Final

Generic

Environmental

Impact Statement

(FGEIS)

for the:

PROPOSED TO (TRANSIT ORIENTED) DISTRICT & GREENTek LIVING, LLC TRANSIT ORIENTED DEVELOPMENT

VILLAGE OF AMITYVILLE

SUFFOLK COUNTY, NEW YORK

June 2018
Final Generic Environmental Impact Statement
Proposed TO (Transit Oriented) District
&
GreenTek Living, LLC Transit Oriented Development

Village of Amityville, Suffolk County, New York

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1.0 INTRODUCTION

This Final Generic Environmental Impact Statement (FGEIS) has been prepared in accordance with the New York State Environmental Quality Review Act and its implementing regulations (6 NYCRR Part 617), collectively referred to as SEQR. The Board of Trustees of the Village of Amityville is the Lead Agency for the SEQR process and the FGEIS has been prepared to respond to all substantive environmental comments made on the Draft Generic Environmental Impact Statement (DGEIS).

The Board of Trustees accepted the Draft Generic Environmental Impact Statement (DGEIS) on February 12, 2018, and established the start of a public comment period beginning on February 16, 2018. The document was distributed to the Involved and Interested Agencies, posted to the Village website, and was also made available for public review at Village Hall and at the Amityville Public Library. A notice of the acceptance of the DGEIS was published in the NYS Department of Environmental Conservation's Environmental Notice Bulletin. A public hearing was conducted on April 9, 2018, at an evening meeting of the Board of Trustees. The hearing was closed after all members of the public were given the opportunity to be heard. Written comments on the DGEIS were accepted for an additional ten days, through April 19, 2018. In total, the comment period extended for 63 days.

The pertinent section of the SEQR regulations, part 617.9(b) (8) states that:

A final EIS must consist of: the draft EIS, including any revisions or supplements to it; copies or a summary of the substantive comments received and their source (whether or not the comments were received in the context of a hearing); and the lead agency’s responses to all substantive comments. The draft EIS may be directly incorporated into the final EIS or may be incorporated by reference. The lead agency is responsible for the adequacy and accuracy of the final EIS, regardless of who prepares it. All revisions and supplements to the draft EIS must be specifically indicated and identified as such in the final EIS.

The DGEIS is incorporated into this document by reference with revised text and graphic sections provided where necessary.

The FGEIS is organized into four chapters. Chapter 1 includes introductory material regarding the purpose of FGEIS in the SEQR process. Chapter 2 describes changes that have been made to the Proposed Action and the DGEIS in response to comments presented during the public comment period. Chapter 3 provides further information on certain aspects of the SEQR review that pertain to adverse impacts that cannot be avoided, irreversible and irretrievable commitment of resources and conditions and criteria under which future actions will be undertaken or approved. Chapter 4 of the FGEIS summarizes and responds to the substantive comments received through the SEQR public hearing and the comment period. A copy of the hearing transcript and each of the written comments is provided in the appendix to this document. The appendix also includes a copy of a revised draft of the TO District.
Following acceptance of the FGEIS, a ten day “consideration” period must be provided. During this time, the Involved and Interested Agencies will be notified of the acceptance of the FGEIS. There will also be a notice published in the Environmental Notice Bulletin. The consideration period is not a comment period.

In the final step in the SEQR process, the Board of Trustees will issue a Findings Statement. Should the Findings Statement be approved (positive findings), the Board of Trustees may consider and decide the Proposed Actions that have been the subject of the SEQR process.

