

**ENVIRONMENTAL ASSESSMENT FORM**  
**PARTS 2 & 3**  
**HUNTINGTON CODE REVISIONS**  
**I-1 Industry District & MTCOD Melville Town Center Overlay District**

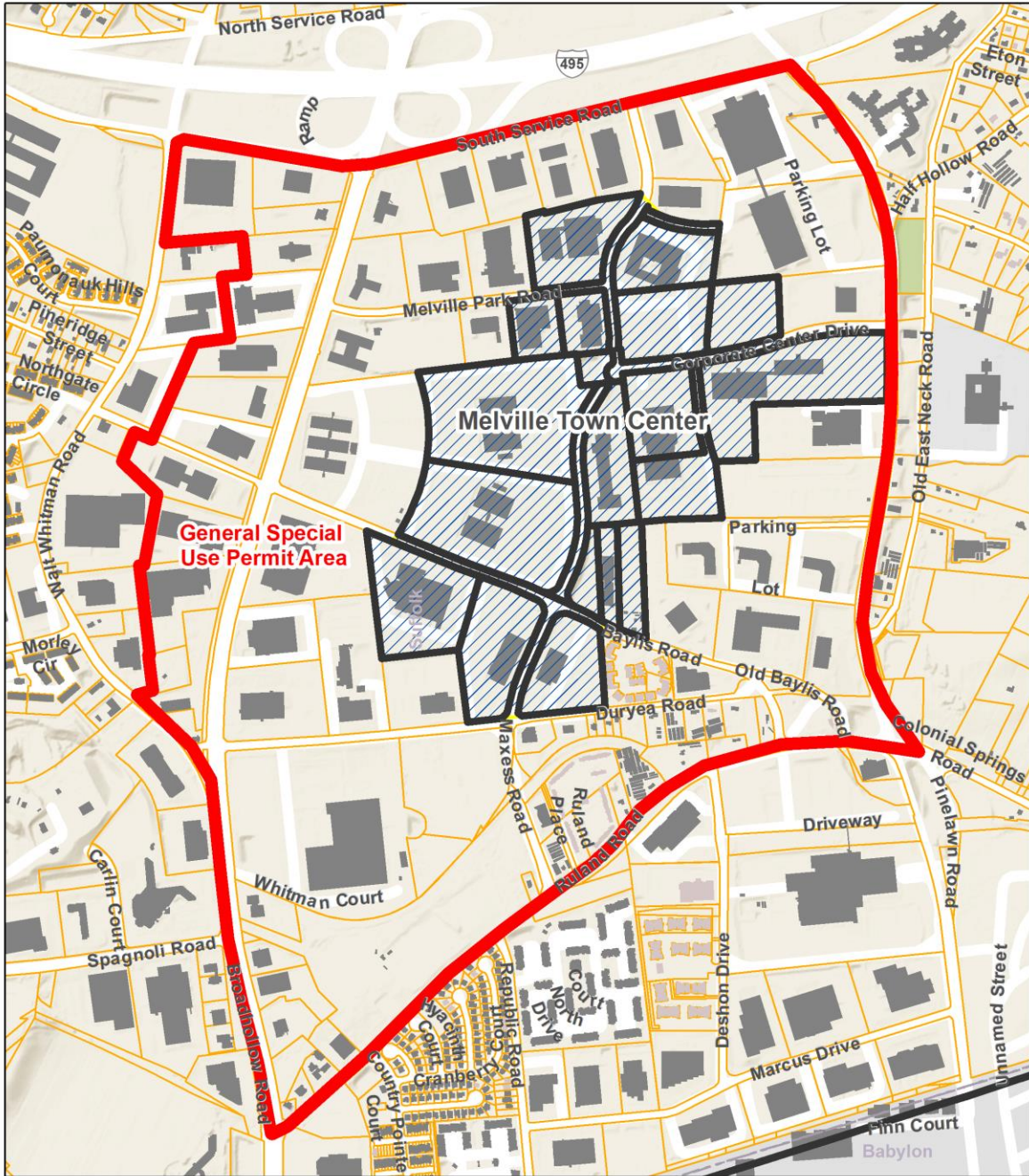
**INTRODUCTION:** This DRAFT Environmental Assessment has been prepared by the Town Planning Department pursuant to the proposed Town Code Revisions that will allow for mixed-use developments in specified industrially zoned properties south of the Long Island Expressway in Melville. A number of public hearings were conducted by the Town Board in order to solicit public comment on the proposal, as defined in the following sections of this document. As a result of the public review, a number of revisions were made to the proposed Code changes that are reflected in the Environmental review.

It is highly significant to note that one-hundred- sixty (160) of the one-hundred and sixty-three (163), or approximately ninety- eight (98) percent of the parcels of land analyzed in this document have already been developed with industrial or office uses. This results in a project area that is largely disturbed from an environmental perspective with limited natural areas. The extent of the existing development along with the fact that there is an extensive roadway system with related infrastructure to accommodate a highly developed area will greatly affect the potential for environmental impacts associated with the proposed Code Revisions.

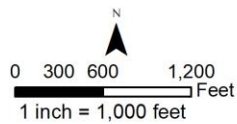
**PROPOSAL:** The proposed legislation will create two pathways for two distinct areas in the hamlet of Melville to obtain a Special Use Permit from the Town Board for mixed-use development. The first is an amendment of the Town Zoning Map to create a new overlay zone in the vicinity of Maxess Road identified as the Melville Town Center Overlay District (MTCOD). The MTCOD establishes specific land use parameters for the issuance of a Special Use Permit that are intended to foster the development of a new Town Center in Melville. These parameters are discussed in detail in this document.

The second pathway established in the proposed legislation to obtain a Special Use Permit from the Town Board for mixed-use development is through amendments to the Town Code for the I-1 zone for certain industrially zoned properties generally south of the Long Island Expressway in Melville. Included in the proposed legislation are amendments to the height, area and bulk requirements for industrial properties. This Special Use Permit option has different land use parameters relative to those proposed for the MTCOD based on locational factors. With respect to this pathway, only those I-1 properties and no other industrial districts south of the Long Island Expressway, east of Walt Whitman Road, west of Pinelawn Road and north of Ruland Road will be eligible to apply for the subject Special Use Permit. Properties within the MTCOD, properties south of Ruland Road and properties fronting on the east side of Walt Whitman Road excluding properties that have additional frontage on a State road and west of Walt Whitman Road, are not eligible to apply for this mixed-use development Special Use Permit option. For purposes of clarity, the areas permitted to apply for a Special Use Permit under the I-1 Code changes as described above will be referred to as the General Special Use Permit Area in the remaining sections of this document (See Exhibit A, page 2). Properties eligible for the MTCOD Special Use Permit are also shown in Exhibit A.

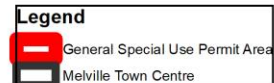
# Melville General Special Use Permit Area and Town Center



**Exhibit A**



Town of Huntington  
 Department of Planning and Environment  
 GIS Division  
 4/15/24



Future developments to be permitted by the proposal to amend Town Code Chapter 198 (Zoning), to allow for mixed use development in both the MTCOD and General Special Use Permit Area, are conditioned on such developments having access to public sewers. The MTCOD will provide a mix of retail, office, commercial service, residential uses and community public space. The development within the MTCOD will have frontages oriented toward the major roadways within the subject district, namely Maxess Road, Baylis Road, Melville Park Road or Corporate Center Drive. The Town Board will pause the acceptance of new applications for mixed-use development for the MTCOD and General Special Use Permit Area after the submission of the first application(s) totaling four-hundred (400) residential units, and thereafter each successive submission of application(s) totaling four-hundred (400) residential units, to assess the cumulative impact of the developments on traffic, emergency services and educational services to ensure that the developments pursuant to this amendment, if any, do not exceed the capacity of such services. The Town Board will also cap the total number of new residential units approved cumulatively in the MTCOD and the General Special Use Permit area to two-thousand -five hundred (2,500). Further, the Town Board incorporated a provision into the proposed legislation that restricts the number of residential units to be constructed in the General Special Use Permit Area to twenty-five (25) percent of the residential units built in the MTCOD and General Special Use Permit Area cumulatively.

