SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT
APPLICATION FOR CHANGE OF ZONE AND SITE PLAN APPROVAL FOR
WILLOUGHBY COMMONS
HAMLET OF WHEATLEY HEIGHTS, TOWN OF BABYLON, COUNTY OF SUFFOLK

PROJECT LOCATION: 16.09± acres located at 201 Main Avenue, hamlet of Wheatley Heights, Town of Babylon, Suffolk County, New York

SUFFOLK COUNTY TAX MAP NUMBERS: District 100 – Section 13 – Block 2 – Lots 39.20 through 39.49 and part of 39.51

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AVAILABILITY OF DOCUMENT: This document is a Supplemental Draft Environmental Impact Statement (SDEIS) prepared by the above-referenced Applicant. Copies are available for public review and comment at the offices of the Lead Agency. This SDEIS is also available electronically at http://www.townofbabylon.com/index.aspx?NID=211

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DATE OF ACCEPTANCE: **May 17, 2017**

COMMENT DEADLINE: **June 26, 2017**

Table of Contents

List of Appendices

List of Figures

List of Tables

1.0

Executive Summary

Introduction

This document is a Supplemental Draft Environmental Impact Statement (SDEIS) prepared in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 New York Codes, Rules and Regulations (NYCRR) Part 617.9 (a) for the action contemplated herein. The proposed action consists of requests for a change of zone, site plan, and other approvals for development of a 264-unit rental residential community, to be known as Willoughby Commons (the "proposed project" or the "proposed development"). The proposed project involves the development of the Willoughby Commons residential community on approximately 16.09 acres, located north of Colonial Springs Road/Main Avenue, east of North 28th Street, and west of Lee Avenue/North 23rd Street, in the hamlet of Wheatley Heights, Town of Babylon, Suffolk County (the subject property, subject site or site). The subject property is situated within the Residence A Zoning District of the Town of Babylon (Town), and is designated as Suffolk County Tax Map (SCTM) Nos. 0100-013.00-02.00-039.020 through 039.049 and part of 039.051. As part of the proposed action, the subject property would be rezoned from the Residence A to the Multiple Residence (MR) Zoning District. In connection with the request for site plan approval, and as a condition of the proposed change of zone, the proposed action would possibly involve a subdivision or partial abandonment of the portion of SCTM No. 0100-013.00-02.00-039.051 located on the subject property. Finally, the proposed action involves a request for relief from Town Planning Board covenants associated with the previously filed and approved subdivision located on the subject property and on contiguous property owned by the Applicant to the north to allow for development of the subject property with a multi-family rental residential community.

This SDEIS has been prepared for an amended application involving the subject property. To ensure that the SDEIS addresses all significant issues, the Town of Babylon Town Board (Town Board), as lead agency, adopted a Positive Declaration on April 26, 2017. The issues that were identified in the Positive Declaration, and are addressed in this SDEIS, include: water resources; land use, zoning and community character; transportation; and community services and facilities. In addition, the SDEIS provides a discussion of potential construction-related impacts.

The subject property has been the focus of previous applications (further described below), including a Draft Environmental Impact Statement (DEIS) that was prepared in 2004 (the "2004 DEIS") and a Voluntary Supplemental Draft Environmental Impact Statement, which was prepared in 2015 (the "2015 VSDEIS"). The Town issued comments on the 2015 VSDEIS, which are addressed in this SDEIS, where applicable to the current iteration of the proposed project.

This Executive Summary is designed solely to provide an overview of the proposed project, a brief summary of the potential adverse impacts identified and mitigation measures proposed, as well as alternatives considered. Review of the Executive Summary is not a substitute for the full evaluation of the proposed project performed in Sections 2.0 through 9.0 of this SDEIS.

Existing Site Conditions

The subject property is bounded by Colonial Springs Road/Main Avenue to the south, North 28th Street to the west, North 23rd Street to the east, and Lee Avenue to the north. The subject property is currently developed with agricultural uses and related commercial uses. The Applicant also owns a parcel of agricultural land to the north and two adjacent parcels south of the subject property, along Colonial Springs Road/Main Avenue that contain a single-family residence (SCTM No. 0100-013.00-02.00-009.000) and the Colonial Springs Farms and Nursery, which consists of a barn, and associated appurtenances (SCTM No. 0100-013.00-02.00-039.050). These out-parcels total approximately 18.9 acres, and are not included as part of the proposed development. A 2.70±-acre Town storm surge/retention basin, although not included in the subject property acreage, is located north of the subject property. In the existing condition, the 16.09±-acre subject property consists of undeveloped fields used for agricultural purposes and several small accessory sheds and structures. As noted above, the entire subject property is situated within the Residence A Zoning District of the Town.

Site and Project History

The subject property has been an agricultural use since 1923. In the mid-1970s, the Town condemned approximately 2.70± acres (formerly of the subject property) for the development of a surge basin. The Applicant has owned the property since the 1980s

and has been utilizing the property for agricultural purposes, including wholesale and retail uses, continuously throughout that time.

A DEIS was accepted by the Town Board of the Town of Babylon for a proposed action on the subject property on February 10, 2004. The proposed action therein addressed a change of zone on 32.92 acres of the overall 34.80-acre property from Residence A to SCMR and MR. The property was originally proposed to be subdivided into two parcels of approximately 1.88 acres (Parcel A, which was to remain zoned as Residence A, and was to continue to house the existing barn and residential dwelling) and approximately 32.28 acres (Parcel B – approximately 16.61 acres thereof was to be rezoned to SCMR for the development of 264 one-bedroom, senior citizen apartments, and approximately 15.67 acres thereof was to be rezoned for MR for the development of 21 single-family dwellings and 128 apartments). The originally proposed action was to be served by an on-site sewage treatment plant (STP). The aforesaid DEIS included, among other things, the analysis of a 58-unit standard subdivision with on-site sanitary systems.

Significant public controversy ensued, and a Final Environmental Impact Statement (FEIS) was prepared and filed on June 21, 2005. The most significant comments related to impacts from the STP, assertions that the density was too high and the "downzoning" and development would adversely impact the character of the community (land use patterns), the development would cause adverse traffic impacts, and there would be adverse impacts to the school district. Based upon the comments on the DEIS, the FEIS presented a modified proposed action (similar to the aforesaid standard subdivision with on-site sanitary systems). A "Town Board Environmental Determination and Environmental Findings" was adopted on August 9, 2005 (hereinafter the "Findings"). The Findings determined, among other things, that the 56-lot modified proposed action (55 lots to be developed for single-family dwellings) was the alternative that would mitigate significant adverse impacts to the maximum extent practicable. The final approved action was a 56-lot subdivision alternative, which was filed and approved February 5, 2007.

The 2015 VSDEIS contemplated a change of zone on the overall 31.96±-acre subject property and redevelopment of the southern 16.44±-acres, which excluded the Applicant's contiguous parcels to the south that were part of the 34.80±-acre property that was the subject of the 2004 DEIS, and the offer to preserve the Applicant's contiguous property north of the subject property under the Suffolk County Farmland Protection Program. The Town issued a Positive Declaration with respect to the 2015 VSDEIS, and requested additional analysis. Since the 2015 VSDEIS, the proposed preservation offer for the Applicant's contiguous property north of the subject property has expired, resulting in the current proposal (see the description of the current proposal in the following subsection).

Project Description

The proposed project consists of an amended application for the change of zone from Residence A to MR on the 16.09-acre subject property, and, as detailed above, site plan approval and a request for associated variances for the redevelopment of the subject property as a residential rental community.

Specifically, the proposed development consists of the construction of the following:

- 264-residential units (i.e., 36 two-bedroom units (ranging from 1,380 square feet [SF] to 1,650 SF) and 228 one-bedroom units (ranging from 900 SF to 1,340 SF) within 23 buildings
- a 6,400 ± SF community building for residents
- 25-foot by 45-foot outdoor swimming pool
- a 228± SF pump station
- Two entrance booths
- 560 paved parking spaces, including 38 handicapped spaces; driveways and garages
- Additional site amenities, including landscaped common areas

The proposed landscaping would minimize fertilizer, pesticide and/or herbicide application to the extent practicable. On-site lighting would be installed for security and site aesthetics. All lighting would be dark-sky compliant. Proposed buildings would have fully automatic fire sprinkler systems and fire alarms in accordance with all applicable regulations. In addition, the site would have fire hydrants and fire mains. The overall residential community would comply with New York State handicapped accessibility regulations, including ramps and parking.

Existing and proposed site data for the subject property is shown in the table below.

Existing and Proposed Site Data

	Existing		Proposed	
Development Type	Area (Acres)	Percent of the Subject Property	Area (Acres)	Percent of the Subject Property
Impervious Surfaces (i.e., Buildings, Pavement, and Roadway)	0.02	0.1%	12.96	80.5%
Agricultural Areas	16.07	99.9%	0	0
Forested Areas	0	0	0	0
Wetlands	0	0	0	0
Landscaping	0	0	3.13	19.5%
TOTAL:	16.09	100	16.09	100

The proposed project would connect to the Suffolk County Southwest Sewer District No. 3 (Southwest SD). The Southwest SD currently serves portions of the Towns of

Islip, Babylon, and a small area of Huntington. The Bergen Point wastewater treatment plant (WWTP) serving the District, was designed to provide secondary wastewater treatment for an average daily flow of 30 million gallons per day (MGD) plus a scavenger waste flow of 0.5 MGD. The estimated population of the sewer district was approximately 340,000 people as of 2012.[1]

Currently the proposed project is outside the service area of the District, therefore a 228±-SF pump station is proposed on-site at the southeastern corner of the proposed project site to allow for connection to the Southwest SD. According to a response provided by the Suffolk County Department of Public Works (SCDPW), the District has the capacity available for the out-of-district connection. Connection of the pump station to Southwest SD infrastructure would be via a 3,600-linear foot (LF) proposed low-pressure force main that would be routed south on North 23rd Street and east on Washington Avenue and connect to a Suffolk County Sewer Manhole on North 15th Street, south of Washington Avenue. It is anticipated that the Applicant's proposed connection of the subject property would also allow for surrounding businesses and residences to connect to the Southwest SD.

According to §740-45(C) of the Suffolk County Code,[2] since the proposed residential project consists of ten or more units, and would be connecting to the Southwest SD, the proposed housing development would be required to set aside no less than 15 percent of the units as affordable housing for homebuyers or renters whose income does not exceed 80 percent of the United States Department of Housing and Urban Development (HUD)-established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size. Based on data provided by HUD, the median income for the Nassau-Suffolk, NY HUD Metro Fair Market Rent (FMR) Area is $106,200.[3] Therefore, families with incomes of $84,960 or less (i.e., 80 percent of $106,200) would be eligible for the proposed affordable housing. Housing is defined as affordable by HUD if an occupant spends no more than 30 percent of the household income on such housing.[4]

As part of the proposed project, 20-percent (i.e. 54 units) of the 264 units, to be located throughout the proposed development, would be set aside as affordable housing with monthly rents that would be lower than those required by the above standards, and thus, the proposed project would provide a greater quantity of affordable housing than required by the Suffolk County Code.

Water would be supplied to the site via connection to the Suffolk County Water Authority (SCWA) infrastructure. Anticipated potable water demand is 63,330± gallons per day (gpd), based upon sanitary flow, with an additional 20,500± gpd utilized approximately every third day for irrigation purposes during the growing

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[1] Suffolk County Department of Public Works, Sewer District No. 3 Southwest Sewer District Service Area Expansion Feasibility Study (project fact sheet) (accessed January 2017); available from http://www.suffolkcountyny.gov/Portals/0/publicworks/SewerExpansion/Southwest_Sewer_District_Fact_Sheet_2-16-12.pdf.

[2] As amended by Suffolk County Legislative Resolution 239-2017, approved April 25, 2017.

[3] U.S. Department of Housing and Urban Development, *Fair Market Rent FY 2016 and Income Limit FY 2016 Summary System* (accessed January 2017); available from https://www.huduser.gov/portal/datasets/il.html.

[4] U.S. Department of Housing and Urban Development, *Affordable Housing* (accessed November 2016); available from http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/.

season. Water saving plumbing fixtures would be installed to minimize water demands.

Based upon the proposed uses, the anticipated sewage flow has been calculated at 63,330 gpd. A 228±-SF pump station is proposed on-site, at the southeastern corner of the proposed project site, to allow for connection to the Southwest SD. According to the SCDPW, the District has the capacity available for the out-of-district connection.

The stormwater management system is proposed to be composed of a network of over 100 leaching basins, with a depth of 14-feet each. Prior to commencement of construction, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared and implemented, and would include erosion and sedimentation controls, water quality calculations, and detailed descriptions of the methods by which stormwater would be accommodated. Based on Town requirements for storage for a two-inch rainfall, projected stormwater runoff volumes for the proposed development have been calculated at 97,499± cubic feet (CF).

Based upon the proposed uses, the anticipated solid waste generation would be 18± tons per month. Solid waste would be collected and disposed of by the Town-contracted carter, pursuant to the Town licensing agreement with the Town-contracted carter, and in accordance with all applicable Town procedures.

The subject property is located within the service area of PSEG Long Island for electrical services and National Grid with respect to natural gas.

Purpose, Needs and Benefits

The purpose of the proposed project is to redevelop a privately-owned, residentially zoned property, which is currently used for agricultural and related commercial uses, to a residential use pursuant to the proposed MR zoning district. The Applicant has designed a development to create a community with a mix of residential units and agricultural and natural areas. The proposed project would be developed to integrate with the surrounding community and to meet housing needs for various demographic segments (and income levels) of the Town, as identified in both Town and Suffolk County (County) planning documents.

The proposed project, which would include 264 rental apartment units, with a 20 percent affordable component, as noted in Section 2.4 of this SDEIS, would increase the available affordable housing stock to provide housing for, and retain, workers in the County and on Long Island, and ensure that a variety of demographic groups have access to quality housing. In addition, the proposed project would include the expansion of wastewater infrastructure to support new development by connecting to the Southwest SD with an out-of-district connection, which would aid in providing sustainable economic development to surrounding businesses and residences. The proposed project has also been designed to be protective of ground and surface water resources. Measures would be taken to protect groundwater and to ensure

compliance with applicable prevailing codes and regulations. Such measures, for example, include the aforementioned connection to the Southwest SD to ensure proper wastewater treatment.

According to an evaluation of the proposed project by Mr. John J. Breslin, Jr., President of Breslin Appraisal Co., Inc. (the "Breslin letter"), other recent higher density apartments in downtown areas have stimulated revitalization efforts to these once economically declining downtowns (e.g., Patchogue, Farmingdale and currently underway in Wyandanch). Although the area surrounding the subject property is not a downtown area, there is an overall benefit that could potentially occur, as the proposed development could work in conjunction with the Wyandanch Rising project to stimulate this portion of the Town. Furthermore, there is a lack of quality rental housing available to satisfy the needs of the overall society. The new downtown centers noted above have proven that when quality rental housing developments are created, they tend to fill quickly and benefit the surrounding community.

With respect to the proposed project's provision of rental housing, a report by the Regional Plan Association (RPA), *Long Island's Rental Housing Crisis* (*LI Rental Housing*), indicated that rental housing is critical on Long Island in order to attract and retain a talented workforce, some of whom may not be able to afford to own, or may prefer to rent in order to remove the stress of home ownership. Moreover, American Community Survey data from the US Census Bureau indicates that only 20 percent of occupied housing units on Long Island are rentals, and that the hamlet of Wheatley Heights has fewer rental housing units available, proportionately, than in the overall Town.

Furthermore, the proposed project would promote pedestrian friendly development with housing options for a range of demographics. The proposed project, while not in a downtown area, is proximate (i.e., walking distance – less than 300 feet) to the post office and a strip retail center. It is also centrally located to existing public transportation (i.e., bus stops), which provides access to existing shopping areas and work centers without generating additional traffic.

Finally, implementation of the proposed project would also enhance the tax base through redevelopment of existing uses that are generating a minimal amount in property tax revenue. Approximately $1,269,766 in annual property tax revenues would be generated by the proposed project, which represents a $1,268,962± increase over the existing condition, including $792,693± generated for the Half Hollow Hills Central School District (CSD), which includes the schools and the library (an increase of $792,192± over the existing school district property taxes). The new development is expected to enhance this area of the Town and hamlet of Wheatley Heights and is expected to add to the area's attractiveness and marketability of housing space.

Construction Project Phasing

The proposed project is expected to be constructed in two phases. Phase 1 would include the construction of 132 units, the community building, pump station, while the remainder of the proposed units would be constructed in Phase 2, and completed by 2019 for a total construction period of approximately two years. Phasing of installation of the sewer line extension would be determined by consultations with Suffolk County. A construction entrance would be established on North 28th Street in a location determined through consultation with the SCDPW and the Town. All requirements of the County and the Town would be followed during the course of site construction.

Required Permits and Approvals

The following permits and approvals are required for implementation of the proposed project:

Required Permits and Approvals

Agency	Required Permit/Approval
Town Board	Change of Zone
Town Planning Board[1]	Site Plan Relief from Willoughby Commons Single-Family Residential Subdivision Covenants
Town Board of Appeals	Variances for density of units and front and rear yard setbacks
Town Department of Public Works	Curb Cuts
Suffolk County Water Authority	Water Connection
Suffolk County Department of Health Services	Sanitary, Stormwater
Suffolk County Sewer Agency	Out-of-district sewer connection
New York State Department of Environmental Conservation (NYSDEC)	Notice of Intent-SWPPP; SPDES General Permit for Stormwater (GP-0-15-002)

Note = [1] = In connection with the request for site plan approval, and as a condition of the proposed change of zone, the proposed action would possibly include a subdivision, or abandonment of, the portion of SCTM No. 0100-013.00-02.00-039.051 that is located on the subject property.

Probable Impacts and Mitigation Measures

Water Resources

Groundwater

Based upon published data and site inspections, regional groundwater in the vicinity of the subject property is expected to flow to the southeast, and groundwater beneath the subject property ranges from approximately 12 to 25 feet below grade surface (bgs).

The subject property is located within Hydrogeologic Zone I, according to the *Long Island Comprehensive Waste Treatment Management Plan* (the *208 Study)* and Groundwater Management Zone (GWMZ) Zone I, as designated by the Suffolk County Sanitary Code (SCSC), which both indicate its location within a deep groundwater recharge area. Further, the subject property is designated by the *Long Island Comprehensive Groundwater Protection Area Plan* (*SGPA Plan*) as being within the West Hills/Melville Special Groundwater Protection Area. Thus, the proposed project is located in an area that is important with respect to groundwater recharge and measures would be taken to protect groundwater and to ensure compliance with these plans and regulations. The proposed project would be consistent with the prevailing codes and regulations, of the SCSC Articles 6, 7 and 12, as well as with other relevant groundwater studies, including the *Final Long Island Groundwater Management Program (LI Groundwater Management Program),* the *Suffolk County Comprehensive Water Resources Management Plan (Comprehensive Water Resources Plan),* the *Nonpoint Source Management Handbook (the Handbook),* and the *Long Island Segment of the Nationwide Urban Runoff Program (NURP Study)*. Thus, no significant adverse impacts to groundwater resources are anticipated.

Sewage Disposal

As the subject property is currently utilized as farmland, and is not developed with any habitable structures, there is no sewage generation directly related to this area. The proposed Willoughby Commons would connect to the Southwest SD as an out-of-district connection to accommodate sanitary waste generated by the proposed development. The anticipated quantities of sanitary waste to be generated by the proposed project are estimated at 63,300± gpd.

Sanitary waste would be transmitted to the Southwest SD for treatment via an on-site pump station and sanitary connections that would be constructed in accordance with all applicable Suffolk County Sewer Agency requirements. Sanitary waste would be transmitted to the Southwest SD for treatment via an on-site pump station and a proposed sewer line extension, consisting of a low-pressure force main, that would be constructed in accordance with all applicable Suffolk County Sewer Agency requirements. Due to the specifications of the force main, the depth of the pipe could be maintained at approximately 3.5 feet below existing grade, eliminating the need for deep excavation. The sewer line extension would be routed underground from the pump station on the subject property south-southeast along North 23rd street until Washington Avenue; would continue east along Washington Avenue until North 15th Street; and then would be routed south along North 15th Street to the existing Southwest SD sewer manhole. The location of the sewer line extension route has been chosen to minimize potential impacts to residents and traffic. In addition, according to correspondence from the SCDPW, dated September 18, 2014, the Southwest SD has sufficient capacity to accommodate an out-of-district connection to the subject property. Overall, no significant adverse impacts associated with sewage disposal are expected.

Water Supply

The current water supply for the subject property is from two irrigation wells that are located on the Applicant's adjacent out-parcels. As the water is used for crop irrigation, the water usage peaks in the months of July, August and September. The Applicant estimates water usage at approximately 2.3 million gallons during these months. Water usage varies the remainder of the year, and there is some potable water use of SCWA supplies, associated with the Applicant's adjacent out-parcels, which currently supplements the aforementioned use of the irrigation wells. Upon implementation of the proposed project, the Willoughby Commons development would connect to the SCWA system for all water supply needs. Willoughby Commons is expected to use an estimated 63,300± gpd of potable water, or 23.1 million gallons per year, which represents approximately 0.03 percent of SCWA's annual pumpage. In addition, the proposed project would use approximately 20,500 gpd every three days for irrigation purposes. Thus, maximum daily water demand during the irrigation season is expected to be approximately 83,800 gpd. In order to minimize water demand, the proposed landscaping would consist of native and low-maintenance plant species to the maximum extent practicable. As such, it is expected that actual water usage for irrigation purposes would be less than that estimated. In addition, the proposed buildings would incorporate low-flow, water-saving fixtures, to the maximum extent practicable. Overall, no significant adverse impacts associated with water usage are expected.

Stormwater Runoff

Based on existing conditions on the southern portion of the overall subject property (runoff coefficients of 1.00 for the existing building and paved areas and 0.15 for the existing farm/natural area), the total volume of stormwater runoff generated at the subject property is 17,935 CF. Currently, there are no structural controls (e.g., drywells) on the subject site to accommodate stormwater runoff. Thus, stormwater is recharged to surface and groundwater by infiltration, through natural leaching processes. Accordingly, stormwater that does not infiltrate or evapotranspire may potentially pond at the site or run overland onto adjacent properties and roadways.

Runoff coefficients of 1.00 for the building and paved areas and 0.15 for the landscaped area were used to calculate the drainage system capacity that would be needed to accommodate a two-inch rainfall for the proposed conditions. Based on the proposed improvements, a total system capacity of 99,332.80± CF is required, as provided by the project engineer. The proposed stormwater management system is designed to accommodate a total of 97,703.76± CF of stormwater storage, in excess of the Town's storage requirement for a two-inch rainfall (97,498.7± CF). A network of 102 ten-foot-diameter, 14-foot-deep leaching basins would be installed throughout the subject property to collect and recharge stormwater runoff to groundwater via the base of the subject leaching basins. Results from test holes on the subject property indicated that in the area of the site proposed for development, groundwater was

found at a depth of 25± feet bgs. Thus, there would be adequate separation distance between the base of the 14-foot-deep leaching basins and groundwater.

As the proposed project involves soil disturbance of one or more acres, coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) would be obtained. A SWPPP would be developed at the time the site plan is finalized, in accordance with the requirement of the GP-0-15-002 and Chapter 189 of the Town of Babylon Town Code (Town Code) (Stormwater Management and Erosion Control), and under the guidelines of the *New York State Stormwater Management Design Manual (most recent edition)*.

All erosion and sedimentation control measures would be installed and maintained in accordance with the Soil Erosion & Sediment Control Plan prepared for the proposed project and/or as indicated within the *New York Standards and Specifications for Erosion and Sediment Controls*. In addition, the *New York State Stormwater Management Design Manual*, which provides standards and specifications for selection and design of stormwater management practices to comply with State stormwater management performance standards, would also be used in preparing the SWPPP.

Wetlands

There are there are no National Wetlands Inventory wetland features or New York State Department of Environmental Conservation-designated freshwater wetlands at the subject property. A NYSDEC-designated G-1 wetland is located north of the subject property and partially in the Town's storm surge/recharge basin, and the southernmost portion of the 100-foot regulated area associated with this freshwater wetland may extend onto the northwestern portion of the subject property. A delineation would be required to determine the extent of the freshwater wetland and 100-foot regulated area. Based on correspondence from the NYSDEC, the agency does not consider the Town's storm surge/recharge basin, situated adjacent to the subject property, a NYSDEC-regulated freshwater wetland. According to NWI Maps, the Town's storm surge/recharge basin to the north is indicated as a Palustrine, Open Water, Semipermanently-flooded, excavated (POWFx) wetland feature.

As mentioned, a delineation would be performed, and the proposed development would comply with any applicable NYSDEC requirements, and would not result in clearing, grading or disturbance of any NYSDEC wetlands or 100-foot regulated areas. In addition, the proposed stormwater management system would collect and recharge virtually all stormwater on-site, thus protecting any offsite wetlands in the vicinity from potential stormwater runoff. Thus, the proposed project would have no significant adverse impact to wetlands.

Mitigation Measures

The proposed project is not expected to result in significant adverse impacts to water resources; however, the following measures have been incorporated into the project to minimize or eliminate potential impacts to water resources:

- Various water efficiency measures would be employed to reduce potable water demands, including:
  - Use of native, low-maintenance plant species to reduce irrigation demand;
  - Limiting irrigated areas to the extent practicable to minimize water use; and
  - Installation of low-flow plumbing fixtures.

- The proposed project would connect to the Southwest SD, and sanitary wastewater would be treated at the Bergen Point WWTP, provides advanced treatment of effluent.
- Soil erosion and sedimentation controls and stormwater management would be implemented in order to minimize potential impacts to water resources.
- The proposed stormwater management system would be designed to accommodate, and recharge on-site, stormwater runoff generated during a two-inch rainfall event.
- A delineation would be conducted to determine the extent of the NYSDEC wetland and associated 100-foot regulated area. The proposed development would comply with any applicable NYSDEC requirements, and would not result in clearing, grading or disturbance of any NYSDEC wetlands or 100-foot regulated areas.

Land Use, Zoning and Community Character

Land Use

Implementation of the proposed project would result in a change of use on the subject property from existing agricultural uses, including crop fields and accessory structures to a residential multi-family condominium development of townhomes and apartments. The proposed project involves the development of 264 residential units in 23 buildings at a density of 16.41± units per acre. The residential units would be comprised of 20 -1,650-SF townhouses, containing two-bedrooms, a den and a garage; 16-1,380-SF first floor end units, containing two-bedrooms and a den; 16-1,340-SF, second floor end units, containing one-bedroom and a den; 20-1,150-SF first floor end units with one-bedroom plus a den; 20-1,180-SF second floor end units with one-bedroom and a den; 154-1,100-SF middle units with one bedroom plus a den and 18-900-SF middle units with one-bedroom and a study.

In addition, the proposed project would provide amenities for its residents, including a 6,475-SF community building, an outdoor swimming pool, a recreation area and two entrance booths. A total of 3.13± acres of landscaping would be created throughout

the subject property. A pump station would also be located on-site near the southeastern corner of the subject property to transmit sanitary waste to the Southwest SD for treatment.

The Breslin letter evaluated potential land use and community character impacts of the proposed project and analyzed existing like-kind rental apartment developments and concluded that that development of apartment complexes on the edges of downtowns and proximate to single-family neighborhoods is not uncommon, and that there are examples of this type of land use pattern throughout Long Island that have not resulted in adverse impacts to existing surrounding business or residential uses.

Based on the foregoing, the proposed action would not have significant adverse impacts to land use.

Zoning

Upon implementation of the proposed project, zoning on the subject property would change from the A Residence zoning district to the Multiple Residence (MR) zoning district, which requires that the buildings be no higher than two-and-a-half stories, situated on a minimum of two acres, and have front yard setbacks of 40 feet and rear yard setbacks of 50 feet. Applicable density requirements of the MR zoning district include a minimum of 4,000 SF of land area for each one-bedroom dwelling unit and 5,000 SF of land area for each two-bedroom dwelling unit. The applicable maximum number of separate dwelling units per acre are 10 units for one-bedroom dwelling units and eight units per acre for two-bedroom dwelling units. The existing A Residence zoning on the subject property allows for residential development, similar to the proposed zoning, although the proposed zoning would permit a higher density development. Therefore, although the allowable development intensity would increase, the overall categories of uses proposed on the site would not change from what is currently permitted. Further, multi-family zoning districts (i.e., areas zoned MR and SCMR) are currently located in the surrounding area to the east and west, therefore the proposed change of zone would be in character with existing zoning patterns in the area.

The proposed project has been designed to conform to the zoning requirements of the MR zoning district, however, it would require variances from the Town Board of Appeals for density and front and rear yard setbacks. The proposed project would also conform to additional provisions in §213 of the Town Code with respect to landscaping, buffers, lighting, building materials and overall site design.

Willoughby Commons would provide a total land area of 700,969.35 SF for 228 one-bedroom units and 36 two-bedroom units, which is less than the 1,092,000 SF total land area (4,000 SF required per one-bedroom unit and 5,000 SF required per two-bedroom unit) specified in §213-117 of the Town Code. Chapter 213-117 of the Town Code also indicates a maximum number of units allowed per acre per bedroom type. Willoughby Commons would be developed with a density of 10.9± one-bedroom

units per acre and 8.7± two-bedroom units per acre, which is only minimally greater than the maximum allowable density of ten units per acre for one-bedroom units and eight units per acre for two-bedroom.

Although the proposed project would have a higher density of dwelling units than what is provided for in the Town Code, it would be comparable to existing developments in the vicinity. Specifically, the Wheatley Gardens apartment development, located immediately adjacent to the southeast of the subject property, is zoned MR and has a density of 16.41 units per acre, and the Wheatley Hollow Gardens development, located west of the subject property, is zoned SCMR and has a density of 25± units per acres. In addition, Willoughby Commons would require variances for a front yard setback of 30 feet where 40 feet area required and for a rear yard setback of 30 feet where 50 feet are required. Although the proposed project would require relaxations to the front yard and rear yards, the proposed development would include strategic landscaping for screening, and would not encroach onto nearby properties, nor affect the surrounding uses.

As the proposed project would connect to the Southwest SD as an out-of-district connection, it would be subject to the Suffolk County Code §740-45(C)[5] requirement to provide 15 percent of its units, to be located throughout the proposed development, as affordable housing for those whose income does not exceed 80 percent of the HUD-established median income limit for the Nassau-Suffolk PMSA. Based upon HUD guidance, affordable monthly rents for family sizes for one to four persons with incomes of the 80 percent-HUD-established median income limit were calculated to range from $1,487 to $2,124. Willoughby Commons' proposed monthly rents for 54 of the one-bedroom units would be $1,400, and thus, 20 percent of the 264 proposed units at Willoughby Commons would be affordable for a family of one, making less than or equal to the HUD 80-percent income limit. Willoughby Commons would, therefore provide a greater quantity of affordable housing than that required by §740-45(C) of the Suffolk County Code.

Community Character

The general appearance of the subject property is of a working farm property within a typical suburban residential area. As implementation of the proposed project would redevelop the subject property from agricultural uses to Willoughby Commons, a multi-family residential, rental apartment development with associated appurtenances, the proposed project would be consistent with the existing character of the surrounding area, which is largely residential, and includes multi-family developments.

There are two other multi-family developments proximate to the subject property, and, therefore, the proposed project would be consistent with an established community character in the area. Willoughby Commons would also be developed

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[5] As amended by Suffolk County Legislative Resolution 239-2017, approved April 25, 2017.

with a density consistent with the aforementioned developments, including the Wheatley Gardens apartments (16.41 units per acre), a development located immediately southeast of the subject property, and also zoned MR and the Wheatley Hollow Gardens development, located west of the subject property, which is zoned SCMR and has a density of 25± units per acre. Therefore, the development of the subject property with condominium units would be characteristic of the density patterns that have already been established in this area and that are compatible with the surrounding prevailing zoning.

Relevant Comprehensive Plans

The proposed project was evaluated for consistency with the following comprehensive planning documents.

Suffolk County Comprehensive Master Plan 2035 (*Suffolk 2035 Plan*) (2015)

As the proposed project would include rental apartment units with a 20-percent affordable component, as defined by the Suffolk County Code, §740-45(C) (as amended), and would connect to the Southwest SD with an out-of-district connection, it would be supportive of stated goals of the *Suffolk County Comprehensive Master Plan 2035: Framework for the Future* (*Suffolk 2035 Plan*) for sustainable economic development in Suffolk County, which the *Suffolk 2035 Plan* indicates can be encouraged through provision of affordable housing to retain workers and expansion of wastewater infrastructure to support new development.

The proposed project has also been designed to be protective of ground and surface water resources, the protection and preservation of which is also considered an issue of importance by the *Suffolk 2035 Plan.* Measures to be employed include the out-of-district connection to the Southwest SD to ensure proper wastewater treatment; the proposed project's location with respect to access to public transportation; phased clearing of the property during construction such that areas will only be cleared as they are developed; the maintenance of natural vegetation and revegetation with native species in the design, to the extent practicable, in order to minimize the need for irrigation and use of fertilizers; the use of positive drainage systems (i.e., leaching pools) to contain runoff on-site with maximum recharge; low-flow fixtures used within the development to minimize the water demand; limiting of areas to be irrigated; and connection to the public water supply system.

Principles of Smart Growth and Livability (2001)

The proposed project, while not in a downtown area, is proximate (i.e., walking distance – less than 300 feet) to the post office and a strip retail center. The site is also centrally located to existing public transportation (i.e., bus stops), which provide

access to existing shopping areas and work centers without generating additional traffic. In addition, the residential units would be rental apartments, which are in demand, and 20 percent of the proposed apartments would be affordable units, as defined by §740-45(C) of the Suffolk County Code (as amended). Thus, the proposed project would be supportive of the *Principles of Smart Growth and Livability* (*Principles of Smart Growth)*, which seek to promote pedestrian friendly development with housing options for a range of demographics.

Town of Babylon Draft Comprehensive Plan Summary (1998)

Various design elements of the proposed project address issues identified by the *Town of Babylon Draft Comprehensive Plan Summary* (*Comprehensive Plan Summary*), including the need to provide affordable housing, to address a shortage of rental housing, to ensure protection of natural resources and to promote sustainable economic development. The proposed project would contribute to the availability of affordable housing by providing 20 percent of its rental units for affordable housing, as defined by §740-45(C) (as amended). In addition, Willoughby Commons would consist of 264 residential rental one- and two-bedroom apartments, which would assist in addressing the rental housing shortage. Further, the subject property is within Wheatley Heights, which has a low rental vacancy rate, indicating that rental units are in demand in this area of the Town. The proposed project would be within walking distance to the Wheatley Heights Post Office, a retail strip shopping area and existing public transportation networks. The proposed project would be served by an out-of-district connection to the Southwest SD, which would ensure proper wastewater treatment and avoid on-site sanitary discharges, thereby protecting groundwater resources. The proposed connection to the Southwest SD could also potentially encourage economic development by allowing for surrounding businesses and residences to also connect through the Applicant's proposed infrastructure. Finally, stormwater would be managed through collection and recharging on-site, via the installation of leaching basins on-site, such that stormwater runoff would not be expected to adversely affect surface water or groundwater resources; and

Suffolk County Agricultural and Farmland Protection Plan (1996)

Although the proposed project would involve the conversion of the subject property from farmland to a multi-family residential use, there is no offer from the County to preserve the subject property or any land contiguous to the subject property that is owned by the Applicant. Thus, it is the intention of the Applicant to develop his private property with the proposed residential development.

Mitigation Measures

The proposed project is not expected to result in adverse impacts to land use and zoning, such that no mitigation measures would be necessary. In order to minimize potential land use and zoning impacts, the following measures would be employed:

- The proposed development would provide 20-percent of its units for affordable housing, as defined by the Suffolk County Code, §740-45(C) (as amended)
- Willoughby Commons would consist of 264 residential rental one- and two-bedroom apartments, which would assist in addressing the rental housing shortage identified throughout this SDEIS
- The proposed project's out-of-district connection to the Southwest SD could potentially encourage economic development by allowing for surrounding businesses and residences to also connect to wastewater treatment infrastructure through the Applicant's proposed connection
- Approximately 3.13 acres of the subject property would be landscaped, including a vegetated buffer that would be planted in areas of the subject property to screen the proposed development from the surrounding community
- Appropriate landscaping and lighting would be provided throughout the development to enhance aesthetics, be compatible with existing community character, and, in the case of exterior lighting, provide a more secure environment

Transportation

The analysis of future conditions in the summer and non-summer seasons, with and without the proposed project ("Build" and "No-Build" conditions, respectively), was performed to evaluate the effect of the proposed project on future traffic conditions in the area.

No Build Condition

The annual New York State Department of Transportation (NYSDOT) background growth factor for the No-Build (i.e., conditions without implementation of the proposed project) scenario was applied to traffic volumes in the study area. Traffic volumes were projected to the year 2019, reflecting the year when the project is expected to be completed and operational. In addition to estimated volumes from a filed and approved 25-lot single-family residential subdivision north of the subject property, additional planned development that may not have been considered were accounted for by adding an additional percentage to background growth.

Build Condition

To estimate the project-generated traffic for the proposed apartment community, a review was undertaken of available trip generation data sources, including the

reference published by the Institute of Transportation Engineers (ITE), *Trip Generation, 9th Edition*. This widely utilized reference source contains trip generation rates for numerous land uses, including "Apartments" (Land Use Code #220). Based upon the rates for "Apartments", the proposed development is projected to generate 135 trips (entering 27 and exiting 108) during the weekday a.m. peak hour, 164 trips (entering 107 and exiting 57) during the weekday p.m. peak hour, and 137 trips (entering 68 and exiting 69) during the Saturday midday peak hour.

As-of-Right

The TIS also evaluated an as-of-right development alternative, which considers a 55-unit single-family residential development. The 55-unit single-family residential development would involve development of the subject property with 30 single-family residences plus the potential 25-lot subdivision on the contiguous northern property owned by the Applicant. The trip generation estimates for the above-described alternative was derived using the ITE, *Trip Generation, 9th Edition*. To estimate the trips generated by this alternative, the following ITE land uses was utilized: "Single Family" (Land Use Code #210). This alternative would result in fewer trips being generated during each of the three peak periods when compared to the proposed development. More specifically, this alternative has lower trip generation estimates than the proposed action, and would be expected to result in 94, 109 and 86 fewer trips than the proposed project during the weekday a.m., weekday p.m., and Saturday midday peak periods, respectively.

Traffic Operations Analysis

To assess quality of traffic flow, roadway capacity analyses were conducted with respect to the Existing, No-Build and future Build conditions. These capacity analyses provide an indication of the adequacy of the roadway facilities to serve the anticipated traffic demands. Trip distributions were applied to traffic volumes, and traffic operations analyses were conducted. Based on previous Town comments, the directional trip distribution reflects the restriction of movements from North 28th Street to Colonial Springs Road to right-turns only.

Level of Service (LOS) analyses were conducted for the Existing, No-Build and future Build conditions during the summer and non-summer for the key signalized intersection at Colonial Springs Road and Little East Neck Road and for the unsignalized intersections located at Conklin Avenue and Lee Avenue and Main Avenue and Conklin Avenue. The proposed unsignalized site access point at North 23rd Street and Lee Avenue was analyzed for the future Build condition. This access would be provided via an easement through the Applicant's adjacent property north of the subject property. Intersections in the non-summer season were evaluated during the a.m. and p.m. peak hours, while the summer season also included an evaluation of the Saturday midday peak hour. The unsignalized Colonial Springs Road and North 28th Street (site access) intersection was only evaluated for the summer season.

Review of the capacity analysis data found that during both the non-summer and summer seasons, during the a.m. peak hour, the northbound approach/movements at the signalized intersection of Colonial Springs Road and Little East Neck Road show a higher delay and during the p.m. peak hour, when comparing the No-Build condition to the Build condition. The p.m. period would be consistent with the No-Build during the non-summer season, but would require mitigation during the summer season. The Saturday midday peak period analyzed during the summer season showed consistent operations in the No-Build and Build conditions. The signalized intersection was reanalyzed with minor changes in phase splits in the Build condition during the weekday a.m. peak hour in the non-summer season, and during both the weekday a.m. and p.m. peak hours in the summer, and the Build and No-Build conditions operated at consistent levels with mitigation.

The overall site would be served by two unsignalized site driveways. One full access site driveway would be located at the northerly terminus of North 28th Street. This access would provide one entering lane and one exiting lane, and since it would be located at the terminus of North 28th Street, no stop control is required. Since there is no intersection control proposed at this location, detailed intersection capacity analyses are not required for this site access driveway. The second site access would be located at the westerly terminus of Lee Avenue, just west of North 23rd Street and would provide one entering lane and one exiting lane. This site access would essentially form a new eastbound approach to the intersection of North 23rd Street and Lee Avenue. Currently, there is a one-way restriction along Lee Avenue, west of Conklin Avenue. This one-way restriction was put in place to prohibit motorists from using North 23rd Street as a cut-through to avoid delays at the intersection of Main Avenue and Conklin Street. As part of the proposed project, it is recommended that the segment of Lee Avenue west of Conklin Street be changed to allow two-way traffic once again. In order to continue prohibiting traffic from using North 23rd Street as a cut-through, it is proposed to restrict any southbound movements to North 23rd Street from Lee Avenue and only allow northbound right-turn movements from North 23rd Street to Lee Avenue. Traffic control signs would be installed to accomplish this.

During weekday a.m. and p.m. peak period of the non-summer season, the overall LOS at the unsignalized intersection of Main Avenue and Conklin Avenue would operate at an acceptable LOS D or better in the Build condition and in no instance, would there be unacceptable overall intersection delays. It should be noted during some peak periods the overall intersection LOS would change, however, the increases in overall intersection delay would be of a magnitude that is relatively imperceptible to motorists and no mitigation is required.

The intersection of Conklin Avenue and Lee Avenue, in the Build condition, would operate at an acceptable LOS during the peak periods. In addition, the increases in overall intersection delay would be of a magnitude that is relatively imperceptible to motorists and no mitigation is required.

The critical approaches at the intersection of the site access/ Lee Avenue and North 23rd Street operate at an acceptable level of service a during both the weekday a.m. and pm. peak periods, and traffic flow along North 23rd Street and Lee Avenue would not be impacted by the stop control and geometric changes recommended at this intersection.

As noted, the Colonial Springs Road and North 28th Street intersection was analyzed during the summer season only with a right-turn only rule implemented. The restriction of left-turns and through movements out of North 28th Street has a positive impact on the approach LOS.

Off-Street Parking, Site Circulation and Public Transportation

The proposed project would provide 560 stalls, thus exceeding the Town's off-street parking requirement of 546 stalls. Based upon a review of the traffic analysis, the configuration of the parking layout, drive aisles, site access points and internal site roadways would provide for adequate on-site circulation.

With respect to additional transit options, based on field visit and a review of the Suffolk County Transit Bus Route Map, Willoughby Commons would be well served by public transportation. Two bus routes exist along Colonial Springs Road: Route 2A and Route 2B. In addition, Route S-23 runs along Conklin Avenue. Route 2A and Route 2B have a bus stop located along Colonial Springs Road, approximately 350 feet west of North 28th Street at the Wheatley Heights Shopping Center. Route S-23 runs along Conklin Avenue, and the closest stop in proximity to the site is located at the intersection of Main Avenue and Conklin Avenue. This stop is approximately a 600-foot walk from the site. The three bus stops in proximity to the site provide for adequate service to the north and south of the site. The bus routes generally provide service to Wyandanch and Melville to the north of the site and Bay Shore and Babylon to the south of the site. Additionally, riders can transfer at various points along the three routes to go east and west. The routes in proximity to the site also provide adequate service to the Long Island Rail Road Wyandanch to Ronkonkoma and Bay Shore to Montauk branches.