2.0 PROPOSED ACTION AND CHANGES

2.1 PROPOSED ACTION

The Proposed Action comprises the establishment of a new Transit Oriented (TO) zoning district that could potentially apply to properties within the vicinity of the Amityville LIRR station and the Village of Amityville downtown commercial district. An aerial map of the proposed TO District is provided in Figure 1. Specifically, the Proposed Action consists of the following:

- Amendment to Chapter 183 of the Code of the Village of Amityville to establish a Transit Oriented (TO) District, including:
  - An amendment to Chapter 183.1 of the Code of the Village of Amityville (Definitions and Word Usage) to add a definition for Floor Area Ratio;
  - An amendment to Chapter 183.3 of the Code of the Village of Amityville (Establishment of Districts) to include the Transit Oriented District in the enumeration of districts;
  - As a related action, an amendment to Chapter 144 of the Code of the Village of Amityville to modify signage regulations that will apply to the TO district;
- Amendment to the Village’s Building Zone Map to rezone the ±2.44 acre GreenTek Living, LLC/R & S Realty Corp. (herein after referred to as GreenTek Living, LLC or GreenTek) property from Industrial District to the TO District;
- Development Incentive Bonuses pursuant to the TO Zoning for the GreenTek Living, LLC site;
- Site Plan Approval for the GreenTek Living, LLC property.

2.2 CHANGES TO PROPOSED ACTION: REDUCTION OF TO DISTRICT BOUNDARY

As a result of the comments received during the public comment period, the Board of Trustees has amended the Proposed Action. The overall district boundary of the proposed TO District has been reduced from approximately 48 acres to 32 acres. This change was made following residents’
concerns about the inclusion of residually-zoned properties within the proposed TO District. As a result, these residential properties are no longer included within the proposed district boundary (approximately 58 properties).

The description of the boundary of the district, as revised, is contained in Section 183-66.1 of the draft TO (Transit Oriented) Zoning District. A full copy of the updated draft code is contained in Appendix C.

Section 2.3 below, provides the DGEIS section titled Project Background - which has been revised to reflect this boundary change.

Overall, the analysis of impacts contained within the DGEIS will not be affected by this boundary change. There are currently only two properties eligible for the proposed TO District and as such, these two properties were the focus of the DGEIS impact analysis. These two industrially-zoned properties would not be affected by the boundary change.

2.3 PROJECT BACKGROUND (REVISED)

Chapter 183 (Zoning) of the Code of the Village of Amityville is proposed to be amended to add a new zoning district classification to be known as a Transit-Oriented (TO) District. In addition, GreenTek Living LLC is requesting approval from the Board of Trustees to change the zone of GreenTek’s property (235 County Line Road and 124 Greene Avenue) from Industrial District to TO District and associated approvals. If this action is carried out, it could facilitate future potential amendments of the Village Building Zone Map for a small number of tax lots into the new TO District. The Proposed Action could potentially apply to industrially zoned properties within a ±32 acre area in the immediate vicinity of the Amityville LIRR station.

For the proposed TO District to apply, the following criteria must be met:

- Property is wholly zoned Industrial District;
- Property is within the area generally bounded by Sterling Place on the north, West Oak Street on the south, Broadway on the east and County Line Road on the west. No property within this area that is currently within the B Residence District, or partially within the B Residence District and partially within the Industrial District shall be eligible for inclusion in the TO District;
- The lot contains an area of at least 1.5 acres (which could comprise multiple tax parcels);
- The property owner would need to apply to the Board of Trustees for rezoning to TO District.

The Proposed Action would be a floating zone and would not automatically change the zoning designation of the industrial parcels in the area. The owner(s) of said parcels would need to submit
site specific applications to the Board of Trustees to amend the Village of Amityville Building Zone Map, and only upon approval (subject to requisite public notice and hearing requirements) would they be permitted to redevelop their parcels according to the design stipulations of the TO zone. Zoning incentives are available for properties over 2.0 acres and are subject to the approval of the Board of Trustees.

Currently, there are two properties in the subject area that could potentially be rezoned under the proposed TO district:

- GreenTek Living, LLC: ±2.44 acres at 235 County Line Road and 124 Greene Avenue: a 0.78-acre parcel and a contiguous 1.66-acre parcel
- Self-Storage and Auto Service: ±1.87 acres at 24 Sterling Place: 1.64 acres industrially zoned out of one 1.76-acre parcel plus a contiguous 0.23-acre parcel

Based on the potential TO District, GreenTek is proposing redevelopment of the current industrial/outdoor storage use with 115 apartments, plus retaining the existing ±1,800 square foot visually/historically significant structure at the southeast corner of County Line Road and Greene Avenue (former Amityville Power and Light Building) for office use. The Self-Storage/Auto Repair parcels are considered to have potential for 65 apartments.