The MTCOD will allow for mixed-use buildings/sites that consist of up to seventy-five (75) percent residential use and at least twenty-five (25) percent, but no more than forty (40) percent professional office use or commercial use. The first floor of buildings fronting on Maxess Road, Baylis Road, Melville Park Road or Corporate Center Drive are limited to retail, commercial or office use. Suitable commercial uses include retail, personal service shops, food shops, bistros, bars, restaurants and day care. Additional permitted uses include breweries, brewpubs, wineries and distilleries where the products are manufactured, warehoused, and/or served on premises, and commercial athletic, recreation, and training facilities. Multiple buildings may be permitted on a single lot. Vape/cannabis stores, drive-through windows, self-storage facilities, manufacturing and warehousing facilities are expressly prohibited. Required parking may be provided in basements, underground, or in parking structures. All structured parking garages shall be located, designed, and/or screened in order to improve their appearance and minimize their visibility from neighboring streets.

The height, area and bulk requirements for buildings in the MTCOD allow for a maximum building height of fifty (50) feet and four (4) stories of occupied space. The minimum allowable building height is twenty-five (25) feet and two (2) stories. The maximum permitted lot coverage is ninety (90) percent. A minimum of fifteen (15) percent of the site must be comprised of usable civic, recreational, and/or open space that is available to the general public, including but not limited to trails, paths, parks, sidewalks, public art or gathering spaces. Such spaces may be provided within required yard setbacks. The floor area ratio in the MTCOD is not to exceed 3.6. Parking is required at a rate of one (1) space per studio or one (1) bedroom unit and .5 spaces for each additional bedroom. Additionally, properties on Maxess Road, Baylis Road, Melville Park Road or Corporate Center Drive must front on these roads with buildings setback no more than thirty (30) feet from the front property line. Areas of properties within the MTCOD that do not directly front on these roads shall not be developed until such time that the front areas of the properties are developed and should be developed as complementary buildings oriented towards the Main Street development. A zero-foot side yard setback is permitted. The

minimum residential unit sizes shall be 600 square feet for a studio, 700 square feet for a one (1) bedroom unit, and 800 square feet for a two (2) bedroom unit. No commercial tenant space in the MTCOD shall exceed 20,000 square feet. The proposal to amend Town Code Chapter 198 (Zoning) to allow for mixed use development in both the MTCOD and General Special Use Permit Area does not require any specific mix of units and/or tenancies for any future development pursuant to such amendments.

Applicants proposing new mixed-use development in the MTCOD are required to pay a one-time impact fee of \$1,500 for each unit over 25 in a project and \$2.50 for each commercial square foot over 25,000 square feet in a project. Seventy-five (75) percent of the fee will be directed to a Town fund to support the creation and operation of Town Center Parks within the overlay district. Twenty-five (25) percent of the fee will be directed to the Fire/Emergency district.

The proposal also amends Town Code Chapter 198 (Zoning), Article V (Industrial Districts), §198-34 (I-1 Light Industry District), Article XI (Conditional Uses; Supplementary Regulations), Article IX (Height, Area and Bulk Regulations), and §198-55 (Chart of Height, Area and Bulk Regulations). The amendment to the I-1 Zoning Code pertains to the earlier defined General Special Use Permit Area and will allow for mixed-use office, commercial, and/or residential buildings and sites by way of a Special Use Permit issued by the Town Board. The uses permitted by way of a Special Use Permit in the General Special Use Permit Area include a mixed-use building or site that consists of at least twenty (20) percent office use, up to sixty-five (65) percent residential use and no more than twenty-five (25) percent commercial uses such as retail, personal service shops, food shops, bistros, bars, restaurants and day care (with the exception that predominately residential use buildings (75% or more residential) are permitted on properties of four (4) acres or less at the time of adoption of this code, as long as thirty (30) percent or less of the first floor contains residential building amenities, with the remainder of the first floor used for retail or commercial space. No residential units or parking are permitted on the first floor. Breweries, brewpubs, wineries, and distilleries where the products are manufactured, warehoused, and/or served on premises, and commercial athletic, recreation, and training facilities, all containing 20,000 square feet or less, may also serve as secondary commercial uses in an office, industrial or residential building. With the exception of predominately residential use buildings described above, the frontages of properties along the Service Roads of the Long Island Expressway shall continue to be developed in accordance with the permitted uses, and special uses under Town Code §198-34(F)(3&4), and the required front yard setbacks of their zone. Additional uses allowed by this section such as retail services and residential should be relegated to the rear of buildings or lots along Broadhollow Road and the Service Roads of the Long Island Expressway in order to preserve the existing zoning aesthetic. Required parking may be provided in basements, underground or in structured parking. All structured parking garages must be located, designed, and/or screened in order to improve their appearance and minimize their visibility from neighboring streets. Prohibited uses as part of this Special Use Permit in the General Special Use Permit Area include drive-throughs for any uses other than a bank, self-storage facilities, warehousing and manufacturing, except as specifically permitted, and vape/cannabis stores.

The height, area and bulk requirements for I-1 zoned properties in the General Special Use Permit Area allow for a maximum building height of fifty (50) feet and four (4) stories of occupied space, except that buildings comprised of eighty-five (85) percent or more of office use

may have a height of up to fifty-eight (58) feet, the standard allowance in the zone. The maximum permitted lot coverage by the building (excluding structured parking) is not to exceed forty (40) percent. A minimum of twenty (20) percent of the site shall be comprised of useable civic, recreational, and/or open space that is available to the general public including but not limited to trails, paths, parks, sidewalks, public art or gathering spaces, which may be provided within required yard setbacks. This is an added zoning requirement not otherwise required in the I-1 zone. The floor area ratio is not to exceed 1.75. Parking for residences is calculated at one (1) space per studio or one (1) bedroom unit and .5 spaces for each additional bedroom. The minimum required front yard building setback is thirty (30) feet, and the minimum lot area is two (2) acres. The minimum residential unit sizes are 600 square feet for a studio unit, 700 square feet for a one (1) bedroom unit, 800 square feet for a two (2) bedroom unit and 900 square feet for a three (3) bedroom unit with no specific unit mix required for developments. Parking for office uses requires one (1) space per three-hundred and fifty (350) square feet of usable building space. Up to 10-20% of the required parking for a residential use may be shared with parking for office uses.

Applicants requesting a special use permit for a mixed-use building in the General Special Use Permit Area (not within the MTCOD) are required to pay a one-time service impact fee to the Fire/Emergency District of \$1,500 for each unit over 25 in a project and \$2.50 for each office/commercial square foot over 25,000 square feet for a project.

For new mixed-use developments in the MTCOD and in the General Special Use Permit Area the Town Board shall find in granting approval that the proposal is of high quality and visually appealing from adjacent streets and surrounding areas, with an emphasis on building placement and orientation that complements adjacent properties; has an appropriate mix of uses as defined in the respective permitted uses schedule; has open spaces, parking areas, pedestrian walks, signs, lighting, landscaping and utilities that are well related to the site and arranged to achieve a safe, efficient and contextually sensitive development; when appropriate, contributes to a central public gathering space that may be used for community events; shows high inter-connectivity between proposed uses and adjacent areas; and promotes walkability, pedestrian scale lighting and ground floor activity among business and residential uses.

