
APPENDIX A-2

Part 3 Environmental Assessment Form and Positive Declaration/Determination of Significance

Adopted March 27, 2024

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

Based on a review of the EAF - Part 1 & 2, the Town of Babylon Departmental review has identified moderate to large impacts. The project was classified as a Type 1 Action - Coordinated Review was conducted. The proposed action includes subdividing a 111.394 acre lot into tow lots; Propose Lot 1 is to be 100.114 acres and will be rezoned to a newly proposed zoning code of PIP-II (Planned Industrial Park-II), in order to construct an Industrial technology park consisting of 9 buildings and totaling 1,617,471 sf, along with associated site improvements; Proposed Lot 2 is to be 11.28 acres of undeveloped property to be retained by Pinelawn Cemetery. The following impacts have been identified:

Impact on Land: The project's proposed industrial land use is in sharp contrast to the residential land use to the north and east at the site. The proposed development will require significant use/demand on the public water system and a sewer connection is proposed because sewers are not available at the project site at this time.

Impact on Transportation: Projected traffic may exceed capacity of existing road network. Applicant will work with traffic and civil engineers to address issues related to vehicular and pedestrian traffic. Traffic Study will need to be conducted.

Impact on Energy: Proposed energy use not well understood at time of application. Community sentiment and proposed state regulations suggest moving away from fossil fuels to renewable energy, possibly geothermal or electric heat. Applicant will work with mechanical engineer to determine load for electricity, including the potential for heat.

Impact on Plants and Animals: The Northern long-eared bat is a federally listed threatened species that is known to be located in the northeastern portion of the United States, including portions of New York State. The habitat for this species is generally in forested areas. Given that the project site is located in a undeveloped urban area with limited forestation on the project site, it is possible the project (i.e., construction activities) will impact this species. Applicant must comply with US Fish and Wildlife Service for further consultation.

Impact on Groundwater: The project will require the use of 150,00 gallons of water per day. The impact on the public water supply system must fully be investigated.

The Lead Agency has determined that based on the information above, due to the several but not all listed potential impacts results in a Positive Declaration.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information

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

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

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

Name of Action: Bristol Suffolk, LLC

Name of Lead Agency: Town Board of the Town of Babylon

Name of Responsible Officer in Lead Agency: Richard Schaffer

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency: *[Signature]* Date: 4/4/2024

Signature of Preparer (if different from Responsible Officer) *[Signature]* Date: 4/3/2024

For Further Information:

Contact Person: Richard Groh/ Greg Gaxiola
Address: 281 Phelps Ln, North Babylon , NY 11703
Telephone Number: 631-422-7640
E-mail: rgroh@townofbabylon.com / ggaxiola@townofbabylon.com

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

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

cc: Environmental Notice Bulletin (ENB)
Rich Schaffer, Supervisor, Town of Babylon
Antonio A. Martinez, Deputy Supervisor, Town of Babylon
DuWayne Gregory, Councilman, Town of Babylon
Terence McSweeney, Councilman, Town of Babylon
Anthony N. Manetta, Councilman, Town of Babylon
Tom Stay, Deputy Chief of Staff, Town of Babylon
Thomas Vetri, Commissioner, Environmental Control, Town of Babylon
Rachel A. Scelfo, Commissioner, Planning & Development
Joseph Wilson, Town Attorney, Town of Babylon
Matthew Esposito, Senior Planner, Planning & Development, Town of Babylon
James Harkins, Planning & Development-Engineering, Town of Babylon
David Bligh, Planning & Development, Engineering
Marwa Fawaz, Planning & Development, Town of Babylon
Denise Graziano, Planning & Development, Town of Babylon
Anthony Cardali, Chief Fire Marshall, Town of Babylon
Rob Bambino, Fire Marshall II, Town of Babylon
Michael Kane, Chairman, Zoning Board of Appeals, Town of Babylon
Katie Reilly, Planning & Development, Town of Babylon
Sandra Brick, Planning & Development, Town of Babylon
Keri Sollicito, Planning & Development, Town of Babylon
Bram Weber, Attorney for Applicant
Mark Cuthbertson, Attorney for Applicant
Dave Williams Bristol, Applicant
Tracey Edwards Bristol, Applicant
Carrie O' Farrell, Nelson and Pope, Environmental Consultant for Applicant
Dale E. Koch Bohler, Engineer
Edmund J. Smyth, Supervisor, Town of Huntington
Dr. Dave Bennardo, Councilman, Town of Huntington
Salvatore Ferro, Councilman, Town of Huntington
Brooke A. Lupinacci, Councilwoman, Town of Huntington
Theresa Mari, Councilwoman, Town of Huntington
Jennifer Casey, Chair, Suffolk County Planning Commission
William Hillman, Chief Engineer, P. E., SCDPW
Boris Rukovets, Secretary, SCDPW
Jeffrey W. Szabo, Chief Executive Officer, SCWA
Kimberly Kennedy, Assistant to General Counsel, SCWA
Walter Dawydiak, Director, SCDHS
Sarah Lansdale, AICP, Director, Suffolk County Planning.
Ruth Pierpoint, Director, NYS Office of Parks, Recreation and Historic Preservation
Thomas E. Dolan, CEO, Babylon IDA
Anthony Aloisio, AICP, Director, Planning & Development, Huntington
Salvatore Ferro, Councilman, Huntington
Scott R. Spittal, PE Director Transportation & Traffic Safety, Huntington
Edmund J. Smyth, Town of Huntington
Brooke Lupinacci, Councilwoman, Town of Huntington
Dave Bennardo, Councilman, Town of Huntington
Theresa Mari, Councilwoman, Town of Huntington
Craig Lovallo, SCDPW
Laflorencia Grant, Chair Wyandanch
Rosa Parks Civic Association, Inc.
Jessica Mathew, Engineer, PSEG Long Island
Joy Sauer, SCDHS Office of Ecology