### 3.0 ADDITIONAL SEQR INFORMATION

The following information provides supplementary information to the DGEIS.

#### 3.1 ADVERSE IMPACTS THAT CANNOT BE AVOIDED

**Short-Term Impacts from Construction**

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1 According to the Town of Babylon IDA report, *Investing in Babylon: A Study of Babylon’s Economy to Plan for the Future*, the existing self-storage is subject to a local PILOT until 2026, so rezoning and redevelopment would not be likely until at least 2026. This document includes the self-storage facility because the potential impacts of rezoning are not necessarily time-dependent.
Impacts due to the construction of the proposed GreenTek site may include short-term erosion of exposed on-site soils and increased dust and noise due to construction activities. These activities, are short-term, intermittent in nature, and largely contained on site, and would cease when construction was completed. Mitigation measures (outlined in Section 11.3 of the DGEIS) would be employed to minimize these short-term construction impacts. Additional mitigation for short-term construction-related traffic will be addressed in Maintenance and Protection of Traffic (MPT)/Work Zone Traffic Control (WZTC) plans. These plans will be implemented to ensure continued two-way vehicle and pedestrian access in the area. Typical MPT elements include wayfinding and advance lane/shoulder closure signage, construction fencing, and barricades (possibly with flashing beacons/temporary lighting).

Long-Term Impacts from Operation

Implementation of the proposed project is not anticipated to result in long-term/significant adverse impacts. Mitigation measures outlined in the DGEIS would reduce any potential impacts to a point where they are minor and acceptable in nature. Nevertheless, there are several minor impacts that cannot be avoided and are described below.

Long-Term Unavoidable Impacts

<table>
<thead>
<tr>
<th>Impact</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groundwater</td>
<td>Water consumption from the project will increase withdrawals of groundwater.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>Existing drainage patterns will be altered.</td>
</tr>
<tr>
<td>Wastewater</td>
<td>The project will generate wastewater.</td>
</tr>
<tr>
<td>Visual Quality</td>
<td>Visual quality will change due to the removal of the existing buildings and construction of the GreenTek project and the new lighting provided on-site.</td>
</tr>
<tr>
<td>Energy Use</td>
<td>There will be energy requirements for the proposed uses.</td>
</tr>
<tr>
<td>Community Services</td>
<td>There would be a minor increase in need for community services (school, fire, police and ambulance emergency services).</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>Solid waste will be generated.</td>
</tr>
</tbody>
</table>
3.2 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Construction of the proposed GreenTek project would result in the irretrievable commitment of land, construction materials, energy and manpower. The operation of the proposed project would result in the consumption of energy and various materials and supplies.

Land

The proposed project would develop approximately 2.44 acres of land. Once the apartments are constructed it is unlikely that this land would be repurposed.

Construction Materials

As the proposed GreenTek project has not completed final engineering/architecture design, the final mix of construction materials is not known. However, it is likely that materials such as concrete, steel, other metals, masonry, wood, glass, gypsum board, and plastics would be used in construction. Once used on site, these materials would no longer be available for other construction or use. Soils and planting materials would also be utilized. During operation of the site, additional materials and supplies would be used for operation, repair and maintenance.

Energy

Vehicles and machinery would require fuel sources such as electricity, gasoline, diesel and propane, which would be consumed during the construction phase. During operation of the site, energy resources would also be consumed.

