I represent a committee

which was created by the Court as part of the Stipulation

of Settlement, October 8, 2000.

MR. ROSEN:

I guess my question,

just so the record is clear, are you speaking on behalf of

the entire committee or are you speaking on behalf of

yourself as a member?

MR. SCRO:

On behalf of the entire

committee. If I speak based on my personal knowledge and

expertise, I will declare so to this Board. The committee

attempted to analyze comfort and livability,

attractiveness, storage, affordability, traffic, school

impact, health and safety and quality of life and other

general factors. Twenty-five pages of the report and

comments are on the floor plan and site plan, nine pages of

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questions and comments on the DEIS. I ask that they be reviewed and evaluated in light of the above factors,

In general, the scope of this DEIS is based on a public scoping session that was held on September 27, 1995 and the 1995 Environmental Assessment Form and site plan. Certainly a lot has changed since then and I ask this Board to consider expanding the scope and content of the DEIS, and I quote the Stipulation of Settlement. "Nothing contained herein shall constitute or be deemed a waiver approval or satisfaction of any requirement or element of SEQRA, the process or site plan review with regards to this development."

35

I concur with the general comment of the Board that the studies and DEIS are two to five years old. I have reviewed the comments of the public scoping session that centered on several important issues, which I will emphasize in my public comments here tonight, the first of which is traffic impacts. As we take a look at this site plan ten years later, the entrance and exit of this community has still not been resolved. Not included in the DEIS is information and studies concerning the Long Island Railroad grade crossing and community concerns about extensive traffic backup, putting school age children at risk.

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What is the impact of a traffic light recently

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installed north of the site on Elwood Road? The traffic conditions were evaluated and based on traffic volume from field counts taken three years ago, May 8th '03 on a weekend and May 10th '03 on a weekday. This leads to the following conclusion on page 62. "As indicated above, the intersection of Pulaski and Elwood Roads is currently operating below capacity during a.m. peak hours."

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No current traffic counts are provided to back up this conclusion. This seems contrary to an article that appeared in the Observer on April 27, 2006 when the county executive, who also analyzed the capital improvements on this intersection, had the following to say, and I quote. "This intersection has become heavily congested in the past few years and has been identify as a high accident location." I ask that the article be reviewed in the DEIS. Roadway improvements need to be evaluated, such as road dedication, road widening, acceleration and deceleration lanes and school crossing safety.

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I would also like to address a memo dated 12/28/96 from the Town of Huntington which states, "Reasonable alternatives and the preferred plan must be able to be designed to comply fully with applicable Town, County, State regulations and requirements." That was not done. The preferred plan, which is the only plan presented here tonight, fails to comply with Suffolk County

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DPW setbacks and separation distances and entrance and emergency access is not in conformance with County requirements. Why were no other reasonable alternatives identified?

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Internal roadways. Why has the internal roadway width been reduced to twenty-five feet? This is contrary to the Town comments made on several occasions and the recommendations of this committee and the applicant's own consultant when they first changed the road from twenty-five to thirty. His official response was this: "This would create a safer vehicle flow, provide better visibility allow for delivery trucks and reduce congestion, which seems to be a legitimate concern of the committee." I ask the following question: Can the roadways as currently designed, if blocked by one car or several, safely accommodate school buses, garbage trucks and emergency vehicles? How will snow be removed from the shoulders? Where would it be piled?

40

Public safety issues were also discussed in the public scoping session, the first being, although the applicant's engineer has personally guaranteed that the site design and internal roadways have proper radii for fire equipment and emergency vehicles, the Northport Fire District should confirm and verify and review this information. Emergency service vehicles should also be

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1 evaluated in the same manner.

2 Are increased setbacks for buildings along the  
3 LIPA-Keyspan substation considered and evaluated? The Town  
4 should not tolerate exposure to even low levels of  
5 electromagnetic fields, and such exposure should not be  
6 allowed to happen to future residents of Matinecock Court  
7 who may not have any other alternative place to live.

8 Would the Town be subject to future lawsuits by residents  
9 exposed to such risks if this is approved by the Town?

10 DEIS states the following: "The strength of the  
11 electromagnetic field, EMF, from equipment within the  
12 substation decreases rapidly with increasing distance."  
13 How much from twenty-five to fifty and fifty to a hundred,  
14 if the longer the distance the better, the safer it is for  
15 the community.

16 Pedestrian traffic patterns are not explored in  
17 the DEIS. The walkways from buildings, from one building  
18 in a safe manner. Also very important that the layout and  
19 design of this development have sufficient storage space  
20 that is provided to eliminate fire and safety hazards  
21 resulting from possessions placed in hallways, stairways  
22 and entrances, which leads me to a comparison that the  
23 committee did which reviewed this development in  
24 relationship to Highview Millenium Hill, Soundview Village  
25 and others.

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The three bedroom unit that was designed here was sufficiently less than the other three bedrooms in the other units and they were townhouse style units. What is unique about this development, and it's important for this Board to understand, is that these units are flat, which are one-over-one. You have the owner of the unit upstairs and the owner of the unit downstairs, unlike a townhouse, where you own the first and second floors. I raise this point in regard to the four bedroom. This is my own -- I'm speaking -- the majority of the committee was against the four bedroom units, but I'm speaking now based on my own professional experience.

Based on the fact there is no storage, based on the fact you have a four bedroom unit that has no access to the backyard, limited emergency access as far as getting up the stairs for emergency personnel, that you can have that many people in the unit under thirteen hundred square feet, I implore this Board not allow this dangerous situation which could result in a tragedy in the future. The National Homebuilders Association has no school data for four bedrooms. Above mentioned communities that I mentioned did not have four bedrooms at all.

School impacts. This Board has the right to restrict the number of bedrooms per unit. It should consider that as far as mitigating some of the impacts on

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1 the school district.

2 Comfort and livability. Why was the noise impact  
3 study based on information provided by the Traffic and  
4 Transportation Department of the Long Island Railroad based  
5 on the existing schedule in 2003? Certainly whistle  
6 requirements, speed and number of trains, number of  
7 locomotives have changed and should be evaluated.

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8 As far as affordability, I see no reason why  
9 people who live and work in Northport should be given a  
10 preference in the lottery, and the lottery should be  
11 monitored and safeguarded for fairness.

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12 As far as attractiveness, I agree with Housing  
13 Help as far as the estate fence, that it be along Pulaski  
14 and Elwood Road. I think it would be more attractive. A  
15 stockade fence will discolor and will require maintenance.

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16 I'm going to stop short of my comments and add  
17 one other thing. I've been working on this as a volunteer  
18 for three years. I'm proud of what we have done I'm proud  
19 of our committee members, most of which are right here,  
20 Jan, Cliff. I think they deserve a round of gratitude. We  
21 are mandated by the Court to meet regularly to review this  
22 matter. It was a very difficult task because we had to  
23 balance the right of Housing Help to develop this  
24 community, but we had to address the concerns of the  
25 community and ask questions that had to be asked.

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1 One further comment. We also looked at the  
 2 livability and comfort of this new community. As a board,  
 3 you don't want the new residents before you complaining  
 4 about the existing conditions they're in. It is my sincere  
 5 hope that five years after this development is built, that  
 6 it's something that we can be proud of. This proposed  
 7 development will be built, but let's work together to make  
 8 sure it's done right. I thank you for your time and  
 9 consideration.

10 THE CHAIRMAN: Thank you for your time  
 11 and consideration. Thank you, the committee, for doing  
 12 your extensive review.

13 MR. SCHNITTMAN: Janet Allen.

14 MS. ALLEN: I live in South  
 15 Huntington. I'm a citizen appointed member of the  
 16 Citizen's Advisory Committee. I think what David did  
 17 share, although we have experts in planning, development  
 18 and engineering and so forth on our committee, we did look  
 19 at the plans that have been given to us from Housing Help  
 20 as if we ourselves or friends and neighbors might live  
 21 there.

