

# Town of Babylon

Dept. of Environmental Control  
281 Phelps Lane, Room 400  
North Babylon, NY 11703-4045  
(631) 957-3000  
(631) 422-7640  
Fax: (631) 422-7686  
e-mail: dec@townofbabylonny.gov



RICH SCHAFFER  
SUPERVISOR

## TOWN OF BABYLON ENVIRONMENTAL QUALITY REVIEW ACT (TOBEQRA) CHAPTER 114-5(B)(1) LEAD AGENCY COORDINATION NOTIFICATION

February 2, 2026

To: Lead Agency Coordination List (see attached)

Re: LEAD AGENCY COORDINATION REQUEST  
Proposed East Farmingdale Overlay Zoning District  
East Farmingdale, NY

The subject proposal is a direct action by the Town Board of the Town of Babylon, for the creation of the East Farmingdale Overlay Zoning District for the properties further outlined below. Pursuant to the requirements of the State Environmental Quality Review Act ("SEQRA") regulations, at 617.6, the Town Board must coordinate with known or possible involved agencies to determine a lead agency for SEQRA review of the subject "Type 1 Action" and through coordinated review intends to assume lead agency.

The purpose of this correspondence is to determine the following:

1. Your agency's jurisdiction in the action described below.
2. Your agency's interest in assuming the responsibilities of lead agency
3. Issues of concern which your agencies believe should be evaluated.

Attached for your information are the following documents which the applicant has submitted to the Town in connection with the proposed action:

- Part 1 of the Full Environmental Assessment Form ("EAF-Part 1")
- Overlay District Map
- East Farmingdale Overlay Zoning District Draft Code
- Theoretical Buildout Scenario

Antonio A. Martinez  
Councilman  
Deputy Supervisor

DuWayne Gregory  
Councilman

Anthony N. Manetta  
Councilman

Terence F. McSweeney  
Councilman

Jennifer Montiglio  
Receiver of Taxes

Geraldine Compitello  
Town Clerk

**Brief Description of Proposed Action:**

The Proposed Action involves amendments to the Town of Babylon Zoning Ordinance (Chapter 213 of the Babylon Town Code) and the Building Zone Map to establish the East Farmingdale Overlay Zoning District (Overlay District).

The Overlay District would apply to 113+ acres of property fronting along the northern boundary of Republic Airport along the east side of Broadhollow Road (NYS Route 110) from the northern boundary of Republic Airport to Price Parkway/Picone Boulevard, along the southern boundary of those properties abutting the southern right-of-way of Sherwood Avenue, and along New Highway to Conklin Street (See attached site location map depicting the proposed boundaries of the Overlay District).

The Town of Babylon plans to prepare a Generic Environmental Impact Statement to comprehensively evaluate the potential impacts of the establishment and implementation of the proposed Overlay District on the 113± acres that it would affect, as well as the site-specific redevelopment of both the aforesaid New York State property and KRC Acquisition Corp Property at the specific densities being proposed.

The Town of Babylon has been, from a comprehensive planning perspective, assessing potential redevelopment options for the area of the proposed Overlay District for several years. New York State also issued a Request for Proposals for the redevelopment of the above-identified State-owned property within the boundaries of Republic Airport, and recently selected a designated developer (Heatherwood Communities LLC) for that property that is proposing 495 multi-family units. In addition, a proposed 372-unit multi-family redevelopment plan for a 6.6±-acre portion of the above-identified Farmingdale Theaters, Inc. property, and a 4.1±-acre portion of the Airport Plaza, LLC property (collectively the “KRC Acquisition Corp Property”) has been submitted to the Town.

**Location:** East Farmingdale Hamlet (See Attachment Map Boundaries)

**SEQRA Classification:** Type 1 Action

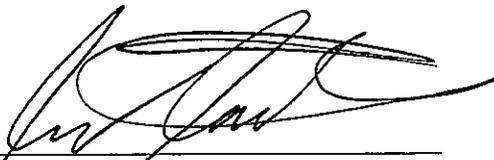
**Town Contact Person:** Greg Gaxiola, Environmental Analyst  
Town of Babylon  
281 Phelps Lane  
North Babylon, NY  
Telephone: (631) 422-7640  
Email: [ggaxiola@townofbabylonny.gov](mailto:ggaxiola@townofbabylonny.gov)

Please respond to the Town Contact Person on or before March 4, 2026. If no response to this correspondence is received from your agency within the specified time frame, it will be assumed that your agency has no comments at this time regarding the subject proposed action and that your agency has no interest in assuming the role of lead agency.

The Town Board of the Town of Babylon will be assuming Lead Agency status upon completion of the thirty (30) day Lead Agency Coordination on March 5, 2026.

Very truly yours,

Town of Babylon

X 

Greg Gaxiola  
Environmental Analyst

Attachments

cc: Rich Schaffer, Town Supervisor, Town of Babylon  
Antonio A. Martinez, Deputy Supervisor, Town of Babylon  
DuWayne Gregory, Councilman, Town of Babylon  
Anthony N. Manetta, Councilman, Town of Babylon  
Terence F. McSweeney, Councilman, Town of Babylon  
Jennifer Montiglio, Receiver of Taxes, Town of Babylon  
Geraldine Compitello, Town Clerk, Town of Babylon  
Joseph Wilson, Town Attorney, Town of Babylon  
Denise Graziano, Commissioner, Planning & Development, Town of Babylon  
Ron Kluesener, Interim Commissioner, Department of Environmental Control, Town of Babylon  
Eric Hofmeister, Chief Deputy Commissioner, Department of Environmental Control, Town of Babylon

**Potentially Involved/Interested Agency Distribution List  
for  
Lead Agency Coordination**

Mr. Carmine Gallo, Regional Administrator  
Federal Aviation Administration  
Regional Office  
One Aviation Plaza  
Jamaica, New York 11434

K. Jane Williams  
Federal Transit Administration  
1200 New Jersey Avenue SE  
Washington, DC 20590

Mr. Ryan J. Porciello  
Environmental Program Specialist 1,  
Division of Water  
NYS Dept. of Environmental Conservation  
SUNY@Stony Brook  
50 Circle Road  
Stony Brook, N.Y. 11790

Mr. Robert Kuhn  
NYS Office of Parks, Recreation  
and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island  
Post Office Box 189  
Waterford, N.Y. 12188-0189

Mr. Philip Brito  
New York ADO  
600 Old Country Road #446  
Garden City, N.Y. 11530-2001

Sherri Aicher, Regional Permits Administrator  
NYS Dept. of Environmental Conservation  
SUNY at Stony Brook  
50 Circle Road  
Stony Brook, N.Y. 11790-3409