3.3 CONDITIONS AND CRITERIA UNDER WHICH FUTURE ACTIONS WILL BE UNDERTAKEN OR APPROVED

The proposed TO District is drafted with regulatory and procedural requirements to ensure that any potential future actions are thoroughly analyzed. The Board of Trustees has expressed that the procedural changes associated with the TO District will allow for greater public input and an open and participatory planning process. Principally, the adoption of the TO District would require a petition and approval from the Board of Trustees for every application, rather than a variance (or multiple variances) application from the Village Zoning Board of Appeals.

A copy of the proposed TO District code section is provided in Appendix C. The main components are summarized below:

- The TO District was created as a floating zone. There would be no change to any industrial property as a result of the adoption of the TO District. Any property
desiring to be zoned as TO would have to petition the Village Board of Trustees. The petition would have to establish that all of the zoning criteria are met, and approval would be subject to the discretion of the Village Board of Trustees.

- The TO District could only be applied to properties which are wholly zoned Industrial District, and generally within the area bounded by Sterling Place on the north, West Oak Street on the south, Broadway on the east and County Line Road on the west. No property within such general area which is currently wholly within the B Residence District, or partially within the B Residence District and partially within the Industrial District shall be eligible for inclusion in the TO District. In addition, a property must be a minimum of 1.5 acres.

- Any potential TO development would be subject to regulations related to parking, bulk, building height, density, etc.

Future development under the TO District would be required to comply with SEQR procedures and requirements. Title 6, New York Code of Rules and Regulations ("6 NYCRR") Part 617.10(d) states, in pertinent part:

(d) When a final generic EIS has been filed under this part:
(1) No further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;
(2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;
(3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts;
(4) A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.

For the purposes of this FGEIS, the threshold of development considered includes the following:

GreenTek site - up to 115 apartments (38 studios, 65 one-bedroom, 12 two-bedroom) and ±1800 s.f. for office use within the former Amityville Power and Light Building.

Self-Storage and Auto Service site - up to 65 apartments (21 studios, 37 one-bedroom, 7 two-bedroom). If a proposal is submitted to the Board of Trustees for a TO District designation of this assembled site (two separate contiguous tax lots), the partial review included in the DGEIS would be subject to the submission of specific site development plans and to enable the Village to determine the need for any additional SEQR review.
Future development proposals within the TO District boundary beyond the two sites examined in the DGEIS would be required to complete a site specific environmental assessment (EAF) and/or prepare a supplement to this Generic Environmental Impact Statement.

Figure 1: Revised Proposed TO District Map
4.0 COMMENTS AND RESPONSES ON THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

This chapter addresses the comments received during the SEQR public hearing and the written public comment period on the DGEIS. The comments are grouped by subject matter and referenced to the original source. Where multiple comments have a similar theme and/or are repetitive, not every individual comment is listed and they are grouped and responded to once. A complete copy of the public hearing transcript and the written comments is provided in Appendix A – Hearing Transcripts, and Appendix B – Comment Letters and DGEIS Public Hearing Comments. For cataloging purposes, each speaker from the public hearing and each written comment has been assigned a number which will be cross-referenced following each comment.

The responses are organized based on the following subject matter categories:

- General
- Project Purpose Need and Benefit
- Design and Layout
- Water Resources, Stormwater Management and Utilities
- Land Use and Zoning
- Transportation and Parking
- Community Facilities and Services
- Socioeconomics
- Construction Impacts

4.1 GENERAL

**COMMENT 1**

...our entire neighborhood has been left out of the proceedings in determining whether we want to alter the character of the neighborhood with our own Lefrak City looming up to 4 stories and jammed with young people who will turn our very quiet evenings into an all-night singles cruises with cars and noise and disconnectedness. (Comment Letter 1, Jill Yarmosh, April 24, 2018)

This sounds as if it is being rammed thru without proper time for consideration by residents. They are asking to be excluded from existing zoning law so they can build at over 4 times the normal density using proximity to Railroad as a lame excuse to hurt the tenor of our family-oriented neighborhood. No No No (Comment Letter 10, Jill Yarmosh, April 24, 2018)

Response:
Thank you for your comments. The Board of Trustees is very mindful of the importance of the input of the residents of the Village. All procedures associated with the SEQR process have been in accordance with the requirements. It is important to note that the SEQR process represents just one step towards the implementation of the Proposed Action, which also includes other steps involving the zoning process (Code change, Building Zone Map amendment, etc.) and site plan review by the Planning Board. These actions are the subject of separate public hearings and consideration.