The MTCOD and General Special Use Permit Area are generally referred to as the Melville Employment Center (MEC) in the Town of Huntington Horizons 2020 Comprehensive Plan. As described in the Horizons 2020 Comprehensive Plan, *“The Melville Employment Center is a suburban, automobile-oriented commercial district that is poorly designed for pedestrians. While most streets do have sidewalks, the distance between buildings, wide roads with heavy traffic volumes, and a general lack of amenities create an environment where very few people walk. There are few community services in the district, which forces employees to use their automobiles during the course of the workday. This extra driving activity, in turn, generates a third peak-congestion period around the lunch hour. These conditions contribute to high levels of traffic congestion and other quality of life issues.”* The Comprehensive Plan recommends that, *“The Town should also promote the development of small, pedestrian-oriented, mixed use “town centers” at strategic locations in the Melville Employment Center. Such centers would contain retail and restaurant offerings as well as recreation, business services, and entertainment opportunities. Workforce residential units could also be considered in these locations.”* The Comprehensive Plan further states, *“Future development in the Melville Employment Center*

*should seek to retrofit the existing pattern in order to promote pedestrian accessibility and limit the need for employees to drive during the workday. There are several ways to achieve this goal, including encouraging a mix of land uses, establishing stronger design guidelines for buildings and walking paths...*” The proposed changes to Town Code will incentivize improvements to properties in the MTCOD and General Special Use Permit Area that now contain obsolete buildings and underutilized parking lots. As part of new mixed-use proposals, the Town will encourage the adaptive reuse of existing buildings. Additionally, the changes will allow for infill development in the currently underutilized parking areas. The development resulting from new mixed-use proposals will be pedestrian oriented as is supported in the Town Comprehensive Plan.

**SEQRA CLASSIFICATION:** *Type I.* The proposed creation of an overlay district and zoning code change would affect more than 25 acres of land, making it a Type I action in accordance with 6 NYCRR 617.4(b)(2).

**SEQRA RECOMMENDATION:** It is recommended that the proposed code change be issued a *Negative Declaration* pursuant to SEQRA as the action has been determined to not create any significant potential impacts because of the limitations established in the proposed Code. The potential site impacts and effects resultant of the proposed action have been considered. The proposed amendments to Town Code Chapter 198 (Zoning), Article V (Industrial Districts), §198-34 (I-1 Light Industry District), Article XI (Conditional Uses; Supplementary Regulations), Article IX (Height, Area and Bulk Regulations), and §198-55 (Chart of Height, Area and Bulk Regulations) and to amend the Zoning Map will not have any significant impacts to surface water, groundwater, plants and animals, open space and recreation, Critical Environmental Areas, transportation or community character and are consistent with community plans. The analysis of the relevant SEQRA criteria is provided as follows:

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

This criteria is reflective of the EAF Part 2, and where necessary, more information is provided in this Part 3. The proposed Code changes are not expected to have any impact on air quality, erosion, or drainage because this land is already developed and many of these conditions do not exist now. Minor changes in traffic and noise levels are expected and are discussed in this document.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

None of these impacts exist because the land has already been subject to human development. There are no natural areas in this neighborhood.

(iii) the impairment of the environmental characteristics of a critical environmental area as designated pursuant to section 617.14(g) of this Part;

See Impact on Critical Environmental Areas. The industrial-zoned area of Melville is not located within a Critical Environmental Area. All sanitary wastewater will be handled by the Suffolk County Southwest Sewer District. The groundwater divide lies north of the Long Island Expressway, so any water recharge in this neighborhood will not travel north to the West Hills-Melville Special Groundwater Protection Area.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The most recent Comprehensive Plan adopted by the Town of Huntington was the Horizons 2020: Comprehensive Plan Update. This Plan is quoted throughout this document, but especially relevant are the recommendations for the Melville Employment Center in Chapter 10, including “*mixed-use hamlet center(s) to meet local needs for retail and services and reduce traffic (e.g., in the vicinity of the Maxess Road/Ruland Road intersection)*” and “*new hamlet center (mixed-use) zone (possibly modeled after new zoning district recommended for existing hamlet centers)*”. Accordingly, the proposal is in accordance with the Town of Huntington Comprehensive Plan.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

There are no known historical, archaeological, or aesthetic resources in this area of Melville. The parcels in this area have been previously disturbed during prior site development, demolition activities, and prior decommission and/or remediation activities. The majority of existing buildings were built post-World War II and none have been reviewed by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and determined to be eligible for inclusion in the National Register to date. There are portions of Melville within one mile of prior archaeological finds according to the OPRHP Cultural Resource Information (CRIS) map. Any future projects proposing ground disturbance would have to be evaluated to determine if archaeological testing would be recommended. There are no buildings of noted architectural importance, although there are several high-quality office buildings along the Route 110 corridor. This planning effort is designed to help maintain those buildings as offices by modernizing zoning to match popular market trends in other employment centers around the country.

(vi) a major change in the use of either the quantity or type of energy;

While these zoning changes are likely to spur additional development that will use some energy, the potential uses in the existing industrial zone such as manufacturing have the potential to use far more energy than commercial or residential businesses.

(vii) the creation of a hazard to human health;

No potential hazards to human health have been identified. The existing land that will be redeveloped is mostly covered by parking lots and will be covered again by new construction, and none of the new allowable uses are known to be hazardous.

(viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

The great majority of land affected by these Code changes has already been developed for office and industrial projects. Smaller areas are developed with single-family residences, the Stratford Park by Timber Ridge condominium development and Highland Green Residence apartment complex. The one exception is a small 3.7-acre parcel that is a remnant of a former farm sold off for development that is now operated as a hobby farm with the family home. The existing industrial zoning allows for a great intensity of use, such as the former Newsday operations to the south.

(ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

The intent of these zoning changes is to serve the people already in Melville. The office and industrial buildings bring a significant number of people to the area, and by establishing a variety of land uses the plan is to reduce the number of trips or vary the times of those trips so that the community is able to function better. Some new residents will be drawn to Melville by this new construction, but they will help contribute to the success of the plan by supporting the new commercial uses outside of normal business hours.

(x) the creation of a material demand for other actions that would result in one of the above consequences;

The purpose of this part 3 is to identify whether any other actions may be triggered by this action that would result in significant environmental impacts. None have been identified. The changes to allowable uses in the Melville Employment Center do not change the physical environment, and any identified impacts have been judged to be minor. This is a neighborhood of already intense human activity, particularly during rush hours.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

The only environmental issues that relate directly to each other are the use of public sewers that lead to a reduction in groundwater recharge. However, as explored in Part 3 the use of public sewers is recommended in this very neighborhood by prior comprehensive groundwater plans, and the sewer/septic tradeoff was determined to be a positive environmental impact.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but



when considered cumulatively would meet one or more of the criteria in this subdivision.

The two proposed changes to the Zoning Code are complementary, and so their impacts are the same, which is why they share the same SEQRA review. This Part 3 considers the cumulative impacts of the legislation and the potential new development reasonably likely to result from the proposed Zoning Code amendments. While no significant impacts have been identified, it is acknowledged that some minor impacts may result from new development proposals. Of note, there are no proposals for development pursuant to this ordinance and each future application will require its own SEQRA review to consider the fact specific circumstances that will exist at the time that such application(s), if any, are filed. Items such as traffic and noise depend on specific design decisions that cannot be evaluated until each project is proposed. SEQRA establishes that any impacts should be “minimized to the maximum extent practicable”.

This report has been prepared to serve the Town Board’s review of the specific action’s environmental consequences. This review is based on an EAF Part 1, Part 2 and Part 3 prepared by the Department of Planning and Environment.

**IMPACT ON SURFACE WATER**

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

\*Yes. The proposed action will affect one or more wetlands or other surface water bodies.