22 We are very concerned about the quality of life  
 23 issues, sanitary and safety, privacy, size of the rooms and  
 24 units be adequate so that the people that live there will  
 25 be comfortable, it will create a stable community and be

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1 attractive and be a long lasting contribution to the  
2 neighborhood and to our overall town.

3 THE CHAIRMAN: Thank you, Ms. Allen.

4 MR. SCHNITTMAN: Diana Weir.

5 MS. WEIR: Diana Weir. I'm

6 representing the Long Island Housing Partnership. We're at  
7 180 Oser Avenue in Hauppauge, and I'm here to speak in  
8 support of the application. I thank the Chair and Planning  
9 Board for giving us this opportunity. We support the  
10 application.

11 I know tonight you will hear comments and will  
12 thoughtfully review them, as will the applicant. We want  
13 you to know the need is so tremendous. This has been so  
14 long in happening. We ask you to expedite this and give  
15 the application your positive consideration. That's it.  
16 Thank you.

17 (Applause)

18 MR. SCHNITTMAN: Bill Crowley.

19 MR. CROWLEY: I'm on the Citizens  
20 Advisory Committee. I'll decline.

21 MR. SCHNITTMAN: Thank you. Louis  
22 Ohlig.

23 JUDGE OHLIG: Good evening, members of  
24 the Planning Board and fellow residents of the Town. My  
25 name is Louis J. Ohlig, retired County Court judge. I'm

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1 celebrating my fiftieth anniversary as a resident of the  
2 Town of Huntington after being discharged from the United  
3 States Navy, honorable discharge after the Korean Conflict.

4 I've lived in the area of East Northport for fifty years.  
5 I'm concerned about the environmental impact with the  
6 number of cars and the pollution and the traffic congestion  
7 that the roads will be subjected to.

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8 The roads in the Town of Huntington, throughout  
9 the entire town of Huntington are really antiquated. 25A  
10 has never been improved. It's one lane in each direction.  
11 Pulaski Road, one lane in each direction. Elwood Road, one  
12 lane in each direction, and Cuba Hill and Clay Pitts,  
13 Vernon Valley Road, one lane in each direction.

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14 You're going to have over three hundred cars at  
15 this location here. You have two schools right there. The  
16 congestion right now, I live there; I know what it is. It  
17 takes two to three traffic lights to get through, starting  
18 at three o'clock in the afternoon. You go down Larkfield  
19 Road, Clay Pitts going northbound. You have to be there.  
20 You have to see things. I don't care what all these  
21 surveys show or predict, you have to be there to live it  
22 and see it. There is traffic congestion there and it's  
23 going to be pollution with all the cars waiting at the  
24 lights to change,

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25 I say that the roads are antiquated. You all

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1 know it. If you live here, you sure should know it. Some  
2 people might say hey, Judge, where have you been all these  
3 years. Well, we had judicial restraints upon a judge; that  
4 is, we couldn't talk. Now I'm retired, I can talk. I have  
5 a nice fellow judge of mine, I don't know if he's going to  
6 speak tonight, Judge Marty Willen. He had the same  
7 restrictions, too, as a judge.

8 I hope that you heed what I'm saying here.  
9 Seeing is believing. Go out and take a look at the  
10 congestion here. You're not doing the residents of the  
11 entire Town of Huntington any favor here because they use  
12 those roads, the main arteries. At least Nassau County,  
13 25A, two lanes in each direction. Old Country Road, two  
14 lanes in each direction.

15 I would like to say one thing further. They  
16 didn't do justice for the people in East Northport or the  
17 Town of Huntington because they discarded and aggregated  
18 the Northport to Babylon Expressway several years ago.  
19 That certainly would have saved the traffic congestion we  
20 deal with now. They did away with it and the land has been  
21 sold off. I think it's a disservice to the new people  
22 coming into Matinecock Village here. They're going to be  
23 subjected to traffic and so forth. What about the cars  
24 that might visit them. You might be having four hundred  
25 cars --

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1 THE CHAIRMAN: (Interposing) Thank  
2 you, Judge.

3 JUDGE OHLIG: Three minutes?

4 THE CHAIRMAN: Three minutes.

5 JUDGE OHLIG: Can I appeal? Thank you  
6 very much.

7 (Applause and laughter)

8 THE CHAIRMAN: Did you get that  
9 response in the courtroom?

10 JUDGE OHLIG: When I did the right  
11 thing.

12 MR. SCHNITTMAN: Charles Kerner.

13 MR. KERNER: Thank you. Good  
14 evening. My name is Charles Kerner. I live at 230 Sweet  
15 Hollow Road; forty-six year resident of Huntington. I am  
16 also a member of the Community Advisory Committee of  
17 Matinecock Court, perhaps a minority one, but a member.

18 I think Housing Help has considered in good faith  
19 all the reasonable suggestions made by the Advisory Board.  
20 I thank the Planning Board members for their suggestions,  
21 which I found in the eight hundred pages of DEIS. I think 57  
22 the professionals in the Planning Department have also  
23 added to this. The process has enhanced the quality of  
24 life of the future residents of this neighborhood in East  
25 Northport.

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1 About the need. Matinecock Court is badly needed  
2 in Huntington. A typical family house on Long Island costs  
3 four hundred thirty thousand dollars. A prospective buyer  
4 would need an income of one hundred seventy-five thousand  
5 dollars a year, or almost twice the median income of Nassau  
6 and Suffolk Counties. Young people twenty-four to  
7 thirty-four are leaving Long Island at a rate five times  
8 the national demographic.

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9 Second, businesses can't find entrance level  
10 workers, nor can they expand on Long Island. They are  
11 relocating elsewhere and prospective businesses avoid Long  
12 Island. Affordable workforce housing is a must. The  
13 remedy at Matinecock Court, seventy rental units will be  
14 offered to those earning up to sixty percent of median.  
15 That is fifty-four thousand dollars. Eight will be offered  
16 to the seniors and the handicapped at thirty percent of  
17 median. Seventy-seven homes will be available to first  
18 time buyers who earn up to eighty percent of median, or  
19 seventy-one thousand. That makes Matinecock Court  
20 affordable by HUD standards and a middle class development  
21 as well.

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22 Housing Help will ask the State for preferences  
23 which are accorded to Millenium Hills And Highview, already  
24 built. The Housing Helps list of applicants will form a  
25 pool for the lottery. Fifteen percent of that list, folks,

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are residents of East Northport and Northport and seventy percent are residents of Huntington, the Town of Huntington. That means we will be taking care of our own.

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School children, I read the eight hundred pages and I saw the two very definitive studies by Rutgers University and National Association of Homebuilders. They said forty-nine students. I read that there are eighty-four students. That must be an update. I'm not sure how that was arrived at. Between forty-nine and eighty-four. That figure is validated. At least the two first studies --

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THE CHAIRMAN: (Interposing) Please summarize.

MR. KERNER: Those two studies were validated by applying them to Avalon I, Millenium Hills and Highview. That means the formulas used by the experts have been showed to be exact by experience of what school children came from those developments. Thank you very much.

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(CONTINUED)

(Applause)

MR. SCHNITTMAN: Stephen Monez.

MR. MONEZ: Good evening. Stephen Monez; I live at 698 Fifth Avenue, East Northport. I represent myself, my wife and my two children, six and four. As Mr. Kerner said, I'm within the age bracket. I'm

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thirty-one years old and I can tell you if this thing comes in my neighborhood, I will probably leave. That is how against this I am.

I reviewed the resolution of the Huntington Town Board meeting. I had several concerns of the plan. Garden apartments, special district, some of these concerns were already held in the history of the entire process of the Huntington Town Board since 1980, when I was only five years old.

However, since I'm unable to speak to all my concerns, I would like the Board to consider the following: Throughout the report, two similar projects have been listed to show my concerns with the lottery system. There is no way to understand what type of people will be moving into this community. This concerns me since my two children attend Pulaski Elementary School and they will probably be attending my school.

How does the HHA plan to execute a process that people who move in will not be affected by crime? Why can't the R 3-M zoning be changed to L 3-M zoning? The opposition of the existing residents may not be so strong.