On a more general level, the improvement of downtown Amityville and the LIRR station area have been actively under consideration for several years. The proposed TO District and GreenTek project have been in a planning and development formulation phase during this time, including significant involvement from the Village of Amityville Downtown Revitalization Committee (DRC). The Proposed Action has been presented at several DRC meetings and has been the subject of media coverage.

Specific to the GreenTek development, the proposed project has been designed to reduce overall mass and bulk and to match the Village’s desired Bay Village architectural theme. A small portion of the proposed GreenTek project will reach four stories, with this portion containing 12 out of 115 residential units. The proposed GreenTek project and its future tenants will be required to comply with all Village noise disturbance and traffic regulations. As overall traffic is anticipated to decrease with the proposed action (including the elimination of the current daily truck trips to and from the GreenTek (LandTek) property), traffic noise and traffic volume are not anticipated to be significant impacts.

**COMMENT 2**

This cartoon was sent to me in Aug after speaking with Mike Ryan. At that time he said there would be setbacks and green space and lots of parking. I wanted information on the actual, proposed building such as soundproofing between apartments, but he only had the cartoons of the exteriors with no actual blueprint spec for interiors. (Comment Letter #2, Jill Yarmosh, April 24, 2018)

6 - Why would the buildings be immediately adjacent to the sidewalks along Oak Street and Burch Avenue, should they not be set back an appropriate distance (like maybe 12 feet minimum). (Comment Letter #6, ‘Complaint: Land-Tek Proposal’)

**Response:**

Thank you for your comments. The proposed building complies with the setback regulations as defined in the proposed TO District code. Consistent with the stated objectives for the TO District, the proposed building has been designed and sited purposely to serve as a “gateway” treatment into the Village and as a “cornerstone” building. Specifically, the Village of Amityville Introductory Local Law No. 4 of the year 2017 states that, “The Board also finds that it is important to regulate the design and architectural aspects of development so as to ensure the creation of an attractive,
pedestrian-friendly built environment that recognizes the train station as a gateway to the community enhances the overall quality of the Village.”

On West Oak Street, there is a landscape buffer between the sidewalk and the building wall, ranging in depth from 3.7 feet to 14.7 feet. On Burch Avenue, there is a landscape buffer between the sidewalk and the building wall, ranging in depth from 10 feet to 12 feet. Along Greene Avenue, there is a landscape buffer between the sidewalk and the building wall, ranging from four (4) feet to 10 feet.

Detailed design specifications have not been completed for the apartment interiors at this stage in the process. More detailed engineering and architectural work will be completed following the SEQR/zoning/site plan approval process. All proposed construction will comply with applicable New York State and local building codes.

**COMMENT 3**

*First, concerned in general about the amount of rentals that are being offered in the village both from this project as well as Fairfield, etc., and how that impacts the overall quality of life in the village.*

(Comment Letter 3, Kathy Ward, April 19, 2018)

Response:

Thank you for your comment. The proposed GreenTek project will introduce transit-oriented housing (less than 350 feet from the Amityville LIRR westerly platform stairs) that does not currently exist in the Village. Potential environmental and community impacts have been assessed in detail within the DGEIS, with no significant adverse environmental impacts identified. Overall traffic, including truck trips associated with the current industrial operation of the GreenTek site, would be significantly reduced.