RESOLUTION NO. 291 MARCH 27, 2024

TOWN BOARD ENVIRONMENTAL DETERMINATION POSITIVE DECLARATION BRISTOL SUFFOLK LLC, APPLICATION 21-13ABE, SCTM NO. 0100-038.00-01.00-001.000, NORTHEAST CORNER OF LITTLE EAST NECK ROAD AND THE LONG ISLAND RAILROAD RIGHT-OF-WAY, WHEATLEY HEIGHTS, NY 11798

The following resolution was offered by Councilman Gregory and seconded by Councilman Manetta

WHEREAS, Bristol Suffolk, LLC. represented by Bram Weber Attorney, The Weber Law Group, 290 Broad hollow Road, Suite 200E Melville, NY 11747 has proposed a change of zone from A Residence to a newly proposed PIP-II (Planned Industrial Park) zoning district being considered by the Town Board of the Town of Babylon for the development site; and

WHEREAS, the development proposed by Bristol Suffolk, LLC is located on the parcel of land identified as SCTM No. 0100-038.00-01.00-001.000 and lies at the northeast corner of Little East Neck Road and the Long Island Railroad right-of-way, Wheatley Heights, NY ; and

WHEREAS, Bristol Suffolk, LLC. has proposed to subdivide the 111.394 acre parcel lot into two lots; Proposed Lot 1 is to be 100.114 acres and will be rezoned to a newly proposed zoning code of PIP-II (Planned Industrial Park-II), in order to construct an industrial technology park consisting of 9 buildings and totaling 1,617,471 square feet of floor space, along with associated site improvements; Proposed Lot 2 is to be 11.28 acres of undeveloped land to be retained under the existing A Residence zoning by Pinelawn Cemetery Association, 2020 Wellwood Avenue, East Farmingdale, NY 11735. ; and

WHEREAS, The proposal under review by Bristol Suffolk, LLC also includes the adoption of a new zoning district; Planned Industrial Park II (PIP II) which would encompass the portion of the site to be developed ; and

WHEREAS, the Town Board of the Town of Babylon has classified the Action by Bristol Suffolk, LLC and adoption of the proposed PIP II zoning code a Type I Action in accordance with 6 NYCRR Part 617 State Environmental Quality Review (SEQR) Section 617.4 (b) (2), (3), (6) (i), (iv) and (vi), and Chapter 114 Town of Babylon Environmental Quality Review Act (TOBEQRA) Section 114-4 B. (2), (3), (6) (a), (c) and (d) ; and

WHEREAS, the Town Board of the Town of Babylon has caused a Full Coordinated Review to be conducted that included all Involved Agencies with jurisdiction on the Action; the Bristol Suffolk, LLC proposed development and proposed adoption of the PIP II zoning in accordance with the State Environmental Quality Review (SEQR) 6 NYCRR Section 617.6 (b) (3) (i) and the Town of Babylon Environmental Quality Review Act (TOBEQRA) Chapter 114 Section 114-6 4 B. (3) (a); and

WHEREAS, the Town Board of the Town of Babylon hereby declares its intent to be the Lead Agency for the Action in accordance with the State Environmental Quality Review Act (SEQRA) and the Town of Babylon Environmental Quality Review Act (TOBEQRA); and

WHEREAS, the Department of Environmental Control is assisting the Town Board of the Town of Babylon in fulfilling its responsibilities under SEQRA and TOBEQRA; and

WHEREAS, based upon review of the project details submitted, and other available information, the Department of Environmental Control has recommended that a Positive Declaration be adopted and that Scoping and a Draft Environmental Impact Statement must be prepared for the Action; and

WHEREAS, the Town Board of the Town of Babylon has independently reviewed the available information and the recommendation of the Department of Environmental Control; and

WHEREAS, that the Town Board of the Town of Babylon has independently determined the following in its Determination of Significance pursuant to Chapter 114 of the Code of the Town of Babylon, Section 114-7 A. (1) for the Action:

1. The proposal may create a significant increase in traffic. A Traffic Study will be required for this project.
2. The proposed industrial zoning and land use must be further analyzed in relationship to the adjacent residential community. These impacts may include but not be limited to noise and quality of life.
3. The project site must be evaluated further to determine whether there are any sensitive historic, cultural or environmental resources.
4. The proposed Action lies within Zone I of the groundwater hydrogeological zones, a deep recharge zone, as identified by the; *Suffolk County 208 Study, Water Management Zones May 1978, Nassau/Suffolk Regional Planning Board*. The subject location is not serviced by sewers for wastewater disposal. Potential impacts on this aquifer that is susceptible to contamination from pollutant inputs must be further analyzed. The feasibility of outside sewer connection to Southwest Sewer District 3 must be investigated to mitigate potential impacts to groundwater resources.

WHEREAS, the Town Board of the Town of Babylon has determined that the Action has the potential for a least one or more adverse environmental impacts to the environment;

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon hereby adopts a POSITIVE DECLARATION for the application of the Bristol Suffolk, LLC and the proposed PIP II Zoning Code in accordance with the State Environmental Quality Review Act (SEQRA).

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.