The current population of the school is also a concern. The report shows a total increase of enrollment to over six hundred students. If the project went forward today, I can understand. I do construction, I understand what it takes

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to get stuff done. You already have six hundred students planned for in that. How are we supposed to handle another hundred plus, and how will our taxes be effected?

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Those are my concerns. Thank you.

THE CHAIRMAN: I'm not going to respond to every person's comments. I will respond to the comment of Mr. Monez relating to the zoning change. That is in 1989 a Federal judge ordered that the zoning be changed to R 3-M residential, fourteen rental units per acre, for clarification purposes.

MR. SCHNITTMAN: John LaMonica.

MR. LA MONICA: Good evening. My name is John LaMonica. I've lived in East Northport for thirty-three years; 16 Christine Lane, to be specific. I think that we can all identify with the need to have affordable housing in the Town of Huntington on Long Island. There are many people who really need this type of housing, and with this I really sympathize, but many of us moved here perhaps from New York City of Nassau County looking for a certain quality of life. We came here with the awareness of what zoning already existed and we have encountered an increase in population, an increase in private housing, and now we seem to be moving towards another element, an element which comes perhaps more out of the city of multiple dwellings.

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I think every one those of us that came here, Housing Help, for that matter, can understand how we feel, how we are concerned about the quality of life. I think that the Board should also consider not only the fact that we need affordable housing, and we do, but the fact that the quality of our lives as a result of the affordable housing in the numbers concerned, perhaps will have a negative impact upon the rest of us. We should be part of the concern as well.

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I think the major issue to me is the traffic, and although we can not consider the fact of the density of this unit as being an issue, according to a Federal judge, a result of the density is that it is going to impact on a number of issues, a primary one being traffic. Not only will there be three hundred thirty-four spaces issued, but there will also be, as has already been stated, people coming; fire delivery, different types of trucking issues, dealing with the water treatment plant. But we also have people coming to visit these wonderful people who are going to be living there, and that is going to bring more traffic.

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I lived there for thirty-three years. I also have seen quite a difference in the traffic pattern on Larkfield, Pulaski Road. The fact is, we have two schools there. We have Northport High School, we have Pulaski Road

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1 School. These are very important. The quality of life  
2 that is going to be impacted by these types of issues is  
3 major, and I would ask the Planning Board to seriously  
4 consider traffic impact and the impact of environmental  
5 issues, such as pollution that will be caused and affect  
6 our quality of life.

7 So we need a balance here, and I'm not sure that  
8 the balance that is being struck here is the right one.

9 Thank you.

10 MR. SCHNITTMAN: John Weiner?

11 (No response) Chris Sellers.

12 MR. SELLERS: I'm Chris Sellers. I'm  
13 speaking as a representative of Bethany Presbyterian  
14 Church, which is in the vicinity of the project, and also  
15 I'm a resident of East Northport. I guess that it's  
16 pertinent here.

17 Our church, our members have become so concerned  
18 about this housing issue that we created a special team and  
19 have done special studies on the subject. One of the  
20 reasons we have been concerned is because we have members  
21 who have had trouble finding housing; they can't afford to  
22 be homeowners.

23 I think I can speak to all us who have been  
24 involved in Bethany, that we welcome the project. It looks  
25 like a pretty good thing from the picture, and we welcome

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1 having some of our members move in.

2 I have one thing to say about being a resident of  
3 East Northport. I moved there just a few years ago. My  
4 daughter is in school here. One of the things I noted in  
5 being there, sort of to my surprise, given what I thought I  
6 checked out with the statistics, is -- how do I put this --  
7 how few people there are who look different from any when  
8 you look around the school auditorium. And I think that in  
9 terms of health, in terms of environment, that it behooves  
10 us to do something about that, and that this project may  
11 also be a way in that direction. Thanks.

12 (Applause)

13 MR. SCHNITTMAN: Linda Amarante.

14 MS. AMARANTE: Hi, I'm Linda Amarante.

15 I live in East Northport and I have three children who go  
16 to Pulaski Road. Housing Help wants to put up a  
17 development in our neighborhood, but this development  
18 offers no benefits to me and my family. To me, it has a  
19 number of negative effects on the neighborhood than  
20 positive ones. A few of the environmental concerns;  
21 increased traffic, noise pollution and air pollution, both  
22 from the construction and proposed completed development.  
23 Increase in noise pollution and air pollution is a major  
24 concern, since this proposed development is next to both  
25 the high school and elementary school. Has anyone

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1 realistically considered the number of school children  
 2 walking to both the high school and Pulaski Road School  
 3 along with the increased traffic? If you haven't walked it  
 4 when school gets out, I don't think you have considered it.

5 The development is out of character with the  
 6 surrounding neighborhood in terms of housing and population  
 7 density. It is not required that this number of units be  
 8 put on that lot. That is the advice of Housing Help. I  
 9 moved to the neighborhood for a reason and the reason is  
 10 the open spaces in East Northport. This development is of  
 11 no benefit to me. Thank you.

12 MR. SCHNITTMAN: Joe Lyons.

13 MR. LYONS: My name is Joe Lyons.

14 I've lived in East Northport for twenty years. What I  
 15 would like to say is that with all of these studies and all  
 16 of these things, the children always get forgotten. As  
 17 usual, the children are being forgotten here. Overcrowding  
 18 in schools is not a concern to these people. None of these  
 19 people live in East Northport, care about our children or  
 20 care about our traffic. They're hired guns to come to our  
 21 town to inflict this overcrowding on us and they don't  
 22 really care what it's going to do to us.

23 They're concerned with housing. There is plenty  
 24 of housing. People work hard. We all worked hard to live  
 25 in East Northport and the bottom line is that we have done

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1 everything we can to make this area a good area, and now we  
2 have this thrust upon us. We can and -- well, of course  
3 the judge who inflicted this on us don't live in East  
4 Northport.

5 I work in the construction industry. These  
6 studies are always painted to be the most beautiful, most  
7 accommodating, most impactless of all these studies. This  
8 is a beautiful idea. Bottom line is, they're on the  
9 fourteen acres. Almost half of the property has to turn  
10 into leach field to support this many housing units. As  
11 the first speaker mentioned, all of these items have never  
12 been addressed and need to be updated. This impact is  
13 drastic to this area. I don't think any one really cares.

72

14 As far as the soil is concerned, my understanding  
15 is that the area and soil is contaminated. My children go  
16 to school across the street from this place. Those  
17 contaminants will be airborne, my children will be not more  
18 than a thousand feet from that area and I'm concerned.  
19 There are PCB's in that soil and EMS in that electric  
20 plant; all these things exist.

73

21 These people have to be aware of the fact that we  
22 are not going to sit down and take this. It has to be  
23 studied and corrected. The people of East Northport don't  
24 want this. It's a vacant property. No one said let's  
25 build a great park. All they said is let's put in more

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1 housing because we're not overcrowded enough. We all <sup>74</sup> (CONTINUED)  
 2 know. We all ride the roads. We all sit there in traffic  
 3 and are all overcome with this.

4 We have to think about what is good for the  
 5 people who live here. Great, bring more people in. That  
 6 is wonderful. The bottom line is these people need a  
 7 decent place to live, not packed in like sardines so we  
 8 can't possibly enjoy the area we moved into. I moved here  
 9 twenty years ago. We need to keep this area as good as we  
 10 can possibly keep it.

11 (Applause)

12 MR. SCHNITTMAN: Irene Moore.

13 MS. MOORE: Good evening to the  
 14 Board. My name is Irene Moore. I live at 48 Biltmore  
 15 Circle and I'm part of the Outreach Committee at Highview  
 16 in Huntington.

17 I support the Matinecock Court application. It  
 18 is much needed and long overdue. It would help to  
 19 alleviate the housing shortage in the Township of  
 20 Huntington and prevent the loss of our valuable resources,  
 21 meaning our children, with college degrees, who can no  
 22 longer afford to live in the Town of Huntington.

