

**STAFF COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT
AFM REALTY OF HUNTINGTON CORP. /HARBORFIELDS ESTATES**

LAND RESOURCES

Soils

The results of soil testing were included in the DEIS; however, only three samples were taken. A map locating where samples were taken was forwarded after receipt of the DEIS and is attached hereto. While elevated levels of arsenic were detected, placement of such excavated materials in the roadbed, landscape berm, and drainage area, as proposed in the DEIS, would clearly not be acceptable mitigation. The DEIS considers the project to entail complete site manipulation as a worst case analysis, with overall impacts "anticipated to be less intense than those presented (pg. 1-7)." Additional testing should be conducted, to be directed with the input of the SCDHS on their review of the DEIS. The results of further soil sampling and potential mitigation therefor should be incorporated into any FEIS prior to its adoption. See attached memo of December 23, 1999 from S. Robin regarding the soil test report, to be considered a part of these comments.

Vegetation/Wildlife/Habitat

Removal of all site vegetation, as depicted in Table 1-1, suggests that any species inhabiting or growing on the site will be displaced. In order to avoid removal of all existing habitat natural/naturalized buffers could be reserved along the railroad and/or Pulaski Road, which would serve as habitat as well as a minimal noise break. The DEIS discounts any regional impacts due to habitat loss. While the land does not have diversity of habitat, old field/open meadow is among the least represented community types in the Town and there are few such areas that are actually managed to perpetuate such habitat.

Summary of irreversible and irretrievable commitment of resources on page 3-29 states: "The development of the proposed Harborfields Estates subdivision will result in irreversible and irretrievable commitment of resources. The importance of this commitment of resources is not anticipated to be significant, due to the fact that these losses do not involve any resources that are in short supply, semi-precious or precious to the community or region, or otherwise substantial." This is an extremely conclusory statement for a DEIS, particularly for one which includes no cumulative resource analysis upon which to base such finding. As a vacant open space parcel greater than 35 acres in size, an intact single tract clearly visible from a heavily traveled roadway (minor arterial), a mapped Open Space Index site, the subject property has regional open space value.

SITE YIELD/DESIGN REQUIREMENTS

Transportation/Roadway Improvements

The DEIS indicates on pg. 1-7 that "plans have been submitted by the Applicant to the SCDPW; if that agency has comments in regard to vehicle access and roadways, these will be addressed during preparation of the Final EIS." The SCDPW has provided the applicant and consultants thereto with written comments indicating their interest in acquiring a 20-foot widening along Pulaski Road and a second access drive to Lake Road (see attached letters of January 29, 1996 and October 13, 1993).

The subdivision plan continues to limit all project generated traffic to one access almost opposite Tulane Place, an unsignalized intersection. Level of Service is anticipated to diminish from B to D and C to D during the a.m. and p.m. peak hours respectively. With project frontage almost one-half mile long, the choice of access location and reason for singular access should be provided. Several references are made to a southerly buffer to be provided. The practicality of this buffer depends on future road improvement requirements.

Fire/Emergency Services

The Chief of the Greenlawn Fire Department, David Caputo, has indicated in writing (Appendix A-9) "...it would be to the fire departments and homeowners advantage to have a second access point on the west side of the property. For any number of reasons the primary access could be blocked, and in an emergency the responding vehicles would have to enter the development by the second access point." Despite such, no additional emergency access is shown on the revised plan. The plan still provides one access point at the eastern end (closest to the fire district) of the property requiring fire fighting equipment to traverse the entire road system to reach properties at the westerly end. Page 1-4 of the DEIS states: "If an additional site access is deemed necessary by the Town and/or SCDPW, this can be accomplished by extending the southerly cul-de-sac roadway westward to Lake Road." In this particular instance, extending the southerly roadway westward to intersect Lake Road would place it through the middle of the proposed park pond/drainage area. As the issue is met with flexibility, such determination could be considered a standard site design/subdivision issue that can be deliberated at a later time by the Planning Board should the rezoning be approved. However, it must be clear that no yield determination can be made until the roadway orientations and intersections are so established. While comments were requested on the adequacy of the proposed thirty (30) foot road widths and ambulance services, no response was provided in the DEIS.

Yield/Project Design/Alternatives

The DEIS includes five alternatives (one being no action, vacant) and the preferred plan, a total of six concept options. Four rely on/presuppose the Planning Board would grant modifications. There are several elements that will require the determination of the Planning Board at the time an application for subdivision is considered—yield confirmation, parkland setaside and location, potential modifications, and provision of an affordable project component.

Project yield has not been determined and such remains within the jurisdiction of the Planning Board on a future subdivision review. There are several inconsistencies in the theoretical yield studies, the most basic being that they do not all show park dedication or recharge basin and only one (R-40 yield study) shows the 20-foot widening along Pulaski Road. The R-20 concept design alternatives are not all at the same yield and show from 59 to 61 to 70 lots. That the mixed cluster of attached and detached units has a yield that is 11 lots more than the proposed plan does not really make it a reasonable alternative.

The lot designs differ in their buffering of site constraints i.e., frontage on a major east/west arterial, and the railroad and high-tension lines that traverse the rear of the property. Only the mixed cluster alternative deliberately designs defined buffer area (50 feet) from the north (LIRR) and south (Pulaski Road) property lines. An additional element that should be considered and reported in Table 6-1,

Comparison of Alternatives, is the closest proposed setback of any planned home from the north property line along the LIRR.

Ann attached cluster alternative should be incorporated, consistent with the Lakeridge development to the north and the original planning staff study on which the recommendation to rezone was based. Such an alternative should include parkland on the east side of the site (as recommended in the staff study), dual access, 20-foot widening on Pulaski Road and standard drainage system. While Lakeridge was developed around a water feature (which was existing), a recharge basin was provided. All standards contained in the Zoning Ordinance of the Town of Huntington and Town of Huntington Subdivision Regulations and Site Improvement Specifications are to be considered necessary for potential yield and design purposes for the proposed action and all alternatives.

Parkland

The park is designed as a passive park and is used as mitigation for a number of impacts identified in the EIS. The subdivision regulations require a 10% park setback so that the majority of what is provided is actually imposed by regulation not offered as mitigation. The pond in the park is used to avoid providing the recharge basin the subdivision regulations require. The pond, if designed with a liner, would not allow water recharge to take place. Current Town regulations do not allow the assignment of plat area to dual purposes (e.g., recharge basin/drainage and parkland setback). The need for a passive park in Greenlawn/Huntington Station is exceeded by the need for active recreation facilities. See this discussion in the DiCanio Communities, Inc. EAF parts II and III.

Plate 5 indicates the conceptual park area layout. Unlike the popular “New Urbanist” goal to provide “enclosed” public spaces to enhance a sense of neighborhood, the park area is isolated from the planned development. Not even a right-of-way/path is provided from the internal cul-de-sac roadways for prospective homeowners to access the area directly. The park is planned to consist of a water feature/pond/drainage area and a landscaped berm. No homes will face the park. Therefore, the park area will not be directly visually or physically accessible to the new community to be built. By the nature of the design, the park shall serve a “structural buffer” purpose, similar to the planned evergreen buffer along Pulaski Road (within the 20 foot area that might be required for widening)—insulating the new development from outside constraints.

Affordability

Staff recommended that the applicant consider establishing 10% of the units as low-income and 10% as moderate-income, based on the regional median income, indistinguishable in style from the remainder of the planned development to meet identified needs in the community. The Planning staff memo (Appendix A-3) which supported rezoning the site to R-20 in anticipation of modified attached cluster development discussed the affordable housing issue and states: “limiting floor area reduces construction costs and future maintenance costs. The key to “affordability” is the reduction of costs of purchase, construction and anticipated maintenance.” However, the DEIS indicates on page 1-6 “The Applicant does not propose to set aside any units for purchase by low and/or moderate-income housing (“affordability”).” Six (6) 3-bedroom (2,400 sf/1 story); fifty (50) 4-bedroom (3,600 sf/1.5 stories); and three (3) 5-bedroom (4,800 sf/2 stories) units are projected.

Schools

Correspondence from the Harborfields School District is provided in the DEIS projecting number of students expected to increase (100) and using the methodology developed by the Western Suffolk BOCES-School Planning and Research Department (110) upon development. While a cost/revenue analysis is provided for the proposed R-20 zoning (pg. 3-22), similar analysis should be applied for the existing R-40 scenario. The DEIS states on page 3-23 regarding effect to school district, "the net loss represents an insignificant impact (less than 2.1% of the overall budget) to the school district's fiscal position." An additional 2.0% cost to the district budget is not insignificant. The School Superintendent's letter identifies a serious classroom space shortage to be exacerbated and expectation of having to hire additional staff and provide additional services to fulfill the student demand. To meet costs related thereto (estimated shortfall of \$656,773), the district may need to reduce some services presently provided or increase taxes overall.

Unlike larger school districts in the Town, with perhaps greater flexibility to redistrict, the Harborfields School District only has one elementary school, one middle school, and one high school. While the DEIS places the burden on long-term planning of the school district, a rezoning should not be taken for granted as it is a legislative act that should be predicated on public benefit. Therefore, the requested higher density zoning is not something that normally would be projected into classroom planning and budgeting, although the Superintendent is aware of the proposal. With the assistance of Western Suffolk BOCES, all of the school districts in the Town carefully track all new developments and pending applications that have potential to generate new students to insure that needs will be met. The Department of Planning and Environment consistently assists in providing such information.

Demographics

Page 3-25 notes a total population of 177. If there are 110 school-aged children (as projected), it would leave a balance of only 67 adults for the 59 homes which does not appear correct.

Utilities

There is a simple discussion on page 2-38 of the DEIS regarding non-ionizing radiation and electromagnetic fields. This is responding to staff concern with the site's proximity to the high tension lines which run along the northern boundary of the property, the transformer site (LIPA) to the west, and the specific activity (testing) that occurs at the adjoining Hazeltine plant to the east). A sizeable Appendix E has been added to the DEIS entitled Internet Search/Non-Ionizing Radiation and Health Effects. The articles presented indicate that there is no conclusive evidence that exposure can be considered a human health hazard, in particular disavowing any potential link to cancer. Nevertheless, due to the inconclusive body of such epidemiological studies, mitigation in the form of separation was incorporated as a condition of the Avalon II rezoning to greater residential density in Melville based on the outcome of on-site testing. No actual measurements have been provided. The DEIS will be distributed to the SCDHS, as an involved agency, that can comment on whether any specific mitigation may be warranted.

Historical/Archaeological

Page 2-46 provides the conclusions of the Stage IB Cultural Resource Assessment prepared for the site which addresses two potential archaeologically important zones in the northwestern portion of the property (proposed for park/pond/drainage area). It states "Further study would be necessary to

determine the nature and significance of these finds and to properly map and document the surface features prior to their disturbance or obliteration by the proposed construction activity.” Consistent with other cultural resource assessments, the study will be forwarded to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), State Historic Preservation Office (SHPO) for their comment and direction. It is noted that the testing was done at a 100-foot interval which is not in accordance with present OPRHP, New York Archaeological Council guidelines (16 test holes per acre). Should SHPO substantiate that additional testing should be conducted, it should be done to their specification and prior to the adoption of an FEIS in order to have an opportunity to consider alternative conceptual design.

The mitigation and impacts sections of the DEIS offer identical statements: “Subsurface investigation of these areas can be accommodated prior to or during the initial phases of construction.” It would be highly inconsistent to allow such testing during construction as any truly significant archaeological finds might require relocation of planned site use as mitigation, an option that would be foreclosed once construction was initiated. As the artifacts already located are historic in nature (perhaps lying closer to the surface), and not prehistoric, they may be more susceptible to grade changes caused by site clearing. Excavating such area for drainage/pond/landscape berm purposes, as is proposed for the westerly site component, could severely impact any residual artifacts that may have been protected by the existing conditions.

Noise

Noise measurements have been included in the DEIS as requested; however, the readings were taken on a Sunday afternoon, about 4 p.m. There are considerably less trains running at that time and notably less diesels. The DEIS even indicates on page 2-45 that weekend train schedules are reduced by approximately 75%. With most schools and businesses closed (November 29, 1998 when the readings were taken was the Sunday of Thanksgiving weekend), traffic noise on Pulaski Road is greatly diminished. Therefore, the readings provided should not be considered “worst-case scenario,” but instead, perhaps “best case scenario.” Even at such time, engine and track noise from passing trains was measured at 86dBA and a whistle reading at 500 feet away was measured at 79dBA, considerably in excess of the standard guidelines (e.g., HUD for new housing) for outdoor residential sound levels (65 dBA). Siting modifications and/or other means of attenuation (e.g. solid barriers) should be considered for incorporation into project design to reduce impacts to future homeowners from excessive vibration.

The applicant recently completed another R-20 project, Gildersleeve Estates, with a similar location between the LIRR and Pulaski Road. The Planning Board modified the lot configuration to enable deeper lots (all but one exceeding 200 feet, due to a connection with an existing tap road) to be provided along the LIRR boundary. Width at the required setback was reduced from 100 to 90 feet. The builder reported to staff that the six foot high stockade fencing and a 30-foot bermed and landscaped (trees were relocated there) covenanted area along the LIRR boundary made these lots more desirable than those backing on Pulaski Road and they actually sold out first. Even the other project of the applicant that adjoins the LIRR, Cobblestone Estates, seeks to maximize setback from the railroad. Measurements taken at this (former ISC) site west of Park Avenue, also adjoining the LIRR, were requested for comparative purposes; however, they have not been presented. The

applicant's preferred plan depicts lots (modified in area) that are only 160 feet deep along the LIRR, placing new homes approximately 80 feet off the LIRR boundary.

Attachments

Consider the attached letters of the Suffolk County Department of Public Works (January 29, 1996); Suffolk County Department of Health Services (February 6, 1996); Huntington Conservation Board (April 16, 1996); and Scott Robin (December 23, 1998) and soil test map forwarded by Nelson and Pope as part of these comments.

TOWN OF HUNTINGTON, N. Y.
DEPARTMENT OF PLANNING AND ENVIRONMENT

Inter-Office Memorandum

Date: December 11, 2000

To: Supervisor Frank Petrone
Councilman Steve Israel
Councilwoman Susan Scarpati-Reilly
Councilwoman Marlene Budd
Councilman Mark Cuthbertson

From: Richard Machtay, Director

Re: AFM Realty of Huntington Corp./Harborfield Estates
Proposed Change of Zone #96-ZM-290 from R-40 to R-20
SCTM 0400-105-02-029; *Final Environmental Impact Statement*

The staff has completed its review of the amended draft document and has recommended that it be considered by the Town Board.

The action on which the FEIS is based is the rezoning from R-40 Residence District to R-20 Residence District for 39.3 acres located on the southwest corner of the intersection of Lake Road and Pulaski Road in Greenlawn. The rezoning is proposed to enable development of 59 detached single-family homes. A conforming yield analysis indicates that 29 homes could be built at the existing zoning. A new alternative was added to the FEIS, which depicts a reduced lot yield of 49 lots.

The SEQRA regulations specify that if a public hearing has been held on a DEIS, the lead agency has 45 calendar days from the close of the hearing to file an FEIS. However, consistent with SEQRA which allows for the extension of this time-frame, the time line was extended from November 11 to December 25, 2000. It remains at the Town Board's discretion to make final revisions to the FEIS and/or to call for its supplementation. Attached hereto is a copy of the narrative from the FEIS, as amended with staff input. For the purpose of photocopying, the full hearing record and written comments are not being forwarded as substantive comments are quoted and/or cited within the FEIS. All such comments will appear as appendices in the final document for distribution.

The purpose of an FEIS is to respond to the substantive comments placed on the record and any new information during the established public comment period. The document incorporates the DEIS by reference and completes the record upon which the Town Board must form its determination/findings on the rezoning action. *SEQRA [6 NYCRR 617.9(b)(8)] states that: "The lead agency is responsible for the adequacy and accuracy of the final EIS, regardless of who prepares it."*

While acceptance of the FEIS does not commit the agency to any approval of the action, findings and a decision must be forthcoming within 30 days.

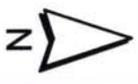
cc: T. Neira, Town Attorney
J. Raia, Town Clerk

Harborfields Estates (AFM) Zone Change Area Study



- AFM Subject Property
- Zone change Enact #s
- Huntingdon Parcels
- Town of Huntingdon Zoning
- C-1 Office Residence
- C-10 Planned Motel
- C-11 Automotive Ser. Station
- C-12 Professional
- C-13 Cultural Center
- C-14 Commercial Recreation
- C-2 Single Office Bldg.
- C-3 Special Building
- C-4 Neighborhood Business
- C-5 Planned Shopping Center
- C-6 General Business
- C-7 Highway Business
- C-8 General Business
- C-9 Harbor Use
- I-1 Light Industry
- I-2 Light Industry
- I-3 Light Industry
- I-4 Light Industry
- I-5 General Industry
- I-6 General Industry
- R-10 Residence
- R-15 Residence
- R-20 Residence
- R-3M Residence
- R-40 Residence
- R-5 Residence
- R-7 Residence
- R-80 Residence
- R-MS Medical Services
- R-RM Residence

Draft for Inter Intra Agency Review
 TOH Planning Dept. DCD
 Dec. 1, 2000



TOWN OF HUNTINGTON, NY

Intra-Office Memorandum

Date: **July 21, 2000**

To: **RICHARD MACHTAY - DIRECTOR OF PLANNING**

From: **SUSAN A. BARRAFATO - DRAFTER-ILLUSTRATOR**

Re: **FRAZER DRIVE PARK**

Frazer Drive Park consists of two parcels. The 14.22 acres on the west are part of Sunrise Farms Section 1, filed 1/13/65 as map No. 4243. The 68 acres on the east are part of Wicks Farms Section 5, filed 7/3/64 as map No. 4084.

Sunrise Farms Section 1 is zoned R-10 & R-40 [R-7 to R-40 1/44 & R-7 to R-10 2/55]. Sunrise Farms section 2 is zoned R-40 [R-7 to R-40 1/44].

Total area for sections 1 & 2 =	44.789 ac.
Area in recharge basins =	1.989 ac.
Parkland =	14.220 ac.
Modified lots range from	15,000-28,029 square feet
Average width ranges from	83-126 feet
Side yards are	20 feet (exc. lot 1 sec.1, 12')

Wicks Farms Sections 1, 2 & 4 are zoned R-10 [R-7 to R-10 2/55]. Wicks Farms Sections 3, 6 & 7 are zoned R-10 & R-40 [R-7 to R-40 1/44 & R-7 to R-10 2/55]. Wicks Farms Sections 5 & 8 are zoned R-40 [R-7 to R-40 1/44].

All lots lying within R-10 fully comply.

Lots lying within R-40 are modified as follows -

Minimum area -	15,000 square feet
Minimum side yard -	12 feet/24 feet total
Minimum front yard -	40 feet

/sab

Superseded by 12/12/00 T Bd
FINAL ENVIRONMENTAL IMPACT STATEMENT

HARBORFIELD ESTATES

CHANGE OF ZONE APPLICATION
#96-ZM-290

**Greenlawn, Town of Huntington
Suffolk County, New York**

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TOWN BOARD
CLERK



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SECTION 1.0
DESCRIPTION OF THE PROPOSED ACTION



1.0 DESCRIPTION OF THE PROPOSED ACTION

This document is the Final Environmental Impact Statement (FEIS) prepared for a change of zone application for 59 homes on a 39.3 acre parcel of land in Greenlawn, Town of Huntington, New York. The project site is located at the northeast corner of the Lake Road/Pulaski Road intersection, and has approximately 1,940 feet of frontage along Pulaski Road (which lies along the site's southern border), and approximately 933 feet along Lake Road (the western boundary of the property). The property is identified as Suffolk County Tax Map District 400, Section 105, Block 2, Lot 29.

A pickle works was established on the site in the late 19th century, containing farming-related structures and a rail spur. However, these were removed in the late 1960s, though farming continued on the site until at least 1984. Anecdotal information provided by the Applicant indicates that all farming ceased on the site by 1988. Although no structures remain, some land disturbance is evident in the form of dirt paths in the center and northeastern portions of the site. The project sponsor is Evergreen Homes, whose current Change of Zone application before the Huntington Town Board has been designated #96-ZM-290.

1.1 Project Background and History

A previous rezone application (designated #89-ZM-255) had been submitted to the Town Board for this site in May of 1989. Following review by the Town Planning Department staff, and issuance of a Resolution for a Positive Declaration by the Town Planning Board, a Positive Declaration was issued by the Town Board as "Lead Agency" under the NYS Environmental Quality Review Act (SEQRA). However, this application was later withdrawn.

The current change of zone application was submitted to the Town Board in late 1995; **Appendix A-1** contains the Environmental Assessment Form (EAF) Part I which was part of that submission. Subsequently, in lieu of further documentation, and in anticipation of a requirement for a Draft EIS, the Applicant chose to have the DEIS prepared immediately. That document was prepared and submitted in February, 1998. After review, and comment by the Town, and revision by the Applicant, the revised DEIS was submitted in December, 1998. The Town Board forwarded the document to the Town Planning Board for review and a recommendation; the Town Department of Planning and Environment submitted its comments (undated) to the Planning Board on February 4, 1999 (see **Appendix A-2** for the cover memo, and **Appendix B** for the comments). An April 7, 1999 Resolution of the Planning Board recommended that a Positive Declaration under the NYS Environmental Quality Review Act (SEQRA) be issued for the application (which requires that a DEIS be prepared), and that the DEIS be accepted as complete for public review (see **Appendix A-3**). **Appendix A-4** contains a letter from the Suffolk County Planning Commission, which indicates that there were no apparent significant county-wide or inter-community impacts. However, the letter noted, "*A decision of local determination should not be construed as either approval or disapproval.*" The letter did note that an alternative vehicle access via Lake Road appears to be warranted. **Appendix A-5** presents



the Town Board Resolution which issued the Positive Declaration, accepted the DEIS, and scheduled the public hearing on both the DEIS and the change of zone application.

Written comments from the Town Highway office (August 1, 2000) and Town Conservation Board (September 19, 2000) are presented in **Appendices C and D**, respectively. The public hearing was held on September 26, 2000 (see **Appendix E**), and written comments provided by Town residents after the public hearing are contained in **Appendix F**.

An additional factor has arisen with respect to potential land use of the project site. As part of its pending East Side Access project, the Metropolitan Transit Authority (MTA) has proposed a number of sites which may be appropriate for use as a rail car servicing facility; the project site was included on this list. The MTA could gain control of the site through either direct purchase from the property owner (the Applicant of the Harborfield Estates project), or by condemnation under the MTA's eminent domain powers. The applicant indicated during the public hearing that he has not been contacted by the MTA in regard to purchase. As an additional factor of potential land use, the Town Board is considering establishing a park on the site. The Town Board scheduled a public hearing on its initiative to condemn the site, for the purpose of public acquisition as natural parkland (see **Appendix G**). Also contained in this appendix, as well as in **Appendix E**, are public comments submitted after the Harborfield Estates hearing which address this issue. However, as the proposed Harborfield Estates project and this proposed Town condemnation are unrelated actions, the Lead Agency has determined that comments received in regard to condemnation are irrelevant with respect to the proposed rezoning, and will not be responded to in this document.

This FEIS is a part of the EIS record; the DEIS is incorporated by reference such that the combination of the DEIS and this document constitutes the complete EIS.

1.2 Purpose of this Document

This document addresses the agency comments on the DEIS and change of zone application, the written public comments received by the Lead Agency, and the oral public comments provided during the September 26, 2000 public hearing.

1.3 Design and Layout

The project sponsor is seeking a zone change from R-40 (Residence) to R-20 (Residence), the proposed subdivision design is based on the zoning requirements for the R-20 District. The proposed subdivision depicts 59 lots; however, during its review of the subsequent Subdivision application, the Town Planning Board will determine the number of units (lots) appropriate for this site if the requested R-20 zoning is approved. The project will conform to the standards contained in the Town document, "Town of Huntington Subdivision Regulations and Site Improvement Specifications".



1.3.1 General Site Description

The 39.3-acre site is presently unimproved and is best characterized as an overgrown field established in shrub growth and herbaceous weeds. The project sponsor intends to subdivide the site into 59 lots for single family residential use. The Applicant does not propose to set aside any units for purchase by low and/or moderate-income housing ("affordability"). Following is a listing of the numbers of units having 3, 4 and 5 bedrooms, along with estimated square footages of each:

3-bedroom units	6 units	2,400 SF/1 story
4-bedroom units	50 units	3,600 SF/1-1/2 stories
5-bedroom units	3 units	4,800 SF/2 stories

Each lot in the proposed design conforms to the 20,000 square foot (SF) minimum lot size for developments under the R-20 zoning classification. The proposed design includes a loop road with a single access point on Pulaski Road. Two cul-de-sac streets would extend to the western portion of the site from the loop road. As per Town Code, 10% of the site will be set aside for a neighborhood park on the west end of the property at the intersection of Lake Road and Pulaski Road. The proposed park would total 5 acres and would include a walking trail, pond/recharge area and benches.

Access to future lots will be provided via driveways originating from the loop road and cul-de-sac roads.

Approximately 0.8 acres will be incorporated into a landscaped berm along the eastern boundary of the park. The landscaped berm will be approximately 50 feet wide and will provide a permanent vegetated screen between the lots and park. A 20' deep buffer along Pulaski Road and rear-yard buffers in lots along the LIRR tracks will provide noise reduction for vehicle traffic and trains, respectively.

To provide a means for evaluation of development impacts, site coverage quantities have been estimated. These estimated site quantities are based on the typical residential properties currently being constructed on 20,000 SF residential lots in the Town of Huntington. The estimated areas include road construction, areas dedicated for landscaped buffers, the neighborhood park and a pond/recharge basin. The site coverage quantities are conservative, as they represent full development of the subject site. The conservative site coverage quantities are intended to provide the Town of Huntington Town Board with a worst-case development scenario by which impacts may be assessed and a decision rendered. Although site coverage and layout will be determined as the site is developed on a lot by lot basis, actual site coverage quantities are anticipated to be less intense than those presented in **Table 1-1**.



**TABLE 1-1
SITE COVERAGE QUANTITIES**

Coverage Type	Existing Conditions		Proposed Conditions	
	Acres	Percent	Acres	Percent
Buildings	0	0%	2.44	6%
Roads	0	0%	2.75	7%
Driveways	0	0%	1.02	3%
Lawn/Landscaping/Natural	0	0%	27.29	69%
Landscaped Buffer	0	0%	0.80	2%
Park/Recharge Pond	0	0%	5.0	13%
Overgrown Field	39.3	100%	0	0%
Totals	39.3	100%	39.3	100%

1.3.2 Road System

A single road access will be provided near the eastern side of the subject site opposite Tulane Place. A 30 foot wide subdivision road would be provided within a Town-standard 50 foot right-of-way. This would enter the site and extend westward, with two legs of the road having cul-de-sacs near the west side of the site. The cul-de-sacs would be connected in the mid-western part of the site.

These roads would be constructed to relevant Town specifications subsequent to engineering and drainage review as part of the subdivision process, including drainage, right-of-way width, road width, curbing, lighting, sidewalks, and right-of-way landscaping. The subject application is for a change of zoning, and therefore, final road design will be dependent upon Planning Board review subsequent to the change of zone, if granted.

1.3.3 Recharge and Drainage

The proposed project involves establishment of roads for access to proposed residential homesites. The additional paved road surfaces necessitate storage and recharge of stormwater. Runoff must be contained for the road surface area, as well as for contributing areas based on a coefficient of runoff as per Town of Huntington Subdivision regulations.

The Town of Huntington Subdivision regulations require storage for stormwater for a 9 inch storm event in situations where no positive water overflow is provided. The required storage is determined by the site area (in acres) times a factor of 8175. For the subject site, the total storage required would be 321,278 cubic feet.



The conceptual layout plan provides a 5 acre park area on the west side of the project site. Some portion of the land will be used for the recharge of stormwater. Several possible methods of handling stormwater may be employed for the project and are described below.

A pond/recharge area could be constructed where a minimum water elevation would be maintained by a liner. Additional storage capacity would be provided above the liner to a level established at the top of the slope, referred to as "freeboard". The amount of storage needed could be reduced by reducing paved surface area, and by providing leaching catch basins in the street to store approximately 2 inches of precipitation. The overflow from the catch basins would be conveyed to the pond/recharge area to provide the needed storage. The necessary freeboard would be in the range of 5 feet under this scenario, with side slopes of approximately 1:4. The pond/recharge area would be an amenity as part of the park setting and would enhance the visual and aesthetic qualities of the site. Low fencing (3-4 feet in height) and landscaping could be provided in order to limit access and reduce liability. Walking trails and benches would be provided to enhance the utility of the park. The minimum surface area of the pond/recharge area would be approximately 1.1 acres, with side slopes and landscaping surrounding this feature. This would provide a total of 5 acres for the park, of which approximately 1.5 acres would be occupied by the pond/recharge area. The design would have to meet Town Engineering review requirements, and if the roads and recharge systems are offered for dedication to the Town, certain design requirements may be imposed.

The recharge generated from the construction of paved surface areas could easily be accommodated by a standard recharge basin of approximately 1.1 acres. This would not require extensive storage using catch basins in the street. The recharge basin would be part of the plan, but would be fenced and surrounded by landscaped vegetation. This is a more traditional method of runoff storage, and would be expected to meet Town standards for dedication. This scenario would provide nearly 3.9 acres for park use on the west side of the site, and the recharge area would be made attractive through the use of landscaping. The design would include extensive landscaping surrounding the recharge basin.

The proposed project is for a change of zone, therefore it is not appropriate to engage in significant engineering and drainage design. The design concepts have been considered and provide an adequate basis for impact analysis based upon the design parameters noted above. Refinements to this design can be incorporated into the environmental review process. In addition, should the zone change be received favorably by the Town Board, a subdivision application with complete grading and drainage review will be necessary before subdivision approval and construction. The EIS considers the recharge system to be part of the overall park/open space setting, with between 1 and 1.5 acres devoted to recharge (with a possible pond) and the remaining area devoted to landscaping, trails, sitting areas and open space.

1.3.4 Sanitary System

Wastewater will be generated as a result of the proposed use of the site as a residential development. All sanitary wastewater effluent is proposed to be disposed of via individual



on-site sanitary waste disposal systems. This form of disposal is acceptable provided the projected wastewater design flow does not exceed standards established by the Suffolk County Department of Health Services (SCDHS).

Article 6 of the Suffolk County Sanitary Code (SCSC) addresses sewage facility requirements for realty subdivisions, development and other construction projects in order to limit the loading of nitrogen in various groundwater management zones as established by the SCDHS. As promulgated under Article 6, a Population Density Equivalent must be determined for the subject site in order to determine the type of sewage disposal system required for the proposed project. This equivalent (or total allowable flow) is then compared to the design sewage flow for the project. If the project's design sewage flow exceeds the Population Density Equivalent, a community sewerage system or on-lot sewage treatment system is required. If the project's design sewage flow is less than the site's Population Density Equivalent, a conventional subsurface sewage disposal system may be used, provided individual systems comply with the current design standards and no community sewerage system is available or accessible. No community sewerage system exists in the vicinity of the subject site.

The project site is located within Groundwater Management Zone I as defined by the SCDHS. Based on the requirements of Article 6, no more than 600 gallons may be discharged per acre on a daily basis within this zone. The site acreage used for determining this Population Density Equivalent must not include wetlands, surface waters, or land in flood zones. The subject site is 39.3 acres in size and does not contain surface waters or wetlands. Thus, the Population Density Equivalent (total allowable flow) on the subject site is calculated as:

$$39.3 \text{ acres} \times 600 \text{ gpd} = 23,580 \text{ gallons per day (gpd)}$$

The project sponsor intends to utilize conventional subsurface sewage disposal systems on site, therefore, the total design flow must not exceed the Population Density Equivalent calculated above.

The current design sewage flow standard for single family residential units applied by the SCDHS is 300 gpd. Therefore, it is estimated that the 59 proposed residences will generate approximately 17,700 gpd of sewage flow. This is 5,880 gpd less than allowed by the SCDHS under its current regulations, therefore, conventional on-site sanitary systems may be used for this development.