Mr. Joseph Brown  
NYS Dept. of Transportation, Region 10  
Perry B. Duryea, Jr. State Office Building  
250 Veterans Memorial Highway  
Hauppauge, New York 11788

Stephanie Rosen  
Empire State Development  
655 Third Avenue  
36<sup>th</sup> Floor  
New York, New York 10017

Mr. Robert Corcoran  
NYSDEC  
Division of Materials Management  
Bureau of Hazardous Waste and Radiation  
Management  
625 Broadway  
Albany, N.Y. 12233-7256  
cc: Mr. Jared S. Donaldson

NYS Homes and Community Renewal  
Hampton Plaza  
38-40 State Street  
Albany, N.Y. 11207

NYS Legislature  
250 Veterans Highway  
Hauppauge State Office Building  
Room 38-41  
Hauppauge, N.Y. 11788

NYS Public Authorities Control Board  
NYS Capitol Building  
Albany, N.Y. 12210

NYS Dept of Transportation  
Planning Division  
State Office Building  
Veterans Memorial Highway  
Hauppauge, N.Y. 11788

Jennifer Casey, Chairman  
Suffolk County Planning Commission  
H. Lee Dennison Building, 12th Floor  
Veterans Memorial Highway  
Hauppauge, N.Y. 11788

John Sohngen , Director  
Division of Environmental Quality  
Office of Ecology  
Suffolk County Dept. of Health Services  
360 Yaphank Avenue, Suite 2B  
Yaphank, New York 11980

Charles Bartha, Commissioner  
Suffolk County Department of Public Works  
335 Yaphank Avenue  
Yaphank, N.Y. 11980-0059

Jeffrey W. Szabo, Chief Executive Officer  
Suffolk County Water Authority  
4060 Sunrise Highway  
Oakdale, New York 11769

Janice McGovern, Chief Engineer, P.E.  
Suffolk County Sewer Agency  
Suffolk County Dept. of Public Works  
335 Yaphank Avenue  
Yaphank, N.Y. 11980-0059

Ms. Sarah Lansdale, AICP, Director  
Suffolk County Department of Economic  
Development and Planning  
100 Veterans Memorial Highway – 4<sup>th</sup> Floor  
Hauppauge, New York 11788

Ms. Kimberly Kennedy,  
Assistant to General Counsel  
Suffolk County Water Authority  
4060 Sunrise Highway  
Oakdale, New York 11769

Mr. Michael Kane, Chairman  
Town of Babylon Zoning Board of Appeals  
200 East Sunrise Highway  
Lindenhurst, N.Y. 11757  
cc: Anthony Valentino and Joseph Russo

Mr. Patrick Halpin, Chairman  
Town of Babylon Planning Board  
200 East Sunrise Highway  
Lindenhurst, N.Y. 11757

Ralph Ekstrand  
Mayor of Village of Farmingdale  
361 Main Street  
Farmingdale, N.Y. 11735

Vincent Piccoli, Commissioner  
Department of Public Works  
Town of Babylon  
200 East Sunrise Highway  
Lindenhurst, N.Y. 11757

MTA Long Island Rail Road  
Mr. Rob Free  
Acting President  
Jamaica Station  
Jamaica, N.Y. 11435-4380

Mr. Robert Bodenmiller, Chairman  
Republic Airport Commission  
7150 Republic Airport, Room 216  
East Farmingdale, N.Y. 11735

Ms. Lara Pomi – Urvat, CSE, PME  
LIPA  
Permitting Specialist Supervisor  
PSEG Long Island  
999 Stewart Avenue  
Bethpage, N.Y. 11714

John Lauth, Airport Manager  
Republic Airport Commission  
7150 Republic Airport, Room 216  
East Farmingdale, N.Y. 11735

Dr. Patrick Harrigan  
Half Hollow Central School District  
Fran Greenspan Administration Center  
525 Half Hollow Road  
Dix Hills, N.Y. 11746

Thomas E. Dolan, CEO  
Babylon IDA  
47 West Main Street, Suite 3  
Babylon, N.Y. 11702  
cc: Frank Dolan, COO

Kevin Catalina, Police Commissioner  
1<sup>st</sup> Precinct  
555 Route 109  
West Babylon, N.Y. 11704

Paul Defendini, Superintendent  
Farmingdale UFSD  
50 Van Cott Avenue  
Farmingdale, N.Y. 11735

Jacob Balter  
Long Island Rail Road  
93-02 Sutphin Blvd.  
Queens, N.Y. 11435

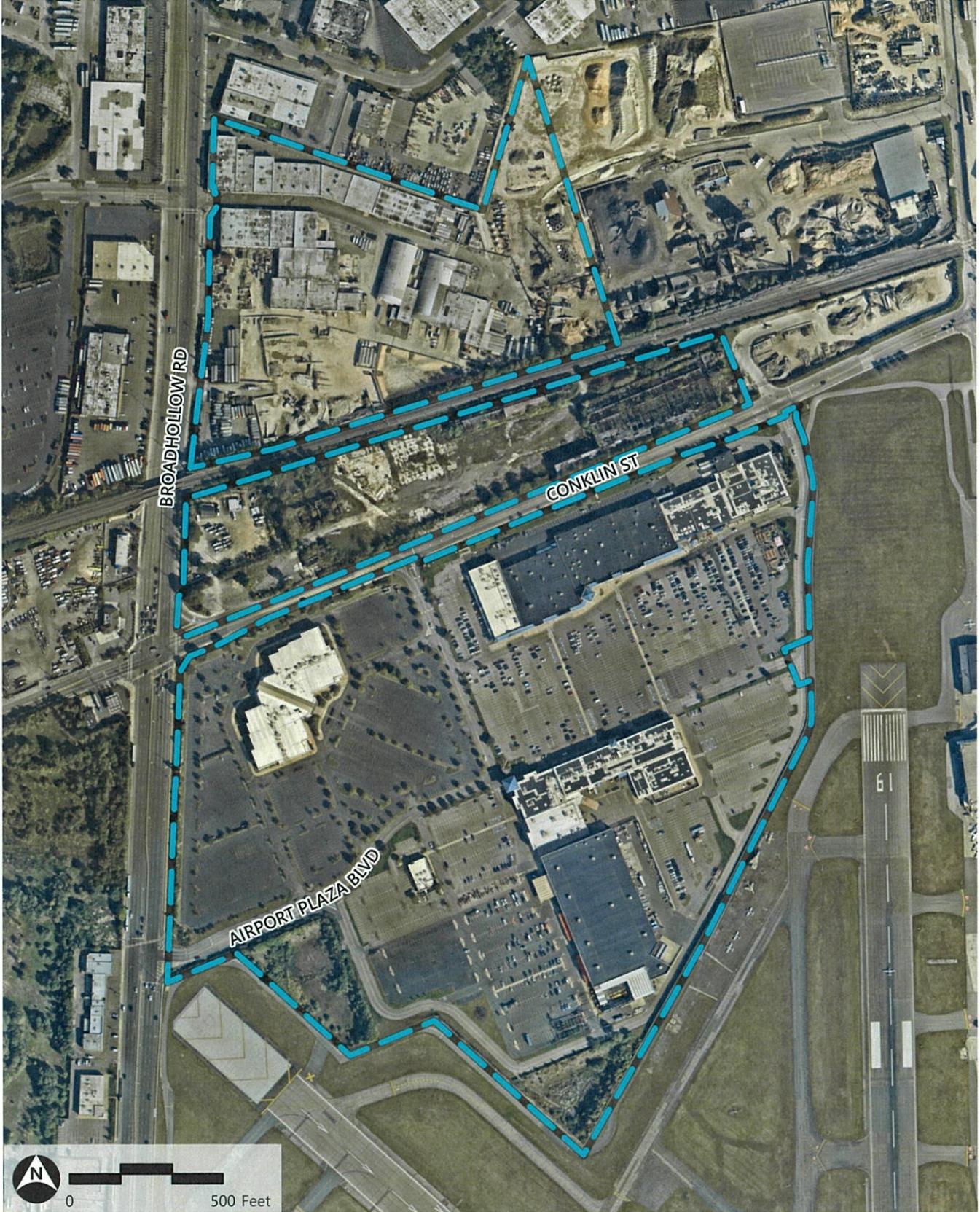
James Quinn, Jr., Chief  
East Farmingdale Main Fire House  
930 Conklin Street East  
Farmingdale, N.Y. 11735