23 Once the environmental study is completed and  
 24 health and safety issues are ensured for all parties  
 25 involved, perhaps the Town could stop spending taxpayers'

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money on legal fees and spend more money on expediting this project as quickly as possible.

(Applause)

MR. SCHNITTMAN: Nancy Berg.

MS. BERG: My name is Nancy Berg.

I live at 22 Biltmore Circle, Huntington Station. I live at Highview in Huntington, which is an affordable housing community. I'm here just to allay some of the fears -- you have to excuse me, I'm nervous when I hear my own voice in the microphone, but I just wanted to allay some of the fears and misconceptions that are understandable for the neighbors surrounding Matinecock Court.

The first thing that I would like to say is affordable housing emphatically is not welfare housing. Seventy percent of my neighbors -- we did a survey recently, there are a hundred units -- seventy percent of residents have degrees and advanced degrees. We're working people. I'm an R.N. My neighbors hold such jobs as teachers, policemen, firefighters, railroad workers, engineers and office workers. We supply the human infrastructure that makes a community work.

And whether you realize it or not at this point, in a few years, there may not be enough nurses to staff the hospitals, there may not be enough policemen who can afford to live on Long Island. Railroad workers and all of the

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people who run the community cannot afford to live here any more. My children both have New York State college degrees and they live out of state because they cannot afford to move back to where they grew up.

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Out of a hundred units in our development, there are less than fifty children enrolled in school. We all pay taxes and we cover their enrollment with our taxes. If you can change your thinking just a little bit, reverse it, think instead of not wanting this development in your neighborhood, think of having your own children, adult children apply to live there. And maybe if you're lucky enough, they will get a unit and you might see your grandchildren some day living right near you instead of in another state.

MR. SCHNITTMAN: Bill Elkins.

MR. ELKINS: Good evening, my name is

Bill Elkins. I reside near the corner of Elwood and Pulaski where the units are going to be built. I walk a seven year old son and a neighbor that has an eleven year old daughter and seven year old daughter to school in the morning. It takes me the same amount of time to walk at a seven year old's pace, the same amount to drive, which is horrible.

77

A lot of people live in the neighborhood. A lot of people drive in the neighborhood. This morning there

1 was a big buildup of cars, since there always is since the  
2 new light was put in near the high school. I don't think  
3 it was as bad when the light wasn't there at the high  
4 school.

5 I find in the workforce there are issues with the  
6 affordability on Long Island, but my biggest concern is  
7 more the safety of the children that walk. I think it's  
8 third or fourth grade the children are able to walk by  
9 themselves if the parents want them to. My children will  
10 not.

11 MR. ROSEN: Can I ask a question on  
12 this? A lot of people talked about the traffic. We need  
13 help on specifics. We have a plan set up right now. The  
14 way the plan is set up right now, it exits out onto Pulaski  
15 Road.

16 The general consensus, when people come up and  
17 talk about this, it's something we're wrestling with.  
18 Assuming it's built, what is better, is Pulaski Road  
19 better? The County came up with a recommendation that it  
20 not be on Pulaski.

21 We need some specifics, that would be very  
22 helpful to have that input.

23 MR. ELKINS: I understand that.

24 Elwood, I don't believe would be a good idea to have an  
25 exit or entrance. You're asking for more traffic into an

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already congested area, so you're talking about Pulaski is really the only avenue for that traffic to go onto.

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Secondly, the traffic going down Elwood heading south towards the Expressway is also getting more congested because you also have schools down that way also. So there is a lot of congestion at that time of the morning going in both directions to the schools, away from the schools.

I don't know where these people are going to be able to go, unless they want to go east and west on Pulaski Road. You're asking a lot more cars. If there are three hundred plus spots on there and that is fully occupied, that is a lot of cars for that area. Are people going to work in the middle of the night? Most people don't work in the middle of the night.

There is going to be a big traffic issue. I don't know if there has been a recent study since that light has been put in, but it's really caused, I think, more issues than helped the issue. Thank you.

MR. LYON: My name is Scott Lyon.

I'm an organizer for the Long Island Campaign for Affordable Rental Housing. We actually have an office in Greenlawn. 1978 was a long time ago. A lot has changed since then, of course. Some studies need to be updated and this and that, but the thing that has most changed is the need. The need has grown exponentially on Long Island for

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1 more affordable housing units.

2 We support this development in large part due to  
3 the rental component of this. Rentals are a big important  
4 part of the housing puzzle that is missing from most of  
5 Long Island and we definitely support that. Most of all,  
6 I'm imploring you not to limit the number of units. Figure  
7 out if you want to change where the entrance goes or add  
8 walking paths for anyone, if you need to make any changes,  
9 just make sure that the number of families that you can  
10 help with this project doesn't change because the need is  
11 so great. Thank you very much.

12 MR. SCHNITTMAN: Rita Cipriano.

13 MS. CIPRIANO: I have been a resident  
14 of Northport for twenty-two years. Unfortunately, I was  
15 kind of blindsided about this meeting. A lot of residents  
16 weren't notified. 122 Scudder Place, Northport, New York.  
17 I received an E-mail yesterday from a neighbor and that is  
18 how I found out about that meeting.

19 But I did want to mention my concern is the  
20 lottery. I understand that the other two housing  
21 developments had problems with one of the systems. They  
22 had broken windows, they had evictions. I understand fifty  
23 percent of it will be rentals. How will that screening be  
24 done? How can we monitor the amount of tenants that are  
25 going to be coming in and out of these units? That is my

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1 question.

2 MR. SCHNITTMAN: Abby Pariser.

3 MS. PARISER: Abby Pariser; 15 Eleanor

4 Place Huntington. I've been living here twenty-seven

5 years. When we first came as a young family, I lived

6 right -- rented right here on Irwin Place, a little house.

7 Now I own a little house. My kids, who went to Southdown

8 finally and Huntington High School, cannot afford to buy

9 anything in the Town of Huntington, and it's appalling.

10 I'm not the only one that I know whose children can't

11 afford houses that are going for four hundred, five

12 hundred, six hundred thousand dollars.

13 I did want to wonder if twelve houses were put on

14 these twelve acres, the kind of houses that would probably

15 be two million dollars. It would still be construction,

16 construction dust and so forth and so on. I tend to doubt

17 whether that is an environmental issue or it's really an

18 issue that is dealing with income levels and different --

19 what did you say from Bethany -- people who are different

20 from us.

21 I venture to say these aren't going to be people

22 who aren't all that different from us. We are all

23 different in this room and we are all civil and we're all

24 neighbors. Huntington is really a terrific place to grow

25 up in because we have diversity, because we have different

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income levels and because we have different religions and I am in favor of this project one thousand percent.

MR. SCHNITTMAN: Bart Hayden.

MR. HAYDEN: I'll pass.

MR. SCHNITTMAN: Robert Ralph.

MR. RALPH: I'll pass.

MR. SCHNITTMAN: Patti Gosman.

MS. GOSMAN: Patti Gosman; 5 Dover

Place, Northport. Again, I'm going to repeat a lot of what has already been said. Today my concern is the traffic and on such short notice that I didn't have a chance to actually read up on everything that is going to be decided. But hearing that three hundred more cars are going to be coming out of this area that is so densely congested, the traffic at three o'clock, anyone can attest coming out of the high school at that time, you can't move. It's backed up to Dickenson Avenue School, if you're familiar with it.

I don't know what the solution is to that. Probably making more senior housing, if that would be considered, maybe that would be less vehicles. It's just the amount of traffic. I don't know how it's going to happen.

When the traffic study was done, I think it was done two years ago, I think it should be done again and

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different times of the day, like when school gets out.

That's it.

MR. SCHNITTMAN: Annmarie DiPasquale.

MS. DIPASQUALE: Hi, my name is Annmarie DiPasquale. I live at 3 Bluff Point Road in Northport. I have been a resident in the Northport School District for twenty-two years. I have two children currently in the system and one that is a junior in college.