1.4 Construction

The installation of the subdivision road and associated recharge basin will involve routine construction practice. Building permits and plot plan review will be required for the proposed homes. Extensive grading will not be required, as the topography of the site is relatively flat. Slopes created on the site will not exceed 1:3 and disturbed areas will be stabilized with landscape material as soon as practically feasible following disturbance. As the site had been in agricultural use for a long period of time, analysis of the surface soils was undertaken to



determine the presence and potential impact of agricultural chemicals (e.g., fertilizers, herbicides, pesticides and fungicides). The results of this testing program indicates the presence of several substances, though only arsenic was detected at levels for which further testing is appropriate. Therefore, in addition to performing this additional testing, and as a precautionary measure, the Applicant will have the topmost 6 inches of soil removed from those portions of the site which will be in lawn areas of lots. This material will be used within the site as roadbed, in the landscaped berm, drainage areas and/or other areas of the site not anticipated to come into contact with residents. Completion of subdivision roads will include installation of available utilities. Utilities such as LIPA electrical service, LIPA gas service, Greenlawn Water District water main extension and NYNEX telephone service will be installed at that time. In addition, the proposed recharge basin will be completed in order to receive stormwater runoff from the subdivision road and other impervious surfaces. Material excavated from this site will be used on site for grading if needed, or will be removed from site if excess fill is not required. The existing grades are such that extensive excavation is not required to complete the subdivision, thereby providing the ability to balance cut and fill. Only those areas involved in subdivision improvement construction will be disturbed during this phase.

Construction of each individual site will begin with excavations for foundations and footings. House construction will commence along with utility connection, drainage/sanitary system installation and lighting installation. Following completion or near completion of the building, final site grading and the installation of landscaping will occur.

It should be noted that this discussion is provided as an overview of possible project construction, and actual implementation will be under further review at the time of subdivision and site plan review. The Town of Huntington may require bonding or other assurances at the time of project review and approval in order to protect the interests of the Town. In addition, actual site improvements will be carried out under the direction of the applicant or a designated project manager. Specific improvements will be made under the supervision of construction contractors for the site infrastructure improvements and under the supervision of the selected contractors for building and other improvement.

Operation of the site will be in a manner consistent with other residential subdivisions in the Town of Huntington. Subsequent to subdivision approval, road construction will be bonded, and once completed, the road as well as recharge facilities will be dedicated to the Town of Huntington. At that point, plowing and maintenance will be the responsibility of the Town. The proposed uses will generate tax revenue, a portion of which is allocated through tax distribution to offset the impact of additional road maintenance on the Town Highway Department. Individual site plans and uses, once constructed, will be the responsibility of private owners.

1.5 Permits and Approvals Required

The EIS is intended to provide the Town of Huntington Town Board, as well as other involved agencies, with the information necessary to render an informed decision on the proposed **Harborfield Estates** zone change application. This document is also intended to comply with



the SEQRA requirements as administered by the Town of Huntington. Subsequent to completion of the FEIS, the Town Board will be responsible for the preparation of a Findings Statement, which will form the basis for the final decision on the change of zone application and subsequent actions, as listed below.

Following this SEQRA process, should the Town Board receive this rezone application favorably, the following additional approvals would have to be obtained prior to commencement of construction.

- Town of Huntington Planning Board - Subdivision approval
- SCDHS - Article 6, Suffolk County Sanitary Code (Approval of a Realty Subdivision)
- SCDHS - Article 6, Suffolk County Sanitary Code (Approval of plans and construction for sewage disposal systems for single family residences)
- SCDHS - Article 4, Suffolk County Sanitary Code (Approval of modification of water supply system)
- SCDPW - Approval for curb cut and road work to Pulaski Road

1.6 Organization of this Document

Each substantive comment contained in **Appendices B to F** has been numbered sequentially. In addition, the subsection where the response can be found is provided adjacent to each comment. There were a total of 44 individual comments; **Appendix B** contains comments B-1 to B-19; **Appendix C** contains comments C-1 and C-2, **Appendix D** contains comments D-1 through D-7, **Appendix E** contains comments E-1 to E-14, and **Appendix F** contains comments F-1 and F-2. However, because of the large number of similar/duplicate comments, only 18 different comments were made. As discussed below, all similar comments have been grouped together and paraphrased, so that one response to all such similar comments can be provided.

All of the paraphrased comments and corresponding responses are presented in **Sections 2.0 through 9.0** which have been organized based upon the type of impact to which the comments refer. Each subsection responds to one different comment. The comments addressed in each subsection have been paraphrased, so that one response will suffice for all comments in that subsection. The comment numbers are also listed in each subsection, along with the corresponding responses, so that the reader may refer back to the comments in their original form. Except for Section 9.0, these sections are titled the same as those of the DEIS, in order to facilitate identification of issues and locate pertinent information.

Each response provides the information necessary for the Lead Agency (the Huntington Town Board) and all Involved agencies to make an informed decision on the specific impacts of the project. This document fulfills the obligation of the Huntington Town Board in completing a Final EIS based upon 6 NYCRR Part 617.9 (b)(8).



SECTION 2.0

GEOLOGY



2.0 GEOLOGY

2.1 Soil Testing and Treatment

Comments B-1, B-19 and D-6:

These comments reflect a concern in regard to the extent (in terms of area and depth) of residual arsenic contamination in soils from the prior long-term farming practices on the property. Additional soil testing is requested, and discussion of the potential treatment of these soils (to protect residents and neighbors from dust raised during construction) is suggested.

Response:

The applicant, Evergreen Homes, has indicated that the same procedure to reduce trace arsenic contamination levels as was used on the Greenbrush Hollow project (which was previously a potato farm, then nursery) will be utilized for the Harborfield Estates site. That is, the entire soil mantle of the site, to a depth of approximately 36 inches (which is well in excess of the depth anticipated by the soil tests performed on-site to be impacted at present), will be excavated, intermixed and replaced, thereby reducing the overall arsenic contamination in this increased soil volume to less than the 10 parts per million (ppm) guideline specified by the Town for the Greenbrush Hollow site.

In order to minimize the potential for fugitive dust raised during these and other construction activities, the applicant will incorporate all applicable erosion and dust control measures specified in the Town of Huntington Erosion Control Manual, which may include groundcovers, sediment traps, drainage diversions, water sprays, truck washdown stations, and minimization of the time span that bare soil is exposed to wind and rain.



SECTION 3.0
ECOLOGICAL RESOURCES



3.0 ECOLOGICAL RESOURCES

3.1 Open Space

Comment B-2:

This comment reflects a concern in regard to the loss of potential valuable open space, particularly of Old Field, a community which is "...among the least represented community types in the Town..."

Response:

It is acknowledged that the proposed project will remove all of the existing overgrown field vegetation which now completely covers the site. However, it should be noted that, as stated in the DEIS:

...the subject property is a former agricultural field, and the vegetation and wildlife species on site are expected to be relatively common, suburban species. Thus, no significant impacts are expected as a result of the proposed zoning change.

It should be noted that the site would not remain at its present stage of old field succession indefinitely, as Succession is a process whose second stage is successional shrubland, and culminating in successional forest. If the site were to remain successional old field, it would have to be supervised and maintained as such, through the use of frequent mowing or controlled burnings. Finally, the vegetation species present on-site are reflective of recovery from disturbance and are not a native grassland-type habitat; this is not a pristine property or habitat.

In regard to concerns that the proposed project will foreclose the opportunity to establish a valuable public open space/recreational amenity, the subject site is and has long been residentially-zoned. This would suggest that the Town of Huntington considers this site to be appropriate for such a use, particularly as the site remains privately-owned, and the owner has not been contacted by the Town or other entity in regard to purchase for public parkland. In conformance with Town requirements, the applicant has included a substantial acreage for use as public parkland, so that the open space goals of the Town and the recreational needs of the public are satisfied, at no expense to either. Finally, there are four public parklands available in the vicinity, to the east, west and south.



SECTION 4.0
TRANSPORTATION



4.0 TRANSPORTATION

4.1 Traffic and Vehicle Access

Comments B-3, B-4 and C-2:

These comments refer to a need for a second vehicle access point on Lake Road, as well as for a 20-foot road widening dedication along Pulaski Road.

Response:

If so required by the Town Planning Board during its review of the Subdivision application (which will occur when and after the Change of Zone application is approved), the applicant will provide a second vehicle access point onto Lake Road, on the western boundary of the site.

4.2 Traffic Congestion in the Area and Project Trip Generation

Comments E-4 to E-6, E-11 and F-1:

These comments note the existing traffic congestion on nearby roadways during peak hours, and reflect concerns of the effect of the additional trips generated by the proposed project, particularly in relation to the parking needs at the nearby LIRR station. There is concern regarding the traffic study data collection over a several hour period. Additionally, these comments question the effect of the additional trips generated on the project site due to the requested rezoning (59 units) in comparison to that if the site were developed in accordance with its existing zoning (29 units).

Response:

Traffic data was collected employing standardized methods used by traffic engineers to determine peak hours. Data, collected during a three-hour period each morning and afternoon, was used to determine the highest AM and the highest PM traffic hours. The subsequent analysis was based upon the highest fifteen-minute period within the highest hour for each of the peak travel times evaluated. Therefore, the traffic impact analysis presented in the Traffic Impact Study reflects worst-case conditions. One purpose of this data collection method is to identify short duration peaking effects, such as that which may result from trips to nearby destinations.

As shown in Table 3-5 of the DEIS, the Traffic Impact Study clearly demonstrates that the additional traffic generated by the proposed project will not cause any significant impact to traffic conditions at the study intersections.

The capacity analysis results in the above-referenced table also demonstrate that the traffic entering Pulaski Road at the proposed site access (at Pulaski Road and Tulane Place) will experience average delays of less than thirty seconds during both the morning and evening peak hours.



The proposed project will not create an undue parking demand at the nearby LIRR stations. Only a small portion of the site-generated traffic represents rail commuters, and only half of these would be attributed to the requested zone change.

4.3 Road Width for Town Dedication

Comments B-5 and C-1:

These comments indicate that the standard paved width for a roadway dedicated to the Town shall not be less than 34 feet.

Response:

As part of the Subdivision application (which will occur if and after the Change of Zone application is approved), the applicant will offer to dedicate the project's internal roadway to the Town of Huntington. If so required by the Town Planning Board, the applicant will provide a paved road width of 34 feet.



SECTION 5.0
LAND USE AND ZONING



5.0 LAND USE AND ZONING

5.1 Conformance of Proposed R-20 Zoning with Zoning Pattern in Area

Comments E-1 and E-7:

These comments refer to a concern that the proposed R-20 zoning does not conform with the existing zoning pattern in the vicinity, so that the requested rezoning would not be supported. In addition, the lots in the vicinity to the north, south and southeast, while on the order of the size appropriate for R-20 zoning, are the result of cluster projects, which were based upon R-40 zonings, not R-20 zonings.

Response:

As presented in the hearing transcript (**Appendix E**, pages 38 to 48), there is a belief in the Town that the properties to the north, south and southeast of the project site were developed based upon R-40 zoning, but, as these sites were developed as cluster projects, the lot sizes were reduced to a size corresponding to the R-20 zone, so that the retained acreage could be devoted to public park use. However, as contained in the transcript (and further supported by documents contained in **Appendix H**), this is not the case. That is, these areas were the subject of various rezoning approvals in the past, which established R-20 zonings. The property immediately south of the project site, across Pulaski Road, was developed as a full subdivision, and no parkland was included in the application.

5.2 Appropriateness of this Site for Residential Use

Comments E-2, E-9, E-12, E-13 and F-2:

These comments reflect a concern that the proposed residential use and density are not appropriate for the site, particularly due to the proximity of the railroad and that the perceived excessive number of lots resulting from the rezone would be an unjustified "overintensification" of land use.

Response:

As discussed in the Zoning Analysis contained in **Appendix H** (and submitted to the Town Board as part of the public hearing testimony), the proposed project does not represent an "overintensification" of residential use in the vicinity. As stated in that document:

The proposed rezoning of the site from R-40 residential to R-20 residential represents a prudent and appropriate modification of the existing zoning pattern. This conclusion can be summarized by the following points:

- The proposed rezoning will allow for the property to be developed to support 59 single family residences. These new dwellings will help to meet the housing demand in the community.
- The proposed rezoning is consistent with the existing land use characteristics in the vicinity of the site. The site is no longer connected to the R-40 district from a land



use perspective. Certainly the LIRR is a distinct physical barrier between the site and the R-40 district located on the other side of the tracks to the north. Moreover, the Lakeridge's clustered townhouses and the open space associated with that development add yet another layer of physical separation between the site and the main body of the R-40 district. Also, the rezoning of the Trafalger Estates site located diagonally across Lake Road from the northwest corner of the site further adds to the physical distinction between these districts.

- While currently fending off the commercialization pressures of the LIRR/Pulaski Road corridor, the site distinctly relates most appropriately to the R-20 district abutting the site on the south side of Pulaski Road.
- Development of the site as proposed by the applicant, represents a seamless integration with the residential neighborhoods to the south. If, on the other hand, the site were developed under the existing R-40 standards, the site would become an isolated enclave that would not integrate with the townhouses to the north, the commercial and industrial uses to the east and west or to the higher density-20 residential districts to the south.
- The proposed rezoning is fully consistent with the Town of Huntington Comprehensive Plan, specifically; the action will provide additional housing opportunities, appropriately utilize developable vacant land, diversify the housing stock, contribute toward meeting affordable housing goals, provide neighborhood parkland and channel development into areas where appropriate infrastructure exists.
- The proposal is also fully coincident with the Regional Plan Associations 3rd Regional Plan, the 208 Area Waste Treatment Management Study and the Town Open Space Index.
- Rezoning and developing the site as proposed by the applicant represents an appropriate use of the property and will foreclose opportunities to devote the site to other less desirable uses, including the proposal by the MTA to use the site as a major railroad facility.
- The long history of modifying the existing pattern of zoning in the area continues to move away from the lower density R-40 district to the higher density R-20 district. The Trafalger Estates property was rezoned to R-20 in 1994 and the Brand Nursery site was rezoned to R-20 in 1997. Both of these sites are located near the site and adjacent to the LIRR line, just as the subject site is.
- In accordance with the Low Density Residential designation of the site established in the Comprehensive Plan (R-20 is identified as Low Density in the Plan), the Action will not set any precedent or cause any additional similar actions to occur because the property in the vicinity of the site is virtually all fully developed, and little vacant land remains.
- The rezoning represents a sound, rationale planning approach to a transitional parcel of land. The rezoning recognizes the reality of the surrounding characteristics, historical patterns of zoning and market trends.



- The rezoning will allow for the construction of a new single family development that will contribute to the Town's tax base with few, if any, significant negative impacts as more fully described in the Harborfields Estates Environmental Impact Statement.
- Rezoning and development of the site will allow for the creation of a new 5 acre park that will provide a much needed recreational resource for the residential of the surrounding neighborhood.

For these reasons the proposed rezoning should be adopted.



SECTION 6.0
COMMUNITY SERVICES



6.0 COMMUNITY SERVICES

6.1 School District Budget Impact

Comments B-11, E-10, and E-14:

These comments reflect a concern in regard to the potential shortfall in the amount of school district taxes generated by the project, in comparison to the increased cost to the Harborfields Central School District to provide educational services to the number of students generated by the project.

Response:

A telephone conversation with Mr. Joseph Dragone, Assistant Superintendent for Business (November 1, 2000), indicates that the Harborfields Central School District is presently engaged in a significant expansion of its facilities, as a result of a recently-approved bond issue for this purpose. Therefore, the estimated 57 public school students could be accommodated without impact to the district.

Based upon the updated number of school-age children expected to utilize public schools (57; see **Section 7.0**), current tax rates, current per-pupil expenditures, and the same assessed value as was assumed in the DEIS (\$382,107), the following information regarding cost of educational services and revenue surplus/deficit results:

The following fiscal analysis projects the costs associated for educating the school children for development of the subject property under the proposed R-20 zoning. The estimated education costs are then compared to the revenues that may be anticipated from both local and State sources under both development scenarios.

Based on NYS Department of Education data, the Harborfields Central School District currently spends approximately \$11,530 per capita to provide educational services in the district. Based on recent trends, it is expected that the State of New York will provide funding for approximately twenty (20) percent of the costs per pupil for education services in the Harborfields District. **Table 6-1** provides the costs and revenues associated with the proposed development scenario based on the preceding data.

TABLE 6-1

**COST/REVENUE ANALYSIS FOR DEVELOPMENT
 UNDER PROPOSED ZONING**

Development Scenario	Costs for Education (1)	Revenues (2)	Surplus/Deficit (+/-)
R-20 Zoning	\$525,768	\$395,355	\$130,413

- Notes:** 1) Assumes NYS provides 20% of the cost of education per pupil.
 2) Based on 1999/2000 School Tax rate of \$ 103.467/\$100 assessed.



Based on the information provided in **Table 6-1**, it may be concluded that the proposed residential subdivision will result in education expenses that exceed the revenues it generates by 33%. However, in consideration of the Harborfields Central School District's total 2000/2001 budget of \$36.621million, the net loss represents an insignificant impact (less than 3.6% of the overall budget) to the schools district's fiscal position.

It should be remembered that, in general, school districts rely primarily on property taxes generated by non-residential uses more than allocations from residential property. These "rateables" generate, on a per-unit basis, disproportionately more tax revenues than residential property, with the added factor that non-residential uses do not generate school-age children. This latter factor is significant because schoolchildren require expenditures to the school district for educational services, which costs are uniformly greater than the per-pupil tax revenues generated. In summary, residential taxes are not great enough to offset all the costs to a school district to educate the students generated by a residential project.

6.2 School District Enrollment Impact

Comments B-12, E-3 and E-8:

These comments reflect a concern in regard to the capacity of the Harborfields Central School District to absorb the expected number of school-age children generated by the proposed project, and maintain the current level of services.

Response:

Based upon the updated school-age children computations presented in **Section 7.0**, it is anticipated that the potential increase in public school enrollment will be 57 children; for comparison, the DEIS had estimated 110 such children.

The telephone conversation with Mr. Joseph Dragone, Assistant Superintendent for Business (November 1, 2000), indicated that the estimated 57 public school students could be accommodated without impact to the district, due to the pending expansion of the district's facilities.

It should also be noted that this updated number of public school students generated (57) is nearly the same as was estimated for the site if developed under its existing R-40 zoning (54; see Alternative 2, DEIS). It is anticipated that this latter value of 54 students, prepared for the Harborfields Central School District by Western Suffolk BOCES, was assumed for the site for prior planning purposes. Therefore, the proposed project represents only a small increase in the number of public school students previously anticipated to be generated on the site.



SECTION 7.0
DEMOGRAPHY



7.0 DEMOGRAPHY

7.1 Total Population

Comment B-13:

This comment questions the total number of adult residents on the site.

Response:

The DEIS (prepared in December, 1998) stated that there would be a total of 110 school-age children generated by the proposed 59 homes. This number was determined in 1998 based on the total number of bedrooms anticipated (233) and average school-age children per bedroom (0.47); this latter information was provided by the School Planning and Research Department, Western Suffolk BOCES, and was utilized at the request of the Lead Agency. In addition, the DEIS stated that a total of 177 persons would occupy the site. This quantity resulted by simply multiplying the number of units by the average number of residents per household in the Town of Huntington (3.0).

In March, 1999 (after acceptance of the DEIS), the Lead Agency requested that the applicant contact the Division of Instructional Planning & Technology Services, Western Suffolk BOCES, for its input in regard to its updated school-age child generation rates. These rates are based on the same 1990 US Census data, but were further analyzed with preliminary computations prepared by the Center for Urban Policy Research, Rutgers University. Utilizing these rates and, based on the same bedroom mix as stated in the DEIS, a total of 65 school-age children would be generated by the proposed action, not 110 as previously stated in the DEIS. Additionally, these computations also contain rates in regard to the percentages of school-age children attending public schools. Based upon this information, it is anticipated that 57 (of the 65 total school-age children on-site) will attend the Harborfields Central School District.

This updated rate data also contains rates for total household size, which, for the bedroom distribution specified in the DEIS, would result in a total residential population of 225 persons, not the 177 persons stated in the DEIS, which would include the above-referenced 65 school-age children. Therefore, based upon these updated site population values, 225 persons will occupy the site, of which 65 will be school-aged children.



SECTION 8.0
CULTURAL RESOURCES



8.0 CULTURAL RESOURCES

8.1 Additional Subsurface Archaeological Testing

Comment B-15:

This comment notes that the NY State Historic Preservation Officer (SHPO) will review the Stage IB Cultural Resources Assessment (CRA) prepared for the DEIS, and inform the Lead Agency as to whether the additional testing recommended (where two potentially significant archaeological zones were delineated) should be required, or, an entirely new Stage IB CRA should be prepared. If such additional testing is required, this comment indicates that such excavations would best be performed prior to onset of the construction process.

Response:

The DEIS contained Stage IA and IB CRA's, prepared in August, 1994. The latter document was based upon the results of a series of 70 test pits to determine the presence, distribution and significance of buried cultural resources. The SHPO is presently reviewing these documents for completeness and confirmation of the Stage IB study's recommendation for additional testing in a portion of the site's northwestern corner, which exhibited an increased potential for the presence of significant cultural resources. It should be noted that this portion of the overall site was designated for development with the parkland; no part of this area would be located within lots.

The SHPO may determine that supplemental Stage IB CRA subsurface testing should be conducted for this site, as the NYS Office of Parks and Recreation (OPRHP) standard for the number and density of test pits has been increased since preparation of the prior CRA. If a new study is required, the SHPO may require only the additional recommended testing in the northwestern corner of the site, or it may require supplemental testing over the entire site. In either case, the applicant will provide the required cultural investigation, if any.

As no Subdivision application is presently under review, there remains sufficient time and flexibility to perform any required cultural survey, as well as to revise the layout of lots and/or the parkland, or recover any cultural material prior to physical disturbance, if necessary. In addition, since the overall site was previously surveyed (albeit at a lower test unit density than is currently required), there is a significantly reduced potential to identify cultural resources that are not currently known.

8.2 Noise

Comment B-16:

This comment reflects a concern in regard to the amount of train noise experienced within the site, and the specific methodology utilized by the applicant in determining existing noise levels. It also suggests increasing the setback as a way of mitigating noise impacts.

Response:



The noise readings presented in the DEIS were taken specifically to determine the noise generation characteristics of the trains which pass the site; to that end, it was determined that taking such readings during a period of lowered roadway noise generation would be appropriate. It is assumed that train noise levels remain generally the same whether the train passes on a weekday, weekend or holiday (all trains which pass the site are diesel-powered, as noted in the DEIS).

The applicant acknowledges that there was a small reduction in background noise levels in comparison to those which would have resulted if the readings were taken during a higher traffic period. However, this differences are not significant when these background levels are combined with those of the trains, because the much lower noise levels attributable to background sources are not added arithmetically to the higher train noise levels. Therefore, the noise readings taken during a period of reduced volume of roadway traffic would not have been significantly greater if the readings were taken during a period of greater roadway use (during a weekday peak hour, for example), because the relatively small differences in the traffic noise readings would not appreciably increase overall noise levels.

In addition, the anticipated noise levels are not an impediment that would prevent the safe use and enjoyment of the site by those residents that may choose to live in the subdivision, for the following reasons:

- Any resident that chooses to purchase a home at Harborfield Estates will be fully cognizant of the presence of the railroad line.
- There are many successful residential projects, both older and newly constructed in proximity to railroad lines in the Town of Huntington and towns throughout Long Island.
- Train noise is intermittent and of short duration as opposed to a continuing or sustained noise level.
- Modern home construction techniques will reduce noise levels by at least 20 dBA as a result of transmission loss by building materials.

Therefore, while elevated train noises will be experienced by future site residents, the noise levels are not anticipated to result in a reduced ability to enjoy indoor or outdoor activities. Nevertheless, if so required by the Town Planning Board during its review of the Subdivision application (submitted if and after approval of the pending Change of Zone application), the applicant will revise the layout of the 59 proposed lots to provide deeper rear yard buffers along the northern boundary of the site. In this way, the increased separation between these receptors and the source of noise (the LIRR tracks) will provide additional reduction in noise levels for these residents. If the Town Planning Board should require additional noise mitigation (such as berms, vegetation screening, fencing, etc.), the applicant is willing to entertain such measures as well.



SECTION 9.0
MISCELLANEOUS



9.0 MISCELLANEOUS

9.1 Non-Ionizing Radiation

Comment B-14:

This comment reflects a concern in regard to the potential for impact to site residents from long term exposure to low levels of non-ionizing radiation, from the high tension power lines along the railroad tracks. The comment mentions increased separation from these lines as a form of mitigation utilized elsewhere in the vicinity, and the fact that the SCDHS will also review the application and specify additional mitigation, if necessary.

Response:

The DEIS contained the results of an extensive literature search regarding potential health effects from exposure to electromagnetic fields (EMF's) generated by the high tension power lines along the LIRR tracks. The search indicated that there is art present no discernable linkage between exposure to EMF's and public health. However, as the literature also indicated that research is on-going in this matter, it is considered prudent to minimize exposure to such fields, by such actions as: minimizing use of EMF-generating equipment, minimizing the time span that such exposure occurs, and increasing the distance from EMF-generating equipment and power lines, where possible.

If so required by the Town Planning Board during its review of the Subdivision application, the applicant will revise the proposed lot layout to provide deeper rear yard setbacks for those lots along the LIPA power lines, to provide greater separation from the high tension wires. The applicant will entertain additional mitigation measures in this regard, if so specified by the SCDHS.

9.2 Affordability

Comment B-10:

This comment reflects a concern in regard to the absence of a set aside of a certain number of units as "affordable", for purchase by low or moderate-income households.

Response:

The applicant will provide the required number of affordable units specified by the Town Planning Board, as determined during its review of the Subdivision application.

9.3 Parkland

Comments B-8, B-9, D-1, D-2 and D-5:

These comments reflect a concern in regard to the designation of the 5-acre parkland for simultaneous use as the required parkland and recharge basin/pond. In addition, the layout of the proposed park, its facilities (whether "active" or "passive" in nature) and accessibility for



residents both on-site and off, is in question, due to the location of pedestrian trails to this feature.

Response:

During the Subdivision application review process, the applicant will offer to dedicate the proposed 5-acre park to the Town of Huntington, for use as a public “passive” parkland. If this facility is not accepted by this body, it will be owned and maintained as a private passive park by a Homeowners Association (HOA) established for this purpose.

Residents of the subdivision are expected to be active young professionals and families that can enjoy a walk or bicycle ride to a passive 5-acre park created for local resident enjoyment. The park will provide an option in the daily lives of area residents as an opportunity for exercise and release in an attractive landscaped setting. In addition, the park location and design provides additional open space, and visual and aesthetic benefits by creating landscaped area at a Town crossroad where these benefits will be realized by Town residents.

It is anticipated that the exact design and layout of this facility, including but not limited to, access trails, sidewalks, benches, lighting, fountains, etc., will be determined during the Subdivision application review process. This is consistent with the approach identified in planning staff comment B-6.

9.4 Alternative Layouts and Yields

Comments B-6, B-7, D-3, D-4 and D-7:

These comments reflect a concern in regard to the proposed layout of the site and its yield, particularly in comparison to the advantages to be gained if the site were developed under a cluster plan which increases setbacks from the railroad and Pulaski Road, decreases lot sizes to increase the parkland, and provides the 20-foot road widening.

Response:

The applicant believes that the proposed project plan provides the highest and best use of the land, consistent with the goals of the project sponsor and the needs of the Town. The project will provide quality housing on ½-acre lots consistent with land use in the area and project sites typical of this type of setting. The design includes a reasonable size park that will not overburden the Town or an HOA with maintenance needs or upkeep, but will provide a community focal point and local open space/passive recreational resource. The project has been evaluated in the DEIS and FEIS in terms of noise and the current design is typical of many other successful residential projects and provides for the safe use of this property. As a result, there does not appear to be a compelling need for major modifications in subdivision design.

If so required by the Town Planning Board during its review of the Subdivision application (to be submitted if and after the Change of Zone application is approved), the applicant will provide limited design changes to further enhance the residential setting, including a deeper rear yard buffer on the northern boundary of the site as well as berms, landscaping and screening as noted in **Section 8.2** above.



9.5 Suffolk County Health Department Compliance

Comment B-17:

This comment notes that no application for approval under Article 6 of the SCSC has been filed for the proposed project with the SCDHS, and lists those standards of the SCDHS to be satisfied.

Response:

The proposed project will conform to all applicable Town, County and NYS procedures and regulations regarding layout and utility services.

Following are the requirements listed in Article 6 of the Suffolk County Sanitary Code (SCSC), along with brief descriptions/discussions with respect to conformance:

1. The SCDHS maintains jurisdiction over the final location of sewage disposal and water supply systems, pursuant to the authority and requirements of Articles 4, 5, 6 and 7 of the SCSC. Applications must comply with all relevant density and construction standards for waster supply and sewage disposal. Applicants should not undertake the construction of, or connection to, either system without Health Department approval.

When the Site Plan for Harborfield Estates has been prepared, it will be submitted to the SCDHS for review and approval under all appropriate Articles of the SCSC.

2. Where applicable, the department regulates the storage, handling and discharge of restricted toxic and hazardous materials pursuant to the requirements of Articles 7 & 12 of the SCSC.

As the Harborfield Estates project is residential in nature, it is not anticipated that toxic and/or hazardous materials will be stored, handled or discharged on-site.

3. If an application has not yet been submitted to the SCDHS, one should be filed at the earliest date to allow for the technical review of the proposed action. Project designs submitted to the department should be fully consistent with any action currently under review through the SEQRA process.

The Harborfield Estates project is presently the subject of a Change of Zone application with the Huntington Town Board. After Adoption of the required SEQRA Findings Statement, and if such approval is granted, appropriate applications for the proposed wastewater and drainage systems, among others, will be submitted to the SCDHS.

4. Design and flow specifications, information regarding subsurface soil conditions, water supply information, and complete design details are essential to the review of this project, and are evaluated fully at the time of application review. Should the town require additional environmental information (such as a DEIS), discussion of the compliance requirements of the SCDHS should be required.



When an application to the SCDHS is prepared and submitted, it will contain all pertinent and required information. In addition, the SEQRA Findings Statement will be available for the SCDHS to consult and consider in its deliberations.

5. Of particular concern to the department are those areas which because of elevated groundwater conditions, or soils which are not conducive to the proper functioning of conventional subsurface sanitary sewage disposal systems. Your agency should be aware that such conditions frequently require the use of fill or the excavation of subsurface soils to accommodate subsurface sanitary disposal systems constructed in conformance with the requirements of the SCSC.

In consideration of the site's prior long term agricultural use, it is not anticipated that elevated groundwater conditions or unacceptable soils are present on the site. However, when and if the present Change of Zone application is approved, an application to the SCDHS will be submitted, which application will include all pertinent and required information in regard to groundwater and soil conditions. In addition, the SEQRA Findings Statement will be available for the use and consideration by SCDHS.

6. The department is also significantly concerned with areas where access to potable water maybe constrained by unacceptable groundwater quality and the lack of an available public water supply. All private water supply systems must be constructed in conformance with requirements of the SCSC.

Appendix A-7 of the DEIS indicates that public water will be made available to the project, from the Greenlawn Water District. It is not anticipated that the proposed project will include a private water supply system.

This comment also reflects a concern regarding protection of natural resources which may be present on the project site. Following are those specific land use measures which may be employed (where appropriate) to protect these resources, along with brief descriptions/discussions of the project's compliance:

1. Maximum practicable setbacks from all wetlands, surface waters, dunes, and bluffs.

There are no such natural features on the project site.

2. Non-disturbance buffers between wetland limits and required structural setbacks.

As there are no wetlands present on-site, no such setbacks are required.

3. Clustering of subdivision lots to provide for maximum preservation of large contiguous areas of dedicated open space.



As the project site had long been an agricultural field and is presently undergoing natural succession, there are no natural features on-site which merit preservation and dedication as open space. Therefore, a clustered subdivision layout is not called for, as it would not provide for preservation of natural open space. However, in conformance with Town regulations, the applicant proposes a 5-acre parkland, located appropriately on the western portion of the property.