The proposed action may affect the water quality of water bodies downstream of the site of the proposed action. The proposed code amendments require that all mixed-use projects within the MTCOD and the General Special Use Permit Area are connected to public sewers. All potential projects will connect to the Southwest Sewer District. Liquid waste from new mixed-use developments will travel from the properties to the Bergen Point Wastewater Treatment Plant where it will be treated in accordance with New York State Department of Environmental Conservation requirements and released into the Atlantic Ocean. The treatment of liquid waste resulting from new mixed-use development in the MTCOD and on properties in the General Special Use Permit Area prior to its release into surface water will moderate potential impacts to surface water.

**IMPACT ON GROUNDWATER:**

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

\*Yes. The proposed code amendments and resulting development may result in the additional use of groundwater. Properties affected by the code amendments are located within the South Huntington Water District (SHWD). Future development in the area is not expected to exceed the pumping capacity of the water district. Upon submission of each project proposals will be distributed to SHWD to ensure pumping capacity is sufficient to serve the project.

The proposed code amendment requires that all mixed-use projects within the MTCOD and properties in the General Special Use Permit Area are connected to public sewers. All potential projects will connect to the Southwest Sewer District. Liquid waste from new mixed-use

developments will travel from the property to the Bergen Point Wastewater Treatment Plant where it will be treated and released into the Atlantic Ocean. The proposed developments will therefore not introduce any sanitary waste into groundwater, removing a source of nitrogen contamination.

The potential development resulting from the proposed code amendments will not deplete groundwater resources. According to Dr. Chris Gobler, of the Stony Brook University School of Marine and Atmospheric Sciences, *“And again, I would ask all of you, you know, the USGS is a Federal agency that’s very well-funded. They just completed an incredible model and study of all of Long Island’s groundwater that concluded that there’s great excess to that water going out. Suffolk County Water Authority could also tell you, they’re administering water to us. There’s great excess in Suffolk County. We’re not going to run out of – we’re not going to deplete our aquifer, even at full build out.”* Dr. Gobler further states, *“So in Suffolk County we have about 1,000 people per square mile. In Nassau County there’s more than 4,000 people per square mile. So there’s just tremendously more water use in Nassau County. Despite that fact, there’s still plenty of water that’s discharging into surface waters, right. And then in here the excess is enormous, right. And so -- and just for further perspective, in New York City, Brooklyn and Queens the population is about 24 to 30,000 people per square mile, depending on the County you pick, right. So we’re like one-twentieth or one-thirtieth of what’s happening in New York City where they actually depleted their water. And that’s why we’re in no danger of depleting our aquifer here in Suffolk County. Again, refer to the experts. USGS report, you know, Suffolk County Water Authority. These are the people who are – you know, this is their job and they’ll tell you the same exact thing.”* [Minutes of Suffolk County Legislature Meeting of July 25, 2023]

According to the Town of Huntington Horizons 2020 Comprehensive Plan, *“The Melville Employment Center displays many of the characteristics of older suburban office centers, including large, low buildings set behind expansive parking lots. The effect of this development pattern is that most of the available land area has been consumed by buildings and parking lots, leaving little room for landscaping and open space. In addition to negative visual impacts, the impervious parking lot surfaces contribute to stormwater management problems.”* Runoff from impervious surfaces has the potential to contain pollutants that could affect surface water or groundwater quality. The proposed code amendments require that new mixed-use developments within the MTCOD and on properties in the General Special Use Permit Area must have a minimum of fifteen (15) percent and twenty (20) percent respectively of the site that shall be comprised of useable civic, recreational, and/or open space that is available to the general public including but not limited to trails, paths, parks, sidewalks, public art or gathering spaces. This requirement will likely reduce the impervious surface area within the MTCOD and on properties in the General Special Use Permit Area and provide additional vegetated areas which will help to reduce and filter runoff prior to entering the groundwater.

In order to further reduce the potential impact of new development on groundwater quality applicants will be encouraged to minimize proposed lawn area, plant native drought tolerant plants, and install green infrastructure (e.g. rain gardens, green roofs, permeable pavers/pavement) to absorb and filter stormwater prior to entering the groundwater. The Comprehensive Plan describes the need for, *“Area-wide stormwater management, including sustainable practices such as vegetated areas and swales to promote infiltration, and pervious pavement.”*

Comments have been made at the public hearings raising concerns about the loss in groundwater recharge from the expansion of public sewers in Melville in place of septic systems. This would take wastewater that is currently or proposed to be discharged into the ground and dispose of it in the ocean. The argument is that groundwater quantity is more important than groundwater quality. However, this is not supported by existing water cycle planning studies. The most important water planning document is the Long Island Comprehensive Wastewater Treatment Management Plan, colloquially known as the “208 Study” after the section of the authorizing federal legislation. Concern #27 of this study stated that “The quality of water, rather than the quantity of water, is the relevant problem for the supplying of potable water from Nassau and Suffolk’s aquifers (Vol. 1, pg. 203). The study based its water recommendations on a projected maximum Nassau and Suffolk County population of 4 million residents at full build-out under existing zoning (Population Estimates and Projections 1975-1995, pg. 8). The Town of Huntington was projected to reach a population of 244,759 by 1995 (pg. 5). As of the 2020 Census, Huntington’s population is 40,000 lower and Long Island remains more than one million residents under its zoned capacity.

The 208 Study examined the potential water withdrawal from Long Island’s aquifers and weighed the pros and cons of the various wastewater treatment options. Due to water quality concerns, the study found that public sewerage would always be the preferred alternative when the development density exceeded five units per acre (Long Island Comprehensive Wastewater Treatment Management Plan Vol. 1, pg. 143). The Plan had a specific recommendation to sewer the portion of Melville south of the Long Island Expressway where existing development exceeded a density of three dwelling units per acre, or new development would exceed two units per acre, a density at which the Suffolk County Department of Health Services would allow septic systems to be used (pg. 182). These sewerage recommendations were based on a conclusion that “among the water quality problems least reversible, and therefore of greatest concern, are high organic chemical contaminant levels in groundwater, nitrate contamination of groundwater, changes in stream and wetland water levels, and changes in bay salinity patterns (pg. 141-142). The fact that Melville would connect to the Southwest Sewer District, with the ocean outfall of the Bergen Point Sewage Treatment Plant, was likely a strong factor in promoting sewer use.

The connection of all new mixed-use projects in the MTCOD and on I-1 zoned properties in the General Special Use Permit Area to public sewers, increase of permeable surface area and planting of vegetation associated with civic, recreational and/or open spaces, and installation of green infrastructure will limit potential impacts to groundwater.

**IMPACT ON PLANTS AND ANIMALS:**

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

\*Yes. While a majority of the MTCOD and I-1 zoned properties in the General Special Use Permit Area consist of developed areas, the future construction of mixed-use buildings in these locations may result in the removal of vegetation. A majority of vegetation removed will be associated with prior development. All future development will require review and approval by the Town, and will be required to meet landscaping requirements included in the Town Subdivision and Site Plan Regulations. New mixed-use buildings within the MTCOD and on I-1 zoned properties in the General Special Use Permit Area must have a minimum of fifteen (15) percent and twenty (20) percent respectively of the site that shall be comprised of useable civic, recreational, and/or open space that is available to the general public including but not limited to

trails, paths, parks, sidewalks, public art or gathering spaces. The civic, recreational and/or open spaces will likely provide areas for additional vegetation over existing conditions.