I would like to address two issues this evening. The burden on the schools. I don't know if your board is aware, but we have had expansion in the middle school and the high school to accommodate our growing population. I take strong exception to the number being quoted as eighty-four children being filtered into our school district. I believe that is an inaccurate and old number.

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Whatever we can do to come up with a reality number would be greatly appreciated because we are bursting at the seams. We are also one of the few school districts, Number 4, we do not have full day K. We cannot provide space for full day K for the children that are already in our district.

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If we had an influx of other children, we will have to build -- our community has voted this down because we cannot afford full day K in our school district. I don't know how we can absorb these additional children. As

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of three years ago, many in our community are taking strong opposition to our taxes. We are cutting services to our children each and every single year.

I am an active member of PTSA, active member in our community and I care deeply about our community. I want what is best for everyone. I am strongly recommending that you look at bringing that number down to work for what is best with Matinecock Court residents and the community at large that are currently there.

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The other point that I would like to address is the traffic. I have been a district-wide health and safety committee member on all levels of secondary and elementary school and we are privy to everything that goes on in each school. Elwood Road is highly highly congested for our high school kids, as well as our elementary kids. It's an issue that has been ongoing. It's on record in the school district each year, and it's getting worse and worse.

86

Last but not least, I was blindsided by this meeting as well. I looked in the Observer and I did not see it posted. My question to you also tonight is, you can receive comments up until May 26th, which I hope to get additional residents to be able to give their input to you. But as I'm finishing up, if I have additional questions to the Board so that I can compose my letters in writing, how can I get additional information besides this evening?

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THE CHAIRMAN: Just write letters to the Board and we will respond if you need additional information. Otherwise, just submit your comments and it will be part of DEIS, which then becomes part of the final statement.

MR. SCHNITTMAN: Or E-mail to the Board.

MS. DIPASQUALE: How do you get that information?

MS. DEVINE: The library.

MR. SOMMER: If you have questions, you can come in and talk to the Planning staff. They will help you.

MR. ROSEN: You have to remember what the purpose of this was. The purpose of this was not for the final determination. This is for you to raise issues that the applicant has to address in it. So, you can wade through this and read it. It's not as bad as it looks, although it's pretty bad at this point. You can get it online or at the libraries.

One of things to do in terms of questions is if there are questions, then you have done the job that you're supposed to do. If there are questions, we don't have to necessarily answer them, the applicant has to address them in the final one. When it comes up to us, the information has to be in there.

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MR. SCHNITTMAN: Barbara Clemens.

MS. CLEMENS: Resident of Northport;  
24 Woody Lane, Northport. My concerns are very much  
similar with the previous speaker, the impact on the  
schools. I am again concerned, we're seeing programs cut.  
It's getting difficult and more difficult to have the  
budget passed.

I'm worried about the impact of the projected  
eighty-four students that will be coming into the school  
district, and I'm also wondering if there are going to be  
some sort of system in place that will try and maintain  
that number given.

Also, I don't know if it has been printed  
anywhere or public, but I was wondering what the property  
taxes are going to be that would be generated from the  
units. Are the rental units going to be paying into the  
property taxes? Will the owners of the units be paying  
into the property tax, and how much will actually be coming  
into the community from those units? I think that's it.

MR. SCHNITTMAN: Ken Christenson.

MR. CHRISTENSON: My name is Ken  
Christenson. I live at 86 Cuba Hill Road in Greenlawn and  
I've been a resident of this town for twenty-two years and  
I'm currently president of the Huntington Town Housing  
Coalition.

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On behalf of this organization and many other organizations and individuals that understand the compelling need for all kinds of affordable housing, we are here to urge you after to give a speedy approval for this long overdue development. It's been through the ringer for over twenty-five years. It's been the subject of lawsuits, stipulations, controversy, civic concerns and many compromises over the years. It is now time to move and construct the homes.

90

We urge Housing Help to move with all speed remaining approvals. We know it's the State's decision with you, but we urge Housing Help to seek approval from the State to give precedents to local residents. We urge the community to rally around this project. Be a good neighbor, make them good neighbors, make this development the best it could probably be.

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Like so many other projects over the past years that have raised community fears and concern and then after being built, then no one remembers what the concerns were. And there is a whole history of this in this community.

MR. SCHNITTMAN: Sharon LaColla.

MS. LaCOLLA: Sharon LaColla. I live at Catherine Street in East Northport, New York. I'm a also a member of the ABC Civic Community, but I will speak tonight as a Sharon LaColla.

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1 This is a significant impact on the community,  
2 but it is significant in that it will affect many, many  
3 lives. I am a proponent of affordable housing; I always  
4 have been. My concerns are, environmental, but in ways  
5 that would affect the residents of this community.

91

6 I downloaded this today. This is only half of  
7 the report. The sewage treatment plant will be at one  
8 hundred percent of its capacity before the community opens  
9 its doors. That is a problem because if the population in  
10 our community has not increased over the last thirty years,  
11 then everybody must have grown up, bought a house and  
12 bought two cars. They will have children, as I have had a  
13 child, and my child has had children. And if all of these  
14 people stay in Suffolk County, we will not be able to drive  
15 on the roads, nor will people be able to flush their  
16 toilets.

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17 So traffic, without a doubt, is terrible between  
18 seven-fifteen in the morning and probably a quarter to ten  
19 in the morning. Coming down Elwood Road past the high  
20 school, past Pulaski Road School it is impossible. If  
21 there is a train, if the lights aren't right, if one of the  
22 high school students has a car accident or one of the  
23 parents has a car accident, you cannot get through. You  
24 have to drive another way and another way could be to go up  
25 to 25A and go east or west, or to go out onto Larkfield

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Road and go east or west or zigzag through the back roads.

My concern is really that in the twenty-five or thirty years that we have been talking about this and suing people and doing all sorts of things, we don't have any updates. Currently, the ABC Civic Community submitted a document, a scoping document from 1995. It's ten years later. In ten years, many, many things have happened. We need to update all of those studies so that we know this community will be as successful as Highview is.

93

We do not need to put a community in the Township of Huntington and the East Northport community that will not work. We want this to be a community that works. Thank you.

MR. SCHNITTMAN: Rick Cody.

THE CHAIRMAN: Just want to remind everyone if you want to speak, please fill out the forms. If a form is not submitted, you will not be called upon to speak.

MR. CODY: Rick Cody; 709 10th Avenue, East Northport. I understand there is going to be an on-site sewage treatment plant. Based conservatively, the average person using fifty gallons of water a day, that is roughly fifty thousand gallons of sewage that has to be treated a day that has to be dumped back into the ground.

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The nitrates in that sewage water in such a small

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area is ultimately going to make its way back to our drinking water. Nitrates in the drinking water is a direct link to birth defects, specifically blue babies and breast cancer. As you know, Long Island has an unbelievably high incidence of breast cancer.

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Long Island is very unique with deep water wells. Once they get filled up with nitrates, you can't get it out.

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Secondly, the traffic, before this project can even start, LIRR has to do something with the grade crossing. When the crossing gates are down, that's it, you're finished. In the morning and afternoon traffic backs up, you can sit there for fifteen minutes without moving, and road rage is unbelievable there. Nassau is going to get rid of the grade crossings for this particular reason. If you get rid of the grade crossings, it will ease your traffic fifty percent. Thank you.

95

MR. SCHNITTMAN: Charles McGowan.

MR. MCGOWAN: If I were to speak, I would be redundant because Mr. Lyons has more than adequately expressed my views.

96

MR. SCHNITTMAN: Dick Eberl.

MR. EBERL: My name is Dick Eberl. I live on Oleander Drive, which is near the high school. I lived in Northport for forty years. I lived on Long Island

1 my whole life, so I know city life because I went to school  
 2 in the city and I know country life because that is what I  
 3 came out here to go to, and it was nice country when I  
 4 came.

5 I'm basically opposed to this project. When I 97  
 6 moved here, I came here for open space. I couldn't afford  
 7 a house. When I came here my wife and I went to California  
 8 to make some money so we can could come back here and live.  
 9 When I came back, I wanted to live in Nassau County next to  
 10 Grumman where I was working, but I couldn't afford a house  
 11 there. So we kept going out and out on Long Island until  
 12 we could afford a place to live, and it was Northport.