4. Stringent clearing limitations which can reduce potential impacts to wildlife habitats, vegetative communities, and unconsolidated soils.

The proposed project will remove all of the existing successional old field vegetation which presently covers the site. However, as discussed in Section 3.1 of this document, and Sections 2.3, 3.3 and 4.3 of the DEIS, this vegetation does not provide significant habitat value, and is not a significant vegetative community. In addition, as the site had been agricultural field, it is composed of unconsolidated soils, though the low slopes on-site minimize the possibility of soil movement.

5. Maximum practicable confinement of development to areas with slopes of less than 10%.

As the project site had been used as agricultural field for an extended period of time, it is comprised entirely of low slopes; therefore, this land use measure does not apply.

6. Maximum use of native species for landscaping purposes.

If and when a Site Plan application is submitted, the applicant is willing to consider the use of native and/or native-compatible species in landscaping.

7. Construction of recharge areas, so as to minimize the amount of disturbance and structural modifications to the site.

The Site Plan, if and when prepared, will include a recharge basin for the control and recharge of all stormwater runoff generated on-site.

8. Maximum use of landbanked parking on commercial sites.

As the proposed project is residential in nature, landbanking of parking spaces is not applicable.

9. Minimal use of fertilizer-dependant turf and landscaping.

If and when a Site Plan application is submitted, the applicant is willing to consider the use of turf and landscaping species which require little or no fertilizers.

10. Employment of stormwater runoff control measures necessary to maintain runoff on-site.



See land use measure #7 above.

Review of the above discussions regarding the SCSC and natural resources protection measures indicates that the proposed project will conform with all such requirements.

9.6 Parkland Ownership and Stormwater System

Comment B-18:

This comment reflects a concern in regard to the future ownership of the parkland, and details of the stormwater recharge system.

Response:

As indicated in **Section 9.3** above, the 5-acre park will be offered to the Town of Huntington for dedication as a public, passive parkland during the Subdivision application review process. If the Town Planning Board declines this offer, the park will be owned and maintained by a private HOA, established for this purpose, as a private, passive parkland.

In response to technical comments received during Town review, the applicant has determined that the proposed park will no longer contain a pond; it will be primarily lawn/landscaped in nature. Stormwater generated on-site will be retained and recharged in an on-site drainage system, which will include a separate recharge basin sited in a portion of the site approved by the Town. If and when the Change of Zone application is approved by the Town Board, the subsequent Site Plan application will include a recharge basin for retention and recharge of all stormwater runoff generated on-site.



APPENDICES



APPENDIX A
SEQRA DOCUMENTS



Appendix A-1
EAF Part I

October 25, 1995



**FULL ENVIRONMENTAL ASSESSMENT FORM
COVER SHEET AND STATEMENT OF DETERMINATION OF SIGNIFICANCE**

Purpose: The Environmental Assessment form (EAF) is designed to help applicants and reviewing agencies determine, in an orderly manner, whether a project or action may result in significant impacts. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable making the determination difficult. It should also be understood that individuals that review projects may have different levels of expertise, differing analytical skills and/or be proficient in varying disciplines. The Full EAF is intended to provide an analytical tool by which applicants and agencies can be sure that the process has been orderly and comprehensive in nature, while remaining flexible enough to allow the introduction of data to the process resulting in a project that best fits the circumstances.

The full EAF is designed to in some way quantify the decision making process. It provides an agency with a record of the review that supports a final decision. If more information is needed before a decision can be made then it can be provided in an impact statement, however, processing the Full EAF can result in a determination that a project impacts can be mitigated and no further review is necessary.

Components of the Full EAF:

Part 1: Filled out by the applicant/sponsor - It provides data and information about a given project and its site. By identifying basic project data, it assists the reviewer in the analysis that takes place in the EAF Part II and III.

Part 2: Focuses on identifying the range of possible impacts, if any, that may occur from a project or action. It provides guidance as to whether an impact is likely to be small, moderate or potentially large. The form also assists the reviewer in identifying whether an impact can be mitigated or reduced. Filled out by reviewing agency.

Part 3: If any impact is identified in part two (2) as one which is potentially large then part three (3) is used to analyze the impact and determine whether or not it can be mitigated or more information is needed before a decision can be made by the agency about the proposed project. Part III need not be prepared if upon preparing Part II can be determined that the significant impacts will result from the proposed project or action. Prepare by reviewing agency.

**TO BE COMPLETED BY THE LEAD AGENCY
DETERMINATION OF SIGNIFICANCE
For Type I and Unlisted Actions**

Identify the portions of the EAF prepared for the proposed project described herein: Part 1 Part 2 Part 3
Upon review of the information recorded on this EAF (Parts 1 and II and III if necessary), and any other supporting data, and considering both the magnitude and importance of each impact that may occur if the project is implemented, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant effect on the environment, therefore a **Negative Declaration** will be prepared.
- B. Although the project could have a significant effect on the environment, this unlisted action will not have such an effect because the mitigating measures described in Part III of the EAF have been required, therefore a **Conditioned Negative Declaration** will be prepared.
- C. The project may result in one or more large and/or important impacts that may have a significant impact on the environment, therefore a **Positive Declaration** will be issued and an **Environmental Impact Statement** will be prepared.

Lake and Pulaski Rezone

Name of Action

Name of Lead Agency

Print or type name of officer in Lead Agency

Title of Officer

Signature of Officer in Lead Agency

Signature of Preparer (if different than Officer)

Date

LAKE AND PULASKI REZONE
CHANGE OF ZONE APPLICATION

Greenlawn, New York
Town of Huntington

Project Description: The Applicant is seeking a change of zone from R-40 to R-20 Residential. If the change of zone application is approved, a subdivision application would be submitted for a 59 lot subdivision. The proposed development would be served by a loop road with a single access point on Pulaski Road opposite from Tulane Place. Two cul-de-sac streets would extend to the western portion of the site from the loop road. A park would be created on the west end of the property at the intersection of Lake Road and Pulaski Road. A pond with a walking trail and benches is proposed in the southern half of the park area. The park would also include a landscaped berm along the eastern boundary and a 20 foot wide strip running the length of the property along Pulaski Road. This 20 foot side strip would be a permanent vegetated screen to exist along Pulaski Road.

3. What is predominant soil type(s) on project site? HaA - Haven Loam (0-2% slopes)

Soil Drainage:

Well Drained % <u>100</u>	Moderately Drained %	Poorly Drained %
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4. Approximate percentage of proposed project site with slopes:

0 to 10% <u>100</u>	%	10 to 15%	%	15% or greater-	%
---------------------	---	-----------	---	-----------------	---

5. Is project site contiguous to or substantially contiguous to (i.e., across the street etc.), or contain a building, site or district on the State or National Registers of Historic Places or on the Register of Natural Landmarks? Yes No

6. Is project site contiguous or substantially contiguous to or is it occupied by an historic building or landmark as designated pursuant to Article VI of the Town Code? Yes No

7. Is the project site within a one mile radius of an archaeologically significant site or multiple site zone, as has been identified by the New York State Office of Parks, Recreation and Historic Preservation using the "circles and squares" method of evaluation? Yes No

8. What is the depth of the water table? 55 (in feet)
and to Groundwater? 165 feet.

9. Is project site located over a primary, principal, or sole source aquifer? Yes No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

If yes then indicate authority _____
and Identify each species _____

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, etc.)
 Yes No Indicate which: N/A

13. Is the project site presently used by the community or neighborhood as an open space or recreation area? Yes No If yes, explain on the back of this form.

If yes will the use continue at the completion of the project? Yes No

14. Does the site presently include views known to be important to the community?
 Yes No

15. Name(s) of Stream and or rivers within or contiguous to project area? N/A

A. Name of water body to which the stream/river is tributary: N/A

16. Names and sizes (acres) Lakes, ponds and other wetland areas within or contiguous to project area:

Name Unknown, 1.6± acres

17. Is the project site served by existing public utilities or are such utilities readily available to the site?

Yes No

- a) If yes is there sufficient capacity to allow the proposed project to connect? Yes No
- b) If Yes, will improvements be necessary to allow connection? Yes No

18. Is project site located in or substantially contiguous to (e.g., across the street, etc.) a Critical Environmental Area (CEA) designated pursuant to Article 8 of the ECL, and 6 NYCRR 617 (SEQRA)?

Yes No

19. Has the project site ever been used for the disposal of solid or hazardous wastes? Yes No

B. PROJECT DESCRIPTION

1. Physical dimensions and scale of project (fill in dimensions as appropriate)

- a. Total contiguous and/or substantially contiguous (e.g., across the street) acreage owned or controlled by the project sponsor is 39.3 acres.
- b. Project acreage to be developed initially is 33.5 acres.
- c. Acreage to remain undeveloped upon completion of project is 5.8* acres. **5.0 ac. Park land*
- d. Length of project, in miles is N/A miles. (If appropriate) *0.8 ac. Vegetated buffer*
- e. If project will result in enlargement of a facility indicate the percent expansion here: N/A %
- f. For commercial/industrial indicate, if any, the number of off-street parking spaces existing: N/A; proposed: N/A, and required by Code: N/A.
- g. Estimate the maximum vehicular trips that will be generated per hour upon completion of project: Weekday PM 60 vph* trips/hour. **See Attached*
- h. If the proposed project is residential indicate below the number and type of housing units below:

	One Family	Two Family	Multi-Family	Attached Cluster
Initially	59			
Ultimately	59			

- i. Dimensions, in feet, the largest proposed structure 25± ft. height; 30 ft. width; 60 ft. length.
- j. If non-residential indicate the gross floor area of proposed building: N/A sq. ft.
- k. If commercial/industrial indicate the "Floor Area Ratio": N/A FAR.
(Proposed building area in square feet divided by lot area in square feet)
- l. Linear feet of frontage on any road in the Town is 1938.73 feet. *Pulaski Road*

2. How much natural material (e.g., rock, earth, sand, etc.) will be removed from the project site?
0 tons 0 cubic yards.

3. Will disturbed areas be reclaimed? Yes No N/A

a. If yes indicate here the intended purpose for reclamation: Grading and landscaping

b. Will top soil and/or upper subsoil be stock piled for reclamation? Yes No

- 4. Indicate here how many acres of vegetation (trees, shrubs, ground covers) will be removed from the project site during construction? 39.3 acres.
- 5. Will mature forest (over 100 years old) or other locally-important vegetation and/or NYS projected native plants be removed by the proposed project? Yes No
- 6. If the proposed project is multi phased then: N/A
 - a. Total number of phases are _____.
 - b. Anticipated starting date phase one is: Month _____ Year _____.
 - c. Approximate completion date of final phase _____ Month _____ Year.
 - d. Is the first phase functionally dependent on the following Phase(s) Yes No
- 7. Estimate the number of jobs generated: during construction 45± : if industrial/office or retail indicate number of jobs generated when complete N/A.
- 8. Indicated the number of jobs that will be eliminated by the proposed project if it is implemented: N/A.
- 9. Will the proposed project require relocation of any other projects or facilities? Yes No
If yes, explain here: _____
- 10. Does the proposed project involve a liquid waste discharge to a body of water? Yes No
 - a. If yes, indicate volume per day (N/A gallons) & type (sewage, industrial) _____.
 - b. If yes, indicate into what body of water the discharge will take place: _____
N/A
- 11. Is subsurface liquid waste disposal involved? Yes No
If yes, indicate volume per day (17,700 gallons), type (storm water, sewage, industrial): Sewage
- 12. Will the surface area of an existing body of water increase, decrease or will the bottom become deeper as a result of the proposed project? Yes No If yes, explain on back of this form.
- 13. Is any portion of the proposed project within either a 50 year or 100 year flood plain? Yes No
If yes which: N/A Year flood plain.
- 14. If implemented will the project generate solid waste? Yes No
 - a. If yes, estimated amount per month will be 17.8 tons.
 - b. If yes, will an existing solid waste facility be used? Yes No If yes, provide name and location here: Town of Huntington Resource Recovery Facility, East Northport
- 15. Will any wastes not go into a sewage disposal system, a sanitary landfill, resource recovery facility or be recycled? Yes No
 - a. If yes, explain _____
- 16. Indicate the volume of soild waste that will be recycled by the completed project each month:
4.5 tons.

To be answered only if project is one that will operate a facility that disposes of solid waste
 17. Will the project involve the handling and disposal of solid waste? Yes No
 a. if yes, what is the anticipated rate of disposal? _____ tons/month.
 b. If yes, and landfilling is proposed, what is the site life? _____ years.

18. Is the project expected to use herbicides or insecticides on a regular basis for other than normal landscape maintenance? Yes No

19. If implemented will project routinely produce odors? Yes No

20. Is project expected to produce operating noise which exceeds local ambient noise levels? Yes No

21. Will project result in increased in energy usage for other than ordinary lighting and heating requirements? Yes No
 If yes, indicate type(s) _____

22. If water supply is from wells indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage will be 17,700 gallons per day.

24. Does project involve Local, State or Federal funding? Yes No
 If yes, explain _____

25. Approvals Required:

Agency			Type of Approval	Submittal Date
Town Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Change of Zone</i>	<i>Pending</i>
Planning Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Subdivision</i>	<i>Pending</i>
Town ZBA	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Health Department	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Water, Sewage</i>	<i>Pending</i>
Other Local Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<i>Curb Cut, Road Work</i>	<i>Pending</i>
State Agencies	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Federal Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Other	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		

C. ZONING AND PLANNING INFORMATION

1. Does proposed action involve a planning or zoning decision? Yes No

Indicate which of the following: **Check All that Apply**

Zoning Amendment <input checked="" type="checkbox"/>	Zoning Variance	Special Use Permit	Subdivision <input checked="" type="checkbox"/>
Site Plan	New or Updated Master Plan	Resource Management Plan	Other

If other, explain: _____

2. What is the zoning classification(s) of the site? R-40 Residential

3. In your opinion, what is the estimated maximum potential development of the subject site at the existing zoning? 32±, 1 acre lots

4. If a zone change is proposed what zoning classification is requested and, in your opinion, what is the estimated maximum development potential of the subject site? Explain: R-20, 65± lots

5. Is the proposed action consistent with the recommended uses in adopted local land use plan (s)?
Yes

6. What are the predominant land uses and zoning classifications within a 1/4 mile radius of the proposed action? List: Residential and Industrial R-40, R-20, R-7, I-1 and I-5

7. In your opinion, is the proposed project compatible with adjoining/surrounding land uses within 1/4 mile of the subject site? Yes No

8. If the proposed action compatible is a subdivision of land how many lots are proposed and what is the minimum lot size proposed? Explain: 59 lots, 20,000 SF

9. Will the proposed action require the extension of an existing sewer district or authorization for formation of a new sewer or water district? Yes No

10. Will the proposed action create a demand on any community provided services (recreation, education, police, fire protection etc.)? Yes No

If yes, is the existing capacity of the utility or service sufficient to handle the project demand?
 Yes No

11. Will the proposed action result in generation of vehicular traffic significantly above present levels?
 Yes No

a. If yes, is existing infrastructure (roads, signals, signage, etc.) adequate to handle the additional traffic? Yes No On what authority is this opinion offered?

b. Will Improvements be necessary? Yes No If yes to either a) or b) provide the basis for such opinion and agency name and documentation that supports the conclusion: _____

According to Nelson & Pope, LLP Traffic Study

D. Additional Informational Details

Attach any addendum with any additional information needed to clarify your project. If there may be adverse impacts associated with the proposal, discuss those impacts and the measures which you will undertake to mitigate or avoid them.

E. VERIFICATION

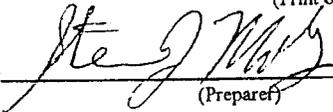
I hereby certify that I have filled out the above form for the action known as:

Lake and Pulaski Rezone

and to the best of my knowledge all of the answers are true.

Name: Nelson & Pope, LLP Date October 25, 1995

(Print or type name)

Signature  Title Environmental Analyst

(Steven J. McGinn)

(Preparer)

If the Applicant/Sponsor did not fill out this form then the following verification must be signed.

I am the applicant/sponsor of the proposed project described above and I hereby certify that I have given the above signed individual/company permission to fill out this form on my behalf. I further certify that the above signed consultant has made me aware of the questions on this form and explained the answers that have been provided, and I understand the proposed project and the answers provided on this form.

Name: _____ Date: _____
(Print or type name)

Signed: _____ Title: _____
(Applicant/Sponsor)

LAKE AND PULASKI REZONE

SUMMARY OF AVERAGE VEHICLE TRIP GENERATION

FOR 59 DWELLING UNITS OF SINGLE FAMILY DWELLINGS

DRIVEWAY VOLUMES

	24 HOUR TWO-WAY VOLUME	7-9 AM PK HOUR ENTER	EXIT	4-6 PM PK HOUR ENTER	EXIT
AVERAGE WEEKDAY	563	11	32	39	21
	24 HOUR TWO-WAY VOLUME	PEAK HOUR		ENTER	EXIT
SATURDAY		601		31	26
SUNDAY		518		26	26

Note: A zero rate indicates no rate data available
 Source: Institute of Transportation Engineers
 Trip Generation, 5th Edition, With Feb. 1995 Update.

TRIP GENERATION BY MICROTRANS

Appendix A-2
Town Department of Planning & Environment

February 4, 1999



#12
CV

TOWN OF HUNTINGTON, N. Y.
DEPARTMENT OF PLANNING AND ENVIRONMENT

Inter-Office Memorandum

Date: February 4, 1999

To: Tracy Edwards, Chairman, and
Members of the Planning Board

From: Richard Machtay, Director

Re: AFM Realty of Huntington Corp./Harborfields Estates
Proposed Change of Zone #96-ZM-290 from R-40 to R-20
SCTM 0400-105-02-029; *Draft Environmental Impact Statement*

AFM Realty of Huntington Corp. requests a change of zone from R-40 Residence District to R-20 Residence District for 39.3 acres located on the southwest corner of the intersection of Lake Road and Pulaski Road in Greenlawn. The rezoning is proposed to enable development of 59 detached single-family homes. A conforming yield analysis indicates that 29 homes could be built at the existing zoning. Six (6) 3-bedroom (2,400 sf/1 story); fifty (50) 4-bedroom (3,600 sf/1.5 stories); and three (3) 5-bedroom (4,800 sf/2 stories) units are projected. A 5.0-acre area along the Lake Road frontage is proposed to be set aside for drainage/stormwater management (recharge system) and park purposes. A conceptual plan indicates that the set aside will contain a ponding area and landscaped berm to separate it from the planned development. Singular road access to the site is via a new intersecting street from Pulaski Road, across from Tulane Drive. The proposal *anticipates lot area modifications*, which would be necessary from the Planning Board, to implement the project as proposed. The 1993 Comprehensive Plan designates the subject property for low density residential use.

A Draft Environmental Impact Statement (GEIS) was submitted voluntarily by the applicant consistent with an earlier positive declaration recommended by the Planning Board and then, issued by the Town Board on September 10, 1990 for the same request. On November 4, 1998 staff met with the applicant's consultants to discuss the initial Draft Environmental Impact Statement that had been submitted for the proposed rezoning and shared in writing many comments regarding information that should be provided and/or corrected. A revised Draft Environmental Impact Statement was submitted on December 11, 1998. While additional information has been provided, in some cases it has raised additional issues.

A July 16, 1990 Planning staff memo (contained as Appendix A-3 in the DEIS) supported the rezoning on the basis of developing a modified attached cluster with recreational parkland set aside and an affordable element. The preferred plan presented in the DEIS is for modified lots, a detached cluster plan; a passive park that doubles as a drainage receptor; and no affordable element. Although there are recommendations from the Suffolk County Department of Public Works (SCDPW) and Greenlawn Fire Chief to provide a second access point to Lake Road, one is not shown on the preferred plan or any R-20 alternative plan. Widening of Pulaski Road by 20 feet consistent with SCDPW comments on

record is only shown on the R-40 yield map and may have potential to affect yield. The proposal poses a net cost to the school district (\$656,773) to serve the projected 110 new school-aged children. Despite potential impacts, there appears to be solid community support for the rezoning.

The subject property is surrounded by industrial development on the east (GEC-Marconi Hazeltine, I-1 Light Industry) and west (LIPA, R-7 and I-5); the LIRR tracks to the immediate north and residential further north (R-40); and R-20 across Pulaski Road to the south. The immediately adjoining industrial/office site has a considerable bermed buffer separating the actual use from the subject site.

SEORA Recommendation

We have reviewed the document and have found that there are environmental issues that should be further addressed prior to adoption of an FEIS upon which findings for the proposed action can be based. However, it is believed that the information is not of the nature that should preclude scheduling of a public hearing. The proposed rezoning to R-20 can be issued a positive declaration simultaneous with adoption of the submitted DEIS, with the attached comments considered an appendix thereto, as "complete for the purpose of commencing public review" pursuant to SEQRA.

Additional information requested and substantive comments placed on the record during the public comment period and at the public hearing may all be addressed in a single FEIS. The following comments/requests for additional information have been grouped by topic for easier response.

Appendix A-3
Town Planning Board Resolution

April 7, 1999



HUNTINGTON TOWN PLANNING BOARD
MEETING OF APRIL 7, 1999

RECEIVED
VB APR 10 1999 PM
NELSON & POPE, LLP

The following resolution was offered by K. Mackey

And seconded by W.G. Asher

WHEREAS, AFM Realty of Huntington Corp. submitted application #96-ZM-290 for a change of zone from R-40 Residence to R-20 Residence for property located on the northeast corner of Lake Road and Pulaski Road (CR 11) containing approximately 39.3 acres, and designated 0400-105-02-029 on the Suffolk County Tax Map, and

WHEREAS, said application was forwarded to the Planning Board by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code § 198-127; and

WHEREAS, the Town Board has caused a review through the Planning Board of the proposed rezoning to be made, pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), and Part 617 of the implementation regulations (6 NYCRR Part 617), and

WHEREAS, the applicant has submitted an Environmental Assessment Form (EAF), Part 1, as well as a voluntarily submitted Draft Environmental Impact Statement, Harborfields Estates dated February, 1998 revised and resubmitted December, 1998, in support of the application, and the Department of Planning and Environment has reviewed the information contained in both the EAF, Pt 1, and the Draft Supplement and has duly classified the action Type I in accordance with the provisions of 6 NYCRR 617.4, SEQRA, and has coordinated the action which has established the Town Board as Lead Agency; and

WHEREAS, the staff of the Department of Planning and Environment has prepared a memorandum containing comments relative to the application and the Draft Supplement dated February 4, 1999, which was received by the Planning Board at its March 10, 1999 meeting; and

WHEREAS, the Planning Board has considered all relevant information relative to the subject application, including the Department of Planning and Environment memorandum and review comments regarding the Draft Environmental Impact Statement, Harborfields Estates; and

WHEREAS, the Planning Board hereby finds that: upon due deliberation of the Draft Environmental Impact Statement, and all other relevant information, that the action may have a significant effect on the environment based on the reasons outlined in the Department of Planning and Environment's staff memorandum; and

NOW THEREFORE BE IT

RESOLVED, that the Planning Board hereby recommends that the Town Board:

(1) Issue a Positive Declaration based on the reasons outlined in the memorandum and attached comments dated February 4, 1999 ; and

(2) Direct the Director of Planning and Environment to file Notice of the Determination of Significance pursuant to 6 NYCRR 617.12; and

(3) Pursuant to 617.9(a)(3) of the SEQRA regulations, accept the Draft Environmental Impact Statement, Harborfields Estates dated December, 1998 as satisfactory with respect to its scope, content and adequacy for the purpose of commencing public review, with the proviso that all substantive public comments expressed during the public review period as well as those prepared by the Department of Planning and Environment which are made a part of the Draft Environmental Impact Statement, will be addressed in the Final Environmental Impact Statement, and direct the Director of Planning and Environment to file a Notice of Completion in accordance with 617.9(a)(3); and

BE IT FURTHER

RESOLVED, that the Planning Board hereby recommends that the Town Board schedule a public hearing on the Draft Environmental Impact Statement, Harborfields estates, dated December, 1998 in accordance with 617. 12 of the SEQRA regulations for the purpose of gathering public comment, and simultaneously schedule a public hearing to consider the merits of the action as aforesaid to rezone from R-40 Residence District to R-20 Residence District, the subject property designated on the Suffolk County Tax Map as 0400-105-02-029.

VOTE: 6 AYES: 6 NOES: 0

The resolution was thereupon declared duly adopted.

Appendix A-4
Suffolk County Planning Commission

August 8, 2000



AUG-23-2000 08:25 FROM PLANNING DEPT.

94212565 P.01

COUNTY OF SUFFOLK



Planning

TOWN OF HUNTINGTON

AUG 14 4 31

ROBERT J. GAFFNEY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

August 8, 2000

DIRECTOR	STEPHEN M. JONES, A.I.C.P.
DEPUTY DIR.	DIRECTOR OF PLANNING
ASST. DIRECTOR	
	<i>CB</i>
AGENDA	
ADDED STARTER	
TRCH	ICURR

Town Clerk
Town of Huntington

Applicant: AFM Realty of Huntington Corp.

Lake Road - Pulaski Road

Zoning Action: Change of zone from R-40 Residence to R-20 Residence.

Public Hearing Date: 96-ZM-290

S.C.P.D. File No.: HU-00-06

Pursuant to the requirements of Sections A 14-14 to 23 of the Suffolk County Administrative Code, the above referenced application which has been submitted to the Suffolk County Planning Commission is considered to be a matter for local determination as there is no apparent significant county-wide or inter-community impact(s). A decision of local determination should not be construed as either an approval or disapproval.

Comment:

Alternate vehicular accessibility via Lake Road appear warranted.

Post-It® Fax Note	7871	Date	8/25/00	# of pages	1
To	<i>Robert Caputo</i>	From	<i>Charles Bolton</i>		
Co./Dept.		Co.			
Phone #		Phone #	351-3379		
Fax #	421-2565	Fax #			

Very truly yours,

Stephen M. Jones
Director of Planning

S/s Gerald G. Newman
Chief Planner

GGN:cc
G:\CCHORN\70N187\ONING\WGR\KING\LD2000\AUG\MJ00.CB.AUG

*cc: [unclear]
[unclear]
[unclear]
[unclear]
[unclear]*
8/17/2000
[unclear]

RECEIVED
AUG 18 2000
TOWN OF HUNTINGTON
DEPARTMENT OF PLANNING

LOCATION
R. LEE DENNISON BLDG., 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P. O. BOX 8100
HAUPPAUGE, NY 11760-0089

(516) 853-5190
TELECOPIER (516) 853-4044

Appendix A-5
Town Board Resolution

July 11, 2000



2000-539.

RESOLUTION ISSUING A POSITIVE DECLARATION, ACCEPTING A DRAFT ENVIRONMENTAL IMPACT STATEMENT, AND SCHEDULING SIMULTANEOUS PUBLIC HEARINGS TO CONSIDER SAID IMPACT STATEMENT AND ADOPTING LOCAL LAW INTRODUCTORY NO. 30-2000 CONSIDERING ZONE CHANGE APPLICATION #96-ZM-290 TO CHANGE THE ZONE FROM R-40 RESIDENCE TO R-20 RESIDENCE FOR PROPERTY LOCATED ON THE NORTHEAST CORNER LAKE AND PULASKI ROADS, GREENLAWN

Resolution for Town Board Meeting Dated: JULY 11, 2000

The following resolution was offered by COUNCILWOMAN SCARPATI-REILLY

and seconded by SUPERVISOR PETRONE

WHEREAS, AFM Realty of Huntington Corp. submitted application #96-ZM-290 for a change of zone from R-40 Residence to R-20 Residence for property located on the northeast corner of Lake Road and Pulaski Road (CR 11) containing approximately 39.3 acres, and designated 0400-105-02-029 on the Suffolk County Tax Map, and

WHEREAS, said application was forwarded to the Planning Board by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code § 198-127 and pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, and

WHEREAS, the Town Board has caused a review through the Planning Board of the proposed rezoning to be made, pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), and Part 617 of the implementation regulations (6 NYCRR Part 617), and

WHEREAS, the applicant has submitted an Environmental Assessment Form (EAF), Part 1, as well as a voluntarily submitted Draft Environmental Impact Statement, Harborfields Estates dated February, 1998, revised and resubmitted December, 1998, in support of the application, and the Department of Planning and Environment has reviewed the information contained in both the EAF, Part I, and the Draft EIS and has duly classified the action Type I in accordance with the provisions of 6 NYCRR 617.4, SEQRA, and has coordinated the action which has established the Town Board as Lead Agency; and

WHEREAS, the staff of the Department of Planning and Environment has prepared a memorandum dated February 4, 1999, containing comments relative to the application and the Draft EIS which was received by the Planning Board at its March 10, 1999 meeting; and

WHEREAS, the Planning Board considered all relevant information concerning the subject application, including the Department of Planning and Environment memorandum and review comments regarding the Draft Environmental Impact Statement, Harborfields Estates and by resolution dated April 7, 1999 recommended that the Town Board schedule a public hearing on the subject application; and

WHEREAS, the Town Board hereby finds that upon due deliberation of the Draft Environmental Impact Statement, and all other relevant information, that the action may have a significant effect on the environment based on the reasons outlined in the Department of Planning and Environment's staff memorandum; and

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby:

- (1) Issues a Positive Declaration based on the reasons outlined in the memorandum and attached comments dated February 4, 1999 ; and
- (2) Pursuant to 617.9(a)(3) of the SEQRA regulations, accepts the Draft Environmental Impact Statement, Harborfields Estates dated December, 1998 as satisfactory with respect to its scope, content and adequacy for the purpose of commencing public review, with the proviso that all substantive public comments expressed during the public review period as well as those review comments prepared by the Department of Planning and Environment which are made a part of the Draft Environmental Impact Statement, will be addressed in the Final Environmental Impact Statement, and direct the Director of Planning and Environment to file a Notice of Completion in accordance with 617.9(a)(3); and
- (3) Directs the Director of Planning and Environment to file Notice of the Determination of Significance, acceptance of the DEIS and scheduling of public hearing pursuant to 6 NYCRR 617.12; and

BE IT FURTHER

RESOLVED, that the Town Board hereby schedules a public hearing, at Town Hall, 100 Main Street, Huntington, at 7:00 o'clock for the 26TH day of SEPTEMBER, 2000 to consider the Draft Environmental Impact Statement, Harborfields Estates, dated December, 1998 in accordance with 617.12 of the SEQRA regulations, and simultaneously schedules a public hearing to consider adopting Local Law Introductory No. 30-2000 amending the "Amended Zoning map of the Town of Huntington, as referenced in Chapter 198 (Zoning) § 198-7 of the Huntington Town Code, thereby rezoning from R-40 Residence District to R-40 residence District the subject premises designated on the Suffolk County Tax Map as 0400-105-02-029; and

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW INTRODUCTORY
NO. 30-2000

AMENDING THE CODE OF THE
TOWN OF HUNTINGTON

CHAPTER 198 (ZONING)

Section 1. Amendment to Chapter 198 (Zoning) TO READ AS FOLLOWS:

§ 198-7 Zoning Map

The boundaries of the districts enumerated in § 198-6 of this Chapter are hereby established as shown on the map designated as the "Amended Building Zone Map of the Town of Huntington." The said map, together with all notations, references and every other detail shown thereon shall be as much a part of this chapter as if the map and every other detail shown thereon was fully described therein. Section-55 contains symbols on the map for the aforesaid districts.

All the premises located on the northeast corner of Lake Road and Pulaski Road (CR11), Greenlawn, designated on the Suffolk County Tax Map as 0400-105-02-029, containing 39.3 acres and more particularly described below, to be rezoned from R-40 residence to R-20 Residence:

BEGINNING at a point, said point being at the intersection formed by the northerly side of Pulaski Road (CR 11) with the easterly side of Lake Road.

RUNNING THENCE along the easterly side of Lake Road the following three (3) courses

- 1) N 65° 55' 58" W, 47.43 feet;
- 2) N 10° 14' 02" W, 214.68 feet;
- 3) N 10° 26' 58" E, 666.47 feet;

THENCE along land of the Long Island Railroad N 65° 56' 06" E, 1975.02 feet;

THENCE S 24° 05' 30" E, 765.88 feet to the northerly side of Pulaski Road (CR11);

THENCE along said road line the following two (2) courses:

- 1) Westerly along the arc of a curve bearing to the left, having a radius of 3852.83 feet and a length of 434.84 feet;
- 2) S 64° 41' 20" W, 1938.73 feet to the POINT or PLACE of BEGINNING.