Mitigation Measures

Willoughby Commons would not have a significant impact on the traffic flow or operations at the nearby intersections, provided the following recommended mitigation measures are implemented:

- In order to allow access from Conklin Avenue, it is recommended that the section of Lee Avenue from North 23rd Street to Conklin Avenue be changed to allow two-way traffic.
- In connection with the newly formed intersection of the site access/ Lee Avenue and North 23rd Street, and in order to control traffic and prevent cut-through traffic via North 23rd Street, it is recommended that:

- "Stop" signs be installed on the eastbound and northbound legs of the Lee Avenue at North 23rd Street intersection;
- "No Left Turn" signs be installed on the westbound Lee Avenue approach eastbound and the northbound North 23rd Street approaches;
- The northbound North 23rd approach be channelized to allow only right turns onto Lee Avenue;
- "Do Not Enter" and "One Way" signs be installed at the North 23rd Street northbound approach to the intersection to prohibit southbound travel;
- A "No Outlet" warning sign with a "No Access to North 23rd Street" supplemental sign be installed westbound on Lee Avenue just west of Conklin Avenue; and
- A raised median be installed, which would divide the site access entering and exiting lanes and prevent vehicles from making a left-turn into the site from North 23rd Street.

- Minor changes in phase splits at the signalized intersection of Colonial Springs Road and Little East Neck Road during the weekday a.m. and p.m. peak hours.

Community Services and Facilities

Property Taxes

The increased market value of the subject property with the 264-unit multi-family rental community, plus associated site appurtenances, would result in an increase in the property tax revenues generated by the site. The projected market value of Willoughby Commons was calculated by multiplying the anticipated gross annual total rental income for the proposed development by the apartment development industry-published rate of 61.1, in order to arrive at the average net annual operating income for rental apartment developments. The net annual operating income was then multiplied by the industry-rate of 8.7 percent to arrive at the projected market value of $42,862,703 for Willoughby Commons. Application of the Town's 2016 equalization rate to the market value indicates that the future assessed value of the proposed project would be $505,780.

The projected tax revenues, based on current 2016 tax rates, and the projected assessed value for Willoughby Commons, would result in total property tax revenues of approximately $1,269,766 (an increase of $1,268,962 over the existing), with projected school district taxes of $792,693 (an increase of approximately $763,441 over the existing), as well as higher revenues to all of the various taxing jurisdictions serving the subject property, as compared to the current condition. Therefore, the proposed project would have a positive impact on tax revenues collected by each taxing jurisdiction. With no changes in assessments, the taxing rates, and thus tax revenues generated, are likely to increase over time.

School District

The subject property is located within the Half Hollow Hills Central School District (CSD). Implementation of the proposed project is projected to generate approximately 38 public school-aged children.

Based on the 2014-2015 estimated instructional cost per general education student of $13,873, and $32,669 per special education student,[6] the proposed action's total impact to the Half Hollow Hills CSD is projected to be approximately $639,950. As identified in Section 3.4.2.1, the total tax revenues projected to be provided to the CSD is approximately $763,924, which is $763,441 more than the existing taxes. Therefore, implementation of the proposed action is expected to have a net positive fiscal impact of approximately $123,491 (increase in school district property taxes less the cost to educate projected public school-aged children.

Further, based on the declining student enrollment within the CSD over the last decade (i.e., a decrease of over 1,900 students over that time period), the projected addition of 38± school-age children resulting from the proposed development is not expected to adversely impact capacity within this district.

Solid Waste

The proposed development, with maximum occupancy and utilization of the proposed development, could generate approximately 18± tons of solid waste per month. Solid waste generated at the subject property by the proposed residential uses at Willoughby Commons would be collected by the Town-contracted carter and disposed of at a licensed facility, pursuant to the licensing agreement between the Town and the solid waste contractor, and in accordance with all applicable Town procedures. It is expected the proposed development would implement a recycling program. In addition, the Town of Babylon Department of Environmental Control would bill the proposed residential units for providing this solid waste collection service, thus offsetting the cost to the Town.

Mitigation Measures

No significant adverse impacts to the Half Hollow Hills CSD have been identified with respect to the proposed project. Therefore, no mitigation measures are proposed. It should be noted, however, that the proposed development would be expected to provide approximately $1,269,766 in property taxes annually to all taxing jurisdictions (combined) upon completion of the project, including approximately $763,924 to the school district, which represents an increase over the existing condition by approximately $1,268,962 and $763,441, respectively.

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[6] It is assumed that 6 of the projected 38 students would be special education students, based on proportions in the most recent Fiscal Accountability Summary, which includes enrollment and expenditure information for the 2014-2015 school year. https://data.nysed.gov/fiscal.php?year=2016&instid=800000037344.

Construction-Related Impacts

Construction of the proposed development would occur over a 24±-month period between 2017 and 2019, and would be phased. The disturbance of soils for construction and regrading and trenching activities increases the potential for erosion and sedimentation. To minimize the potential for adverse erosion and sedimentation impacts, the Soil Erosion & Sediment Control Plan would be implemented prior to construction, and erosion and sedimentation control measures and Best Management Practices (BMPs) would be implemented at the subject property. The proposed action would disturb more than one acre, and a SWPPP acceptable to the Town would be developed and submitted to both the Town and the NYSDEC (Notice of Intent), prior to the commencement of construction activity. The SWPPP would include documentation of existing soil types and drainage capacities at the subject property, and would detail measures for minimizing erosion, sedimentation, and stormwater runoff.

Proposed construction activities may result in temporary increases to ambient noise levels in connection with clearing, earth moving, and construction of the 264-unit residential rental community. The subject property is surrounded by a wooded buffer followed by a large camp property, agricultural land, and existing roadways that separate the subject property from residences. Thus, it is not expected that sensitive receptors would be adversely impacted by construction-related noise. Construction of the sewer line extension route would occur, as mentioned, within existing roadways. While residential properties are located along North 15th Street, Washington Avenue and North 23rd Street, there is also existing ambient noise from traffic along the roadways. In addition, installation of the sewer line extension is not expected to differ substantially from typical maintenance and infrastructure repairs within public rights-of-way. Construction activities associated both with development of Willoughby Commons and installation of the sewer district connection would not be undertaken prior to 7:00 a.m. or later than 8:00 p.m. on weekdays or at any time on Sundays or legal holidays, in accordance with the Town Code §156-9. Thus, overall, neither construction of Willoughby Commons nor construction of the sewer connection route would result in significant adverse noise impacts.

Air quality in the vicinity of the project area would not significantly be impacted by construction activities because of emission control procedures and the temporary nature of construction activities. To minimize fugitive dust emissions, a water truck would be utilized (as needed) during construction activities where land surfaces would be disturbed.

Installation of the sewer district connection route would be along a small portion of North 15th Street, Washington Avenue, North 23rd Street, and would cross Main Avenue at its intersection with North 23rd Street. The installation would result in temporary and/or partial traffic closures of the roadways and necessitate additional coordination with municipal agencies and utilities. However, according to the project engineer, the proposed route was selected to minimize construction-related impacts.

Overall, during the construction period, the Applicant's construction manager would coordinate with the Town regarding temporary road closures, construction timing and procedures, to maintain vehicular traffic flow to the extent possible. Furthermore, traffic-related mitigation measures and BMPs would be implemented.

Cumulative Impacts

The Applicant owns a 15.87±-acre, 25-lot residential subdivision immediately contiguous to the north of the subject property (the "northern property"), which has been filed and approved, but has yet to be developed. While there is no current plan to develop the northern property, same has been approved by the Town of Babylon for development with 25 single-family residences in accordance with the use and dimensional requirements of the existing Residence A District.

With respect to water demand, Willoughby Commons and the 25-lot single-family residential subdivision on the northern property would generate a cumulative demand of 70,500± gpd.[7] As plans for the construction of the single-family residences on the northern property subdivision have not yet been developed, water availability has not been established. While there would be an increase in overall water demand, it is the jurisdiction of the SCWA to determine whether water can be supplied to the subdivision and whether there would be a significant adverse impact to the water supply.

The cumulative quantity of sewage effluent generated by both the Willoughby Commons development and the 25-lot subdivision would be 70,500± gpd. It is noted that the northern property subdivision could potentially tap into the proposed sewer line extension that would serve Willoughby Commons. However, the northern property subdivision would also be permitted to utilize individual on-site sanitary systems due to the lower density of the subdivision with respect to the requirements of Article 6 of the SCSC.

The proposed action would result in the creation of 3.13± acres of lawn and landscaped areas at the subject property, which would consist of low-maintenance native species, to the maximum extent practicable, thus reducing the need for fertilizers, pesticides and irrigation. Based upon the maximum building area of 15 percent in the A Residence District, set forth at §213-70 of the Town Code, the maximum potential lawn and landscaped area at the northern property would be 8.7± acres, for a cumulative total of 11.83± acres.[8] Ultimately, as the northern property subdivision would be a single-family residential development, it would be the responsibility of individual homeowners to maintain their lawns. In addition, there would be a natural 100-foot buffer area surrounding the wetland on the northern

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[7] The potable water demand from Willoughby Commons would be 63,000± gpd. The 25-lot subdivision would generate a potable water demand of 7,500± gpd, based on a SCDHS factor of 300 gpd for single-family residences.

[8] Chapter 213-70 of the Town Code requires that, in the Residence A zoning district, total building area not exceed 15 percent of lot area, or 30 percent for one-story dwellings. Total lot area is 445,817.4 SF (based on the developable portion of the northern property, as indicated by the Willoughby Commons filed residential subdivision map). If all residences were two-story, total non-building area would be 378,944.8 SF (including driveways) = 8.7± acres.

property, within which fertilizer, pesticides and maintained landscaping would not be permitted.

The total volume of stormwater runoff would increase at Willoughby Commons as a result of the proposed increase in impervious surface area. The increased volume of stormwater runoff would be accommodated via a system of leaching basins, in compliance with Town and State stormwater management requirements to mitigate potential stormwater runoff impacts. Cumulatively, development of the northern property subdivision would result in a further increase in the quantity of impervious surface area, as agricultural land would be replaced with residences. Thus, there would be a corresponding cumulative increase in stormwater runoff. A SWPPP would be prepared to mitigate potential erosion and sedimentation impacts due to construction activities for both developments. As such, there would be no adverse cumulative stormwater impacts.

Development of Willoughby Commons would occur entirely outside of the 100-foot NYSDEC-regulated area for the freshwater wetland that traverses the western and northern portions of the northern property. It is anticipated that the northern property subdivision lots would adhere to the NYSDEC required 100-foot setback for freshwater wetlands. Additionally, other preventive measures, including implementation of a SWPPP, would preclude impacts to the freshwater wetland. Since the proposed action would also preclude impacts to the wetland, there would be no adverse cumulative impacts due to development of Willoughby Commons and the potential future development of the northern property subdivision.

Development of the northern property with a 25-lot single-family residential subdivision would result in a change in the existing land use, which is currently agricultural. The northern property specifically consists of forested areas, a NYSDEC-regulated freshwater wetland, and farm fields. If the northern property were to be developed, the remaining farm fields would be converted to residential use, and thus, the proposed action and the northern property subdivision would result in a cumulative elimination of an agricultural use in the Town. This alteration of land use, however, would not be out of character with the surrounding land uses, which are typical of suburban development, and include single- and multi-family residences, a public school, recreational/open space, institutional and community facilities, a gas station and a strip retail shopping center.

With respect to cumulative zoning impacts, the proposed action includes a change of zone from A Residence to MR District. In order to permit the density of development associated with the proposed 264 residential units, a variance is required for Willoughby Commons. The Town Code Section 213-64 requires a minimum lot area of 12,500 SF in the A Residence District. The northern property 25-lot subdivision would not require a change of zone or variance in order to meet the minimum lot requirement of the A Residence District. Thus, there would be no cumulative zoning impacts.

The Build Condition that is evaluated in the TIS for the proposed Willoughby Commons residential development includes projected site generated traffic in addition to background growth and traffic generated by another planned development. The other planned development that is included in the analysis is the approved 25-lot subdivision north of the subject property. The background growth rate was increased in order to account for any additional planned developments that may have been overlooked. As such, the traffic impact analysis presented above for the Build Condition is equivalent to a cumulative traffic impact analysis.

The proposed action, in combination with the development of the northern property with a 25-lot single-family subdivision, would result in cumulatively higher property tax revenues, including revenues to schools and emergency services. This is due to the increase in tax revenue that would result based on an anticipated increase in market value of the northern property upon potential future development. A maximum of 64± cumulative additional public-school aged students would attend the Half Hollow Hills Central School District. It is anticipated that this would not adversely impact the Half Hollow Hills CSD, due to the overall declining enrollment trend and the anticipated cumulative increase in property tax revenues that would offset the costs associated with educating additional students.

There is no current plan to construct the 25-lot residential subdivision on the northern property. As such, it is not likely that construction of the single-family residences and appurtenances within the subdivision would occur during the same time period as Willoughby Commons (i.e., 2017-2019). Therefore, there would be no adverse cumulative construction-related impacts.

With respect to energy, prior to development, both the proposed project and the northern property subdivision would have to demonstrate that utilities (i.e., electric, gas) are available to service the development. Although there would be an increase in overall energy use from both the proposed project and the northern property subdivision, it is within the jurisdiction of the energy providers to estimate whether they can service the northern property subdivision. Willoughby Commons would include ENERGY STAR-certified units, but it is unknown at this type what type of energy efficiency measures might be incorporated into the potential future 25-lot development.

Use and Conservation of Energy

Currently, PSEG Long Island and National Grid provide electricity and natural gas service, respectively, to the subject site. Based upon the proposed redevelopment of the property, consultations were undertaken with PSEG Long Island and National Grid for review of the proposed project. To date, no responses have been provided.

The proposed redevelopment would increase energy use on the subject site. However, as indicated below, the Applicant and design team are committed to the principles of energy efficiency and sustainable design and would consult with the Town of

Babylon through the planning and design phase of the project on the specific design of buildings to meet the prevailing requirements of the Town Code. The final design of Willoughby Commons would comply with the Town's Green Building Certification requirements for multi-family dwellings in §89 of the Town Code, and each unit would be ENERGY STAR Certified. Furthermore, the use of additional energy efficiency and sustainability methods would be examined including, but not limited to, the use of recycled and/or local materials in the development's construction, installation of high- efficiency HVAC systems, insulation and windows, and low-flow plumbing fixtures.

Alternatives

No Action Alternative

The No Action Alternative involves leaving the subject property in its present state. Under this alternative, the subject property would remain as an agricultural and commercial use, consisting of predominantly cleared fields for agricultural use, with several small accessory structures, mulch piles and equipment.

Most notably, the No Action Alternative would forego the provision of additional rental and affordable housing stock to provide housing for, and retain, workers in the Town and on Long Island, and to ensure that a variety of demographic groups have access to quality housing. In addition, under the No Action Alternative a new out-of-district connection would not be made to the Southwest SD, and, thus, there would not be an opportunity to expand wastewater infrastructure to support new development, which would aid in providing sustainable economic development to surrounding businesses and residences. Moreover, the No Action Alternative would not establish an attractive residential rental community that would result in a significant increase in property tax revenues and achieve several goals of Town and County comprehensive planning documents.

If the No Action Alternative is implemented, there would be no construction-related impacts, but the ongoing lack of rental housing options on Long Island, as identified by the Regional Planning Association (RPA) publication, *LI Rental Housing*, would persist. It is also important to note that this alternative would not meet the objectives of the Applicant, which is to develop the site with a permanent, high-quality and economically-feasible residential rental community, consistent with several Town and County planning documents.

The No Action Alternative is inconsistent with the Applicant's right to develop, does not meet the objectives of the Applicant, does not provide rental and affordable housing options, and is not viewed to be a feasible alternative by the Applicant. Nevertheless, despite this alternative not being feasible, SEQRA requires that this option be evaluated.

Implementation of the No Action Alternative would have minimal impacts on water resources. There would continue to be no sewage effluent generated at the subject property, and water use would continue to consist of water for irrigation during the growing season. As with sewage disposal, the amount of water demand would be significantly below that of the proposed project.

The No Action Alternative would result in the continuance of irrigation and fertilizer and pesticide applications associated with the current farming operations at the subject property. Under the proposed action, native, low-maintenance, plant species would be used for landscaping in order to minimize the need for irrigation, fertilizers and pesticides. Drainage is currently handled on-site by natural leaching processes and overland flow, which would not change as part of the No-Action Alternative. Since there would be no change to stormwater management for this alternative, unlike the proposed project, no comprehensive stormwater management system for collecting and recharging runoff would be installed.

Implementation of the No Action Alternative would not involve any change in land use and would not change zoning. Specifically, the current farm use, consisting of predominantly cleared fields for agricultural use, with several small accessory structures, such as sheds and barns on the southern portion of the subject property and mulch piles and equipment associated with a landscaping operation in the northwestern portion of the subject property, would remain. The No Action Alternative would not achieve the goal of providing a more diverse housing stock, including affordable housing units.

No additional traffic would be added to the roadway network with the implementation of the No Action Alternative. The TIS evaluates a No Build condition that analyzes traffic operations in the vicinity of the subject property without the proposed project. It is noted that the No Build condition analysis includes traffic from background growth and other planned developments that would still be expected to occur even if the proposed project were not implemented (i.e., the No Action Alternative). The analysis of the No Build condition is provided above.

As previously discussed, the subject property is located within the Half Hollow Hills CSD. Under the No Action Alternative, the site would not include residential uses, and thus, not generate any public school-aged children, as in the existing condition. However, under the No Action Alternative there would not be a substantial increase in property tax revenues (i.e., an increase of $1,268,962± over the existing condition), and there would not be a net positive fiscal benefit to the school district of $123,491±, as there would be in the proposed action. In addition, the Town would continue to provide solid waste collection and disposal service to the subject property via Town-contracted carters under the No Action alternative, and there would be no impact to solid waste practices.

There would be no construction-related impacts under implementation of the No Action Alternative, as the subject property would be left in its present state.

The No Action Alternative would not result in an increase in the use of energy. It is noted that the proposed action would include energy efficiency measures.

2.0

Description of the Proposed Action

2.1 Introduction

This document is a Supplemental Draft Environmental Impact Statement (SDEIS) prepared in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 New York Codes, Rules and Regulations (NYCRR) Part 617.9 (a) for the action contemplated herein. This SDEIS sets forth existing conditions of the subject property and surrounding area, evaluates the potential significant adverse impacts associated with implementation of the proposed action, provides mitigation measures for those impacts identified as significant and adverse, and considers alternatives to the proposed action.

The proposed action consists of requests for a change of zone, site plan, and other approvals for development of a 264-unit rental residential community, to be known as Willoughby Commons (the "proposed project" or the "proposed development"). The proposed project involves the development of the Willoughby Commons residential community on approximately 16.09 acres, located north of Colonial Springs Road/Main Avenue, east of North 28th Street, and west of Lee Avenue/North 23rd Street, in the hamlet of Wheatley Heights, Town of Babylon, Suffolk County (the subject property, subject site or site). The subject property is situated within the Residence A Zoning District of the Town of Babylon (Town), and is designated as Suffolk County Tax Map (SCTM) Nos. 0100-013.00-02.00-039.020 through 039.049 and part of 039.051. See Figure 1 for the Site Location Map and Figure 2 for the Suffolk County Tax Map. As part of the proposed action, the subject property would be rezoned from the Residence A to the Multiple Residence (MR) Zoning District.

In connection with the request for site plan approval, and as a condition of the proposed change of zone, the proposed action would possibly involve a subdivision or partial abandonment of the portion of SCTM No. 0100-013.00-02.00-039.051 located on the subject property. Finally, the proposed action involves a request for relief from Town Planning Board covenants associated with the previously filed and approved subdivision located on the subject property and on contiguous property owned by the Applicant to the north (see discussion of the Applicant's contiguous properties below) to allow for development of the subject property with a multi-family rental residential community.

The Applicant also owns an adjacent 15.87-acre parcel of agricultural land north of the subject property and two adjacent parcels that total approximately 3 acres in size, and are located south of the subject property, along Colonial Springs Road/Main Avenue that contain a single-family residence (SCTM No. 0100-013.00-02.00-009.000) and the Colonial Springs Farms and Nursery, which consists of a barn, and associated appurtenances (SCTM No. 0100-013.00-02.00-039.050) (see Figure 3). These lots (out-parcels) are not included as part of the proposed development. The subject property is part of the Colonial Springs Farms and Nursery, and contains agricultural uses, and related commercial uses. The proposed project would redevelop the 16.09±-acre parcel with the aforementioned Willoughby Commons residential community. Additional details regarding the proposed project are contained in Section 2.4 of this SDEIS, below.

This SDEIS has been prepared for an amended application involving the subject property. To ensure that the SDEIS addresses all significant issues, the Town of Babylon Town Board (Town Board), as lead agency, adopted a Positive Declaration on April 26, 2017 (see Appendix A). The issues that were identified in the Positive Declaration, and are addressed in this SDEIS, include: water resources; land use, zoning and community character; transportation; and community services and facilities. In addition, the SDEIS provides a discussion of potential construction-related impacts.

The subject property has been the focus of previous applications, including a Draft Environmental Impact Statement (DEIS) that was prepared in 2004 (the "2004 DEIS") and a Voluntary Supplemental Draft Environmental Impact Statement (VSDEIS), which was prepared in 2015 (the "2015 VSDEIS"). The Town issued comments on the 2015 VSDEIS, which are also addressed by this SDEIS, where applicable to the current iteration of the proposed project. The 2004 DEIS contemplated the subdivision of this subject property, which at that time, consisted of the subdivision of the overall 34.80-acre property and the change of zone for 32.92-acres of the 34.80-acre property from Residence-A to Senior Citizen Multiple Residence (SCMR) and Multiple Residence (MR) with on-site sewage treatment facilities. However, as further described in Section 2.3, the final approved action was a 56-lot subdivision alternative (filed and approved February 5, 2007), the subject property and contiguous property owned by the Applicant (see Figure 5). The 2015 VSDEIS contemplated a change of zone on the overall 31.96±-acre subject property and redevelopment of the southern 16.44±-acres,

which excluded the Applicant's contiguous parcels to the south that were part of the 34.80±-acre property that was the subject of the 2004 DEIS, and an offer to preserve the Applicant's contiguous property north of the subject property under the Suffolk County Farmland Preservation Program. Since the 2015 VSDEIS, the proposed preservation offer for the Applicant's contiguous property north of the subject property has expired, resulting in the current proposal.

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Willoughby Commons

Figure 1 - Site Location

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

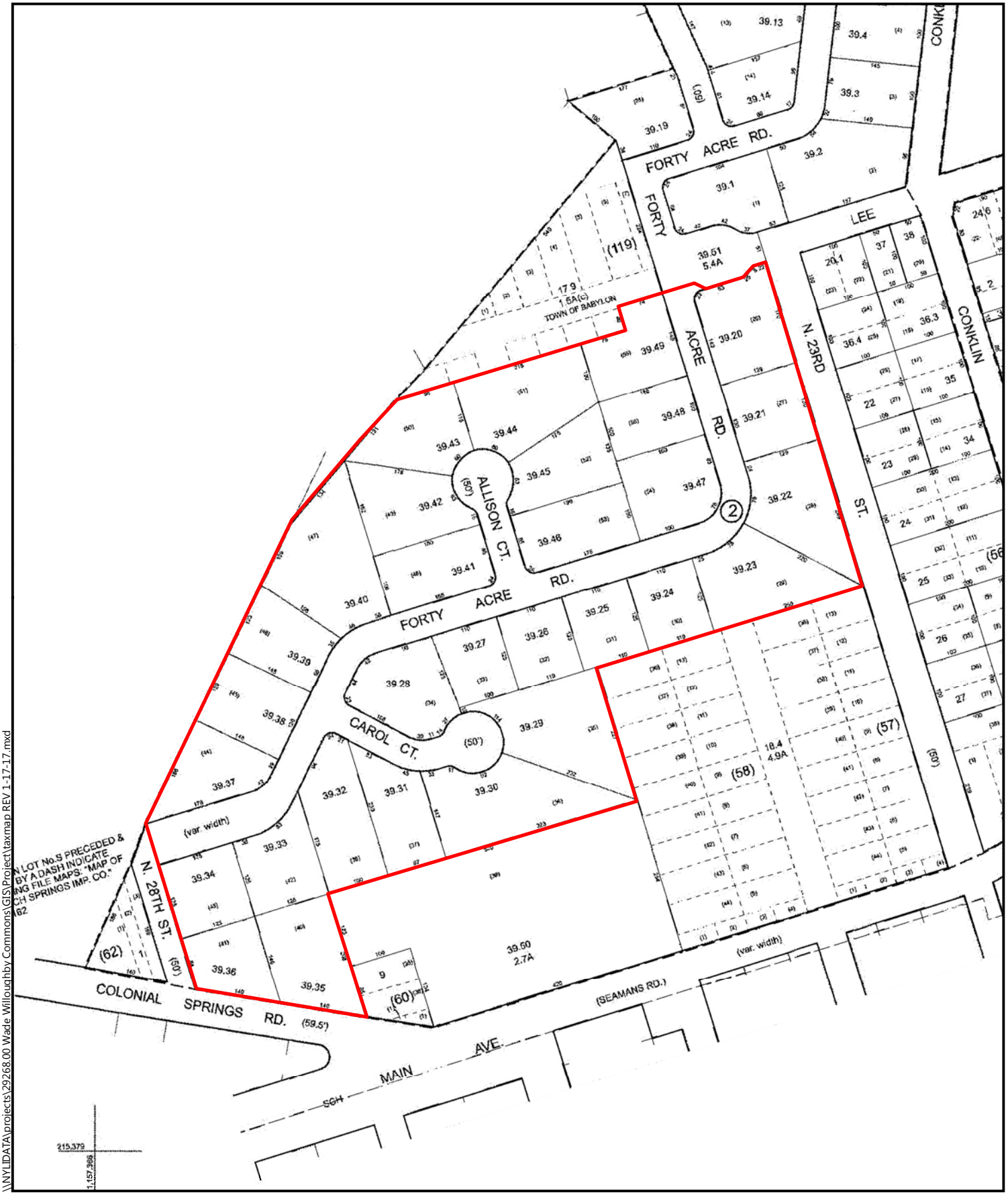
N
W E
S

0 155 310 620 Feet

Legend

Subject Property

SOURCE: 2013 Aerial: *2013 NYS Digital Ortho - imagery,* NYSITS, 2013. Streets: NYSITS, 2014.



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Willoughby Commons

Figure 2 - Suffolk County Tax Map

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

0 60 120 240 Feet

Legend

Subject Property

SOURCE: Suffolk County Real Property 2013 Town of Babylon Tax Map Album, Sections 011.000 and 013.000.

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Willoughby Commons

Figure 3 - Subject Property and Applicant's Contiguous Property

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N
W E
S

0 155 310 620 Feet

Legend

Subject Property

Contiguous Property Owned by Applicant

SOURCE: 2013 Aerial: *2013 NYS Digital Ortho - imagery,* NYSITS, 2013. Streets: NYSITS, 2014.

This SDEIS is divided into eight sections, the first of which is the Executive Summary. This section, Section 2.0, provides a brief discussion of existing site and surrounding area conditions, and provides a description of the components of the proposed project including the proposed change of zone, proposed site layout, a brief history of the site, the proposed project's purpose, need and benefits, proposed demolition and construction, and the required permits and approvals.

Section 3.0 of this SDEIS provides a discussion of the environmental setting for the proposed project, by topic. Within each section the existing conditions, potential impacts that are likely to occur upon project implementation, and proposed mitigation measures that reduce or eliminate those impacts are discussed. Section 4.0 discusses the unavoidable adverse effects of the proposed project. Section 5.0 analyzed cumulative impacts. Irretrievable and irreversible adverse impacts are discussed in Section 6.0 of the SDEIS. Section 7.0 presents an analysis of the potential growth inducing impacts. Section 8.0 presents details on use and conservation of energy. Potential impacts of the No Action alternative are compared to the proposed action in Section 9.0, and references are included in Section 10.0 of this SDEIS.

2.2 Existing Site Conditions

The subject property is bounded by Colonial Springs Road/Main Avenue to the south, North 28th Street to the west, North 23rd Street to the east, and Lee Avenue to the north. The subject property is currently developed with agricultural uses and related commercial uses. The Applicant also owns a parcel of agricultural land to the north and two adjacent parcels south of the subject property, along Colonial Springs Road/Main Avenue that contain a single-family residence (SCTM No. 0100-013.00-02.00-009.000) and the Colonial Springs Farms and Nursery, which consists of a barn, and associated appurtenances (SCTM No. 0100-013.00-02.00-039.050). These out-parcels total approximately 18.9 acres, and are not included as part of the proposed development. A 2.70±-acre Town storm surge/recharge basin, although not included in the subject property acreage, is located north of the subject property (see Figure 4). In the existing condition, the 16.09±-acre subject property consists of undeveloped fields used for agricultural purposes and several small accessory sheds and structures. As noted above, the entire subject property is situated within the Residence A Zoning District of the Town.

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Willoughby Commons

Figure 4 - 2013 Aerial Photograph

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N
W E
S

0 70 140 280 Feet

Legend

Subject Property

SOURCE: 2013 Aerial, *2013 NYS Digital Ortho - imagery,* NYSITS, 2013. Streets: NYSITS, 2014.

Site data for the existing condition at the subject property are described in Table 1 below:

Table 1 - Existing Total Site Data

Development Type	Area (Acres)	Percent of the Subject Property
Impervious Surfaces (i.e., Buildings, Pavement, and Roadway)	0.02	0.1%
Agricultural Areas	16.07	99.9%
Forested Areas	0	0
Wetlands	0	0
Landscaping	0	0
TOTAL:	16.09	100%

The land uses surrounding the subject property include: to the east, Western Suffolk Boards of Cooperative Educational Services (BOCES) James E. Allen Alternative School; to the southeast, single-family and multiple residence dwellings. Farther to the south, is the Wyandanch Fire Department, the Wheatley Heights Post Office, and a retail strip shopping center, beyond which are senior multiple residence dwellings. To the northwest is the Henry Kaufmann Camps & Grounds, a campground facility owned by a non-for-profit organization. To the west of the subject property, along North 28th Street, is the Wyandanch Veterans of Foreign Wars (VFW) Hall. And to the north, agricultural and followed by primarily single family residential homes.

According to the Traffic Impact Study (as summarized in Section 3.3 of this SDEIS), the existing transportation network includes the following roadways:

Colonial Springs Road/Main Avenue is an east-west arterial roadway that falls under the jurisdiction the Town within the majority of the study area. The intersection of Colonial Springs Road and Little East Neck Road, however, is just over the boundary in the Town of Huntington. From Pinelawn Road east to North 26th Street, it is designated Colonial Springs Road, and from North 26th Street to Straight Path (CR 2), it is designated Main Avenue. Within the study area, Colonial Springs Road/Main Avenue runs along the southerly border of the project site and provides one travel lane in each direction.

Conklin Avenue is a north-south collector-distributor roadway that runs south from Ethel Court to its terminus at Main Avenue. South of Main Avenue, Conklin Avenue continues as North 22nd Street. North of Ethel Court, Conklin Avenue continues as Bagatelle Road. Conklin Avenue falls under the jurisdiction of the Town. Within the study area, Conklin Avenue is located a block to the east of the project site and provides one travel lane in each direction.

Lee Avenue is an east-west local roadway that runs east from North 23rd Street to its terminus at North 17th Street. Between North 23rd Street and Conklin Avenue, Lee Avenue is one-way eastbound. Lee Avenue falls under the jurisdiction of the Town. Lee Avenue between North 23rd Street and Conklin Avenue provides only allows eastbound movements. East of Conklin Avenue, Lee Avenue provides one travel lane in each direction.

North 23rd Street is a north-south local roadway that runs south from Lee Avenue to its terminus at Merritt Avenue. North of Main Avenue it runs along the east side of the project site and provides one travel lane in each direction. North 23rd Street falls under the jurisdiction of the Town.

North 28th Street is a north-south local roadway that runs north from Colonial Springs Road to its dead-end terminus less than 300 feet to the north. North 28th Street runs along the southwest side of the project site and provides on travel lane in each direction. North 28rd Street falls under the jurisdiction of the Town of Babylon.

Little East Neck Road is a north-south collector-distributor roadway that runs south from Colonial Springs Road to its terminus at NY 109 in West Babylon. It falls under the jurisdiction of the Town. Within the study area, Little East Neck Road is located approximately one mile to the west of the project site and provides one travel lane in each direction.

Additional information regarding the existing roadways is provided in Section 3.3 of this SDEIS.

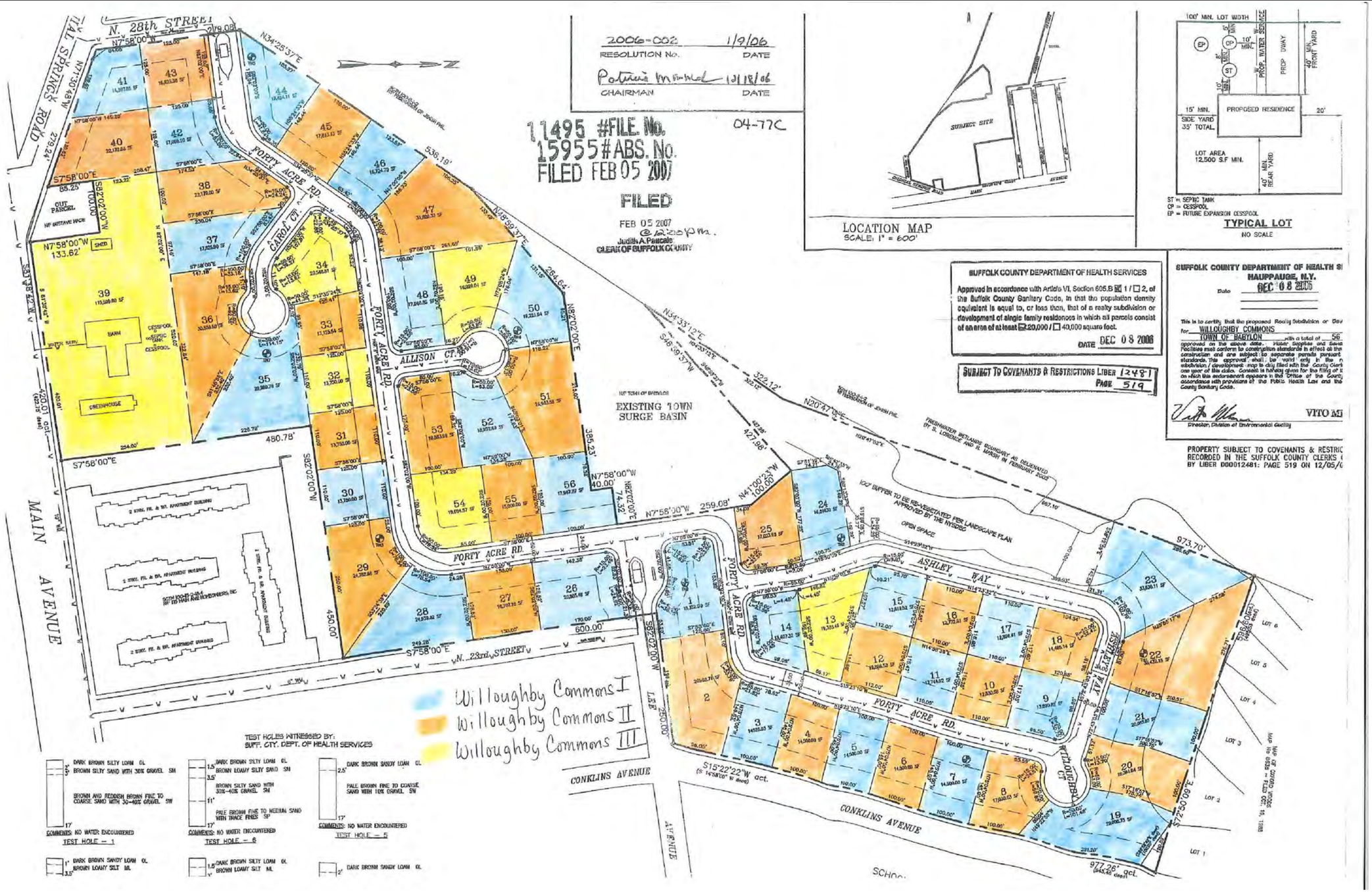
2.3 Site and Project History

The subject property has been an agricultural use since 1923. In the mid-1970s, the Town condemned approximately 2.70± acres (formerly of the subject property) for the development of a storm surge/recharge basin. The Applicant has owned the property since the 1980s and has been utilizing the property for agricultural purposes, including wholesale and retail uses, continuously throughout that time.

A DEIS was accepted by the Town Board of the Town of Babylon on February 10, 2004, as noted in the Section 2.1, Introduction. The proposed action therein addressed a change of zone on 32.92 acres of the overall 34.80-acre property from Residence A to SCMR and MR. The property was originally proposed to be subdivided into two parcels of approximately 1.88 acres (Parcel A, which was to remain zoned as Residence A, and was to continue to house the existing barn and residential dwelling) and approximately 32.28 acres (Parcel B – approximately 16.61 acres thereof was to be rezoned to SCMR for the development of 264 one-bedroom, senior citizen apartments, and approximately 15.67 acres thereof was to be rezoned for MR for the development of 21 single-family dwellings and 128 apartments). The original proposed action was

to be served by an on-site sewage treatment plant (STP). The aforesaid DEIS included, among other things, the analysis of a 58-unit standard subdivision with on-site sanitary systems.

Significant public controversy ensued, and a Final Environmental Impact Statement (FEIS) was prepared and filed on June 21, 2005. The most significant comments related to impacts from the STP, assertions that the density was too high and the "downzoning" and development would adversely impact the character of the community (land use patterns), the development would cause adverse traffic impacts, and there would be adverse impacts to the school district. Based upon the comments on the DEIS, the FEIS presented a modified proposed action (similar to the aforesaid standard subdivision with on-site sanitary systems). A "Town Board Environmental Determination and Environmental Findings" was adopted on August 9, 2005 (hereinafter the "Findings") (see Appendix A). The Findings determined, among other things, that the 56-lot modified proposed action (55 lots to be developed for single-family dwellings) was the alternative that would mitigate significant adverse impacts to the maximum extent practicable. The subject property is currently part of an approved subdivision for 55-single family homes, with 29 single-family residential lots located on the subject property, itself (see Figure 5).



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Willoughby Commons

Figure 5 - Willoughby Commons Single-Family Subdivision

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798
VHB Ref. 29268.00

Scale Indicated Above

SOURCE: Willoughby Commons Subdivision Map, provided by Applicant

Suffolk County had previously offered to purchase the development rights on approximately 15.21± acres north of the subject property, through the Suffolk County Farmland Protection Program. This offer subsequently expired, and, therefore the Applicant is currently seeking approval of the instant application.

As noted in Section 2.1 of this SDEIS, above, most recently, the 2015 VSDEIS was submitted to the Town for a previous application. The Town issued a Positive Declaration on March 23, 2016, and requested additional analysis of the proposed action (see Town comments in Appendix A). Although the development concept for the subject property has been modified, this SDEIS will provide further information regarding those items identified by the Town's Positive Declaration.

2.4 Project Description

The proposed project consists of an amended application for the change of zone from Residence A to MR on the 16.09-acre subject property, and, as detailed above, site plan approval and a request for associated variances for the redevelopment of the subject property as a residential rental community (see Figure 6 and Appendix B).

Specifically, the proposed development consists of the construction of the following:

- 264-residential units (i.e., 36 two-bedroom units (ranging from 1,380 square feet [SF] to 1,650 SF) and 228 one-bedroom units (ranging from 900 SF to 1,340 SF) within 23 buildings
- a 6,400± SF community building for residents
- 25-foot by 45-foot outdoor swimming pool
- a 228± SF pump station
- Two entrance booths
- 560 paved parking spaces, including 38 handicapped spaces; driveways and garages
- Additional site amenities, including landscaped common areas

The proposed landscaping would minimize fertilizer, pesticide and/or herbicide application to the extent practicable. On-site lighting would be installed for security and site aesthetics. All lighting would be dark-sky compliant. Proposed buildings would have fully automatic fire sprinkler systems and fire alarms in accordance with all applicable regulations. In addition, the site would have fire hydrants and fire mains. The overall residential community would comply with New York State handicapped accessibility regulations, including ramps and parking.

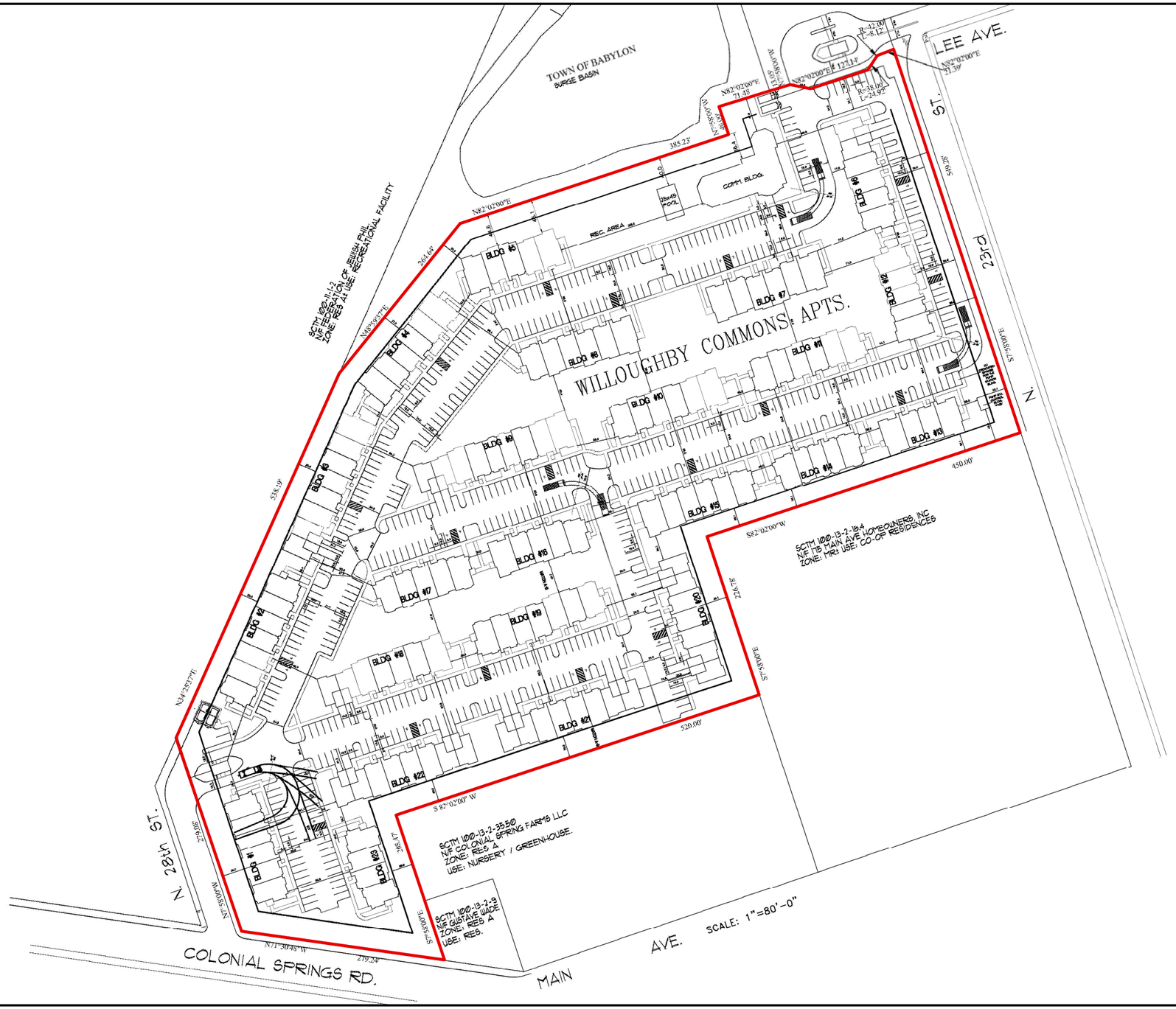
As previously discussed, access to the subject property would be from two points: main access is proposed to be located at North 23rd Street and Lee Avenue on the east side of the subject property, and a secondary/service entrance would be located on the

west side on North 28th Street. An easement would be provided to secure site access from Lee Avenue via the Applicant's adjacent property north of the subject property. There would be 560 paved parking spaces provided for the proposed project, including 38 handicapped spaces, and associated driveways and garages. See Section 3.3 of this SDEIS for a discussion of traffic and parking.