13 I like it the way it is and I wish it would stay 97  
 14 the way it is. I think the Board has done a great job (CONTINUED)  
 15 keeping this community in demand because we have some of  
 16 the highest housing costs in the country right here,  
 17 although housing costs are going up all over the country,  
 18 except maybe in the Midwest someplace where they're laying  
 19 off all those workers.

20 We have new immigrants coming in from Mexico to 97  
 21 the tune of thirty thousand coming in here. These people (CONTINUED)  
 22 are finding places to live. I see them down in Florida,  
 23 they live, they have communities, they work their way up.  
 24 Come to the community and buy houses.

25 There seems to be a disproportion, from what I

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1 seen in the senior -- I'm a senior, I'm seventy years  
 2 old -- seniors have to move out of this area too because  
 3 they can't afford it. I think if you lived here your whole  
 4 life, I think there should be more consideration and more  
 5 senior housing in this development like they have near  
 6 Waldbaums. ] 98

7 One thing I would like to get a number on, I  
 8 don't know if anybody can put the number up, when I work at  
 9 Grumman we did life cycle cost, which means you get an  
 10 incremental cost impact of each and every item that is in  
 11 the proposal. You get a cost on what it cost to put the  
 12 roads in and what does it cost to come back to me on 22  
 13 Oleander Drive. What does it cost to put in the extra  
 14 sewage some day when you find you can't put the sewage in  
 15 the ground there. The cost of the extra lights, extra  
 16 police that you need to police this place. ] 99

17 There are an infinite number, maybe a hundred  
 18 items of cost that you experts could probably put your  
 19 fingers on, and I would really like to see how that impacts  
 20 my tax from the County, the Town of Huntington, and the  
 21 State by funding this program.

22 THE CHAIRMAN: Thank you.

23 MR. SCHNITTMAN: Bob Hill.

24 MR. HILL: My name is Bob Hill.

25 I've lived in the area I since I was about six years old

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and I'm fifty-seven years old, so I've been here a long time. I went to school as a kid in this area.

THE CHAIRMAN: We need your address.

MR. HILL: 26 Georgia Street, like three or four blocks from this proposed site here. And I'm telling you being a kid, I grew up in this area. My parents' house was only another mile and a half down the road from where this is.

Things have changed a lot. There is a lot more people and traffic and all. It's really gotten built up a lot. It was crowded years ago and it was busy. Now it's gone beyond that. I live, like I say, three or four blocks from this area. I can't get out of any of those streets.

I'm retired right now and I go in and out on some, you know, chores and errands during the day and stuff like that. You can't get in and out of that area at all.

My three kids have all gone to these schools. One of them is still in the high school. I take him to school a couple of times a week. I carpool with a couple of other parents, we carpool and stuff. You can't get around this thing now without this thing being here, let alone after this proposed project.

I understand you need affordable housing, and I'm all for that. This doesn't seem to be an appropriate area for this. It's too congested. This project was brought to

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1 our attention, like I moved here to my house over in 1979.  
 2 A year later they started making noises about this, it  
 3 would come along for a couple of years, we would go meet  
 4 about it. They would have more problems, it would go away  
 5 and come back. I haven't heard anything for quite awhile  
 6 and then all of a sudden the other day my wife said she saw  
 7 a sign on a fence the other day and they're talking about a  
 8 meeting here tonight. That's why I'm here.

9 To me it's like a recurring nightmare, it won't  
 10 go away, and to me it's totally wrong. That's all I have  
 11 to say.

12 (Applause)

13 MR. SCHNITTMAN: Frances Whittelsey.

14 MS. WHITTELEY: Good evening, I'm  
 15 Frances Whittelsey. I live at 50 Summit Drive in  
 16 Huntington. I want to talk about the traffic issue. I  
 17 think the last speaker inadvertently explained the problems  
 18 in that area. The children are being driven to school by  
 19 their parents every morning and picked up every afternoon  
 20 and the high school students individually are driving  
 21 themselves every morning and driving themselves home at  
 22 night.

23 People in that neighborhood are concerned about  
 24 the traffic, they might want to consider that situation and  
 25 perhaps --

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THE CHAIRMAN: (Speaking to audience member) You're out of order. You will be removed from the meeting if you continue.

MS. WHITTELSEY: Excuse me, I drive through that area several times a week and at many different times of day for many different reasons, among them going to the gym at Gold's on Larkfield Road. I'm there all the time. I drive past that parking lot at the high school and see a thousand cars in that parking lot.

That is the problem, not the cars that will be brought into the neighborhood by a hundred fifty families, who have limited income, who are unlikely to be able to afford more than one and possibly two cars. So I think the community needs to address the traffic problem itself and consider, from an energy standpoint, and perhaps even from a fitness standpoint, that it might be desirable for the children to walk to school or take the bus.

101  
(CONTINUED)

MR. ROSEN: Excuse me.

THE CHAIRMAN: Everyone else that spoke, the community was quiet. Don't interrupt the speakers or you will be escorted out.

MS. WHITTELSEY: Thank you. I think I said enough on that issue. The other issue that the people raised, the country has gone from Long Island. Why? Because of sprawl. Had we had this kind of project built

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1 for the last thirty years we would have more open space  
2 left. Instead we have half acre, one and two acres,  
3 McMansions, four and five bedrooms, everyone with numerous  
4 cars using tremendous amounts of energy to get any place at  
5 all.

102  
(CONTINUED)

6 It's not appropriate to lay the environmental  
7 problems of this community on this kind of project. This  
8 project has very little environmental impact comparatively  
9 to the other kinds of housing that have been built for the  
10 last forty years. Thank you very much.

11 (Boos from the audience)

12 MR. SCHNITTMAN: Mark Edwards.

13 MR. EDWARDS: I live on Elwood Road, a  
14 half mile south of the proposed development. I just wanted  
15 to say there really wasn't notification about this  
16 meeting. I only found out because my children attend the  
17 school and I received notification at the house. I would  
18 ask the Board to possibly have another meeting to include  
19 other members of the community.

103

20 I have three children in the school district  
21 right now. They're required to walk past the project. I  
22 want to find out what safety measures are going to be put  
23 in place to ensure their safety, whether it's police or  
24 crossing guards.

104

25 I'm not talking about just traffic. I'm talking

1 about crime, okay. I'm also talking about what will -- I  
 2 wasn't privy to the environmental study that was taking  
 3 place. I knew about it, but I haven't read up on it.

4 I have lived on Elwood Road for thirty-five  
 5 years, it takes me twenty-five minutes to get to work  
 6 fifteen minutes of those to get down Elwood Road. I work  
 7 in Melville. That gives you an idea,

8 You mentioned before, what can we do. It's not  
 9 really the exits and entrances of the proposed development,  
 10 it's more what you have to deal with the road on the  
 11 whole. The previous speaker mentioned all the children  
 12 driving. It's their right to drive. We pay the money so  
 13 they can do it. We work in order for them to afford to  
 14 drive their cars to school, in order for them to do what  
 15 they want to do. 105

16 There are a lots of sex offenders in the  
 17 community. That is why my children take the bus, but the  
 18 days they don't take the bus, I or my wife drive them to  
 19 school because we don't let them walk to school.

20 Jobs, I want to know what the complex or  
 21 community is doing for the limited amount of jobs in the  
 22 area for the children. I know a lot of the children are in 106  
 23 low income housing. I just want to know what is going to  
 24 be done for them to create jobs in the neighborhood. What  
 25 are they going to do for money? How are they going to go

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out there, if their parents can't afford to give them money to do things that other children do. How are they going to earn money, are they going to sell drugs or engage in crimes?

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(CONTINUED)

MR. ROSEN: Folks, stop. Up until a couple of minutes ago I thought you were being amazing because it's a controversial thing and everyone was being incredibly civil. Let's go back to that. I've been at some very contentious meetings in this room, both in the audience and up here. You have been about the best behaved audience. Let's go back to that.