Section 2. Severability

If any clause, sentence paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise

invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Marlene L. Budd	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Steve J. Israel	AYE
Councilwoman Susan J. Scarpati-Reilly	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

APPENDIX B
**STAFF COMMENTS, TOWN DEPARTMENT OF PLANNING &
ENVIRONMENT**

undated



STAFF COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT
AFM REALTY OF HUNTINGTON CORP. /HARBORFIELDS ESTATES

LAND RESOURCES

Soils

The results of soil testing were included in the DEIS; however, only three samples were taken. A map locating where samples were taken was forwarded after receipt of the DEIS and is attached hereto. While elevated levels of arsenic were detected, placement of such excavated materials in the roadbed, landscape berm, and drainage area, as proposed in the DEIS, would clearly not be acceptable mitigation. The DEIS considers the project to entail complete site manipulation as a worst case analysis, with overall impacts "anticipated to be less intense than those presented (pg. 1-7)." Additional testing should be conducted, to be directed with the input of the SCDHS on their review of the DEIS. The results of further soil sampling and potential mitigation therefor should be incorporated into any FEIS prior to its adoption. See attached memo of December 23, 1999 from S. Robin regarding the soil test report, to be considered a part of these comments.

B-1
2.1

Vegetation/Wildlife/Habitat

Removal of all site vegetation, as depicted in Table 1-1, suggests that any species inhabiting or growing on the site will be displaced. In order to avoid removal of all existing habitat natural/naturalized buffers could be reserved along the railroad and/or Pulaski Road, which would serve as habitat as well as a minimal noise break. The DEIS discounts any regional impacts due to habitat loss. While the land does not have diversity of habitat, old field/open meadow is among the least represented community types in the Town and there are few such areas that are actually managed to perpetuate such habitat.

B-2
3.1

Summary of irreversible and irretrievable commitment of resources on page 3-29 states: "The development of the proposed Harborfields Estates subdivision will result in irreversible and irretrievable commitment of resources. The importance of this commitment of resources is not anticipated to be significant, due to the fact that these losses do not involve any resources that are in short supply, semi-precious or precious to the community or region, or otherwise substantial." This is an extremely conclusory statement for a DEIS, particularly for one which includes no cumulative resource analysis upon which to base such finding. As a vacant open space parcel greater than 35 acres in size, an intact single tract clearly visible from a heavily traveled roadway (minor arterial), a mapped Open Space Index site, the subject property has regional open space value.

SITE YIELD/DESIGN REQUIREMENTS

Transportation/Roadway Improvements

The DEIS indicates on pg. 1-7 that "plans have been submitted by the Applicant to the SCDPW; if that agency has comments in regard to vehicle access and roadways, these will be addressed during preparation of the Final EIS." The SCDPW has provided the applicant and consultants thereto with written comments indicating their interest in acquiring a 20-foot widening along Pulaski Road and a second access drive to Lake Road (see attached letters of January 29, 1996 and October 13, 1993).

B-3
4.1

The subdivision plan continues to limit all project generated traffic to one access almost opposite Tulane Place, an unsignalized intersection. Level of Service is anticipated to diminish from B to D and C to D during the a.m. and p.m. peak hours respectively. With project frontage almost one-half mile long, the choice of access location and reason for singular access should be provided. Several references are made to a southerly buffer to be provided. The practicality of this buffer depends on future road improvement requirements.

Fire/Emergency Services

The Chief of the Greenlawn Fire Department, David Caputo, has indicated in writing (Appendix A-9) "...it would be to the fire departments and homeowners advantage to have a second access point on the west side of the property. For any number of reasons the primary access could be blocked, and in an emergency the responding vehicles would have to enter the development by the second access point." Despite such, no additional emergency access is shown on the revised plan. The plan still provides one access point at the eastern end (closest to the fire district) of the property requiring fire fighting equipment to traverse the entire road system to reach properties at the westerly end. Page 1-4 of the DEIS states: "If an additional site access is deemed necessary by the Town and/or SCDPW, this can be accomplished by extending the southerly cul-de-sac roadway westward to Lake Road." In this particular instance, extending the southerly roadway westward to intersect Lake Road would place it through the middle of the proposed park pond/drainage area. As the issue is met with flexibility, such determination could be considered a standard site design/subdivision issue that can be deliberated at a later time by the Planning Board should the rezoning be approved. However, it must be clear that no yield determination can be made until the roadway orientations and intersections are so established. While comments were requested on the adequacy of the proposed thirty (30) foot road widths and ambulance services, no response was provided in the DEIS.

B-4
4.1

B-5
4.3

Yield/Project Design/Alternatives

The DEIS includes five alternatives (one being no action, vacant) and the preferred plan, a total of six concept options. Four rely on/presuppose the Planning Board would grant modifications. There are several elements that will require the determination of the Planning Board at the time an application for subdivision is considered—yield confirmation, parkland setaside and location, potential modifications, and provision of an affordable project component.

B-6
9.4

Project yield has not been determined and such remains within the jurisdiction of the Planning Board on a future subdivision review. There are several inconsistencies in the theoretical yield studies, the most basic being that they do not all show park dedication or recharge basin and only one (R-40 yield study) shows the 20-foot widening along Pulaski Road. The R-20 concept design alternatives are not all at the same yield and show from 59 to 61 to 70 lots. That the mixed cluster of attached and detached units has a yield that is 11 lots more than the proposed plan does not really make it a reasonable alternative.

B-7
9.4

The lot designs differ in their buffering of site constraints i.e., frontage on a major east/west arterial, and the railroad and high-tension lines that traverse the rear of the property. Only the mixed cluster alternative deliberately designs defined buffer area (50 feet) from the north (LIRR) and south (Pulaski Road) property lines. An additional element that should be considered and reported in Table 6-1,

Comparison of Alternatives, is the closest proposed setback of any planned home from the north property line along the LIRR.

Ann attached cluster alternative should be incorporated, consistent with the Lakeridge development to the north and the original planning staff study on which the recommendation to rezone was based. Such an alternative should include parkland on the east side of the site (as recommended in the staff study), dual access, 20-foot widening on Pulaski Road and standard drainage system. While Lakeridge was developed around a water feature (which was existing), a recharge basin was provided. All standards contained in the Zoning Ordinance of the Town of Huntington and Town of Huntington Subdivision Regulations and Site Improvement Specifications are to be considered necessary for potential yield and design purposes for the proposed action and all alternatives.

Parkland

The park is designed as a passive park and is used as mitigation for a number of impacts identified in the EIS. The subdivision regulations require a 10% park setaside so that the majority of what is provided is actually imposed by regulation not offered as mitigation. The pond in the park is used to avoid providing the recharge basin the subdivision regulations require. The pond, if designed with a liner, would not allow water recharge to take place. Current Town regulations do not allow the assignment of plat area to dual purposes (e.g., recharge basin/drainage and parkland setaside). The need for a passive park in Greenlawn/Huntington Station is exceeded by the need for active recreation facilities. See this discussion in the DiCanio Communities, Inc. EAF parts II and III.

B-8
9.3

Plate 5 indicates the conceptual park area layout. Unlike the popular "New Urbanist" goal to provide "enclosed" public spaces to enhance a sense of neighborhood, the park area is isolated from the planned development. Not even a right-of-way/path is provided from the internal cul-de-sac roadways for prospective homeowners to access the area directly. The park is planned to consist of a water feature/pond/drainage area and a landscaped berm. No homes will face the park. Therefore, the park area will not be directly visually or physically accessible to the new community to be built. By the nature of the design, the park shall serve a "structural buffer" purpose, similar to the planned evergreen buffer along Pulaski Road (within the 20 foot area that might be required for widening)—insulating the new development from outside constraints.

B-9
9.3

Affordability

Staff recommended that the applicant consider establishing 10% of the units as low-income and 10% as moderate-income, based on the regional median income, indistinguishable in style from the remainder of the planned development to meet identified needs in the community. The Planning staff memo (Appendix A-3) which supported rezoning the site to R-20 in anticipation of modified attached cluster development discussed the affordable housing issue and states: "limiting floor area reduces construction costs and future maintenance costs. The key to "affordability" is the reduction of costs of purchase, construction and anticipated maintenance." However, the DEIS indicates on page 1-6 "The Applicant does not propose to set aside any units for purchase by low and/or moderate-income housing ("affordability")." Six (6) 3-bedroom (2,400 sf/1 story); fifty (50) 4-bedroom (3,600 sf/1.5 stories); and three (3) 5-bedroom (4,800 sf/2 stories) units are projected.

B-10
9.2

Schools

Correspondence from the Harborfields School District is provided in the DEIS projecting number of students expected to increase (100) and using the methodology developed by the Western Suffolk BOCES-School Planning and Research Department (110) upon development. While a cost/revenue analysis is provided for the proposed R-20 zoning (pg. 3-22), similar analysis should be applied for the existing R-40 scenario. The DEIS states on page 3-23 regarding effect to school district, "the net loss represents an insignificant impact (less than 2.1% of the overall budget) to the school district's fiscal position." An additional 2.0% cost to the district budget is not insignificant. The School Superintendent's letter identifies a serious classroom space shortage to be exacerbated and expectation of having to hire additional staff and provide additional services to fulfill the student demand. To meet costs related thereto (estimated shortfall of \$656,773), the district may need to reduce some services presently provided or increase taxes overall.

B-11
6.1

Unlike larger school districts in the Town, with perhaps greater flexibility to redistrict, the Harborfields School District only has one elementary school, one middle school, and one high school. While the DEIS places the burden on long-term planning of the school district, a rezoning should not be taken for granted as it is a legislative act that should be predicated on public benefit. Therefore, the requested higher density zoning is not something that normally would be projected into classroom planning and budgeting, although the Superintendent is aware of the proposal. With the assistance of Western Suffolk BOCES, all of the school districts in the Town carefully track all new developments and pending applications that have potential to generate new students to insure that needs will be met. The Department of Planning and Environment consistently assists in providing such information.

B-12
6.2

Demographics

Page 3-25 notes a total population of 177. If there are 110 school-aged children (as projected), it would leave a balance of only 67 adults for the 59 homes which does not appear correct.

B-13
7.1

Utilities

There is a simple discussion on page 2-38 of the DEIS regarding non-ionizing radiation and electromagnetic fields. This is responding to staff concern with the site's proximity to the high tension lines which run along the northern boundary of the property, the transformer site (LIPA) to the west, and the specific activity (testing) that occurs at the adjoining Hazeltine plant to the east). A sizeable Appendix E has been added to the DEIS entitled Internet Search/Non-Ionizing Radiation and Health Effects. The articles presented indicate that there is no conclusive evidence that exposure can be considered a human health hazard, in particular disavowing any potential link to cancer. Nevertheless, due to the inconclusive body of such epidemiological studies, mitigation in the form of separation was incorporated as a condition of the Avalon II rezoning to greater residential density in Melville based on the outcome of on-site testing. No actual measurements have been provided. The DEIS will be distributed to the SCDHS, as an involved agency, that can comment on whether any specific mitigation may be warranted.

B-14
9.1

Historical/Archaeological

Page 2-46 provides the conclusions of the Stage IB Cultural Resource Assessment prepared for the site which addresses two potential archaeologically important zones in the northwestern portion of the property (proposed for park/pond/drainage area). It states "Further study would be necessary to

B-15
8.1

determine the nature and significance of these finds and to properly map and document the surface features prior to their disturbance or obliteration by the proposed construction activity." Consistent with other cultural resource assessments, the study will be forwarded to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), State Historic Preservation Office (SHPO) for their comment and direction. It is noted that the testing was done at a 100-foot interval which is not in accordance with present OPRHP, New York Archaeological Council guidelines (16 test holes per acre). Should SHPO substantiate that additional testing should be conducted, it should be done to their specification and prior to the adoption of an FEIS in order to have an opportunity to consider alternative conceptual design.

The mitigation and impacts sections of the DEIS offer identical statements: "Subsurface investigation of these areas can be accommodated prior to or during the initial phases of construction." It would be highly inconsistent to allow such testing during construction as any truly significant archaeological finds might require relocation of planned site use as mitigation, an option that would be foreclosed once construction was initiated. As the artifacts already located are historic in nature (perhaps lying closer to the surface), and not prehistoric, they may be more susceptible to grade changes caused by site clearing. Excavating such area for drainage/pond/landscape berm purposes, as is proposed for the westerly site component, could severely impact any residual artifacts that may have been protected by the existing conditions.

Noise

Noise measurements have been included in the DEIS as requested; however, the readings were taken on a Sunday afternoon, about 4 p.m. There are considerably less trains running at that time and notably less diesels. The DEIS even indicates on page 2-45 that weekend train schedules are reduced by approximately 75%. With most schools and businesses closed (November 29, 1998 when the readings were taken was the Sunday of Thanksgiving weekend), traffic noise on Pulaski Road is greatly diminished. Therefore, the readings provided should not be considered "worst-case scenario," but instead, perhaps "best case scenario." Even at such time, engine and track noise from passing trains was measured at 86dBA and a whistle reading at 500 feet away was measured at 79dBA, considerably in excess of the standard guidelines (e.g., HUD for new housing) for outdoor residential sound levels (65 dBA). Siting modifications and/or other means of attenuation (e.g. solid barriers) should be considered for incorporation into project design to reduce impacts to future homeowners from excessive vibration.

B-16
8.2

The applicant recently completed another R-20 project, Gildersleeve Estates, with a similar location between the LIRR and Pulaski Road. The Planning Board modified the lot configuration to enable deeper lots (all but one exceeding 200 feet, due to a connection with an existing tap road) to be provided along the LIRR boundary. Width at the required setback was reduced from 100 to 90 feet. The builder reported to staff that the six foot high stockade fencing and a 30-foot bermed and landscaped (trees were relocated there) covenanted area along the LIRR boundary made these lots more desirable than those backing on Pulaski Road and they actually sold out first. Even the other project of the applicant that adjoins the LIRR, Cobblestone Estates, seeks to maximize setback from the railroad. Measurements taken at this (former ISC) site west of Park Avenue, also adjoining the LIRR, were requested for comparative purposes; however, they have not been presented. The

applicant's preferred plan depicts lots (modified in area) that are only 160 feet deep along the LIRR, placing new homes approximately 80 feet off the LIRR boundary.

Attachments

Consider the attached letters of the Suffolk County Department of Public Works (January 29, 1996); Suffolk County Department of Health Services (February 6, 1996); Huntington Conservation Board (April 16, 1996); and Scott Robin (December 23, 1998) and soil test map forwarded by Nelson and Pope as part of these comments.

COUNTY OF SUFFOLK



ROBERT J. GAFFNEY
SUFFOLK COUNTY EXECUTIVE

DIRECTOR	
ASST. DIRECTOR	
CHAIRMAN	
AGENDA	
FILE	

STEPHEN G. HAYDUK, P.E.
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS

January 29, 1996

Town of Huntington
Planning Board
100 Main Street
Huntington, N.Y. 11743
Attention: Richard Machtay, Director of Planning

Re: CR 11, Pulaski Road at the n/e/c/o Lake Street "AMF REALTY" 96-ZM-290

Gentlemen:

We have reviewed the above referenced EAF for the above referenced development. Attached please find a copy of a correspondence to Nelson & Pope, the consulting engineers for the developer, dated 10/13/93 and detailing our requirements for this development. These comments were based upon a "sketch plan" or "yield map" for this parcel that indicated alternate access to this subdivision by way of Lake Street. However, the "conceptual layout" plan dated 8/24/95 submitted with your submittal does not indicate this alternate access to Lake Street.

The traffic volumes along this section of Pulaski Road are very heavy. Traffic trying to negotiate left turns into and out of this subdivision will experience difficulties especially during peak hours. Based on these traffic volumes, the alternate access to Lake Street from this subdivision is very important. This alternate access would afford vehicular traffic the availability of the traffic signal at the intersection of Pulaski Road and Lake Street to negotiate these left turns in a safer manner. This alternate access is very important and should be pursued by the town before any approvals are given for this subdivision.

B-3
4.1

If you have any questions, kindly contact this office at 852-4100. Thank you for your cooperation in this matter.

Very truly yours,

Richard J. LaValle, P.E.
Chief Engineer.

By:
M. Paul Campagnola
Permits Engineer

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, N.Y.
56 FEB -7 AM 11:57

RJL/MPC/pc
cc: Nelson & Pope
William S. Shannon, SCDPW

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

COUNTY OF SUFFOLK



ROBERT J. GAFFNEY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

STEPHEN G. HAYDUK, P.E.
COMMISSIONER

October 13, 1993

Nelson & Pope
Consulting Engineers
572 Walt Whitman Road
Melville, New York 11747

Attention: Victor Bert

RE: C.R. 11, Pulaski Road - Residential Subdivision - @ n/e/corner of
Lake Road in Greenlawn - SCTM #400-105-2-29

Gentlemen:

Be advised that this Department has reviewed your most recent submittal for the above referenced site plan.

Pursuant to our conversations, we will require the developer to build concrete curbing, 5' wide concrete sidewalk, necessary drainage and full thick (6") asphalt pavement along the entire frontage of this parcel along Pulaski Road. The improvements shall be built 10' off of the existing right-of-way line. It is our understanding that the developer of this parcel is willing to dedicate 20' of property along the frontage of this parcel on Pulaski Road. Please prepare a map and description for this dedicated area. We will prepare the necessary Quitclaim deed and forward same to your client for their execution.

B-3
4.1

Should you have any questions concerning this matter, please do not hesitate to contact this office at 852-4099.

Very truly yours,

Richard J. LaValle, P.E.
Chief Engineer

By: 

M. Paul Campagnola
Permits Engineer

RJL/MPC/jfb

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

COUNTY OF SUFFOLK

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, N.Y.



96 FEB 13 AM 11:57

ROBERT J. GAFFNEY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

MARY E. HIBBERD, M.D., M.P.H.
COMMISSIONER

February 6, 1996

Richard Machtay, Director
Town of Huntington
100 Main Street
Huntington, New York 11743-6990

RE: Change of Zone #96-ZM-290
SCTM #: 0400-105-02-029

Dear Mr. Machtay:

DIRECTOR	
ASST. DIRECTOR	
CHAIRMAN	
AGENDA	
FILE	

The Suffolk County Department of Health Services (SCDHS) has received your letter dated January 17, 1996, concerning the above-referenced application, and has no objection to the Town's designation as lead agency.

Article 6 Application Status:

Our agency has no record of a current subdivision application for the proposed action as required by Article VI of the Suffolk County Sanitary Code (SCSC). We recommend that the project sponsor submit an application to our agency's Bureau of Wastewater Management at the earliest possible date so that a complete technical assessment of this proposal can be undertaken.

This correspondence is intended primarily to expedite the procedural requirements of SEQRA pertaining to the establishment of lead agency. The comments provided below are, therefore, general in nature, representing several of our most common concerns regarding Suffolk County projects. The department wishes, however, to reserve its right to provide more detailed information within the comment period(s) established for this action.

I. Suffolk County Sanitary Code (SCSC)

1. The SCDHS maintains jurisdiction over the final location of sewage disposal and water supply systems, pursuant to the authority and requirements of Articles 4, 5, 6 and 7 of the SCSC. Applications must comply with all relevant density and construction standards for water supply and sewage disposal. Applicants should not undertake the construction of, or connection to, either system without Health Department approval.
2. Where applicable, the department regulates the storage, handling and discharge of restricted toxic and hazardous materials pursuant to the requirements of Articles 7 & 12 of the SCSC.
3. If an application has not yet been submitted to the SCDHS, one should be filed at the earliest date to allow for the technical review of the proposed action. Project designs submitted to the department should be fully consistent with any action currently under review through the SEQRA process.
4. Design and flow specifications, information regarding subsurface soil conditions, water supply information, and complete design details are essential to the review of this project, and are evaluated fully at the time of application review. Should the town require additional environmental information (such as a DEIS), discussion of the compliance requirements of the SCDHS should be required.

B-17
9.5

5. Of particular concern to the department are those areas which because of elevated groundwater conditions, or soils which are not conducive to the proper functioning of conventional subsurface sanitary sewage disposal systems. Your agency should be aware that such conditions frequently require the use of fill or the excavation of subsurface soils to accommodate subsurface sanitary disposal systems constructed in conformance with the requirements of the SCSC.
6. The department is also significantly concerned with areas where access to potable water may be constrained by unacceptable groundwater quality and the lack of an available public water supply. All private water supply systems must be constructed in conformance with requirements of the SCSC.

II. NATURAL RESOURCES:

1. The SCDHS fully supports all efforts to maximize protection of natural resources which may be impacted upon by construction and development activities. It is the position of the department that the SEQRA review process provides the greatest opportunity for comprehensive consideration of these resources, and that all practicable planning measures should be employed to help ensure their protection.

Of particular concern to department is the adequate protection of wetlands, surface waters, natural communities, contiguous natural habitats, and rare, threatened and endangered species. In addition, efforts to protect sensitive physical resources such groundwaters, dunes, bluffs, shorelines, natural drainage channels, groundwater recharge areas, and steep slopes are fully supported and encouraged by the SCDHS.

In general, the department encourages the following land use measures be considered (where appropriate) to actions being reviewed pursuant to SEQRA.

1. Maximum practicable setbacks from all wetlands, surface waters, dunes, and bluffs.
2. Non-disturbance buffers between wetland limits and required structural setbacks.
3. Clustering of subdivision lots to provide for maximum preservation of large contiguous areas of dedicated open space.
4. Stringent clearing limitations which can reduce potential impacts to wildlife habitats, vegetative communities, and unconsolidated soils.
5. Maximum practicable confinement of development to areas with slopes of less than 10%.
6. Maximum use of native species for landscaping purposes.
7. Construction of recharge areas, so as to minimize the amount of disturbance and structural modification to the site.
8. Maximum use of land-banked parking on commercial sites.
9. Minimal use of fertilizer-dependant turf and landscaping.
10. Employment of stormwater runoff control measures necessary to maintain runoff on-site.

The department appreciates the opportunity to participate in the SEQRA review of this proposal. Additional information may be provided prior to the close of the established comment period. Should you have any questions or require additional information, please feel free to contact the Office of Ecology at 852-2741.

Sincerely,



Mark J. Reuschle
Environmental Planner
Office of Ecology

MJR/amf
cc: Vito Minei, P.E.
Stephen Costa, P.E.



FRANK P. PETRONE, Supervisor

100 MAIN STREET, HUNTINGTON, N.Y. 11743-6991

CONSERVATION BOARD
516-351-3192

April 16, 1996

Frank P. Petrone, Supervisor
Members of the Town Board
100 Main Street
Huntington, NY 11743

Re: Proposed Change of Zone, AMF Realty OSI #NW 32

Dear Mr. Petrone and Members of the Town Board,

DIRECTOR	<input checked="" type="checkbox"/>
ASST. DIRECTOR	<input type="checkbox"/>
CHAIRMAN	<input type="checkbox"/>
	<input type="checkbox"/>
AGENDA	<input checked="" type="checkbox"/>
FILE	<input checked="" type="checkbox"/>

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, N.Y.
96 MAY -9 AM 11:21

The Huntington Conservation Board has completed its review of the conceptual layout and Environmental Assessment forms for the referenced proposal in the designated Town Open Space Index parcel. The applicant proposed the rezoning of a 39.8 acre parcel, currently zoned R-40, to R-20, to allow the construction of 59 homes on individual lots. All lots are to be provided with connection to public water. On site sewage disposal utilizing standard septic tank and leaching pool systems is proposed. A five (5) acre park is shown and presumably this would be a Town parkland dedication. However, we note that the applicant fails to show an on site stormwater recharge structure. Marginal soil conditions are known to exist in the shallowest soils, but we would expect that suitable recharge structures can be designed. B-18
9.6

We note similarities to the proposed 1990 rezoning proposal of the DeCanio Residential Communities for this same parcel, in which a Positive Declaration was issued. Our records indicate that the previous applicant failed to take further action after the Declaration was issued.

The property is essentially level and had long been farmed. The most notable factors affecting its development are the LIRR tracks and Pulaski Road which forms the north and south boundaries, respectively. Factors to consider include the desirability of a transition zone between higher residential densities to the south and lower densities to the north, and limitations imposed by high traffic used on Pulaski Road and the noise and aesthetic effects of the railroad tracks. An additional site assessment issue of concern is the possible impacts due to residual pesticides and herbicide levels from the past agricultural activities and off site fugitive dust during construction. The Conservation Board has advocated clustering on other sites in the vicinity of the subject property, to preserve open space, site aesthetics, and to provide adequate buffers. 8-19
2.1

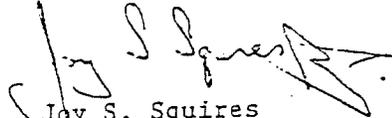


Frank P. Petrone, Supervisor
Members of the Town Board
April 16, 1996
Page 2

Therefore we recommend that a Positive Declaration should be issued, in consideration of these concerns, and in view of the Declaration issued previously. In any DEIS prepared applicant should consider the merits of concepts e.g. clustering at R-40 and R-20 yields, different density and design alternatives in the mitigation of potential environmental impacts.

These findings were accepted and this report approved by the Conservation Board at its April 16, 1996 meeting by unanimous vote.

Very truly yours,


Joy S. Squires
Chairperson

JSS:PP/stb

cc: Planning Board
Planning Dept.

Town of Huntington
Department of Planning and Environment
Intra-office Memorandum

DATE: December 23, 1998

TO: Charla Bolton, Planner

FROM: Scott Robin, Senior Environmental Analyst 

RE: Harborfield Estates DEIS - Soil Test Report

Pursuant to your request, I reviewed the soils report, prepared by Nelson, Pope and Voorhis for the Harbor Field Estates proposed Change of Zone Application and offer the following comments for your consideration:

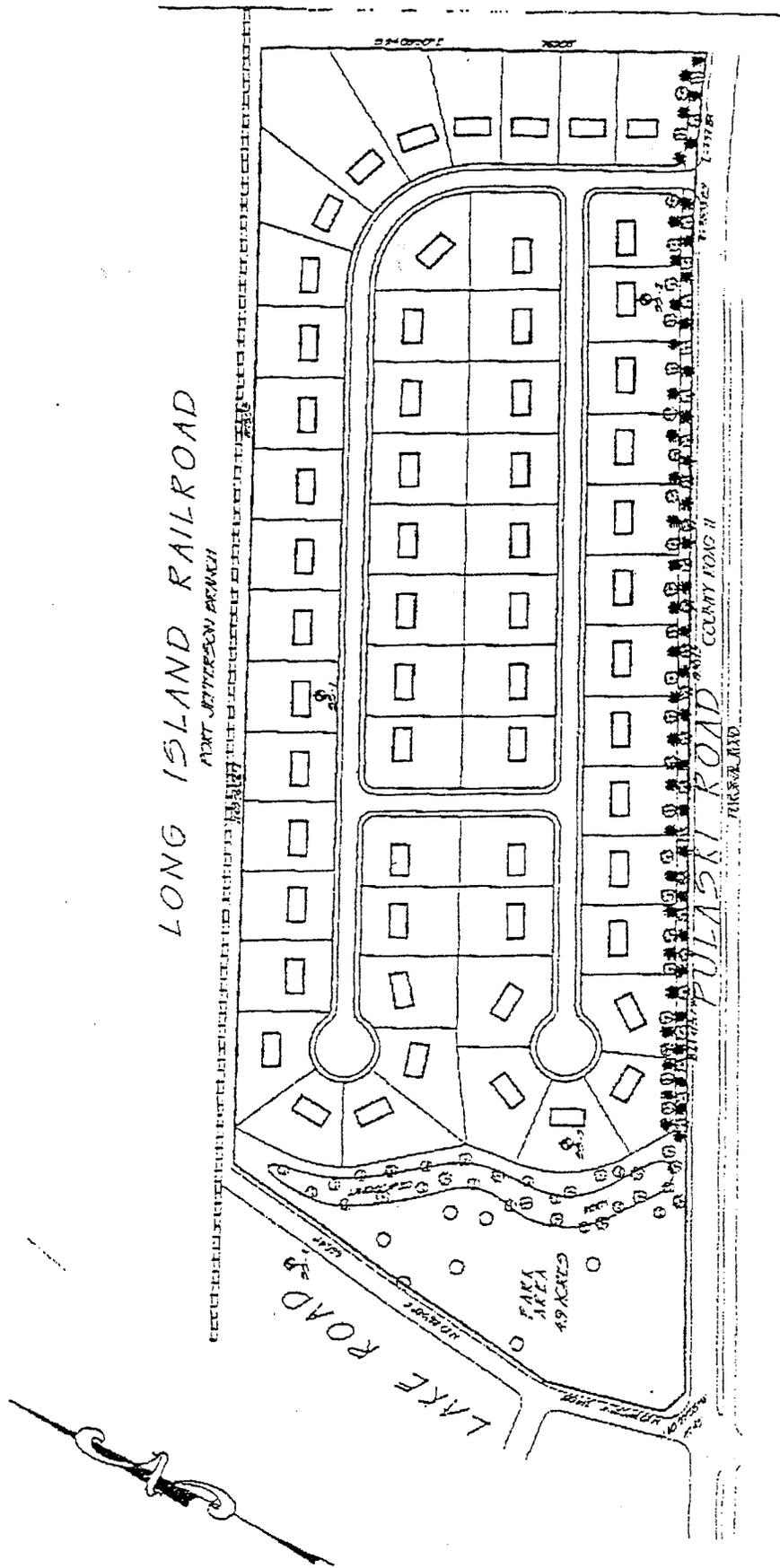
1. Three (3) sample points were used to test soils on this relatively flat 39 acre property. Consistent with New York State Department of Health's November 17, 1998 comments on the Greenbrush Hollow Subdivision, a single sample point for every thirteen acres is unlikely to be adequate for characterizing distribution of pesticides/herbicides contaminants. Unless background and history can show that these samples represent the highest contaminant concentrations on-site (e.g. suspected pesticide mixing areas), additional sampling may be necessary.
2. According to the consultant's report, a fourth sample (SS-4) was collected off-site, on property opposite the subject site's northwestern corner, along the west side of Lake Street. This sample had some of the highest contaminate levels. It should be made clear why this sample was included in the investigation. Some readers may erroneously conclude this sample represents "typical background levels" as defined by Federal, State and local health and environmental departments.
3. The report recommends the removal of the topmost 6 inches of soil within front, side and rear yards. Since only the first 3 inches of soil were tested, the rationale for removal to 6 inches should be provided. The report notes that "It may be prudent to run additional samples from depth of 9-12 and 15-18 inches to confirm that removal of 6 inches is appropriate". This suggests that contamination may be to depths greater than 6 inches. To reduce overall project time and cost and to improve accuracy and confidence in the project, all data should be collected and analyzed by the consultant and made available to the Town prior to any recommendation for remediation.
4. A Site Location Map should be provided.

SR/
cc: Anne Ducey-Ortiz

B-1
2.1

FIGURE B-1

LOCATOR MAP FOR SOIL SAMPLES



Source: Site Plan prepared by Nelson & Pope, LLP
Scale: 1" = 300'

APPENDIX C
TOWN HIGHWAY OFFICE

August 1, 2000



TOWN OF HUNTINGTON HIGHWAY OFFICE
Inter-office Memorandum

M
CB

TO: Richard Machtay, Director of Planning

FROM: William Naughton, Superintendent of Highways *WN*

DATE: August 1, 2000

RE: **Harborfield Estates** - Draft Environmental Impact Statement dated December 1998, transmitted by Planning to Highway July 18, 2000.

At this time, I do not have any comments regarding the rezoning request for this 39.3-acre site on the northeast corner of Lake Road and Pulaski Road.

Section 1.3 .2 on page 1-7 stated. "a thirty (30) foot wide subdivision road would be provided within a Town-standard 50 foot right-of-way." Section 1.4 on page 1-11 indicates the roads and recharge basin will be dedicated to the Town. For dedication, we require a 34 foot wide road and all the other needed subdivision requirements.