Mr. Tom Joseph  
East Farmingdale Civic Association  
P. O. Box 281  
East Farmingdale, N.Y. 11735

Nancy H. Cypser, President  
Woodland Civic Association  
1207 Melville Road  
Farmingdale, N.Y. 11735

National Grid  
25 Hub Drive  
Melville, N.Y. 11747

# East Farmingdale Overlay Zoning District

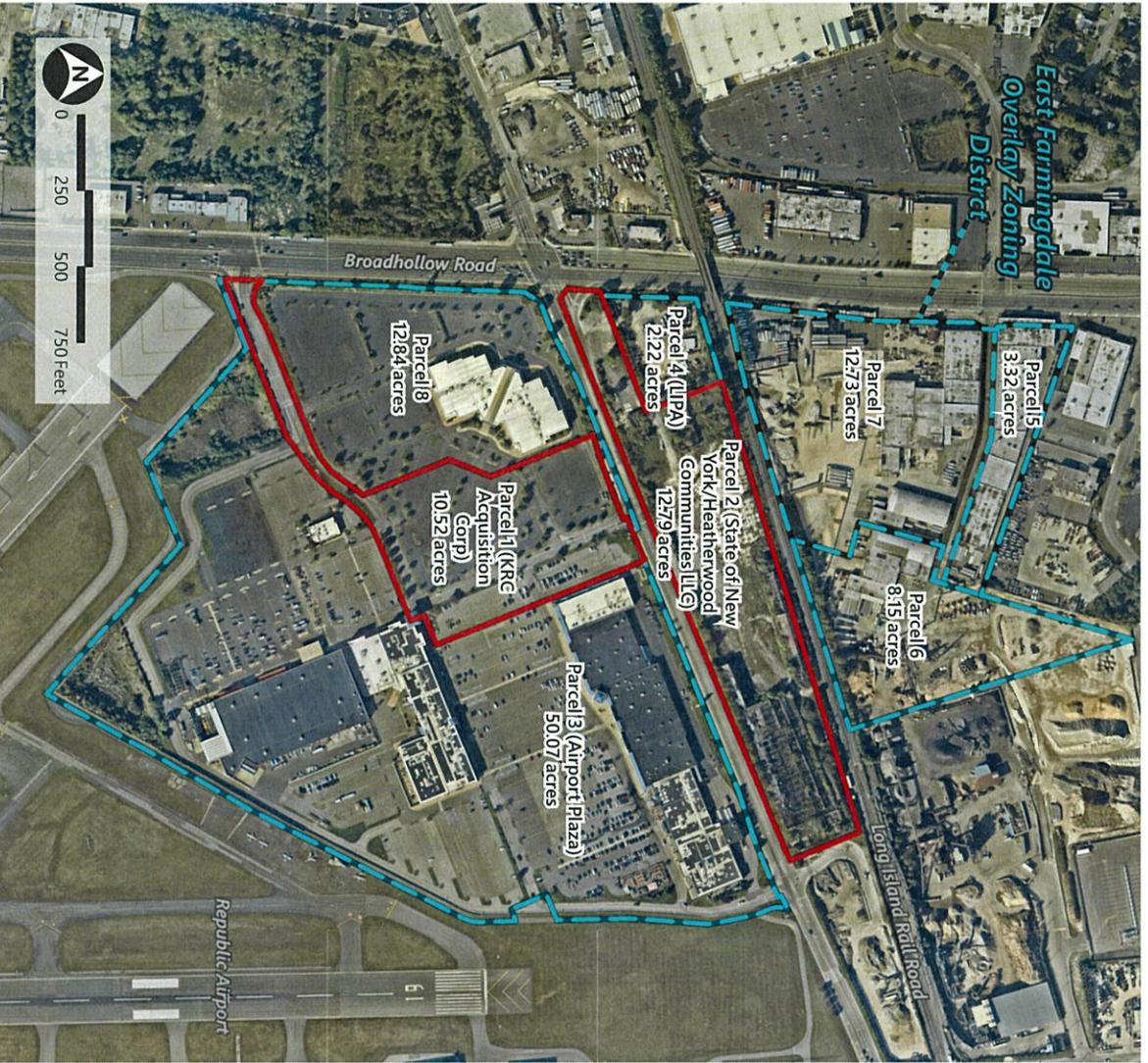


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 East Farmingdale Overlay Zoning District