**COMMENT 4**

*As 30 year homeowners of Willis Avenue, we are located within the heart of the proposed TOD, yet we received no formal notice of the hearings, which were scheduled for March and then re-scheduled for April 9th. As homeowners to be directly impacted by the TOD proposal, we and our neighbors should have received direct mailings from the Village with the proposed date of the hearings. Was there ever a “Public Notice” published for the re-scheduled hearings? I think not. What about signs? Was there no need for GreenTek to post “Notice of Public Hearing” signs? The bottom line is that it appears as if the Village did not adhere to the proper public notice process and, by doing so, left many people in the dark.*

(Comment Letter 5, Adam and Ann Yablonsky, April 18, 2018)

*I would like to know the following since it does my concern my home and my neighborhood.*

*When are the meetings scheduled for (Dates, time and place)*

*How can I get a sketch and details of the proposal*
Is there a website or portal for residents (typo corrected) to access new information and stay updated?  
(Comment Letter 7, Lissette Der Irizarry, April 13, 2018)

If I hadn’t seen the Record article online I wouldn’t have known the meeting date was changed and truncated into a three-in-one hearing, and I emailed many, and the Bay Village Civic Association also got wind of it and tried to notify members. But Amityville residents who don’t live over in our neighborhood might just think that this doesn’t effect them and that we would be thrilled to have a four story to-the-sidewalk “stack and pack” project building full of forever strangers dumped on our unsuspecting neighborhood because it would replace the commercial buildings that are there.  
(Comment Letter 9, Jill Yarmosh, April 10, 2018)

Response:

Thank you for your comments. SEQR does not require individual notice to property owners nor the posting of public notice signs. The requirements for public notice for the zoning aspects are separate from the notice requirements for the public hearing for the DGEIS.

Preliminary drawings of the proposed GreenTek Living, LLC development are included in the DGEIS. The DGEIS is available at the Village Clerk’s office and the Amityville Public Library. It is also on the Village’s web site at http://amityville.com/.

COMMENT 5

We understand the desire to maximize density on the GreenTek property, however, we feel the requested 48 units per acre is excessive. No additional incentives or bonuses should be granted. 35 units per acre is sufficient and is nearly 3 times the current allowed density. GreenTek proposes to fund a walkway under the LIRR to connect the train station with Broadway, but we were led to believe the Village already procured a grant to pay for this. (Comment Letter 5, Adam and Ann Yablonsky, April 18, 2018)

1 – Our current Village Code permits 12 dwelling units per acre and that has been designed to keep the quality of life that the residents of our Village want and enjoy so why do we want to compromise that. (Comment Letter #6, ‘Complaint: Land-Tek Proposal’)

Response:

Thank you for your comments. The proposed density is commensurate with many transit-oriented developments throughout Long Island. Such densities are considered beneficial to achieve “walkable” development that enables convenient proximity to transit and other destinations, including downtown areas. Many of these communities are now thriving.

It is noted that several regional studies have supported the development of higher density residential development in and around downtown commercial districts on Long Island. These include the Suffolk County Smart Growth Policy Plan and Shopping Centers and Downtowns, Suffolk County, New York, both prepared by the Suffolk County Planning Commission. The latter report
specifically recommended that towns and villages “Encourage the development or redevelopment of higher density housing in and adjacent to downtown areas.” More recently, the Suffolk County Master Plan entitled, Framework for the Future - Suffolk County Comprehensive Master Plan 2035, also strongly recommended higher density housing in downtown centers.

The proposed GreenTek project is requesting a total of two incentives pursuant to proposed Section 183-66.10(C) of the Village of Amityville Introductory Local Law No. 4 of the year 2017, for density up to 48 units per acre and increased height to four stories for a portion of the building (this portion will contain 12 of the 115 proposed units). The two incentives requested from the Board of Trustees will be supported by five community investments from GreenTek. These community investments include:

- Preservation and restoration of the former Amityville Power and Light Building
- Contribution for a new pedestrian connection from Amityville LIRR to Broadway
- Contribution to the Village Fire Department
- Contribution to 9/11 Memorial Plaza
- Enhanced architectural façade treatments

Additional detail regarding the incentive requests and proposed community benefits are provided in Appendix F of the DGEIS.