I just want to correct one thing you said, and you might want to spend some time with the report. This is not a low income housing project. It's affordable housing. If you missed the numbers before, it's an income of, I believe the units of up to sixty-eight thousand dollars a year. This is for informational purposes.

The median average in Huntington right now, in part because there is very little affordable housing, but in part because of the income levels, is eighty-eight thousand dollars, so eighty percent of that is sixty-eight thousand dollars, so for a one income household, that is a pretty good income. For a two income house, it's still not a bad income. It goes down a little bit on the rental units, but I just want you to understand what we're talking

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about. Sorry to interrupt you.

MR. EDWARDS: Just want to let you know, as I do as well as all my neighbors, we pay an extreme high rate of taxes. As one of the other speakers mentioned, I would like to know what the rental units are required to pay as well as the owned units.

107

Previous town boards, not yourselves, I'm not sure, had actually approved other developments in Huntington, specifically Melville. It appears all the Melville locations, I don't know how many, I don't have the specifics on those, appear to be more on the retirement community end and not so much on the affordable income end.

I wanted to know, and try to get some idea from the Board, maybe not so much from Housing Help, how that works into being fair in the community and spreading out that.

MR. SCHNITTMAN: Melville has Millenium..

MR. SOMMER: And the Greens was state land.

MR. SCHNITTMAN: A hundred affordable rental units at the Greens. We can go on and on about Half Hollow Hills School District where --

MR. EDWARDS: (Interposing) Where is that information available?

MR. ROSEN: In the Planning Board.

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MR. SCHNITTMAN: It's in Half Hollow Hills.

MR. ROSEN: And there is another rental project pending before us right now.

THE CHAIRMAN: The bell sounded. Your time is up. If you could summarize.

MR. EDWARDS: I'm sure you're aware that the budget within the Northport-East Northport district failed last year. It's not because our neighbors didn't want to cut back on the programs, it's that we couldn't afford the taxes that we were paying.

I wanted to know what is Housing Help going to do to help alleviate some of the pressure on the school budget. Thank you. ] 108

MR. SCHNITTMAN: Marilyn Cody.

MS. CODY: Marilyn Cody. I live at 709 10th Avenue. I've only here about three years. My husband and I moved out here from Nassau County.

We now have two children. My son is five and goes to Pulaski Road School and my daughter is three. Where I live on 10th Avenue is a cross street of Elwood, and I live three houses off 10th Avenue. So, when I go to Elwood Road to make a left or right, I never sit there for less than three minutes and it's very frustrating, and if there is a train coming, it's ten times worse. ] 109

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Obviously my first concern is my children. To the comment to the lady who said about taking buses, we don't have buses. We live too close. I'm not going to let my children walk to school. If it's raining, I'm going to drive them. I'm not going to let them walk in the rain.

Unfortunately, if this does happen, I think my husband and I discussed it, we will leave. We are going to move. And I just worry about the taxes because we can afford the houses but not the taxes. Taxes on the housing project will be nothing more but an additional burden on the taxpayers.

110

Another thing, 10th Avenue is a cut-through from Elwood to Larkfield. It's terrible right now and it's going to get worse. I can't let my children -- I have to hold their hand going down my driveway because people are cutting through. If anything, that is going to get worse.

I just hope that you will look at all the facts and consequences that this will bring and stop this from happening.

MR. SCHNITTMAN: Samuel Wigatou.

MR. WIGATOU: Hello, I'm Sam Wigatou.

I live at 32 Middle Drive in Huntington. Some of the people have brought up the problem with the traffic at the intersection of Elwood and Pulaski, and several other people also brought up that a bunch of the traffic is also

1 partially caused by the fact that many people have a large  
2 number of cars.

3 I would like to point out that these low income  
4 people, someone pointed out that they won't be able to  
5 afford more than one or two cars, if at all. I would like  
6 to point out that mass transit is available to all of us on  
7 Long Island. There is a LIRR train station. The Northport  
8 train station is right near the intersection. I believe  
9 there is a HART bus stop right there.

10 I'd like to just point out that the thing about  
11 democracy is that we're all supposed to try to make  
12 everything work for each other, and I would like to remind  
13 us of Thomas Jefferson's words that we are endowed by our  
14 creator with certain inalienable rights, and among these  
15 are life, liberty and the pursuit of happiness, and I think  
16 that people of all income levels and races and states in  
17 life should be able to pursue those. I would like you to  
18 be able to keep that in mind.

19 (Applause)

20 MS. DEVINE: Sam, I just want to  
21 congratulate you on your courage to come forth to that  
22 microphone. It's very scary and you did a great job.

23 MR. SCHNITTMAN: Virginia Volpe.

24 MS. VOLPE: Good evening, my name is  
25 Virginia Volpe. I'm a twenty-four year resident of

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Northport. My address is 14 Cathy Court Northport. I've been very involved in this since 1994 and a leader with the ABC Civic Association.

In compliance with the court settlement, the ABC Civic Association stepped back and let the Citizens Advisory Committee do its job. I would like to raise my concerns.

First of all, tonight's meeting, according to the Town of Huntington Website stated, quote, "not a public meeting -- not a public hearing, but open to the public." In compliance with SEQRA, there has to be thirty days advance notification that this is a public hearing and that public comment will be welcome.

Secondly, the Draft Environmental Impact documents are supposed to be available at the public libraries thirty days prior to the hearing. It's my understanding they were not available at the East Northport library until April 21st.

Thirdly, in September of 1995, the ABC Civic Association and community compiled an extensive scoping document. I would like to encourage this board, as its responsibilities have been dictated by the courts, to be sure all the issues, including traffic in 1995, which obviously is compounded now, and the environmental issues, the student impact issues on the school. I would like that

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1 all of those issues are addressed, and wherever those  
2 impacts are high, it is the responsibility of the developer  
3 to mitigate the impacts so they don't have a negative  
4 adverse impact on community.

5 As the Citizens Advisory Committee was court  
6 appointed, I would like it entered into the record that all  
7 concerns addressed in the document that was presented to  
8 you tonight are reviewed and presented with your comments  
9 back to this community.

10 This is serious. We are protected by the New  
11 York State Environmental Quality Review Act and we want to  
12 be sure our rights are met, and if they are, then you know  
13 what? This development will work for everyone. Thank  
14 you.

15 MR. SCHNITTMAN: Sue Newton.

16 MS. NEWTON: Good evening. My name  
17 is Sue Newton. I'm a community member. I live at 16 Rocco  
18 Drive, East Northport. I wasn't planning on speaking  
19 tonight, but a few of the comments that I heard kind of got  
20 to my bones a little bit.

21 I take offense that some people think that we, as  
22 a community, don't want the project in East Northport  
23 because people look different. That is not the issue.  
24 There have been other developments in East Northport that  
25 have been fought that were high income proposals and high

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1 density proposals, and they were fought and not done. It  
2 had nothing do with race, it had nothing to do with income,  
3 but they were not allowed on the development because of the  
4 impact on the community.

5 I am more concerned about the environmental  
6 concerns like soil, electrical power plant, sewer  
7 treatment. Why should we discriminate with the lower  
8 income residents? Their health is just as important as  
9 people who have high income. You wouldn't see a high  
10 income development going on that spot, mostly because of  
11 the electrical power plant and sewage treatment facility  
12 that would be proposed there. ] 115

13 I'm in favor of affordable housing. It has been  
14 shown that ownership is the way of dealing with affordable  
15 housing. Rentals have a way of hurting communities and not  
16 even helping the lower income residents. Why not have more  
17 ownership in the units? Fifty percent is not enough. ] 116  
18 Also, the density is way too high. If we lower the  
19 density, I think you would have a lot more support of it.

20 The increase of population of the children would ] 117  
21 likely be more than what is proposed. Who is going to live  
22 in the homes? Obviously children will be living in the  
23 four bedroom units. If not, then who is? Are we talking  
24 about multiple families living in the units? Our schools  
25 can't handle that many more children. We're already

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bursting at the seams.