All of the MTCOD and part of the I-1 zoned properties in the General Special Use Permit Area are located in the Central Long Island Asian Longhorned Beetle Quarantine Area. Since the beetle has been identified in the area, future development will require the planting of native trees that are unlikely to be used as a host by the beetle (e.g. Oaks (*Quercus* spp.), honeylocust (*Gleditsia triacanthos*), American hornbeam (*Carpinus caroliniana*), tuliptree (*Liriodendron tulipifera*), Eastern redbud (*Cercis canadensis*), serviceberry (*Amelanchier* spp.), and magnolia (*Magnolia* spp.)). Most species of maple trees (*Acer* spp.) should not be planted in this area. When properties are redeveloped the Town will encourage the removal of non-native/invasive vegetation included in the Town Subdivision and Site Plan Regulations Appendix I – Invasive Trees and Plant Material and promote the planting of native trees, shrubs and other vegetation included in the Town Subdivision and Site Plan Regulations Appendix H – Recommended Trees and Plant Material.

Applicants of mixed-use developments will be encouraged to minimize proposed lawn area, plant native drought tolerant plants, and install green infrastructure (e.g. rain gardens, green roofs). The reduction of lawn area, planting of native plants and installation of green infrastructure will improve the biodiversity in the MTCOD and the General Special Use Permit Area.

The planting of vegetation associated with civic, recreational and/or open spaces, planting of tree species unlikely to host the Asian longhorned beetle, removal of non-native/invasive vegetation, planting of native species, minimizing lawn area and installation of green infrastructure will result in no significant impacts on plants and animals.

### **IMPACT OPEN SPACE AND RECREATION:**

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

\*Yes. A majority of the Town designated Open Space Index (OSI) parcels within the MTCOD and the General Special Use Permit Area have already been developed. There are however portions of OSI parcel #SW-22 and OSI parcel #SW-24 that remain as open space. OSI parcel #SW-22 is classified in the index as a Priority 5 and Priority 6 parcel. OSI parcel #SW-24 is classified in the index as a Priority 5 parcel. Priority 5 parcels are defined in the OSI as “*property of value as open area because of its proximity to parks, schools or other locational reasons.*” The OSI states the decision whether or not to preserve Priority 5 parcels should be made by government agencies during the land use planning process. Priority 6 parcels are defined in the OSI as “*other open areas worthy of review,*” whose preservation is called for on a case by case basis.

The undeveloped portion of OSI parcel #SW-22 is owned by the Long Island Power Authority, and is mostly wooded. Preservation of this parcel would be beneficial as there is little remaining forested area within the general area. Any future development of this parcel will be reviewed by the Town and will require further SEQRA review. This parcel is not in the MTCOD.

There are three separate tax map parcels that remain mostly undeveloped within OSI parcel #SW-24. Suffolk County Tax Map parcel #0400-268.00-02.00-020.000 is a Town of Huntington recharge basin located in the MTCOD. This property will remain as open space, and could potentially be converted to public open space rather than a fenced recharge basin. Suffolk County Tax Map parcel #0400-268.00-02.00-018.000, is a 3.72-acre property located in the MTCOD that appears to have been used for agricultural purposes and contains a large field area, a residence and other structures related to the agricultural use. Suffolk County Tax Map parcel #0400-268.00-02.00-011.000 is located in the General Special Use Permit Area and was used in the past for agricultural purposes, but is now owned by Estee Lauder and contains a parking area associated with their property immediately north of the parcel, and a large undeveloped field area. Any future development of these parcels will be reviewed by the Town and will require further SEQRA review.

**IMPACT ON CRITICAL ENVIRONMENTAL AREAS:**

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

\*Yes. The MTCOD and I-1 zoned properties in the General Special Use Permit Area are in close proximity to the West Hills Melville Special Groundwater Protection Area (SGPA) CEA, which was designated as a CEA with the purpose of protecting groundwater. According the United States Geological Survey (USGS) Long Island Depth to Groundwater Viewer the estimated depth to groundwater in the MTCOD and the General Special Use Permit Area ranges from 30 feet to 55 feet. The Melville industrial area predates the establishment of the SGPA, and the borders of the SGPA were drawn around it for this reason. The Long Island Special Groundwater Protection Plan notes on Page 3-32 that the agricultural uses that predated the industrial uses had negative impacts on groundwater quality.

The proposed code amendments require that all mixed-use projects within the MTCOD and General Special Use Permit Area are connected to public sewers. All potential projects will connect to the Southwest Sewer District. Liquid waste from new mixed-use developments will travel from the properties to the Bergen Point Wastewater Treatment Plant where it will be treated and released into the Atlantic Ocean. The proposed developments will therefore not introduce any sanitary waste into groundwater.

The potential development resulting from the proposed code amendments will not deplete groundwater resources. According to Dr. Chris Gobler, of the Stony Brook University School of Marine and Atmospheric Sciences, *“And again, I would ask all of you, you know, the USGS is a Federal agency that’s very well-funded. They just completed an incredible model and study of all of Long Island’s groundwater that concluded that there’s great excess to that water going out. Suffolk County Water Authority could also tell you, they’re administering water to us. There’s great excess in Suffolk County. We’re not going to run out of – we’re not going to deplete our aquifer, even at full build out.”* Dr. Gobler further states, *“So in Suffolk County we have about 1,000 people per square mile. In Nassau County there’s more than 4,000 people per square mile. So there’s just tremendously more water use in Nassau County. Despite that fact, there’s still plenty of water that’s discharging into surface waters, right. And then in here the excess is enormous, right. And so -- and just for further perspective, in New York City, Brooklyn and Queens the population is about 24 to 30,000 people per square mile, depending on the County*

*you pick, right. So we're like one-twentieth or one-thirtieth of what's happening in New York City where they actually depleted their water. And that's why we're in no danger of depleting our aquifer here in Suffolk County. Again, refer to the experts. USGS report, you know, Suffolk County Water Authority. These are the people who are – you know, this is their job and they'll tell you the same exact thing.*" [Minutes of Suffolk County Legislature Meeting of July 25, 2023]

According to the Comprehensive Plan, *"The Melville Employment Center displays many of the characteristics of older suburban office centers, including large, low buildings set behind expansive parking lots. The effect of this development pattern is that most of the available land area has been consumed by buildings and parking lots, leaving little room for landscaping and open space. In addition to negative visual impacts, the impervious parking lot surfaces contribute to stormwater management problems."* Runoff from impervious surfaces has the potential to contain pollutants that could affect surface water or groundwater quality. The proposed code amendments require that new mixed-use developments within the MTCOD and in the General Special Use Permit Area must have a minimum of fifteen (15) percent and twenty (20) percent respectively of the site that shall be comprised of useable civic, recreational, and/or open space that is available to the general public including but not limited to trails, paths, parks, sidewalks, public art or gathering spaces. This requirement will likely reduce the impervious surface area in these areas and provide additional vegetated areas that will help reduce and filter runoff prior to entering the groundwater.

In reference to the MEC the Comprehensive Plan calls for, *"An area-wide stormwater management strategy, including "Best Management Practices" that slow, diminish, and improve the quality of stormwater runoff..."* and states that stormwater management should include, *"sustainable practices such as vegetated areas and swales to promote infiltration, and pervious pavement."* In order to further reduce the potential impact of new mixed-use development on groundwater quality applicants will be encouraged to minimize proposed lawn area, plant native drought tolerant plants, and install green infrastructure (e.g. rain gardens, green roofs, permeable pavers/pavement) to absorb and treat stormwater prior to entering the groundwater.

The SGPA Plan notes that "the retention of the existing open space and the watershed protection it provides constitutes the single most important concern" for protecting the SGPA. Over the past fifty years the edges of the Melville Employment Center have been the location of numerous applications for alternative housing developments due to product demand, the availability of public sewers, and the character of the neighborhood. This horizontal spread of development threatens the remaining open space in the area. Encouraging redevelopment, the purpose of the proposed legislation, reduces development pressure on open space properties

The connection of all new mixed-use projects in the MTCOD and the General Special Use Permit Area to public sewers, increase of permeable surface area and planting of vegetation associated with civic, recreational and/or open spaces, and installation of green infrastructure will alleviate potential impacts to the West Hills Melville Special Groundwater Protection Area CEA.