Based upon the Site Plans provided in Appendix B, the following is a breakdown of the existing and proposed site data for the subject property.

Table 2 - Existing and Proposed Site Data

	Existing		Proposed	
Development Type	Area (Acres)	Percent of the Subject Property	Area (Acres)	Percent of the Subject Property
Impervious Surfaces (i.e., Buildings, Pavement, and Roadway)	0.02	0.1%	12.96	80.5%
Agricultural Areas	16.07	99.9%	0	0
Forested Areas	0	0	0	0
Wetlands	0	0	0	0
Landscaping	0	0	3.13	19.5%
TOTAL:	16.09	100	16.09	100



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Willoughby Commons

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798
VHB Ref. 29268.00

N W E S

0 75 150 300 Feet

Legend
Subject Property

Figure 6 - Proposed Site Plan

SOURCE: Overall Site Plan by Craig M. Lehat, P.E., P.L.S., May 2015.

The proposed project would connect to the Suffolk County Southwest Sewer District No. 3 (Southwest SD). The Southwest SD currently serves portions of the Towns of Islip, Babylon, and a small area of Huntington. The District includes an area of approximately 57 square miles, with over 950 miles of sewer lines and 14 remote pumping stations. Approximately 95 percent of the Southwest SD is currently servicing residential development. The wastewater treatment plant (WWTP) serving the District was activated in October 1981 and is located in Bergen Point, West Babylon and, thus, is commonly referred to as the "Bergen Point WWTP." The Bergen Point facilities were designed to provide secondary wastewater treatment for an average daily flow of 30 million gallons per day (MGD) plus a scavenger waste flow of 0.5 MGD. The estimated population of the sewer district was approximately 340,000 people as of 2012.[9]

Currently, the proposed project is outside the service area of the Southwest SD; therefore, a 228±-SF pump station is proposed on-site at the southeastern corner of the proposed project site to allow for connection to the Southwest SD. Connection of the pump station to Southwest SD infrastructure would be via a 3,600 linear foot (LF) proposed low-pressure force main that would be routed south on North 23rd Street and east on Washington Avenue and connect to a Suffolk County Sewer Manhole on North 15th Street, south of Washington Avenue (see Proposed General Sewer Force Main Plan in Appendix B). As the proposed sewer line connection would be a force main, depth of the line extension could be maintained at approximately 3.5 feet below existing grade, eliminating the need for deep excavation during construction. The force main would include clean-outs, drain manholes and air release chambers as required. It is anticipated that the Applicant's proposed connection of the subject property would also allow for surrounding businesses and residences to connect to the Southwest SD.

According to a response provided by the Suffolk County Department of Public Works (SCDPW), see Appendix C, the District has the capacity available for the out-of-district connection.

According to §740-45(C) of the Suffolk County Code,[10] since the proposed residential project consists of ten or more units, and would be connecting to the Southwest SD, the proposed housing development would be required to set aside no less than 15 percent of the units as affordable housing for homebuyers or renters whose income does not exceed 80 percent of the United States Department of Housing and Urban Development (HUD)-established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size. Based on data provided by HUD, the median income for the Nassau-Suffolk, NY HUD Metro Fair Market

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[9] Suffolk County Department of Public Works, Sewer District No. 3 Southwest Sewer District Service Area Expansion Feasibility Study (project fact sheet) (accessed January 2017); available from http://www.suffolkcountyny.gov/Portals/0/publicworks/SewerExpansion/Southwest_Sewer_District_Fact_Sheet_2-16-12.pdf.

[10] As amended by Suffolk County Legislative Resolution 239-2017, approved April 25, 2017.

Rent (FMR) Area is $106,200.[11] Therefore, families with incomes of $84,960 or less (i.e., 80 percent of $106,200) would be eligible for the proposed affordable housing. Housing is defined as affordable by HUD if an occupant spends no more than 30 percent of the household income on such housing.[12] A detailed discussion of HUD guidance for utilizing median family income data, and making adjustments for family size, is included in Section 3.2.1.2 of this SDEIS.

As part of the proposed project, 20 percent (i.e. 54 units) of the 264 units, located throughout the proposed development, would be set aside as affordable housing in accordance with the above-referenced standards, and thus, the proposed project would provide a greater quantity of affordable housing than required by the Suffolk County Code in order to connect to the Southwest SD.

Water would be supplied to the site via connection to the Suffolk County Water Authority (SCWA) infrastructure. Anticipated potable water demand is 63,330± gallons per day (gpd), based upon sanitary flow, with an additional 20,500± gpd utilized approximately every third day for irrigation purposes during the growing season (see Section 3.1.2.3 for details regarding water supply). Water saving plumbing fixtures would be installed to minimize water demands.

Based upon the proposed uses, the anticipated sewage flow has been calculated at 63,330 gpd. Sanitary waste would be accommodated by a proposed connection to the Southwest SD, as indicated above. According to the SCDPW, the District has the capacity available for the out-of-district connection (see Appendix C). Sewage disposal is discussed in detail in Section 3.1.2.2 of this SDEIS.

The stormwater management system is proposed to be composed of a network of over 100 leaching basins, with a depth of 14-feet each. Prior to commencement of construction, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared and implemented, and would include erosion and sedimentation controls, water quality calculations, and detailed descriptions of the methods by which stormwater would be accommodated. As discussed further in Sections 3.1.1.1 and 3.1.2.4 of this SDEIS, test hole borings that have been conducted at the subject property have indicated that depth to groundwater at the subject property is approximately 25 feet bgs. Thus, the proposed separation distance of at least four feet that would be provided between the base of the 14-foot deep leaching basins and groundwater would be adequate for protection of the sole source aquifer, and would be per recommendations outlined in the *New York State Stormwater Management Design Manual* (*NYS Stormwater Manual*). The system has been designed to capture and recharge stormwater runoff for a two-inch storm, based upon Town requirements. Based on a two-inch rainfall, projected stormwater runoff volumes for the proposed

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[11] U.S. Department of Housing and Urban Development, *Fair Market Rent FY 2016 and Income Limit FY 2016 Summary System* (accessed January 2017); available from https://www.huduser.gov/portal/datasets/il.html.
[12] U.S. Department of Housing and Urban Development, *Affordable Housing* (accessed November 2016); available from http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/.

development have been calculated at 97,499± cubic feet (CF). See Section 3.1.2.4 for additional discussion of stormwater management.

Based upon the proposed uses, the anticipated solid waste generation would be 18± tons per month. Solid waste would be collected and disposed by Town-contracted carters, pursuant to the Town licensing agreement with the Town-contracted carter, and in accordance with all applicable Town procedures.

The subject property is located within the service area of PSEG Long Island for electrical services and National Grid with respect to natural gas. Consultation with the aforementioned service providers has been initiated by the Applicant (see Appendix C). Energy star certification would be obtained for all residential units.

2.5 Purpose, Needs and Benefits

The purpose of the proposed project is to redevelop a privately-owned, residentially zoned property, which is currently used for agricultural and related commercial uses, to a residential use pursuant to the proposed MR zoning district. The Applicant has designed a development to create an attractive community with a mix of residential units. The proposed project would be developed to integrate with the surrounding community and to meet housing needs for various demographic segments (and income levels) of the Town, as identified in both Town and Suffolk County (County) planning documents, as explained in Section 3.2 of this SDEIS.

The proposed project, which would include 264 rental apartment units, with a 20 percent affordable component, as noted above in Section 2.4 of this SDEIS, would increase the available affordable housing stock to provide housing for, and retain, workers in the County and on Long Island, and ensure that a variety of demographic groups have access to quality housing. In addition, the proposed project would include the expansion of wastewater infrastructure to support new development by connecting to the Southwest SD with an out-of-district connection, which would aid in providing sustainable economic development to surrounding businesses and residences. The proposed project has also been designed to be protective of ground and surface water resources. Measures would be taken to protect groundwater and to ensure compliance with applicable prevailing codes and regulations. Such measures, for example, include the aforementioned connection to the Southwest SD to ensure proper wastewater treatment.

According to an evaluation of the proposed project by Mr. John J. Breslin, Jr., President of Breslin Appraisal Co., Inc. (the "Breslin letter"), (see Appendix C), other recent higher density apartments in downtown areas have stimulated revitalization efforts to these once economically declining downtowns (e.g., Patchogue, Farmingdale and currently underway in Wyandanch). Although the area surrounding the subject property is not a downtown area, there is an overall benefit that could

potentially occur, as the proposed development could work in conjunction with the Wyandanch Rising project to stimulate this portion of the Town. Furthermore, there is a lack of quality rental housing available to satisfy the needs of the overall society. The new downtown centers noted above have proven that when quality rental housing developments are created, they tend to fill quickly and benefit the surrounding community.

With respect to the proposed project's provision of rental housing, a report by the Regional Plan Association (RPA), *Long Island's Rental Housing Crisis* (*LI Rental Housing*),[13] indicated that rental housing is critical on Long Island in order to attract and retain a talented workforce, some of whom may not be able to afford to own, or may prefer to rent in order to remove the stress of home ownership. Moreover, American Community Survey data from the US Census Bureau indicates that only 20 percent of occupied housing units on Long Island are rentals, and that the hamlet of Wheatley Heights has fewer rental housing units available, proportionately, than in the overall Town.[14] Further, rentals are becoming more in demand. Since its peak at 11.1 percent in 2009, the rental vacancy rate has fallen across the United States to an average of 6.8 percent by the end of 2016,[15] indicating that, nationally, the demand for rental units is increasing in relation to supply. In the hamlet of Wheatley Heights, the rental vacancy rate was 5.7 percent, as of the 2010 Census.[16] If the vacancy rate in this area has followed the national trend, it is likely that there are even fewer available rental units today, and thus, it is anticipated that the proposed project would provide a much needed housing type to the area.

Furthermore, the proposed project would promote pedestrian friendly development with housing options for a range of demographics. The proposed project, while not in a downtown area, is proximate (i.e., walking distance – less than 300 feet) to the post office and a strip retail center. It is also centrally located to existing public transportation (i.e., bus stops), which provides access to existing shopping areas and work centers without generating additional traffic.

Finally, implementation of the proposed project would also enhance the tax base through redevelopment of existing uses that are generating a minimal amount in property tax revenue. Approximately $1,269,766 in annual property tax revenues would be generated by the proposed project, which represents a $1,268,962± increase over the existing condition, including $792,693± generated for the Half Hollow Hills Central School District (CSD), which includes the schools and the library (an increase of $792,192± over the existing school district property taxes). The new development is expected to enhance this area of the Town and hamlet of Wheatley Heights and is expected to add to the area's attractiveness and marketability of housing space.

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[13] Regional Plan Association, *Long Island's Rental Housing Crisis*, 2013.
[14] US Census Bureau, *2009-2013 5-Year American Community Survey* (accessed December 2016); available from www.factfinder.census.gov.
[15] US Census Bureau, *Residential Vacancies and Homeownership in the Third Quarter 2016* (accessed November 2016); available at http://www.census.gov/housing/hvs/files/currenthvspress.pdf.
[16] US Census Bureau, *Profile of General Population and Housing Characteristics: 2010, 2010 Census Summary File 1* (accessed December 2016); available from www.factfinder.gov.

2.6 Construction Project Phasing

The proposed project is expected to be constructed in two phases. Phase 1 would include the construction of 132 units, the community building, pump station, while the remainder of the proposed units would be constructed in Phase 2, and completed by 2019 for a total construction period of approximately two years. Phasing of installation of the sewer line extension would be determined by consultations with Suffolk County. Upon completion of construction, Willoughby Commons would provide a mix of rental apartments including: two-bedroom townhouses, two-bedroom apartment units, and one-bedroom apartment units, as well as a community building and pool, and on-site pump station connecting to Suffolk County sewer infrastructure within North 15th Street, south of the subject property.

Construction traffic associated with the development will include trucks for performing operations on the site, as well as the delivery and removal of materials and workers' vehicles. The number and types of construction vehicles would vary considerably depending on the phase of construction and the particular operations underway at any given time. All construction vehicles would arrive and depart via North 28th Street. A construction entrance would be established on North 28th Street in a location determined through consultation with the SCDPW and the Town. All requirements of the County and the Town would be followed during the course of site construction. While it is difficult to determine the traffic levels that would be generated by the construction activities on the site, it can be stated that they would not approach levels of traffic that would occur once the site is fully constructed and occupied.

According to the project engineer, the following elements constitute the major work included in this project. Items may be performed simultaneously or out of sequence, as deemed necessary. Prior to the start of grading and clearing operations, erosion control measures would be installed, as per the Soil Erosion & Sediment Control Plan included in Appendix B, to include the following:

- Clearing and grading shall be scheduled, so as to minimize the size of exposed areas and the length of time that areas are exposed.
- Any existing vegetation to remain shall be protected and remain undisturbed.
- The length and gradient of cleared slopes shall be minimized to reduce runoff velocities.
- Runoff shall be diverted away from cleared slopes.
- Sediment shall be trapped on site.
- Specific methods and materials employed in the installation and maintenance of erosion control measures shall conform to the *New York Guidelines for Erosion and Sediment Control* ("2016 Blue Book," NYSDEC, 2016).
- Sediment barriers (silt fence, hay bales or approved equal) shall be installed along the limits of disturbance for the duration of the work. No sediment from the site shall be permitted to wash onto adjacent properties, wetlands, or roads.

- Control graded and stripped areas and stockpiles with temporary seeding, as required. Seed mixture shall be in accordance with soil conservation service recommendations.
- Install drainage inlets to protect from sediment buildup through the use of sediment barriers, sediment traps, etc., as required.
- Maintain erosion control measures with periodic inspection and after heavy or prolonged storms. Maintenance measures include, but are not limited to, cleaning of sediment basins or traps, cleaning or repair of sediment barriers, cleaning and repair of berms and diversions, and cleaning and repair of inlet protection.
- Install stabilized construction entrances as shown on plan.
- Control debris and dust created on the site on a daily basis, including dust associated with the demolition of existing on-site buildings and structures.
- Wash down construction vehicles prior to them leaving the construction areas to prevent materials from being tracked beyond the limits of disturbance.

The standards and specifications included in the above-referenced *New York Guidelines for Erosion and Sediment Control* provide criteria on minimizing erosion and sediment impacts from construction activity involving soil disturbance. Implementation of a sequenced construction process, described above, and use of other best management practices (BMPs), would ensure that the proposed development would minimize potential impacts with respect to erosion and sedimentation during the construction period.

Overall, as pedestrian and vehicular traffic flow during construction periods would be maintained, to the maximum extent practicable, and erosion and sedimentation control measures would be implemented, significant adverse impacts associated with construction of the proposed project are not anticipated. For further discussion of construction-related impacts, see Section 3.5.

2.7 Required Permits and Approvals

The following permits and approvals are required for implementation of the proposed project:

Table 3 - Required Permits and Approvals

Agency	Required Permit/Approval
Town Board	Change of Zone
Town Planning Board[1]	Site Plan Relief from Willoughby Commons Single-Family Residential Subdivision Covenants
Town Board of Appeals	Variances for density of units and front and rear yard setbacks
Town Department of Public Works	Curb Cuts
Suffolk County Water Authority	Water Connection
Suffolk County Department of Health Services	Sanitary, Stormwater
Suffolk County Sewer Agency	Out-of-district sewer connection
New York State Department of Environmental Conservation (NYSDEC)	Notice of Intent-SWPPP; SPDES General Permit for Stormwater (GP-0-15-002)

Note = [1] = In connection with the request for site plan approval, and as a condition of the proposed change of zone, the proposed action would possibly include a subdivision, or abandonment of, the portion of SCTM No. 0100-013.00-02.00-039.051 that is located on the subject property.

3.0

Existing Conditions, Probable Impacts of the Proposed Action and Mitigation Measures

3.1 Water Resources

3.1.1 Existing Conditions

3.1.1.1 Groundwater

Long Island is considered a sole source aquifer region, which means that groundwater is the single water supply source. Thus, land uses have the potential to impact the quality of the water supply. According to the New York State Department of Environmental Conservation (NYSDEC), "the aquifers underlying Long Island are among the most prolific in the country. Almost all of Long Island's drinking water is from groundwater with surface water an insignificant contributor…The three most important Long Island aquifers are the Upper Glacial Aquifer, the Lloyd Aquifer, and the Magothy Aquifer."

More specifically, according to the NYSDEC,[17]

> *"The Upper Glacial Aquifer is an unconfined aquifer directly underlying the ground surface. The Upper Glacial aquifer was formed during the last ice age. Of note, the Harbor Hill Moraine and Ronkonkoma Moraine represent two different glacial advances and run roughly east to west for the length of Long Island. They comprise poorly sorted glacial till (sand, pebbles, rock, boulders) deposited at the glacier's*

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[17] New York State Department of Environmental Conservation, *Long Island Aquifers* (accessed January 2017); available from http://www.dec.ny.gov/lands/36183.html.

leading edge. Found between these moraines and to the south, are outwash plains of well sorted sand and gravel.

The Magothy is the largest of Long Island's aquifers. Consisting of sand deposits alternating with clay, it attains a maximum thickness of approximately 1,100 feet and is the source of water for most of Nassau County and about half of Suffolk County. The formation can be seen in the coastal bluffs of the north shore and plunges under the land surface to the south.

The Raritan Formation underlies the Magothy. Its two primary units are an upper clay member and a lower sand member named the Lloyd Sand. The clay member separates the Magothy and Lloyd aquifers and serves as a confining unit for the underlying Lloyd Sand aquifer. The clay member has a maximum thickness of 300 feet.

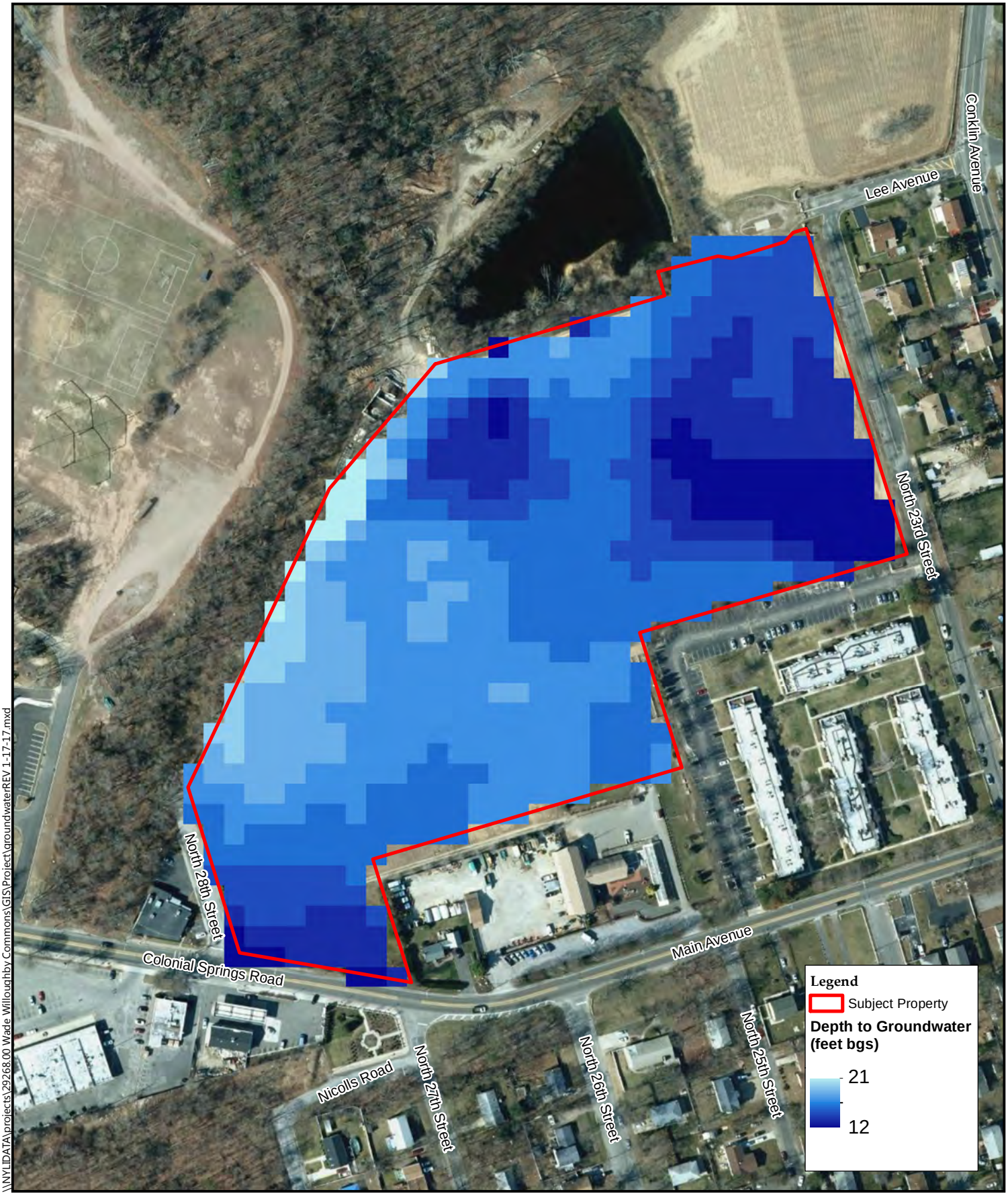
The Lloyd Aquifer is the deepest and oldest of Long Island's aquifers. It is a sand and gravel formation ranging in thickness from zero to five hundred feet. At its deepest, it is 1,800 feet below the surface. The water contained in the Lloyd aquifer is about six thousand years old. Not many wells tap this formation and New York Environmental Conservation Law §15-1528 establishes a moratorium on the use of water from this formation in order to maintain it for future generations.

The Lloyd is underlain by bedrock."

In recent years, suburbanization has caused contamination of areas of the Upper Glacial aquifer, since it is closest to the surface. Groundwater quality in the vicinity of the subject property, as determined by information from relevant groundwater studies, is discussed in the *Relevant Plans and Policies* subsection, below.

Groundwater flow on Long Island is characterized by a groundwater divide, extending east-west along its length. To the north of the groundwater divide, horizontal groundwater flow is generally to the north; in areas south of the divide, it is toward the south. Groundwater has been determined to generally flow in a southeasterly direction in the vicinity of the subject property. Review of the United States Geological Survey (USGS) *Water Table and Potentiometric Surface Altitudes in the Upper Glacial, Magothy, and Lloyd Aquifers beneath Long Island, New York, April-May 2010* (see Figure 7) indicates that groundwater beneath the site ranges from approximately 12 to 21 feet below grade surface (bgs).

Due to the generalities of the above-described mapping data, and the potential for actual on-site conditions to differ from the USGS study, on-site investigations were performed at the subject property in 2001 by McDonald Geoscience. The soil boring conducted at the subject property encountered groundwater in the test hole at a depth of 25± feet bgs.



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Willoughby Commons

Figure 7 - Depth to Groundwater

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N
W E
S

0 0.01 0.02 0.04 Miles

SOURCE: 2013 Aerial: *2013 NYS Digital Ortho-imagery*, NYSITS, 2013. Streets: NYSITS, 2014. Water table data: *Water-table and Potentiometric-surface altitudes in the Upper Glacial, Magothy, and Lloyd aquifers beneath Long Island, New York, April-May 2010*: U.S.G.S., 2013.

Relevant Plans and Policies

Suffolk County Comprehensive Water Resources Management Plan (2015)

The *Suffolk County Comprehensive Water Resources Management Plan* (*Comprehensive Water Resources Plan),* issued by SCDHS in March 2015,[18] provides an extensive review of Suffolk County's groundwater quality and quantity issues and surface water impairments, as well as the programs that address them. The *Comprehensive Water Resources Plan* also includes goals and objectives designed to assure a viable, high quality groundwater resource for the future. The aforementioned goals and objectives, and the proposed project's consistency therewith, are evaluated in Section 3.1.2.1 of this SDEIS.

The *Comprehensive Water Resources Plan* was reviewed to determine whether there are any reported limitations to drinking water quality or quantity in the vicinity of the subject property. According to the *Comprehensive Water Resources Plan*, community supply well sampling in the vicinity of the subject property indicates very high quality groundwater, with respect to nitrate concentrations.

The subject property is not located within the specific areas of the Town where results from private well sampling indicated that groundwater had been impacted by nitrates and pesticides. However, pesticide levels were detected in an area community supply well in exceedance of the maximum contaminant level (MCL) The *Comprehensive Water Resources Plan* notes that resource management and pollution prevention programs have been implemented to protect groundwater from nitrate contamination. Sanitary wastewater management is indicated as the most important factor affecting nitrate levels, and centralized sewage treatment and collection systems utilizing secondary wastewater treatment processes are noted as reducing influent total nitrogen concentrations by 50 percent or less.

Several VOCs studied by the *Comprehensive Water Resources Plan* were not detected in area community supply wells, including tetrachloroethene (PCE), trichloroethene (TCE), trichloroethane (TCA) and methyl tert-butyl ether (MTBE). Although, there have been detections of other volatile organic compounds (VOCs), at levels indicating contamination, in a private well near (within three miles) to the subject property, and proximate to Deer Park Avenue. According to the *Comprehensive Water Resources Plan,* VOC concentrations are often found at their highest levels in wells with industrial, commercial, transportation or institutional uses within their source water areas.

The *Comprehensive Water Resources Plan* also reviewed the quantity of groundwater in the County, with respect to the ability of the aquifer to supply the County's residents. The subject property is not located in an area that was indicated as having potential quantity issues.

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[18] County of Suffolk, *Suffolk County Comprehensive Water Resources Management Plan, March 2015; available from* http://www.suffolkcountyny.gov/Departments/HealthServices/EnvironmentalQuality/WaterResources/ComprehensiveWaterResourcesManagementPlan.aspx.

The Long Island Comprehensive Waste Treatment Management Plan (208 Study) (1978)

In 1978, Long Island was divided into eight hydrogeologic zones in the *Long Island Comprehensive Waste Treatment Management Plan* (*208 Study*). According to the "Hydrogeologic Zones" map within the *208 Study*, the subject property is located within Hydrogeologic Zone I (see Figure 8). Zone I encompasses much of the residential, transport, commercial and industrial activity areas of Nassau and Suffolk County. Zone I, located in Nassau County and western Suffolk, contributes water to the middle and lower portions of the Magothy aquifer. Portions of the Upper Glacial, and to a lesser extent, the Magothy aquifers, have been contaminated by nitrates from fertilizers and on-site wastewater disposal systems and by synthetic organic chemicals from industrial and other discharges. Initially, the nitrate contamination was a result of farming practices and then, later, of urbanization.

Although the greater part of Zone I is urbanized and subject to contamination, several of the northern sectors are still relatively undeveloped and provide opportunities for clean recharge of the aquifers. Only a small portion of Zone I is sewered (roughly ten percent).

The *208 Study* lists structural, nonstructural, and non-point source control options and alternatives for wastewater management for each Hydrogeologic Zone. Non-point source controls must be regarded as an essential part of a comprehensive wastewater treatment management plan (page 80). The relevant control options, wastewater management alternatives and highest priority areawide alternatives for Zone I, and the proposed project's consistency therewith, are presented in Section 3.1.2.1 of this SDEIS.

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Willoughby Commons

Figure 8 - Hydrogeologic Zone

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

Legend

Subject Property

SOURCE: *Hydrogeologic Zones – 208 Study,* Suffolk County Department of Economic Development and Planning, 2014.

The Long Island Comprehensive Special Groundwater Protection Areas Plan (1992)

As indicated in the *Long Island Comprehensive Groundwater Protection Area Plan* (*SGPA Plan*), dated July 27, 1992, Special Groundwater Protection Areas (SGPAs) are significant, largely undeveloped or sparsely developed geographic areas of Long Island that provide recharge to portions of the deep flow aquifer system. They represent a unique final opportunity for comprehensive, preventative management to preclude or minimize land use activities that can have a deleterious impact on groundwater. Nine SGPAs are located on Long Island: North Hills; Oyster Bay; West Hills/Melville; Oak Brush Plains; South Setauket Woods; Central Suffolk; Southold; South Fork; and Hither Hills.

The subject property is situated within the West Hills/Melville SGPA (see Figure 9), which is the westernmost SGPA in Suffolk County. It is also considered a Critical Environmental Area.

Although the specific sources of existing and potential problems vary within and among the SGPAs, there are similarities in respect to groundwater impacts. The *SPGA Plan* discusses general recommendations pertinent to the proposed development and for all nine SGPAs, as well as recommendations specific to the West Hills/Melville SGPA.

Relevant issues and recommendations for the West Hills/Melville SGPA and general recommendations for all SGPAs, and the proposed project's compliance therewith are discussed in Section 3.1.2.1 of this SDEIS.

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Willoughby Commons

Figure 9 - Special Groundwater Protection Areas

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

0 0.45 0.9 1.8 Miles

Legend

Subject Property

SOURCE: *Special Groundwater Protection Areas*, Suffolk County Department of Economic Development and Planning, 2014 .

Final Long Island Groundwater Management Program (1986)

In an effort to obtain general information on groundwater quality in the area, the *Final Long Island Groundwater Management Program* (*LI Groundwater Management Program*) was reviewed. The *LI Groundwater Management Program* is the product of a study effort, funded by a grant from the United States Environmental Protection Agency (USEPA) under Section 208 of the Federal Clean Water Act. Under this grant, the NYSDEC, with cooperation and advice of numerous other state, federal and local agencies involved with groundwater management on Long Island, conducted an intensive review of Long Island groundwater problems and the programs that address them, and prepared a detailed Groundwater Management Program designed to assure a viable, high quality groundwater resource for the future (Page xi).

Within the *LI Groundwater Management Program*, the NYSDEC identified the most significant groundwater problems to include: (Page II-3)

- Contamination by synthetic organic chemicals
- Solvents and degreasers
- Gasoline and petroleum products
- Agricultural pesticides and herbicides
- Groundwater quantity problems including depletion, saltwater intrusion, and flooding, often associated with regional imbalances of demand

Based upon the review of available information and agency consultations undertaken during the study effort, the NYSDEC developed various program actions within the *LI Groundwater Management Program* directed primarily at salient agencies (NYSDEC, New York State Department of Health, SCDHS, local agencies). The program actions that are relevant to the subject property and the proposed action are discussed below.

Chapter IV.B.1 of the *LI Groundwater Management Program* relates to hazardous material storage and handling, identifying that "the highest priority groundwater problem identified on Long Island is organic chemical and petroleum contamination." (Page IV-36). Relevant to Suffolk County, it is recognized that Article 12 of the SCSC is a broad prevention-oriented program for solving problems related to the storage and handling of these substances. The related Program Action is a recommendation that the SCDHS aggressively implement Article 12 of the SCSC covering toxic and hazardous materials storage and handling (Page IV-39).

Chapter IV.B.5 of the *LI Groundwater Management Program* addresses on-site sanitary wastewater disposal, and indicates that "[l]imitation of on-site system densities is the single most effective method available to prevent unacceptable groundwater quality impacts" from domestic wastewater. The relevant Program Action is a recommendation that SCDHS continue to administer Article 6 of the SCSC to appropriately limit density of on-site sanitary systems. (Page IV-57).

Chapter IV.C.4 of the *LI Groundwater Management Program* addresses water conservation. Among the identified examples of measures for discouraging waste and excessive use of potable water are: (Page IV-82)

- the use of water saving plumbing fixtures
- limiting the proportion of developed areas in turf
- promoting alternative ground covers that require less watering

The *LI Groundwater Management Program* was also reviewed to determine whether there is any reported presence of organics, nitrates or aldicarb in groundwater. Based on a review of the *Organic Contamination of Groundwater on Long Island* figure, the subject property lies within an area of known organic contamination. In addition, review of the *Nitrate Contamination of Groundwater on Long Island* figure indicates the subject property is located within or proximate to a general area of shallow nitrate contamination. Nitrate contamination is not considered to be as severe as organic contamination. However, the NYSDEC states that, "particularly in agricultural areas and in developed or developing areas nitrates are a significant problem . . ." Sources that contribute to nitrate contamination include:

- precipitation
- agricultural and turf fertilizer
- sewage effluent through cesspools, septic tank leaching fields and subsurface treatment plant discharges; and
- animal wastes

The presence of shallow nitrate contamination in the general area may be due to the former and current agricultural uses on the subject property and in the surrounding area. The subject property is not situated within the general areas of groundwater contamination for aldicarb.

The proposed project's compliance with the relevant program actions of the *LI Groundwater Management Program* are discussed in Section 3.1.2.1 of this SDEIS.

Suffolk County Sanitary Code (Revised 2011)

In order to protect the groundwater quality in Suffolk County, the SCDHS adopted Articles 6, 7 and 12 of the Suffolk County Sanitary Code (SCSC) in 1980, 1985 and 1976, respectively.

Article 6, entitled, *Realty Subdivisions, Developments and Other Construction Projects*, contains provisions for sewage and water facilities according to a proposed project's location within specific Groundwater Management Zones (GWMZ). The subject property is located within GWMZ I (see Figure 10). SCSC requirements relevant to the subject property are summarized below.

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Willoughby Commons

Figure 10 - Groundwater Management Zone

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

0 0.45 0.9 1.8 Miles

Legend

Subject Property

SOURCE: *Suffolk County Sanitary Code – Article 6 SCDHS Groundwater Management Zones*, Suffolk County Department of Economic Development and Planning, 2013.

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As the proposed project includes multi-family residential dwelling units, applicable sewage facility requirements for construction projects other than conventional single-family developments are included in Section 760-607 (A) of the SCSC. Specifically, a community sewerage system is required by the SCDHS as the method of sewage disposal when any of the following conditions are met:

- the construction project is located outside Groundwater Management Zones III, V or VI, and the population density equivalent is equal to or less than that of a realty subdivision or development of single-family residences in which all parcels consist of an area of at least 20,000 square feet.
- the construction project, or any portion thereof, is located within an existing sewer district.
- the construction project is located in an area where the subsoil or groundwater conditions are not conducive to the proper functioning of individual or subsurface sewerage systems.

Based on SCDHS design flow standards,[19] the population density equivalent for *Multiple Residential Projects* can be calculated as follows for areas outside of Groundwater Management Zones III, V or VI, where community water is being provided:

((75 %) x Adjusted Gross Land Area in SF) x 600 gpd / 40,000 SF

- Therefore, based on SCDHS design flow standards and the size of the portion of the site that would be developed, the population density equivalent for the subject property is 7,885.91 gpd, calculated as follows:

  ((75%) x 700,969.35 SF) x 600 gpd / 40,000 SF

In addition, the subject property is not located within an existing sewer district. Groundwater and soil conditions at the subject property with respect to functioning individual or subsurface sewerage systems are not applicable, as the proposed project includes connection to a sewer district, as discussed in Section 3.1.2. Existing conditions at the subject property, with respect to sanitary waste generation, are discussed in Section 3.1.1.2.

Section 760-608 (A) of the SCSC indicates that, for projects other than conventional single-family residential realty subdivisions and developments, a community water

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[19] Suffolk County Department of Health Services. *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences.* Table 1, Project Density Loading Rates & Design Sewage Flow Rates (revised December 1, 2009).

system method of water supply is required when any of the following conditions are present:

- The construction project, or any portion thereof, is located within an existing water district or service area
- The construction project is reasonably accessible to an existing water district or service area, unless hardship can be demonstrated
- Individual wells cannot provide sufficient yield of freshwater meeting Department requirements or standards
- Groundwaters in the area are non-potable, or potentially hazardous or
- The construction project has a population density equivalent that is greater than that of a realty subdivision or development of single-family residences in which all parcels consist of an area of at least 40,000 SF, or any residential parcel that has an area of less than 20,000 SF.

As discussed further in Section 3.1.1.3, the subject property is located within the service area of the SCWA (Distribution Area 12); however, as the site is currently utilized for agriculture, it is served by two irrigation wells for crop irrigation that are located south, on the Applicant's adjacent property (lot 39.50), therefore, the subject property does not utilize potable water.

Article 7 of the SCSC, *Water Pollution Control*, is intended to protect water resources "from discharges of sewage, industrial and other wastes, toxic or hazardous materials and stormwater runoff," and sets forth restrictions and prohibitions for certain discharges of such materials. Article 7 generally requires that construction and/or modification of sanitary disposal systems be subject to SCDHS permits, and that stormwater runoff not be allowed to run overland and become contaminated. Article 7 sets forth additional restrictions on discharges within deep recharge areas and water supply sensitive areas, and enumerates those activities which are excluded from such restrictions (e.g., application of approved fertilizers or pesticides, deicing salts, discharge of sewage to municipal sewers, etc.). Based upon a review of the SCSC's *Groundwater Management Zones & Water Supply Sensitive Areas* map, the subject property is not within a water supply sensitive area. However, as previously discussed, the subject property is in GWMZ I, which is considered to be a deep recharge area, according to the SCSC. Thus, additional restrictions would apply, as follows:

- Section 760-706(A) indicates that, in deep recharge areas and water supply sensitive areas, it shall be unlawful for any person to discharge any restricted toxic or hazardous materials or to discharge industrial wastes from any facility containing restricted toxic or hazardous materials to the groundwaters, to the surface of the ground, beneath the surface of the ground, to a municipal or communal sewage system, or to a disposal system (subject to certain exceptions);

- Section 760-706(B) indicates that, in deep recharge areas and water supply sensitive areas, it shall be unlawful to use or store any restricted toxic or hazardous material on any premises (subject to certain exceptions); and
- Section 760-711 indicates that existing disposal systems abandoned as a result of connection to municipal sewage systems or communal sewage systems or different disposal systems or for other reasons shall be removed or permanently sealed in a manner acceptable to the Commissioner.

Article 12, *Toxic and Hazardous Materials Storage and Handling Controls*, addresses the storage and handling of toxic and hazardous materials in order to safeguard water resources from existing sources of contamination and to prevent further pollution from new sources. Relevant aspects of §760-1205 relate to the storage of fuel oil in underground/above-ground storage tanks and the storage of pesticides and related materials. Pursuant to §760-1208, underground or above-ground storage tanks (with a storage capacity of less than 1,100 gallons) that contain kerosene, number 2 fuel oil, number 4 fuel oil, number 6 fuel oil, diesel oil, lubricating oil or gasoline in aboveground tanks that are used solely for on-site heating or intermittent stationary power production (such as stand-by electricity generation) are exempt from most provisions of Article 12.

There are no toxic and/or hazardous materials currently stored on the subject property. All such storage is on the Applicant's adjacent out-parcels located to the south, which would remain as currently used.

Pursuant to §760-1210, new storage facilities to be used for the underground storage of toxic or hazardous materials shall be "designed and constructed in a manner which would, in the opinion of the Commissioner [of the SCDHS], provide the maximum reasonable protection available against leakage or spillage from the facility due to corrosion, breakage, structural failure, or other means. Double-walled or equivalent facilities are required for all toxic and hazardous materials."

A review of the proposed project's consistency with the relevant provisions set forth in the SCSC are included in Section 3.1.2.1 of this document.

Nonpoint Source Management Handbook (1984)

The *Nonpoint Source Management Handbook* (the *Handbook*), which was prepared as part of the USEPA's 208 Plan Implementation Program, is divided into several elements: Land Use, Stormwater Runoff, On-site Systems, Highway Deicing, Fertilizer, Animal Waste, Wells-Water Supply, Boat Pollution, and Site Plan Review and Ordinances. The *Handbook* makes a variety of recommendations for counties, municipalities, engineers, etc., to use in the controlling of non-point sources of groundwater contamination, which are presented in Section 3.1.2.1, and the proposed project's consistency with same is evaluated therein.

The Long Island Segment of the Nationwide Urban Runoff Program (1982)

The *Long Island Segment of the Nationwide Urban Runoff Program* (*NURP Study*) recognized that years of study, including various 208 studies, have provided conclusive evidence that in many areas pollutant loading contributed by non-point sources exceed those contributed by point sources, with urban runoff being the most significant non-point source. With regard to stormwater runoff, as it pertains to the protection of groundwater and surface water resources, the *NURP Study* made the following findings concerning groundwater and surface water:

Groundwater

- Most of the runoff into recharge basins is derived from rain that falls directly on impervious surfaces, except during storms of high intensity, high volume and/or long duration.
- In general, with the exception of lead and chloride, the concentrations of inorganic chemicals measured in stormwater runoff do not have the potential to adversely affect groundwater quality.
- Infiltration through the soil is generally an effective mechanism for reducing lead and probably chromium from runoff on Long Island. Although the *NURP Study* findings concerning chromium are not conclusive, data from a spill at Farmingdale indicate attenuation. Chloride is not attenuated. The effect of infiltration on nitrogen is undetermined.
- Coliform and fecal streptococcal indicator bacteria are removed from stormwater as it infiltrates through soil.

Surface Water

- Any control of chemical constituents in runoff requires awareness of the year-round presence. The use of highway deicing salts in winter explains the high chloride concentrations found in runoff during that season.
- Stormwater is a major source of coliform loading to Long Island bays. Some of the bays in Suffolk County contain areas where impaired water quality exists for reasons other than stormwater runoff (e.g., localized duck farm discharges).
- The evidence accumulated in the *NURP Study* strongly supports the belief that fecal coliform loads are derived from non-human sources. Estimates indicate that the dog population could be a major source of the fecal coliform load in stormwater runoff.

Relevant recommendations from this study are presented in Section 3.1.2.1, and the proposed project's consistency with same is evaluated therein.

3.1.1.2 Sewage Disposal

As the subject property is currently utilized as farmland, and is not developed with any habitable structures, there is no sewage generation. Although the subject property is not currently within the Southwest SD, an existing Southwest SD Sewer manhole is located on North 15th Street, south of Washington Avenue, approximately 0.5±-mile southeast of the subject property.

A discussion of the prevailing Suffolk County regulations with respect to sanitary waste and the subject property is included in Section 3.1.1.1, above. Furthermore, a discussion of the anticipated location of the Southwest SD sewer line and routing of the proposed sewer line extension is included in Section 3.1.2.2 of this SDEIS.

3.1.1.3 Water Supply

The current water supply for the subject property is from two irrigation wells that are located on the Applicant's adjacent out-parcels. As the water is used for crop irrigation, the water usage peaks in the months of July, August and September. The Applicant estimates water usage at approximately 2.3 million gallons during these months. Water usage varies the reminder of the year.

The subject property is located in SCWA Distribution Area 12. According to information from the *Suffolk County Water Authority 2016 Drinking Water Quality Report (SCWA 2016 Report),*[20] overall, in 2015, the SCWA system served 1.2 million people in 27 Distribution Areas. To meet the water demand of its customers, SCWA pumped 76.2 billion gallons from 583 active wells in 2015. In an effort to obtain information regarding quality of the public water supply in the vicinity of the subject property, VHB reviewed the sampling results from the *SCWA 2016 Report*, which indicate that the drinking water within Distribution Area 12 did not indicate the presence of inorganic contaminants, synthetic organic contaminants or VOCs beyond regulatory limits in any of the supply wells within the district, with the exception of iron. However, iron is naturally occurring in groundwater, and has no adverse health effects at the levels detected. With respect to potential contaminants that are not regulated, two wells, located in Distribution Area 12, have nitrosamines, which can be formed as a byproduct of the disinfection of drinking water or found as a contaminant in drinking water from manufacturing processes. In addition, they are found in tobacco smoke, cosmetics, and food products, and they can be created by the body during digestion of some dietary constituents. While the USEPA has not set an MCL for nitrosamines, it has classified several nitrosamines as probable human carcinogens. The nitrosamines found in the wells in Distribution Area 12 were found at extremely low levels. The USEPA also requires testing for total coliform bacteria in source waters and water after treatment. In the 2015 monitoring year, a Distribution

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[20] Suffolk County Water Authority, *Suffolk County Water Authority 2016 Drinking Water Quality Report*, 2016 (accessed November 2016); available from http://s1091480.instanturl.net/dwqr2016/2016_DWQR_FINAL_5-31-16.pdf.