C-1
4.3

We agree with Suffolk County's request that at least one entrance road should be onto Lake Road along with one onto Pulaski Road.

C-2
4.1

WN/CFP/nd
cc: Conrad F. Pohlmann, P.E.

RECEIVED

AUG 03 2000

TOWN OF HUNTINGTON
DEPARTMENT OF PLANNING
AND ENVIRONMENT

APPENDIX D
TOWN CONSERVATION BOARD

September 19, 2000





TOWN OF HUNTINGTON

FRANK P. PETRONE, *Supervisor*

100 MAIN STREET, HUNTINGTON, N.Y. 11743-6991

CONSERVATION BOARD

631-351-3398

September 19, 2000

Supervisor Frank Petrone
Members of the Town Board
Town of Huntington
100 Main Street
Huntington, NY 11743

Re: AFM Realty, Harborfield Estates, Change of Zone Application #96-ZM-290, OSI# NW-32

Dear Mr. Petrone and Members of the Town Board:

The Huntington Conservation Board has completed its review of the referenced Draft Environmental Impact Statement, accepted as satisfactory at the 7/11/00 Town Board meeting. The applicant proposes a Change of Zone from R-40 to R-20 on a 39.8-acre parcel on the North-east corner of Lake Road and Pulaski Road in Greenlawn in the referenced OSI parcel. As outlined in the Draft EIS, the applicant's preferred plan is to construct 59 single family units on lots conforming to the R-20 zone.

We note that the Metropolitan Transportation Authority has plans to acquire this property and use it for LIRR staging and car cleaning purposes. We support the Town's efforts to prevent this use, which will be damaging to the Town's environment and to the community. No State created Authority should hold itself to be unaccountable to the State Environmental Quality Review Process.

The AFM application was the subject of our 4/16/96 letter wherein we recommended issuance of a Positive Declaration to allow the consideration of the merit of alternatives incorporating cluster concepts to preserve open space, to consider site aesthetics, and to provide adequate buffers relative to the LIRR and Pulaski Road.

The new preferred plan indicates a five acre designated "park" that incorporates a pond-runoff recharge structure. We agree that such a mixed-use concept, and the engineering aspects of the adequacy of design are legitimate questions to be addressed. However, the park's siting has the effect of isolating this project from the neighboring community. The residents are not provided with direct sidewalk access to the park that backs up to several of the proposed yards. This alternate also lacks any buffer to the railroad tracks, which could have been provided by configuring deeper lots. In fact, the only alternative that considers such a buffer is the mixed cluster of attached and detached units, which provides no explanation for its increase to 70 units instead of the

D-1
9.3
D-2
9.3

D-3
9.4
D-4
9.3
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more reasonable (for impact comparison purposes) R-20 yield. In a similar vein, other evaluated alternatives lack park dedication, again without explanation.

We note that this area is considered to be under-serviced by parks, both active and passive. We strongly advise that the applicant be specifically directed in the FEIS to provide a park dedication which provides access to the community and a layout which is consistent with Smart Growth principles of pedestrian access and community integration in the evaluation of all alternatives. Additionally, a cluster layout based on an R-20 equivalent yield should be provided for evaluation.

D-5
9.3

We also wish to point out that cluster alternatives could open up the possibility of a partial preservation of the old field/open meadow habitat which has formed in the years following the cessation of farming activities on this site. This habitat has great value to specific species, which would otherwise be less likely to thrive in a typical suburban subdivision setting.

D-4
(Cont'd)

On site sewage disposal via standard septic systems and leaching pools is provided. Soils should be suitable for stormwater and sanitary sewage disposal purposes. A public water supply connection from the Greenlawn Water District is expected.

We have reviewed, and agree with, Town planning staff comments on the DEIS regarding the need for further soils sampling prior to adoption of the FEIS. On the basis of the data submitted, we assume that deep-tilling of soil, cover or other reasonable steps which have been used elsewhere, can mitigate impact from past agricultural uses. Our position that this needs to be done does nothing to preclude the site's development in a manner consistent with the property's residential zoning. Placement of all unsuitable soils under roadbeds should not be considered a practical solution without further detailed study and evaluation of the specific volume of soil needed for removal.

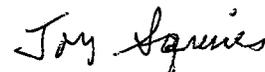
D-6
2.1

We believe the Town Board must consider whether the incentive of greater yield is reasonable, whether it is reasonable for the community to bear the impacts associated with greater yield in return for the more meritorious aspects of this proposal, and whether greater yield serves to facilitate the viability of additional environmental impact mitigation measures or other community enhancements. With regard to this last issue, it might be appropriate for the Town Board to request that the applicant evaluate other cluster alternates at the requested yield in the FEIS which address the park planning need and provide adequate setbacks or buffers to the railroad tracks and Pulaski Road.

D-7
9.4

This report was accepted and approved by unanimous vote of the Conservation Board at its September 5, 2000 meeting.

Very truly yours



Joy S. Squires
Chairperson

cc: Tracy Edwards, Chair, Town of Huntington Planning Board
Richard Mactay, Director, Department of Planning and Environment

APPENDIX E
TRANSCRIPT OF PUBLIC HEARING

September 26, 2000



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OFFICIAL TOWN BOARD MINUTES

PROCEEDINGS AND VERBATIM DISCUSSIONS OF THE
HUNTINGTON TOWN BOARD MEETING, HELD ON THE
26TH DAY OF SEPTEMBER, 2000 AT 6:00 P.M., AT
TOWN HALL, 100 MAIN STREET, HUNTINGTON, NEW
YORK.

PRESENT:

FRANK P. PETRONE, Supervisor

MARLENE L. BUDD, Councilwoman

MARK A. CUTHBERTSON, Councilman

STEVE J. ISRAEL, Councilman

SUSAN J. SCARPATI-REILLY, Councilwoman

JO-ANN RAIA, Town Clerk

THELMA NEIRA, ESQ., Town Attorney

Modern Shorthand

1 SUPERVISOR PETRONE: I am going to call Public Hearing
2 Number One because I believe by the time we
3 continue, there are many people that will
4 speak, that anyone who gets here after
5 seven will have an opportunity to join this
6 public hearing.

7 So, in essence, we are going to
8 begin a few minutes early, but everyone
9 will have that opportunity to speak.

10 Number One for seven o'clock, I
11 am going to ask the Town Clerk to please
12 read the Notice of Hearing.

13 1. Consider adopting Local Law
14 Introductory No. 30-2000 amending the
15 Zoning Map of the Town of Huntington to
16 consider Zone Change Application #96-ZM-
17 290, AFM Realty, From R-40 to R-20 for
18 property located on the northeast corner of
19 Lake and Pulaski Road, Greenlawn. (Loc.
20 Law Intro #30-2000/96-ZM-290).

21 [WHEREUPON THE NOTICE OF HEARING FOR 7:00
22 P.M. PUBLIC HEARING NUMBER ONE WAS READ BY
23 THE TOWN CLERK, JO-ANN RAIA.]

24 MRS. RAIA: This is by order of the Town
25 Board; Jo-Ann Raia, Town Clerk. I have the

1 Affidavits of Publication and Posting in
2 both The Long Islander and The Observer,
3 and I have the Affidavit of Service on
4 every property owner within five hundred
5 feet of the property involved, and the
6 Affidavit of Posting of signs on each
7 frontage of the property involved.

8 MS. NEIRA: Mr. Supervisor, may I make a
9 statement, please?

10 SUPERVISOR PETRONE: Yes.

11 MS. NEIRA: On the record.

12 As the Town Attorney, I caution
13 the Board that Zone Change #96-ZM-290
14 stands on its own merits and is separate
15 and apart from the public hearing scheduled
16 to determine whether condemnation
17 proceedings should be commenced.

18 The Town Board has been cautioned
19 and they understand it.

20 SUPERVISOR PETRONE: First, let me open the public
21 hearing. I officially open the public
22 hearing. I also want to mention there will
23 be no vote tonight. This is merely a public
24 hearing for input on this zone change
25 application.

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Each speaker is limited to a maximum of five minutes, and we will begin with Mr. Robert Caputi, attorney for the applicant.

MR. CAPUTI:

Good evening, Mr. Supervisor and members of the Board. Robert Caputi, Attorney-At-Law; offices at 50 Elm Street, Huntington, here in behalf of Lou Bonavita, who is a local resident and a long-time builder of quality one-family dwellings here in Huntington. He has been doing that for more than thirty-five years, and I have been privileged to represent him. He enjoys an enviable reputation with all Departments of the Town, the Building Department, the Planning Department; everyone will say that Lou is a man of his word and has a great reputation.

Mr. Bonavita owns 39.3 acres on the corner of Pulaski Road and Lake Road, which is currently zoned R-40. The application before the Board is to rezone it from one-acre residential to one-half acre residential.

The hearing before the Board

1 tonight was recommended by the Huntington
2 Planning Board and, in fact, had been
3 recommended by the Planning Board ten years
4 ago on a prior application on the same
5 parcel for the same relief.

6 Unfortunately, that applicant
7 went bankrupt, so the hearing never went
8 forward.

9 If the application is approved,
10 Mr. Bonavita intends to promptly apply for
11 a subdivision map before the Huntington
12 Planning Board for a subdivision containing
13 fifty-nine one-family dwellings on a half
14 acre with a five acre passive park. That's
15 the present application before the Board,
16 but for the last five years, Mr. Bonavita
17 has been meeting with the civic
18 associations in the neighborhood and with
19 many of the civic leaders. He will
20 continue to meet with them in the event
21 that this application is granted prior to
22 filing the application for the subdivision
23 to discuss, among other things, the final
24 configuration of the map relating to the
25 number of lots, the size of the park,

1 etcetera.

2 The lot size of the park and
3 other map considerations will ultimately be
4 before the Huntington Planning Board.

5 At the outset, Mr. Bonavita has
6 asked me to confirm, and I can assure the
7 Board that he has never and never will
8 negotiate with the MTA, and will do
9 everything in his power to prevent the MTA
10 from acquiring the premises for their
11 purposes.

12 It is my position, however, that
13 even if the MTA finally agrees with our
14 elected officials, Senator Marcellino,
15 Senator Flanagan and Legislator Binder that
16 this will never happen, if they are correct
17 and the MTA withdraws this parcel from
18 consideration, the granting of this
19 application and the development with one-
20 half acre residential is the best way to
21 prevent use in the future that would be
22 incompatible with the surrounding
23 residential uses.

24 I understand that many residents
25 wish to be heard, so I am going to present

1 a few experts and ask them to be very
2 brief. I want to point out that it was
3 necessary for this hearing to send out
4 notices within five hundred feet of the
5 premises, and we mailed out ninety-two
6 notices. In the notice we asked the people
7 who could not appear if they would sign a
8 statement supporting the application. We
9 got thirty yeses, one no and maybe ten
10 envelopes returned.

11 We would ask the Board, in making
12 its decision, and we know it is not going
13 to be made tonight, to listen to the
14 testimony of our experts, Victor Burt from
15 Nelson & Pope, who will talk about the
16 layout and the environmental
17 considerations; Patrick Cleary, a planning
18 consultant; John Breslin, our real estate
19 expert. We have a traffic expert present
20 if the Board wants to hear him, but that
21 traffic has been covered in the DEIS which
22 was before the Board.

23 Unless the Board has some
24 questions of me, I would like to ask
25 Mr. Victor Burt to address the Board.

1 SUPERVISOR PETRONE: Please. Just be sure that the
2 petitions you have or the signed statements
3 are given to Mrs. Raia.

4 MR. CAPUTI: I will hand them up right now.

5 [WHEREUPON STATEMENTS WERE HANDED TO THE
6 TOWN CLERK, JO-ANN RAIA.]

7 COUNCILWOMAN SCARPATI: Mr. Caputi, I met with you a
8 couple of weeks ago, and at that time it
9 was represented to me that the MTA never
10 contacted Mr. Bonavita. Since that time,
11 has the MTA contacted Mr. Bonavita?

12 MR. CAPUTI: I tried to communicate with them
13 three or four times. I called them today,
14 and I sent a new letter to the Chairman,
15 Mr. Conway. As I said I made all these
16 inquiries, and I never had a response; and
17 to date, I never had one. We have never
18 been notified that there was an attempt to
19 take the premises even though we are the
20 owners.

21 COUNCILWOMAN SCARPATI: Thank you.

22 SUPERVISOR PETRONE: Mr. Burt.

23 MR. BURT: Mr. Supervisor and members of the
24 Town Council, our office has prepared the
25 conceptual plan and the DEIS for the

1 project which is the subject of tonight's
2 hearing.

3 The proposal is to develop the
4 vacant 39.3 acre parcel into a conventional
5 fifty-nine lot, single-family home
6 subdivision as shown on the conceptual plan
7 to my right, the subdivision reactor from
8 Pulaski Road opposite Tulane Drive.

9 Fifty-nine homes will be
10 constructed on lots of twenty-nine hundred
11 square foot or greater in conformance with
12 the R-20 zoning. Two new roads will be
13 constructed, a total of thirty-three
14 hundred feet of new roads, five acres on
15 the west side of the parcel will be set
16 aside for park and drainage purposes. None
17 of the lots will front on Lake or Pulaski
18 Roads.

19 The homes will be serviced by the
20 Greenlawn Water District and will have on-
21 site septic systems.

22 At the conclusion of tonight's
23 hearing, our office will prepare a Final
24 Environmental Impact Statement. The Final
25 Environmental Impact Statement will respond

1 to any comments generated at tonight's
2 hearing, as well as any comments generated
3 during the comment period.

4 I will be available to respond to
5 any questions that you pose.

6 Thank you.

7 SUPERVISOR PETRONE: Thank you.

8 MR. CAPUTI: I would like to call on
9 Mr. Patrick Cleary, the Planning
10 Consultant.

11 MR. CLEARY: Mr. Supervisor, members of the
12 Board, if I may, I will hand up a
13 memorandum to walk through the comments
14 that I will deliver this evening.

15 [WHEREUPON MEMORANDUM WAS HANDED TO THE
16 TOWN BOARD.]

17 MR. CLEARY: I have been asked to give a brief
18 overview of the planning justification and
19 merits of the zone change amendment that's
20 before you this evening. The first thing I
21 would like to do is draw your attention to
22 the land use map that I placed on the easel
23 next to the Town Clerk.

24 The site is a transitional site,
25 and it sits at the intersection of two very

1 distinct patterns of land use. The first
2 is the industrial corridor that runs along
3 Pulaski Road south of the Long Island Rail
4 Road right-of way. That land use, that
5 industrial corridor, runs virtually the
6 entire width of the Town of Huntington and
7 is quite well established in terms of its
8 boundaries and its land use character.

9 The second pattern of land use
10 that runs throughout the site runs in the
11 opposite direction north-south through the
12 property and extends from the single-family
13 residential area towards the site on the
14 opposite side of the Long Island Rail Road
15 right-of-way through the property, through
16 the single-family residential area, which
17 is half acre residential south of the site
18 on Pulaski Road.

19 What we have is a confluence of
20 land areas and this site being the critical
21 linchpin between these areas.

22 I would argue that the property
23 is, although it is sort of in between all
24 of those, the property leans more toward
25 the R-20 Residential District which is

1 south of the site, and that's true because
2 of a couple of reasons. The first, and
3 perhaps the most prominent, the fact it is
4 severed from the neighborhood to the north
5 by the Long Island Rail Road, itself. It
6 is a physical barrier, conceptual barrier.

7 There is a townhouse development.
8 This also reinforces that disconnection
9 between the R-40 District to the south and
10 the R-20 District.

11 When we further evaluated this
12 zoning application, we looked at the
13 Comprehensive Planning Initiatives that
14 have been adopted that govern the use of
15 the property in the area, and there are few
16 that do that for this property. The first
17 and the most dominant is the Town's
18 Comprehensive Plan. The plan before you to
19 rezone the property is consistent with the
20 Comprehensive Plan in a couple of ways.

21 First, the plan develops the lack
22 of developable land in the community. The
23 property, as you heard earlier, is the
24 subject of an Environmental Impact
25 Statement which documents that the site

1 can, in fact, support the kind of
2 development envisioned by the applicant
3 this evening.

4 The property also will serve to
5 diversify the housing stock in the
6 community. Currently, the R-40 Zoning
7 District is the more predominant in the
8 community by far. Changing this to R-20
9 helps to diversity that knoll of housing
10 opportunities within this community while
11 preserving intact the residential property
12 values in the area surrounding the site.

13 Thirdly, the plan is specific in
14 calling for the provision of open space.
15 The plan, which I can put up, provides for
16 the opportunity of a five-acre park, which
17 is a much needed resource for this
18 community.

19 The plan, also -- the proposal --
20 is also specifically consistent with what
21 the Comprehensive Plan calls for in terms
22 of land use in the area. It is a site of
23 low density residential and R-20 is
24 consistent with that low density character.

25 The site is also consistent with

1 other comprehensive planning provisions,
2 such as the 208 Water Treatment Plant. It
3 is consistent with the Town's Open Space
4 index and the regional plan that governs
5 our area.

6 SUPERVISOR PETRONE: Mr. Cleary, your time is up.

7 MR. CLEARY: Zoning history.

8 SUPERVISOR PETRONE: Your time is up. Quickly go
9 through it.

10 MR. CLEARY: In the area surrounding the site,
11 we have about fifteen zoning amendments
12 that have passed in the last fifteen years.
13 Most of them have gone to R-20. With that,
14 I will conclude.

15 COUNCILMAN CUTHBERTSON: Mr. Supervisor, I have a few
16 questions of Mr. Cleary.

17 To clarify, you said that R-40
18 was the predominant zoning classification
19 in the area?

20 MR. CLEARY: In the Town, not the area
21 surrounding the site.

22 COUNCILMAN CUTHBERTSON: The parcels to the south, south
23 of Pulaski Road, do you know what zoning --
24 I know they are currently laid out as R-20,
25 but what zoning they were based upon?

1 MR. CLEARY: R-20 across from the site and R-
2 20 to the southeast of the site.

3 COUNCILMAN CUTHBERTSON: They were clustered but based on
4 R-40 yields, and the yield from that R-40
5 was placed in a park that exists, Frazer
6 Park, in this area.

7 MR. CLEARY: The requirements of all those
8 lots are fully conforming with that area.

9 COUNCILMAN CUTHBERTSON: It was based upon R-40, to my
10 understanding, from the Planning Board.

11 MR. CLEARY: R-20 is consistent with that
12 area.

13 SUPERVISOR PETRONE: Mr. Machtay?

14 MR. MACHTAY: I do believe that the land
15 immediately to the north of the railroad
16 tracks and across the street in part to the
17 south is R-40 zoning, but it has been
18 developed at -- for instance, near the
19 railroad tracks -- as a cluster and also,
20 as modified lots to the south, and the lots
21 are something on the order of R-10, R-15
22 and R-20 in size.

23 Then, the land that was left over
24 from those lots became Frazer Park, which
25 is a fairly large piece of property up

1 behind those houses that are on the south
2 side of Pulaski Road.

3 COUNCILMAN CUTHBERTSON: I just want to be sure. The
4 yield upon which those developments were
5 based is R-40.

6 MR. MACHTAY: I believe yes, that is so.

7 SUPERVISOR PETRONE: Thank you, Mr. Cleary.
8 Mr. Breslin.

9 MR. CAPUTI: Mr. Supervisor, may I just
10 respond on that issue?

11 SUPERVISOR PETRONE: Let Mr Breslin complete, please.
12 After your consultants are over.

13 MR. BRESLIN: Good evening, Mr. Supervisor and
14 members of the Board. As you know, my name
15 is John Breslin and I am here to address
16 the real estate impact of this.

17 First, to go to the question that
18 you just talked about. I believe that
19 statement by Mr. Cuthbertson and by
20 Mr. Machtay is incorrect. I believe there
21 was a series of zoning classifications.
22 There are copies of the actual rezonings in
23 the packet of Mr. Cleary that sets forth
24 those rezonings and the history.

25 There was one larger tract, which

1 is the one I think we are referring to,
2 that had a combination of R-5, R-40 and I
3 believe R-7 and overall modified to R-20,
4 and the lots were built in accordance with
5 that. That's one section of the area to
6 the south of Pulaski.

7 The other section was clearly
8 rezoned just to R-20.

9 It obviously is all developed
10 essentially R-40 with some of it being even
11 less than R-20 further down. You can see
12 the grid pattern of the map. These are
13 essentially lots two hundred by two hundred
14 in size, R-20, and that's what the
15 applicant is looking to do on this
16 property, would be a consistent
17 configuration as the lots you see on the
18 photograph.

19 You have to the north an area
20 which was based on an R-40 yield, a
21 cluster, this particular one, [INDICATING],
22 and this also has a large pond on part of
23 that property. This is clustered.

24 Just to the west of that,
25 somewhat recently, a few years ago, there

1 was a rezoning application for similar
2 relief as requested tonight from R-40 to R-
3 20, which is now Trafalgar Estates, that's
4 situated diagonally opposite the subject
5 along the railroad tracks next to the radio
6 tower which is situated on this property.

7 You have the large LILCO facility
8 opposite the subject on Lake Avenue, which
9 is actually a blend of R-20, R-7 and I-5,
10 but it is essentially developed as the
11 LILCO facility, and to the east of the
12 subject, the former Hazeltine property is
13 situated adjacent to the subject.

14 You have a parcel of property
15 that's bound by a large mass of R-20
16 development on both sides, by industrial
17 buildings bordered by the railroad tracks,
18 and then a townhouse cluster.

19 I echo the sentiments of
20 Mr. Cleary that this particular rezoning to
21 R-20 development is, in fact, very
22 appropriate to this piece of property. The
23 R-20 development and the single-family
24 homes will be in character with the
25 character of this area, will not have any

1 adverse impact on this community, and will
2 help to preserve the residential character
3 of this area.

4 There is a unique character in
5 this area being in the middle of industrial
6 property and a busy street such as Pulaski,
7 and in order for it to be developed
8 residentially, I believe this will be the
9 best opportunity for the property owner and
10 the Town to preserve its residential
11 character.

12 I will be happy to answer any
13 questions.

14 COUNCILMAN CUTHBERTSON: To the north of the Lakewood
15 development, what's the zoning in that
16 area?

17 MR. BRESLIN: There is all R-40. This is the
18 former Elks property, Elks Court. This
19 will become one acre development as we move
20 to the north.

21 SUPERVISOR PETRONE: Thank you.

22 MR. CAPUTI: We have only one further person,
23 and that's our traffic man, and he will be
24 very brief.

25 SUPERVISOR PETRONE: Did Mr. Breslin clarify the point

1 you were trying to cover?

2 MR. CAPUTI: I would like to submit a copy of
3 the rezonings, but I have to do it
4 tomorrow.

5 SUPERVISOR PETRONE: That's fine.

6 MR. CAPUTI: This relates to the parcel to the
7 south of the subject parcel across Pulaski.
8 It was approved by the Town Board in 1987.
9 May I just offer it?

10 SUPERVISOR PETRONE: Yes, please.

11 [WHEREUPON DOCUMENTS WERE HANDED TO THE
12 TOWN CLERK, JO-ANN RAIA.]

13 MR. CAPUTI: Now, Mr. Alan King.

14 MR. KING: Alan J. King, from the firm of
15 Nelson & Pope.

16 Good evening. We prepared a
17 traffic study which was part of the EIS
18 dated September, 1998. It was based on a
19 Town scoping meeting where we studied the
20 intersection of Pulaski Road and Park
21 Avenue, Pulaski Road and Lake Road, Pulaski
22 Road and Tulane Place and Pulaski and Cuba
23 Hill Road, Central Street.

24 The traffic counts were
25 conducted. They were adjusted to reflect a

1 build yield condition which was 1.1 percent
2 that we are supplied with by the Suffolk
3 County DPW. We included four other planned
4 projects in the area, and our analysis
5 revealed that from the no-build conditions
6 there would be no change in the level of
7 service associated with this development.

8 We determined that there would be
9 fifty-one trips in the A.M. peak hour and
10 sixty-seven trips in the P.M. peak hour,
11 which represents approximately a three
12 percent change in the traffic on Pulaski
13 Road. It also represents a change of
14 seventeen vehicles in the A.M. peak hour
15 and twenty-three vehicles in the P.M. peak
16 hour, which is from the R-40 zoning to the
17 R-20 zoning, which is in the A.M., one
18 additional vehicle every 3.5 minutes and
19 one additional vehicle every 2.6 minutes in
20 the P.M. peak hour.

21 It is all covered in the EIS, and
22 I would be happy to answer any questions.

23 COUNCILMAN CUTHBERTSON: You said you compared the traffic
24 count, the build versus no build?

25 MR. KING: That's correct. That would be

1 the traffic deducted by a 1.1 percent rate
2 which was provided by the Suffolk County
3 DPW, and also added in four other projects
4 in the area.

5 COUNCILMAN CUTHBERTSON: Did you compare the R-40 versus
6 R-20?

7 MR. KING: No, because we had no impact at
8 the R-20. There was no change in the level
9 of service without the project and with the
10 project, and therefore, we didn't bother to
11 look at it.

12 SUPERVISOR PETRONE: Thank you.

13 MR. CAPUTI: That's our presentation,
14 Mr. Supervisor. Thank you very much.

15 SUPERVISOR PETRONE: Daniel Karpen.

16 MR. KARPEN: Frank, I have a hurt foot
17 tonight, and that's why the wooden shoes
18 are not getting worn right now.

19 These papers are not mine. They
20 belong to somebody else. [DROPS PAPERS ON
21 THE FLOOR]

22 My name is Daniel Karpen. I
23 reside at 3 Harbor Hill Drive, Huntington,
24 New York. I would like to talk about the
25 present impacts of the Long Island Rail

1 Road upon the residents of the subdivision
2 right next to the track.

3 [SINGING] Picture yourself at a
4 Town Board Meeting, patiently waiting to be
5 heard. Petrone calls you, you answer quite
6 slowly, the train with the locomotive eyes.

7 MTA to build a new rail yard, not
8 in my backyard. Look for the train with
9 the sun in its eyes and it's gone.

10 Choo-Choos on the rails with
11 whistles.

12 Choo-Choos on the rails with
13 whistles.

14 Choo-Choos on the rails with
15 whistles.

16 Too-oot [APPLAUSE]

17 Follow it down to a field by the
18 railroad where blackbirds call out their
19 sounds. The birds smile as you drift past
20 the flowers that grow so incredibly high.
21 Commuter trains appear on the tracks
22 waiting to take you away. Climb in the
23 coach with your head in the clouds and
24 you're gone.

25 Choo-Choos on the rails with

1 whistles.

2 Choo-Choos on the rails with

3 whistles.

4 Choo-Choos on the rails with

5 whistles.

6 Too-oot. [BLOWS HORN]

7 Picture yourself on a train in

8 the station with bearded conductors with

9 ticket punches.

10 Suddenly the train is there at

11 the platform, the train with locomotive

12 eyes.

13 Choo-Choos on the rails with

14 whistles.

15 Choo-Choos on the rails with

16 whistles.

17 Choo-Choos on the rails with

18 whistles.

19 Too-oot. [BLOWS HORN]

20 Well, Frank, what we have is a

21 planned subdivision that intersects with

22 Lake Road and the Long Island Rail Road,

23 and then the five-fifty a.m. train comes

24 through from Port Jeff, and there is a

25 railroad train whistle that goes -- [BLOWS

1 HORN] -- and then the six-ten comes through
2 and it goes -- [BLOWS HORN] -- and then the
3 six-thirty comes through and you have a
4 train that goes -- [BLOWS HORN] -- and then
5 the seven o'clock goes through and it goes
6 -- [BLOWS HORN].

7 So, if you want to sleep late in
8 the morning, you work late at night on the
9 computer, at five o'clock in the morning
10 what do you get? [BLOWS HORN]

11 I don't think this is a very good
12 location for a residential subdivision.
13 And what have we done classically in the
14 Town? What we have done is put all the
15 industrial areas on the other side of the
16 tracks so they can absorb the noise --
17 [BLOWS HORN] -- and it doesn't get into
18 your bedroom at five o'clock in the
19 morning.

20 What I recommend the Town do, and
21 I realize there is a warning -- to the Town
22 Council, is that they hold off on doing
23 this subdivision and condemn the land as
24 open space so the blackbirds can call out
25 their sounds.

1 Thank you.

2 SUPERVISOR PETRONE: Thank you, Dan.

3 MR. KARPEN: [BLOWS HORN]

4 SUPERVISOR PETRONE: Dr. Alvin Kravitz. [NO RESPONSE]

5 Elaine Capobianco.

6 MRS. CAPOBIANCO: I would like to speak a little
7 later, please.

8 SUPERVISOR PETRONE: Kathy Tiberia. [NO RESPONSE]

9 Phyllis Austrian.

10 MRS. AUSTRIAN: Good evening, Mr. Petrone and
11 members of the Town Board. I have been a
12 resident of Greenlawn for the past
13 fourteen-and-a-half years, and over that
14 length of time I have seen the population
15 at least double and maybe more because
16 housing has gone up all around me.

17 When we first moved in, the
18 streets were quiet pretty much at night.
19 Cars are going by now at two or three
20 o'clock in the morning, and I know because
21 I am out walking my cat, and I see them.
22 Traffic has really gotten very bad,
23 especially in the morning and in the middle
24 of the afternoon.

25 On Pulaski, we applied for and

1 have gotten a turn signal because it has
2 gotten so bad, but they put the turning
3 signal in the wrong direction. We need a
4 signal to go out, out of the Town of
5 Greenlawn.

6 As I see it, there are two
7 possible scenarios for it. In the first
8 scenario, the railroad condemns the
9 property and grabs it, and if it has been
10 downzoned by the Town Board, it simply
11 means that the owner of the property
12 receives twice the money or one-and-a-half
13 times the amount of money he would have
14 gotten had it been left alone at R-40, and
15 that means that the Town population bears
16 the brunt of the extra costs.

17 In the second scenario, the
18 railroad decides to go somewhere else and
19 the houses are built bringing forth fifty-
20 nine more families with its minimum of one
21 hundred eighteen more cars, with children.
22 If you would just figure two children per
23 family, if there are children in the
24 family, you are going to have one hundred
25 eighteen children going to the schools

1 which are now getting overcrowded; and in ↑
2 all of that, the Town is really going to
3 have a problem in dealing with both the
4 electrical output for the area -- we have
5 blackouts constantly because of the, I
6 guess, overburdened electrical lines.

7 Every aspect of the quality of
8 life in the Town of Greenlawn has got to be
9 affected by the increase in population to
10 that area.

11 Keeping it at R-40 is at least in
12 keeping with the numbers. The houses that
13 would be built on the R-40 certainly would
14 sell because there have been houses built
15 adjacent to the railroad tracks that have
16 sold for phenomenal amounts of money.
17 Several developments have gone up around
18 the track area and they have sold. I don't
19 know how much they have sold for, but they
20 are one acre zoning right near the track,
21 right near the industrial areas, and
22 because land is so scarce, people will buy
23 it if the price is right. The parcels are
24 not unsalable.

25 When that tract of land was

1 purchased by the builder, he knew then that
2 it was R-40, and he was prepared to build
3 R-40 unless you would think that you are
4 going to hold onto this land forever and
5 ever and hope that you can create a change
6 somewhere down the road, which will give
7 you smaller parcels and more money for it.

8 I believe laving it at R-40 would
9 be the best thing to do, especially at this
10 point.

11 Again, I will remind the Town
12 Board if the railroad or the Town condemns
13 that property, it simply means that you are
14 going to have to pay more for it when you
15 buy it.

16 As far as the traffic study, I
17 believe that that's unrealistic. I know
18 when I go to work in the morning, so does
19 everybody else. They don't wait over a
20 three hour period of time to leave their
21 driveway. I can't get out of my driveway
22 in the morning. The traffic on Greenlawn
23 Road is so bad it takes me three to four
24 minutes wait for the traffic to go by so I
25 can make a left turn onto the main road. ↓

1 Coming home, it is the same thing.

2 So, traffic studies measuring the
3 amounts of cars in a three hour period
4 doesn't really reflect the reality. The
5 reality is at seven o'clock in the morning
6 everybody is heading westbound and
7 everybody is on the road at the same time,
8 and adding another fifty-nine houses and
9 another one hundred eighteen cars is going
10 to make it that much worse.