The Village secured a New York State Department of Transportation (NYSDOT) grant to fund multi-modal transportation enhancements near the Amityville LIRR station. However, the grant is for partial funding and the project cost will exceed this amount in order to complete the planned pedestrian connection and associated parking improvements.

**COMMENT 6**

*I would like to know the following since it does my concern my home and my neighborhood.*

*How can we find out the proposed starting prices of the rentals?*

*Timeline of the building and estimated time of completion*

*Will there be any new parks included within this new community?*

*How many small businesses will (typo corrected) it bring?*

*What will be done to enhance or beautify our neighborhood which I do feel it needs (currently the street have potholes and look horrible)*

(Comment Letter 7, Lissette Der Irizarry, April 13, 2018)

**Response:**
Thank you for your comments. The proposed starting prices of the rentals are not relevant to the SEQR review process.

Following the regulatory and approval process, the proposed GreenTek building will be constructed over a period of approximately 18 months.

There will be no new parks included within the proposed GreenTek community. A range of community benefits, including pedestrian pathways, are proposed for the area surrounding the GreenTek site. There will be private on-site park amenities for residents of the GreenTek development consisting of a landscaped courtyard.

As there is no retail included within the proposed GreenTek development, the proposed project will not directly “bring” any small businesses to the area. However, it is anticipated that the addition of full-time, downtown Amityville residents will help to support both new and existing small businesses within the area. As a result, the addition of more full time residents into the downtown is a central focus of the TO District. The preservation of the Amityville Power and Light Building will enable a limited amount of office use (±1800 s.f.) on the GreenTek site that will likely be used for a small business or businesses.

As discussed above in the Response to Comment 5, the proposed community benefits package will include several items that will help to enhance and beautify the immediate area:

- Preservation and restoration of the former Amityville Power and Light Building
- Contribution for a new pedestrian connection from Amityville LIRR to Broadway
- Contribution to the Village Fire Department
- Contribution to 9/11 Memorial Plaza
- Enhanced architectural façade treatments

**COMMENT 7**

*We want peaceful quiet neighborhoods. The developer mentioned there would be outdoor gathering places on the roof. Does this mean partying from these singles apartments with loud music while we are trying to get the children to sleep or trying to peacefully enjoy our home? Are we granting permission for endless disrupted days and evenings? A singles cruise in our backyard? This is a family-oriented Village. We cherish peace and quiet.* (Comment Letter 12, Jill Yarmosh, April 7, 2018)

**Response:**

Thank you for your comment. Any proposed development will be required to follow all Village regulations associated with noise disturbances as set forth in Chapter 114 (Noise) of the Code of the Village of Amityville.
COMMENT 8

9 - Why is the existing gas station and the two story brick building, that is not historical, not being purchased by the developer and that space be used for additional parking and an appropriate village entrance be provided where the gas station is. (Comment Letter #6, ‘Complaint: Land-Tek Proposal’)

Response:

Thank you for your comment. The applicant for the GreenTek site has advised the Village that the existing gas station is not for sale and is not under their control. The existing two-story brick building (former Amityville Power and Light Building), which is located on the GreenTek site, will be preserved and maintained. The preservation of this building is based on input from the community, DRC and the Board of Trustees.

4.2 PROJECT PURPOSE NEED AND BENEFIT

4.3 DESIGN AND LAYOUT

Note: The Suffolk County Planning Commission has reviewed the Proposed Action and has recommended to the Board of Trustees that the TO District be approved, as well as the zoning change and site plan for the GreenTek site. The Commission has provided seven comments with their decision and the Board appreciates the input of the regional planning agency. For the purposes of this FGEIS, responses are provided to each of the comments in the respective section to which they apply, beginning with this section.

COMMENT 9

The site plan should be redrawn to limit access to and from Green Avenue to a single ingress/egress. (Comment Letter 16, Suffolk County Planning Commission, May 4, 2018)

Response:

The GreenTek property currently has three curb cuts on Greene Avenue and the proposed site plan retains this number.