Area 12 sample texted positive for total coliform; however, additional samples taken from area wells tested negative for coliforms, including E. coli. The SCWA also conducts radiological tests, including for radon, a naturally occurring radioactive gas that was detected in samples of Distribution Area 12 supplies. The USEPA does not currently have an MCL, although the USEPA is considering setting a limit for water suppliers of 4,000 picocuries per liter (pCi/L). Radon was detected, at its highest level, at 145.3 picocuries per liter (pCi/L), which is much lower than the potential USEPA requirement of 15 picocuries per liter (pCi/L)

3.1.1.4 Stormwater Runoff

Stormwater runoff is generated by precipitation events and is divided into three components: surface runoff, interflow and base flow. Surface runoff is that portion of the stormwater that remains after a precipitation event and is not captured by depression storage or ponding, does not infiltrate the surface and is not evapotranspired from the earth's surface. Interflow is that portion of stormwater that infiltrates the surface into the soil zone and moves in a horizontal direction until reaching a surface water body. Finally, the base flow is that portion which infiltrates the surface and soil profile to reach groundwater.[21]

In the NYSDEC manual, *Reducing the Impacts of Stormwater Runoff From New Development*, the concept of stormwater management is such that there are quantitative controls, or a system of vegetative and structural measures, which can be used "to control increased volume and rate of surface runoff caused by man-made changes to the land" to convey stormwater flows and avoid flooding, and qualitative controls, that can also be used "to control or treat pollutants carried by surface runoff" (page 5). The goal of stormwater management is to prevent substantial alteration of the "quantity and quality of stormwater run-off from any specific development… from predevelopment conditions" (page 6).

As indicated in the *NYS Stormwater Manual*[22], stormwater management planning consists of a calculation of the stormwater volume for a site, incorporating any runoff reduction features or techniques in place, and use of standard stormwater management practices (SMPs) and control practices, as applicable given site-specific considerations. Acceptable SMPs for stormwater treatment can capture and treat the full stormwater volume, and meet performance standards designed in the *NYS Stormwater Manual*, including the removal of pollutants before stormwater reaches groundwater. Broad categories of acceptable practices include stormwater wetlands, infiltration practices (capturing and temporarily storing stormwater before allowing it to infiltrate into the soil), filtering practices (capturing, temporarily storing

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[21] *Reducing Impacts of Stormwater Runoff From New Development*, New York State Department of Environmental Conservation.
[22] New York State Department of Environmental Conservation, *New York State Stormwater Management Design Manual* (Albany, NY: NYSDEC, 2015); available from http://www.dec.ny.gov/chemical/29072.html.

stormwater and passing it through a filter bed of treatment media) and open channel practices (capturing and treating stormwater within designed dry or wet cells).

As indicated on the Grading and Drainage Plan (see Appendix B), runoff coefficients of 1.00 for the existing building and paved areas (totaling 2,900.00 SF) and 0.15 for the existing farm/natural area (698,069.35SF) were used to calculate the drainage system capacity that would be needed to accommodate a two-inch rainfall, as required by the Town. Based on the above-indicated existing conditions on the subject property, the total volume of stormwater runoff generated at the subject property is 17,935 CF. Currently, there are no structural controls (e.g., drywells) on the subject site to accommodate stormwater runoff. Thus, stormwater is recharged to surface and groundwater by infiltration, through natural leaching processes. Accordingly, stormwater that does not infiltrate or evapotranspire is permitted to the pond at the site or run overland onto adjacent properties and roadways.

The proposed project's consistency with the below policy documents is provided in Section 3.1.2.4 of this SDEIS.

Chapter 189 of the Town of Babylon Town Code: Stormwater Management and Erosion and Sediment Control

Chapter 189 of the Town Code was established to regulate stormwater runoff and sediment discharges from land development projects and other construction activities for the purposed of protecting water resources. The purpose of Chapter 189 is to enable the Town to meet the requirements of NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permits for Municipal Separate Stormwater Sewer Systems (see discussion below); require land development activities to conform to the requirements of NYSDEC SPDES General Permit for Construction Activities; minimize increases in stormwater runoff from land development activities to reduce flooding, siltation, increases in stream temperature, stream bank erosion and degradation of local water quality; minimize the total annual volume of stormwater runoff which flows from any specific site; and reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution through stormwater management practices. Specific relevant requirements of this Chapter are presented, along with the proposed project's consistency therewith, in Section 3.1.2.4 of this SDEIS.

New York State Pollutant Discharge Elimination System (SPDES) Program

The USEPA Phase I Rule was issued in 1990, and regulates stormwater discharges associated with industrial activities. As defined at 40 CFR 122.26(b)(14), industrial

activities include construction activities (e.g., clearing, grading, excavation activities) that result in the disturbance of five acres or more of land area. The Phase I Rule requires such activities to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for stormwater discharges (or coverage under an NPDES-approved State permit). It is noted that the USEPA Phase II stormwater rule was implemented to regulate (among other things) construction activities disturbing less than five acres, but greater than one acre of land. NYSDEC administers New York's NPDES-approved SPDES program, which includes a General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). This General Permit applies to the following construction activities when stormwater runoff may discharge to Waters of New York State (including Waters of the United States):

- Construction activities involving soil disturbances of one or more acres; including disturbances of less than one acre that are part of a larger common plan of development or sale that will ultimately disturb one or more acres of land.
- Construction activities involving soil disturbances of less than one acre where the Department has determined that a SPDES permit is required for stormwater discharges based on the potential for contribution to a violation of a water quality standard or for significant contribution of pollutants to surface waters of the State.

Projects covered under the SPDES GP-0-15-002 are required to develop and implement a SWPPP that meets criteria set forth by NYSDEC. All SWPPPs must include practices consistent with the *New York Standards and Specifications for Erosion and Sediment Control* (2016 Blue Book). Construction of the proposed project would also comply with the *NYS Stormwater Manual* to address post-construction stormwater discharges.

3.1.1.5 Wetlands

According to the NYSDEC Freshwater Wetland Maps, there are no NYSDEC freshwater wetlands at the subject property, however, a NYSDEC-designated G-1 wetland is located north of the subject property and partially in the Town's storm surge/recharge basin (see Figure 11). The southernmost portion of the 100-foot regulated area associated with this freshwater wetland may reach the northwestern portion of the subject property. A delineation would be required to determine the extent of the freshwater wetland and 100-foot regulated area. Per correspondence from the NYSDEC dated January 12, 2016 (see Appendix C), the agency does not consider the Town's storm surge/recharge basin, situated adjacent to the subject property, a NYSDEC-regulated freshwater wetland.

In addition, National Wetland Inventory (NWI) Maps were examined, and there are no NWI-identified wetlands on-site (see Figure 12). The storm surge/recharge basin to the north is indicated as a Palustrine, Open Water, Semipermanently-flooded, excavated (POWFx) wetland feature.

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Willoughby Commons

Figure 11 - NYSDEC Freshwater Wetlands

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N
W E
S

0 0.01 0.02 0.04 Miles

SOURCE: 2013 Aerial: *2013 NYS Digital Ortho-imagery*, NYSITS, 2013. Streets: NYSITS, 2014. Freshwater Wetlands: NYSDEC, 2013.

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Willoughby Commons

Figure 12 - NWI Wetlands

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

0 60 120 240 Feet

SOURCE: 2013 Aerial: *2013 NYS Digital Ortho-imagery*, NYSITS, 2013. Streets: NYSITS, 2014. NWI Wetlands: USFWS, 2014.

3.1.2 Probable Impacts

3.1.2.1 Groundwater

Relevant Plans and Policies

Suffolk County Comprehensive Water Resources Management Plan (2015)

As indicated in Section 3.1.1.1 of this SDEIS, the *Comprehensive Water Resources Plan* prepared goals and objectives designed to assure a viable, high quality groundwater resource for the future. The proposed project's consistency with the relevant portions is evaluated below:

- *All County residents should have access to safe potable water that is in compliance with drinking water MCLs, USEPA health advisories and New York State guidance levels.*

  As indicated in Section 3.1.1.3 of this SDEIS, the 2016 water quality data (for the 2015 monitoring year) for SCWA's Distribution Area 12, did not indicate the presence of inorganic contaminants, synthetic organic contaminants or volatile organic contaminants beyond regulatory limits in any of the supply wells within the district, with the exception of iron, which was detected at levels that would not impact human health. With respect to detection of unregulated contaminants, those found were at extremely low levels. Therefore, since the proposed project would receive potable water from the SCWA, the future residents of the proposed project will have access to safe potable water.

- *A community public water supply should be available to all Suffolk County residents.*

  As mentioned above, the proposed project would be served by SCWA public water. The subject property is currently connected to SCWA infrastructure, and would continue to be served by the SCWA to ensure that a community public water supply would be available for the residents of Willoughby Commons.

- *Residential and commercial irrigation should be managed to reduce peak demands on water supply infrastructure.*

  As previously explained, the proposed project would maximize the use of low-maintenance, native species, as well as limit areas to be irrigated to the extent practicable to minimize water use.

- *Nitrogen loading and concentrations of other regulated and unregulated contaminants in groundwater should be reduced to the greatest extent feasible and practical for the*

protection of current and future drinking water supplies and to restore/maintain ecological functions of streams, lakes, estuaries and marine waters.

The proposed project would include a connection to the Southwest SD for sanitary waste disposal and would minimize fertilizer use, thus reducing nitrogen loading in groundwater.

- *Land use patterns should be consistent with the protection of the County's groundwater and surface water resources, including the protection of existing and future drinking water supplies.*

  The proposed project is a residential land use, whose design would be protective of surface and groundwaters through connection to the Southwest SD for wastewater treatment, connection to the SCWA public water supply, installation of a stormwater management system that would contain and recharge virtually all stormwater on-site, use of low-flow plumbing fixtures, and a landscaping plan that would limit the areas to be irrigated to the extent practicable and would consist of low-maintenance, native plant species with minimal fertilizer requirements.

- *Groundwater levels should be maintained to protect and preserve the County's drinking water supply, as well as to protect and preserve the long term sustainability and ecological functions of existing surface water resources.*

  As noted in Section 3.1.1.1 of this SDEIS, the subject property is not located in an area where there are potential groundwater quantity issues. Therefore, it is not expected that the proposed project would impact groundwater quantity. In addition, there are no wetlands or surface waters on the subject property, however, according to NYSDEC geographic information systems (GIS) data, a portion of a NYSDEC freshwater wetland's 100-foot regulated area may extend onto the northwestern portion of the subject property. A delineation of the wetland and regulated area would be conducted to confirm the GIS data. As discussed further in Section 3.1.2.5, the proposed development would not result in the clearing, grading or disturbance of any NYSDEC wetland or 100-foot regulated area. Thus, surface water resources would be preserved.

- *Groundwater nitrogen inputs into the County's surface waters should be reduced, consistent with the goals of the Long Island Sound Study (LISS), Peconic Estuary Program (PEP) and the South Shore Estuary Reserve (SSER) programs – to protect, preserve and restore the estuaries for long term sustainability of the resource.*

  As discussed above, nitrogen inputs would be reduced to the extent practicable, through the aforementioned connection to the Southwest SD and through minimization of use of fertilizers.

- *Improve groundwater quality to maintain a potable water supply to serve existing and future populations by reducing effluent nitrogen loads from existing and future onsite sewage disposal systems and sewage treatment plants.*

As indicated above, the proposed project would connect to the Southwest SD, and effluent would be treated at the Bergen Point WWTP. Although the Bergen Point WWTP does not have nitrogen removal, it does provide advanced treatment and removal of biochemical oxygen demand (BOD)[23] to treat effluent.

Based on the above, the proposed project would be consistent with the relevant goals of the *Comprehensive Water Resources Plan*.

The Long Island Comprehensive Waste Treatment Management Plan (208 Study) (1978)

As indicated in Section 3.1.1.1, the subject property is within Hydrogeologic Zone I. Among the control options and alternatives recommended in the *208 Study* for Zone I, those relevant to the proposed project are analyzed below:

- Wastewater Management and Highest Priority Areawide Alternatives:
  - *Restrict the use of inorganic, fast-acting fertilizers. Promote the use of low-maintenance lawns.*

    In compliance with this recommendation, the proposed development would use low-maintenance (low fertilizer- and low water-dependent) vegetation in the landscaping to the maximum extent practicable.

  - *Require nitrogen removal for treatment plants recharging effluent.*

    As previously discussed, the proposed project would connect to the Southwest SD, and effluent would be treated at the Bergen Point WWTP. Although the Bergen Point WWTP does not have nitrogen removal, it does provide advanced treatment and removal of BOD to treat effluent. Moreover, effluent from the Bergen Point WWTP does not recharge to groundwater, as it is discharged to the Atlantic Ocean.

- Structural and Non-Structural Recommendations:
  - *As currently vacant land is developed, provide collection and treatment at a density of approximately six persons or two dwelling units per gross acre*

    Although the proposed project would consist of a higher level of density than described above, the proposed development would be protective of groundwater resources through the connection to the Southwest SD to ensure that sanitary waste generated by the site would be handled properly so as to minimize potential for groundwater contamination. A stormwater management system would also be installed to collect and recharge stormwater generated by the subject property. This would prevent

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[23] United States Environmental Protection Agency, *2008 Clean Watersheds Needs Survey: Suffolk (Co) SCSD #3 Southwest* (accessed January 2017); available from http://cfpub.epa.gov/dmr/facility_detail.cfm?fac=NY0104809.

stormwater runoff from potentially gathering contaminants and polluting groundwater. As such, the proposed project would adhere to this recommendation to the maximum extent practicable.

- *In areas that are completely sewered, regulations mandating the hookup of private disposal systems to district collection systems should be strictly enforced*

  The subject property is outside any sewer districts, however, as discussed, the proposed project would include an out-of-district connection to the Southwest SD, and thus, would be consistent with this recommendation.

- *Control stormwater runoff to minimize the transport of sediments, nutrients, metals, organic chemicals, and bacteria to surface and groundwater.*

  The stormwater system would be designed to collect virtually all stormwater and direct it to 102 leaching basins installed throughout the site. Accordingly, the proposed project complies with this recommendation.

Based on the foregoing, the proposed project would be consistent with the *208 Study*.

The Long Island Comprehensive Special Groundwater Protection Areas Plan (SGPA Plan)

As discussed in Section 3.1.1.1, the *SGPA Plan* makes general comments and recommendations for land use and development, regardless of the specific SGPA a project may be located in. In addition, a consistency analysis with the relevant issues and general recommendations for all SGPAs are as follows:

- *DEC Antidegradation Policy - [g]overnments should take every step to preclude the introduction of pollutants into the aquifers regardless of the costs to the community.*

  While this recommendation is aimed towards government agencies to protect the quality of potable water in order to support the NYSDEC's nondegradation policy, the proposed action would comply with applicable regulations and protect groundwater. Specifically, prior to commencement of construction, a SWPPP would be prepared and implemented, and would include erosion and sedimentation controls (see Section 2.6 and 3.5 for additional details) and methods by which stormwater would be accommodated. The SWPPP to be prepared would also address post-development stormwater management. Covenants and restrictions for post-construction stormwater management would be filed by the Applicant to ensure long-term maintenance of the drainage infrastructure (see discussion of the SPDES program below). Thus, the SWPPP, in conjunction with other water pollution control measures, would mitigate the potential for water quality problems associated with the proposed development. Furthermore, the proposed development would use low-maintenance (low fertilizer- and low water-dependent) vegetation in the landscaping to the maximum extent practicable. Landscaped areas would contain underground sprinkler systems, in accordance with Town regulations, and areas to be irrigated would be minimized

to the extent practicable to reduce water use. Moreover, the proposed development would connect to the Southwest SD. Thus, the proposed action would be consistent with the intent of this recommendation.

- *Expansion of the Southwest Sewer District STP [Sewage Treatment Plant] …could be expected to reduce or minimize that potential for groundwater contamination.*

  Currently the proposed project is outside the service area of the Southwest SD; therefore, a 228±-SF on-site pump station and an extension of the Southwest SD sewer line are proposed to allow for connection to the Southwest SD. The proposed project's out-of-district connection to the Southwest SD could potentially encourage economic development by allowing for surrounding businesses and residences to also connect to wastewater treatment infrastructure through the Applicant's proposed connection. Therefore, the proposed action would promote the expansion of the Southwest SD, in accordance with this recommendation.

- *Best Management Practices (BMPs) would include minimal turf areas surrounding buildings; the use of slow release nitrogen fertilizers; and the use of selected grasses and groundcovers that require minimal fertilization, and are relatively disease free and drought resistant so that irrigation and pesticide uses can be stringently limited.*

  BMPs would be employed at the subject property, as the proposed stormwater management system would be designed in accordance with specific technical guides (as discussed further in Section 2.6), and all drainage structures would meet or exceed the four-foot minimum separation to groundwater resources, as required by the *NYS Stormwater Manual* for areas in New York State located above a sole source aquifer. As previously discussed above, the proposed development would use low-maintenance (low fertilizer- and low water-dependent) vegetation in the landscaping to the maximum extent practicable. Thus, the Willoughby Commons residential development would comply with this recommendation.

Specific issues and opportunities in the West Hills/Melville relevant to the proposed action, as discussed in the *SGPA Plan*, are as follows:

- *The need to reduce or mitigate contamination associated with past or present point and non-point sources and to preclude the introduction of new sources is also a concern.*

  As previously described, the proposed project would develop and submit a SWPPP to the Town of Babylon. The SWPPP, in conjunction with other water pollution control measures, would mitigate the potential for water quality problems associated with the proposed development. Furthermore, the proposed development would connect to the Southwest SD. Therefore, the proposed action would address this concern.

- *The past and continuing use of agricultural chemicals and the compatibility of farm practices with groundwater protection is another concern.*

  The proposed action involves the redevelopment of a property containing an agricultural use to a residential use. As farm activities would cease prior to commencement of construction of the proposed development, agricultural chemicals would no longer be used at the subject property. As indicated throughout this section, the proposed development would use low-maintenance (low fertilizer- and low water-dependent) vegetation in the landscaping to the maximum extent practicable. Thus, the Willoughby Commons residential development would address this concern.

- *There is also a small wetland area in the Town of Babylon and near the camp site. Preservation of the wetland would enhance habitat diversity as well as groundwater protection.*

  As discussed further in Section 3.2.1.4 below, the proposed development would comply with any applicable NYSDEC requirements, and would not result in clearing, grading or disturbance of the NYSDEC wetland to the north or its 100-foot regulated area.

The *SGPA Plan* notes several recommendations for the West Hills/Melville SGPA, however, all of these recommendations can only be implemented by the State, County or Towns, and thus, are not applicable to the proposed action.

Based on the foregoing, the proposed project would be consistent with the *SGPA Plan*.

Final Long Island Groundwater Management Program (1996)

As indicated in Section 3.1.1.1 of this SDEIS, the subject property is identified as being located within an area where shallow groundwater has been contaminated by organics and nitrates. As discussed, the proposed project would connect to the Southwest SD for wastewater treatment purposes. Therefore, there would be no on-site discharge and no associated sanitary impacts to groundwater. Additionally, the proposed project would plant native, low-maintenance plant species within the approximately 3.13± acres of landscaping on-site in order to reduce the demand for nutrient inputs by way of fertilizers**.** As such, the proposed development would reduce nitrates loading to the shallow groundwater system to the maximum extent practicable.

With respect to the program actions recommending that Suffolk County aggressively implement Articles 6 and 12 of the SCSC, as discussed under the *Suffolk County Sanitary Code* subsection, above, the proposed project would comply with the provisions of Articles 6 and 12, and, as such, would be consistent with these program actions of the *LI Groundwater Management Program*. In addition, as described in Section 3.1.1.1, above, the *LI Groundwater Management Program* recommends measures for

discouraging waste and excessive use of potable water. The proposed project would incorporate the use of low-flow plumbing fixtures and native, low-maintenance landscape species. Thus, based on the foregoing analyses, the proposed project would be consistent with the findings of the *LI Groundwater Management Program*

Suffolk County Sanitary Code (Revised 2011)

As explained in Section 3.1.1.1 of this SDEIS, Article 6 of the SCSC states that a community sewerage system method of disposal is required for projects exceeding their respective population density equivalents (e.g., connection to a municipal sewer system, connection to an existing off-site community STP or construction of an on-site community STP). As stated previously, the population density equivalent for the subject property is approximately 7,885.91 gpd, and, as described below, the proposed project would generate 63,330± gpd of sanitary waste. Therefore, a community sewage system would be required for the proposed project. As the proposed project would include connection to the Southwest SD for wastewater treatment purposes, the proposed project complies with Article 6.

In addition, Article 6 of the SCSC also includes requirements for community water facilities with respect to those projects located within an existing water district or service area. As previously indicated, the subject property is within SCWA Distribution Area 12, and the proposed project would connect the site to SCWA public water supplies. Therefore, the proposed project would comply with this section of Article 6 of the SCSC.

As indicated in Section 3.1.1.1 of this SDEIS, since the subject property is located in a deep recharge area, relevant considerations in Article 7 include:

- Section 760-706(A) indicates that, in deep recharge areas and water supply sensitive areas, it shall be unlawful for any person to discharge any restricted toxic or hazardous materials or to discharge industrial wastes from any facility containing restricted toxic or hazardous materials to the groundwaters, to the surface of the ground, beneath the surface of the ground, to a municipal or communal sewage system, or to a disposal system (subject to certain exceptions);

- Section 760-706(B) indicates that, in deep recharge areas and water supply sensitive areas, it shall be unlawful to use or store any restricted toxic or hazardous material on any premises (subject to certain exceptions); and

- Section 760-711 indicates that existing disposal systems abandoned as a result of connection to municipal sewage systems or communal sewage systems or different disposal systems or for other reasons shall be removed or permanently sealed in a manner acceptable to the Commissioner.

In accordance with Article 7 of the SCSC, all sewage generated by the proposed project would be discharged to Southwest SD, which complies with SCDHS

standards, and the required permits for connection to the sewer district would be obtained prior to construction. In addition, the stormwater management design for the subject property would be such that virtually all stormwater runoff would be recharged on-site, and would not be subject to contamination by any toxic or hazardous wastes or materials. The Bergen Point WWTP would treat wastewater, and on-site stormwater systems would filter effluent and stormwater prior to reaching groundwater. Thus, the proposed project would be in compliance with the requirements of Article 7 of the SCSC.

The proposed project is expected to be served by natural gas from National Grid for the purposes of heating. The storage of heating fuel on-site is not proposed. It is expected that the proposed project would include the storage or use of only limited quantities of chemicals or other hazardous materials associated with routine swimming pool maintenance, landscaping and other property maintenance. All pool maintenance chemicals, landscaping maintenance and other property maintenance agents to be stored or used at the subject property would be handled in accordance with the relevant provisions of Article 12 of the SCSC, and all required permits would be secured, as needed.

Based upon the above analysis, the Willoughby Commons development complies with the requirements of the SCSC.

Nonpoint Source Management Handbook (1984)

The *Handbook* was reviewed as to recommendations related to the proposed project. Discussion of the proposed project's consistency with the relevant recommendations follows:

Land Use

Limit new development, particularly industrial uses, in the deep recharge and critical shallow recharge areas.

The proposed action includes the redevelopment of a site currently occupied by agricultural uses, and thus, the subject property has been historically graded and disturbed. Although the subject parcel is located in a deep recharge area, the proposed action does not include the development of industrial uses, and includes a connection to the Southwest SD for sanitary wastewater treatment, such that there would be no associated impacts to groundwater. Thus, the proposed project complies with this recommendation.

- *Limit the removal of natural vegetation and the creation of lawn areas.*

  Upon implementation of the proposed action, the entirety of the subject property (16.09± acres) would be cleared for development of the proposed project, and 3.13± acres of lawn and landscaped areas would be installed. Native species would be used to the maximum extent practicable. Thus, the proposed project complies with the intent of this recommendation.

- *Minimize nitrate loadings to groundwater and surface waters by requiring natural vegetative controls to limit lawn areas, thereby decreasing fertilizer use.*

  On-site landscaping would be comprised of low-maintenance, native plant species. The use of such species, as an alternative to fertilizer-dependent species, would be expected to minimize the need for fertilizer and pesticide application. As a result, the potential presence of such constituents within the stormwater runoff would be reduced to the maximum extent practicable.

Stormwater Runoff

- *Minimize grade changes and site clearing.*

  Much of the subject property has historically been disturbed, due to past use for agriculture. Additional site clearing and grading would occur to construct the proposed improvements. While regrading of the site would occur, the change in grade from the existing to proposed conditions would be generally attributable to the need to balance the site in preparation for installation of foundations and infrastructure. Existing grades would be retained wherever possible. The proposed project would initially result in the clearing of the 16.09± acre subject property proposed for development. However, as previously discussed, 3.13± acres of lawn and landscaped areas would be created, using native plant species to the maximum extent practicable. Accordingly, the proposed project complies with the spirit of this recommendation.

- *Retain native vegetation on steep slopes, in swales, on excessively drained sandy-gravelly soils, on soils with a high content of silts, fine sands and clays, and in areas with a high water table or adjacent to surface waters.*

  Although the proposed project would initially result in the clearing of the entire 16.09±-acre subject property, as previously discussed, 3.13± acres of lawn and landscaped areas would be created, using native plant species to the maximum extent practicable. There are no steep slopes or drainage swales on the subject property, and on-site soils are such that significant adverse impacts from clearing and grading are not anticipated. In addition, during the grading and construction processes, hay bales and silt fencing would be placed along the length of the site to limit potential runoff from the site into off-site areas, including the 100-foot wetland regulated area, and the storm surge/recharge basin north of the subject property. Post-construction drainage methods include leaching pools to contain and recharge virtually all stormwater on-site. Overall, therefore, the proposed project complies with the intent of this recommendation.

As discussed, the *Handbook* lists several recommendations relevant to the general design of a stormwater management system.

- *Use swales and shallow depressions to collect stormwater on-site, wherever possible.*
- *Use natural vegetation as an important nonstructural alternative in the control of stormwater runoff and erosion/sedimentation.*

- *Use man made swales and other types of drainage channels to carry and recharge stormwater.*
- *Use a biofiltration system to detain runoff and reduce contaminant loadings.*
- *Use an in-line storage system for the collection of stormwater runoff from parking lots and roadways.*
- *Use permeable paving for patios and walkways to reduce the volume of stormwater runoff by increasing infiltration to the ground below, thus allowing for recharge of the aquifer.*
- *Use downspouts to collect and convey runoff from roofs to leaching pools.*

In accordance with those recommendations, a Grading and Drainage Plan has been prepared (see Appendix B). This plan includes the installation of 102 ten-foot-diameter, 14-foot-deep leaching basins throughout the subject property to collect and recharge stormwater runoff to groundwater, via the base of the subject leaching basins. As previously noted, results from the test hole located in the subject property indicated that depth to groundwater is 25± feet bgs, and thus, there would be adequate separation distance between the base of the leaching structures and groundwater. Further, stormwater runoff would not be permit to run overland and potentially become contaminated before reaching surface or groundwaters. Accordingly, the proposed project would be consistent with the various recommendations of the *Handbook* for the design of stormwater management systems.

Below, compliance with the *Handbook*'s recommendations relevant to stormwater management during site development is evaluated.

- *Provide temporary on-site areas to receive stormwater runoff flows that are generated by construction and other site development activities.*
- *Do not allow increased sediment resulting from the construction or operational phase of site development to leave the site or to be discharged into stream corridors, marine or freshwater wetlands.*
- *Minimize the amount of soil area exposed to rainfall and the period of exposure. Cover or plant exposed soils as soon as possible.*
- *Do not allow the dumping or filling of excess soil or other materials generated from site development into swales and surface waters.*
- *Stabilize exposed slopes during and after construction, by using temporary and/or permanent, structural or nonstructural stabilization measures.*

Erosion and sedimentation control measures would be employed during construction in conformance with the above guidelines (see Appendix B for the Soil Erosion & Sediment Control Plan). Specific measures would include the strategic placement of sediment barriers (e.g., silt fence, hay bales) along the limits of disturbance and to surround drainage system inlets, the boundaries of the 100-foot NYSDEC regulated area, and the boundary of the Town storm surge/recharge basin, temporary seeding and covering of graded and stripped areas and stockpiles, and the establishment of a stabilized construction entrance. Clearing and grading activities would be scheduled

to limit the extent and duration of soil exposure, which would effectively limit the extent of potential soil erosion and sedimentation, as discussed in the recommendations. All control measures would be regularly inspected and maintained during construction to ensure proper function. Permanent stabilization of the site, including the installation of parking and paved areas and landscaping, would be implemented as soon as practicable following disturbance. Overall, the proposed project would be consistent with the relevant recommendations.

Fertilizer

- *Retain as much of the natural vegetation of the site as possible. Minimize grade changes and site clearing.*

  As indicated above, approximately 3.13± acres of lawn and landscaped areas would be created on the subject property. To mitigate impacts from site disturbance, the subject property would be seeded as soon as possible after sitework was completed. Furthermore, the proposed landscaping includes native species, to the maximum extent practicable. Thus, the proposed project would comply with the intent of this recommendation.

- *Use native plants for the planting of areas that have been disturbed by grading. Consider the use of alternative types of groundcover and other plant materials to avoid or reduce lawn area and the consequent need for fertilizer applications, extensive watering and maintenance.*

  Native plant species would be used throughout the site in areas that have been disturbed by grading**.** Approximately the 3.13± acres of lawn and landscaped areas to be created would consist of native species to the maximum extent practicable, to reduce the need for fertilizers, and other nutrient inputs. Thus, the proposed project would comply with this recommendation.

The Long Island Segment of the Nationwide Urban Runoff Program (1982)

The *NURP Study* includes recommendations with regard to stormwater runoff, as it pertains to the protection of groundwater and surface water resources. The proposed project's consistency with the relevant recommendations is discussed below each italicized recommendation:

- *Continue to use recharge basins wherever feasible for the disposal of stormwater and the replenishment of the groundwater.*

  The proposed stormwater management plan includes collection and infiltration by the use of leaching basins. Leaching basins are similar to recharge basins in that they provide a means for infiltration of stormwater into the ground, through the base of the leaching basins. Therefore, the proposed development would be in keeping with the intent of this recommendation.

- *Consider the use of in-line storage leaching drainage systems, or components thereof, as a substitute for recharge basins in areas, other than parking lots, where maintenance will be assured and where the value of the land for development purposes is greater than the cost of installing and maintaining the underground system. Storage leaching drainage systems should also be considered for use where the installation of recharge basins is not feasible.*

  The stormwater management system includes the use of leaching basins to assist in infiltration of stormwater into the ground. The proposed development would hire contractors who would properly maintain all elements of the stormwater management system, in keeping with this recommendation.

- *Prevent illegal discharges to drainage systems or recharge basins. Such discharges, which often result from improper storage or deliberate dumping or chemicals, must be controlled at the source.*

  The proposed drainage system would be designed in accordance with prevailing regulations. Given that no industrial uses are proposed, no potential illegal discharges associated with the improper storage of chemicals would be expected.

- *To maintain existing water quality where it is currently satisfactory, preclude any additional direct discharge of stormwater runoff into surface waters, using all available means for detention and/or recharge to reduce bacterial loads.*

  As there are no natural waterbodies located on or directly adjacent to the subject property, this recommendation is not applicable.

- *Protect stream corridors from encroachment.*

  As the site does not contain, nor is it located adjacent to any stream corridors, this recommendation is not applicable.

Based on the foregoing analysis, the proposed project would be consistent with the recommendations of the *NURP Study*.

3.1.2.2 Sewage Disposal

In its existing condition, as land in agricultural use, the subject property does not generate any sanitary waste. It should be noted that, as indicated previously, sanitary facilities associated with the agricultural operation are located on the Applicant's adjacent property (lot 39.50).

The proposed Willoughby Commons would connect to the Southwest SD as an out-of-district connection to accommodate sanitary waste generated by the proposed development. The anticipated quantities of sanitary waste to be generated by the

proposed project, which are based upon SCDHS sanitary design density factors[24], are presented in Table 4.

Table 4 - Anticipated Sanitary Waste Generation

Description	Area	Units	Quantity	Sanitary Density (GPD/unit)	Total Flow (GPD)
Two-bedroom townhouse	1,650	SF	20	300	6,000
Two-bedroom end unit (first floor)	1,380	SF	16	300	4,800
One-bedroom end unit (second floor)	1,340	SF	16	300	4,800
One-bedroom end unit (first floor)	1,150	SF	20	225	4,500
One-bedroom end unit (second floor)	1,180	SF	20	225	4,500
One-bedroom middle unit	1,100	SF	154	225	34,650
One-bedroom middle unit	900	SF	18	225	4,050
Total Sanitary Waste Generation					63,300

As indicated above, Willoughby Commons is expected to generate an estimated 63,300± gpd of sanitary waste.

As described in Section 2.4 of this SDEIS, sanitary waste would be transmitted to the Southwest SD for treatment via an on-site pump station and sanitary connections that would be constructed in accordance with all applicable Suffolk County Sewer Agency requirements. A proposed sewer line extension, consisting of a low-pressure force main would connect the proposed on-site pump station to the existing Southwest SD sewer manhole on North 15th Street. The location of the sewer line extension route has been chosen to minimize potential impacts to residents and traffic. Due to the specifications of the force main, the depth of the pipe could be maintained at approximately 3.5 feet below existing grade, eliminating the need to deep excavation. The sewer line extension would be routed underground from the pump station on the subject property south-southeast along North 23rd street until Washington Avenue; would continue east along Washington Avenue until North 15th Street; and then would be routed south along North 15th Street to the existing Southwest SD sewer manhole.

In addition, according to correspondence from the SCDPW, dated September 18, 2014, the Southwest SD has sufficient capacity to accommodate an out-of-district connection to the subject property (see Appendix C).

▼

[24] Suffolk County Department of Health Services, *Standards for Approval of Plans and Construction for Sewage Disposal Systems for Other Than Single Family Residences*, Table 1, Project Density Loading Rates & Design Sewage Flow Rates. Revised December 1, 2009.

3.1.2.3 Water Supply

As discussed in Section 3.1.1.3 of this SDEIS, the majority of water usage at the subject property is non-potable water, for irrigation purposes, that is supplied via two private irrigation wells located on the Applicant's adjacent property. There is some potable water use of SCWA supplies, associated with the Applicant's adjacent out-parcels that currently supplement the aforementioned use of the irrigation wells. Upon implementation of the proposed project, the Willoughby Commons development would connect to the SCWA system for all water supply needs. Anticipated water usage by the proposed project, which is based upon SCDHS sanitary design density factors[25], is provided in Table 5 below.

Table 5 - Anticipated Potable Water Demand

Description	Area	Units	Quantity	Sanitary Density (GPD/unit)	Total Flow (GPD)
Two-bedroom townhouse	1,650	SF	20	300	6,000
Two-bedroom end unit (first floor)	1,380	SF	16	300	4,800
One-bedroom end unit (second floor)	1,340	SF	16	300	4,800
One-bedroom end unit (first floor)	1,150	SF	20	225	4,500
One-bedroom end unit (second floor)	1,180	SF	20	225	4,500
One-bedroom middle unit	1,100	SF	154	225	34,650
One-bedroom middle unit	900	SF	18	225	4,050
Total Potable Water Demand					63,300
Irrigation (0.25-inch flow over four hours)					20,500
Total Potable and Irrigation Water Demand					83,800

As shown in Table 5, Willoughby Commons is expected to use an estimated 63,300± gpd of potable water, or 23.1 million gallons per year, which represents approximately 0.03 percent of SCWA's annual pumpage, as described above. In addition, the proposed project would use approximately 20,500 gpd (based upon irrigation flow of 0.25-inch over four hours) for irrigation purposes approximately every third day during a portion of the year, as irrigation generally only occurs during the late spring through early fall (essentially six months out of the year). Thus, maximum daily water demand during the irrigation season is expected to be approximately 83,800 gpd.

As the subject property does not currently utilize SCWA water supplies, public water demand at the subject property is projected to increase by 63,300± gpd, with an

[25] Suffolk County Department of Health Services, 2009.

additional 20,500± gpd expected approximately every third day during the seasonal time of late spring through early fall. In order to minimize water demands, the proposed landscaping would consist of native and low-maintenance plant species to the maximum extent practicable. Thus, it is expected that actual water usage for irrigation purposes would be less than that estimated. In addition, it is expected that the proposed buildings would incorporate low-flow, water-saving fixtures, to the maximum extent practicable.

As SCWA currently serves the neighboring area, correspondence was forwarded to the SCWA on June 20, 2015 (see Appendix C) to determine future connection fees and peak flow requirements during the preliminary design stage. A response has not been received, however, consultations with the SCWA will continue.

3.1.2.4 Stormwater Runoff

Introduction

Drainage patterns on the subject property would be altered as a result of grading and the installation of impervious surfaces and landscaping. Although the overland flow of stormwater runoff would change, runoff from the proposed project would be collected on-site and recharged to groundwater via leaching basins that would be installed throughout the subject property. Moreover, the on-site soil conditions are generally favorable to on-site storage and recharge of stormwater.

More specifically, the process of collecting site runoff and recharging it into the ground via the use of leaching basins is a means of recharging Long Island's groundwater system through the underlying soils. Site design techniques that incorporate the use of leaching basins would detain the increase in stormwater volume and peak flow rates, as well as remove pollutants. A more detailed discussion of the proposed stormwater management system is contained below.

Proposed Post-Development Stormwater Management System

As provided on the Grading and Drainage Plan (see Appendix B), runoff coefficients of 1.00 for the building and paved areas (317,083 SF and 247,442 SF, respectively) and 0.15 for the landscaped area (136,444 SF) were used to calculate the drainage system capacity that would be needed to accommodate a two-inch rainfall, as required by the Town. Based on the proposed improvements, compared with existing conditions, the total volume of stormwater runoff generated at the subject property is expected to increase as a result of the construction of buildings, parking areas and driveways (a total of 12.96± acres of impervious surface would be created at the site). A total system capacity of 97,498.7± CF is required, as provided by the project engineer.

The aforementioned Grading and Drainage Plan (see Appendix B) provides details of the drainage system and drainage calculations, which demonstrate that the proposed system is designed to accommodate a total of 97,703.76± CF of stormwater storage, in excess of the Town's storage requirement for a two-inch rainfall (97,498.7± CF). A network of 102 ten-foot-diameter, 14-foot-deep leaching basins would be installed throughout the subject property to collect and recharge stormwater runoff to groundwater via the base of the subject leaching basins. As indicated in Section 3.1.1.1 of this SDEIS, results from test hole on the subject property indicated that groundwater was found at a depth of 25± feet bgs. Thus, there would be adequate separation distance between the base of the 14-foot-deep leaching basins and groundwater.

Virtually all stormwater would be captured and recharged on-site by the proposed stormwater utility infrastructure. As discussed above, the capacity of the proposed stormwater system would be in excess of the required storage and, therefore, the proposed development would not result in flooding, and would not contribute to stormwater runoff to neighboring properties and roadways.

As indicated above, the proposed project would include an on-site drainage system, designed in conformance with both Town and State stormwater management requirements pertaining to stormwater runoff generated by on-site impervious surfaces. Thus, the proposed project is not anticipated to result in stormwater impacts, as a result of proper site grading procedures, erosion controls, and drainage system design.

Chapter 189 of the Town of Babylon Town Code: Stormwater Management and Erosion and Sediment Control

As indicated in Section 3.1.1.3 of this SDEIS, Chapter 189 of the Town Code establishes minimum stormwater management requirements and controls to which land development activities must conform. The proposed project's conformance with the relevant requirements are evaluated below.

- *Pursuant to §189-4, for any land development activity disturbing five or more acres, a SWPPP must be submitted to the Town, and must include all those requirements pursuant to Chapter 189-6(B) and (D).*

  A SWPPP, prepared in compliance with §189-6(B) and (D) of the Town Code, would be submitted to the Town.

- *Pursuant to §189-7(A), stormwater management practices that are designed and constructed in accordance with NYSDEC's* NYS Stormwater Manual *and* Standards and Specifications, *Town Planning Board site improvement and subdivision specifications and US EPA best management practices (BMPs) meet Town standards.*

The stormwater management system would be designed in accordance with the above-referenced technical guides, and all drainage structures would meet or exceed the four-foot minimum separation to groundwater resources, as required by the *NYS Stormwater Manual* for areas in New York State located above a sole source aquifer.

- *Stormwater management facilities must be maintained during and after construction in accordance with the provisions of §189-8.*

  The stormwater management infrastructure, consisting of 102 leaching basins installed throughout the site, would be maintained during and after construction in accordance with §189-8.

- *Monitoring reports and as-built plans for stormwater management practices on site must be submitted in accordance with the provisions of §189-9.*

  The proposed project would comply with this requirement, in accordance with §189-9. As noted above, the site plans would additionally indicate compliance with the *NYS Stormwater Manual's* requirement for a four-foot separation distance between drainage structures and groundwater in order to protect the sole source aquifer.

New York State Pollutant Discharge Elimination System (SPDES) Program

As discussed in Section 3.1.1.4 of this SDEIS, certain discharges are unlawful unless they are authorized by an NPDES permit or by a state permit program. The New York SPDES program includes a General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002).

Prior to commencement of construction, a SWPPP would be prepared and implemented, and would include erosion and sedimentation controls and methods by which stormwater would be accommodated. The proposed SWPPP would be consistent with the 2016 Blue Book (NYSDEC, 2016), the *NYS Stormwater Manual* (NYSDEC, 2015), Town specifications and US EPA BMPs. Erosion control measures to be incorporated with the SWPPP would generally be as indicated in the *Handbook*, and specific adjustments may be made based on field conditions.