## **IMPACT ON TRANSPORTATION:**

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

*\*Yes. As described in the Town of Huntington Horizons 2020 Comprehensive Plan “The Melville Employment Center is a suburban, automobile-oriented commercial district that is poorly designed for pedestrians. While most streets do have sidewalks, the distance between buildings, wide roads with heavy traffic volumes, and a general lack of amenities create an environment where very few people walk. There are few community services in the district, which forces employees to use their automobiles during the course of the workday. This extra driving activity, in turn, generates a third peak-congestion period around the lunch hour. These conditions contribute to high levels of traffic congestion and other quality of life issues.”*

The Comprehensive Plan also states, *“Future development in the Melville Employment Center should seek to retrofit the existing pattern in order to promote pedestrian accessibility and limit the need for employees to drive during the workday. There are several ways to achieve this goal, including encouraging a mix of land uses, establishing stronger design guidelines for buildings and walking paths...”*

The proposed code amendment will allow for mixed-use buildings in the MTCOD and on I-1 zoned properties in the General Special Use Permit Area. Mixed-use developments in the MTCOD and General Special Use Permit Area will provide a mix of retail, office, commercial service, residential uses and community public space. The amenities provided within the subject areas in Melville will meet many of the daily needs of residents and workers. Mixed-use development can help reduce traffic impacts by making it possible for residents and workers to access goods and services without having to get into an automobile. Furthermore, as stated in the Comprehensive Plan, *“There are few community services in the district, which forces employees to use their automobiles during the course of the workday. This extra driving activity, in turn, generates a third peak-congestion period around the lunch hour. These conditions contribute to high levels of traffic congestion and other quality of life issues.”* With many of their needs met in the proximity of their residence and/or workplace, residents and workers will be less likely to leave the area by automobile and travel to and along the Route 110 corridor. Additionally, the ability to walk to nearby uses will reduce the need to use a vehicle and the potential traffic impact in the MTCOD and General Special Use Permit Area.

The required parking for residences in mixed-use developments in the MTCOD and the General Special Use Permit Area is calculated at one (1) space per studio or one (1) bedroom unit and .5 spaces for each additional bedroom. All other parking within the MTCOD is required to comply with underlying zoning requirements. Parking for office uses in a mixed-use building in the General Special Use Permit Area is calculated at a rate of one (1) space per three-hundred and fifty (350) square feet of usable building space and up to 10-20% of the required parking for a residential use may be shared with parking for office uses. All other parking in the General Special Use Permit Area is required to adhere to the underlying zoning requirements.

A common concern about infill development is that it will lead to more traffic and less parking. However, the proposed mixed-uses allow for shared parking. Residential parking demand peaks in traditional non-working hours, whereas office parking peaks during the day. Additionally, residential development typically generates fewer vehicle trips, on a square footage basis, during peak traffic hours than office development.

The requirement for on-site parking for residential development will reduce the potential for residents of new mixed-use developments to affect the demand for on-street parking spaces. Additionally, as on-site parking will be provided, residents will be less likely to need to search for parking in the vicinity of their residence thereby reducing the potential impact to traffic congestion in the area of their residence.

An analysis of the potential long-term impact of the proposed code amendments was prepared to evaluate the how anticipated traffic volumes from the projected new development would impact current road conditions on the three (3) primary roadways in the study area, Route 110, Pinelawn Road and Maxess Road. In order to present a worst-case scenario, it was assumed that the maximum number of units permitted under the cap would occur, and that one-hundred (100) percent of the projected volumes would impact each roadway included in the analysis, even though it is far more likely that traffic impact from future development would be spatially distributed throughout the study area and not concentrated on one particular roadway. It is also significant to note that the analysis utilized pre-COVID peak hour volumes to further generate a conservative analysis of traffic volumes. The results of the analysis are presented in **Appendix A** of this document.

The analysis utilized the Institute of Transportation Engineers (ITE) Manuel to project residential and commercial traffic associated with various development scenarios. The ITE Manuel was also utilized to analyze traffic volume capacity for the three (3) primary roadways. As can be seen in **Appendix A**, the three (3) primary roadways have ample capacity to accommodate projected increases in traffic volumes in both AM and PM peak hours on weekdays. Even under the scenario where all the traffic volumes from the projected development are directed onto one of the study roadways, there still remains sufficient volume capacity to accommodate the anticipated traffic impact. For example, as shown in **Appendix A**, Maxess Road currently has a capacity to accommodate 6,000 vehicles per hour based on its current design. During peak AM and PM weekday hours it currently has traffic volumes of 431 and 256 respectively. If the projected AM and PM weekday peak hour volumes generated by 2,500 units are added to the current volumes on Maxess Road, the total projected peak hour volumes would be 1,431 and 1,531 respectively. This results in a road utilization of approximately twenty-five (25) percent for both the AM and PM weekday peak hours on Maxess Road. A similar analysis demonstrates a road utilization of under fifty-five (55) percent for Route 110 and approximately sixty-four (64) percent for Pinelawn Road during peak AM and PM hours when accounting for current and projected traffic volumes.

Although the traffic analysis supports the view that the existing roadway system can accommodate the maximum level of new development that could occur, proposed mixed-use buildings will still be required to undergo a full review under the State Environmental Quality Review Act (SEQRA). As part of the SEQRA review the potential impact to transportation will be addressed. If a proposed use causes concern related to traffic impacts the Town has the ability to request a parking/traffic analysis. Additionally, all proposed applications will be reviewed by the Town Department of Transportation and Traffic Safety for conformance with County, Town, State and Federal standards.

Furthermore, a special use permit from the Town Board is required to construct a new mixed-use building in the MTCOD and General Special Use Permit Area. In order to receive a special use permit, Town Code requires that the applicant prove that a proposed use will not create significant traffic and/or safety impacts. The Town Board has the ability to request a parking/traffic study to



aid in their determination. Additionally, the code change allows for the Planning Department and Engineering Services to seek the assistance of outside professionals, if required. A thorough parking/traffic analysis during the review of the Special Use Permit will reduce potential impacts on transportation of mixed-use projects within the MTCOD and the General Special Use Permit Area.

As a further safeguard against potential traffic impacts, the Town Board will pause the acceptance of new applications after the submission of the first application(s) totaling four-hundred (400) residential units and after each successive submission(s) totaling four-hundred (400) units. In addition, the Town Board has capped the number of new residential units constructed via Special Use Permits in the MTCOD and General Special Use Permit Area to a total of 2,500. The pause will allow the Town Board to assess the cumulative impact of the developments on traffic conditions to ensure, among other things, that the then existing capacity of such roadways is not exceeded.

The requirement for on-site parking, ability of the Town to request a parking/traffic analysis, mixed-use nature of development, and ability of the Town Board to pause new mixed-use development after each four-hundred (400) units will allow the Town to minimize potential impacts on transportation.

#### **CONSISTENCY WITH COMMUNITY PLANS:**

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

\*No. The proposed action is consistent with community plans.

The Town of Huntington Horizons 2020 Comprehensive Plan was adopted on December 9, 2008 in association with SEQRA findings. The findings specify, "Outreach efforts, planning and assessment of issues, and development of regulations and enforcement measures that are consistent with the Horizons 2020 Comprehensive Plan shall not require further SEQRA review. Key to a consistency determination in the findings is Principle #1: *Zoning and related development regulations shall be revised to maintain consistency with the Comprehensive Plan*. The Town Board found that the major policies of the Comprehensive Plan shall be considered the conditions and the individual topic area subpolicies, strategies and action steps shall be recognized as thresholds for consistency determination pursuant to SEQRA.