11 Thank you.

12 SUPERVISOR PETRONE: Thank you.

13 [MR. KARPEN BLOWS WHISTLE AGAIN]

14 Dan, you played it out. Thank
15 you.

16 Janet Silverman.

17 MRS. SILVERMAN: Janet Silverman; 223 Greenlawn
18 Road, Greenlawn.

19 That was my sister that just
20 spoke. She pretty much said everything
21 except one thing. The gentleman who gave
22 the statistics about the traffic went
23 pretty quickly, and I know he gave
24 something about 2.3 minutes or something
25 like that. I don't know if he took into

1 account the train schedule. As my sister
2 said, everybody goes west except ones going
3 to the train station, and I know I have
4 been taking a train a lot, and the train
5 goes seven twenty-six, seven thirty-nine,
6 eight-eighteen. You are going to have
7 bunches of cars at that time with people
8 going to the train. It is not going to be
9 spread out evenly over a three hour period.

10 You are going to have piles of
11 cars with people trying to get to the
12 railroad station, and where are they going
13 to park? That's another problem.

14 I am not a traffic expert, but I
15 don't know if this has been considered. How
16 many more cars will have to park at the
17 railroad station versus how many more
18 people would be going west on Pulaski Road
19 or going down south on Cuba Hill going to
20 the highway?

21 It is a more complicated thing
22 than just how many more cars there are or
23 how many cars are leaving the development
24 over whatever period of time.

25 The other thing is, I believe the

E-6
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E-7
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1 Town isn't obligated to give anyone a
2 downzone. It is available for those
3 properties that become undevelopable
4 without it, if there is such a word. I
5 don't think that's the case here. It is
6 not that the property can't be developed as
7 R-40. All the property around it is R-40.

8 The Councilman was even asking if
9 the property south of there was developed
10 R-40 with a cluster to create smaller lots,
11 and I think the builder is trying to take
12 advantage of this fact and saying these
13 lots are R-20 when they are really not.

14 The builder there gave up half
15 the land for the privilege of clustering.
16 He is not willing to give up the land for
17 downzoning. The same builder has a
18 development north of the track, Evergreen
19 Estates, and he sold the lots at a premium
20 price because they were slightly bigger
21 than the ones up on Greenlawn Road and on
22 Ducharme Lane. There is no reason he needs
23 to make it a R-20 downzoning. He can
24 certainly sell these at R-40. He has done
25 it before in the same neighborhood, and he

1 can do it again. ↑

2 I don't know that the Town has to
3 give him a downzoning just because he wants
4 one. He wants one to make more money. I
5 don't blame him for that. I would want to
6 make more money, too.

7 That's not the Town's obligation
8 to help him make more money. Even without
9 the railroad, I don't think it is necessary
10 to give him a downzoning, and certainly
11 with the portent of the railroad moving in
12 and taking over the property, or the Town
13 -- as my sister said, it would only serve
14 to increase the price.

15 If you downzone it now, and I
16 know you are not voting tonight and
17 hopefully you are waiting for some other
18 action to take place, certainly a downzone
19 at this time would be the worst possible
20 thing to do. It would cost the Town more
21 money to buy the property. I know you
22 don't care what the railroad pays --

23 SUPERVISOR PETRONE: [INTERPOSING] Your time is up.

24 MRS. SILVERMAN: Anyway, that's it. Thank you.

25 SUPERVISOR PETRONE: Cathryn Karafa.

1 MRS. KARAFa:

Cathryn Karafa; 9 Bowden Road in

2 Greenlawn. I only moved there two years
3 ago. When I moved in, I was anxiously
4 awaiting the building from Mr. Bonavita
5 because I thought lovely homes would block
6 the train whistle, and then I found out
7 there was going to be fifty-nine homes
8 instead of twenty-nine homes.

9 I don't think anyone here thinks
10 Greenlawn is so underdeveloped that we need
11 more homes in our community, and we
12 certainly don't need to add any more
13 children to our already overburdened
14 schools.

15 I am asking the Board to please
16 don't downzone it. I think twenty-nine
17 homes are fine. I think if Mr. Bonavita
18 would build twenty-nine homes, I think a
19 lot of people would be happy.

20 People have noted that they want
21 to preserve the residential aspect of the
22 community. I think twenty-nine homes
23 preserves the community, as well as fifty-
24 nine homes. I don't think anybody else
25 here, besides Mr. Bonavita's team, really

E-8
6.2

E-9
5.2

1 thinks more is better. ↑

2 A lot of people are here because
3 they are afraid if Mr. Bonavita doesn't get
4 the downzoning, he will walk away and the
5 MTA will take that land. I don't think
6 that's going to happen.

7 I ask you not to downzone just
8 because we are afraid of the MTA. I think
9 we have other options.

10 Thank you.

11 SUPERVISOR PETRONE: Denise Leparik.

12 MRS. LEPARIK: Good evening, Mr. Petrone and
13 Town Board members. I am sorry I have to
14 read this. I am not as eloquent as the
15 people that spoke before me.

16 My name is Denise Leparik and I
17 live at 4 Auburn Drive with my husband and
18 three daughters. Six-and-a-half years ago,
19 when we purchased our home, we looked into
20 what was going to happen to the empty field
21 approximately four hundred feet from our
22 home. We were relieved to learn that it
23 was privately owned and would eventually
24 have houses built.

25 This evening we are here because

1 of the downzoning of this property from one
2 acre to half acre zoning. The fact is that
3 if these homes were already built on the
4 one acre zoned land, the majority of people
5 here tonight, because of the tremendous
6 fear of the MTA, would not have to be here
7 at all.

8 Long Island has recently gone
9 through a tremendous real estate boom. I
10 cannot believe that if houses were built on
11 these one acre plots, that they would not
12 have sold during this time period.

13 Argument seems to be that the additional
14 tax revenue brought into our community is
15 more important than the quality of our
16 children's education.

17 The additional revenue will not
18 compensate our children for the
19 overcrowding in their classrooms or the
20 loss of services because there are too many
21 children in the schools. These are not the
22 only new houses being built in Greenlawn
23 that will affect our schools.

24 The present traffic on Pulaski
25 Road is horrendous. I can't imagine what

E-10
6.1

E-11
4.2

1 one hundred twenty additional cars are
2 going to bring, especially since the only
3 exits out of this community will be Pulaski
4 Road.

5 Under normal circumstances, I do
6 not want to see this property downzoned.
7 Under our present circumstances, this
8 property should not be downzoned.

9 The MTA and the downzoning very
10 much coincide. If the MTA was not this
11 ominous presence within our community, I
12 wonder if I would have taken the time this
13 evening to protest the downzoning of this
14 property. I wonder how many people here
15 would have come out if the MTA was not so
16 threatening.

17 I am standing here before you
18 tonight with great fear in my heart of a
19 monster that may envelop my community,
20 which is very dear to my family and which
21 will destroy our lives. We have grown to
22 love our home, to love our neighbors, and
23 we don't want to have to leave.

24 I do not believe the downzoning
25 will stop the MTA. By the time the builder

1 has all the necessary permits and commences
2 building, the MTA can take this property.
3 I agree, the MTA probably would not take
4 homes with families in them, but how long
5 is it actually going to take to fill these
6 homes? Too long as far as I am concerned.

7 According to Mr. Berkman,
8 parkland is the only way to stop the MTA
9 from taking this property. Nothing is
10 certain except a written letter from the
11 MTA stating that they will not use the
12 Greenlawn site, and we realize a letter in
13 that nature is not forthcoming.

14 You, our Town officials, have the
15 information needed to make the right
16 decision as to what should be done with
17 this property. You have the facts. You
18 know exactly what has to be done to stop
19 the MTA in their tracks. So just do it.

20 As stated by Senator Marcellino
21 at the public hearing on August 15th, the
22 community must make a decision as to what
23 should be done with this land.

24 We stand here before you tonight
25 saying do what is best for our community.

1 Listen to your paid advisors and make this
2 land parkland. Please do not downzone.

3 SUPERVISOR PETRONE: Robert Fay.

4 MR. FAY: Good evening. My name is Robert
5 Fay. I live at 32 Bowden Lane in
6 Greenlawn.

7 If the Town of Huntington
8 approves rezoning to one-half acre, the
9 estimated value of the property increases
10 from about three million dollars to four-
11 and-a-half million dollars. Inasmuch as
12 the Town of Huntington has scheduled a
13 hearing on October 24th to address the
14 condemnation of this site for parkland,
15 wouldn't it be appropriate to postpone any
16 rezoning decision until after the question
17 of condemning this site for parkland has
18 been resolved?

19 Can this decision on condemnation
20 be expedited in any way inasmuch as it is
21 critical for the Town of Huntington to
22 institute condemnation before the MTA
23 initiates such action?

24 If the MTA condemns parkland,
25 they jeopardize their Federal funding. In

1 my opinion, this Board must, one, postpone
2 the decision on rezoning and two, fast
3 track condemnation of this property for
4 parkland.

5 Thank you. [APPLAUSE]

6 SUPERVISOR PETRONE: Erik Drewes.

7 MR. DREWES: Erik Drewes. I live at 4 Bowden
8 Road, approximately six hundred feet from
9 the property in question.

10 I understand this meeting
11 concerns rezoning of the property in
12 question. I think it has become much more
13 than a simple rezoning issue. Under normal
14 circumstances, I would assume that many
15 factors would be considered in deciding
16 whether or not to rezone this property.

17 Right now, the one factor that
18 has become much more important for myself,
19 and I am sure all of us, is that the MTA
20 has made it clear that they want this
21 property and that they have very few other
22 alternatives. As a matter of fact, they
23 have only one alternative according to
24 their statement, the Cerro Wire site in
25 Syosset.

1 The MTA has the right and ability
2 to condemn this property. They can condemn
3 the land as a construction site, as vacant
4 land. They can even do it with completed
5 homes on the property. That makes me very
6 nervous.

7 The one thing that the MTA will
8 not condemn is a park. If they do, they
9 must receive special legislation, they risk
10 Federal funding. It simply doesn't make
11 sense for them to condemn or to consider
12 this property once it becomes a park.

13 This property and what it becomes
14 affects more than the owner. It affects
15 all of us. The number one target -- the
16 property has become the number one target
17 for a rail yard. It is the worst possible
18 tenant I can possibly think of six hundred
19 feet from my front yard.

20 As an elected official, you hold
21 our fate in your hand. I implore you,
22 please condemn the property, make it a park
23 and make sure the MTA doesn't have this
24 ability and that it can't happen.

25 Thank you.

1 SUPERVISOR PETRONE: Kevin Gary.

2 MR. GARY: Good evening. My name is Kevin
3 Gary, an attorney who lives in Greenlawn.
4 I am also one of the plaintiffs in the
5 lawsuit against the MTA.

6 It has become pretty clear to all
7 of us that you can't look at this piece of
8 property without looking at the MTA's plan
9 for it. It has been about two months since
10 we heard from Senator Marcellino that he
11 was going to cut off the funding from the
12 MTA if they continue to look at the
13 property. We haven't heard anything
14 further, and it has become pretty clear to
15 us that the MTA threat is real and it
16 requires real action to be taken on behalf
17 of the Town. You cannot rely on the
18 development of the property to scare off
19 the MTA.

20 It is going to be at least a year
21 for the developer to build his homes. We
22 will then remain vulnerable to the MTA.

23 If you look at the Draft
24 Environmental Impact Statement that the MTA
25 has submitted, there is a piece of property

1 in Babylon they are looking at that
2 currently contains five families living
3 there, playing in their backyards, and what
4 does the MTA plan on doing; condemning
5 those homes and building a rail yard.

6 Residential development is not
7 going to stop the MTA. You know how to
8 protect Greenlawn, and the MTA does as well
9 -- make it a park. The MTA considered a
10 piece of property out in Yaphank, and they
11 decided the property is no good. I will
12 quote why they decided it was no good,
13 "Because it is part of a nature preserve
14 and Peconic River parklands, the site is
15 eliminated from further consideration."

16 The MTA will not touch parkland,
17 but they will touch private residences.

18 Save Greenlawn. Don't rezone;
19 condemn the property. Condemn it as
20 quickly as possible.

21 Thank you. [APPLAUSE]

22 SUPERVISOR PETRONE: Marcia Stern.

23 MRS. STERN: Can I yield my time to

24 Mrs. Capobianco?

25 SUPERVISOR PETRONE: No, we do not yield time.

1 MRS. STERN:

Then I will talk.

2 Hi. My name is Marcia Stern. I
3 live on Little Ridge Lane, around the
4 corner from the proposed property
5 practically.

6 I spoke at another hearing
7 regarding the work that we had done with
8 the Oldfield Home Security Council and
9 Civic Association over several years since
10 we have lived here to try and preserve the
11 property, this property and other property
12 that's nearby, to keep it in tune with the
13 area and to make it not very -- any
14 industrial -- so, wait -- anyway, I made
15 myself clear, and I think I passed around a
16 letter at that time stating that we were
17 totally against the use of this property
18 for a facility by the MTA.

19 But aside from that, several
20 issues have been brought up regarding this
21 property. I know over the years we have
22 worked with trying to get private homes
23 built on this property. We have had
24 several meetings. and the majority of our
25 civic association was in favor of it until

1 the MTA situation became apparent.

2 At this point, it seems that this
3 property has really become somewhat of a
4 political football. First we were alarmed
5 by the MTA proposal; next we were assured
6 by Senators, Assemblymen that this would
7 never happen.

8 I again reiterate just today I
9 had a discussion with somebody from Senator
10 Marcellino's office who, again, reassured
11 me that this is not going to happen, the
12 MTA will not use this property. I asked
13 that somebody from that office be here to
14 reiterate to the other people that are here
15 just that. I don't know if somebody did
16 end up coming or will come.

17 I have a question. This man is
18 talking about the only way to not have the
19 MTA there is for us to condemn the
20 property, and he is citing a case in which
21 a nature preserve was used to stop the MTA
22 from coming in.

23 My question to every one of the
24 Board members is, is it the intention to
25 condemn this property for a nature preserve

1 or for an active parkland in which there
2 will be ballparks, swimming pools,
3 buildings, transient people coming into our
4 neighborhood, traffic beyond what they are
5 talking about from fifty-nine houses?

6 And I would like to know from
7 each person after this condemnation, the
8 desire on the part of these Board members
9 is to make this active parkland or passive
10 parkland? Can each one of you answer?

11 SUPERVISOR PETRONE: No, we will not.

12 MRS. STERN: Nobody will answer?

13 FLOOR: Why not?

14 SUPERVISOR PETRONE: We will have a public hearing to
15 get your input.

16 MRS. STERN: People cannot make an honest
17 decision.

18 SUPERVISOR PETRONE: I will yield to the Town Attorney
19 to make a comment.

20 MS. NEIRA: There will be a public hearing on
21 the condemnation next month. The purpose
22 of the public hearing is to hear the
23 citizens' input on whether the condemnation
24 proceeding should commence and for what
25 reason.

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So, right now, it is
inappropriate to comment on that point.

MRS. STERN: The point of the matter here is
that people here cannot make an honest or a
reasonable decision as to what they want on
this property when they do not know what
their choices are.

Are we being put to the choice of
active parkland versus homes, or are we
being put to the choice of passive parkland
versus homes? People have to know what
they are standing for, and they are totally
unaware of what they are standing for.

SUPERVISOR PETRONE: I think the Town Attorney said
there is a public hearing on the
condemnation, and I think those
alternatives will be discussed at that
time.

MRS. STERN: People will not be necessarily
talking about putting private homes on this
property or not being in favor of
downzoning if they were aware that the
alternative is passive parkland.

SUPERVISOR PETRONE: That's what the public hearing
on the 24th is.

1 MRS. STERN: This is all related. That's what
2 I am trying to say, it is all related.

3 SUPERVISOR PETRONE: Thank you very much.

4 MRS. STERN: And it is very deceptive. It is
5 all related.

6 SUPERVISOR PETRONE: Dennis Milton.

7 MR. MILTON: Good evening. My name is Dennis
8 Milton. My wife, Karen, and I live at 89
9 Lake Road in Greenlawn, three houses down
10 from the intersection of Lake and Pulaski.

11 Some of you may recall that I am
12 a lawyer, but I appear tonight as a private
13 person, an attorney without clients and
14 also an attorney who is a very bad singer,
15 so there will be no performance made in
16 that regard.

17 During the past week, residents
18 of my block on Lake Road and Rosemont
19 Court, Delta Drive and part of Pulaski have
20 met to try to give the Town Board members
21 insight as to what our view of the action
22 to be taken should be. We agree, and I
23 think everybody in this room should agree,
24 on one essential principle, and that is the
25 MTA should be stopped from coming to

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Greenlawn and using the parking for its cleaning and storage facilities.

On that point, the thirty people that met in my home had complete, absolute solid agreement.

When we started talking about the issues of the downzoning and the condemnation for the parkland issue, there was somewhat of a split between the folks present. Essentially, what they told me was that they wanted the Town Board to act. We felt like the last woman who spoke, that we didn't have enough information as to what is contemplated in each specific action, and we look to you to give us that information, if not tonight, then some other time.

We are not willing to run the risk that by passing on the downzoning and going solely for condemnation, that that would stop the MTA.

So, we are urging the Town Board to act with the purpose to defeat the MTA. If that means to have plans proceed at a parallel point in time, so that does stop

1 the MTA from acting, so be it.

2 In short, we don't come to you to
3 say only act on the downzoning and pass it,
4 only act on the condemnation and pass it.
5 We say to you give us more facts to take
6 action. We cannot afford to wait.

7 During the last two months, there
8 have been a number of statements of
9 misinformation and misfacts that have been
10 circulated. We really need to know what is
11 happening, what is going on, but most of
12 all, we need to have all of our
13 representatives, the Town, State and County
14 act to defeat the MTA plan.

15 Thank you.

16 SUPERVISOR PETRONE: Thank you.

17 COUNCILMAN CUTHBERTSON: You mentioned Town Board
18 solicitations on this.

19 MR. MILTON: I didn't mean in terms of a
20 written solicitation, but at the meeting at
21 the Oldfield Middle School, you asked us
22 what the people of Greenlawn wanted you to.
23 The consensus of the meeting at my home was
24 that we really look to you to take the
25 action, and while our input is valuable and

1 we appreciate it is, we recognize that the
2 ultimate decision is in your hands, and we
3 urge you to act and not delay, but to act
4 immediately and to defeat the MTA.

5 COUNCILMAN CUTHBERTSON: Let me just say for the record,
6 and the Town Attorney will stop me if I go
7 too far, I think we all share your
8 frustration relative to not considering
9 these things at the same time, but the Town
10 Attorney has told us that the rezoning has
11 to stand on its own merits. This rezoning
12 was scheduled for a public hearing well
13 before we knew anything about the plans of
14 the MTA.

15 So, they advised us that the best
16 possible way that we can consider this on
17 the merits and also consider condemnation
18 is to consider them separately on their
19 respective merits.

20 I know that's frustrating to
21 people, but in order for us to do what we
22 need to do legally is to consider both and
23 give them both their due, and that's how we
24 have been advised to proceed.

25 MR. MILTON: Speaking as a private person and

1 as an attorney, but not on behalf of my
2 neighbors, my response is I recognize those
3 issues involved. I ask the Town Board not
4 to wait, that they act on this application
5 first and they act on it now, and they
6 consider both today so we don't have any
7 time wasted in beating off the MTA plan.

8 Thank you.

9 SUPERVISOR PETRONE: Thank you.

10 Helen Keller.

11 MRS. KELLER: Good evening, Supervisor and
12 members of the Board. My name is Helen
13 Keller. I reside at 5 Tennyson Place in
14 Greenlawn. I am not here against anyone.
15 I am here for the community of Greenlawn.

16 As to Marcia Stern's efforts, I
17 commend her efforts to try to keep it a
18 residential area. We go along with that.
19 There is nothing wrong with having a
20 residential area.

21 I have seen experts --

22 Mr. Breslin presented us with a lot of
23 information; Mr. Cleary told us about
24 various zone changes; Mr. Machtay mentioned
25 the R-40 and the cluster housing across the

1 tracks. What I haven't seen, though, is
2 nobody gave me a good reason why we should
3 allow the downzoning or the change. Yes,
4 it is a transitional area. Everyone out
5 there is trying to keep as much land as
6 they have to or they want to. Everybody
7 wants open space.

8 I see no reason to change the
9 zoning on it.

10 Be it a park, and as
11 Mr. Cuthbertson said, this is a separate
12 issue -- I have never been for downzoning.
13 We want to keep the integrity of the area,
14 and we want to keep it one acre. We are
15 not stopping the builder from building. We
16 just want to keep it down to size and not
17 to saturate the area with so many homes.

18 Thank you.

19 COUNCILWOMAN SCARPATI: Mrs. Keller, you are an employee
20 of the Planning Department, and over the
21 last -- well, I have been on the Board now
22 since 1994 -- since that time, how many
23 applications are you aware of in the
24 Greenlawn area for downzoning from one acre
25 to half acre?

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1 MRS. KELLER: I work for Planning. There have
2 been at least fifteen zone changes. I
3 don't believe they were recent zone
4 changes.

5 COUNCILWOMAN SCARPATI: I can speak to four in the last
6 seven years or so, six-and-a-half years,
7 and in those zone change applications, all
8 of them passed four-one, me being the only
9 one who objected to any downzoning.

10 You are representing the
11 community. Can you tell me why the
12 community didn't come out for those
13 particular downzonings?

14 MRS. KELLER: I can't speak for the community,
15 but this one is close to me and I have my
16 heart in Greenlawn, and I am very concerned
17 about the MTA, which is also a concern, but
18 that's not the issue. When I first came
19 out here thirty-three years ago, that was a
20 farm. It was nice to see crops growing
21 there. I would like to maintain the last
22 open piece of space that we have.

23 COUNCILWOMAN SCARPATI: I just wanted to know your
24 knowledge of the downzonings and why the
25 community hasn't previously come out.

1 Thank you.

2 SUPERVISOR PETRONE: Dr. Scranton. [NO RESPONSE]

3 Elaine Capobianco.

4 MRS. CAPOBIANCO: Good evening, Supervisor Petrone,

5 members of the Town Board, ladies and

6 gentlemen. My name is Elaine Capobianco;

7 27 Dunlop Road, Huntington, New York.

8 I am here this evening as

9 spokesperson for Oldfield Home Security

10 Council & Civic Association, Inc., a civic

11 association existing in our neighborhood

12 for approximately thirty years.

13 We pride ourselves for being

14 consistently active in protecting the

15 health, safety, well-being and integrity of

16 our neighborhood.

17 Over the years, we have seen many

18 changes in our area, but through the

19 diligent work and cooperation between our

20 members and the Planning Board and Planning

21 Department, along with the cooperation of

22 several developers, we have been able to

23 prevent overintensification of land use.

24 We have succeeded in bringing about an

25 orderly development within our area and

1 created a lovely place to live, all of
2 which has been enhanced by the good
3 reputation of our School District.

4 I would like to take a little
5 time to explain what kind of consistent
6 effort our members have taken just to keep
7 our neighborhood's residential character.
8 It hasn't been easy, as you will hear some
9 of the threats we have had to contend with.
10 Chief among them have been commercial and
11 industrial activities as follows:

12 Tandem trailer truck transfer
13 station; pharmaceutical; furniture and
14 paint manufacturing; TV tower storage and
15 repair facility; post office; zoning
16 violations; ZBA violations; and lastly, the
17 MTA storage yard.

18 Right up front for your
19 information, it has come to my attention
20 through very reliable sources that the MTA
21 proposal for this site is dead; D-E-A-D,
22 and I am sure you are all aware of this.

23 Now I want to see if this sham to
24 put a high intensity park in our community
25 is going to continue.

1 All the properties were
2 successfully developed with homes in one-
3 half to one acre zoning. At the same time,
4 we have succeeded in preserving
5 approximately thirty-five plus acres of
6 active and passive parkland within our
7 civic association area. Notable among
8 these are Timber Ridge, eleven acres; Lake
9 Ridge, approximately six acres of common
10 area; corner of Waldren and Partridge, five
11 plus acres; and the Kubecka Organic
12 Gardens, sixteen plus acres.

13 So you can see although there
14 have been numerous developments of former
15 farmland, nurseries and wooded areas, with
16 much effort we were able to maintain proper
17 zoning along with open space.

18 Tonight we are here to address a
19 zone change on Lake and Pulaski, a parcel
20 of thirty-nine plus acres, at one time
21 farmland.

22 This parcel has been of great
23 concern to us for a number of years. There
24 have been proposals for its use, such as
25 commercial, industrial and post office.

1 The corner of Lake and Pulaski, R-RM
2 proposal for over one hundred twenty-five
3 units, but our association strongly
4 rejected all of them.

5 Although a few of our civic
6 association's members would like to
7 maintain the one acre zoning on this
8 parcel, the overwhelming majority voted not
9 once, but twice, to support a zone change
10 from one acre to one-half acre. We have
11 met on mutual ground and have done what is
12 best for all. We have made compromises to
13 see that all in our neighborhood will
14 benefit from this proposal. We are not new
15 to this site. We have worked hard for many
16 years to see that it was developed in a
17 manner that would properly coexist with the
18 character of our area.

19 As for myself, I normally would
20 not like to see land downzoned. However,
21 since this parcel is bordered by a
22 railroad, a busy County road and a
23 commercial site, downzoning to half acre is
24 appropriate at this location, while at the
25 same time, preserving the essential

1 character of our area.

2 Furthermore, it is compatible
3 with the homes on the south side of Pulaski
4 which had once been acre zoning and later
5 rezoned to half acre and there are some
6 quarter acre over there. It is also
7 compatible with the upzoning of a
8 commercial parcel to one-half acre
9 northeast of this parcel and with cluster
10 homes directly north of this parcel.

11 Therefore, the rezoning to one-
12 half acre is, in fact, a perfect
13 transition.

14 We know that under this proposed
15 zoning, the owner/developer would be
16 entitled to a yield of sixty-nine homes.
17 However, this developer, having worked
18 cooperatively with our civic association on
19 several other projects in our area,
20 realizes how our members feel about
21 overintensification. Therefore, we have
22 reached an agreement supporting his plan
23 for fifty-nine homes with a five acre
24 park/open space dedication.

25 Please note that the developer's

1 plan actually proposes to develop this site
2 as if it were three-quarter acre zoning, a
3 novel idea since our Town Code doesn't even
4 incorporate such a transitional Zoning
5 District, which it should.

6 I come here tonight with both
7 optimism and frustration. On the one hand
8 I am hopeful that a long process begun at
9 least five years ago in our neighborhood, a
10 process aimed at insuring that this parcel
11 would be intelligently developed, has at
12 last come to the final stages with this
13 hearing; and I wish to note that it has
14 taken us two years just to get this
15 rezoning hearing finally on the Town Board
16 Agenda.

17 I am optimistic that all the
18 work, planning and meetings between many
19 officials and personnel in Town Hall and
20 the Oldfield Home Security Council & Civic
21 Association, Inc. will finally, after so
22 many delays, be resolved with the passage
23 of this rezoning resolution.

24 The recent proposal by the MTA to
25 invade our community with a highly

1 Security Council & Civic Association, Inc.

2 To continue.

3 "My neighbors and I have not just
4 recently come on the scene with our backing
5 for this one-half rezoning proposal. We
6 have worked long and hard for many years.
7 Therefore, it is with great dismay that we
8 are now watching individuals and groups
9 from beyond our civic association area
10 marshaling forces and attempting to bully
11 their way by open moves for condemnation
12 and behind-closed-door deals to over-
13 intensify, all aimed at grabbing this
14 parcel for self-serving ends.

15 "My advice, put your egos away
16 and start listening to my community because
17 we have long memories.

18 "As an example of what we will
19 not tolerate, one scheme being circulated
20 has come to our attention. It would strip
21 fifteen plus acres off the thirty-nine plus
22 acre parcel for construction of sports
23 buildings and athletic fields. The
24 remaining acreage would then be downzoned
25 even more; for example, closer to one-

1 quarter acre lots. That is not all.

2 "This same scheme calls for the
3 developer to build the original number of
4 homes, but on a smaller parcel. We
5 strongly reject any scheme which would
6 over-intensify the property.

7 "How devastating. We might not
8 end up with an MTA train storage yard in
9 our neighborhood, but instead, with
10 something almost as bad, noisy ballfields
11 and recreational facilities operating until
12 eleven o'clock at night, lights blazing,
13 heavy traffic and parking lots and with
14 fifty-nine homes squeezed in.

15 "We strongly reject this kind of
16 bargain-basement approach to our planning
17 and zoning at the expense of the character
18 of our area. This is exactly the substance
19 of what we have worked so hard to avoid for
20 decades. Will this be the Town Board that
21 does us in?

22 "I am not without experience in
23 planning, having served on the Suffolk
24 County Planning Commission for four years.
25 In my opinion, if planning in Huntington

1 would be conducted in such a manner,
2 without our trust and cooperation between
3 civic groups and officials, without
4 responsibility, then I see no future for
5 the mutual preservation of the residential
6 character of the neighborhoods in this
7 Town.

8 "It is only fair to our
9 community, to our area and to the owner of
10 this property, the developer, that this
11 proposal go through as planned. No one
12 knows better what is best suited for an
13 area than those who live within it,
14 especially when we have the total agreement
15 of the landowner/developer of this parcel.

16 "So, it is with great urgency
17 that I entreat you to finish the job which
18 the Planning Board, the Planning
19 Department, the developer and the Oldfield
20 Home Security Council & Civic Association,
21 Inc. began so many years ago.

22 "We are also of the opinion that
23 the sooner the developer is permitted to
24 build these homes, the more difficult it
25 would be for the MTA to condemn fifty-nine

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occupied homes.

"Furthermore, is this Town Board ready to take over six hundred thousand dollars or more annually off the tax rolls?

"Should you continue on the folly of condemnation for unwanted parkland in our area and lose the battle of condemnation to the MTA, the surrounding communities will identify that disaster with your names.

"On behalf of the Oldfield Home Security Council & Civic Association, Inc., we respectfully request that this application be approved.

"Thank you for your attention, concerns and consideration. Let's bring this to fruition tonight. It has gone on long enough."

Thank you. [APPLAUSE]

SUPERVISOR PETRONE: Carol Liwiesky.

MRS. LIWIESKY: Carol Liwiesky. I live at 419 Pulaski Road in Greenlawn. I am probably about dead center opposite that property on Lake and Pulaski.

I have lived on Pulaski Road for

1 thirty years. . I have been inundated with
2 potato bugs, the DOT, many years ago,
3 wanted to make Pulaski a six-lane highway
4 which, thank God, got defeated; a bank
5 which was proposed at one time.

6 There have been various and
7 numerous things proposed on that property
8 and thank goodness, none of them have come
9 to fruition.

10 As far as I understand, the MTA,
11 thank God, is a dead issue, is not going to
12 happen.

13 I am here to say tonight I am in
14 support of the builder putting his homes on
15 that that property. I am not in favor of a
16 Town park. I live on Pulaski. I look out
17 my kitchen window in the morning and I can
18 see traffic backed up a quarter mile from
19 the Lake Road light to my house. The same
20 thing in the evening. I can't imagine how
21 much more traffic, noise and pollution that
22 a Town park would bring to this area.

23 I think, looking across the
24 street at some beautiful homes, would be
25 the ideal thing after so many years looking

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at empty lots, having to put up with the rats that cross Pulaski Road.

I don't have fruit trees any more because they come on my property and would eat the droppings and stuff. So, bye-bye to fruit trees.

I have had to put up with a lot living on Pulaski Road. I think it is about time the homeowners there got a break and had something pleasant to look at.

Thank you.

SUPERVISOR PETRONE: David Reller.

MR. RELLER: Good evening. My name is David Reller. I live at 1 Colgate Lane in Greenlawn. My wife and I have each lived in Huntington Township since 1969. For the past five years, we have lived directly south of Pulaski and Lake Road.

We were made aware early in the year of a proposed downzoning of the site long before the MTA was in the equation. We were and are still in opposition to a downzoning.