Source: Suffolk County GIS Open Data; Nearmap 2025

**Theoretical Buildout Scenario**  
East Farmingdale Overlay Zoning District



**Table 1 Summary of East Farmingdale Overlay Zoning District Development Standards**

Type	Standard
Area and Dimensions	
Max. Density	Residential only: 40 units per acre Mixed-use: 32 units per acre
Min. Lot Size	10 acres
Min. Lot Width	200 ft
Min. Building Separation	20 ft
Max. Building Coverage	70% of lot area
Min. Setbacks	
Front (applies to all frontages)	15 ft
Side	Min. of 30 ft combined for both side yards (neither shall be less than 10 ft)
Rear	25 ft
Hot-Mix Asphalt Facilities	750 ft
Max. Building Height	100-ft reduction for each 10 ft of vegetative buffer
Min. Dwelling Unit Size	55 ft / 5 stories 500 sf
Landscape Buffers	Min. 10 ft along side and rear property lines Min. 30 feet for front and side yards and 50 feet for rear yards when abutting industrially-zoned properties
Parking	Studio/One-bedroom – 1 space/unit Two-bedroom – 1.5 spaces/unit Three-bedroom – 1.75 spaces/unit Each additional bedroom – 0.5 spaces/unit
Number of Spaces	Retail: 1 space per 300 sf (gross) Office: 1 space per 250 sf (gross)
Reductions	Up to 30% reduction for shared parking (subject to approval)

**Table 2 – Residential Yield Summary**

Parcel Number	Acreage	Theoretical Build-Out Scenario (Units)
1 (KRC Acquisition Corp)	10.52	3721
2 (State of New York/Heatherwood Communities LLC)	12.79	4952
3 (Airport Plaza)	50.07	2003
4 (ILPA)	2.22	0 <sup>4</sup>
5	3.32	
6	8.15	
7	12.73	815 <sup>5</sup>
8	12.84	
<b>Totals</b>	<b>112.64</b>	<b>1,882</b>

1 Build-out based on the KRC Acquisition Corp conceptual site plan with 372 proposed residential units.  
 2 Build-out based on the State of New York/Heatherwood Communities LLC conceptual site plan with 495 proposed residential units.  
 3 Potential maximum residential yield was adjusted based on probability of redevelopment, as the site is an active, developed commercial center with height restrictions due to its location within the Runway Protection Zone, the potential maximum development yield was reduced by 90%.  
 4 No residential development yield was allocated to this site as it is an active ILPA facility.  
 5 Potential maximum residential yield was adjusted based on a number of factors, including setback requirements, site access, circulation, infrastructure needs, easements, public open space, airport-related restrictions and/or other common design constraints. Based on site-specific factors, some parcels within the East Farmingdale Overlay Zoning District may be redeveloped up to the maximum yield, some may be redeveloped at a reduced yield, and some may not be redeveloped.

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Proposed East Farmingdale Overlay Zoning District		
Project Location (describe, and attach a general location map): East side of Broadhollow Road, hamlet of East Farmingdale, Town of Babylon, Suffolk County, New York (see attached Site Location map and Suffolk County Tax Lots description)		
Brief Description of Proposed Action (include purpose or need): See Attachment.		
Name of Applicant/Sponsor: Town of Babylon Town Board		Telephone: See Project Contact below
		E-Mail: See Project Contact below
Address: Town of Babylon Town Hall, 200 East Sunrise Highway		
City/PO: Lindenhurst	State: New York	Zip Code: 11757
Project Contact (if not same as sponsor; give name and title/role): Greg Gaxiola, Environmental Analyst		Telephone: 631-422-7640
		E-Mail: ggaxiola@townofbabylonny.gov
Address: Town Hall Annex - Room 400, 281 Phelps Lane		
City/PO: North Babylon	State: New York	Zip Code: 11703
Property Owner (if not same as sponsor): See Attachment		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	See Attachment.	
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	See Attachment.	
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attachment.	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attachment.	
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attachment.	
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attachment.	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attachment.	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
_____	
_____	
_____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
G Industrial District of the Town of Babylon

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? East Farmingdale Overlay Zoning District

**C.4. Existing community services.**

a. In what school district is the project site located? Farmingdale Union Free School District (south of LIRR right-of-way)  
Half Hollow Hills Central School District (north of LIRR right-of-way)

b. What police or other public protection forces serve the project site?  
Suffolk County Police Department - First Precinct

c. Which fire protection and emergency medical services serve the project site?  
East Farmingdale Volunteer Fire Company, Inc. provides fire protection and emergency medical services to the area

d. What parks serve the project site?  
Kevin Ver Pault/Colonial Springs Park; Bethpage State Park and Bethpage Bikeway; Massapequa Preserve

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
 \_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
 b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
 \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): \_\_\_\_\_  
 • Over what duration of time? \_\_\_\_\_  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_  
 \_\_\_\_\_  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

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c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

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d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
\_\_\_\_\_

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

- v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
\_\_\_\_\_  
\_\_\_\_\_

- vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

- ii. Describe types of new point sources. \_\_\_\_\_  
\_\_\_\_\_

- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
\_\_\_\_\_  
\_\_\_\_\_

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
\_\_\_\_\_

- Will stormwater runoff flow to adjacent properties?  Yes  No

- iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

- f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
\_\_\_\_\_

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
\_\_\_\_\_

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
\_\_\_\_\_

- g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

- ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No  
 If Yes:  
 i. Estimate methane generation in tons/year (metric): \_\_\_\_\_  
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No  
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No  
 If Yes:  
 i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_  
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
 iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_  
 iv. Does the proposed action include any shared use parking?  Yes  No  
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_  
 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No  
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No  
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No  
 If Yes:  
 i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_  
 iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.  
 i. During Construction:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_  
 ii. During Operations:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

---

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

---

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

---

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Town of Babylon Town Board Date January 27, 2026

Signature  Title Project Manager/Environmental Analyst

**Proposed East Farmingdale Overlay Zoning District  
Hamlet of East Farmingdale, Town of Babylon  
Suffolk County, New York**

**Part 1 – Full Environmental Assessment**

**Attachment**

**Page 1, Item A. Brief Description of Proposed Action:**

The Proposed Action involves amendments to the Town of Babylon Zoning Ordinance (Chapter 213 of the Babylon Town Code) and the Building Zone Map to establish the East Farmingdale Overlay Zoning District (Overlay District). The goals and objectives of the Overlay District include:

- › Promoting economic development
- › Encouraging land uses that support job creation and private investment, while facilitating the redevelopment of vacant, underutilized, and blighted properties
- › Eliminating land uses that are incompatible with surrounding residential or commercial areas
- › Improving environmental conditions through the remediation of contaminated sites and removal of deteriorated structures
- › Supporting the development of affordable and workforce housing to meet the needs of low- and moderate-income households and increasing the availability and diversity of safe, code-compliant housing
- › Establishing enforceable design standards to ensure that new development contributes positively to the community's visual character
- › Encouraging the inclusion of public amenities such as open space, pedestrian infrastructure, and community facilities that enhance the quality of life for residents.