The sewer treatment plant facility, has been talked about for many years. It's going to be a high concern. It doesn't sound safe, and honestly, I wouldn't let my children live there because of the environmental concerns, and I have four children and I want to see them stay on Long Island, too, but I would like to see more grants and whatever to give them money so they can have a mortgage to buy a home, not rent a home they deserve to be safe, whether they have money to live here or not.

118

I have a concern about the percentage of Section 8 or equivalent of Section 8 housing that will be there. I don't know the newest number on that and I would like to hear that. That's it.

119

THE CHAIRMAN: Stacy DiConsiglio.

MS. DiCONSIGLIO: My name is Stacy

DiConsiglio. I live at 7 Fresno Court, East Northport. I live about a block away from where the project will be built. I have no problem with affordable housing. We moved out from Nassau County to Suffolk County to East Northport one, because we fell in love with the area and two, because we couldn't really afford to live in Nassau County.

My husband works in Manhattan. He takes a two hour both way train ride. We never see my husband. My

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1 children go to the Pulaski Road School. My big concern is  
2 the traffic. I think that is something that you really  
3 need to address first and foremost because we live in a  
4 court and I have so many cars going around my court because  
5 they don't want to sit on Elwood, and they don't want to  
6 sit on the other streets because it's backed up with  
7 traffic.

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8 Everything is just one way, one way south, one  
9 way north, there's no double roads. It's really a very big  
10 issue. I think it would be important for you to really  
11 address the traffic. I haven't heard of any children being  
12 hit by a car, but I don't want that to be the reason why  
13 you now would address it.

14 As a resident if this does go through, the  
15 traffic is unbearable, we would probably have to leave the  
16 area because I will not put my children under that fear of  
17 them being hit by a car. I walk my children to school  
18 every day. I have to stand on 10th Avenue a good three to  
19 five minutes before I can cross the street just to go to  
20 the school. It should not be that way. Thank you.

121

21 MR. SCHNITTMAN: Rena Kantrowitz.  
22 MS. KANTROWITZ: Good evening. My name  
23 is Rena Kantrowitz; 20 Salisbury Drive North, East  
24 Northport, about a block away from the high school  
25 intersection.

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I had no intention of speaking tonight. As a parent and educator, I teach my children and students in a situation, you work with it to make it the best that it can be, not add negative scenarios and impacts to make it even harder.

Affordable housing is a good thing, it just must be in the right location. You don't fix one problem by making numerous others.

The issue of traffic is abominable. Mr. Rosen, you asked one of the gentlemen that was up here where should the entrance be to this housing site.

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MR. ROSEN: I was trying to get some specific information because people were only speaking in generalities.

MS. KANTROWITZ: Absolutely. My fondest wish would be for the eight of you -- I work in the city, and I leave twenty minutes earlier so I don't have to be at that corner of Elwood and Bellrose and Pulaski at seven o'clock in the morning, but my husband does. Come to that corner for a week and see what goes on in the morning. You should not have to ask any of us, if you're making a judgment about putting something on a corner, you really need to look yourselves. Don't take my word.

MR. ROSEN: We've all been there, but we are trying to make a record that we can rely upon.

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I was trying to help people by having them put specifics in so we can go back.

The reason I was asking, for example, Suffolk County keeps insisting that the entrance should not be where it is, that it should be on the other road. One of the things we need at this hearing is some information from the people in the community so we can go back to them and have some discussion. If there is nothing in the record in that regard, we have nothing to go back to.

MS. KANTROWITZ: I understand what you're saying, and you should have an exact count. Somebody in that process should be sitting at that corner and counting cars and traffic lights. You should not rely on someone coming up to the podium tonight. Being that is the crux of one of the most important problems that obviously seems to be an issue here, there should be very strong statistics, someone sitting at the corner on a chair and counting the cars and counting the lights.

I truly believe such an important issue should not be by the amount of people that come up here and talk at the podium. I think that should be addressed by exact statistics, by people going out there and seeing it.

The transformer issue of people by the transformer towers, I obviously -- then cancer is an issue for everybody on Long Island. Nobody should be subjected

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to being so close to these electrical towers where people  
are saying nitrates are coming out into the water. ] 123  
(CONTINUED)

My children all went through the school district.  
They didn't go to lunch because the lunchroom was too  
crowded, so they brought lunch or came home for lunch. It  
was crowded thirty years ago, it's still crowded. You  
don't fix one problem -- the need for housing is true, but  
I don't want my children to come back to Long Island and  
live in a place that is unhealthy or unsafe. They will not  
come back to Long Island for that reason, whether there is  
affordable housing or not.

MR. SCHNITTMAN: Last card, Eric  
Alexander.

THE CHAIRMAN: After Mr. Alexander  
speaks, there is no one that will be allowed to speak  
because we have no more cards. I will give a brief rundown  
of what the time frame is in the near future related to  
this project.

MR. ALEXANDER: Eric Alexander; 164 Main  
Street, Northport. I'm also director of Vision Long Island  
Smart Growth Planning Organization. We want to comment  
tonight in support of the project. It's not a model on  
community process or design, it is something clearly that  
needs to get done. ] 124

There is a long court history. Clearly, I guess

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1 it's a testament to perseverance on both sides. Obviously,  
2 Huntington needs affordable housing.

3 The second question is really the question for  
4 local preference. A lot of fears; fear of outsiders. I  
5 don't think that is racism. I think people try to throw in  
6 the race card. I think that is wrong. The question is who  
7 will benefit from the project. I think if there is a  
8 preference for Northport or Northport residents, that is a  
9 positive. Given the fact there is a preference for  
10 Huntington residents, that is a positive.

11 In regard to taxes, I disagree that rentals are a  
12 drain on the school district. Most rental houses is tax  
13 positive, there are studies to prove that.

14 Regarding sewers, we wish there are was more  
15 sewer capacity in Suffolk County in general.

16 Regarding building design, I think it's certainly  
17 been an improvement over the years. Well designed,  
18 appropriately designed buildings with respect to character  
19 and key, bottom line, rental housing is not a blight to the  
20 community. Northport Village has a tremendous amount of  
21 rental housing now. Here is a question of creating rental  
22 housing outside of the Village per se. The question is,  
23 will that be a benefit to the community.

24 I think the flexibility -- these are group of  
25 people that aren't necessarily the most flexible. It's

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1 been in court for twenty-five years. In fact,  
2 homeownership is an equity that is on the table and there  
3 has been a judgement to the income levels and the need for  
4 Long Island has been so tremendous. There is some  
5 flexibility here. I think it's something that moves in the  
6 right direction.

7 Is it the model for public housing design?  
8 Probably not, but it is folks who have been flexible, folks  
9 are moving in the right direction and we hope to see these  
10 issues resolved. Thank you.

11 THE CHAIRMAN: I'd like to thank you  
12 very much for your courtesy and very intelligent remarks.  
13 Additional comments must be submitted by May 26th. I  
14 mentioned that before. All of the comments raised today as  
15 well as those between now and May 26th will be considered  
16 and reviewed by the Board. Approximately forty-five days  
17 after today's hearing, a Draft Final Impact Environmental  
18 Statement will be prepared. We, the Planning Board, have  
19 up to thirty days after that to render a determination.

20 Planning Board's agenda, listen carefully because  
21 you may be interested, Planning Board agendas are posted on  
22 the Internet. We meet every other or sometimes every week,  
23 Wednesday evenings at seven thirty. They're posted on the  
24 Internet on the Town of Huntington Website under "agendas."  
25 The meetings are public, which means you can come and

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attend the meeting. However, you are not allowed to participate. You can hear our discussions and debates, so if you look on the agenda and you see that this project is on the agenda for discussion, you're welcome to come and listen to our discussions relative to this project.

With that, I just you want to thank you all and I'll declare this hearing tonight closed. Thank you.

(TIME NOTED: 9:50 P.M.)