The memorandum written by Richard Machtay states:

1 "Proposal proposes a net cost to
2 the School District of six hundred fifty-
3 six thousand dollars to serve and protect
4 one hundred ten new school-age children.
5 There appears to be solid community support
6 in spite of this for the rezoning."

7 I don't think a lot of this had
8 any solid support. In addition, the
9 memorandum further states, "The cost
10 related there to the District may reduce
11 some services provided to meet taxes or
12 increase taxes overall."

13 Last year we voted for our school
14 budget. We voted to increase our taxes for
15 the good of our community. If we support
16 the downzoning, we will be again increasing
17 the taxes to our schools and taking away
18 services from our children. The only
19 person who would benefit would be the
20 developer.

21 We have two young children who
22 would love a park in this area. Don't we
23 have some rights even though the developer
24 has a right to build homes? If we have one
25 acre lots, we should have one acre lots.

1 The taxpayers shouldn't have to make sure
2 this builder makes a profit, nor is it the
3 job of this Town Board to make sure that
4 the developer makes a profit.

5 Thank you.

6 SUPERVISOR PETRONE: That concludes the speakers for
7 Public Hearing Number One at seven p.m.

8 I am going to close Public
9 Hearing Number One.

10 [WHEREUPON PUBLIC HEARING NUMBER ONE FOR
11 7:00 P.M. WAS CLOSED AT 8:04 P.M.]

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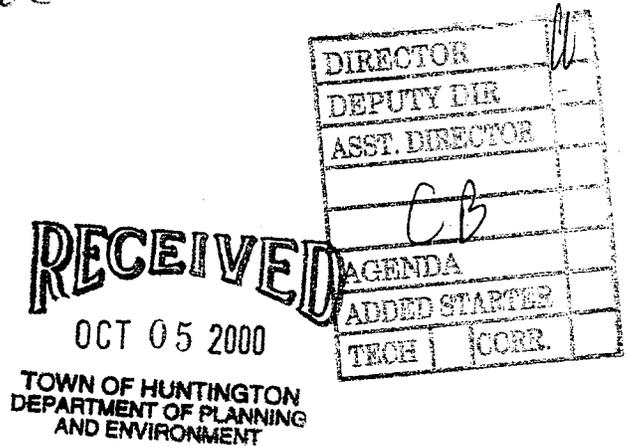
25

APPENDIX F
PUBLIC COMMENTS



86 Dunlop Rd.
Huntington, N.Y. 11743
October 2, 2000

Mr. Richard Mackay, Director
Planning and Environment
Town Hall
100 Main Street
Huntington, N.Y. 11743



Dear Mr. Mackay:

Concerning the zoning of the property on Lake and Pulaski Rds, I strongly believe should remain acre zoning for the following important reasons: ① The traffic problem which has arisen in the Huntington area for the past 10-15 yrs would be exacerbated by down zoning to half-acre; ② Where if half acre zoning is allowed, would mean 59 homes with an average of two or more automobiles added on to our already saturated roadway; ③ The quality of life in Huntington is threatened by our overdevelopment and traffic that everyone is aware of; ④ Environmentally, acre zoning is more responsible to all of these current problems the Town faces!

According to the Supervisor's Office, a majority

of people also favored and wanted the property to remain acre zoning.

I hope you will seriously consider this letter and the important information and facts that are stated.

Very truly yours,

Neil J. Penn Jr.

APPENDIX G

**TOWN BOARD RESOLUTION AND PUBLIC COMMENTS IN
REGARD TO MTA AND CONDEMNATION OF SITE**



RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE ACQUISITION OF CERTAIN REAL PROPERTY CONSISTING OF 39.3 ACRES IN THE VICINITY OF PULASKI ROAD (CR 11) AND LAKE ROAD, GREENLAWN, NEW YORK, PURSUANT TO SECTION 201 OF THE EMINENT DOMAIN PROCEDURE LAW.

Resolution for Town Board Meeting Dated: August 29, 2000

The following resolution was offered by Councilman Mark A. Cuthbertson

and seconded by Councilwoman Scarpati-Reilly
Councilwoman Budd

WHEREAS, the Town of Huntington has determined that it would be in the public interest to protect the natural environment of the Town and to ensure the availability of public parklands for the health, welfare and enjoyment of the residents of the Town and its future generations; and

WHEREAS, the Town Board believes, from its own observation that the pace of development within the Town threatens to create a shortage of open, natural space and public parkland for the use and enjoyment of the public; and

WHEREAS, there exists a limited amount of open and undeveloped land within the Town of Huntington available for use as parkland and the availability of such open space is likely to decrease in the future; and

WHEREAS, the Town Board believes that the need for public parkland will increase in the future due to the increase in residential, commercial and industrial development and additional parkland for the use and enjoyment of the public is needed if the quality of life is to be preserved; and

WHEREAS, pursuant to a comprehensive study dated July 1988 (the Vollmer Study), the Town of Huntington examined the suitability of the land as hereinafter described for use as public parkland and concluded that the site was "ideal" for acquisition as a recreational facility; and

WHEREAS, the Town of Huntington has determined that it would be in the public interest to acquire certain property located at the northeast corner of Pulaski Road and Lake Road, Greenlawn, New York, known on the Suffolk County Tax Map as Number Section 0400, Block 105, and Lot 2-29 and more particularly described as follows:

BEGINNING at a point, said point being at the intersection formed by the northerly side of Pulaski Road (CR 11) with the easterly side of Lake Road.

RUNNING THENCE, along the easterly side of Lake Road the following three (3) courses:

- 1) N 65° 55' 58" W, 47.43 feet;
- 2) N 10° 14' 02" W, 214.68 feet;
- 3) N 10° 26' 58" E, 666.47 feet;

THENCE along land of the Long Island Railroad N 65° 56' 06" e, 1975.02 feet;

THENCE S 24° 05' 30" E, 765.88 feet to the northerly side of Pulaski Road (CR 11);

THENCE along said road line the following two (2) courses:

- 1) Westerly along the arc of a curve bearing to the left, having a radius of 3852.83 feet and a length of 434.84 feet;
- 2) S 64° 41' 20" W, 1938.73 feet to the POINT or PLACE of BEGINNING.

Containing within said bounds: 39.3 acres.

for dedication and use, in perpetuity, as public parkland to remain in its natural state for the protection of natural flora and fauna and to provide the residents of the Town of Huntington with a area in which the natural environment can be studied and enjoyed; and

WHEREAS, Section 201 of the Eminent Domain Procedure Law requires that the Town Board hold a public hearing regarding said acquisition at which time all interested persons would be afforded the opportunity to make suggestions and recommendations with regard to said acquisition; and

WHEREAS, Section 204 of the Eminent Domain Procedure law requires that within ninety (90) days after the conclusion of said public hearing the Town Board shall adopt and publish its findings and determinations with regard to the effects and purposes of the proposed acquisition ; and

NOW, THEREFORE

BE IT RESOLVED, that the Town Board of the Town of Huntington hereby schedules a public hearing for the 24 day of OCTOBER , 2000, at 7:00p.m. at Town Hall, 100 Main Street, Huntington, New York in order to inform the public and to review the public use to be served by the proposed public project and the impact on the environment and the residents of the locality in connection with the acquisition of certain real property located in Huntington, New York, at which time all interested persons shall be afforded the opportunity to make objections and recommendations with regard to said acquisition; and

BE IT FURTHER RESOLVED, that notice of public hearing shall be in substantially the same form as in the public notice annexed hereto; and

BE IT FURTHER RESOLVED, that pursuant to Section 202 of the Eminent Domain Procedure Law, the Town Clerk is hereby directed to give notice of said public hearing by publishing said notice in five (5) successive issues of NEWSDAY, a daily newspaper, and in two (2) successive issues of THE LONG ISLANDER and THE OBSERVER, weekly newspapers of general circulation in the Town of Huntington, Suffolk County, New York; and

BE IT FURTHER RESOLVED, the Town Clerk shall cause to have a record made of said public hearing including any written statements submitted, and the Clerk shall make a copy of said record available to the public during normal business hours at the Office of the Town Clerk for examination without cost, and shall reproduce the same upon written request and payment of the cost thereof; and

BE IT FURTHER RESOLVED, that the Planning Department of the Town of Huntington is directed to conduct an environmental quality review of the proposed use of the property as hereinbefore described as public parkland, as required by Article 8 of the Environmental Conservation Law of the State of New York, State Environmental Quality Review Act, ("SEQRA").

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Marlene L. Budd	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Steve J. Israel	AYE
Councilwoman Susan J. Scarpati-Reilly	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

* MOTION TO ADD RESOLUTION #2000-653 TO AGENDA:

Offered By: COUNCILMAN CUTHBERTSON

Seconded By: COUNCILWOMAN SCARPATI-REILLY

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

SUPERVISOR PETRONE	AYE
COUNCILWOMAN BUDD	AYE
COUNCILMAN CUTHBERTSON	AYE
COUNCILMAN ISRAEL	AYE
COUNCILWOMAN SCARPATI-REILLY	AYE

THE MOTION TO ADD RESOLUTION #2000-653 TO THE AGENDA WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE A

BEGINNING at a point, said point being at the intersection formed by the northerly side of Pulaski Road (CR 11) with the easterly side of Lake Road.

RUNNING THENCE, along the easterly side of Lake Road the following three (3) courses:

- 1) N 65° 55' 58" W, 47.43 feet;
- 2) N 10° 14' 02" W, 214.68 feet;
- 3) N 10° 26' 58" E, 666.47 feet;

THENCE along land of the Long Island Railroad N 65° 56' 06" e, 1975.02 feet;

THENCE S 24° 05' 30" E, 765.88 feet to the northerly side of Pulaski Road (CR 11);

THENCE along said road line the following two (2) courses:

- 1) Westerly along the arc of a curve bearing to the left, having a radius of 3852.83 feet and a length of 434.84 feet;
- 2) S 64° 41' 20" W, 1938.73 feet to the POINT or PLACE of BEGINNING.

Containing within said bounds: 39.3 acres.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Huntington, Suffolk County, New York, will hold a public hearing at 7:00 o'clock p.m. on October 24, 2000, in the Town Board Meeting Room, Town Hall, 100 Main Street, Huntington, New York with respect to property to be acquired by the Town of Huntington for parking purposes, at which time all interested persons will be afforded a reasonable opportunity to make objections and recommendations with regard thereto. The property to be acquired is more fully described in Schedule "A" attached hereto.

DATED: Huntington, New York
 August 29, 2000
 s/Jo-Ann Raia
 BY ORDER OF THE TOWN BOARD
 TOWN OF HUNTINGTON
 JO-ANN RALA, TOWN CLERK

11

Oldfield Home Security Council & Civic Assn

TOWN BOARD AGENDA # _____

Re: Resolution # 653

Sept 12, 2000
(date)

Good Evening Supervisor, Pioneers members of the
Town Board - Ladies & Gentlemen

My name is Elaine Capobianco, 27 Huntop
Road. I am here this evening as
a member of our Association, active
and existing for approximately 30 years.

I wish to address my remarks

To proposed Resolution # 653 Concerning

Condemnation, by the Town of Huntington

of the 39.5 Acre parcel of land at

the Northeast Corner of Lake & Pulaski Rd.

(being introduced by Mr. Colburnson)

Many members and local residents

strongly protest that a resolution to

condemn this parcel appears on tonight's

Supervisor
Town Board (4)
Town Attorney
Planning

agenda without ^{official} prior public notice.

RECEIVED
PLANNING DEPARTMENT
TOWN OF HUNTINGTON, NY
90 SEP 11 PM 12:01

TOWN OF HUNTINGTON, NY
SEP 30 PM 2:01

There has been no published notice of an open hearing (per State Open meeting law) The public has not been given ample notice

of tonight's condemnation action

This entire scheme is patently

unfair. ~~What ever happened to the words "Appraisal - before~~

Any governmental interference with private enterprise involving

land should require a systematic

and extensive study analysis and

report - A.S. To Need and Use

And above all - appraisal before action starts - Do we need a law suit!!!

For well over a year, and
after many, many delays our
neighborhood, by due process, was
anticipating the scheduled public
hearing before the Town Board
on September 26th to discuss

The rezoning of this parcel to
grant/deny an application to
accommodate a development of 59
single family homes and a 5 (five
acre parkland dedication, * which we do
not have to pay for.

As we ^{all} are, well aware,
our neighborhood has dealt with
over the past month ^{and 1/2} a sudden

④ Threat by the MTA to condemn
this parcel for a washdown^{station} and
Storage facility — and at this
very moment — however, we have
been given assurance from our
State Representatives of a
successful end to the MTA
Condemnation. Yet, at this
very same time — here comes
a resolution from the Town
proposing still another condemnation
of this very same parcel!!

It appears that there are those
living outside and beyond the
immediate area of this parcel.

Who wish to exploit the m.t.a threat. Apparently they want to grab this private property to satisfy their own interest for a 39.5 acre Civic Park. —

Plans which have Not been disclosed — But has been on the wish list, of ^{a few} Public Officials, for the past few years.!!! and of which I personally have been aware of.!!
Who will pay for all of this in the future? Increase in _{out of} Our Taxes? & Our pocket books!! —

However I wish to point out to those who are Not aware and from outside our neighborhood — that thousands of dollars of Town Tax money have already been spent

on improvements to the
 athletic field at Harborfields High
 School — Harborfield Library play
 ground, fields at Pulaski and Broadway
 and other active parks close by
 Furthermore, perhaps those
 outside parties may not be aware
 that by condemning this parcel, it
 will cost All Town Taxpayers still
 more money than the actual
 acquisition price. ^{why?} That is because
 this condemnation will eliminate
 a source of income/revenue.

9
 1,000
 90,000
 9
 2,000
 8,000

estimated at ~~with~~ ^{10/12} thousand dollars per house
 or a total of at least ^{600,000} ~~600,000~~ ^{thousand} dollars per
 year ^{taking} from the year

Tax rolls of the Town of Huntington,

the Harborfields School district, the

Harborfields Public Library, as

well our tax dollars for 12:

Police patrol - Up keep, ground

maintenance, ^{proper} buildings, ^{maintenance} on these

Property (of

what I personally have been told is
(Correct)

as well as
Will Comfort Station etc

As it is at present, our

Parks are poorly maintained, -

under staffed and (two thousand

of dollars) here, ^{already} been allotted from

the Environmental Open Space and

Park Fund Review Advisory Committee

for Park improvements throughout
the town.

As well as several [^]hard land acquisitions

② Finally there is little
difference between this wrong-
headed move to get the Town
to condemn this parcel ---
and the attempt by the MTA
to condemn it

Either condemnation will
inflict upon our neighborhood,
unbearable noise, intense traffic,
loitering/congregating, flood lights
etc. at all hours.

Therefore, we respectfully request
members of the Town Board to
vote this resolution down and to
proceed with the

long-awaited, scheduled public

hearing to consider the application
in this matter - by the owner

(9)

We do Not want or need an active 39.5⁵ acre park at this Site.

We ^{do} respectfully request that this Town Board does not proceed to start proposed Condennation proceedings before (above all) - ^{that} proper ^{state law} procedure is followed by the Town. !!
I have two important questions:

Questions:

(II)

I would like to know where the figures - quoted in a flyer - which was circulated throughout our whole area and green lawn - for the past week - came from.

... = ... + ... - today

(10) from Town Hall -
The figures are incorrect!!

(#2) Where will the money come from
to purchase this property

Will we have to float a
bond - just to purchase this property!!

the More Tax dollars? from
our pocket book?

Ask yourself - Can I
afford more taxes. - Especially
when we have been promised a
5 Acre park for community use
without paying for it.

Does any one here have any idea what
1 Acre of land is worth Today?

August 29, 2000
(date)

Town Board
Huntington Town Hall
100 Main Street
Huntington, NY 11743

To the members of the Town Board,

This letter is to advise you that I am OPPOSED to the MTA taking over the 39.5 acre parcel of land at the corner of Lake Road and Pulaski Road.

Please be sure my opinion is represented at any and all meetings concerning this topic.

Additional Comments:

" TRAFALGAR Court " already has:
RR TRACKS, NOISE, "UGLY"
LIPA - GREENLAWN SUBSTATION
SCWA - HOLDING TANIL IN MY YARD
THIS CAN'T HAPPEN IT'S ENOUGH
ALREADY TO DEAL WITH!!!! I'M VERY

DISAPPOINTED
E-mail

PNASIATKA
@internap.com

Dianne Nasiatka

Signature

DIANNE NASIATKA
16 Trafalgar Court

Name

Huntington, NY

Address

11743

00 AUG - 3 - 90 55

TOWN OF HUNTINGTON NY
RECEIVED

cc: Supervisor
Town Board
Town Attorney
Planning

c August 29, 2008
(date)

Town Board
Huntington Town Hall
100 Main Street
Huntington, NY 11743

To the members of the Town Board,

This letter is to advise you that I am OPPOSED to the MTA taking over the 39.5 acre parcel of land at the corner of Lake Road and Pulaski Road.

Please be sure my opinion is represented at any and all meetings concerning this topic.

Additional Comments:


Signature

Grace Mammone

Name

1 Harborfields CT

Address

Greenlawn 11740

00 AUG -3 AM 55

cc: Supervisor
Town Board (4)
Town Attorney
Planning

TOWN OF HUNTINGTON N.Y.
TOWN CLERK
RECEIVED

August 29, 2000

(date)

'00 JUL 31 10:34

July 28, 2000

Members of the Town Board
Huntington Town Hall
100 Main Street
Huntington, NY 11743

Dear Members of the Town Board:

SUBJECT: MTA PROPOSAL FOR LIRR SERVICE AND STORAGE FACILITY IN
GREENLAWN

This letter is to express my strong opposition to the proposed MTA take over of the 39.5 acre parcel of land in Greenlawn. The proposed facility does not belong in our beautiful residential neighborhood. As a taxpayer and concerned neighbor, I want my opinion represented at all meetings held concerning this topic. Please ensure that my opposition is voiced.

Sincerely,



Alfonsa A. Ferme

RECEIVED
TOWN CLERK
TOWN OF HUNTINGTON N.Y.

AUG -3 P3:06

2 RENWICK AVENUE
HUNTINGTON, NY 11743

cc: Supervisor
Town Board (4)
Town Attorney
Planning

August 29, 2000
(date)

00 JUL 31 10:24

Town Board
Huntington Town Hall
100 Main Street
Huntington, NY 11743

To the members of the Town Board,

This letter is to advise you that I am OPPOSED to the MTA taking over the 39.5 acre parcel of land at the corner of Lake Road and Pulaski Road.

Please be sure my opinion is represented at any and all meetings concerning this topic.

Additional Comments:

RECEIVED
TOWN CLERK
TOWN OF HUNTINGTON, NY
00 AUG -3 13:05

Roberta Caroline Peltz

Signature

Roberta Caroline Peltz

Name

41A Dunlop Rd

Address

Huntington NY 11743

cc: Supervisor
Town Board (4)
Town Attorney
Planning

August 29, 2000
(date)

Town Board
Huntington Town Hall
100 Main Street
Huntington, NY 11743

To the members of the Town Board,

This letter is to advise you that I am OPPOSED to the MTA taking over the 39.5 acre parcel of land at the corner of Lake Road and Pulaski Road.

Please be sure my opinion is represented at any and all meetings concerning this topic.

Additional Comments:

Please send notification of any meetings on this issue.

Susan Richard

Signature

Susan Richard

Name

4 Meadow Pond Ct.

Address

Huntington, N.Y. 11743

cc: Supervisor
Town Board (4)
Town Attorney
Planning

RECEIVED
TOWN CLERK
TOWN OF HUNTINGTON, N.Y.
00 AUG -7 110:06

August 29, 2000
(date)

Town Board
Huntington Town Hall
100 Main Street
Huntington, NY 11743

To the members of the Town Board,

This letter is to advise you that I am OPPOSED to the MTA taking over the 39.5 acre parcel of land at the corner of Lake Road and Pulaski Road.

Please be sure my opinion is represented at any and all meetings concerning this topic.

Additional Comments:


Stephen Summers

Lauren W. Summers

Signature

Lauren W. Summers

Name

35 Renwick Ave.

Address

Huntington NY 11743

'00 AUG -7 10:07

RECEIVED
TOWN CLERK
TOWN OF HUNTINGTON, N.Y.

cc: Super.
Town Board
Town Attorney,
Planning

August 29, 2000
(date)

Town Board
Huntington Town Hall
100 Main Street
Huntington, NY 11743

To the members of the Town Board,

This letter is to advise you that I am OPPOSED to the MTA taking over the 39.5 acre parcel of land at the corner of Lake Road and Pulaski Road.

Please be sure my opinion is represented at any and all meetings concerning this topic.

Additional Comments:

Gloria Purstow - Gloria Purstow
Signature
24 Ducharme Ln.
Name
Greenlawn N.Y.
Address
11740

RECEIVED
TOWN CLERK
TOWN OF HUNTINGTON N.Y.
00 AUG -7 110:07

Supervisor
Town Board (4)
Town Attorney
Planning

July 31, 2000

Town Board
Huntington Town Hall
100 Main Street
Huntington, NY 11743

To the members of the Town Board:

This letter is to inform you that we OPPOSE the plans by the Metropolitan Transportation Authority (MTA) to build a train yard in Greenlawn on 39.5 acres of land at the corner of Lake Road and Pulaski Road.

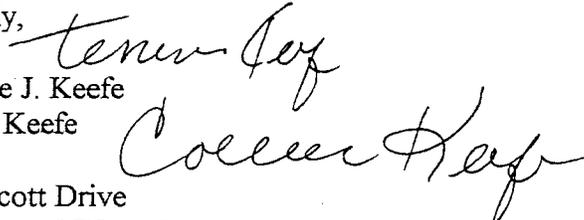
We have been Huntington town residents for over 17 years and we are proud of this fine community. Building this train yard in a residential area is intolerable! Who's idea was this? Certainly not any of the resident of Greenlawn and Huntington that have supported this community for decades. And why were our local officials unaware of this plan the MTA has proposed. **Lets get going and stop** this insufferable plan that will change our community into something no one wants.

Please be sure that our opinion is represented at any and all meetings concerning this topic.

Sincerely,

Terrence J. Keefe
Colleen Keefe

11 Endicott Drive
Huntington, NY 11743



00 AUG -7 110:07

REC'D
TOWN OF HUNTINGTON
TOWN OF HUNTINGTON, N.Y.

cc: Supervisor
Town Board (4)
Town Attorney
Planning

Aug. 29, 2000
(date)

Town Board
Huntington Town Hall
100 Main Street
Huntington, NY 11743

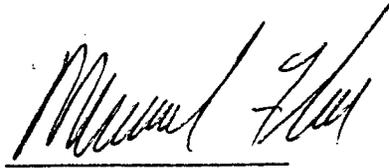
To the members of the Town Board,

This letter is to advise you that I am OPPOSED to the MTA taking over the 39.5 acre parcel of land at the corner of Lake Road and Pulaski Road.

Please be sure my opinion is represented at any and all meetings concerning this topic.

Additional Comments:

I Live directly behind the tracks and
Pay close to \$12,000 per year in Real Estate
tax. Please do not allow this to happen.



Signature

Michael Flugelman

Name

5 Harborfields Cr.

Address

Greenlawn NY 11740

cc: Supervisor
Town Board (4)
Town Attorney
Planning

APPENDIX H

ZONING HISTORY AND ZONING ANALYSIS DOCUMENTS



CAPUTI, WEINTRAUB & NEARY

ATTORNEYS AT LAW

50 ELM STREET

HUNTINGTON, N.Y. 11743

ROBERT R. CAPUTI
FRANCIS M. NEARY
GARY N. WEINTRAUB
BRIAN P. NEARY

TELEPHONES
631-421-2500
631-271-7796
FAX
631-421-2565

JACQUELINE CAPUTI
MARK E. NADJAR

October 2, 2000

Honorable Frank Petrone, Supervisor
Town of Huntington
100 Main Street
Huntington, NY 11743

Re: Application of A/M Realty of Huntington Corp.
for rezoning from R-40 to R-20

Dear Supervisor Petrone:

At the Town Board hearing of September 26th, I represented that the premises immediately to the south of the subject premises across Pulaski Road is zoned R-20.

I have researched the matter again and enclose herewith a copy of an excerpt from the Planning Board records which I have high-lighted, confirming that the entire parcel to a depth of 1,000 feet was rezoned on March 11, 1953 from Residence C (then one-quarter acre) to Residence B-1 (then one-half acre) for a distance of 1,000 feet south of Pulaski Road. An examination of the tax map will establish that the lots shown thereon within the 1,000 feet are one-half acre and that said area does not include any parkland included in connection with the filing of the subdivision map nor a modification of the lot size other than one-half acre.

I would appreciate your including this into the minutes of the meeting.

Very respectfully yours,

ROBERT R. CAPUTI

RRC:rm

CC: Councilman Mark Cuthbertson
Councilman Steven Israel
Councilwoman Susan Scarpetti-Reilly
Councilwoman Marlene Budd
Joann Raja, Town Clerk

RECEIVED

OCT 26 2000

NELSON & POPE, LLP

Ray Harris
10/21

Kase
JB

VB

NOTICE OF ENACTMENT
NOTICE IS HEREBY GIVEN that at a meeting of the Town Board of the Town of Huntington, held at the Town Hall, Huntington, on the 11th day of March, 1983, the Building Zone Ordinance and the Building Zone Map were amended as follows:

1. To amend the Building Zone Map by changing from Res. "C" to Res. "B" the following described property:

bounded on the north by the northerly line of a private road running front Vineyard Rd. on the west to Huntington Bay Rd. on the east, along the northerly boundary of land of Navak; on the east by Huntington Bay Rd.; on the south by an existing Res. "D" district; and on the west by a line parallel to Vineyard Rd. and 175' easterly thereof, measured at right angles thereto.

2. To amend the Building Zone Map by changing from Res. "C" to Res. "B" the following described property:

bounded on the north by East Pulaski Rd. on the east by an existing Res. "B" district; on the south by a line parallel to East Pulaski Rd. and 1900' south thereof, measured at right angles thereto; and on the west by Lake Rd.

3. To amend the Building Zone Ordinance by rewriting Art. V. Sec. 1-D to read as follows:

Storage of Fuel Oil and other inflammable liquids in a General Industry District, and in no other tanks for the storage of Fuel Oil, Gasoline, Kerosene, or other inflammable liquids, may be permitted and installed, provided the Board of Appeals shall find:

1. That no tank exceeds 600,000 gallon capacity;
2. That no tank is greater than 26' in height above the finished grade around it;
3. That all tanks are a depth of at least 25% of the depth of the district from the line of any highway or the bulkhead of any navigable water way and an equal distance from the boundary of any adjacent property but in no event less than 25 feet or greater than 75 feet from the aforesaid lines.
4. That a concrete dike will be erected around each tank which projects above ground, forming a basin, the capacity of which shall at least equal the capacity of the tank;
5. That adequate egress and ingress for oil trucks is provided and that on-site parking space sufficient to accommodate all employees and all loading is provided; in granting a Special Exception under the provisions of this section, the Board of Appeals may require such changes in plans, in relation to yards, location of pumps and buildings, construction of buildings and location and capacity of storage tanks as it may deem desirable to insure safety, minimize traffic problems and safeguard adjoining property.

By order of the Town Board of the Town of Huntington:
ROBERT J. McNULTY,
Town Clerk
4A

Res. B
127 Acres
Quantum ✓
Oil Tanks

00B
P216

T.B.M.
P-306
3/11/83

Vineyard Rd. - Halesite
C to B

East Pulaski Rd. - Hunt. Sta.
C to B-1

Fuel Oil Tanks



September 26, 2000

Honorable Supervisor and Members of the Town Board
Town of Huntington
100 Main Street
Huntington, New York

Re: Harborfields Estates Rezoning Petition - Zoning Analysis

Dear Honorable Supervisor and Members of the Town Board,

The following memorandum has been prepared in support of the proposed zone change application (No. 96-ZM-290) submitted by Evergreen Homes for property located on the southwest corner of the intersection of Lake Road and Pulaski Road in the Hamlet of Greenlawn in the Town of Huntington.

It is the objective of this analysis to establish that the proposed change of zone is appropriate, reasonable, consistent with the character of the area surrounding the site and will not negatively disrupt the pattern of zoning and land use within Greenlawn.

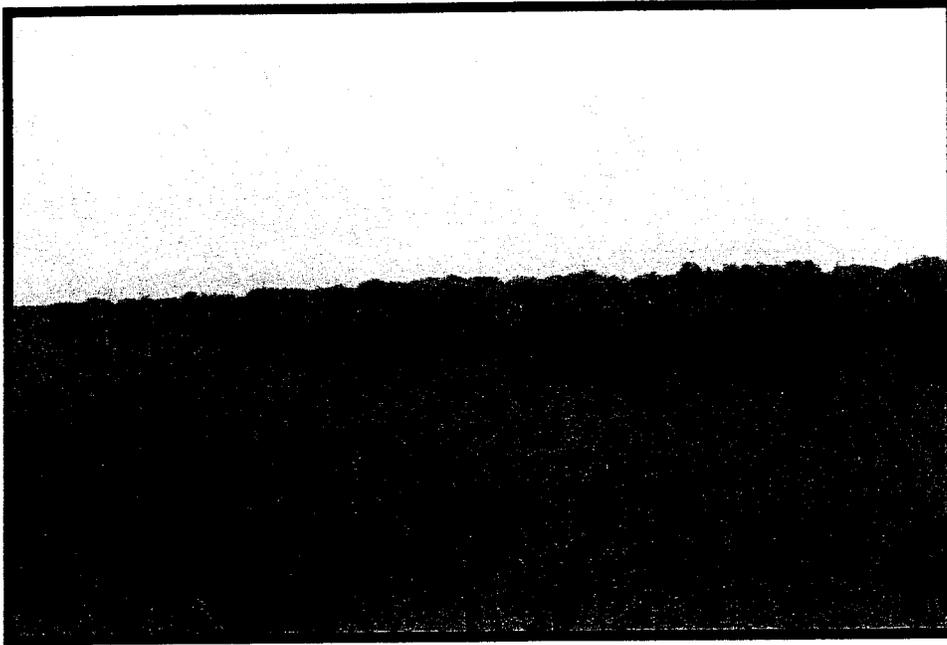
I. PROPOSED ACTION:

The applicant has proposed the development of a 59-unit detached single-family residential development on a 39.3 acre parcel of land. Pursuant to the petition to amend the existing site zoning from its current R-40 Residential designation to R-20 Residential, the layout of the subdivision has been developed in accordance with the applicable R-20 zoning provisions.

The site, which may be familiar to some as the Greenlawn Pickle Works, is currently vacant and overgrown (Photos 1 & 2). The site is a long rectangular parcel bordered by the LIRR Port Jefferson branch to the north, by Lake Road to the west, by Pulaski Road to the south and by the industrial property of GEC-Marconi-Hazeltine Corp. to the east. The site is over 1,900 feet wide and between 765 and 933 feet deep. The site is more specifically known and identified as Suffolk County Tax Map parcel 0400-105-2-29. The applicant proposes to subdivide the site to create 59 single-family residential lots, all of which conform to the R-20

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Phone (516) 754-3085 • Fax (516) 754-0701
E mail: cleary@clearyconsulting.com
www.clearyconsulting.com

Photo #1



Site Looking Southeast

Photo #2



Site Looking South

zoning requirements (Figure 1). The proposed subdivision is laid out along a loop road system with a single access point on Pulaski Road. Two additional cul-de-sac roads would extend into the western portion of the site from the loop road. A five acre park is also proposed at the western end of the property, near the Pulaski Road-Lake Road intersection. The proposed dwellings would consist of a mix of three, four and five bedroom units ranging in size from between 2,400 to 4,800 square feet in gross floor area. The project is more specifically described in the Draft Environmental Impact Statement for Harborfield Estates prepared by Nelson, Pope and Voorhis, LLC, dated 12/98.