As proposed, the Overlay District would allow the following principal uses:

- › Multiple residences
- › Shops and stores for the sale of retail or consumer merchandise and services
- › Personal service shops such as barbershops, beauty parlors
- › Banks, financial institutions
- › Offices, including medical offices
- › Theaters, including movie theaters and performing arts theaters
- › Health clubs
- › Entertainment uses
- › Restaurants having 16 or fewer seats
- › Educational uses.

Additionally, the Overlay District would allow the following uses by special permit when authorized by the Planning Board:

- › Restaurants/dining establishments with greater than 16 seats
  - › Craft or micro-brewery, as licensed by the New York State Liquor Authority
  - › Assisted living facilities.
-

**Proposed East Farmingdale Overlay Zoning District  
Part 1 – Full Environmental Assessment Form  
Attachment**

The Overlay District further provides that any residential proposal containing five or more units would be required to provide 20 percent of the units as workforce/affordable housing, and also requires a Community Benefit Contribution. Properties to be included in the Overlay District will retain their existing underlying G Industrial zoning designations, but will be subject to the additional regulations of the Overlay District, which is intended to foster the redevelopment of underutilized parcels with multi-family residential and commercial uses.

A copy of the proposed Overlay District is included in Appendix A of this Part 1 - EAF.

The Overlay District would apply to 113± acres of property generally fronting along the northern boundary of Republic Airport, along the east side of Broadhollow Road (NYS Route 110) from the northern boundary of Republic Airport to Price Parkway/Picone Boulevard, along the southern boundary of those properties abutting the southern right-of-way of Sherwood Avenue, and along New Highway to Conklin Street (see attached Site Location map depicting the proposed boundaries of the Overlay District).

The specific tax lots within the proposed Overlay District are as follows:

**Table 1 East Farmingdale Overlay District Tax Lots and Ownership**

District	Section	Block	Lot	Property Owner
0100	035.00	01.00	022.001	Broad Properties, Inc.
0100	035.00	01.00	023.000	Little Joseph Realty, Inc.
0100	035.00	01.00	024.000	S J and J Service Stations, Inc.
0100	035.00	01.00	025.000	Hollow Properties, Inc.
0100	035.00	01.00	026.000	Vito and Maria Realty Co., Inc.
0100	035.00	01.00	029.000	Hollow Properties, Inc.
0100	035.00	01.00	030.001	Broad Properties, Inc.
0100	035.00	01.00	031.004	Little Joseph Realty, Inc.
0100	035.00	01.00	032.000	Suffolk Trans Mix Corp
0100	035.00	01.00	033.001	Broad Properties, Inc.
0100	035.00	01.00	034.001	Broad Properties, Inc.
0100	035.00	01.00	035.000	Hollow Properties, Inc.
0100	035.00	01.00	036.001	Broad Properties, Inc.
0100	035.00	01.00	037.000	Hollow Properties, Inc.
0100	050.00	01.00	001.001	Long Island Power Authority (LIPA)
0100	050.00	01.00	002.000	State of New York
0100	050.00	01.00	003.000	State of New York
0100	050.00	01.00	005.011	Farmingdale Theatres, Inc.
0100	050.00	01.00	005.019	Airport Plaza, LLC
0100	050.00	01.00	005.020	Airport Plaza, LLC

Source: Suffolk County GIS

**Proposed East Farmingdale Overlay Zoning District  
Part 1 – Full Environmental Assessment Form  
Attachment**

The Town of Babylon has been, from a comprehensive planning perspective, assessing potential redevelopment options for the area of the proposed Overlay District for several years. New York State also issued a Request for Proposals for the redevelopment of the above-identified State-owned property within the boundaries of Republic Airport, and recently selected a designated developer (Heatherwood Communities LLC) for that property that is proposing 495 multi-family units. In addition, a proposed 372-unit multi-family redevelopment plan for a 6.6±-acre portion of the above-identified Farmingdale Theaters, Inc. property, and a 4.1±-acre portion of the Airport Plaza, LLC property (collectively the “KRC Acquisition Corp Property”) has been submitted to the Town.

To ensure proper assessment pursuant to the New York State Environmental Quality Review (SEQR) Act and its implementing regulations at 6 NYCRR Part 617, the Town of Babylon plans to prepare a Generic Environmental Impact Statement to comprehensively evaluate the potential impacts of the establishment and implementation of the proposed Overlay District on the 113± acres that it would affect, as well as the site-specific redevelopment of both the aforesaid New York State property and KRC Acquisition Corp Property at the specific densities being proposed.

**Page 2, Item B. Government Approvals**

The specific approvals/referrals necessary for the legislative adoption of the Overlay District are noted with an asterisk in the table below. The table also includes potential approvals/referrals and permits that have been preliminarily identified for redevelopment of properties within the Overlay District, to ensure comprehensive coordinated review with potential involved agencies with jurisdiction over development within the Overlay District boundaries.

**Table 2 Government Approvals**

<b>Agency</b>	<b>Approval/Permit/Review</b>
Town of Babylon Town Board	Adoption of the East Farmingdale Overlay Zoning District,* Amendment of Zoning Map;*
Town of Babylon Planning Board	Site Plan Approval; Subdivision Approval
Town of Babylon Highway Department	Highway Work Permit
Town of Babylon Department of Public Works	Stormwater Pollution Prevention Program (SWPPP) Review and MS4 Acceptance
Town of Babylon Building Department	Building Permits / Demolition Permits
Town of Babylon Industrial Development Agency	Potential Financial Assistance
Suffolk County Department of Health Services	Sewage Disposal, Water Supply, Backflow Prevention
Suffolk County Department of Public Works and Suffolk County Sewer Agency	Sewer Connection and Sewer Availability for Sewer District No. 3 – Southwest
Suffolk County Planning Commission	239-m Referral of Overlay District* 239-f and m Review/Referral of Site Plans, etc.