Under post-development conditions, the proposed stormwater management system would contain and is expected to recharge virtually all of the stormwater runoff generated at the subject property (see discussion above and the Grading & Drainage Plan in Appendix B). As the subject property would disturb greater than five acres of land, the SWPPP to be prepared would also address post-development stormwater management. Coverage would be obtained under GP-0-15-002, and erosion and

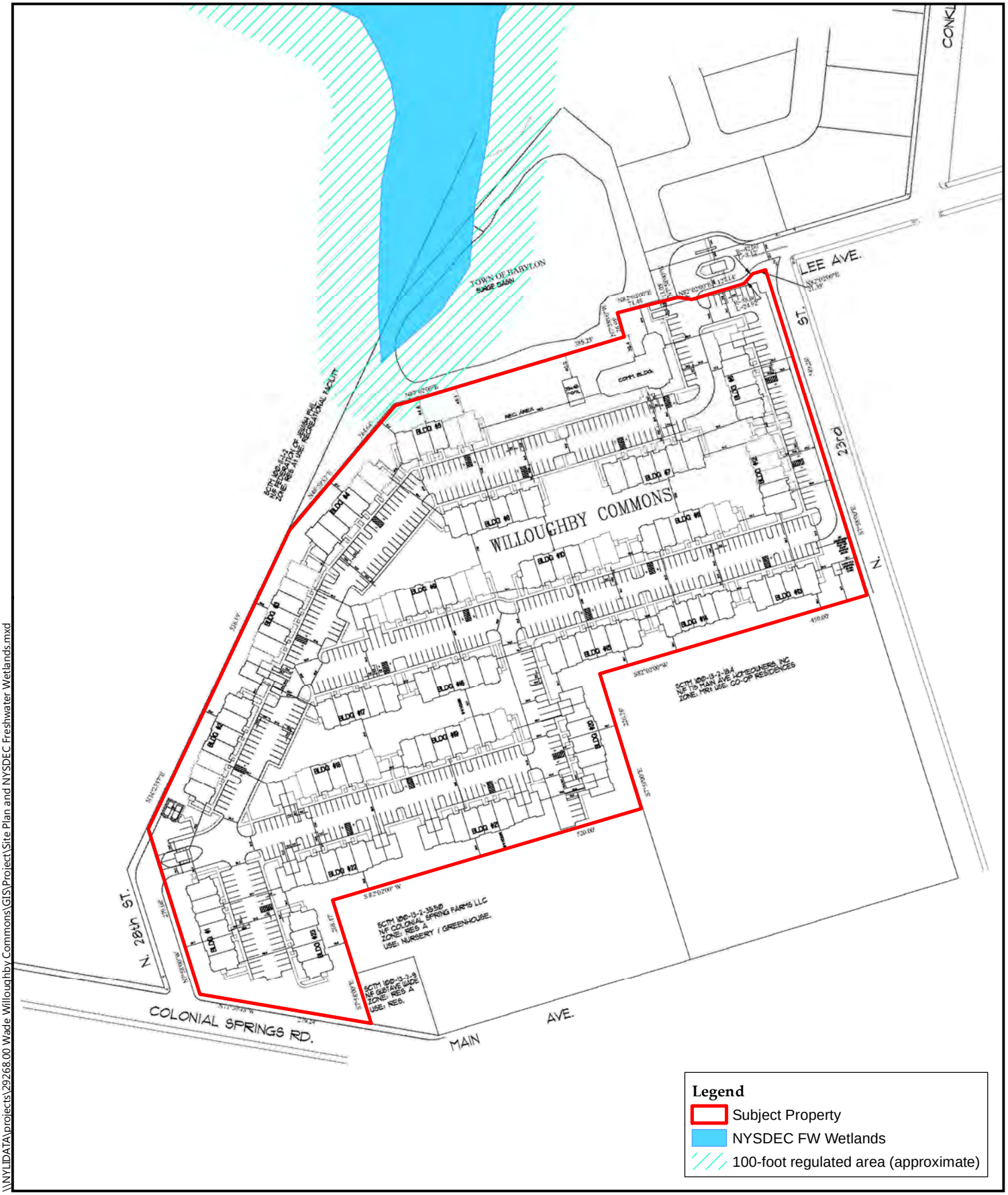
sedimentation controls and stormwater management would be implemented in accordance with a SWPPP (to also be reviewed by the Town in accordance with Chapter 189 of the Town Code), in satisfaction of all relevant requirements. In addition, covenants and restrictions for post-construction stormwater management would be filed by the Applicant to ensure long-term maintenance of the drainage infrastructure.

Based on the information presented above, the proposed project would comply with the requirements of the New York SPDES program.

3.1.2.5 Wetlands

As stated in Section 3.1.1.5 of this SDEIS, there are no NWI Wetlands or NYSDEC-designated freshwater wetlands at the subject property. According to NWI Maps, the Town's storm surge/recharge basin to the north is indicated as a Palustrine, Open Water, Semipermanently-flooded, excavated (POWFx) wetland feature. In addition, a NYSDEC-designated G-1 wetland is located north of the subject property (see Figure 11). The southernmost portion of the 100-foot regulated area associated with this freshwater wetland may extend onto the northwestern portion of the subject property. A delineation would be required to determine the extent of the freshwater wetland and 100-foot regulated area. As indicated above in Section 3.1.1.5, the NYSDEC does not consider the Town's storm surge/recharge basin, situated adjacent to the subject property, a NYSDEC-regulated freshwater wetland.

A delineation would be conducted to determine the exact limits of the extent of the NYSDEC 100-foot regulated area. The proposed development would comply with any applicable NYSDEC requirements, and would not result in clearing, grading or disturbance of any NYSDEC wetlands or 100-foot regulated areas (see Figure 13). In addition, the proposed stormwater management system, as described in Section 3.1.2.4 of this SDEIS, would collect and recharge virtually all stormwater on-site, thus protecting any nearby wetlands from potential stormwater runoff. As such, the proposed project would have no significant adverse impact to wetlands.



\\NYLIDATA\projects\29268.00 Wade Willoughby Commons\GIS\Project\Site Plan and NYSDEC Freshwater Wetlands.mxd

Willoughby Commons

Figure 13 - Site Plan and NYSDEC Freshwater Wetlands

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N
W E
S

0 0.01 0.02 0.04 Miles

SOURCE: Overall Site Plan: Craig M. Lehat, P.E., P.L.S., May 2015. Freshwater Wetlands: NYSDEC, 2013.

3.1.3 Mitigation Measures

The proposed project is not expected to result in significant adverse impacts to water resources; however, the following measures have been incorporated into the project to minimize or eliminate potential impacts to water resources:

- Various water efficiency measures would be employed to reduce potable water demands, including:
  - Use of native, low-maintenance plant species to reduce irrigation demand;
  - Limiting irrigated areas to the extent practicable to minimize water use; and
  - Installation of low-flow plumbing fixtures.
- The proposed project would connect to the Southwest SD, and sanitary wastewater would be treated at the Bergen Point WWTP, provides advanced treatment of effluent.
- Sedimentation controls and stormwater management would be implemented in order to minimize potential impacts to water resources.
- The proposed stormwater management system would be designed to accommodate, and recharge on-site, stormwater runoff generated during a two-inch rainfall event.
- A delineation would be conducted to determine the extent of the NYSDEC wetland and associated 100-foot regulated area. The proposed development would comply with any applicable NYSDEC requirements, and would not result in clearing, grading or disturbance of any NYSDEC wetlands or 100-foot regulated areas.

3.2 Land Use, Zoning and Community Character

3.2.1 Existing Conditions

3.2.1.1 Land Use

The 16.09±-acre subject property is bounded by Colonial Springs Road/Main Avenue to the south, North 28th Street to the west, and Lee Avenue/North 23rd Street to the east. A 2.7±-acre Town storm surge/recharge basin also abuts the subject property to the north (see Photograph No 12 in Appendix D1). The subject property is comprised of 31 SCTM parcels, including District 100 – Section 13 – Block 2 – Lots 39.20 through 39.49, and part of 39.51 (as depicted on Figure 2 in Section 2.1 of this SDEIS).

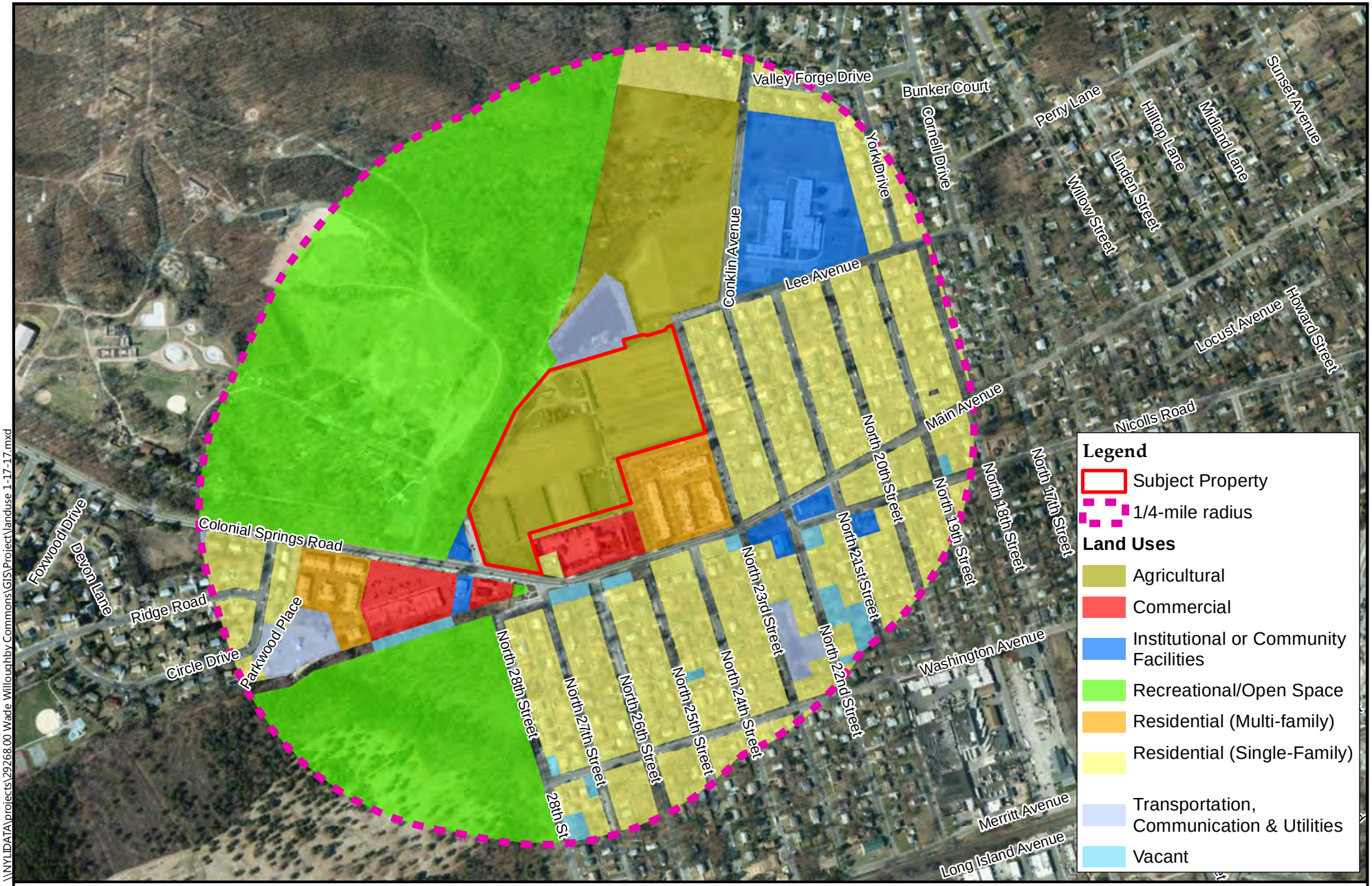
The site is currently utilized as a farm, consisting of predominantly cleared fields for agricultural use (see Photograph Nos. 2, 6, 8, 9, 10, and 15 in Appendix D1). There are several small accessory structures, such as sheds and barns on the southern portion of the subject property that would be demolished as part of the proposed project (see Photograph Nos. 1, 4 and 7 in Appendix D1). In the central portion of the subject property, there are mulch piles and equipment associated with a landscaping operation that uses the subject property for storage and staging (see Photograph Nos. 10, 11 and 13 in Appendix D1). Informal truck paths also traverse the site (see Photograph Nos. 3 and 17 in Appendix D1). Existing site data for the subject property are described below in Table 6.

Table 6 - Existing Site Data

Development Type	Area (Acres)	Percent of the Subject Property
Impervious Surfaces (i.e., Buildings, Pavement, and Roadway)	0.02	0.1%
Agricultural Areas	16.07	99.9%
Forested Areas	0	0
Wetlands	0	0
Landscaping	0	0
TOTAL:	16.09	100%

As indicated above in Table 6, the subject property is primarily comprised of agricultural areas, with small areas of impervious cover-types.

Land uses in the area surrounding the subject property are depicted on Figure 14, and described below, and photographs depicting land uses on the subject property and in the surrounding area are provided in Appendices D1 and D2, respectively, and cited herein.



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Willoughby Commons

Figure 14 - Surrounding Land Uses

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N W E S

0 225 450 900 Feet

SOURCE: *2013 NYS Digital Ortho-imagery* ©NYSITS, 2013; Review of Google Earth aerial imagery; VHB Field Survey, May 2015.

Immediately adjacent and south of the subject property is the Applicant's property, which is used for retail and other commercial uses associated with the agricultural use on the subject property. This adjacent property (lot 39.50) contains a barn, parking areas, and other buildings associated with farm maintenance (see Photograph Nos. 1 and 2 in Appendix D2). Also adjacent to, and south of, the subject property is a single-family residence on property owned (lot 9) by the Applicant (see Photograph No. 3 in Appendix D2).

Land use in the vicinity of the subject property can be generally characterized as residential, although other uses are present in the surrounding area. The subject property is situated among uses that include single-family and multi-family residential, institutional, agricultural, recreational and commercial. More specifically, the Western Suffolk BOCES James E. Allen Alternative School is located immediately to the east of the site (see Photograph No. 18 in AppendixD2). To the east and southeast are single- and multi-family residences (see Photograph Nos. 13, 14, 17 and 19 through 21) in Appendix D2). Also to the south, and along Colonial Springs Road/Main Avenue, are a Wyandanch Fire Department substation, a gasoline station, the Wheatley Heights Post Office, and a strip retail shopping center, beyond which there are senior citizen multi-family residences (see Photograph Nos. 4, 5, 10 and 11 in Appendix D2). An undeveloped portion of the Long Island National Cemetery is also located south-southeast of the subject property. Primarily undeveloped and wooded property comprised of over 500 acres, which is owned by a not-for-profit corporation and utilized as the Henry Kaufmann Camps & Grounds (a campground), and an adventure park, are situated to the west and northwest of the site, and the Wyandanch VFW Hall is located immediately west across North 28th Street (see Photograph Nos. 7 through 9 in Appendix D2). The area north of the subject property is developed with a Town-owned storm surge/recharge basin, followed by farmland owned by the Applicant, and single-family residences beyond (see Photograph Nos. 22 and 24 through 27 in Appendix D2).

As mentioned above, there are two multi-family residential developments located in the immediate vicinity of the subject property. The Wheatley Gardens apartment development, which is non-age-restricted, is located at 175 Main Avenue at North 23rd Street (see Photograph No. 13 in Appendix D2). It was built in 1973 and converted to cooperatives in 1988. This development consists of 78 units on approximately 4.9 acres, for a density of 16.41 units per acre. Wheatley Hollow Gardens is limited to persons 55 years of age and older, and is located at 50 Colonial Springs Road (see Photograph No. 10 in Appendix D2). The development was constructed in 1981, and contains 72 apartments on 2.8± acres for a density of approximately 25 units per acre.

3.2.1.2 Zoning

The subject property is currently zoned A Residence (see Figure 15). This district permits the development of one-family dwellings; churches, places of worship and

parish houses; public parks, playgrounds and recreational areas when authorized or operated by a governmental authority; colleges or universities; organized elementary or high schools; agricultural occupations; professional offices; golf courses and country clubs; and accessory buildings and structures. Additional uses are permitted by special exception. Dimensional and bulk regulations for the A Residence district are provided in Table 7.

Several zoning districts are present within the quarter-mile study area of the subject property, as follows:

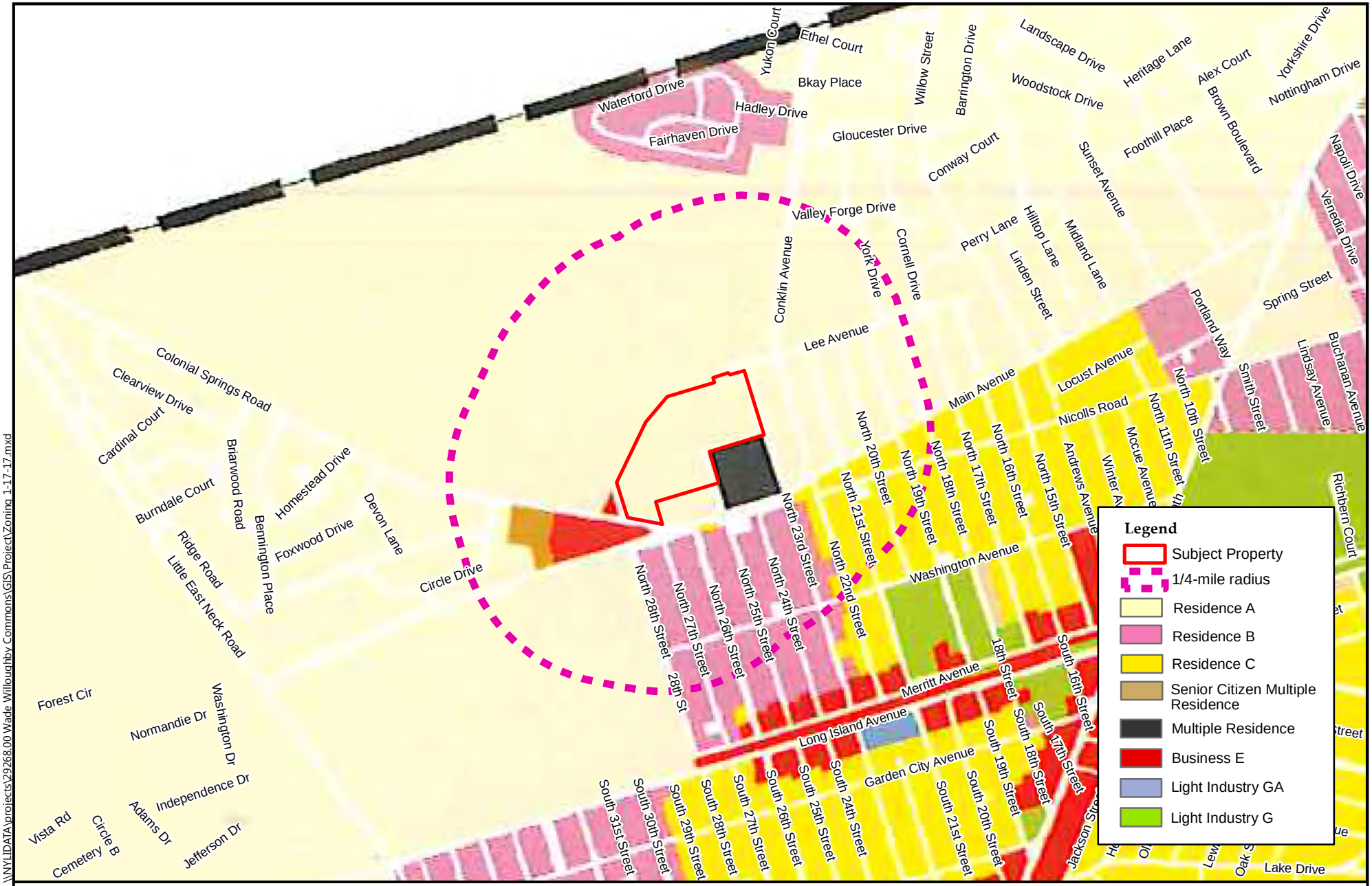
North: A Residence to the north

South: B Residence district to the south and C Residence district to the southeast

East: A Residence district to the east and Multiple Residence (MR) district to the southeast; and

West: E Business district to the west and southwest and Senior Citizen Multiple Residence (SCMR) district to the southwest

Permitted uses allowed in the B Residence and C Residence districts are similar to the permitted uses in the A Residence district, as described above. The MR district permits those uses allowed in the A Residence district, as well as multi-family dwellings. The SCMR district permits multi-family residences designed to provide living and dining accommodations for persons over the age of 55. Finally, the E Business district represents the only commercial zoning district in the study area, and permits retail, personal service, bank, and other commercial uses. Additional uses are permitted by special exception. Dimensional and bulk requirements for the A, B and C Residence, MR Multiple Residence and SCMR Senior Citizen Multiple Residence districts are shown in Table 7.



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Willoughby Commons

Figure 15 - Existing Zoning

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

N
W E
S

0 362.5 725 1,450 Feet

SOURCE: Current Zoning Map from the Town of Babylon Comprehensive Land Use Plan, prepared by the Saratoga Assoc. and Greenman-Pedersen, Inc., 1998.

Table 7 - Dimensional and Bulk Requirements for Residential Districts in the Study Area

Dimensional Regulation	A Residence	B Residence	C Residence	MR – Multiple Residence	SCMR – Senior Citizen Multiple Residence
Maximum Height	30 feet/ 2½ stories	30 feet/ 2½ stories	30 feet/ 2½ stories	2½ stories	2½ stories
Minimum Area	12,500 SF	10,000 SF	7,500 SF	2 acres	2 acres
Density of Dwellings on Lot (SF of land area per unit)	N/A	N/A	N/A	4,000 SF/one-bedroom 5,000 SF/two-bedroom 6,666.67 SF/three-bedroom	N/A
Maximum Number of Units per Acre	N/A	N/A	N/A	10 units/acre (one-bedroom) 8 units/acre (two bedroom) 6 units/acre (three-bedroom)	25 units per acre
Maximum Building Area	15% (30% for 1-story)	20%	30%	N/A	N/A
Minimum Front Yard	40 feet	30 feet	30 feet	40 feet	30 feet
Minimum Side Yard	15 feet	12 feet	10 feet	40 feet	20 feet
Total Side Yards	35 feet	30 feet	25 feet	80 feet	N/A
Minimum Rear Yard	40 feet	40 feet	30 feet	50 feet	25 feet

Source: Town of Babylon Town Code, Chapter 213: Zoning (accessed June 2015); available from http://ecode360.com/6810826.

The zoning chapter of the Town Code, §213, contains additional provisions regarding required buffers, landscaping, lighting and acceptable building materials. The proposed project's consistency with these items is presented in Section 3.2.2.2 of this SDEIS. Parking requirements are discussed in Section 3.3 of this SDEIS. The Town Green Building Certification chapter in §89 of the Town Code sets forth minimum green building certification standards to ensure that new commercial, office and industrials buildings and multiple-residential dwellings, greater than 4,000 SF, are resource-efficient and conserve energy. The aforementioned energy green building requirements are discussed in Section 7.0 of this SDEIS.

In addition to the Town zoning code provisions, §740-45(C) of the Suffolk County Code[26] requires that residential developments of ten or more units that connect to a

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[26] As amended by Suffolk County Legislative Resolution 239-2017, approved April 25, 2017.

County sewer district, as an out-of-district connection, provide 15 percent of the units as affordable housing. According to the Suffolk County Code, affordable housing units are those set aside for renters whose income does not exceed 80 percent of the HUD-established median income limit for the Nassau-Suffolk PMSA. According to 2016 HUD data, the median income for a family of four, which is considered the base, is $106,200 for the Nassau-Suffolk, NY HUD Metro FMR Area, and thus, the 80 percent income limit would be $84,960.[27] The HUD 2016 income limits briefing materials[28] also provide guidance for adjusting the $84,960 80-percent income limit based on family size, as shown in Table 8.

Table 8 also shows monthly rental prices that would be affordable to those earning not more than 80 percent of the median income for the HUD Nassau-Suffolk, NY HUD Metro FMR Area. The affordable rents were estimated, based upon HUD's indication that "families who pay more than 30 percent of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation and medical care." [29]

Table 8 - 80 Percent Income Limits and Affordable Rents Based on Family Size

Family Size (No. of Persons)	Adjustment Multiplier (%)	HUD 80 percent Income Limit ($)	Affordable Monthly **Rents (≤30 percent** of Income) ($)
1	70	59,472	1,486.80
2	80	67,968	1,699.20
3	90	76,464	1,911.60
4	(Base)	84,960	2,124.00

The proposed project's consistency with the above requirements is presented in Section 3.2.2.2 of this SDEIS.

3.2.1.3 Community Character

The general appearance of the subject property is of a working farm property within a typical suburban residential area.

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[27] U.S. Department of Housing and Urban Development, *Fair Market Rent FY 2016 and Income Limit FY 2016 Summary System* (accessed January 2017); available from http://www.huduser.gov/portal/datasets/fmr/fmr_il_history/data_summary.odn?inputname=METRO35620MM5380*Nassau-Suffolk%2C+NY+HUD+Metro+FMR+Area%2B3605999999&hmfa=Yes&year=2017&area_choice=hmfa&fmr_year=2016&il_year=2016&inputfips=&fips=

[28] U.S. Department of Housing and Urban Development, *FY 2016 HUD Income Limits Briefing Materials*, Office of Policy and Development Research. March 10, 2016; available from https://www.huduser.gov/portal/datasets/il/il16/IncomeLimitsBriefingMaterial-FY16.pdf

[29] U.S. Department of Housing and Urban Development, *Affordable Housing* (accessed January 2017); available from http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing/.

As identified in Section 3.2.1.1 above, the 16.09±-acre subject property is situated amongst a variety of land uses, including single-family and multi-family residential, institutional, agricultural, recreational and commercial uses. As the subject property is situated such that Colonial Springs Road, a main thoroughfare in the hamlet of Wheatley Heights, is located at the property's southern boundary, and the Applicant's adjacent farmland and less dense single-family residential development is found at its northern boundary, the surrounding community character is likewise varied.

Residential uses are typical throughout the area, including dense single-family neighborhoods and two multi-family residential developments in the vicinity of the subject property, to the south and east. The community character of the immediate area surrounding the southern portion of subject property, although not a traditional downtown, can be described as serving as a central node for the hamlet, with single-family residences, retail and service uses; the Wheatley Heights Post Office, the Wyandanch Fire Station and the VFW Hall, all located in relative close proximity to one another.

To the west of the subject property, the large, heavily wooded, private recreational facility that includes campgrounds of a non-profit organization, and an adventure park, and is comprised of over 500 acres, and provides a rural feel directly west of the property. The character surrounding the northern portion of the subject property is less dense, and is influenced by the Applicant's farmland. In addition, there are single-family residences beyond on relatively larger lots than those to the south and east of the subject property.

3.2.1.4 Relevant Comprehensive Plans

Suffolk County Comprehensive Master Plan 2035 (*Suffolk 2035 Plan*) (2015)

The *Suffolk County Comprehensive Master Plan 2035: Framework for the Future* (*Suffolk 2035 Plan*) represents the final part in a planning effort that was initiated in 2011 with the publication of an inventory of data relating to demographics, the economy and quality of life in Suffolk County. The full *Suffolk 2035 Plan* is guided by three themes, which include revitalizing the economy, rebuilding downtowns and infrastructure and reclaiming the quality of groundwater, surface water and terrestrial resources. In the wake of Superstorm Sandy, resiliency is also discussed as an important facet of future development in Suffolk County. Although a final *Suffolk 2035 Plan* has not been finalized or approved, a summary of the plan is provided in order to perform a thorough comprehensive consistency review of the proposed project with respect to available land use plans.

The *Suffolk 2035 Plan* notes that Suffolk County's assets include various transportation options, including mass transit and the roadway network, open spaces, shopping opportunities, agriculture, higher educational facilities, and various other attractions. However, it cautions that the County is at a turning point, and should capitalize on its assets, while balancing the relationship between land use, the economy, traffic and natural and built resources.

The *Suffolk 2035 Plan* discusses the need for sustainable economic development, the demographic trends in the County, including an aging population, education attainment and crime rates, and the need to build a more integrated transit network. The *Suffolk 2035 Plan* also discusses several County initiatives, such as Connect Long Island, which would promote transit-oriented development and mass transit options, and water quality initiatives, such as promoting advanced wastewater treatment options. Water quality initiatives, as well as open space and farmland preservation programs, are noted as being priority actions for the County to protect its natural assets.

Principles of Smart Growth and Livability (2001)

The *Principles of Smart Growth and Livability* (*Principles of Smart Growth)*, which was adopted by the Town in 2001, encourages development concepts that foster community participation and provide a variety of housing types and facilities for a wide range of age groups, ethnic backgrounds and economic levels in areas that focus around existing transportation centers and are pedestrian-friendly. In short, implementation of the *Principles of Smart Growth* should result in:

- Protection of open spaces and the environment
- Strengthening of the local economy
- An improved sense of community
- A decrease or stabilizing of traffic congestion
- A reduction in auto dependency
- Preservation of historic structures
- Enhancements of the community character and aesthetics
- Efficient use of public money
- Safe and secure communities, and
- An improvement in the overall quality of life.

A discussion of the proposed project with respect to the above-described goals in provided in Section 3.2.2.4 of this SDEIS.

Town of Babylon Draft Comprehensive Plan Summary (1998)

The *Town of Babylon Draft Comprehensive Plan Summary* (*Comprehensive Plan Summary*), adopted in 1998, stated its purpose was to identify objectives to make Babylon a stronger community, which included:

- Maintain and strengthen the Town's suburban character
- Respond to the changing population
- Improve the quality of life in economically-distressed areas
- Promote jobs and economic development, and
- Foster stewardship of sensitive natural resources.

The findings of the *Comprehensive Plan Summary* include a listing of the Town's strengths, the immediate and long-term issues facing the community and strategies that could be implemented to achieve the Town's goals.

Strengths include the Town's location at the center of Long Island and its convenient location near Manhattan. Other strengths include the well-developed transportation network that serves the Town. According to the *Comprehensive Plan Summary*, the Town faces problems including shortages of affordable housing, damage to environmentally-sensitive areas, increases in crime and drug abuse, increases in traffic congestion and the loss of large-scale employers in the region.

The proposed project is evaluated with respect to the findings and goals contained in the *Comprehensive Plan Summary* in Section 3.2.2.4 of this SDEIS.

Suffolk County Agricultural and Farmland Protection Plan (2015)

The Suffolk County Agricultural and Farmland Protection Plan (SCAFPP) was prepared by the Suffolk County Department of Economic Development and Planning and the Suffolk County Agricultural and Farmland Protection Board in December 2015 through grants from the New York State Department of Agriculture and Markets, the Long Island Community Foundation, and Suffolk County. The 2015 SCAFPP is an update to the 1996 SCAFPP.

According to the 2015 SCAFPP, over the last century, suburbanization has significantly reduced the amount of farmland in Suffolk County. The 2015 SCAFPP notes that, despite this loss, farmland acreage has remained stable since 1992 and has slightly increased in the last decade. The 2015 SCAFPP highlights that, based on the

2012 Census of Agriculture for Suffolk County, it is ranked third of the 62 counties in New York State in terms of the value of agricultural production. The 2015 SCAFPP builds upon the goals and objectives set forth in the 1996 SCAFPP, and public outreach was conducted with farmers and the community. The 2015 SCAFPP ultimately crafted an overall vision to "*foster adaptable public policy along with the commitment and support of the farming community to protect, encourage and sustain agriculture as an industry for future generations in Suffolk County*."

The 2015 SCAFPP also provides a summary of existing programs and policies that serve to protect farmland and promote agriculture in Suffolk County. Local municipal zoning that is protective of agriculture is noted as one such tool. In addition, Purchase of Development Rights (PDR) programs involve the purchase, by the County, other municipalities or non-profits, of the right to develop agricultural properties for uses other than agriculture, with the existing property owner retaining the underlying fee. Additional conservation programs described by the 2015 SCAFPP include outright purchase of the fee simple of a farm property for preservation purposes, New York State Agricultural District programs that help farmers with reduced property taxes and other protections, and marketing campaigns to promote Suffolk County agricultural products.

Finally, the 2015 SCAFPP identifies and discusses challenges facing the viability of Suffolk County agriculture. Section 3.2.2.4 of this SDEIS addresses the goals and concerns identified by the 2015 SCAFPP with respect to the proposed action.

3.2.2 Probable Impacts

3.2.2.1 Land Use

Under existing conditions, as discussed in Section 3.2.1.1 of this SDEIS, the subject property contains agricultural uses, including crop fields and accessory structures. Implementation of the proposed project would result in a change of use on the 16.09± acre subject property (i.e., SCTM parcel Nos. District 100 – Section 13 – Block 2 – Lots 39.20 through 39.49 and part of lot 39.51) from agricultural to a residential multi-family condominium development of townhomes and apartments. The proposed project involves the removal of the existing farming operations at the subject property and development of 264 residential units in 23 buildings at a density of 16.41± units per acre. The residential units would be comprised of 20-1,650-SF townhouses, containing two-bedrooms, a den and a garage; 16-1,380-SF first floor end units, containing two-bedrooms and a den; 16-1,340-SF, second floor end units, containing one-bedroom and a den; 20-1,150-SF first floor end units with one-bedroom plus a den; 20-1,180-SF second floor end units with one-bedroom and a den; 154-1,100-SF

middle units with one bedroom plus a den and 18-900-SF middle units with one-bedroom and a study.

In addition, the proposed project would provide amenities for its residents, including a 6,475-SF community building, an outdoor swimming pool a recreation area and two entrance booths. A total of 3.13± acres of landscaping would be created throughout the subject property. A pump station would also be located on-site near the southeastern corner of the subject property to transmit sanitary waste to the Southwest SD for treatment.

The proposed development would help to increase the number of rental units in the hamlet of Wheatley Heights, which has proportionately fewer such units than in the overall Town. The proposed project is within walking distance of the Wheatley Heights Post Office and a strip retail center, and is centrally located to existing public transportation networks.

Table 9 below shows the proposed site data upon implementation of the proposed action, as provided by the project engineer, and a comparison to the existing condition.

Table 9 - Existing and Proposed Site Data

	Existing		Proposed	
Development Type	Area (Acres)	Percent of the Subject Property	Area (Acres)	Percent of the Subject Property
Impervious Surfaces (i.e., Buildings, Pavement, and Roadway)	0.02	0.1%	12.96	80.5%
Agricultural Areas	16.07	99.9%	0	0
Forested Areas	0	0	0	0
Wetlands	0	0	0	0
Landscaping	0	0	3.13	19.5%
TOTAL:	16.09	100%	16.09	100

As indicated in Section 3.2.2.1 of this SDEIS, the subject property is predominantly surrounded by single-family homes and two, multi-family residential developments located in the immediate vicinity of the subject property. In addition, there are numerous residential uses beyond the immediate vicinity, in all directions. Therefore, the proposed residential development would be compatible with the residential uses in the surrounding area.

The density of the proposed development (16.41± units per acre) would be compatible with and/or less than the density of the multi-family units in the immediate vicinity of the subject property (i.e., the Wheatley Gardens apartment development, located

immediately adjacent to the southeast of the subject property, has a density of 16 .41 units per acre, and the Wheatley Hollow Gardens development, located west of the subject property, has a density of 25± units per acres), as further discussed in Section 3.2.2.2 below. Thus, Willoughby Commons would be a similarly/less intensive land use as those multi-family residential uses proximate to the subject property.

Further, according to an evaluation of the proposed project by Breslin Appraisal Co., Inc. (the "Breslin letter") (see Appendix C), although the proposed development would be a higher density than nearby single-family homes, is expected to gradually blend in with these surrounding neighborhoods. The traditional aesthetics of the buildings in Willoughby Commons and strategic landscaping would allow the proposed development to fit in with the traditional single-family residences. The Breslin letter indicates that development of apartment complexes on the edges of downtowns and proximate to single-family neighborhoods is not uncommon, and that there are examples of this type of land use pattern throughout Long Island that have not resulted in adverse impacts to existing surrounding business or residential uses. The Breslin letter notes examples of larger-scale apartment developments throughout Long Island (e.g., Avalon Bay communities in Melville, Port Jefferson, Huntington Station), which have not had adverse impacts on surrounding uses. As discussed above, the proposed development would be an equally/less intensive land use than the existing developments in the immediate surrounding area. Furthermore, as discussed in the Breslin letter, there are older apartment complexes on main streets in Suffolk County (e.g., on Deer Park Avenue in North Babylon, Main Street in Huntington), which are proximate to established residential communities, and have not adversely impacted surrounding communities.

With respect to the proposed project's provision of rental apartments, the Breslin letter also notes that there are numerous high density apartments in downtown areas, which have stimulated revitalization efforts to these once economically declining downtowns (e.g., Patchogue, Farmingdale and currently underway in Wyandanch). Although the area surrounding the subject property is not a downtown area and a development of the size and scale as those in Patchogue, Farmingdale, and Wyandanch would not be appropriate for the surrounding Wheatley Heights community, a similar overall benefit as seen in those communities could potentially occur in the vicinity of the subject property, as a result of the proposed development. The benefits of the Wyandanch Rising project could also carry over into the surrounding area, stimulating real estate and other markets in this portion of the Town, which would further create a need for the Willoughby Commons development. Furthermore, it is well-established that there is a lack of quality rental housing available in the Town, on Long Island and nationally (see Section 2.5 of this SDEIS). The Breslin letter concludes that the new downtown centers that have been created on Long Island have proven that when quality rental housing developments are created, they have the potential to fill quickly and benefit the surrounding community.

Overall, the proposed development would not affect the surrounding land uses, as the Willoughby Commons self-contained, well insulated residential community would be entirely situated upon the 16.09± acre subject property, and would not encroach onto nearby properties. Based on the foregoing, the proposed project would be compatible with existing development patterns and no adverse impacts associated with the proposed development are anticipated

3.2.2.2 Zoning

Upon implementation of the proposed project, zoning on the subject property would change from the A Residence zoning district to the MR zoning district, which requires that the buildings be no higher than two-and-a-half stories, situated on a minimum of two acres, and have front yard setbacks of 40 feet and rear yard setbacks of 50 feet. Additionally, buildings within the MR zoning district are required to have two side yards, one on each side of the plot. The total width of both side yards must not be less than 80 feet, and neither side yard is permitted to be less than 40 feet. However, none of the proposed buildings would have a second side yard with a property, therefore, this requirement is not applicable to the proposed project. Minimum building setbacks from all roadways is not permitted to be less than 30 feet and not less than 25 feet from adjacent property lines. As discussed in Section 3.2.1.2 of this SDEIS, the existing zoning on the subject property allows for residential development, as does the proposed zoning, although the proposed MR zoning district would permit a higher density development than the existing A Residence zoning district. Therefore, although the allowable development intensity would increase, the overall categories of uses proposed on the site would not change from what is currently permitted. Further, multi-family zoning districts (i.e., areas zoned MR and SCMR) are currently located in the surrounding area to the east and west, therefore the proposed change of zone would be in character with existing zoning patterns in the area.

The proposed project has been designed to conform to the zoning requirements of the MR zoning district, however, it would require variances from the Town Board of Appeals for density and front and rear yard setbacks.

Table 10 - Consistency with Dimensional and Bulk Requirements for the MR Zoning District

Dimensional Regulation	MR – Multiple Residence	
	Required	Provided
Maximum Height	2½ stories	30 feet
Minimum Area	2 acres	16.09± acres
Density of Dwellings on Lot (SF of land area per unit)	(228) One-Bedroom Units, 4,000 SF/unit = 912,000 SF required (36) Two-Bedroom Units, 5,000 SF/unit = 180,000 SF required (0) Three-Bedroom Units, 6,666.67 SF/unit = N/A Total Area Required for All Unit Types = 1,092,000 SF	Total Area Provided for All Unit Types = 700,969.35 SF
Maximum Units Per Acre[2]	10 units/acre (one-bedroom) 8 units/acre (two bedroom) 6 units/acre (three-bedroom)	10.9± units/acre (one-bedroom) 8.7± units/acre (two-bedroom)
Minimum Front Yard	40 feet	30 feet
Minimum Side Yard	40 feet	40 feet
Total Side Yards	80 feet	N/A[1]
Minimum Rear Yard	50 feet	30 feet

Notes: [1]= No buildings have a second side yard with a property line per Site Plan.

[2] = Per Town Code §213-117, "In an M.R. Multiple Residence District, there shall be provided at least 4,000 square feet of land area within the premises for each one-bedroom dwelling unit; 5,000 square feet of land area within the premises for each two-bedroom dwelling unit; 6,666 2/3 square feet of land area within the premises for each three-bedroom dwelling unit. In no event, however, shall the number of separate dwelling units exceed the rate of 10 units per acre for one-bedroom dwelling units; eight units per acre for two-bedroom dwelling units and six units per acre for three-bedroom dwelling units or any combination thereof in accordance with the aforementioned square footage requirements."

As shown above, Willoughby Commons would provide a total land area of 700,969.35 SF for 228 one-bedroom units and 36 two-bedroom units, which is less than the 1,092,000 SF total land area (4,000 SF required per one-bedroom unit and 5,000 SF required per two-bedroom unit) specified in §213-117 of the Town Code. Chapter 213-117 of the Town Code also indicates a maximum number of units allowed per acre per bedroom type. Willoughby Commons would be developed with a density of 10.9± one-bedroom units per acre and 8.7± two-bedroom units per acre, which is only minimally greater than the maximum allowable density of ten units per acre for one-bedroom units and eight units per acre for two-bedroom. Therefore, the proposed action would require a variance for the density of dwelling units on the subject property.

Although the proposed project would have a higher density of units on the subject property than what is provided for in the Town Code, it would be comparable to existing developments in the vicinity indicated in Section 3.2.1.1. Specifically, the Wheatley Gardens apartment development, located immediately adjacent to the southeast of the subject property, is zoned MR and has a density of 16.41 units per acre, and the Wheatley Hollow Gardens development, located west of the subject property, is zoned SCMR and has a density of 25± units per acres. Therefore, although it is greater than Town Code density maximums, the 16.41± units per acre at the subject property would not adversely impact surrounding properties or zoning districts, and would be compatible with the density of other multi-family developments (within multi-family zoning districts) in the surrounding area. Further, the proposed action requests a change of zone only on the subject property, and, therefore, the relatively higher density allowed by the MR zoning district would only be possible at this site. Unlike the previous application, as this SDEIS proposes a change of zone only on the 16.09±-acre subject property, zoning would not be changed on any of the Applicant's contiguous properties to the north or south of the subject property.

In addition to density, Willoughby Commons would require variances for a front yard setback of 30 feet where 40 feet are required and for a rear yard setback of 30 feet where 50 feet are required. Although the proposed project would require relaxations to the front yard and rear yards, the proposed development would include strategic landscaping for screening, would not encroach onto nearby properties, nor affect the surrounding uses.

With respect to other zoning requirements for the MR zoning district, the design of Willoughby Commons would comply as follows:

- The proposed buildings would be finished with wood surfaces, with all painted surfaces in a color approved by the Planning Board, as required by §213-219 of the Town Code.
- The smallest proposed residential unit would be 900 SF, which is greater than the 500 SF-minimum allowed by §213-120 of the Town Code.
- Per §213-121 and §213-128 of the Town Code, a landscaped buffer strip of at least five feet in width would be provided at the rear and side property lines, and abutting any residentially-zoned parcel. Landscaping would also be provided throughout the site, as determined by the Planning Board.
- There would be a minimum distance of 50 feet provided between all proposed buildings, per §213-122 of the Town Code.
- Public water would be provided by the SCWA and a stormwater management system would be installed, in conformance with §213-125 and §213-124,

respectively, of the Town Code, and with the NYSDEC and New York SPDES program, as indicated in Section 3.1.2.4 of this SDEIS.

- Utility areas for laundry and garbage associated with the residential units would be provided, in accordance with §213-126 of the Town Code.
- The lighting plan would provide adequate lighting for all common areas of Willoughby Commons, and fixtures would be adjusted such that light would not shine onto adjacent properties, as required by §213-127 of the Town Code.

As indicated in Section 3.2.1.2, a discussion of the proposed project's consistency with parking requirements is provided in Section 3.3 of this SDEIS, and its compliance with the green building certification standards, is discussed in Section 8.0 of this SDEIS.

As also discussed in Section 3.2.1.2 of this SDEIS, as the proposed project would connect to the Southwest SD, as an out-of-district connection, it would be subject to Suffolk County Code §740-45(C) requirement (as amended) to provide 15 percent of its units as affordable housing for those whose income does not exceed 80 percent of the HUD-established median income limit for the Nassau-Suffolk PMSA. As shown in Table 11, affordable monthly rents for family sizes from one to four persons would range from $1,487 to $2,124.

Table 11 - Affordable Rents Based on Family Size

Family Size (No. of Persons)	Adjustment Multiplier (%)	HUD 80 percent Income Limit ($)	Affordable Monthly **Rents (≤30 percent** of Income) ($)
1	70	59,472	1,486.80
2	80	67,968	1,699.20
3	90	76,464	1,911.60
4	(Base)	84,960	2,124.00

Table 11 shows monthly rental prices that would be affordable to those earning not more than 80 percent of the HUD Nassau-Suffolk median income, as calculated in Section 3.2.1.2 of this SDEIS, based upon spending no more than 30 percent of gross income on housing expenses. Table 12 shows the monthly rents for the proposed units at Willoughby Commons.