II. EXISTING LAND USE:

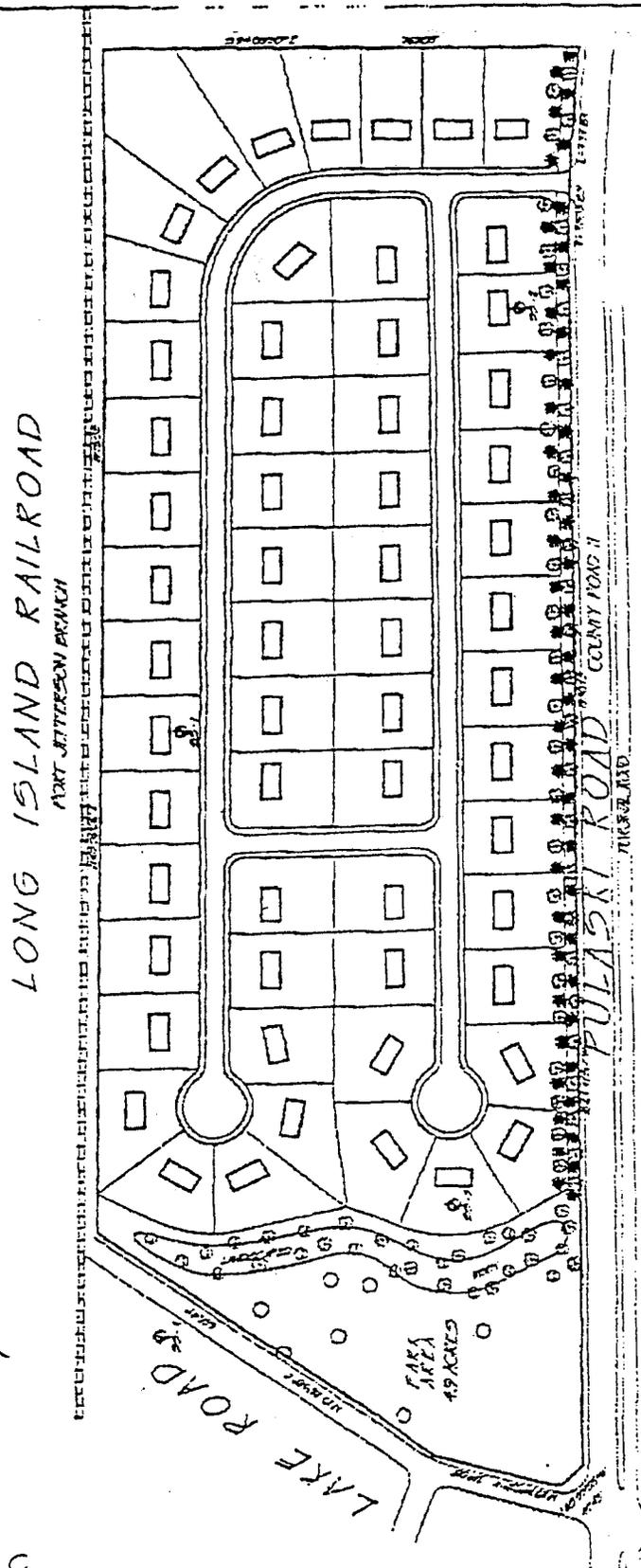
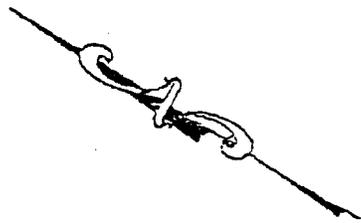
The subject site is uniquely situated at the confluence of several distinct patterns of land use. This condition can be clearly seen on the Land Use Map adopted in conjunction with the Comprehensive Plan (Figure 2). The site is residentially zoned within an industrial corridor that stretches to the east and west and is a transitional parcel with regard to the intensity of residential development both to the north and south.

The LIRR Port Jefferson line and the LIPA transmission lines just north of the site form an industrial spine that runs through the center of the Town of Huntington. Land uses along this corridor both to the east and west of the site include the GEC-Marconi-Hazeltine industrial/office facility, an LIPA transformer substation and service dispatch facility, an outdoor truck storage facility, Huntington Hospital's Dolan Family Health Center as well as other light industrial and commercial uses (Photos 3-6).

These uses combine to establish a strong commercial land use character; and one that is customary along the LIRR corridor. The nature of this commercial spine intensifies to the west toward Huntington, while moving east toward East Northport, it increasingly gives way to residential intrusions. This corridor terminates at the town boundary where industrial uses once again become prevalent surrounding the Resource Recovery facility.

The pattern of land use that flows north/south through the site is distinctly residential in character. Crossing Pulaski Road traveling to the south, one encounters well-established single-family residential neighborhoods. This area is zoned R-20 Residential and includes typical 100x200 foot (20,000 square foot) lots supporting well-kept dwellings; typically split levels of mid 20th Century vintage. This land use pattern is relatively uniform with minor consistent variations such as Little Plains Park, etc.

Land use to the north of the site remains uniformly residential in nature, but is a bit more



Source: Nelson & Pope, LLC

FIGURE 1

Cleary Consulting

SITE PLAN

Scale: N.T.S.



Source: Town of Huntington Comprehensive Plan

FIGURE 2

COMPREHENSIVE PLAN LAND USE MAP

Cleary Consulting

Scale: N.T.S.

Commercial & Industrial uses along the Pulaski Road/LIRR Corridor

Photo #3



Photo #4

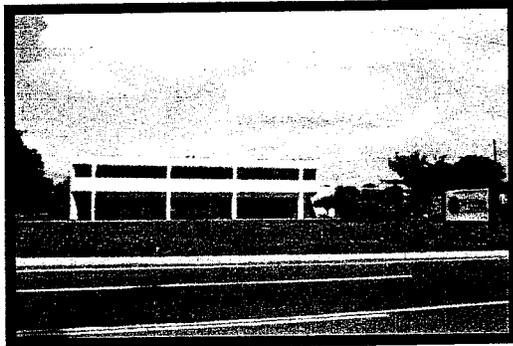
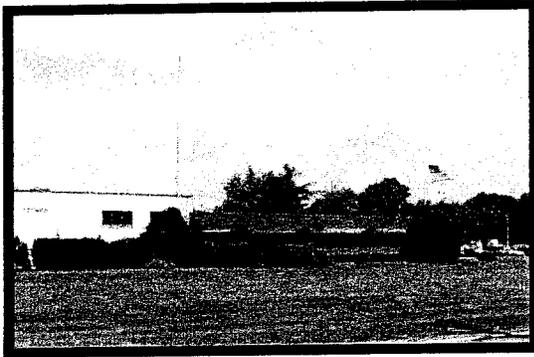


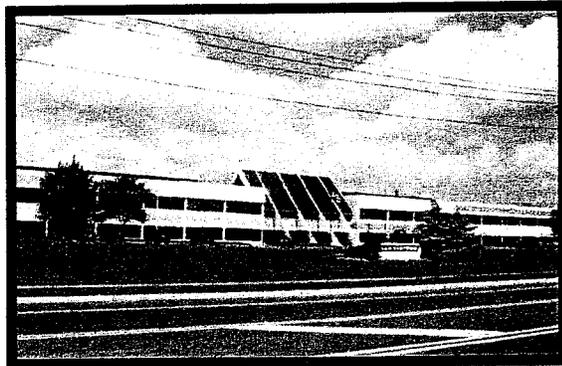
Photo #5



**Huntington Hospital
Dolan Family Health Center**

Keyspan

Photo #6



GEC Marconi-Hazeltine

diverse. The density of development north of the LIRR is generally less than that evidenced to the south. Predominant zoning in the area is R-40. Several distinct exceptions to this character exist within the area including the Lakeridge Townhouses due north of the site and the Trafalger Estates subdivision located diagonally across Lake Road from the northwest corner of the site. Additionally, the design and style of the dwellings is more varied north of the site. Open space and agricultural type uses are also prevalent in this area.

Based upon the well-established pattern of land use in the vicinity of the site (refer to Figure 3), it can fairly be concluded that the site is transitional in nature.

III. COMPREHENSIVE PLANNING:

Several comprehensive plans have been developed in recent years that offer guidance with regard to the future land use of the subject site.

1. Town of Huntington Comprehensive Plan-1993:

Adopted in 1993 as an update to the 1965 Comprehensive Plan, the 1993 plan sets forth some significant goals which can be used as a guide for understanding the future of the subject site.

- The Comprehensive Plan notes the severe lack of vacant developable land within the Town that can be used to meet the housing demands of the community.
- Diversifying housing options is encouraged while simultaneously conserving existing investments in the housing stock.
- Housing development concepts such as clustering and townhouse development are encouraged to help meet the housing needs of the community.
- The Comprehensive Plan recommends that passive parks need to be increased within the Town to better meet the needs of the population and that recreational opportunities, both active and passive, need to be encouraged wherever possible in residential areas.

Approximately 95% of the residentially zoned land within the Town of Huntington has already been devoted to development. The vast majority of the remaining 5% is

Neighboring Residential Uses

Photo #7



R-20 Neighborhood south of the Site

Photo #8



Photo #9



Lakewood Townhouses
north of the Site

Photo #10

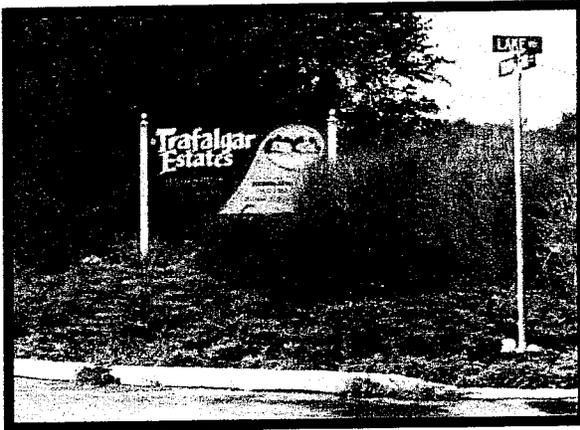
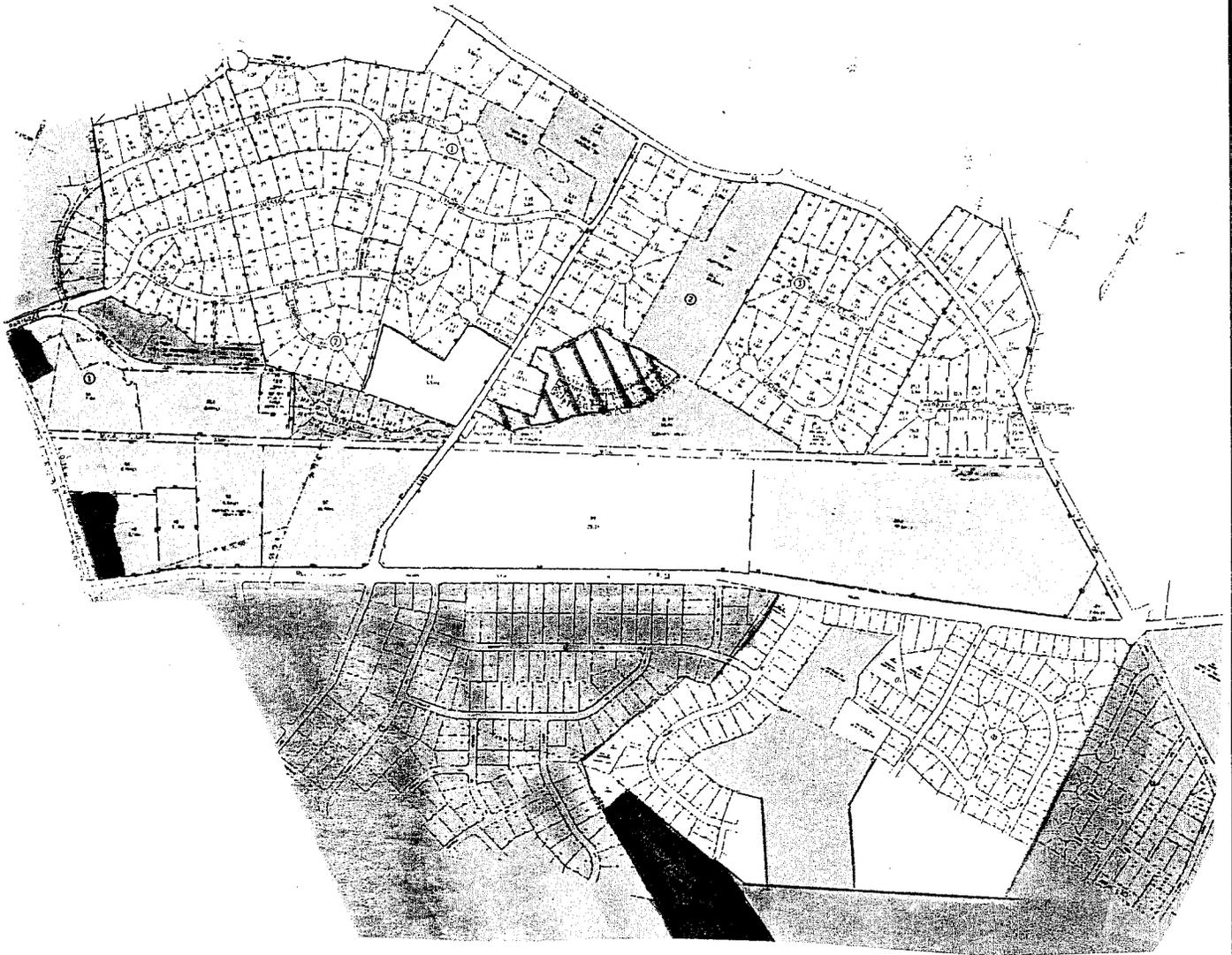


Photo #11



R-20 Trafalgar Estates Development
northwest of the Site



Low Density Residential (R-40)
Medium Density Residential (R-20)
High Density Residential (R-5)
Clustered High Density Residential
Open Space
Commercial
Industrial

Source: Town of Huntington Comprehensive Plan

FIGURE 3

Cleary Consulting

LAND USE MAP

Scale: N.T.S.

significantly constrained in one manner or another, either environmentally or from an infrastructural or marketing perspective. As more fully described in the Harborfield Estates Environmental Impact Statement, the subject site is not significantly constrained environmentally and is well-suited to residential development. As a result, it is anticipated that devoting this land to residential development meets the articulated needs of the Town to provide for additional residential development opportunities.

Recognizing that the site is transitional in nature and uniquely situated between residential districts and commercial areas, a moderate increase in the density of the site, consistent with the area south of Pulaski Road, offers an opportunity to diversify housing opportunities while preserving intact the land values and investments of all property owners surrounding the project site.

While clustering and townhome development may represent an option for the use of the site, it is the opinion of the applicant that traditional single-family development designed and constructed in accordance with the R-20 Zoning District, which is adjacent to the site and stretches significantly south of the property, provides for diversity and meets a market niche that is today underserved in the vicinity of the subject site. Similar development north of the site also lends credence to the applicant's marketing and development goals.

The proposed project involves the development of a five acre park area located on the corner of Lake and Pulaski Roads. This new park, would directly meet the objectives of the park and open space recommendations of the Comprehensive Plan.

A thorough review of the Comprehensive Plan reveals that the project is in no way inconsistent with any of the recommendations or goals articulated in that document. It can therefore be concluded that the proposal is consistent with the Comprehensive Plan.

2. A Region at Risk, the Third Regional Plan-Regional Plan Association:

While prepared to address the overriding issues of the metropolitan area, the Regional Plan Associations, Third Regional Plan provides some valuable insight into local decision making as well. The proposed action can be viewed as consistent with the Regional Plan in that it focuses much needed residential development in areas that are environmentally suitable to support development, the site is supported by adequate infrastructure and transportation facilities and the proposed development is consistent

with the land use character of the surrounding area. The proposed project is therefore consistent with the *Greensward*, *Centers* and *Mobility* Campaigns articulated in the Third Regional Plan.

3. 208 Area Wide Waste Treatment Management Study-1978:

The 208 Study was conducted to determine waste disposal options and Best Practices for ground and surface water protection. As a result of these objectives, the 208 Study is typically used as a comprehensive guide to land use decisions. As more fully detailed in the Environmental Impact Statement for Harborfield Estates, all of the recommendations detailed in the 208 Study for development of the subject site, which is within Groundwater Management Zone I, will be incorporated into the subdivision as a matter of approval of on-site sewage disposal systems administered by the SCDHS. The modest increase in density resulting from the zone change would therefore be consistent with the 208 Plan.

4. Town of Huntington Open Space Index-1974:

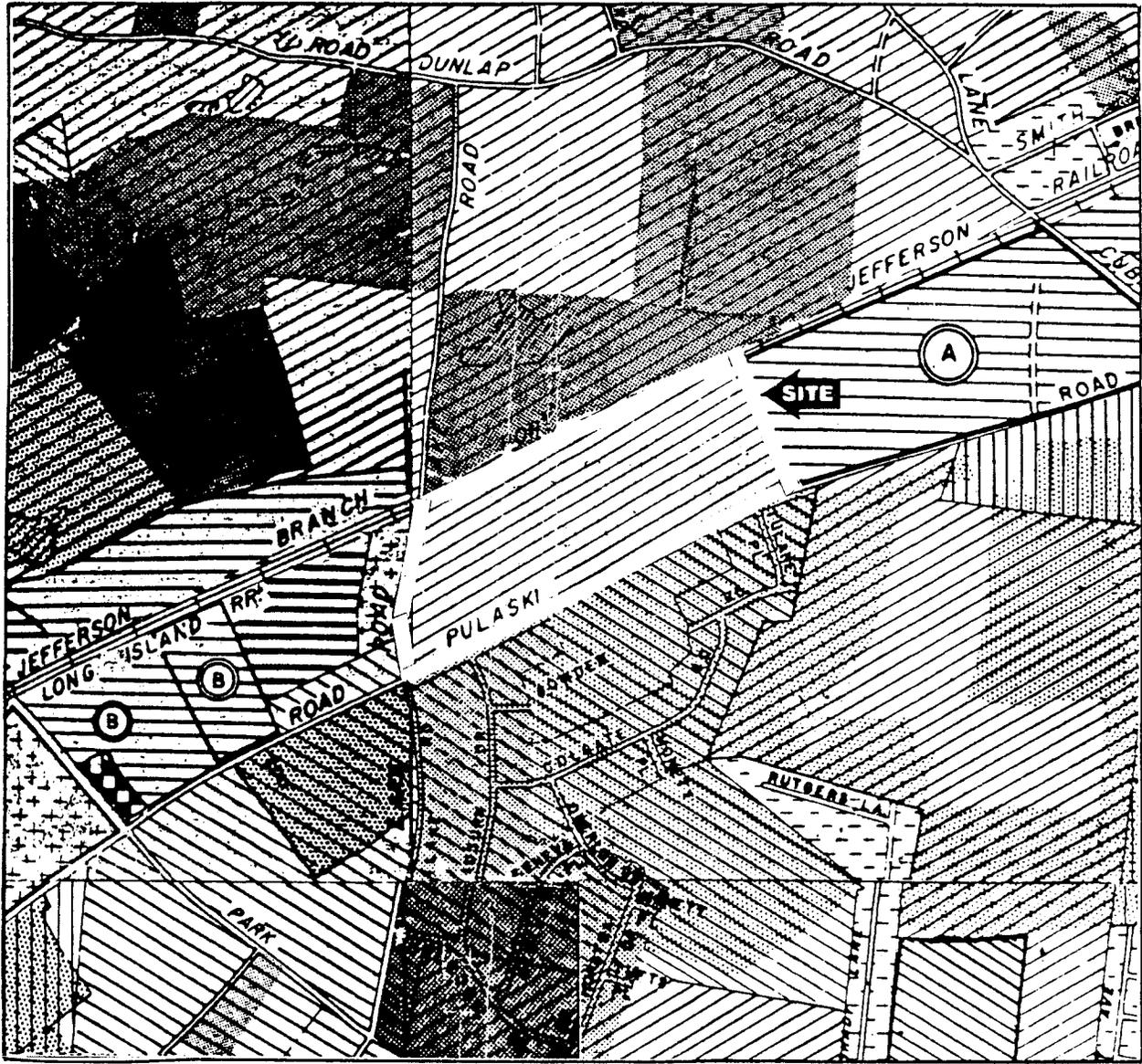
The Huntington Conservation Advisory Council prepared an evaluation of undeveloped properties within the Town. This document offered policies and recommendations for each of these properties. The index identifies the subject site as NW-32 and ranks the property in priority ranging from 1 to 6 (where 1 is the most significant and 6 the least significant) as priority 6. Although no longer actively farmed, the value of this property as an open space parcel in the Town of Huntington is not significant. The proposed development of the property would therefore be consistent with the Town's Open Space Index.

It can be concluded that based upon an analysis of existing comprehensive planning initiatives, the proposed rezoning of the subject site and the development of the project as defined in the Harborfield Estates Environmental Impact Statement is wholly consistent with the comprehensive planning initiatives currently in place.

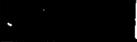
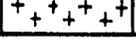
IV. EXISTING ZONING:

The subject site is currently designated R-40 Residential on the Town of Huntington's Zoning Map (Figure 4). This zoning district permits the following uses:

- single-family dwellings
- farm, nursery, truck garden, country estate
- churches, temples, parish houses, convents, monasteries



Legend:

	R-40 Residence		(A) I-1 Light Industry		I-6 General Industry
	R-20 Residence		(B) I-2 Light Industry		C-6 General Business
	R-7 Residence		(C) I-3 Light Industry		



Source: Town of Huntington Zoning Map

FIGURE 4

ZONING MAP

- public schools
- private elementary and secondary schools
- library, museum or art gallery
- town park, playground, athletic field, beach, bathhouse, boathouse, marina or other town recreational use
- municipal parking field
- fire station
- municipal water supply reservoir tank, stand pipe, pumping station or filter bed
- accessory buildings as follows:
 - temporary sales office
 - home occupations
 - retail sale of agricultural products grown on the premises
 - keeping or raising of dogs, cats or small animals and birds commonly considered to be household pets
 - keeping or raising of saddle horses or other equine livestock
 - any and all building clearly accessory to a permitted use
 - identification signs

Created as a traditional zoning district supporting one acre single-family dwellings, the R-40 Zoning District is the most prevalent in the Town of Huntington and accounts for over 50% of all the land within the Town.

The proposed action involves modifying the existing zoning on the subject site from R-40 to R-20. The R-20 District permits the identical uses supported in the R-40 District. The difference between the two zones is limited specifically to the height, area and bulk regulations. The following table provides a summary of the difference between the R-40 and R-20 Zoning District zoning regulations:

R-40/R-20 Zoning Comparison		
Zoning Requirement	R-40	R-20
Front yard	50'	50'
Rear yard	50'	50'
Side yard	25'	20'
Combined width of side yards	50'	40'

Width of side yard on corner lot	50'	50'
Width of interior yard on corner lot	25'	20'
Area per dwelling unit	1 acre	20,000 square feet
Gross area	1 acre	20,000 square feet
Minimum lot width	125'	100'
Minimum lot frontage	40'	40'
Maximum building height	2½ stories or 35'	2½ stories or 35'

Source: Town of Huntington Zoning Ordinance

As can be seen above, the primary difference between the R-40 and R-20 Zoning Districts is the minimum lot area. Yard setbacks, lot widths, frontages, etc. are all quite similar.

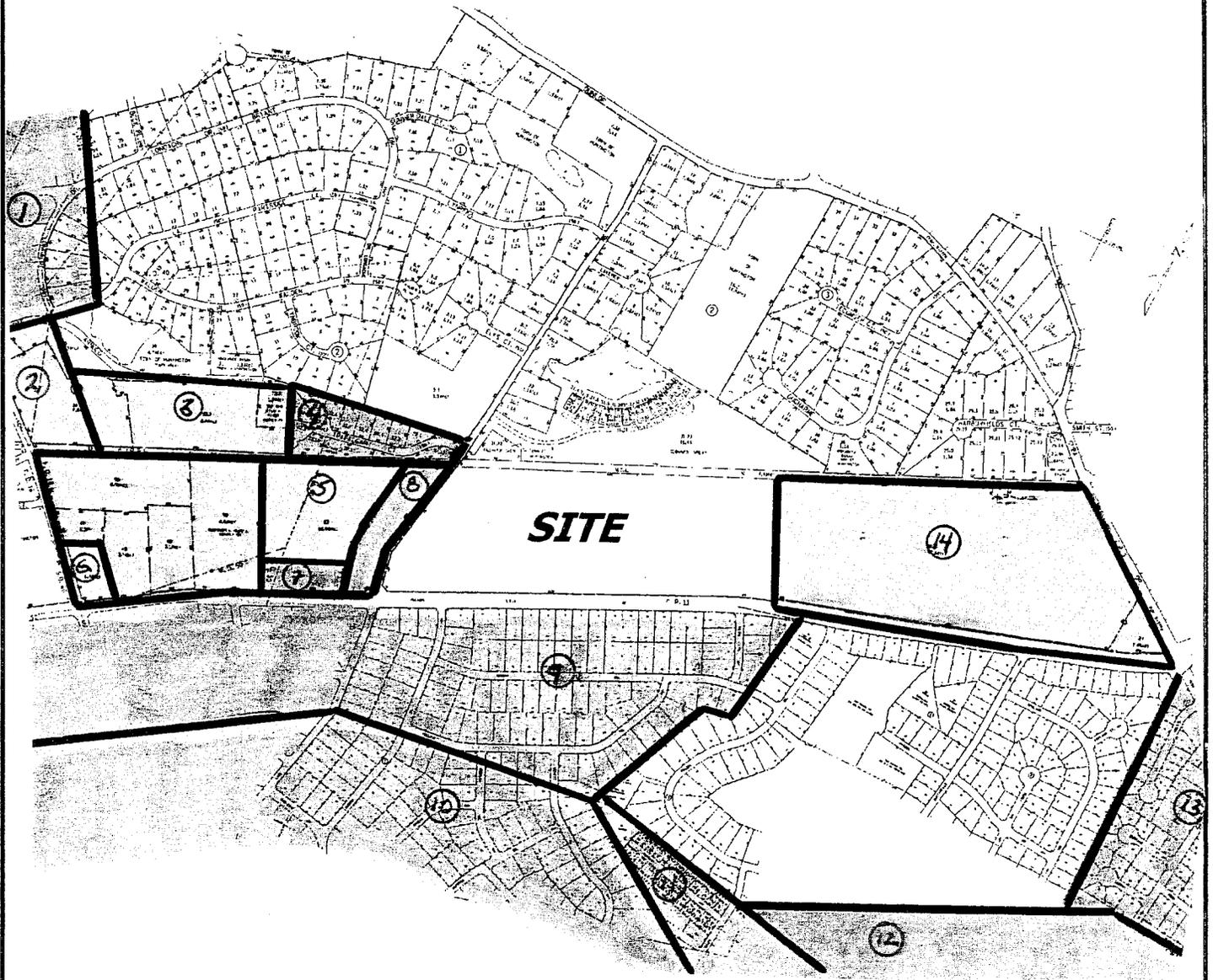
A windshield survey of the neighborhood surrounding the site revealed that the zoning parameters established in both the R-40 and R-20 Zoning Districts are adhered to and physical dimensional non-conformities are not grossly apparent. An obvious exception to this is the Lake Ridge Townhouse development which is situated due north of the project site. This cluster development has diminished the applicable zoning requirements in exchange for the provision of a nearly 18 acre open space which abuts the LIRR right-of-way.

V. ZONING HISTORY:

A review of the zoning history of the area surrounding the site reveals a continuing evolution of the zoning pattern in the area. As can be seen from Figure 5, the lower density single-family zoning that was in place during the early 1930's, was continually modified. These changes account for density increases to R-20 and even R-5 to the south, west and northwest of the site, and the industrialization of the corridor along the railroad, both to the east and west of the site.

The following key refers to the zone changes reflected on Figure 5:

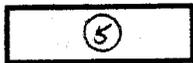
1. 1954 to R-20
2. 1934 to I-5
3. 1952 to I-4



SITE



Residential Rezoning



Commercial/Industrial Rezoning

Source: Town of Huntington

FIGURE 5

ZONING HISTORY MAP

Cleary Consulting

Scale: N.T.S.

4. 1994 to R-20
5. 1934 to R-7
6. 1963 to C-8
7. 1947 to R-20
8. 1934 to R-7
9. 1953 to R-20
10. 1952 to R-20
11. 1934 to R-5
12. 1931 to R-20
13. 1953 to R-20
14. 1969 to I-1
15. 1997 to R-20

What becomes plainly evident when reviewing the history of zoning map changes is that the subject site juts out of the R-40 district, puncturing the industrial corridor and connects to the R-20 district to the south. As a large parcel historically devoted to an agricultural use, it seems that a critical eye was never cast upon this site when other zoning amendments were considered, to evaluate the appropriate zoning classification for the site.

The evidence reveals that a long term historical trend toward the higher density R-20 district can be clearly identified in the vicinity of the site; beginning to the south and continuing to the north.

VI. SUMMARY

The proposed rezoning of the site from R-40 residential to R-20 residential represents a prudent and appropriate modification of the existing zoning pattern. This conclusion can be summarized by the following points:

- ▶ The proposed rezoning will allow for the property to be developed to support 59 single family residences. These new dwellings will help to meet the housing demand in the community.
- ▶ The proposed rezoning is consistent with the existing land use characteristics in the vicinity of the site. The site is no longer connected to the R-40 district from a land use perspective. Certainly the LIRR is a distinct physical barrier between the site and the R-40 district located on the other side of the tracks to the north. Moreover, the Lakeridge's clustered townhouses and the open space

associated with that development add yet another layer of physical separation between the site and the main body of the R-40 district. Also, the rezoning of the Trafalger Estates site located diagonally across Lake Road from the northwest corner of the site further adds to the physical distinction between these districts.

While currently fending off the commercialization pressures of the LIRR/Pulaski Road corridor, the site distinctly relates most appropriately to the R-20 district abutting the site on the south side of Pulaski Road.

- ▶ Development of the site as proposed by the applicant, represents a seamless integration with the residential neighborhoods to the south. If, on the other hand, the site were developed under the existing R-40 standards, the site would become an isolated enclave that would not integrate with the townhouses to the north, the commercial and industrial uses to the east and west or to the higher density-20 residential districts to the south.
- ▶ The proposed rezoning is fully consistent with the Town of Hunting Comprehensive Plan, specifically; the action will provide additional housing opportunities, appropriately utilize developable vacant land, diversify the housing stock, contribute toward meeting affordable housing goals, provide neighborhood parkland and channel development into areas where appropriate infrastructure exists.

The proposal is also fully coincident with the Regional Plan Associations 3rd Regional Plan, the 208 Area Waste Treatment Management Study and the Town Open Space Index.

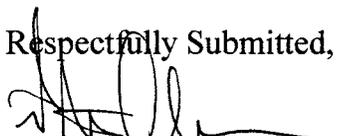
- ▶ Rezoning and developing the site as proposed by the applicant represents an appropriate use of the property and will foreclose opportunities to devote the site to other less desirable uses, including the proposal by the MTA to use the site as a major railroad facility.
- ▶ The long history of modifying the existing pattern of zoning in the area continues to move away from the lower density R-40 district to the higher density R-20 district. The Trafalger Estates property was rezoned to R-20 in 1994 and the Brand Nursery site was rezoned to R-20 in 1997. Both of these sites are located near the site and adjacent to the LIRR line, just as the subject

site is.

- ▶ In accordance with the Low Density Residential designation of the site established in the Comprehensive Plan (R-20 is identified as Low Density in the Plan), the Acton will not set any precedent or cause any additional similar actions to occur because the property in the vicinity of the site is virtually all fully developed, and little vacant land remains.
- ▶ The rezoning represents a sound, rationale planning approach to a transitional parcel of land. The rezoning recognizes the reality of the surrounding characteristics, historical patterns of zoning and market trends.
- ▶ The rezoning will allow for the construction of a new single family development that will contribute to the Town's tax base with few, if any, significant negative impacts as more fully described in the Harborfields Estates Environmental Impact Statement.
- ▶ Rezoning and development of the site will allow for the creation of a new 5 acre park that will provide a much needed recreational resource for the residential of the surrounding neighborhood.

For these reasons the proposed rezoning should be adopted.

Respectfully Submitted,


Patrick Cleary, AICP, PP
Cleary Consulting

cc: L. Bonavita
R. Caputi