Proposed East Farmingdale Overlay Zoning District  
 Part 1 – Full Environmental Assessment Form  
 Attachment

Table 2 Government Approvals

Town of Babylon Fire Marshal	Site Plan Review / Approval of fire protection systems
Suffolk County Water Authority	Water Connection and Water Availability
New York State Department of Environmental Conservation	SPDES General Permit for Stormwater Discharges from Construction Activity and Notice of Intent; Brownfield Cleanup Program (for redevelopment of New York State-owned property within Republic Airport); Potential Infrastructure Improvement Grant
New York State Department of Transportation	Highway Work Permit Amendment of Airport Layout Plan for Republic Airport (for redevelopment of New York State-owned property within Republic Airport)
New York State Empire State Development	Disposition of Property or Ground Lease Agreement
New York State Homes and Community Renewal	Potential Pro-Housing Communities grant assistance
New York State Public Authorities Control Board	Disposition of State-owned property (for redevelopment of New York State-owned property within Republic Airport)
New York State Legislature	Land Disposition Authorization
LIPA/PSEG Long Island	Electrical Utility Connection
National Grid	Natural Gas Utility Connection (potential)
Federal Aviation Administration	Determination of No Hazard to Air Navigation for subsequent development of any properties located within or adjacent to the runway protection zones for Republic Airport  Release of Airport Property; Disposition of Airport Property; Determination of Compatibility (for redevelopment of New York State-owned property within Republic Airport)

### Site Location

Proposed East Farmingdale Overlay Zoning District  
Hamlet of East Farmingdale, Town of Babylon, Suffolk County, New York



 East Farmingdale Overlay Zoning District (boundaries are approximate)

# Appendix A

ARTICLE #####  
**East Farmingdale (EF) Overlay Zoning District**

**§ \_\_\_\_\_. Legislative Intent and Purpose**

The Town Board hereby establishes the East Farmingdale Overlay Zoning District with the intent and purpose of:

Promoting economic development by encouraging land uses that support job creation and private investment, while facilitating the redevelopment of vacant, underutilized, and blighted properties. It aims to eliminate land uses that are incompatible with surrounding residential or commercial areas and to improve environmental conditions through the remediation of contaminated sites and removal of deteriorated structures. The ordinance supports the development of affordable and workforce housing to meet the needs of a wide range of residents and households and seeks to increase the availability and diversity of safe, code-compliant housing. It further establishes enforceable design standards to ensure that new development contributes positively to the community's visual character and encourages the inclusion of public amenities such as open space, pedestrian infrastructure, and community facilities that enhance the quality of life for residents.

**§ \_\_\_\_\_. Applicability;**

- (1) Parcels located within the East Farmingdale (EF) Overlay Zoning District shall retain their underlying base zoning classifications. The EF Overlay Zoning District imposes additional and supplementary land use standards and uses applicable to parcels within the district boundaries. The utilization of any parcel within the East Farmingdale (EF) Overlay District for residential purposes shall in no way be interpreted or deemed to limit, restrict, or otherwise impair the continued use, expansion, or development of any adjacent parcel for industrial uses as permitted under the applicable underlying zoning regulations, whether such uses are allowed as-of-right or by special permit.
- (2) Any parcel developed under the EF Overlay Zoning District shall require site plan review approval as per Chapter 186 of the Code of the Town of Babylon.
- (3) Continuation of Existing Uses. The continuation of any use existing and permitted at the time of the adoption of these regulations is permitted, subject to §213-22, 23.

**§ \_\_\_\_\_. District boundaries.**

The provisions of the EF Overlay Zoning District shall apply to those properties designated as such on the Building Zone Map of the Town of Babylon, Suffolk County, New York, as amended. The EF Overlay Zoning District is generally comprised of those properties fronting along the northern boundary of Republic Airport, along the east side of Broadhollow Road (NYS Route 110) from northern boundary of Republic Airport to Price Parkway/Picone Boulevard, along the southern boundary of those properties abutting the southern right-of-way of Sherwood Avenue, and along New Highway to Conklin Street.

**§\_\_\_\_\_. Adjacent Uses.**

A. Proximity to Industrial Uses. Any building, structure or land developed under these regulations which abuts a parcel used for industrial purposes as described in Article XIV G Industrial District must have a vegetated buffer of a minimum of 30 feet for front and side yards and 50 feet for rear yards, which abut said industrial use, in addition to the front and rear yard depths described in this chapter. The buffer shall be planted with a dense mix of deciduous and coniferous trees and shrubs, with at least half the stock to be a minimum of six feet when planted. Landscaped buffer areas are to be bermed, where feasible. For the purposes of this subsection, railroad tracks, train stations, and associated railroad appurtenances shall not be considered industrial uses.

B. Proximity to Hot-Mix Asphalt Facilities. Any building or structure intended for residential use that is adjacent to a parcel containing an asphalt manufacturing plant, as specified in Article XL Hot-Mix Asphalt Facilities, must be situated at least seven hundred and fifty (750) feet from the facility. This distance is measured between the nearest points of the residential building or structure and the centroid of the parcel upon which the asphalt manufacturing plant is located. The required separation distance may be reduced by 100 feet for each 10 feet of vegetative buffer. The buffer must consist of a dense arrangement of both deciduous and coniferous trees and shrubs, with at least half of the plants being a minimum of six feet tall at planting. Where possible, landscaped buffer areas should include berms.

**§\_\_\_\_\_. Permitted uses.**

Buildings within the Runway Protection Zone of Republic Airport are subject to the standards and requirements of Federal Regulation 49 CFR Part 77.

No building permit or other license or permit shall be issued for any construction subject to this section until a determination of no hazard to air navigation, or the equivalent of such determination, has been issued by the FAA covering the proposed construction. Any permits issued for such construction shall be conditioned upon the construction, including temporary construction equipment such as cranes and derricks remaining within the height limits of the plans submitted to the FAA, and upon compliance with any lighting or marking requirements specified by the FAA.

No building or premises shall be used and no building shall hereafter be erected or altered, unless otherwise provided for in this article, except for one or more of the following uses:

A. Principal uses.

(1) The following uses shall be permitted:

- (a) Multiple residences.
- (b) Shops and stores for the sale of retail or consumer merchandise and services.
- (c) Personal service shops such as barbershops, beauty parlors.
- (d) Banks, financial institutions.
- (e) Offices, including medical offices.
- (f) Theaters, including movie theaters and performing arts theaters.
- (g) Health clubs.

- (h) Entertainment uses.
- (i) Restaurants having 16 or fewer seats.
- (j) Educational uses.
- (k) If a use is not listed but is substantially similar in nature and impact to a permitted use, the Planning Board may interpret the use as permitted. Such unlisted use is subject to any use-specific conditions applicable to the similar permitted use.

(2) In addition to the requirements of Chapter 156 - Noise, within any mixed use or residentially used building a noise study may be required by the Department of Environmental Control for any uses that may negatively impact residential or assisted living units. As may be applicable, noise mitigation measures may be required for project approval.