Table 12 - Projected Willoughby Commons Rents by Unit Type

Type of Unit	Unit Count	Projected Monthly Rent ($)
1-bedroom – 900-SF	18	1,900
1-bedroom – 1,100-SF	100	2,000
1-bedroom – 1,150-SF	20	2,100
1-bedroom – 1,180-SF	20	2,100
1-bedroom – 1,340-SF	16	2,100
2-bedroom – 1,380-SF	16	2,200
2-bedroom townhome – 1,650-SF	20	2,300
1-bedroom – 1,100-SFAffordable units	54	1,400

As shown in Table 12, the proposed monthly rents of 20 percent of the proposed 264 units at Willoughby Commons would be affordable for a family of one making less than or equal to the HUD 80-percent income limit. Willoughby Commons' proposed monthly rents for 54 of the one-bedroom units would be $1,400, which is less than the maximum affordable rent of $1,487 for a one-person family, as illustrated in Table 11. Therefore, the proposed project would comply with §740-45(C) of the Suffolk County Code (as amended), and, moreover would provide a greater quantity of affordable housing than that required by §740-45(C) of the Suffolk County Code. The affordable units would be located throughout the proposed development.

3.2.2.3 Community Character

Upon implementation of the proposed project, the subject property would be redeveloped from agricultural uses to Willoughby Commons, a multi-family residential, rental apartment development with associated appurtenances. As the character of the surrounding area is largely residential, and includes multi-family developments, implementation of the proposed action would be consistent with the existing character, and would include a well-maintained residential development with private recreational opportunities. As mentioned above, Willoughby Commons, which would have a density of 16.41 units per acre, would also be consistent with density of surrounding multi-family developments, including the Wheatley Gardens apartment development with density of 16.41 units per acre, and the Wheatley Hollow Gardens development with a density of 25± units per acres.

The development of the subject property with condominium units would be characteristic of the density patterns that have already been established in this area and that are compatible with the surrounding prevailing zoning, as previously discussed in Section 3.2.2.1 above. As summarized in that section, the Breslin letter indicates that throughout Long Island apartment complexes have been situated along

the outskirts of downtowns among single-family neighborhoods, and have proven to gradually integrate with such neighborhoods, and not cause adverse impacts to the surrounding character. It is expected that the traditional architectural features of the proposed buildings at Willoughby Commons and the landscaping throughout the property would ease the transition between the proposed development and existing communities and, likewise, not cause significant adverse impact to community character. Further, the community character in the immediate vicinity of the proposed project is already influenced by two other apartment developments that coexist within the vicinity of the single-family neighborhoods, businesses, and institutions. It is anticipated that Willoughby Commons would fit in with this established character.

Moreover, the proposed development would not impact the character of the Applicant's farmland to the north, as that property would remain same and a vegetated buffer that would be planted in areas of the subject property to screen the proposed development. It should be noted that the farmland to the north was previously approved for a 25-lot single-family subdivision; however, it is unknown at this time when development of the subdivision might occur. The potential impacts to community character and other resources from the development of the proposed project and the potential future development of 25 single-family homes to the north is further evaluated in the Cumulative Impacts Section of this SDEIS (Section 5.0).

As depicted in the renderings of the proposed development (see Appendix E), the landscaping and buildings would be contextual with the surrounding architecture and environment. Some design elements that would enhance the community character include:

- Well-landscaped public areas to include native plant species
- A variety of architectural design and styles instead of uniform suburban sprawl; and
- Buildings facing out toward N. 23rd street that integrate Willoughby Commons into the surrounding community.

Moreover, as discussed in more detail in Section 3.2.2.4, in the discussion of the project's consistency with relevant comprehensive plans, as the proposed Willoughby Commons would provide rental housing, including a 20 percent affordable component, it is expected the proposed development would encourage economic vitality in the area of the Town by helping to retain workers and young people.

Based on the foregoing, redevelopment of the subject in accordance with the proposed development is expected to complement and enhance existing community character.

3.2.2.4 Relevant Comprehensive Plans

Suffolk County Comprehensive Master Plan 2035 (*Suffolk 2035 Plan*) (2015)

An evaluation of the proposed project's consistency with the *Suffolk 2035 Plan*, as described in Section 3.2.1.4 of the SDEIS, is included herein.

As presented in Section 3.2.1.4 of this SDEIS, the *Suffolk 2035 Plan* notes the need for sustainable economic development in Suffolk County, which it indicates can be encouraged through provision of affordable housing to retain workers and expansion of wastewater infrastructure to support new development. As the proposed project would include rental apartment units with a 20-percent affordable component, as defined by the Suffolk County Code, §740-45(C) (as amended), and would connect to the Southwest SD with an out-of-district connection, it would be supportive of these stated goals.

The protection of ground and surface water resources are also considered an issue of importance by the *Suffolk 2035 Plan.* The proposed project has been designed to be protective of such resources, as measures would be taken to protect groundwater and to ensure compliance with applicable prevailing codes and regulations. Measures to be employed include:

- An out-of-district connection to the Southwest SD to ensure proper wastewater treatment, which could also potentially encourage economic development by allowing for surrounding businesses and residences to also connect through the Applicant's proposed infrastructure.
- As indicated in Section 3.3.2.4 of this SDEIS, and determined by the TIS (see Section 3.3.2.4 and Appendix F), the proposed project would be well served by public transportation.
- Phased clearing of the property such that areas will only be cleared as they are developed.

- The maintenance of natural vegetation and revegetation with native species in the design, to the extent practicable, in order to minimize the need for irrigation and use of fertilizers.
- The use of positive drainage systems (i.e., leaching pools) to contain runoff on-site with maximum recharge.
- Adherence to the relevant provisions of the SCSC.
- Water conservation measures, such as low-flow fixtures, low-flow toilets, and limiting areas to be irrigated to the extent practicable, would be incorporated into the proposed project design to minimize the water demand.
- Connection to the public water supply system.

Based on the foregoing, the proposed project would be consistent with the *Suffolk 2035 Plan.*

Principles of Smart Growth and Livability (2001)

As indicated in Section 3.2.1.4 of this SDEIS, the *Principles of Smart Growth* seek to promote pedestrian friendly development with housing options for a range of demographics. The proposed project, while not in a downtown area, is proximate (i.e., walking distance – less than 300 feet) to the post office and a strip retail center. As discussed in Section 3.3.2.4 of this SDEIS, the site is also centrally located to existing public transportation (i.e., bus stops), which provide access to existing shopping areas and work centers without generating additional traffic. In addition, the residential units would be rental apartments, which, as indicated previously, are in demand, and 20 percent of the proposed apartments would be affordable units, as defined by §740-45(C) of the Suffolk County Code (as amended). Therefore, the proposed project would be consistent with the overall intent of the *Principles of Smart Growth.*

Town of Babylon Draft Comprehensive Plan Summary (1998)

The following aspects of Willoughby Common's design demonstrate the proposed project's consistency with the recommendations of the *Comprehensive Plan Summary,* which addressed issues of providing affordable housing, addressing a shortage of rental housing, ensuring protection of natural resources and sustainable economic development:

- Implementation of the proposed project would contribute to the availability of affordable housing by providing 20 percent of its rental units for affordable housing, as defined by §740-45(C) of the Suffolk County Code (as amended)

- Willoughby Commons would consist of 264 residential rental one- and two-bedroom apartments, which would assist in addressing the rental housing shortage identified by the *Comprehensive Plan Summary*. In addition, the subject property is within Wheatley Heights, which, as noted in Section 2.5 of this SDEIS, has a low rental vacancy rate, indicating that rental units are in demand in this area of the Town
- The proposed project would be served by an out-of-district connection to the Southwest SD, which would ensure proper wastewater treatment and avoid on-site sanitary discharges, thereby protecting groundwater resources. The proposed connection to the Southwest SD could also potentially encourage economic development by allowing for surrounding businesses and residences to also connect through the Applicant's proposed infrastructure;
- Stormwater would be managed through collection and recharging on-site, via the installation of leaching basins on-site, such that stormwater runoff would not be expected to adversely affect surface water or groundwater resources; and
- The proposed project would be within walking distance to the Wheatley Heights Post Office, a retail strip shopping area and existing public transportation networks.

Suffolk County Agricultural and Farmland Protection Plan (2015)

As indicated in Section 3.2.1.4 of this SDEIS, the 2015 SCAFPP was prepared to address a trend of declining farmland acreage in Suffolk County. The proposed project would involve the conversion of 16.09± acres of farmland to a multi-family residential use, and agricultural activities would cease at the subject property. However, there is no offer from the County to preserve the subject property or any land contiguous to the subject property that is owned by the Applicant. Thus, it is the intention of the Applicant to develop his private property with the proposed residential development.

3.2.3 Mitigation Measures

The proposed project is not expected to result in adverse impacts to land use and zoning, such that no mitigation measures would be necessary. In order to minimize potential land use and zoning impacts, the following measures would be employed:

- The proposed development would provide 20-percent of its units for affordable housing, as defined by the Suffolk County Code, §740-45(C) (as amended).

- Willoughby Commons would consist of 264 residential rental one- and two-bedroom apartments, which would assist in addressing the rental housing shortage identified throughout this SDEIS.
- The proposed project's out-of-district connection to the Southwest SD could potentially encourage economic development by allowing for surrounding businesses and residences to also connect to wastewater treatment infrastructure through the Applicant's proposed connection.
- Approximately 3.13 acres of the subject property would be landscaped, including a vegetated buffer that would be planted in areas of the subject property to screen the proposed development from the surrounding community.
- Appropriate landscaping and lighting would be provided throughout the development to enhance aesthetics, be compatible with existing community character, and, in the case of exterior lighting, provide a more secure environment.

3.3 Transportation

A Traffic Impact Study (TIS) was prepared by VHB to provide a comprehensive evaluation of the potential traffic impacts associated with the proposed multi-family rental residential development. The study methodology, roadway intersections and road segments examined, the accident history and the existing traffic conditions are discussed herein. Potential impacts due to the proposed project, as well as the proposed and potential mitigation measures are summarized in Sections 3.3.2 and 3.3.3. The study also evaluates whether the parking provided for the proposed project would be adequate to accommodate the future parking demands at the site. The TIS is summarized below, and the TIS, including the methodology employed in development the study, is included in its entirety in Appendix F.

3.3.1 Existing Conditions

3.3.1.1 Methodology

The following describes the methodology used in the TIS:

- The project site plan and related documents were reviewed to obtain an understanding of the project scope and layout.
- A review was made of the adjacent roadway system and the key intersections that might be significantly impacted by the proposed project were identified.
- Field inventories were made to observe the number and direction of travel lanes at the key intersections, along with signal timing, phasing and cycle lengths.
- Accident records for the most recent three-year period for the study area were reviewed, tabulated and summarized.
- The study was initially carried out with data collected during the non-summer season. Then, in response to comments received from the Town of Babylon, the study was repeated with data collected during the summer season (see Appendix A for the concerns outlined in the Town of Babylon Traffic Safety Division Memorandum dated March 21, 2016). It is noted that the comments received from the Town of Babylon were in reference to a previous application at the subject property, which has been modified slightly in the instant application.
- Turning movement counts were collected at the key intersections using Miovision cameras during weekday a.m. and p.m. peak periods. For the summer season study, turning movement counts were collected during a.m., p.m., and Saturday midday peak periods.

- The existing traffic volumes at the key intersections were expanded to the future No-Build year (assumed to be 2019).
- Any other significant planned developments in the vicinity of the project were identified and the traffic associated with those developments was included in No-Build analysis.
- The traffic generated by the proposed apartment community was projected based on recognized traffic engineering standards.
- The site-generated volumes were distributed along the adjacent roadway network and were added to the No-Build volumes to produce the proposed Build Condition volumes.
- Capacity analyses were performed for the key intersections and the primary site driveways for the Existing, No-Build and future Build conditions.
- The results of the analyses for the Existing, No-Build, and Build conditions were compared to assess any significant traffic impacts due to the proposed project.
- The site access points were evaluated.
- Available public transportation in the vicinity of the site was assessed.
- The adequacy of the proposed off-street parking was evaluated and the site layout was reviewed.
- The need for traffic mitigation measures was evaluated.

Software

The capacity analyses cited herein were performed using the traffic analysis software Synchro, *version 9,* a computer program developed by Trafficware Ltd. Synchro is a complete software package for modeling and optimizing traffic signal timing. Synchro adheres to and implements the guidelines and methods set forth in the 2000 *Highway Capacity Manual* and the newly released 2010 *Highway Capacity Manual*. This analysis methodology was used to evaluate the ability of an intersection or roadway to efficiently handle the number of vehicles using the facility. Synchro was used to model and analyze the Existing, No-Build and Build conditions at the key intersections.

3.3.1.2 Roadway and Intersection Conditions

The principal roadways and intersections in the project area are described below. The descriptions of the roadways and key intersections include the geometric conditions and traffic control characteristics.

Principal Roadways

Colonial Springs Road/Main Avenue is an east-west arterial roadway that falls under the jurisdiction the Town of Babylon within the majority of the study area. The intersection of Colonial Springs Road and Little East Neck Road, however, is just over the boundary in the Town of Huntington. From Pinelawn Road east to North 26th Street, it is designated Colonial Springs Road, and from North 26th Street to Straight Path (CR 2), it is designated Main Avenue. Within the study area, Colonial Springs Road/Main Avenue runs along the southerly border of the project site and provides one travel lane in each direction. The posted speed limit in the study area is 30 miles per hour (mph). According to traffic volumes counts obtained from the New York State Department of Transportation (NYSDOT) Traffic Data Viewer, the combined two-way 2014 Average Annual Daily Traffic (AADT) on the segment of Colonial Springs Road adjacent to the project site is 5,800 vehicles per day.

Conklin Avenue is a north-south collector-distributor roadway that runs south from Ethel Court to its terminus at Main Avenue. South of Main Avenue, Conklin Avenue continues as North 22nd Street. North of Ethel Court, Conklin Avenue continues as Bagatelle Road. Conklin Avenue falls under the jurisdiction of the Town of Babylon. Within the study area, Conklin Avenue is located a block to the east of the project site and provides one travel lane in each direction. The posted speed limit in south of Lee Avenue is 30 mph. North of Lee Avenue there is a 20 mph advisory school speed limit.

Lee Avenue is an east-west local roadway that runs east from North 23rd Street to its terminus at North 17th Street. Between North 23rd Street and Conklin Avenue, Lee Avenue is one-way eastbound. In the Build Condition, after the project is completed, it is proposed to make that section of Lee Avenue two-way. The benefits of this modification will be further discussed in Section 3.3.2 of this SDEIS and in the Future Conditions section of the TIS (see Appendix F). Lee Avenue falls under the jurisdiction of the Town of Babylon. Lee Avenue between North 23rd Street and Conklin Avenue only allows eastbound movements. East of Conklin Avenue, Lee Avenue provides one travel lane in each direction. The posted speed limit in the study area is 30 mph.

North 23rd Street is a north-south local roadway that runs south from Lee Avenue to its terminus at Merritt Avenue. North of Main Avenue it runs along the east side of the project site and provides one travel lane in each direction. North 23rd Street falls under the jurisdiction of the Town of Babylon and has a posted speed limit of 30 mph.

North 28th Street is a north-south local roadway that runs north from Colonial Springs Road to its dead-end terminus less than 300 feet to the north. North 28th Street runs along the southwest side of the project site and provides one travel lane in each direction. North 28th Street falls under the jurisdiction of the Town of Babylon. There is no speed limit posted.

Little East Neck Road is a north-south collector-distributor roadway that runs south from Colonial Springs Road to its terminus at NY 109 in West Babylon. It falls under the jurisdiction of the Town of Babylon. Within the study area, Little East Neck Road is located approximately one mile to the west of the project site and provides one travel lane in each direction. The posted speed limit in the study area is 30 mph. According to traffic volumes counts obtained from the NYSDOT Traffic Data Viewer, the combined two-way 2013 AADT on Little East Neck Road south of Colonial Springs Road was 9,340 vehicles per day.

Study Intersections

To determine the potential traffic impacts of the proposed project, the following study intersections were identified for analysis under the Existing, No-Build and future Build conditions:

- Colonial Springs Road and Little East Neck Road (Signalized)
- Colonial Springs Road and North 28th Street (Unsignalized, Summer Only)
- Main Avenue and Conklin Avenue (Unsignalized)
- Conklin Avenue and Lee Avenue (Unsignalized)

The study intersections are shown in Figure 16. Aerial photographs of the intersections and descriptions of same are included in Appendix F of this SDEIS. It is noted that the intersection of Colonial Springs Road and North 28th Street is included in this TIS and SDEIS as a result of comments received from the Town of Babylon on the previous TIS and VSDEIS submitted for a previous iteration of the instant application in December 2015. This intersection is evaluated in the summer season only, as discussed below.

While not included in the TIS for quantitative analysis, it is noted that improvements have been recently performed at the intersection of Colonial Springs Road/Ruland Road and Pinelawn Road (CR 3). These improvements are intended to increase intersection capacity and better define turning movements at that location.

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Willoughby Commons

Figure 16 - Study Intersections

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

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Not to Scale

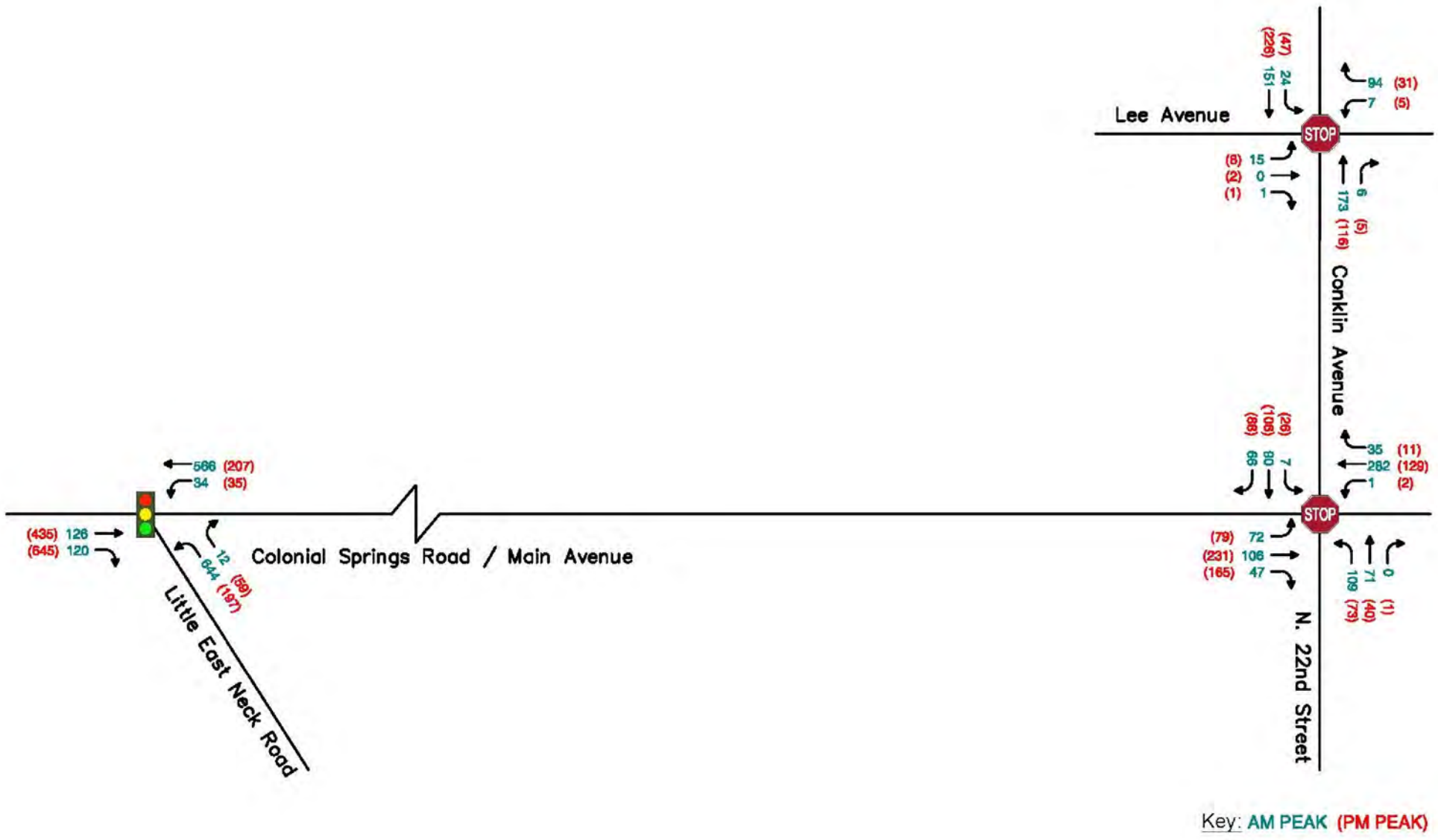
SOURCE: VHB, Traffic Impact Study, January 2017.

3.3.1.3 Existing Traffic Volume Data

Non-Summer Season

At the three study intersections that were evaluated during the non-summer season, turning movement counts were collected using Miovision cameras on Tuesday, March 31, 2015 and Wednesday, April 1, 2015, during the a.m. peak period from 7:00 a.m. to 9:00 a.m., and during the p.m. peak period from 4:00 p.m. to 6:00 p.m. These times reflect the heaviest traffic flows coinciding with commuter and shopping activities. It is noted that, as a result of comments from the Town of Babylon on a previous application at the subject property (see Appendix A), this TIS includes the intersection of Colonial Springs Road and North 28th Street. The Town comments also requested the addition of summer season evaluations. The intersection of Colonial Springs Road and North 28th Street is not included in the intersections studied under this non-summer condition. The existing weekday a.m. and p.m. traffic volumes are shown in Figure 17. The volumes depicted in Figure 17 are the heaviest volumes from either Tuesday or Wednesday in order to present the worst-case scenario. Note that the intersection of Colonial Springs Road and North 28th Street is not in depicted in Figure 17, and turning movement counts for this intersection were evaluated in the summer season only, as indicated previously.

It should also be noted that the non-summer condition evaluation of three of the study intersections does not include Saturday midday peak period analysis. The Saturday midday peak period was included in the summer condition evaluation (presented below), as a result of comments received from the Town. Included in Appendix A of the TIS (see Appendix F of this SDEIS) are details of an Automated Traffic Recorder (ATR) count performed for the NYSDOT in June of 2014 on Colonial Springs Road just east of Circle Drive (approximately 1,000 feet west of the site). This count indicates that non-summer season weekday peak period traffic volumes in this area are significantly higher than Saturday peak hour volumes. For example, while the peak Saturday eastbound hourly volume on Colonial Springs Road was found to be 209 vehicles, the weekday peak hourly volume eastbound in the same location was found to be 360 vehicles. Therefore, it is concluded that during the non-summer season, any traffic impacts or poor traffic conditions are more likely to be evidenced not on Saturday, but during the weekday peak periods.



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Willoughby Commons

Figure 17 - Existing Peak Hour Traffic Volumes - Non-Summer Season

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

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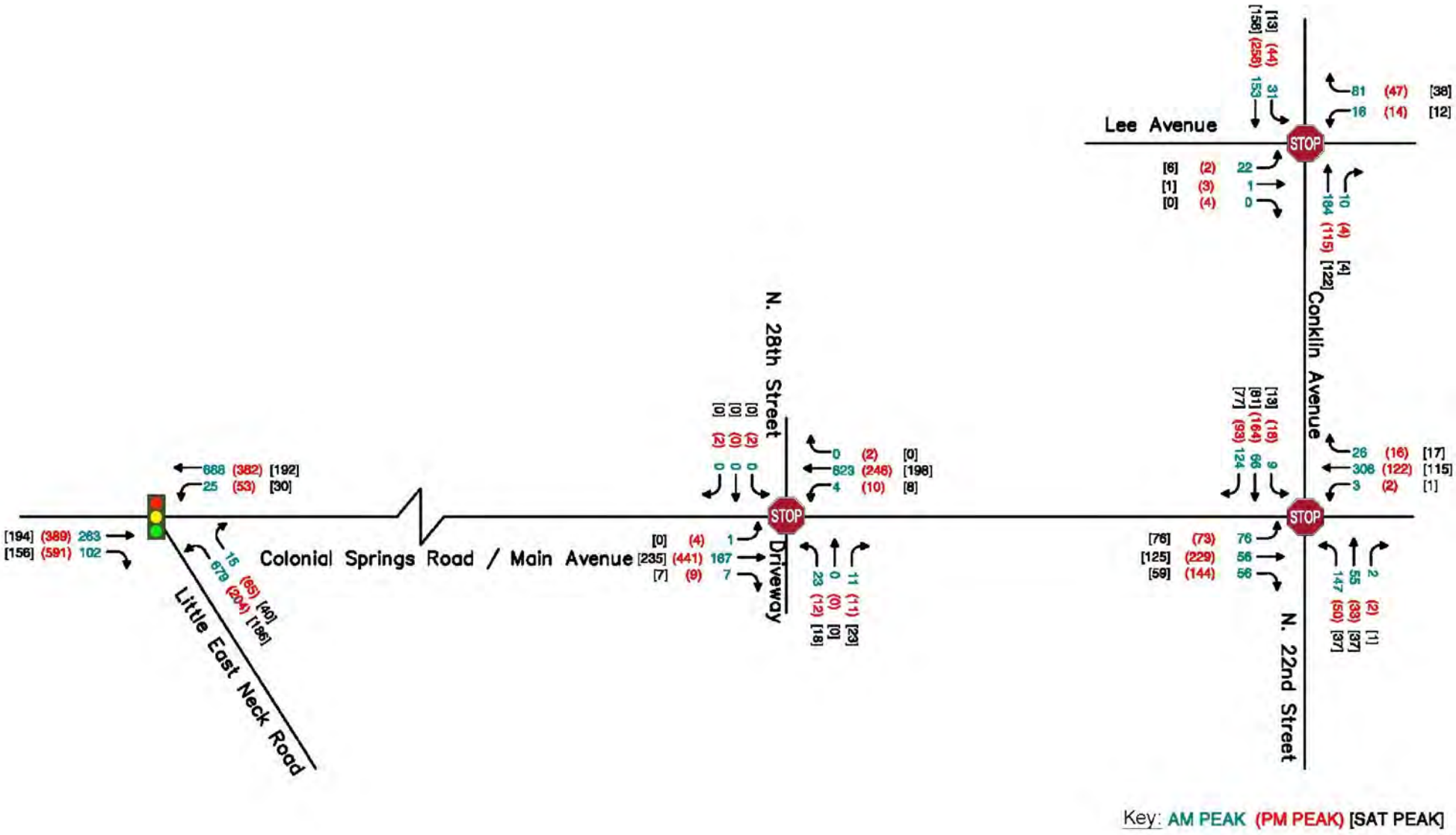
Not to Scale

SOURCE: VHB, Traffic Impact Study, January 2017 .

Summer Season

As indicated above, in response to comments received from the Town of Babylon on the 2015 TIS and VSDEIS (see Appendix A of this SDEIS for Town comments), the TIS prepared for this application includes an evaluation of traffic conditions that exist during the summer season. In addition, a fourth intersection, Colonial Springs Road at North 28th Street, is included in this study and the study analysis periods from the 2015 TIS are expanded to include the Saturday midday peak time period. The summer season analysis was requested due to concerns regarding vehicular activity related to the nearby Camp Kaufman facilities and the addition of the Adventure Park on the camp grounds. This summer season analysis captures this activity in the background traffic used as a basis for gauging the potential impacts of the project (see Section 3.3.2 of this SDEIS for a discussion of potential impacts relative to summer season conditions).

At the four study intersections, turning movement counts were collected using Miovision cameras on Saturday August 6, 2016, during the midday peak period from 11:00 a.m. to 2:00 p.m., and on Tuesday, August 9, 2016, during the a.m. peak period from 7:00 a.m. to 9:00 a.m. and during the p.m. peak period from 4:00 p.m. to 6:00 p.m. These times reflect the heaviest traffic flows coinciding with commuter and shopping activities. The existing weekday a.m., p.m., and Saturday midday peak hour traffic volumes are shown in Figure 18. The turning movement counts can be found in Appendix A of the TIS (see Appendix F of this SDEIS).



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Willoughby Commons

Figure 18 - Existing Peak Hour Traffic Volumes - Summer Season

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

Not to Scale

SOURCE: VHB, Traffic Impact Study, January 2017.

3.3.1.4 Accident History

Accident data from NYSDOT Accident Location Information System (ALIS) records for the most recent available three-year period were requested. Accident Verbal Description Reports (VDRs) for the period August 1, 2011 through July 31, 2014 were obtained for the following study intersections. The study intersections are outlined below and accident data is provided in Table 13:

- Colonial Springs Road and Little East Neck Road (Signalized)
- Main Avenue and Conklin Avenue (Unsignalized)
- Conklin Avenue and Lee Avenue (Unsignalized) – No accidents were reported at this intersection during the three-year period, and therefore it is not displayed in Table 13.

Table 13 - Accident Data Summary

Intersection/Segment	Accident Severity				Total	Accident Type						
	Fatality	Injury	Property Damage Only	Non-Reportable		Rear End	Right Angle	Fixed Object	Pedestrian/ Bicyclist	Parked Vehicle	Backing	Other/ Unknown
Colonial Springs Road & Little East Neck Road	-	8	4	1	13	4	4	3	1	-	-	1
Main Avenue & Conklin Avenue/N. 22nd Street	-	5	6	-	11	-	8	-	-	1	1	1
Total	0	13	10	1	24	4	12	3	1	1	1	2

In addition to the data presented in Table 13, above, based on information received from the Town of Babylon, there was a fatal accident at the Colonial Springs Road and Little East Neck Road intersection that occurred subsequent to the study period reflected in the data above. This accident involved a vehicle northbound on Little East Neck Road that left the roadway while executing a left turn to Colonial Springs Road.

A more detailed description of the accident severity and type for each intersection is provided in Appendix F of this SDEIS.

3.3.2 Probable Impacts

The analysis of future conditions, with and without the proposed project ("Build" and "No-Build" conditions, respectively), was performed to evaluate the effect of the proposed project on future traffic conditions in the area. Background traffic volumes in the study area were projected to the year 2019, reflecting the year when the proposed project is expected to be completed and operational. The No-Build Condition represents the future traffic conditions that can be expected to occur, even if the proposed project is not constructed. The No-Build Condition serves as a comparison to the Build Condition, which represents expected future traffic conditions resulting from both project and non-project generated traffic.

3.3.2.1 No-Build Condition

The 2019 No-Build traffic volumes include existing traffic, additional traffic volume due to background traffic growth, and other planned developments in the area as explained below.

Based on discussions with the Town planning staff, there are no other planned developments in the immediate vicinity of the proposed project. However, a previously approved subdivision on the Applicant's contiguous property, north of the subject property was included as a planned development. The previously approved subdivision is located immediately to the northeast and sharing the access at North 23rd Street and Lee Avenue with Willoughby Commons. This development would be comprised of 25 single-family homes. It is estimated that the development would generate 19 trips during the weekday a.m. peak hour, 25 trips during the weekday p.m. peak hour, and 23 trips during the Saturday midday peak hour. The trips were assigned to the surrounding roadway network, and traffic passing through the study intersections identified for the TIS were added to the existing volumes at those locations. The site generated traffic from the potential 25-single-family home development for the a.m. and p.m. peak hours is shown in Figure 4 of the TIS (see Appendix F of this SDEIS).

To account for increases in general population and background growth not related to the proposed project, an annual growth factor was applied to the existing traffic volumes. Based on NYSDOT growth rates, the growth rate anticipated for the Town is 1.1 percent per year. To account for any possible smaller developments that may have been overlooked, the background growth factor for the No-Build scenario was increased from 1.1 to 1.5 percent per year, as discussed below.

To obtain 2019 No-Build traffic volumes at the study intersections that were evaluated during the non-summer season, and at all study intersections for the summer season, a total growth factor of 6.0 percent (4 years at 1.5 percent per year) was applied to 2015 traffic volumes and traffic generated by the other planned development was added. The No-Build traffic volumes during the non-summer season for the weekday a.m. and weekday p.m. are shown in Figure 5 of the TIS, in Appendix F of this SDEIS. The No-Build traffic volumes during the summer season for the weekday a.m., weekday p.m., and Saturday peak periods are shown in Figure 11 of the TIS, in Appendix F of this SDEIS.

3.3.2.2 Build Condition

Project-Generated Traffic Volumes

To estimate the project-generated traffic for the proposed apartment community, a review was undertaken of available trip generation data sources, including the reference published by the Institute of Transportation Engineers (ITE), *Trip Generation, 9th Edition*. This widely utilized reference source contains trip generation rates for numerous land uses, including "Apartments" (Land Use Code #220). Table 14 summarizes the anticipated trip generation for the project upon completion.

Table 14 - Willoughby Commons Trip Generation Projections

Project Component	Component Size	AM Peak		PM Peak		Saturday Midday Peak	
Residential Apartments ITE LUC# 220 (Apartment)	264 Units	Rate =	0.51	Rate =	0.62	Rate =	0.52
		Entering	Exiting	Entering	Exiting	Entering	Exiting
		20%	80%	65%	35%	50%	50%
		27	108	107	57	68	69
		Total =	135	Total =	164	Total =	137

Source: Institute of Transportation Engineers Trip Generation, 9th Edition. Trip generation rates for the weekday a.m. and p.m. peak hours are of the adjacent street traffic

As indicated in Table 14, the proposed development is projected to generate 135 trips (entering 27 and exiting 108) during the weekday a.m. peak hour, 164 trips (entering 107 and exiting 57) during the weekday p.m. peak hour, and 137 trips (entering 68 and exiting 69) during the Saturday midday peak hour.

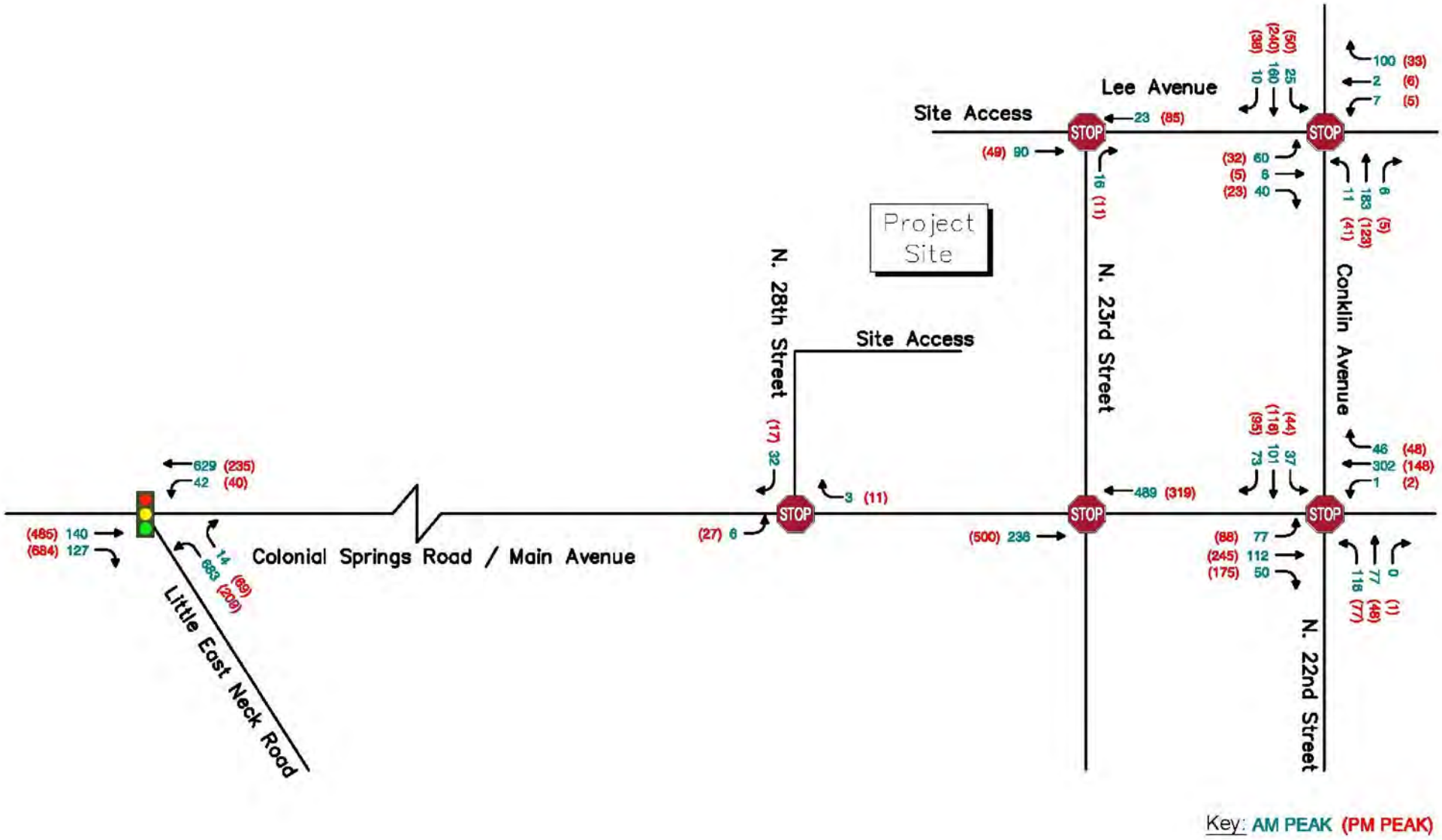
Trip Distribution and Assignment

The trips originating from and destined to the project site were assigned to the adjacent roadways based on characteristics of the roadway network, the location of the proposed site access points, existing travel patterns, and likely destination points. The trip distribution percentages, shown in Figure 6 of Appendix F of this SDEIS, were then applied to the non-summer season project-generated traffic volumes for the

weekday a.m. and p.m. peak hours, and are presented in Figure 7 of Appendix F of this SDEIS. The trip distribution percentages were applied to the summer season project-generated traffic volumes for the weekday a.m. and p.m. and Saturday midday peak hours, and are presented in Figure 12 of the TIS (see Appendix F of this SDEIS).

It should be noted that the directional distribution presented in Figure 6 of the TIS (see Appendix F of this SDEIS) reflects the restriction of movements from North 28th Street to Colonial Springs Road to right-turns only, in keeping with a prior approval granted at this site for a previous application. The previously proposed Willoughby Commons at Wheatley Heights included an access drive to Colonial Springs Road just east of North 28th street and included a restriction of left-turn movements out of the site at the request of the Town of Babylon. While the current plan does not include this access driveway, this restriction is proposed from North 28th Street in keeping with the purpose of the Town's request. This restriction results in an "unbalanced" distribution of traffic, in that motorists leaving the site wishing to travel to the east are routed to the Lee Avenue site access to start their trip, but can return to the site via North 28th Street directly. All movements into North 28th Street would continue to be permitted.

To determine the future Build Condition traffic volumes, the project-generated trips were added to the No-Build traffic volumes at the key intersections. The resulting Build traffic volumes for the weekday a.m. and p.m. peak hours during the non-summer season are shown in Figure 19. The resulting Build traffic volumes for the weekday a.m. and p.m. and Saturday midday peak hours during the summer season are shown in Figure 20.



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Willoughby Commons

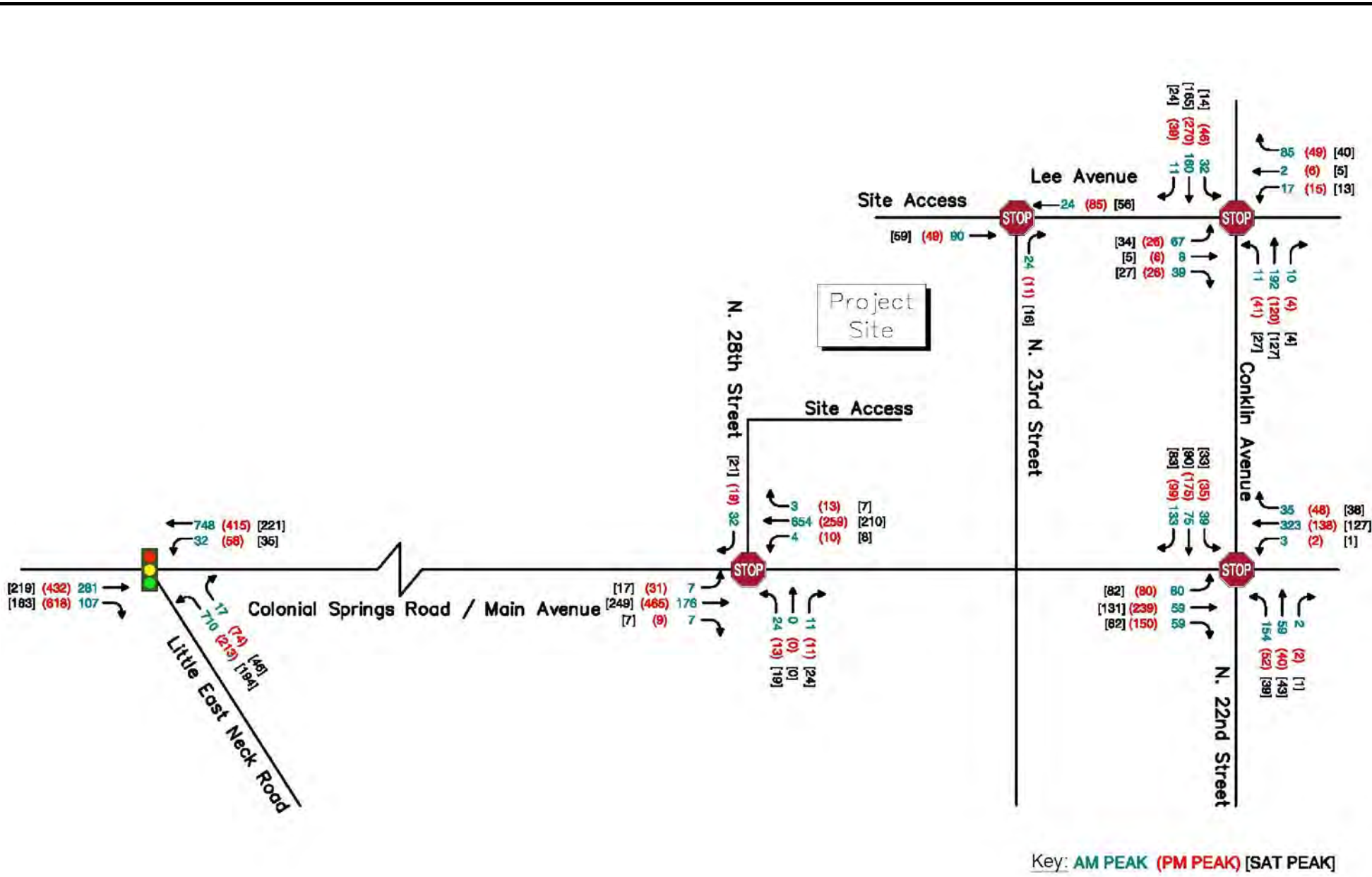
Figure 19 - Build Peak Hour Traffic Volumes - Non-Summer Season

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

Not to Scale

SOURCE: VHB, Traffic Impact Study, January 2017



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Willoughby Commons

Figure 20 - Build Peak Hour Traffic Volumes - Summer Season

201 Main Avenue
Hamlet of Wheatley Heights, Town of Babylon
Suffolk County, NY 11798

VHB Ref. 29268.00

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Not to Scale

SOURCE: VHB, Traffic Impact Study, January 2017

3.3.2.3 As-of-Right Trip Generation

In addition to the proposed project mix, one as-of right development alternative (also referred to as Development Under Prevailing Zoning) was considered, in response to concerns identified in the Town of Babylon Traffic Safety Division Memorandum dated March 21, 2016, which was in response to the 2015 application involving the subject property (see Appendix A for Town comments). The as-of-right alternative considered is a 55-unit single-family residential development. The 55-unit single-family residential development would involve development of the subject property with 30 single-family residences plus the potential 25-lot subdivision on the contiguous northern property owned by the Applicant.