The policies contained in the Horizons 2020 Comprehensive Plan Update that support the proposed Code changes that create new regulations, standards, and requirements are identified below:

#### **Environmental Resources and Open Space Policy A.2**

##### **Protect Huntington's water resources.**

#### **Strategies**

A.2.3 Require/encourage stormwater management practices that minimize impacts on surface water, groundwater, and other natural resources.

- Filtering and recharge designs for stormwater management facilities that blend into the existing landscape
- Use of pervious surfacing to reduce runoff

**Environmental Resources and Open Space Policy A.5**  
**Permanently preserve Huntington’s unique environmental resources.**

**Strategies**

A.5.3 Promote protection of native species and prevention/removal of invasive species.

**Environmental Resources and Open Space Policy A.8**  
**Preserve open space within new developments.**

**Strategies**

A.8.1 Require a minimum open space set aside (e.g., 20-30%) within new developments, together with standards to ensure that the open space is meaningful (e.g., central greens or greenway linkages) and publicly accessible.

**Community Character Policy B.5**  
**“Raise the bar” on the visual character of private development through improved design standards and regulations and through targeted redevelopment.**

**Strategies**

**B.5.1** Enact improved design standards for developments that exceed designated thresholds (e.g. size limits, exclusion for single-family homes). These standards should be appropriate to the local context and address design elements such as:

- Placement of buildings and parking areas in relationship to each other, public streets and adjacent properties
- Building design (e.g., orientation, façade articulation, garage location and mass/height; materials if appropriate to local context)
- Landscaping
- Access and connectivity for pedestrians, bicyclists, and transit services as well as vehicular traffic

**B.5.4** Prepare and implement strategies to redevelop deteriorated and obsolescent areas.

**Community Facilities Policy C.2**  
**Address the impacts of new residential developments on schools and other community facilities.**

**Strategies**

**C.2.3** Identify opportunities to meet community facility needs through the land development process (e.g., monetary contributions to meet facility needs or dedication of land for school sites in exchange for density increases or lot size reductions).

**Community Facilities Policy C.3**  
**Work with service providers to pursue a variety of approaches to address community facility and service costs.**

### **Strategies**

**C.3.1** Promote compatible economic development projects that strengthen the commercial tax base. (This is particularly important in school districts with proportionally higher dependence on residential property assessments.)

### **Land Use Policy D.2**

**Major Commercial Corridors and Centers Manage change to achieve Comprehensive Plan goals and policies in major commercial corridors and centers that will experience obsolescence and pressures for redevelopment, including the Melville Employment Center, Jericho Turnpike, and Route 110 south of Jericho Turnpike (see Section 10.3 of the Geographic Focal Areas chapter for more detail).**

### **Strategies**

**D.2.2** Prepare and implement an integrated land use, circulation, and infrastructure plan for the Melville Employment Center.

### **Land Use Policy D.6**

**Development Regulations: Modernize and update development regulations for greater consistency, predictability, and effectiveness.**

### **Strategies**

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

**D.6.3** Develop a model mixed-use hamlet center zoning classification(s) to create walkable centers with higher standards for design quality.

**D.6.4** Incorporate provisions to implement other plan policies (e.g., minimum open space set asides and conservation subdivisions that cluster development per Environmental Resources and Open Space Policy A.8).

### **Transportation Policy F.2**

**Coordinate land use and transportation planning and implementation.**

### **Strategies**

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

**F.2.3** Require developments exceeding designated thresholds to conduct traffic impact studies and identify mitigation measures to supplement the State Environmental Quality Review Act (SEQRA) process.

### **Transportation Policy F.5**

**Provide for public and private parking that is adequate to meet needs and is compatible with established community character.**

F.5.2 Review off-street parking standards to ensure that they match needs, including consideration of the following approaches:

- Credits for shared and/or off-site parking

### **Transportation Policy F.6**

**Improve environmental quality through transportation strategies that reduce automobile and fossil fuel usage.**

#### **Strategies**

**F.6.2** Promote compact, mixed-use development patterns that reduce the need to drive (see Transportation Strategy F.2.1).

**F.6.4** Establish standards to reduce the environmental impacts of parking lots (improved landscaping requirements, sustainable stormwater solutions such as pervious pavement, etc).

### **Housing Policy G.3**

**Promote the diversification of housing stock to meet the changing demographics of Huntington’s population.**

#### **Strategies**

**G.3.2** Implement thresholds and standards for the location and design of higher density housing to ensure compatibility with adjacent established land uses and minimize or avoid impacts on traffic, neighborhoods, school districts, and sensitive environmental resources.

### **CONSISTENCY WITH COMMUNITY CHARACTER:**

18. The proposed project is inconsistent with existing community character.

\*Yes. The proposed code amendment is inconsistent with community character.

The Comprehensive Plan describes the MTCOD and the General Special Use Permit Area as, “*a suburban, automobile-oriented commercial district that is poorly designed for pedestrians. While most streets do have sidewalks, the distance between buildings, wide roads with heavy traffic volumes, and a general lack of amenities create an environment where very few people walk. There are few community services in the district, which forces employees to use their automobiles during the course of the workday.*” The Comprehensive Plan also states, “*The Town should also promote the development of small, pedestrian-oriented, mixed use “town centers” at strategic locations in the Melville Employment Center. Such centers would contain retail and restaurant offerings as well as recreation, business services, and entertainment opportunities. Workforce residential units could also be considered in these locations.*”

The proposed legislation will create the MTCOD, and amend Town Code for the I-1 Light Industry District within the General Special Use Permit Area, and the height, area and bulk requirements in the I-1 District. Mixed-use developments in the MTCOD and on I-1 zoned properties in the General Special Use Permit Area will offer a mix of retail, office, commercial service, residential uses and community public space providing a walkable environment for residents and workers.

When considering new mixed-use developments the Town will review the proposals to ensure the development is of high quality and visually appealing from adjacent streets and surrounding areas, with an emphasis on building placement and orientation that complements adjacent properties; has an appropriate mix of uses as defined in the permitted uses of the Special Use Permit; has open spaces, parking areas, pedestrian walks, signs, lighting, landscaping and utilities that are well related to the site and arranged to achieve a safe, efficient and contextually sensitive development; when appropriate, contributes to a central public gathering space that may be used for community events; shows high inter-connectivity between proposed uses and adjacent areas; and promotes walkability, pedestrian scale lighting and ground floor activity among business and residential uses.

The maximum permitted building height for new mixed-use development in the MTCOD and General Special Use Permit Area is four stories in agreement with the height, area and bulk requirements of the I-1 Light Industry District found in Town Code §198-34(E)(3). Additionally, while the current Height, Area and Bulk chart includes a maximum building height of 45 feet, Town Code §198-34(E)(3) allows buildings in the I-1 Light Industry District to have a maximum height of fifty-eight (58) feet above finished grade measured from the base of the building. The maximum building height in the MTCOD is fifty (50) feet. In the General Special Use Permit Area, the maximum building height for a mixed-use building is also 50 feet, except that buildings comprised of eighty-five (85) percent or more of office use may have a height of up to fifty-five (58) feet.

The remaining changes to the Height, Area and Bulk Regulations for the I-1 District are summarized in the chart below:

<b>Zoning Requirement</b>	<b>Existing</b>	<b>Proposed</b>
Front Yard	100 Feet	30 Feet
Rear Yard	50 Feet	25 Feet
Side Yard	50 Feet	25 Feet
Street Side Yard	50 Feet	30 Feet
Minimum Lot Area	6 Acres	3 Acres
Minimum Lot Width	400 Feet	250 Feet
Minimum Lot Frontage	200 Feet	150 Feet
Maximum Building Lot Coverage	30%	60%

Existing zoning requirements for minimum lot size, minimum lot frontage, setbacks and parking, reflect the Town's vision when the zoning was first adopted, to create an automobile-centered suburban industrial park. However, some of the regulations are now too restrictive and do not allow property owners to adapt to current trends in the office market and create a more vibrant and walkable neighborhood with improved amenities for people who live and work in the MTCOD and General Special Use Permit Area. The changes in the Height, Area and Bulk Regulations will in part encourage a transformation from the antiquated suburban office park development model to more sustainable walkable development.