**B. Accessory uses.**

- (1) Accessory uses are allowed only in connection with lawfully established principal uses. The following accessory uses, and no other, shall be permitted:
  - (a) Off-street parking and loading, including parking structures.
  - (b) Open space or plaza areas accessible to the public.
  - (c) Signs, subject to the provisions of § 213-541.
  - (d) Temporary outdoor displays, subject to the provisions of § 213-543.
  - (e) Other customary accessory uses and buildings, provided that such uses are incidental to the principal use, but such uses shall not include any activity conducted as a business.

**§ \_\_\_\_\_. Uses permitted by special permit.**

- (1) The following uses are permitted only when authorized by the Planning Board pursuant to Article XXVI of this chapter, following a public hearing:
  - (a) Restaurants/dining establishments with greater than 16 seats.
  - (b) Craft or micro-brewery, as licensed by the New York State Liquor Authority.
  - (c) Assisted living facilities.

**§ \_\_\_\_\_. Lot and Bulk Requirements**

- A. Building Height. No building or structure hereafter erected or altered shall exceed five stories with a maximum height of 55 feet. Notwithstanding the maximum building height, the following exceptions are permitted:
  - (a) Parapets, not exceeding four feet in vertical distance from the base to the highest point.
  - (b) Stairwell or elevator bulkheads, water tanks, chimneys, heating and air-conditioning apparatus, or other mechanical equipment projections occupying less than 10% of the area of the roof and not exceeding 12 feet in vertical distance from base to the highest point.

- (c) Safety railings or walls required by the New York State Building Code to enclose outdoor living space or decks, not exceeding the minimum height required by the New York State Building Code.
- B. No building shall be erected or altered on a lot having an area of less than 10 acres. To meet this requirement, adjoining parcels that are within the district may be assembled or merged.
- C. Lot width. No building shall be erected on a lot having a width of less than 200 feet at the front street line.
- D. Building area. The total building area shall not exceed 70% of the lot area.
- E. Residential density. The maximum residential density shall be 40 units per acre in a residential-only development and 32 units per acre in a mixed-use development. Up to one unit that is maintained as a permanent model not available for lease may be excluded from this limit.
- F. Dwelling unit size. The minimum dwelling unit size shall be 500 square feet.
- G. Front yards.
  - (1) There shall be a front yard having a depth of not less than 15 feet.
  - (2) Balconies, patios and porticos may encroach no more than 5 feet into the required yard.
  - (3) Where a private street or road is provided on the site in an EF District, the front yard setback shall be measured from the established curblines of the unobstructed right-of-way.
  - (4) Corner lots shall designate front, rear, and side yards.
- H. Side yards.
  - (1) There shall be two side yards. The aggregate width of the two side yards shall not be less than 30 feet, and neither side yard shall be less than 10 feet. When abutting a parcel utilized for industrial uses, the minimum side yard setback shall not be less than 30 feet.
- I. Rear yards.
  - (1) There shall be a rear yard having a depth of not less than 25 feet. When abutting a parcel utilized for industrial uses, the rear yard shall not be less than 50 feet.

**§\_\_\_\_\_. Landscaping.**

There shall be suitable landscaping, vegetated buffers, trees, and screen plantings as determined by the Planning Board. There shall be a planting strip of not less than ten feet provided along the side and rear yard perimeter lot lines, except where such requirements are greater as further described within this Article. All landscape buffers are to be a mix of evergreen plantings and a minimum of 6' in height at time of planting. Landscaped buffer areas are to be bermed, where feasible.

**§ \_\_\_\_\_. Affordable housing.**

Projects with five or more residential units shall be required to designate 20% of the units as workforce/affordable housing. These units are to be distributed equally throughout the site. A minimum of half of these affordable/workforce units shall be targeted to qualified households making 80% or less of the Suffolk County HUD income limits, which are updated annually. The remaining half may be offered to households making up to 110% of the Area Median Income, as defined by HUD. A recognized affordable housing provider shall be engaged by the owner/applicant to oversee the affordable housing component. Proof of such engagement shall be provided to the Town's Planning Department. Affordable units can be offered at multiple tiers to create more inclusive and diverse options.

**§ \_\_\_\_\_. Off-street parking.**

- A. Off-street parking standards. Off-street parking requirements shall be in conformity with those requirements set forth in Article XXIII of this Chapter, except the following:
- (1) Multiple residences: off-street parking spaces shall be provided for each dwelling unit at a minimum rate of: one space for each studio or one-bedroom unit; 1.5 spaces for each two-bedroom unit; 1.75 spaces for each three-bedroom unit with 0.5 spaces for each additional bedroom.
  - (2) Retail stores, shops, and personal service establishments: not less than one space for each 300 square feet of gross floor area.
  - (3) Offices, banks, or financial institutions, not including medical offices: not less than one space for each 250 square feet of gross floor area.
  - (4) For every twenty (20) standard automobile parking spaces required, at least one (1) designated electric vehicle (EV) parking space with a Level 2 charging station shall be provided. EV parking spaces shall be clearly marked and reserved exclusively for electric vehicle use. All EV charging infrastructure shall comply with applicable building, electrical, and accessibility codes.
  - (5) Bicycle parking shall be required for a minimum of ten (10) bicycles for all mixed-use and residential developments. Bicycle racks must be securely installed in a visible, accessible location that does not impede pedestrian flow or building access.

**B. Shared Parking.**

This provision applies to any building or structure in the overlay district where two or more property owners or tenants agree to share parking facilities.

**(1). Eligibility Criteria**

- a) Proximity: Shared parking facilities must be located within 500 feet walking distance of all participating uses, measured from the primary entrance of each use to the nearest parking space.
- b) Accessibility: Shared parking must be accessible to all participating uses at all relevant times, with clearly defined pedestrian connections and signage.

- c) Use Compatibility: Shared parking is permitted only where parking demand patterns of the participating uses do not substantially overlap. For example, residential uses with peak demand in the evening may share with retail or office uses with daytime demand.

(2). Shared Parking Study Requirement

A shared parking analysis must be submitted to the Planning Board as part of the site plan review application. The study must include:

- a) Identification of each use's parking demand based on ITE;
- b) An hourly demand analysis showing combined peak usage;
- c) A demonstration that the shared supply will accommodate total demand across all time periods;
- d) Justification for any proposed reduction in total required parking; and
- e) A description of operational arrangements, including access control and security.