The trip generation estimates for the above-described alternative was derived using the ITE, *Trip Generation, 9th Edition*. To estimate the trips generated by this alternative, the following ITE land uses was utilized: "Single Family" (Land Use Code #210). Table 15 below provides a comparison of the trip generation estimates for the alternative and the project as proposed.

Table 15 - Alternative Trip Generation Comparison

Peak Period	Proposed Project Development			Development Under Prevailing Zoning (As-of-Right) Alternative		
	Entering	Exiting	Total	Entering	Exiting	Total
AM Peak	27	108	135	10	31	41
PM Peak	107	57	164	35	20	55
Saturday Midday Peak	68	69	137	28	23	51

As can be seen in Table 15 above, Development Under Prevailing Zoning would result in fewer trips being generated during each of the three peak periods when compared to the proposed development. More specifically, trip generation estimates for the Development Under Prevailing Zoning are lower and are expected to result in 94, 109 and 86 fewer trips than the proposed project during the weekday a.m., weekday p.m., and Saturday midday peak periods, respectively.

Accident History

Based on a detailed review of the accident records summarized above in Section 3.3.1.4 of this SDEIS, and as stated in the TIS (see Appendix F of this SDEIS), the rate of accidents occurrence at the intersections analyzed in Section 3.3.1.4 would not be expected to increase as a result of the proposed project.

3.3.2.4 Traffic Operations Analysis

Measuring existing traffic volumes and projecting future traffic volumes quantifies traffic flow within the study area. To assess quality of traffic flow, roadway capacity analyses were conducted with respect to the Existing, No-Build and future Build conditions. These capacity analyses provide an indication of the adequacy of the roadway facilities to serve the anticipated traffic demands.

Level of Service and Delay Criteria

The evaluation criteria used to analyze area intersections in this traffic study are based on the 2000 & 2010 *Highway Capacity Manual* (HCM). The term 'level of service' (LOS) is used to denote the different operating conditions that occur at an intersection under various traffic volume loads. It is a qualitative measure that considers a number of factors including roadway geometry, speed, travel delay and freedom to maneuver. LOS provides an index to the operational qualities of a roadway segment or an intersection. LOS designations range from A to F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions.

In addition to LOS, vehicle delay time (expressed in seconds per vehicle) is typically used to quantify the traffic operations at intersections. For example, a delay of 15 seconds for a particular vehicular movement or approach indicates that vehicles on the movement or approach will experience an average additional travel time of 15 seconds. It should be noted that delay time has a range of values for a given LOS letter designation. Therefore, when evaluating intersection capacity results, in addition to the LOS, vehicle delay time should also be considered.

The LOS designations, which are based on delay, are reported differently for signalized and unsignalized intersections. For signalized intersections, the analysis considers the operation of all traffic entering the intersection and the LOS designation is for overall conditions at the intersection. For unsignalized intersections, however, the analysis assumes that traffic on the mainline is not affected by traffic on the side streets. Thus the LOS designation is for the critical movement exiting the side street, which is generally the left-turn out of the side street or side driveway.

It should be noted that the analytical methodologies typically used for the analysis of unsignalized intersections use conservative parameters such as long critical gaps. Actual field observations indicate that drivers on minor streets generally accept shorter gaps in traffic than those used in the analysis procedures and therefore experience less delay than reported by the analysis software. The analysis methodologies also do not take into account the beneficial grouping effects caused by nearby signalized intersections. The net effect of these analysis procedures is the over-estimation of calculated delay at unsignalized intersections in the study area. Cautious judgment should therefore be exercised when interpreting the capacity analysis results at unsignalized intersections.

The LOS definitions for both the signalized and unsignalized intersections can be found in Appendix B of the TIS (Appendix F of this SDEIS).

Non-Summer Season Level of Service Analysis

LOS analyses were conducted for the Existing, No-Build and future Build conditions for the key signalized intersection and for the unsignalized intersections that were evaluated during the non-summer season.

Since the peak hours for each intersection within the study network varies, the peak hour for each individual intersection was analyzed as opposed to using an overall network peak hour. This method provides a worst-case scenario. The peak hours used in the analysis for each period at each of the individual intersections are indicated on the turning movement diagrams provided in Appendix C of the TIS (Appendix F of this SDEIS). Capacity analyses for the non-summer season were performed for the weekday a.m. and p.m. peak periods. As indicated in Section 3.3.1.3 of this SDEIS, based on existing conditions, any traffic impacts or poor traffic conditions at the study intersections are more likely to be evidenced not on Saturday, but during the weekday peak periods. See further below in this section for capacity analysis for the Saturday midday peak period (in addition to the weekday a.m. and p.m. peak periods) during the summer season.

Signalized Intersection Analysis Results

The results of the capacity analyses for the signalized intersection of Colonial Springs Road at Little East Neck Road in Existing, No-Build and future Build conditions are summarized in Table 16 and Table 17 below, for the weekday a.m. and p.m. periods, respectively. The detailed capacity analysis worksheets are contained in Appendix C of the TIS (Appendix F of this SDEIS).

Table 16 - Level of Service Summary - Signalized Intersection - AM Peak Hour – Non-Summer Season

Intersection	Movement	Lane Group	Existing 2015		No Build 2019		Build 2019	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	11.6	B	11.7	B	11.6	B
		Approach	11.6	B	11.7	B	11.6	B
	WB	L	32.4	C	34.1	C	35.5	D
		Approach	32.4	C	34.1	C	35.5	D
	NB	L	49.3	D	72.8	E	85.3	F
		R	15.6	B	16.4	B	16.9	B
		Approach	48.7	D	71.7	E	83.9	F
	Overall		35.9	D	46.6	D	51.9	D

Table 17 - Level of Service Summary - Signalized Intersection - PM Peak Hour – Non-Summer Season

Intersection	Movement	Lane Group	Existing 2015		No Build 2019		Build 2019	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	31.7	C	48.6	D	54.9	D
		Approach	31.7	C	48.6	D	54.9	D
	WB	L	8.2	A	12.8	B	19.2	B
		Approach	8.2	A	12.8	B	19.2	B
	NB	L	37.0	D	37.4	D	37.4	D
		R	0.0	A	0.1	A	0.1	A
		Approach	28.5	C	28.7	C	28.1	C
	Overall		27.6	C	39.7	D	44.6	D

As shown in Table 16 and Table 17, during the non-summer season, the signalized intersection of Colonial Springs Road and Little East Neck Road operates at an overall intersection LOS D during the weekday a.m. and p.m. peak periods. When comparing the No-Build Condition to the Build Condition, it is observed that during the a.m. peak hour, the northbound approach/movements show a higher delay and during the p.m. peak hour, the results are consistent. This intersection was reanalyzed with mitigation for the a.m. peak hour (see below).

The signalized intersection was reanalyzed with minor changes in phase splits in the Build Condition during the weekday a.m. peak hour. Table 18 shows the mitigation results. The table also shows the No-Build and Build Condition results for easy comparison.

Table 18 – Level of Service Summary – Mitigation - AM Peak Hour – Non-Summer Season

Intersection	Movement	Lane Group	No Build 2019		Build 2019		Mitigation	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	11.7	B	11.6	B	12.6	B
		Approach	11.7	B	11.6	B	12.6	B
	WB	L	34.1	C	35.5	D	38.6	D
		Approach	34.1	C	35.5	D	38.6	D
	NB	L	72.8	E	85.3	F	76.3	E
		R	16.4	B	16.9	B	16.0	B
		Approach	71.7	E	83.9	F	75.0	E
	Overall		46.6	D	51.9	D	49.6	D

Table 18 shows that the intersection operates at levels consistent with the No-Build Condition with minor changes in the signal timing.

Site Access

As indicated in Section 2.4 of this SDEIS, the overall site would be served by two unsignalized site driveways. One full access site driveway would be located at the northerly terminus of North 28th Street. This access would provide one entering lane and one exiting lane, and since it would be located at the terminus of North 28th Street, no stop controlled is required. Since there is no intersection control proposed at this location, detailed intersection capacity analyses are not required for this site access driveway.

The second site access would be located at the westerly terminus of Lee Avenue, just west of North 23rd Street and would provide one entering lane and one exiting lane. This access would be provided via an easement through the Applicant's adjacent property north of the subject property. Ultimately, this access may be used by both the project site as well as the previously approved subdivision (other planned development) on the adjacent property to the north, although it is unknown at this time when this other development might be constructed. This site access would essentially form a new eastbound approach to the intersection of North 23rd Street and Lee Avenue. Currently, there is a one-way restriction along Lee Avenue, west of Conklin Avenue. This one-way restriction was put in place to prohibit motorists from using North 23rd Street as a cut-through to avoid delays at the intersection of Main Avenue and Conklin Street. As part of the proposed project, it is recommended that the segment of Lee Avenue west of Conklin Street be changed to allow two-way traffic once again.

In order to continue prohibiting traffic from using North 23rd Street as a cut-through, it is proposed to restrict any southbound movements to North 23rd Street from Lee Avenue and only allow northbound right-turn movements from North 23rd Street to Lee Avenue. This would be done by installing "Do Not Enter" and "One Way" signs

at the North 23rd Street northbound approach to the intersection. In addition, "No Left Turn" signs would be placed on the westbound Lee Avenue approach and along the northbound North 23rd Street approach. It is further proposed to channelize the northbound North 23rd Street approach, so only right turns could be made to Lee Avenue. In addition, it is recommended that "STOP" signs be added to the eastbound and northbound legs of the Lee Avenue at North 23rd Street intersection. A raised median island should also be implemented between the entering and exiting lanes at the site access so it would prevent vehicles from making a left-turn into the site from North 23rd Street. To reinforce the turn restrictions at this intersection, a "No Outlet" warning sign with a "No Access to North 23rd Street" supplemental sign would be installed for westbound Lee Avenue just west of Conklin Avenue. Implementation of these signage restrictions and geometric changes would eliminate the possibility of motorists from using North 23rd Street to access the site or as a cut-through.

Unsignalized intersection capacity analyses were performed for the intersection of Lee Avenue/ Proposed Site Access and North 23rd Street. The results of the analyses are summarized in the following section.

Unsignalized Intersection Analysis Results

The results of the capacity analyses for the weekday a.m. and p.m. peak hours for the unsignalized study intersections and the site access point along Lee Avenue are summarized in Table 19 and Table 20, respectively. Detailed capacity analysis worksheets are contained in Appendix C of the TIS (Appendix F of this SDEIS).

Table 19 - Level of Service Summary - Unsignalized Intersection - AM Peak Hour – Non-Summer Season

Intersection	Approach	Existing 2015		No Build 2019		Build 2019	
		Delay	LOS	Delay	LOS	Delay	LOS
Main Avenue & Conklin Avenue	EB	13.0	B	14.4	B	15.2	C
	WB	15.8	C	18.7	C	20.7	C
	NB	13.2	B	14.5	B	15.2	C
	SB	11.5	B	12.5	B	13.9	B
	Overall	13.8	B	15.6	C	16.9	C
Conklin Avenue & Lee Avenue	EB	8.6	A	8.7	A	10.0	B
	WB	8.3	A	8.6	A	9.2	A
	NB	9.4	A	9.5	A	10.5	B
	SB	9.1	A	9.5	A	10.3	B
	Overall	9.0	A	9.2	A	10.1	B
N. 23rd Street & Lee Avenue/Site Access	EB					7.5	A
	WB					7.2	A
	NB					6.7	A
	Overall					7.3	A

Table 20 - Level of Service Summary - Unsignalized Intersection - PM Peak Hour – Non-Summer Season

Intersection	Approach	Existing 2015		No Build 2019		Build 2019	
		Delay	LOS	Delay	LOS	Delay	LOS
Main Avenue & Conklin Avenue	EB	22.9	C	32.8	D	39.9	E
	WB	11.8	B	13.0	B	15.6	C
	NB	11.6	B	12.4	B	13.3	B
	SB	13.0	B	14.6	B	16.6	C
	Overall	17.4	C	22.8	C	26.4	D
Conklin Avenue & Lee Avenue	EB	8.5	A	8.5	A	9.3	A
	WB	7.9	A	8.1	A	8.6	A
	NB	8.6	A	8.8	A	10.0	B
	SB	10.1	B	10.8	B	12.3	B
	Overall	9.4	A	9.9	A	11.0	B
N. 23rd Street & Lee Avenue/Site Access	EB					7.3	A
	WB					7.5	A
	NB					6.7	A
	Overall					7.4	A

As shown in Table 19 and Table 20, during weekday a.m. and p.m. peak period of the non-summer season, the overall intersection LOS at the unsignalized intersection of Main Avenue and Conklin Avenue would operate at an acceptable LOS D or better in the Build Condition and in no instance would there be more than a four second increase in overall intersection delay. It should be noted during the weekday p.m. peak period the overall intersection LOS would change from C to D. Even though the overall intersection LOS would change, the increase in delay would only be 3.6 seconds. Increases in overall intersection delay of this magnitude are relatively imperceptible to motorists and no mitigation is required.

The intersection of Conklin Avenue and Lee Avenue, in the Build Condition, would operate at an acceptable LOS B during the peak periods. In addition, the overall intersection delay would only increase by a maximum of 1.1 seconds. A 1.1 second increase would be unnoticeable to motorists and no mitigation at this intersection is required.

As shown in Table 19 and Table 20, the critical approaches at the intersection of the site access/ Lee Avenue and North 23rd Street operate at an acceptable LOS A during both the weekday a.m. and pm. peak periods. It is evident from the analysis that traffic flow along North 23rd Street and Lee Avenue would not be impacted by the stop control and geometric changes recommended at this intersection.

Summer Season Level of Service Analysis

LOS analyses were conducted for the Existing, No-Build and future Build conditions for the key signalized intersection and for the unsignalized intersections.

Since the peak hours for each intersection within the study network varies, the peak hour for each individual intersection was analyzed as opposed to using an overall network peak hour. This method provides a worst-case scenario.

Signalized Intersection Analysis Results

The results of the capacity analyses for the signalized intersection of Colonial Springs Road at Little East Neck Road in the Existing, No-Build and future Build conditions are summarized in Table 21, Table 22 and Table 23 below, for the weekday a.m., p.m., and Saturday midday peak periods, respectively. The detailed capacity analysis worksheets are contained in Appendix C of the TIS (Appendix F of this SDEIS).

Table 21 - Level of Service Summary – Signalized Intersection - AM Peak Hour – Summer Season

Intersection	Movement	Lane Group	Existing 2016		No Build 2019		Build 2019	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	13.4	B	13.4	B	13.2	B
		Approach	13.4	B	13.4	B	13.2	B
	WB	LT	33.4	C	36.3	D	40.7	D
		Approach	33.4	C	36.3	D	40.7	D
	NB	L	56.4	E	76.5	E	87.3	F
		R	20.0	B	20.1	C	19.3	B
		Approach	55.6	E	75.2	E	85.7	F
	Overall		36.8	D	45.0	D	50.2	D

Table 22 - Level of Service Summary – Signalized Intersection - PM Peak Hour – Summer Season

Intersection	Movement	Lane Group	Existing 2016		No Build 2019		Build 2019	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	20.0	C	25.5	C	27.2	C
		Approach	20.0	C	25.5	C	27.2	C
	WB	LT	32.6	C	42.2	D	51.2	D
		Approach	32.6	C	42.2	D	51.2	D
	NB	L	44.1	D	44.3	D	44.3	D
		R	16.4	B	16.9	B	16.9	B
		Approach	37.4	D	37.6	D	37.2	D
	Overall		26.9	C	33.1	C	37.1	D

Table 23 - Level of Service Summary – Signalized Intersection – Saturday Midday Peak Hour – Summer Season

Intersection	Movement	Lane Group	Existing 2016		No Build 2019		Build 2019	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	7.4	A	7.6	A	8.4	A
		Approach	7.4	A	7.6	A	8.4	A
	WB	LT	8.3	A	8.5	A	9.2	A
		Approach	8.3	A	8.5	A	9.2	A
	NB	L	11.1	B	11.5	B	11.1	B
		R	5.8	A	6.0	A	4.2	A
		Approach	10.2	B	10.5	B	9.8	A
	Overall		8.5	A	8.7	A	9.0	A

As shown in Table 21, Table 22 and Table 23, during the summer season, the signalized intersection of Colonial Springs Road and Little East Neck Road would operate at an overall intersection LOS D during the weekday a.m. peak hour and p.m. peak hour, and at LOS A during the Saturday midday peak hour. When comparing the No-Build Condition to the Build Condition, it is observed that the northbound approach/movements show a higher delay during the a.m. peak hour, and during the p.m. peak hour, the overall intersection LOS drops from LOS C to LOS D. During Saturday midday peak hour, the Build Condition results are consistent with the No-Build Condition results. This intersection was reanalyzed with mitigation for a.m. and p.m. peak hours (see below).

The signalized intersection was reanalyzed with minor changes in phase splits in the Build Condition during the weekday a.m. and p.m. peak hours. Table 24 and Table 25 show the mitigation results for a.m. and p.m. peak hours, respectively. The tables also show the No-Build and Build Condition results for easy comparison.

Table 24 – Level of Service Summary – Mitigation – AM Peak Hour – Summer Season

Intersection	Movement	Lane Group	No Build 2019		Build 2019		Mitigation	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	13.4	B	13.2	B	14.4	B
		Approach	13.4	B	13.2	B	14.4	B
	WB	LT	36.3	D	40.7	D	46.1	D
		Approach	36.3	D	40.7	D	46.1	D
	NB	L	76.5	E	87.3	F	73.5	E
		R	20.1	C	19.3	B	18.1	B
		Approach	75.2	E	85.7	F	72.2	E
	Overall		45.0	D	50.2	D	48.2	D

Table 25 – Level of Service Summary – Mitigation – PM Peak Hour – Summer Season

Intersection	Movement	Lane Group	No Build 2019		Build 2019		Mitigation	
			Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & Little East Neck Road	EB	TR	25.5	C	27.2	C	24.3	C
		Approach	25.5	C	27.2	C	24.3	C
	WB	LT	42.2	D	51.2	D	46.3	D
		Approach	42.2	D	51.2	D	46.3	D
	NB	L	44.3	D	44.3	D	48.3	D
		R	16.9	B	16.9	B	18.4	B
		Approach	37.6	D	37.2	D	40.6	D
	Overall		33.1	C	37.1	D	34.4	C

Table 24 and Table 25 show that the intersection operates at levels consistent with the No-Build Condition with minor changes in the signal timing.

Site Access and Unsignalized Intersections

The results of the capacity analyses for the weekday a.m., p.m. and Saturday midday peak periods, for the unsignalized study intersections and the site access point along Lee Avenue are summarized in Table 26, Table 27, and Table 28, respectively. Detailed capacity analysis worksheets are contained in Appendix C of the TIS (Appendix F of this SDEIS).

Table 26 – Level of Service Summary – Unsignalized Intersection – AM Peak Hour – Summer Season

Intersection	Approach	Existing 2016		No Build 2019		Build 2019	
		Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & N 28th Street (Site Access)	EB L	8.9	A	9.0	A	9.1	A
	NB	17.5	C	18.6	C	20.1	C
	SB	19.0	C	17.3	C	14.0	B
Main Avenue & Conklin Avenue	EB	13.1	B	14.2	B	15.0	C
	WB	16.2	C	18.5	C	20.5	C
	NB	14.2	B	15.4	C	16.3	C
	SB	13.0	B	14.2	B	16.5	C
	Overall	14.4	B	15.9	C	17.4	C
Conklin Avenue & Lee Avenue	EB	8.8	A	8.9	A	9.8	A
	WB	8.5	A	8.7	A	9.1	A
	NB	9.5	A	9.4	A	10.3	B
	SB	9.4	A	9.7	A	10.4	B
	Overall	9.2	A	9.3	A	10.0	B
N 23rd Street & Lee Avenue / Site Access	EB					7.5	A
	WB					7.2	A
	NB					6.7	A
	Overall					7.3	A

Table 27 – Level of Service Summary – Unsignalized Intersection – PM Peak Hour – Summer Season

Intersection	Approach/ Movement	Existing 2016		No Build 2019		Build 2019	
		Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & N 28th Street (Site Access)	EB L	7.9	A	7.9	A	8.0	A
	NB	16.0	C	17.0	C	18.9	C
	SB	18.6	C	15.5	C	10.4	B
Main Avenue & Conklin Avenue	EB	19.0	C	23.1	C	26.4	D
	WB	11.6	B	12.4	B	14.2	B
	NB	11.2	B	11.8	B	12.5	B
	SB	14.4	B	16.2	C	18.6	C
	Overall	15.6	C	18.0	C	20.2	C
Conklin Avenue & Lee Avenue	EB	8.1	A	8.4	A	9.5	A
	WB	8.4	A	8.6	A	9.2	A
	NB	8.8	A	8.9	A	10.1	B
	SB	10.5	B	11.1	B	12.8	B
	Overall	9.7	A	10.0	A	11.2	B
N 23rd Street & Lee Avenue / Site Access	EB					7.3	A
	WB					7.5	A
	NB					6.7	A
	Overall					7.4	A

Table 28 – Level of Service Summary – Unsignalized Intersection – Saturday Midday Peak Hour – Summer Season

Intersection	Approach	Existing 2016		No Build 2019		Build 2019	
		Delay	LOS	Delay	LOS	Delay	LOS
Colonial Springs Road & N 28th Street (Site Access)	EB L	7.7	A	7.7	A	7.7	A
	NB	11.6	B	11.9	B	12.4	B
	SB	13.1	B	11.9	B	9.7	A
Main Avenue & Conklin Avenue	EB	11.0	B	11.8	B	12.2	B
	WB	9.4	A	9.7	A	10.2	B
	NB	9.4	A	9.7	A	10.0	B
	SB	9.9	A	10.5	B	11.3	B
	Overall	10.2	B	10.8	B	11.2	B
Conklin Avenue & Lee Avenue	EB	8.0	A	8.1	A	8.9	A
	WB	7.7	A	8.0	A	8.3	A
	NB	8.3	A	8.7	A	9.2	A
	SB	8.7	A	9.1	A	9.6	A
	Overall	8.4	A	8.7	A	9.2	A
N 23rd Street & Lee Avenue / Site Access	EB					7.3	A
	WB					7.3	A
	NB					6.6	A
	Overall					7.3	A

As shown in Table 26, Table 27, and Table 28, during the summer season, the unsignalized intersection of Colonial Springs Road and North 28th Street would operate well in the Build condition at LOS B or better with the critical southbound approach delay improving from the No-Build to the Build condition. This improvement is due to the restriction of movements out of North 28th Street to right-turn only in keeping with prior approval granted at this site for a previous application. The previously approved Willoughby Commons at Wheatley Heights included an access drive to Colonial Springs Road just east of North 28th Street and included a restriction of left-turn movements out of the site at the request of the Town of Babylon. While the current plan does not include this access driveway, this restriction is proposed from North 28th Street in keeping with the purpose of the Town's request. The restriction of left-turns and through movements out of North 28th Street has a positive impact on the approach LOS.

The overall intersection level of service during the summer season at the unsignalized intersection of Main Avenue and Conklin Avenue would operate at an acceptable LOS C or better in the Build Condition during the three time periods analyzed. When comparing the Build to the No-Build condition, the maximum overall intersection delay changes by less than 3.0 seconds. Increases in overall intersection delay of this magnitude are relatively imperceptible to motorists and no mitigation is required.

The intersection of Conklin Avenue and Lee Avenue in the summer season Build Condition would operate at an acceptable LOS B or better during the three time periods analyzed. When comparing the Build condition to No-Build condition, the LOS would change only during the p.m. peak hour from LOS A to LOS B, but the overall increase in intersection delay would be 0.7 and 1.2 seconds, respectively. Increases in overall intersection delay of this magnitude are relatively imperceptible to motorists and no mitigation is required.

The critical approaches at the intersection of the Site Access/ Lee Avenue and North 23rd Street would operate at LOS A during all three time periods analyzed in the Build condition. It is evident from the analysis that traffic flow along North 23rd Street and Lee Avenue would not be impacted to a significant degree by the stop control and geometric changes recommended at this intersection.

3.3.2.5 Off-Street Parking, Site Circulation and Public Transportation

The off-street parking required is set forth in the Town Code (Chapter 213, Section 118), which stipulates requirements for the proposed apartment use. Based on a review of the proposed Overall Site Plan (see Appendix B of this SDEIS), the proposed project would consist of the following apartment units:

Residential breakdown

- 228 – 1 Bedroom Apartment Units
- 36 – 1 Bedroom Apartment Units

Table 29 below summarizes the parking requirements for each type of unit.

Table 29 - Off-Street Parking Requirements

Use	Requirements per Zoning Code	No. of Units/ Bedrooms/ SF	Required Off-Street Parking Spaces
Apartment - 1 Bedroom	2.0 Spaces per 1 Bedroom Unit	228 Units	2.0 Spaces/ Unit x 228 Units = 456 Spaces
Apartment – 2 Bedrooms	2 Spaces for 1 Dwelling Unit, Plus 0.5 Spaces for each Bedroom in Excess of 1 Bedroom Per Unit	36 Units	2.0 Spaces/Dwelling Unit x 36 Dwelling units + 0.5 Spaces per each 2 Bedroom Unit = 90 Spaces
Total Required			546 Stalls

Based on a review of the Overall Site Plan (see Appendix B of this SDEIS), the proposed project would provide 560 stalls, thus exceeding the Town's off-street parking requirement of 546 stalls.

In addition, review of the Overall Site Plan (see Appendix B of this SDEIS) shows that the configuration of the parking layout, drive aisles, site access points and internal site roadways would provide for adequate on-site circulation.

With respect to additional transit options, based on a field visit and a review of the Suffolk County Transit Bus Route Map, Willoughby Commons would be well served by public transportation. Two bus routes exist along Colonial Springs Road: Route 2A, which provides bus service between Wyandanch and the South Shore Mall and Route 2B, which provides service between Wyandanch and Bay Shore, as well as to East Farmingdale. In addition, Route S-23 runs along Conklin Avenue and provides service between the Walt Whitman Mall and the Babylon Long Island Rail Road Station. All of these routes provide access to the Long Island Rail Road and to other Suffolk and Nassau County bus routes via various transfer locations.

Route 2A and Route 2B have a bus stop located along Colonial Springs Road, approximately 350 feet west of North 28th Street at the Wheatley Heights Shopping Center. Both routes provide northbound and southbound service along their routes as described above. Bus service is generally provided between 7:20 a.m. and 7:20 p.m. and buses arrive at approximately hourly intervals for each route.

Route S-23 runs along Conklin Avenue, and the closest stop in proximity to the site is located at the intersection of Main Avenue and Conklin Avenue. This stop is approximately a 600-foot walk from the site. Bus service is generally provided between 7:20 a.m. and 7:20 p.m. and buses arrive at approximately hourly intervals within that period.

The three bus stops in proximity to the site provide for adequate service to areas north and south of the site. The bus routes generally provide service to Wyandanch and Melville to the north of the site and Bay Shore and Babylon to the south of the site. Additionally, riders can transfer at various points along the three routes to go east and west. The routes in proximity to the site also provide adequate service to the Long Island Rail Road Wyandanch to Ronkonkoma and Bay Shore to Montauk branches.

3.3.2.6 Conclusions

- This TIS (see Appendix F) and SDEIS include analysis of non-summer season and summer season counts, an additional intersection, and a midday Saturday analysis, in response to comments from the Town of Babylon.
- Willoughby Commons would generate a moderate number of vehicle trips during the weekday a.m., p.m., and Saturday midday peak periods.
- The analysis performed in the TIS (see Appendix F), and summarized in this SDEIS, indicates that all intersections studied currently operate at good or acceptable levels of service and would continue to do so upon implementation of

the proposed project during all time periods and seasons studied (with mitigation in place, as described in Section 3.3.2.4).

- The analysis performed in the TIS (see Appendix F), and summarized in this SDEIS, indicates that the proposed development of the site would not result in any significant degradation of traffic operations during any of the time periods and seasons studied, given the proposed access plan and proposed traffic control changes along Lee Avenue east of the site.
- In order to allow access from Conklin Avenue to the site, it is recommended that the section of Lee Avenue from North 23rd Street to Conklin Avenue be changed to allow two-way traffic.
- At the newly formed intersection of the Site Access/ Lee Avenue and North 23rd Street, a number of steps to eliminate the possibility of cut-through traffic via North 23rd Street are recommended. These include additional signing and geometric changes detailed in Section 3.3.2.4 of this SDEIS.
- The traffic associated with the proposed development is not expected to result in a significant change in the frequency or severity of accidents within the project area.
- The off-street parking provided complies with Town Code requirements and would be adequate to accommodate the anticipated parking demand for the proposed use.
- Review of the proposed site plan shows that the configuration of the parking layout, site access points and internal roadways and drive aisles would provide for adequate on-site circulation.
- The proposed apartment community would not have a significant negative impact on the traffic flow or operations at the nearby intersections, given the above mentioned recommended mitigations measures are implemented.

3.3.3 Mitigation Measures

Willoughby Commons would not have a significant impact on the traffic flow or operations at the nearby intersections, provided the following recommended mitigation measures are implemented:

- In order to allow access from Conklin Avenue, it is recommended that the section of Lee Avenue from North 23rd Street to Conklin Avenue be changed to allow two-way traffic.
- In connection with the newly formed intersection of the site access/ Lee Avenue and North 23rd Street, and in order to control traffic and prevent cut-through traffic via North 23rd Street, it is recommended that:
  - "Stop" signs be installed on the eastbound and northbound legs of the Lee Avenue at North 23rd Street intersection;

- "No Left Turn" signs be installed on the westbound Lee Avenue approach eastbound and the northbound North 23rd Street approaches;
- The northbound North 23rd approach be channelized to allow only right turns onto Lee Avenue;
- "Do Not Enter" and "One Way" signs be installed at the North 23rd Street northbound approach to the intersection to prohibit southbound travel;
- A "No Outlet" warning sign with a "No Access to North 23rd Street" supplemental sign be installed westbound on Lee Avenue just west of Conklin Avenue; and
- A raised median be installed, which would divide the site access entering and exiting lanes and prevent vehicles from making a left-turn into the site from North 23rd Street.

- Minor changes in phase splits at the signalized intersection of Colonial Springs Road and Little East Neck Road during the weekday a.m. and p.m. peak hours.

3.4 Community Services and Facilities

3.4.1 Existing Conditions

3.4.1.1 Property Taxes

The subject property presently generates taxes to various taxing jurisdictions. According to data from the 2016-2017 Town Certified Assessment Roll for the tax parcels comprising the subject property, the 2016-2017 combined taxable value of the 31[30] parcels constituting the subject property was $320 (see Appendix G), and the subject property generated approximately $803 in annual property tax revenues, as presented in Table 30.

Table 30 - 2016 Existing Tax Revenues Generated by the Subject Property

Taxing Jurisdiction	2016 Tax Rate (per $100 AV)[31]	Current Assessed Value ($)	Existing Taxes ($)
Suffolk County			
Suffolk County General Fund	2.0376	320.00	6.52
Suffolk County Police	30.0461	320.00	96.15
Total Taxes Paid to Suffolk County			*102.67*
Town of Babylon			
Town General Fund	14.9976	320.00	47.99
Town Outside Villages	1.4925	320.00	4.78
Town Lighting District	1.1494	320.00	3.68
Highway Tax No. 1	11.9221	320.00	38.15
Total Taxes Paid to the Town of Babylon			*94.60*
Half Hollow Hills CSD			
Half Hollow Hills School District	151.0389	320.00	483.32
Half Hollow Hills Library District	5.688	320.00	18.20
Total Taxes Paid to the Half Hollow Hills CSD			*501.53*
Wyandanch Fire District (FD)			
Wyandanch No. 13 FD	11.0625	320.00	35.40
Wyandanch FD - Ambulance District	12.4256	320.00	39.76
Firemens Service Award	1.2006	320.00	3.84
Ambulance Service Award	0.1326	320.00	0.42
Total Taxes Paid to the Wyandanch FD			*79.43*

[30] It is noted that, although only a portion of Lot 39.51 is part of the subject property, its entire assessed value ($20) was included in this analysis.

[31] The 2016 tax rates were obtained from the Town of Babylon Real Property GIS Viewer at http://gis.townofbabylon.com:81/orpsviewer/default.aspx

Other Taxing Jurisdictions			
NYS Real Property Tax Law	6.503	320.00	20.81
SCCC - Out-of-County Tuition	1.2413	320.00	3.97
NY State MTA Tax	0.056	320.00	0.18
NY State MTA Tax Police	0.0572	320.00	0.18
Total Taxes Paid to Other Taxing Jurisdictions			*25.14*
Total Property Tax Revenues			803.36

Notes: AV = Assessed Value, which is 1.18% of the full market value[32]
Source: Town of Babylon Real Property GIS Viewer (accessed January 2017)[33]

3.4.1.2 School District

The subject property is located within the Half Hollow Hills Central School District (CSD). The CSD serves an area in the southern portion of the Town of Huntington and a small area in the north of the Town, including the communities of Dix Hills, Melville and Wheatley Heights.

The CSD currently operates seven elementary schools, two middle schools and two high schools. All the schools are located in Dix Hills, unless otherwise noted. The elementary schools are Chestnut Hill Elementary, located at 600 South Service Road, Forest Park Elementary, located at 30 DeForest Road, Otsego Elementary, located at 55 Otsego Street, Paumanok Elementary, located at 1 Seaman Neck Road, Signal Hill Elementary, located at 670 Caledonia Road, Sunquam Elementary, located at 151 Sweet Hollow Road, Melville and Vanderbilt Elementary, located at 350 Deer Park Avenue. The two middle schools are Candlewood Middle School, located at 1200 Carll's Straight Path and West Hollow Middle School, located at 250 Old East Neck Road, Melville. The two high schools are High School East, located at 50 Vanderbilt Motor Parkway and High School West, located at 375 Wolf Hill Road. The schools that serve the site are Chestnut Hill Elementary, Candlewood Middle and High School West.

Based on publicly-available resources from the New York State Education Department (NYSED) for the 2016-2017 school year[34], the total district enrollment for the Half Hollow Hills CSD is 8,228 students. According to enrollment data for the past decade, as depicted in Table 31, enrollment reached a peak of 10,196 in 2005-2006 (highlighted), and has since fallen in eleven out of the past twelve years, including in the 2016-2017 school year. This is a drop of 1,1,968 students since the recent peak enrollment.

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[32] New York State Office of Real Property Tax Services, *NYS ORPTS Municipal Profile: Suffolk County Equalization Information (*accessed January 2017); available from http://orpts.tax.ny.gov/cfapps/MuniPro/muni_theme/county/equasearch.cfm?swis=47.
[33] Town of Babylon, *Town of Babylon*, *Suffolk County*, *New York*, *Real Property GIS Viewer* (accessed January 2017); available from http://gis.townofbabylon.com:81/orpsviewer/default.aspx.
[34]New York State Education Department, *New York State Property Tax Report Card* (accessed October 2016); available from http://www.p12.nysed.gov/mgtserv/propertytax/

Table 31 - Half Hollow Hills CSD Enrollment by Year

School Year	Enrollment	Increase/(-)Decrease
2016-2017	8,228	-224
2015-2016	8,452	-474
2014-2015	8,926	-227
2013-2014	9,153	-276
2012-2013	9,429	-227
2011-2012	9,656	-226
2010-2011	9,882	-155
2009-2010	10,037	-61
2008-2009	10,098	-44
2007-2008	10,142	-37
2006-2007	10,179	-17
2005-2006	10,196	222
2004-2005	9,974	--

The total adopted[35] budget[36] for the 2016-2017 year is $241,298,734 (of which approximately 81 percent, or $195,722,436, comes from the local property tax levy).

Thus, the total budgeted expenditures per pupil are approximately $29,327. The total budgeted cost per student based on the local property tax levy is $23,787. While the average total per-pupil cost is a useful metric for certain tasks, such as overall district budgeting, it is not appropriate for evaluating the marginal cost of educating a new student. This is because the average cost includes administrative and capital expenditures that are not affected by the introduction of new students (e.g., superintendent salary, debt service, etc.) Instructional expenditures provide a more accurate assessment of the cost of educating additional students generated by new residences. The instructional expenditure per general education student in the 2014-2015 school year for the Half Hollow Hills CSD was $13,873.[37] The instructional expenditure per special education student in the 2014-2015 school year for the Half Hollow Hills CSD was $32,669.[38] However, as above, only a portion of this cost is currently paid for from the local property tax levy. The portion of the program costs paid by the local real estate property tax is approximately $11,253 per pupil.

As the subject property does not currently contain any residential uses, no school-aged children reside at the subject property. Based on existing property tax revenues at the subject property, as indicated in Section 3.4.1.1 of this SDEIS, the subject property currently contributes approximately $500 to the Half Hollow Hills CSD.

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[35] New York State Education Department, *Ed Management Services, Voting Results* (accessed October 2016); available from http://www.p12.nysed.gov/mgtserv/votingresults/.
[36] New York State Education Department, *New York State Property Tax Report Card* (accessed October 2016); available from http://www.p12.nysed.gov/mgtserv/propertytax/#Data.
[37] New York State Education Department, *Half Hollow Hills CSD: Fiscal Accountability Summary, 2015-2016* (accessed January 2017); available from http://data.nysed.gov.
[38] In the 2014-2015 school year, 15.3 percent of students enrolled in the Half Hollow Hills CSD were classified as special education pupils (i.e., 1,569 out of 10,279 students).

3.4.1.3 Solid Waste Management

Pursuant to the Town of Babylon Department of Environmental Control, solid waste in the Town is handled at the Town's Resource Recovery Facility on Gleam Avenue in West Babylon. Existing solid waste generation at the subject property is minimal, given the primary use is farming/agricultural. The majority of the waste generated on the subject property is vegetative, and is utilized for on-site composting. Currently, Town-contracted carters service the subject property.

3.4.2 Probable Impacts

3.4.2.1 Property Taxes

Consistent with the Fiscal Impact Methodology,[39] future property tax revenues have been determined by considering what taxes would be generated if the development were completed and occupied today. This approach recognizes that development often requires several years to be completed and that inflation would increase costs and revenues over time. It assumes that the rising costs of public services would be matched by an essentially comparable increase in revenues through increases in the tax rate, all other things held constant.

Implementation of the proposed project would result in a 264-unit residential rental apartment development and associated site appurtenances, as described in Sections 2.4 and 3.2.2.1 of this SDEIS. The increased market value of the property with these improvements would result in an increase in the property tax revenues. Therefore, upon implementation of the proposed project, the subject property would be expected to generate higher revenues to its various taxing jurisdictions in the County and the Town.

The projected market value of Willoughby Commons was calculated by multiplying the anticipated gross annual total rental income for all units combined, $6,103,200±, as shown in Table 32, by a rate of 61.1. This rate is based on data from the National Apartment Association's (NAA) *2016 Survey of Operating Income and Expenses in Rental Apartment Communities*,[40] and represents the average net annual operating income for rental apartment developments as a percentage of gross rents.[41] A capitalization rate of 8.7 percent, also based on NAA data, was then applied to the estimated net annual operating income for the proposed project, resulting in a projected market value for Willoughby Commons of approximately $42,862,703, as follows:

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[39] Burchell, Robert and Listokin, David. *The Fiscal Impact Handbook.* 1978.

[40] National Apartment Association, *2016 Survey of Operating Income & Expenses in Rental Apartment Communities*, August 2016, available from www.naahq.org.

[41] Specifically, the rates of 61.1% (net operating income) and 8.7% (capital expenditures) apply to market-rent apartments that are individually metered for the primary utility. It is noted that 54 of the 264 proposed apartments would be classified as affordable units, and thus, the actual respective rates for this proposed development are likely to vary slightly from 61.1% and 8.7%. The rates used in this analysis provide an overall approximation of net operating income as a percentage of gross potential rent and capital expenditures, respectively, in order to determine market value of the proposed development. The property tax analysis presented in this section is preliminary and approximate based on available information.

Gross annual rental income for all units x *0.6110*
= Net annual operating income for rental apartment development

Net annual operating income for rental apartment development ÷ 0.087
= Estimated market value of rental apartment development

$6,103,200 x *0.6110*
= $3,729,055.20

$3,729,055.20 ÷ 0.087
= $42,862,703.45

The mix of proposed unit types and monthly rental prices for Willoughby Commons, including the market rate and affordable components, are shown in Table 32, below.

Table 32 - Projected Willoughby Commons Rents by Unit Type and Total Gross Rental Incomes for the Proposed Project

Type of Unit	Unit Count	Projected Monthly Rent ($)
1-bedroom – 900-SF	18	1,900
1-bedroom – 1,100-SF	100	2,000
1-bedroom – 1,150-SF	20	2,100
1-bedroom – 1,180-SF	20	2,100
1-bedroom – 1,340-SF	16	2,100
2-bedroom – 1,380-SF	16	2,200
2-bedroom townhome – 1,650-SF	20	2,300
1-bedroom – 1,100-SFAffordable units	54	1,400
Total Monthly Rental Income[1]		508,600
Total Annual Gross Rental Income[2]		6,103,200

Notes: [1] = The total monthly rents generated by all units in the development (i.e., monthly rents for each unit type multiplied by number of units of that type).
[2] = Total monthly rents generated by all units in the development multiplied by twelve months.

As indicated above, it is expected that 174 of the total 228 one-bedroom units and all 36 of the two-bedroom units would be offered for rent at market rate. As discussed in Section 3.2.2.2 of this SDEIS, the proposed project would provide 20 percent of its units, or 54 of the one-bedroom apartments, as affordable housing.

Based on the Town's 2016 equalization rate of 1.18 percent[28], the assessed value of proposed project, based on the estimated market value of the 264-unit rental development, whose mix of unit types and proposed rents is indicated in Table 32, would be approximately $505,780. Table 33 summarizes the projected annual property tax revenues and net increase in property taxes generated by the proposed project. The projected revenues presented are based on current 2016 tax rates. With no changes in assessments, these rates are likely to increase over time.

Table 33 - Projected Tax Revenues Generated by Willoughby Commons

Taxing Jurisdiction	2016 Tax Rate (per $100 AV)	Projected Assessed Value ($)	Projected Taxes ($)	Net Increase ($)
Suffolk County				
Suffolk County General Fund	2.0376	505,779.90	10,305.77	10,299.25
Suffolk County Police	30.0461	505,779.90	151,967.13	151,870.99
Total Taxes Paid to Suffolk County			*162,272.91*	*162,170.24*
Town of Babylon				
Town General Fund	14.9976	505,779.90	75,854.85	75,806.85
Town Outside Villages	1.4925	505,779.90	7,548.77	7,543.99
Town Lighting District	1.1494	505,779.90	5,813.43	5,809.76
Highway Tax No. 1	11.9221	505,779.90	60,299.59	60,261.43
Total Taxes Paid to the Town of Babylon			*149,516.63*	*149,422.03*
Half Hollow Hills CSD				
Half Hollow Hills School District	151.0389	505,779.90	763,924.40	763,441.07
Half Hollow Hills Library District	5.688	505,779.90	28,768.76	28,750.56
Total Taxes Paid to the Half Hollow Hills CSD			*792,693.16*	*792,191.63*
Wyandanch Fire District (FD)				
Wyandanch No. 13 FD	10.0625	505,779.90	55,951.90	55,916.50
Wyandanch FD - Ambulance District	12.4256	505,779.90	62,846.19	62,806.43
Firemens Service Award	1.2006	505,779.90	6,072.39	6,068.55
Ambulance Service Award	0.1326	505,779.90	670.66	670.24
Total Taxes Paid to the Wyandanch FD			*125,541.15*	*125,461.72*
Other Taxing Jurisdictions				
NYS Real Property Tax Law	6.503	505,779.90	32,890.87	32,870.06
SCCC - Out-of-County Tuition	1.2413	505,779.90	6,278.25	6,274.27
NY State MTA Tax	0.056	505,779.90	283.24	283.06
NY State MTA Tax Police	0.0572	505,779.90	289.31	289.12
Total Taxes Paid to Other Taxing Jurisdictions			39,452.35	39,427.21
Total Property Tax Revenues			1,269,765.50	1,268,962.14

Notes: AV = Assessed Value, which is 1.18% of the full market value[28]
Source: Town of Babylon Real Property GIS Viewer (accessed January 2017)[27].