With the exception of predominately residential use buildings, the frontages of properties along the Service Roads of the Long Island Expressway shall continue to be developed with the permitted uses, and special uses under Town Code §198-34(F)(3&4), and required front yard setbacks of their zone. Additional uses allowed by this section such as retail services and residential should be

relegated to the rear of buildings or lots along Broadhollow Road and the Service Roads of the Long Island Expressway in order to preserve the existing zoning aesthetic.

New mixed-use development in the MTCOD will increase the demand for services. In an effort to minimize the non-significant impacts to open space and emergency services, new mixed-use development within the MTCOD will require applicants to pay a one-time impact fee in the amount of \$1,500 for each unit over 25 in a project, and \$2.50 for each office/commercial square foot over 25,000 square feet. Seventy-five (75) percent of the fee will be directed to a fund to support the creation and operation of Town Center Parks in the overlay district and twenty-five (25) percent will be directed to the Fire/Emergency District

Similarly, outside of the MTCOD, for I-1 zoned properties in the General Special Use Permit Area new mixed-use development will require applicants to pay a one-time service impact fee to the Fire/Emergency District in the amount of \$1,500 for each unit over 25 in a project, and \$2.50 for each office/commercial square foot over 25,000 square feet.

New mixed-use development within the MTCOD and the General Special Use Permit Area has the potential to increase the number of school aged students in the Half Hollow Hills Central School District (HHHCSD). The number of students in the HHHCSD has decreased each year since the 2005-2006 school year, with a total of 10,196 students in the district in 2005-2006 down to a total of 7,302 students in the 2021-2022 school year, a decrease in enrollment of approximately 28%. If the development of multifamily units does result in a minimal increase of students in the HHHCSD, the tax benefit to the district will likely exceed the cost to the district for new students. A study commissioned by the Long Island Regional Planning Council called *“Multifamily Housing Development Impacts in Long Island Communities”* published in March of 2021 found that in all districts studied *“the projects generate a net positive financial benefit to the school district.”* The referenced study does not include mixed-use development like that considered by this code amendment where the commercial portions of the development will provide a further financial benefit to the school district, and would also reduce the likelihood of occupancy by children.

Estimating the number of children has been raised as a concern by the school district to help it determine its capacity to handle more students. It is common on Long Island to use a published paper colloquially referred to as the “Rutgers study”, which is actually titled “Residential Demographic Multipliers – Estimates of the Occupants of New Housing”, 2006. This used Census data for New York State to calculate residential unit occupancy based on building size, style, ownership, and cost. For the Melville industrial redevelopment projects we would expect most or all buildings to contain 5+ units for rent, which would be estimated to produce market units with .08 students per 1-bedroom unit, 0.23 students per 2-bedroom unit, and 1 student per 3-bedroom unit according to the study, with the smaller units two to three times more likely to have elementary students than high school students, and affordable units two to three times more likely to have students.

Rutgers followed up this initial publication with “School-Age Children in Rental Units in New Jersey: Results from a Survey of Developers and Property Managers” in 2018. The new study investigated the difference between apartment types based on age of construction with the idea that apartments built in the modern era have a different intended market than apartments built in the last century. It also looked at the effects of building height on student generation. The new Rutgers

study showed that projects built before the year 2000 had 2.5 times more students in market-rate units than projects built after 2000. The average new market-rate project produces .1 student per unit among its mix of bedroom sizes. That number reflects the high market price of most new construction, and the most common type of building being a mid-rise structure with a mix of 1- and 2-bedroom units. Taller buildings produced significantly fewer children than shorter buildings, and 1-bedroom units produce significantly fewer children than larger units. A 3-bedroom market-rate apartment in a short building is 150 times more likely to have a student than a 1-bedroom unit in a tall building.

The 2018 study showed the importance of building age when it calculated a student generation of .069 from affordable 1-bedroom units in post-2000 construction, which was less than the .08 students per one-bedroom unit in construction of all ages from the 2006 study. However, building age had less of an effect on affordable unit student generation, with a reduction of 50% on older 1- and 2-bedroom units. Mid-rise buildings with new market-rate units are calculated to generate .013 students from a 1-bedroom unit and .089 students from a 2-bedroom unit. Along with the .069 students from affordable 1-bedrooms and .615 from affordable 2-bedrooms, these numbers could be used to estimate student generation from any proposed project.

Another planning document that looked into detailed school generation numbers was the “Portland Public Schools Enrollment Forecasts 2014-15 to 2028-2029”. One of the unique features of this study was that it took a separate look into brand-new buildings. They looked at 1,007 apartment units that were less than two years old and found that those units generated 20 schoolchildren, a generation ratio of .02, not accounting for unit size. The Portland study also had specific calculations for four-story buildings, and both all-residential and residential over ground-floor commercial had student generations of .03 per unit.

Another look at local school generation was completed by The Real Estate Institute at Stony Brook University in 2019. Their paper, “Market Rate Apartment School Aged Children Study”, surveyed 14 apartment complexes built since 2003 on Long Island. The four mid-rise projects in walkable downtown neighborhoods had student generations of .09, .07, .07, and .04. Two tall residential buildings in downtown Mineola had student generations of .05 and .03. Projects in a more residential setting, like the three in the Coram/Middle Island region, had higher generations of .16, .10, and .17 students per unit.

So if we made an assumption that the first 400 units would be in three to four story buildings, half one bedroom, half two bedrooms, with 20% affordable, the Rutgers 2018 study would estimate 22 students, while the less-specific Portland study would estimate 12 students, and the less-specific Stony Brook study would estimate 28 students. To be conservative we will work off of the highest number, 28 students. In the Melville downtown these residential units would be located above commercial first floors. This adds to the tax dollars generated by new development. For an example of a similar project close in scale to Melville, the Stony Brook study looked at The Jefferson in Farmingdale. This project contains 154 units above ground floor commercial uses, and has a school tax assessment of \$881,000. Using the same tax ratio and the 28 presumed students in Melville from 400 units, each student would be supported by \$78,661 in school tax revenue.

To further protect against potential impacts on emergency and educational services the Town Board will pause the acceptance of new applications for mixed-use development after the submission of

the first application(s) totaling four-hundred (400) residential units, and thereafter each successive submission of application(s) totaling four-hundred (400) residential units, to assess the cumulative impact of the developments on the HHHCSO, among other impacts. The ability to control the pace of new development and manage its impacts on public infrastructure has been questioned by residents of the Town that are concerned with the validity of this permitting pause. This ability to manage the growth of a community has been affirmed by the New York State Court of Appeals in the case of *Golden v. Planning Board of the Town of Ramapo*. The Court found that the examination of road, sewer, school, and emergency services capacity were all valid elements of zoning power as provided by New York State Town Law Section 263. Similar to the Ramapo law, the Town of Huntington legislation is not a prohibition on development or taking of development rights. The pause is targeted towards certain additional zoning rights that may produce different impacts than those first planned for when the Melville Economic Center was first developed. The pause provides for a continuing comprehensive planning process in the community. Such a pause would not preclude “any as of right” development of properties within the MTCOD and the General Special Use Permit Area allowed pursuant to the I-1 zone, nor the development of specially permitted uses not created by the subject amendments.

The mixed-use development resulting from the amendments to Town Code will improve the community character of the MTCOD and the General Special Use Permit Area, preserve the existing zoning aesthetic of Broadhollow Road and the Service Roads of the Long Island Expressway, and not result in significant impacts to open space, emergency services and schools.