(3). Shared Parking Agreement

A legally binding Shared Parking Agreement is required and shall:

- a) Be executed by all participating property owners and/or tenants;
- b) Clearly define the terms of the shared arrangement, including number and location of shared spaces, hours of access, maintenance responsibilities, signage, and snow removal;
- c) Grant reciprocal access easements, if applicable, to ensure uninterrupted use;
- d) Be reviewed and approved by the Town Attorney;
- e) Be recorded with the County Clerk prior to issuance of a certificate of occupancy for any participating use.

(4). Parking Reduction Allowance

Based on the shared parking study and subject to Planning Board approval, the total number of required parking spaces may be reduced by up to 30%. Additional reductions may be considered upon demonstration of proximity to public transit, use of transportation demand management (TDM) strategies, or provision of on-site bicycle or micromobility infrastructure.

§ \_\_\_\_\_. Site Plan Review.

In any case where site plan approval is required for property within the EF Zoning District, the Planning Board of the Town of Babylon shall review the architectural design of structures and buildings, pursuant to the design considerations listed in \_\_\_ of this article. In reviewing for architectural design, the Planning Board shall utilize submittals made pursuant to Chapter 186. Each application shall include at least one colored rendering. The Planning Board, as part of its review, may require an applicant to provide additional architectural design, elevations, or other information it shall determine.

**§ \_\_\_\_\_. Design Considerations.**

The quality of the built environment and its relationship to the natural landscape is a key indicator of quality of life. The objective of the design considerations for the EF Zoning District is to provide high quality and complementary design of buildings, landscaping, parking, and other site and building design characteristics. Special emphasis is placed upon methods that reduce the large-scale visual impact of buildings and encourage tasteful innovative design for individual buildings.

**§ \_\_\_\_\_. Building exteriors.**

In an EF District, all walls of buildings shall be finished with face brick, stone, cementitious siding or panels, metal paneling, wood, glass, precast concrete finished with an attractive surface or their equivalent, as approved by the Planning Board. No unpainted or unfinished metal or galvanized metal sidings shall be permitted for any exterior walls or roofs.

**§ \_\_\_\_\_. Signs.**

In order to promote the goals of the East Farmingdale Zoning Overlay District and ensure design quality, the following specific sign regulations are required. These specific requirements shall be in addition to the general requirements set forth in Article XXXIII, Signs, of this chapter. If this subsection is silent on an issue of signage, Article XXXIII or any other duly enacted local law regulating signs shall govern. In the event of conflict between this section and Article XXXIII of this chapter, this section, along with any subsequent design guidelines adopted by the Planning Board of the Town of Babylon shall govern.

**A. Permitted signs**

- (1) Building identification signs. A sign which identifies a business, industry, service or attraction conducted upon the lot on which the sign is displayed shall conform to the following requirements:
  - (a) There shall be no more than one wall sign or entrance sign per wall. No wall sign shall exceed three square feet per linear foot of wall width; however, in all cases, the sign must not be longer than 75 feet or taller than 8 feet.
  - (b) The sign shall not be wider than the building upon which it is placed.
  - (c) The sign or any part thereof, including lighting devices and reflectors, shall not project more than one foot from such wall, but in no case shall extend into any right-of-way.
  - (d) The sign shall not extend higher than the roof of any building.

**§ \_\_\_\_\_. Building separation.**

There shall be a minimum distance of twenty feet between all buildings erected upon the same lot or plot under the provisions of this article. This minimum separation distance shall not apply to structured parking that is adjacent to a building(s), where the design of the building is intended to screen or minimize views of the structured parking, or the arrangement of buildings adjacent to structured parking otherwise results in a benefit to the visual character of the site.

§ \_\_\_\_\_. **Stormwater Management.**

No building shall hereafter be erected unless a drainage plan providing for the collection, storage and disposal of stormwater runoff according to the performance and design criteria established in Chapter 189 of the Code of the Town of Babylon has been approved by the Planning Board. Green infrastructure and runoff reduction strategies shall be included in any site development.

§ \_\_\_\_\_. **Trash/Dumpster Enclosures**

Trash/dumpster areas shall be screened by an enclosure (such as wood fences, chain-link fences, vinyl fences, or masonry enclosures), as well as sufficient landscaping. Such screening shall be aesthetically pleasing, as well as durable to the satisfaction of the Planning Board as determined during site plan review. A solid waste management plan shall be prepared for each development, to be approved by the Department of Environmental Control of the Town of Babylon.

§ \_\_\_\_\_. **Exterior lighting.** Outdoor lighting fixture shall satisfy the following requirements:

All parking areas, entries, corridors, passages, utility areas and front landscaping must be provided with adequate lighting for safety purposes. All on-site lighting shall be dark sky compliant. Lights shall be so adjusted as not to shine into adjacent properties. Lights must be controlled by a time clock or positive photocell switching so as to ensure adequate lighting during all dark hours.

§ \_\_\_\_\_. **Community Benefit Contribution Requirement.**

A. **Applicability**

Any Development Parcel located within the East Farmingdale Overlay Zoning District and approved for Multi-Residential or Mixed-Use development shall be subject to a Community Benefit Contribution, as defined herein.

B. **Contribution Formula**

- (1) For each Development Parcel subject to this Section, the Community Benefit Contribution shall be calculated at the time of site plan review based on the total number of residential dwelling units within the parcel.
- (2) For any Development Parcel that commences vertical construction after the effective date of this [ARTICLE #####], and for any Development Parcel that commences construction before the date which is five (5) years from the effective date of this [ARTICLE #####], the Community Benefit Contribution shall equal: \$3,000.00 per residential units.
- (3) Beginning on the date which is five (5) years from the effective date of this [ARTICLE #####], and for each successive five (5) year period thereafter, the per-unit contribution amount shall increase by \$250.00 per residential unit.

C. **Payment Schedule**

The Developer shall remit the Community Benefit Contribution to Town of Babylon Local Development

Corporation II (LDCII) as follows:

- (1) Fifty percent (50%) shall be due at the time of building permit issuance for the construction of the multifamily residence building.
- (2) Fifty percent (50%) shall be due upon the issuance of a Certificate of Occupancy for the building.

D. Use of Fees

All funds derived from the community benefit contribution shall be allocated exclusively to projects and programs located within the East Farmingdale community that are intended to mitigate the impacts of development. Such projects and programs shall be identified through public input from residents and as set forth in the findings of the State Environmental Quality Review Act (SEQRA) analysis.

**§ \_\_\_\_\_. Severability; conflicts with other provisions**

- A. If any section, provision or part thereof in this article shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the article as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.
- B. If any portion of this article is found to be in conflict with any other provision of any other local law or ordinance of the Code of the Town of Babylon, the provision which establishes the higher standard shall prevail.