The increased market value of the subject property with the proposed residential rental apartment development would result in an increase in property tax revenues of approximately $1,268,962, with a projected increase in school district taxes of approximately $763,441, as well as higher revenues to all of the various taxing jurisdictions serving the subject property, as compared to the current condition. Therefore, the proposed project would have a positive impact on tax revenues collected by each taxing jurisdiction. Furthermore, as previously described, the cost of services to the taxing jurisdictions, including the school district, would be outweighed by the anticipated tax revenue generated by the proposed project.

3.4.2.2 School District

Upon implementation of the proposed project, the subject property would be redeveloped with multi-family residential uses that would result in a permanent resident population at the property (including public school-aged children). In order to determine the residential population and public school-aged children that would be generated by implementation of the proposed action, residential demographic multipliers published by Rutgers University, Center for Urban Policy Research (CUPR)[42] were used. Table 34 indicates the public school-aged children population generation for each type of residential unit proposed using the appropriate factors from the study cited above.

Table 34 - Projected Public School-Aged Children Generation

Type of Unit	Unit Count	Public School-Aged Children Multiplier	Public School-Aged Children Generation
Two-bedroom[1]	36	0.09[3]	3.24
One-bedroom[2]	228	0.15[4]	34.20
TOTAL:	264	N/A	**37.44 (≈38)**

Notes: [1] Includes 20 townhouses and 16 end units.
[2] Includes 16 second floor end units (type 1), 20 first floor end units (type 1), 20 second floor end units (type 2), 154 middle units (type 1) and 18 middle units (type 2)
[3] 5+ Units-Own, 2 BR (All Values)
[4] 5+ Units-Own, 1 BR (All Values)

Based on the 2014-2015 estimated instructional cost per general education student of $13,873, and $32,669 per special education student,[43] the proposed action's total impact to the Half Hollow Hills CSD is projected to be approximately $639,950. As identified in Section 3.4.2.1, the total tax revenues projected to be provided to the CSD is approximately $763,924, which is $763,441 more than the existing taxes. Therefore, implementation of the proposed action is expected to have a net positive fiscal impact of approximately $123,491 (increase in school district property taxes less the cost to educate projected public school-aged children.

Further, based on the declining student enrollment within the CSD over the last decade (i.e., a decrease of over 1,900 students over that time period), the projected addition of 38± public school-aged children resulting from the proposed development is not expected to adversely impact capacity within this district.

Based on the foregoing, no significant adverse impacts to the Half Hollow Hills CSD are anticipated.

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[42] Burchell, Robert W., David Listokin, William Dolphin Center for Urban Policy Research, Edward J. Bloustein School of Planning and Public Policy; *Residential Demographic Multipliers, Estimates of the Occupants of New Housing (Residents, S*chool-Age *Children, Public School-Age Children) by State, Housing Type, Housing Size, and Housing Price*. June 2006.

[43] It is assumed that 6 of the projected 38 students would be special education students, based on proportions in the most recent Fiscal Accountability Summary, which includes enrollment and expenditure information for the 2014-2015 school year. https://data.nysed.gov/fiscal.php?year=2016&instid=800000037344.

3.4.2.3 Solid Waste Management

The proposed development, with maximum occupancy and utilization of the proposed development, could generate approximately 18± tons of solid waste per month, as indicated in Table 35.

Table 35 - Projected Solid Waste Generation

Land Use	Solid Waste Use Category	Solid Waste Generation Rate (per day)[1]	Unit Count	Total Solid Waste Generation (lbs/day)
Two-bedroom units	Apartment	4.0 lbs per sleeping room	36 x 2 = 72[2]	288±
One-bedroom units	Apartment	4.0 lbs per sleeping room	228 x 1 = 228[3]	912±
TOTAL (lbs/day):				1,200±
TOTAL(tons/month):				18±

[1] Salvato, J. (2003). *Environmental Engineering* (5th ed.). Hoboken, N.J.: Wiley – "Apartment building"
[2] Number of sleeping rooms based on a total of 36 units with two bedrooms/sleeping rooms in each.
[3] Number of sleeping rooms based on a total of 228 units with one bedroom/sleeping room in each.
lbs: pounds

Solid waste generated at the subject property by the proposed residential uses at Willoughby Commons would be collected by the Town-contracted carter and disposed of at a licensed facility, pursuant to the licensing agreement between the Town and the solid waste contractor, and in accordance with all applicable Town procedures. It is expected the proposed development would undertake a recycling program geared toward its individual uses. Each component user would recycle specific materials, and would provide the proper receptacles to allow for separation and recycling. In addition, the Town of Babylon Department of Environmental Control would bill the proposed residential units for providing this solid waste collection service, thus offsetting the cost to the Town.[44] Based upon the foregoing, implementation of the proposed action would not be expected to result in significant adverse impacts to the Town's waste management facilities, practices or plans.

3.4.3 Mitigation Measures

No significant adverse impacts to the Half Hollow Hills CSD have been identified with respect to the proposed project. Therefore, no mitigation measures are proposed. It should be noted, however, that the proposed development would be expected to provide approximately $1,269,766 in property taxes annually to all taxing jurisdictions (combined) upon completion of the project, including approximately $763,924 to the school district, which represents an increase over the existing condition by approximately $1,268,962 and $763,441, respectively.

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[44] Town of Babylon, *Environmental Control* (accessed January 2017); available from http://www.townofbabylon.com/index.aspx?nid=140.

3.5 Construction-Related Impacts

3.5.1 Potential Impacts

Construction of the proposed development would occur over a 24±-month period between 2017 and 2019, and would be phased, as described in Section 2.6 of this SDEIS.

Development of the Willoughby Commons would require removal of existing site appurtenances, typical clearing and grading activities across the 16.09±-acre subject property, and installation of underground utility infrastructure. The proposed sewer line extension, which would connect the proposed on-site pump station to existing Southwest SD infrastructure, would be trenched within existing paved roadways. Although the roadways consist of already disturbed surface area, there is potential for construction-related erosion and sedimentation to impact surrounding land areas. Therefore, the measures discussed above would also be implemented for the sewer route installation.

The disturbance of soils for construction and regrading and trenching activities increases the potential for erosion and sedimentation. To minimize the potential for adverse erosion and sedimentation impacts, a Soil Erosion & Sediment Control Plan has been prepared (see Appendix B), and erosion and sedimentation control measures and BMPs would be implemented at the subject property. Per the Site Plans in Appendix B, hay bales and silt fencing would be provided along the perimeter of construction areas; inlet protection and stabilized construction entrances would be provided; and all roadways would be swept clean of construction sediment each day. As discussed previously, the NYSDEC requires coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) for construction projects that will involve soil disturbance of one or more acres. The proposed action would disturb more than one acre, and a SWPPP acceptable to the Town would be developed and submitted to both the Town and the NYSDEC (Notice of Intent), prior to the commencement of construction activity. The SWPPP would include documentation of existing soil types and drainage capacities at the subject property, and would detail measures for minimizing erosion, sedimentation, and stormwater runoff. Disturbance associated with installation sewer line extension would implement BMPs and comply with all applicable regulations to also minimize impacts related to soil disturbance.

Overall, measures to minimize impacts would be designed to be consistent with the relevant portions of the *New York State Stormwater Management Design Manual* (NYSDEC, 2015) and the *New York Standards and Specifications for Erosion and Sediment Control* (NYSDEC, 2016), as required by Town Code Chapter 189 – Stormwater Management and Erosion and Sediment Control, and would be regularly inspected and maintained (e.g., removal of accumulated sediment and debris from drainage

structures, repair of damaged sediment barriers, etc.) to ensure proper function. Sediment barriers and other erosion control measures would remain in place until upland disturbed areas are permanently stabilized. With the aforementioned control measures employed, no significant adverse erosion or sedimentation-related impacts are expected.

Proposed construction activities may result in temporary increases to ambient noise levels in connection with clearing, earth moving, and construction of the 264-unit residential rental community. The subject property is surrounded by a wooded buffer followed by a large camp property, agricultural land, and existing roadways that separate the subject property from residences. Thus, it is not expected that sensitive receptors would be adversely impacted by construction-related noise. Moreover, not all proposed construction activities have the potential to generate noise at surrounding properties (e.g., interior finishes), and all construction-related noise impacts would cease upon project completion. Construction of the sewer line extension route would occur, as mentioned, within existing roadways. While residential properties are located along North 15th Street, Washington Avenue and North 23rd Street, there is also existing ambient noise from traffic along the roadways. In addition, installation of the sewer line extension is not expected to differ substantially from typical maintenance and infrastructure repairs within public rights-of-way. Construction activities associated both with development of Willoughby Commons and installation of the sewer district connection would not be undertaken prior to 7:00 a.m. or later than 8:00 p.m. on weekdays or at any time on Sundays or legal holidays, in accordance with the Town Code §156-9. Thus, overall, neither construction of Willoughby Commons nor construction of the sewer connection route would result in significant adverse noise impacts.

The construction–related air quality impacts (i.e., fugitive dust), due to both the construction of Willoughby Commons and the installation of the sewer connection route, would be temporary. Construction mitigation measures would include ensuring that construction vehicles and equipment would include and properly maintain their emission control equipment and, where appropriate, vehicles would reduce idling on-site. Air quality in the vicinity of the project area would not significantly be impacted by construction activities because of emission control procedures and the temporary nature of construction activities. To minimize fugitive dust emissions, a water truck would be utilized (as needed) during construction activities where land surfaces would be disturbed. Emissions from the operation of construction machinery are short-term and not considered substantial. No significant air quality impacts are expected to occur with implementation and construction of the proposed action.

No significant adverse impacts would result from construction of the proposed development or the sewer district connection in the project area and surrounding area.

Installation of the sewer district connection route (see Appendix B) would be along a small portion of North 15th Street, Washington Avenue, North 23rd Street, and would cross Main Avenue at its intersection with North 23rd Street. The installation would

result in temporary and/or partial traffic closures of the roadways and necessitate additional coordination with municipal agencies and utilities. However, according to the project engineer, the proposed route was selected to minimize construction-related impacts. Overall, during the construction period, the Applicant's construction manager would coordinate with the Town regarding temporary road closures, construction timing and procedures, to maintain vehicular traffic flow to the extent possible.

Construction traffic associated with the proposed action will include trucks for performing operations on the site, as well as the delivery and removal of materials, and construction worker's vehicles. The number and types of construction vehicles will vary considerably depending on the phase of construction and the particular operations underway at any given time. It is expected that the contractors and suppliers would adhere to all relevant local restrictions on area roadways.

Construction staging for the proposed sewer district connection route would occur along the roadways. As mentioned above, the proposed route was chosen to minimize traffic-related impacts, and would avoid well-traveled roadways to the maximum extent practicable. Furthermore, traffic-related mitigation measures and BMPs would be implemented.

3.5.2 Mitigation

As discussed above, no significant long-term adverse impacts would be associated with the construction phase of Willoughby Commons or the sewer line extension, however there may be short-term impacts. Mitigation measures would be implemented during construction to minimize or preclude potential impacts, as follows:

- Preparation and implementation of a SWPPP that details controls and BMPs, including:
  - Strategic grading and application of topsoil (as needed) to address potential soil limitations.
  - Protection of existing vegetation to remain.
  - Scheduling of clearing and grading activities to minimize the total area of land disturbed at any one time.
  - Limiting the length of time areas are exposed by establishing pavement and plantings at exposed areas as soon as practicable.
  - Installation of sediment barriers (e.g., silt fence, hay bales) along the limits of disturbance for the duration of the work. No sediment from the site would be permitted to wash onto adjacent properties, wetlands or roads.
  - Stabilization of graded and stripped areas and stockpiles via temporary seeding or other effective cover.
  - Protection of drainage inlets through the use of sediment barriers, sediment traps, etc., to prevent sediment buildup.

- Control of fugitive dust (e.g., covering of stockpiles, temporary seeding, use of a water truck during extended dry periods).
- Establishment of a stabilized construction entrance to prevent soil and loose debris from being tracked onto local roads.

Several of the erosion control measures to be implemented would also minimize the potential for adverse construction-related air quality impacts, including those that would control fugitive dust.

Construction activities may result in temporary increases of nearby sound levels due to the intermittent use of heavy machinery during construction. As mentioned above, construction would not occur during noise sensitive hours (i.e., overnight, Sundays and Holidays) and all work would comply with the Town Code §156-9. The following measures would be incorporated into the development to minimize construction-related noise:

- Construction equipment would be required to install and properly operate noise muffler systems.
- Hours of construction would comply with Town requirements.

With the implementation of the mitigation measures described above, no significant adverse construction-related noise impacts are anticipated.

In addition to the erosion and sedimentation control measures that would also control air quality impacts from fugitive dust, the following measures would be implemented with respect to air quality impacts during the construction period, as follows:

- Emission controls for construction vehicles emissions would include, as appropriate, proper maintenance of all motor vehicles, machinery, and equipment associated with construction activities, such as, the maintenance of manufacturer's muffler equipment or other regulatory required emissions control devices.
- Construction vehicles and equipment would include and properly maintain their emission control equipment and, where appropriate, vehicles would reduce idling on site.
- Appropriate methods of dust control would be determined by the surfaces affected (i.e. roadways or disturbed areas) and would include, as necessary, the application of water, the use of stone in construction entrances and roads, and temporary and permanent vegetative cover.

With the implementation of the various mitigation measures described above, no significant adverse construction-related air quality impacts would be expected.

Overall, during the construction period, staging would occur on-site; erosion and sediment control, air quality and noise control measures would be implemented, and the Applicant's construction manager would closely coordinate with the Town regarding construction timing and procedures. Therefore, no significant adverse impacts associated with the construction phase of the proposed project are anticipated.

4.0

Unavoidable Adverse Impacts

The environmental impacts associated with the implementation of the proposed action, and the mitigation measures that are incorporated into the proposed action, have been described throughout Section 3.0 of this SDEIS. Those impacts that cannot be either entirely avoided or fully mitigated are described below.

4.1 Short-Term Impacts

There would be several temporary (short-term) construction-related impacts that cannot be completely mitigated. These impacts are associated with site preparation and development (including grading, excavation, installation of utilities, and construction of buildings and parking facilities). It is anticipated that these impacts would cease upon completion of the construction phase of the proposed action. Specific impacts are identified below:

- Soils would be disturbed by grading, excavation, and mounding activities during site redevelopment.
- Despite the use of extensive and strategically-placed erosion and sediment control measures, minor occurrences of erosion may occur.
- There is the potential for minor releases of air contaminants that would occur from construction equipment and emissions of fugitive dust during dry periods, although dust would, for the most part, be controlled by covering of soil piles and watering down of the site.
- Operation of construction equipment, trucks and worker vehicles may temporarily impact traffic in the area of the project site.
- Excavation for the sewer line extension that would connect the proposed on-site pump station to the Southwest SD may temporarily impact traffic in the area of the project site. However, installation of the sewer line extension is not expected to differ substantially from typical roadway maintenance within public rights-of-way.
- The visual quality of the area may be temporarily degraded by the presence and operation of construction equipment on the project site.

- Increases in noise levels at the site boundaries may result from construction activities. However, construction would occur only during hours permitted by the Town of Babylon.

It is anticipated that these impacts would be of short duration, that is, they would cease upon completion of construction.

4.2 Long-Term Impacts

Long-term impacts associated with implementation of the proposed action have been identified within the various analyses contained in this SDEIS. Mitigation measures have been proposed to reduce or eliminate most of these long-term adverse impacts. Those adverse long-term impacts which cannot be fully mitigated are set forth below.

- The addition of impermeable surfaces to the subject property, such as roadways, parking and structures, would increase runoff on the subject property. However, runoff would be contained and recharged within the property boundaries through the installation of a comprehensive stormwater management system consisting of 102 leaching basins.
- The proposed development would generate sewage effluent; however, disposal would occur via a new out-of-district connection to the Southwest SD, which is part of the proposed action.
- The proposed development would utilize additional potable water and energy as compared with existing conditions.
- There would be additional solid waste generated at the site, although same would not adversely impact local or regional solid waste management practices, as solid waste would be collected by the Town-contracted carter and disposed of at a licensed facility. Additionally, the Town of Babylon Department of Environmental Conservation would bill the proposed residential units for providing this collection service, thus offsetting the cost to the Town.
- Site development would result in the removal of vegetation on the site. The use of native vegetation and the comprehensive nature of the landscaping would help mitigate impacts associated with vegetation removal.
- The proposed development would add permanent population, including approximately 38 public school-aged children to the site.
- The proposed development would provide approximately $792,693 in property tax revenue to the Half Hollow Hills CSD (the CSD property taxes include the school district and the library district taxes), which is an increase of approximately $792,192 over the existing condition.
- The proposed development would not have a significant impact on traffic operations, given the recommended mitigation measures and proposed additional signing and geometric roadway changes are implemented.

5.0

Cumulative Impacts

With respect to other proposed or planned developments, or developments under construction, as discussed in Section 3.3.2, based on consultations with the Town of Babylon, there are no other planned developments in the immediate vicinity of the proposed development. However, it is noted that the Applicant owns a 15.87±-acre, 25-lot residential subdivision immediately contiguous to the north of the subject property (the "northern property"), which has been filed and approved, but has yet to be developed. While there is no current plan to develop the northern property, same has been approved by the Town of Babylon for development with 25 single-family residences in accordance with the use and dimensional requirements of the existing Residence A District. This section will evaluate the cumulative impacts of the proposed action, assuming future development of the northern property with 25 single-family residences.

Water Resources:

With respect to water demand, Willoughby Commons and the 25-lot single-family residential subdivision on the northern property would generate a cumulative demand of 70,500± gpd.[45] As plans for the construction of the single-family residences on the northern property subdivision have not yet been developed, water availability has not been established. While there would be an increase in overall water demand, it is the jurisdiction of the SCWA to determine whether water can be supplied to the subdivision and whether there would be a significant adverse impact to the water supply.

The cumulative quantity of sewage effluent generated by both the Willoughby Commons development and the 25-lot subdivision would be 70,500± gpd. It is noted that the northern property subdivision could potentially tap into the proposed sewer line extension that would serve Willoughby Commons. However, the northern property subdivision would also be permitted to utilize individual on-site sanitary

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[45] The potable water demand from Willoughby Commons would be 63,000± gpd. The 25-lot subdivision would generate a potable water demand of 7,500± gpd, based on a SCDHS factor of 300 gpd for single-family residences.

systems due to the lower density of the subdivision with respect to the requirements of Article 6 of the SCSC. With respect to sanitary waste discharge, should the northern property subdivision utilize on-site sanitary systems to meet the Article 6 requirements of the SCSC, there would be no adverse cumulative sewage disposal impacts, since Willoughby Commons would connect to sewer infrastructure. However, if the northern property subdivision were to connect to the proposed sewer line extension to serve Willoughby Commons, there would be a cumulative increase in the total sewage effluent to the Southwest SD. Regardless, this cumulative increase in sewage effluent is not expected to adversely impact sewage treatment and disposal in the Southwest SD.

The proposed action would result in the creation of 3.13± acres of lawn and landscaped areas at the subject property, which would consist of low-maintenance native species, to the maximum extent practicable, thus reducing the need for fertilizers, pesticides and irrigation. As no site plan for potential development of the northern property has been developed, it is not possible to determine the amount of lawn and landscaped areas that would be created. Based upon the maximum building area of 15 percent in the A Residence District, set forth at §213-70 of the Town Code, the maximum potential lawn and landscaped area at the northern property would be 8.7± acres, for a cumulative total of 11.83± acres.[46] Ultimately, as the northern property subdivision would be a single-family residential development, it would be the responsibility of individual homeowners to maintain their lawns. In addition, there would be a natural 100-foot buffer area surrounding the wetland on the northern property, within which fertilizer, pesticides and maintained landscaping would not be permitted.

The total volume of stormwater runoff would increase at Willoughby Commons as a result of the proposed increase in impervious surface area. The increased volume of stormwater runoff would be accommodated via a system of leaching basins, described in detail in Section 3.1.2 of this SDEIS, in compliance with Town and State stormwater management requirements to mitigate potential stormwater runoff impacts. Cumulatively, development of the northern property subdivision would result in a further increase in the quantity of impervious surface area, as agricultural land would be replaced with residences. Thus, there would be a corresponding cumulative increase in stormwater runoff. However, the northern property subdivision would be required to comply with the same standards as Willoughby Commons to preclude stormwater runoff to flow to adjacent properties and nearby surface waterbodies. Likewise, as with the proposed action, coverage for the northern subdivision would be required under SPDES GP-0-15-002, and a SWPPP would be prepared to mitigate potential erosion and sedimentation impacts due to construction activities. As such, there would be no adverse cumulative stormwater impacts.

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[46] Chapter 213-70 of the Town Code requires that, in the Residence A zoning district, total building area not exceed 15 percent of lot area, or 30 percent for one-story dwellings. Total lot area is 445,817.4 SF (based on the developable portion of the northern property, as indicated by the Willoughby Commons filed residential subdivision map). If all residences were two-story, total non-building area would be 378,944.8 SF (including driveways) = 8.7± acres.

Development of Willoughby Commons would occur entirely outside of the 100-foot NYSDEC-regulated area for the freshwater wetland that traverses the western and northern portions of the northern property. As discussed in Section 3.1.2, Willoughby Commons would have no significant adverse impact to wetlands. Development of the northern property subdivision would likely require mitigation measures and a permit from the NYSDEC in order to avoid significant adverse impacts to the freshwater wetland, as the 100-foot NYSDEC-regulated area occurs on six of the approved lots. It is anticipated that the northern property subdivision lots would adhere to the NYSDEC required 100-foot setback for freshwater wetlands. Additionally, other preventive measures, including implementation of a SWPPP, would preclude impacts to the freshwater wetland. Since the proposed action would also preclude impacts to the wetland, there would be no adverse cumulative impacts due to development of Willoughby Commons and the potential future development of the northern property subdivision.

Land Use, Zoning and Community Character:

Development of the northern property with a 25-lot single-family residential subdivision would result in a change in the existing land use, which is currently agricultural. The northern property specifically consists of forested areas, an NYSDEC-regulated freshwater wetland, and farm fields. If the northern property were to be developed, the remaining farm fields would be converted to residential use, and thus, the proposed action and the northern property subdivision would result in a cumulative elimination of an agricultural use in the Town. This alteration of land use, however, would not be out of character with the surrounding land uses, which are typical of suburban development, and include single- and multi-family residences, a public school, recreational/open space, institutional and community facilities, a gas station and a strip retail shopping center.

The change from agricultural to residential land use on the northern portion of the subject property would be expected to result in a cumulative increase in impervious surface area and landscaped area, and a corresponding decrease in agricultural area, and, potentially, forested area. However, the approved subdivision plan indicates that a 100-foot buffer surrounding the freshwater wetland that traverses the northern and western portions of the northern property would remain in its natural state as open area.

With respect to cumulative zoning impacts, the proposed action includes a change of zone from A Residence to MR District. In order to permit the density of development associated with the proposed 264 residential units, a variance is required for Willoughby Commons. The Town Code Section 213-64 requires a minimum lot area of 12,500 SF in the A Residence District. The northern property 25-lot subdivision would not require a change of zone or variance in order to meet the minimum lot requirement of the A Residence District. Thus, there would be no cumulative zoning impacts.

Transportation:

The Build Condition that is evaluated in the TIS for the proposed Willoughby Commons residential development includes projected site generated traffic in addition to background growth and traffic generated by another planned development. The other planned development that is included in the analysis is the approved 25-lot subdivision north of the subject property. The background growth rate was increased in order to account for any additional planned developments that may have been overlooked. As such, the traffic impact analysis presented in this SDEIS for the Build Condition is equivalent to a cumulative traffic impact analysis. The results of this analysis are presented in Section 3.3.2 of this SDEIS, and the complete TIS is presented in Appendix F.

The TIS prepared for the proposed project indicates that the results of the Build Condition intersection capacity analysis reveal that with minor changes in signal timing at the intersection of Colonial Springs Road and Little East Neck Road, this intersection would operate at an LOS consistent with the No-Build Condition (i.e., without the proposed project). All other intersections studied currently operate at good or acceptable levels of service and would continue to do so with the cumulative development of the proposed project and other planned developments (including the 25-lot subdivision) during all time periods and seasons studied, with no mitigation required. Furthermore, the cumulative development would not result in any significant degradation of traffic operations during all time periods and seasons studies, given the proposed access plan and proposed traffic control changes along Lee Avenue east of the site.

As noted above, the associated cumulative traffic volumes from the proposed project and the approved 25-lot subdivision on the northern property are included in the Build analyses of the TIS, which concluded that there would be no significant adverse traffic impacts if mitigation measures are implemented. As such there would be no significant adverse cumulative traffic impact, given implementation of the recommended mitigation measures.

Community Services and Facilities:

The proposed action, in combination with the development of the northern property with a 25-lot single-family subdivision, would result in cumulatively higher property tax revenues, including revenues to schools and emergency services. This is due to the increase in tax revenue that would result based on an anticipated increase in market value of the northern property upon potential future development.

Along with a cumulative increase in property tax revenues, there would be a cumulative increase in public school-aged children. Assuming the highest home values in the residential demographic multipliers published by Rutgers University CUPR (see Section 3.4.2.2), it is expected that the number of additional public school-aged children that would be generated by the northern property would range from 6

to 26, depending on the number of bedrooms in each unit.[47] As noted in Section 3.4.2, based on the declining enrollment within the Half Hollow Hills CSD over the last decade, the projected additional 38± school-aged children resulting from the proposed development is not expected to adversely impact capacity within this school district. Following this reasoning, an increase in public school-aged children from the northern lot subdivision (within the range described above) in combination with the proposed development (i.e., up to 64± cumulative additional students in the Half Hollow Hills CSD), would also not adversely impact the Half Hollow Hills CSD, due to the overall declining enrollment trend and the anticipated cumulative increase in property tax revenues that would offset the costs associated with educating additional students.

As discussed in Section 3.4.2, the proposed development could generate up to 18± tons/month with maximum occupancy. Assuming an average of four family members in each of the 25 potential single-family residences on the northern property, approximately 5.3 additional tons/month of solid waste would be generated. Thus, cumulatively, the proposed Willoughby Commons and the 25-lot subdivision would generate 23.3± tons/month of solid waste. Solid waste at both Willoughby Commons and the 25-lot single-family residential subdivision would be expected to be collected by the Town-contracted carter and disposed of at a licensed facility. As the Town of Babylon Department of Environmental Control would bill the residential units for providing his solid waste collection service, there would be no adverse cumulative impacts to the Town's waste management facilities, practices or plans.

Construction-Related Impacts:

There is no current plan to construct the 25-lot residential subdivision on the northern property. As such, it is not likely that construction of the single-family residences and appurtenances within the subdivision would occur during the same time period as Willoughby Commons (i.e., 2017-2019). Therefore, there would be no adverse cumulative construction-related impacts.

Use and Conservation of Energy:

With respect to energy, prior to development, both the proposed project and the northern property subdivision would have to demonstrate that utilities (i.e., electric, gas) are available to service the development. Although there would be an increase in overall energy use from both the proposed project and the northern property subdivision, it is within the jurisdiction of the energy providers to estimate whether they can service the northern property subdivision.

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[47] The Rutgers University public school-aged children (PSAC) residential demographic multipliers for single-family detached dwellings vary depending on the number of bedrooms. For two-bedroom dwellings, the multiplier is 0.21 PSAC per unit. For five-bedroom dwellings, the multiplier is 1.03 PSAC per unit.

It is noted that the final design of Willoughby Commons would comply with the Town's Green Building Certification requirements (§89 of the Town Code). These requirements set forth minimum green building certification standards and ensure that new commercial, office and industrial buildings and multiple-residential dwellings greater than 4,000 SF are resource-efficient and conserve energy. While the construction of the 25-lot subdivision on the northern property, in addition to development of Willoughby Commons, would result in a cumulative increase in the use of energy, it is not possible to determine what energy efficiency measures would be incorporated into the residential subdivision at this time. Should the 25-lot subdivision be constructed, each of the homes would be individually owned, and energy efficiency measures would be largely dependent on the homeowners' decisions (e.g., use of energy efficient windows and appliances, solar roofing, etc.). However, as noted above, the proposed Willoughby Commons would comply with the above-mentioned Town Code green building requirements. Construction of the 25-lot residential subdivision would not hinder implementation of any energy efficiency measures at Willoughby Commons. As such, there would be no significant adverse cumulative energy impacts related to the use and conservation of energy.

6.0

Irretrievable and Irreversible Commitment of Resources

The proposed zoning change and subsequent redevelopment of the 16.09±-acre subject property would require a commitment of natural and manmade resources, and time, which would be irretrievable and irreversible. Specifically, most of the existing agricultural land on the subject property would be replaced by residential buildings, a community building, and other site appurtenances; however, the proposed development would result in the landscaping of 3.13± acres with low-maintenance lawn and landscaping that would minimize fertilizer, pesticide and/or herbicide application (19.5 percent of the subject property). Approximately 12.96 acres (80.5 percent of the subject property) of the subject property would be covered by impervious surfaces, as indicated above (i.e., an increase of approximately 12.94 acres above existing conditions).

Connection to the Southwest SD would be provided as an out-of-district connection to accommodate sanitary waste generated by the proposed development. As previously indicated, installation of the sewer district connection route would be along a small portion of North 15th Street, Washington Avenue, North 23rd Street, and would cross Main Avenue at its intersection with North 23rd Street. Excavation for the proposed sewer line extension would irretrievably require the use of natural and manmade resources, however due to the specifications of the force main, there would not be a need for deep excavation. Although installation of the proposed connection route would result in temporary and/or partial traffic closures, the proposed route was selected to minimize construction-related impacts. Furthermore, coordination with the Town regarding temporary road closures, construction timing and procedures, would be performed to maintain vehicular traffic flow to the extent practicable.

Other resources related to the construction of the proposed development would be irretrievably and irreversibly committed. These resources include, but are not limited to, concrete, asphalt, lumber, paint and topsoil. Mechanical equipment would be used during construction, irretrievably using fossil fuels, electricity and water. Also, construction requires manpower and time that potentially could be used elsewhere.

Finally, during the operational phase of the proposed development, fossil fuels, electricity and water would irretrievably be used for heating, cooling and other purposes.

7.0

Growth-Inducing Impacts

Growth-inducing impacts are described generally as long-term secondary effects of the proposed action. Specifically, with respect to growth inducement, *"The SEQR Handbook"* indicates:

> *"Some activities will encourage or lead to further increases in population or business activity. This type of secondary impact is called growth inducement… It is important to recognize activities which may induce growth because a consideration of the whole action must examine likely impacts of such growth, such as the need for additional sewer, water and other services; increased traffic congestion; or accelerated loss of open space."*

The proposed project is comprised of the redevelopment of 16.09± acres, into a multi-family residential development. The proposed project would be a catalyst for revitalization, and foster a sense of place through development of a new residential community. Willoughby Commons would provide a permanent residential population, which would in turn augment the tax base and complement the surrounding uses.

With the addition of the new residential units, the proposed redevelopment would enhance the area and create positive growth by potentially attracting more businesses, residents, and visitors to the area and generating a permanent population who would patronize existing businesses and institutions in the area. Moreover, the Town has a well-developed infrastructure of retail and institutional uses. Therefore, it is not expected that the proposed project would induce additional growth of retail or institutional uses.

Implementation of the proposed project would result in an influx of additional permanent residents to the project site. The 16.09±-acre subject property is currently in agricultural use; however, it must be noted that the subject property is located in an area that is almost entirely dedicated to suburban residential and commercial use, and is largely built out. The Applicant's 15.87±-acre northern property currently consists of agricultural land; however, there is an existing 25-lot residential subdivision that

was filed and approved in 2007 for this contiguous parcel. Although there is no current plan to develop the approved 25 single-family homes, the potential exists for future build-out of the subdivision. It should be noted that development of the proposed project would neither induce or preclude the potential for future development of the approved 25-lot single-family residential subdivision, as the proposed project and the subdivision are not part of an overall development plan. Further, as noted in Section 5.0, the 25 lots would have a sanitary density that would allow for on-site sanitary systems, and, therefore, development of the subdivision would not be induced by the proposed project's connection to the Southwest SD. While a 500±-acre wooded parcel abuts the project site to the west (the Henry Kaufmann Camps & Grounds); that parcel is currently dedicated to recreational uses. Any future development of that parcel would also be entirely unrelated to the proposed project; implementation of the proposed project would neither induce nor preclude future development of the adjacent wooded parcel.

In general, the likelihood that implementation of the proposed project would induce additional growth is severely limited insofar as a) there is little additional land available for development, and b) Wheatley Heights and the Town of Babylon have adequate infrastructure (commercial, institutional, educational, medical, and transportation) to accommodate the proposed development. No induction of infrastructure growth or additional housing development is expected to result from the proposed project. The road system included in the site development plans would not significantly increase roadway capacity in the vicinity. No transportation-related induced growth is expected.

It is not anticipated that the addition of permanent residents to the project site would induce the need for additional open space. The Town of Babylon, of which Wheatley Heights is part, administers 23 public parks and three beaches open to Town residents. Suffolk County and New York State also administer parks in the project area. Moreover, while the subject property would be developed, it would not accelerate the loss of open space that is used by the community, since the property is privately owned.

With respect to sewage disposal, the proposed out-of-district connection of the subject property to the Southwest SD would potentially allow for other properties in the vicinity to utilize the sewer infrastructure and also connect to the Southwest SD. However, such potential future out-of-district connections would be subject to separate review by the SCDPW and its determination of the District's capacity to serve any new development.

The only growth that would be facilitated currently by the proposed project is the direct development of the site itself. This would be beneficial growth, as it would satisfy an existing demand for multi-family housing in the project vicinity.

8.0

Use and Conservation of Energy

8.1 Existing Conditions

Currently, PSEG Long Island and National Grid provide electricity and natural gas service, respectively, to the subject site.

8.2 Potential Impacts

Based upon the proposed redevelopment of the property, consultations were undertaken with PSEG Long Island and National Grid for review of the proposed project (see Appendix C). To date, no responses have been provided.

The proposed redevelopment would increase energy use on the subject site. However, as detailed below, the Applicant and design team are committed to the principles of energy efficiency and sustainable design and would consult with the Town of Babylon through the planning and design phase of the project on the specific design of buildings to meet the prevailing requirements of the Town Code (see the discussion of §89 Green Building Certification, of the Town Code, below). Furthermore, the use of additional energy efficiency and sustainability methods would be examined including, but not limited to, the use of recycled and/or local materials in the development's construction, installation of high-efficiency HVAC systems, insulation and windows, and use of ENERGY STAR appliances and water saving plumbing fixtures.

The Applicant is committed to meeting the minimum energy requirements of Town Code §89. As such, ENERGY STAR certification would be obtained for all residential units. However, since the proposed project is in the planning phase, specific energy reduction measures have not yet been developed. It is important to recognize that due to the current stage of this proposed project, there would likely be changes and updates in building design based upon, among other things, the Town review and approval processes that may dictate changes in building features/systems through the final design process.

Moreover, the final design of Willoughby Commons would comply with the Town's Green Building Certification requirements (§89 of the Town Code). These requirements set forth minimum green building certification standards and ensure that new commercial, office and industrial buildings and multiple-residential dwellings greater than 4,000 SF are resource-efficient and conserve energy. As the proposed project includes multi-family development of 4,000 SF, it is subject to these standards. Specifically, as stated in §89-83, the intent of the Green Building Certification chapter is to minimize short-term and long-term negative impacts of construction on the environment. This article provides owners, and occupants of commercial buildings, offices, industrial buildings, multiple residences, and senior citizen multiple residences with economic benefits of energy and water savings, good indoor air quality and healthy and productive surroundings. Furthermore, this article provides the community with new development that is resource-efficient and conserves energy. As stated in §89-86A, every applicant for new construction of the above, shall provide a completed Leadership in Energy and Environmental Design (LEED) for New Construction (NC) checklist or the local variant of a green building checklist. The Applicant intends to work with the Town and will provide the locally approved variant checklist in order to provide a Green Building, sustainable construction project in conformance with the code without having to be fully LEED certified.

The Applicant's commitment to sustainable design and emissions reduction through the implementation of the measures outlined above, as well as those that result from consultations with the Town would be finalized upon further development of the design of the buildings, to achieve energy efficient buildings. According to the RESNET website, homes meeting a HERS Index Score of 70, are 30 percent more energy efficient than a standard new home.[48]

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[48] Residential Energy Services Network (RESNET), *Learn About the HERS® Index* (accessed January 2017); available from http://www.resnet.us/hers-index.

9.0

Alternatives

This section examines the SEQRA-mandated No Action Alternative to the proposed action. A qualitative discussion of the potential impact areas identified throughout Section 3.0 of this SDEIS is contained in Section 9.1, below.

9.1 No Action Alternative

The No Action Alternative involves leaving the subject property in its present state. Under this alternative, the subject property would remain as an agricultural and commercial use, consisting of predominantly cleared fields for agricultural use, with several small accessory structures, mulch piles and equipment.

Implementation of the No Action Alternative would forego the various beneficial impacts of the proposed project discussed throughout this SDEIS. Most notably, the No Action Alternative would forego the provision of additional rental and affordable housing stock to provide housing for, and retain, workers in the Town and on Long Island, and to ensure that a variety of demographic groups have access to quality housing. In addition, under the No Action Alternative a new out-of-district connection would not be made to the Southwest SD, and, thus, there would not be an opportunity to expand wastewater infrastructure to support new development, which would aid in providing sustainable economic development to surrounding businesses and residences. Moreover, the No Action Alternative would not establish an attractive residential rental community that would result in a significant increase in property tax revenues and achieve several goals of Town and County comprehensive planning documents.

If the No Action Alternative is implemented, there would be no construction-related impacts, but the ongoing lack of rental housing options on Long Island, as identified by the Regional Planning Association publication, *LI Rental Housing*, would persist. It is also important to note that this alternative would not meet the objectives of the Applicant, which is to develop the site with a permanent, high-quality and economically-feasible residential rental community consistent with several Town and County planning documents.

The No Action Alternative is inconsistent with the Applicant's right to develop, does not meet the objectives of the Applicant, does not provide rental and affordable housing options, and is not viewed to be a feasible alternative by the Applicant. Nevertheless, despite this alternative not being feasible, SEQRA requires that this option be evaluated in the SDEIS. The No Action Alternative is evaluated, below, with respect to the areas of potential impact evaluated elsewhere in this SDEIS.

9.1.1 Water Resources

Implementation of the No Action Alternative would have minimal impacts on water resources. There would continue to be no sewage effluent generated at the subject property, and water use would continue to consist of water for irrigation during the growing season. As with sewage disposal, the amount of water demand would be significantly below that of the proposed project.

The No Action Alternative would result in the continuance of irrigation and fertilizer and pesticide applications associated with the current farming operations at the subject property. Under the proposed action, native, low-maintenance, plant species would be used for landscaping in order to minimize the need for irrigation, fertilizers and pesticides. While nearly the entire subject property (16.07± acres, or 99.9 percent) currently consists of agricultural land, upon implementation of the proposed action, only 3.13± acres (19.5 percent) of the subject property would consist of lawns and landscaping, and there would be no agricultural land remaining on the subject property. As such, the No Action Alternative would not result in a reduction in inputs of irrigation, fertilizer and pesticide applications.

Drainage is currently handled on-site by natural leaching processes and overland flow, which would not change as part of the No-Action Alternative. Since there would be no change to stormwater management for this alternative, unlike the proposed project, no comprehensive stormwater management system for collecting and recharging runoff would be installed. Thus, with the continuation of overland flow, stormwater runoff would be allowed to pick up any potential contaminants before recharging to groundwater or potentially discharging to surface waters, and the No-Action Alternative is, therefore, somewhat less protective of groundwater and surface water resources.

As under the proposed action, leaving the subject property in its present condition would not impact the adjacent NWI wetlands nor the portion of the NYSDEC wetland located on the contiguous property to the north.

9.1.2 Land Use, Zoning and Community Character

Implementation of the No Action Alternative would not involve any change in land use and would not change zoning. Specifically, the current farm use, consisting of predominantly cleared fields for agricultural use, with several small accessory structures, such as sheds and barns on the southern portion of the subject property and mulch piles and equipment associated with a landscaping operation in the northwestern portion of the subject property, would remain. The No Action Alternative would not achieve the goal of providing a more diverse housing stock, including affordable housing units, as recommended in the Town and County comprehensive plans analyzed in Section 3.2.2.4 of this SDEIS.

9.1.3 Transportation

No additional traffic would be added to the roadway network with the implementation of the No Action Alternative. The TIS (summarized in Section 3.3 of this SDEIS and included in full in Appendix F) evaluates a No Build condition that analyzes traffic operations in the vicinity of the subject property without the proposed project. It is noted that the No Build condition analysis includes traffic from background growth and other planned developments that would still be expected to occur even if the proposed project were not implemented (i.e., the No Action Alternative). The TIS calculated the traffic volumes for the 2019 No-Build condition by projecting the 2015 traffic volumes by a growth factor of six percent (1.5 percent per year for four years),[49] and adding the traffic generated by other known planned developments (i.e., the previously approved 25-lot subdivision contiguous to the subject property), to determine the total traffic that would be on the roadways without the addition of the proposed Willoughby Commons development. Existing trips associated with the active uses on the subject property would continue. This is reflected in the No-Build condition analyzed in Section 3.3.2.1 of this SDEIS.

The TIS indicates that the No-Build condition would generally result in minor increases in overall delay times at the study intersections when compared to the Existing condition. The overall LOS would generally be the same or one level below the existing condition. Additionally, the No Action Alternative would not involve changes to traffic flow along North 23rd Street and Lee Avenue, although the LOS analysis for the Build Condition indicated that such changes would not result in significant adverse impacts.

Compared to the Build condition, the No-Build condition would generally result in slightly lower overall delays at the study intersections, and either the same overall LOS, or one level above the Build condition, although with mitigation measures in place the Build Condition would not result significant adverse traffic impacts.

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[49] This growth factor includes a prescribed background growth rate and an additional 0.4 percent to account for other planned developments that may have been overlooked.

These conclusions apply to both the summer and non-summer seasons that were analyzed.[50] The conclusions are consistent with the what would be expected due to background growth and construction of the approved 25-lot subdivision.

Notably, the No Action Alternative would forgo a benefit that would result from implementation of the proposed action. Specifically, the proposed action includes the restriction of movements from North 28th Street to Colonial Springs Road to right-turns only. This turning restriction was requested by the Town of Babylon for a previous application at the subject property that included an access driveway immediately east of North 28th Street. The Applicant has included this turning restriction in the proposed action as a safety improvement in keeping with the purpose of the Town's request. This benefit would not be realized under the No Action Alternative.

9.1.4 Community Services and Facilities

As previously discussed, the subject property is located within the Half Hollow Hills CSD. Under the No Action Alternative, the site would not include residential uses, and thus, not generate any public school-aged children, as in the existing condition. However, under the No Action Alternative there would not be a substantial increase in property tax revenues (i.e., an increase of $1,268,962± over the existing condition), and there would not be a net positive fiscal benefit to the school district of $123,491±, as there would be in the proposed action.

In addition, the Town would continue to provide solid waste collection and disposal service to the subject property via Town-contracted carters. As the Town would continue to bill the subject property for providing the service, it is not expected that there would be a significant adverse impact to community services under the No Action Alternative, similar to the proposed action.

9.1.5 Construction-Related Impacts

There would be no construction-related impacts under implementation of the No Action Alternative, as the subject property would be left in its present state.

9.1.6 Use and Conservation of Energy

The No Action Alternative would not result in an increase in the use of energy. It is noted that the proposed action would include energy efficiency measures, as discussed in Section 8.2 of this SDEIS.

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[50] The intersection of Colonial Springs Road & North 28th Street was only analyzed in the summer season.

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