

APPENDIX A

POSITIVE DECLARATION



RESOLUTION NO. 258 APRIL 26, 2011
TOWN BOARD ENVIRONMENTAL DETERMINATION
PLANNING BOARD JOB #11-05ACE, NEW FRONTIER II, LLC
APP. #91896 E/S BROADWAY, 127.77' N/O NATHALIE AVENUE, AMITYVILLE, NY
SCTM #0100-163-01-54, 55, 56, 57 AND
SCTM #0100-164-02-2, 5, 9, 10 AND 25

The following resolution was offered by Councilwoman McVeety
and seconded by Councilwoman Gordon:

WHEREAS, the Town Board of the Town has received an application from New Frontier II, LLC, c/o Mr. James F. Gaughran, Attorney, 191 New York Avenue, Huntington, New York 11743-2711; and

WHEREAS, the applicant proposes to rezone nine (9) parcels zoned Business E and Residence B to a Multiple Residence Use District and construct 500 units (213 one-bedroom and 287 two-bedroom units), 45,500 sq. ft. of proposed retail space, and associated site improvements; and

WHEREAS, the application includes the subdivision of the nine (9) parcels into five (5) for the purpose of a five (5) phased development. The nine (9) parcels total 20.26 acres; and

WHEREAS, each phase shall require site plan review and approval from the Planning Board and all site plans will be fully engineered plans as per Planning Board specifications; and

WHEREAS, a Stormwater Pollution Prevention Plan (SWPPP) shall be required for each approved site plan/development phase; and

WHEREAS, a full coordinated review was conducted in accordance with Chapter 114-6 Town of Babylon Environmental Quality Review Act (TOBEQRA) for the proposal; and

WHEREAS, there was no request received from any Involved Agencies for Lead Agency status; and

WHEREAS, the Town Board of the Town of Babylon hereby assumes Lead Agency for this project; and

WHEREAS the Town Board of the Town of Babylon has reviewed the proposal in accordance with Section 114-7 TOBEQRA, Criteria for Determining Significance and determined the following:

1. The proposal involves a significant change in existing land use at the subject location. The redevelopment of the site will result in the construction of 500 residential housing units and 45,500 sq. ft. of retail space.
2. The project involves a number of phases which must be considered in the overall analysis in connection with potential significant adverse environmental impacts. These separate phases will have common and cumulative impacts.
3. The proposal may result in secondary impacts to area roads.
4. Drainage and sediment and erosion control impacts must be analyzed for the overall project and more specifically for each phase through the preparation of Stormwater Pollution Prevention Plans (SWPPPs).
5. The proposal will change the existing community character of the site. Social impacts in connection with relocation must be examined.
6. The proposal is a significant development, 500 residential units, 45,500 sq. ft. of retail space and associated site improvements on the 20.26 acre site. Based on the magnitude of the project, the phasing of the development and potential secondary environmental impacts, the preparation of a Generic Environmental Impact Statement is appropriate for this project.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon, as Lead Agency, hereby issues a Positive Declaration to require the preparation of a Draft Generic Environmental Impact Statement for the proposal by New Frontier II, LLC in accordance with the State Environmental Quality Review Act (SEQRA).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.