There are several reasons why the proposed site access configuration is warranted:

1) Access to the site will need to be approved for fire response vehicles. It is likely that at least two curb cuts will be required for circulation and for fire truck access and maneuverability.

2) The layout provides the appropriate number of parking spaces on-site.
3) The current occupant fences off its Greene Avenue frontage, in part to help contain fugitive dust. The proposed site plan has no such sight limitations along Greene Avenue, so curb cut sight lines will be better (and they are sufficient already, as explained in the DGEIS analysis). Therefore, drivers entering the site will be able to see from Greene Avenue where there is available parking and which curb cut to use. They shouldn’t need to circulate in and out of multiple curb cuts.

4) Greene Avenue is not a high-volume road. Based on Cameron Engineering’s peak hour traffic counts, Greene Avenue has less than 1 car every 2 minutes, at most, in both directions. Therefore, there will often be no one approaching the curb cuts on Greene Avenue.

5) Unlike the current occupant, residential use is low-turnover and rarely generates trucks. This project reduces site trips by 45% and reduces truck traffic even further. The current site generates 83-104 trips per hour, with 43%-87% heavy trucks. The proposed site will have 36-58 trips per hour total in and out, which is less than 1 trip per minute in any direction. Rarely will there be cars at multiple curb cuts at once, and rarer still with oncoming traffic on Greene Avenue in both directions. During busy times, if there are multiple cars on these approaches at the same time, the drivers will be able to see one another, due to the improved driveway sight lines (removal of property line fencing).

To summarize, there is not an expectation of “exacerbated left/right turn conflicts,” but rather, a reduced conflict potential based on enhanced sight lines and significantly reduced traffic and truck traffic.

**COMMENT 10**

*The Petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.* (Comment Letter 16, Suffolk County Planning Commission, May 4, 2018)

**Response:**

The Village will advise the applicant/petitioner to review the Suffolk County Planning Commission guidelines related to public safety. Following the guidelines set forth under Specific Public Safety Policies, the proposed project will provide improved outdoor lighting and increase the visibility/safety of key neighborhood public spaces. Additionally, as part of community benefits package, the applicant/petitioner is proposing to provide a financial contribution to an enhanced pedestrian connection from the Long Island Rail Road to Broadway. A more welcoming pedestrian environment will help to add “feet on the street” throughout the downtown area, which will also improve community safety. Lastly, the applicant/petitioner has agreed to make an additional contribution to the Village of Amityville Fire Department, who plays a critical role in the public health and safety of Amityville residents.
COMMENT 11

*The Petitioner should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.*

(Comment Letter 16, Suffolk County Planning Commission, May 4, 2018)

**Response:**

The Village will advise the applicant/petitioner to review the Suffolk County Planning Commission guidelines related to universal design/accessibility and will incorporate energy efficient appliances and practices, where practical, into the final design of the proposed project.

COMMENT 12

*Will lighting standards, as outlined in the Illuminating Engineering Society handbook/IESNA handbook, be applied across the new TOD zone?* (Comment Letter 4, Edward W. Moore, JR., PE)

**Response:**

Thank you for your comment. The Village of Amityville maintains and enforces all lighting regulations within the Village. Lighting will be required to comply with §183-66.6 of the proposed TO District, which requires compliance with Chapter 116 (Nuisances) of the Village Code. Lighting must be adequate to provide for safe use of the site but must also be adjusted to prevent off-site light trespass onto neighboring properties.

4.4 WATER RESOURCES, STORMWATER MANAGEMENT AND UTILITIES

COMMENT 13

*Continued review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted and the petitioner should be directed to continue dialogue with the Suffolk County Department of Health Services and the SCDPW.* (Comment Letter 16, Suffolk County Planning Commission, May 4, 2018)

**Response:**

Comment noted. The applicant/petitioner intends to comply with all Suffolk County Department of Health Services (SCDHS) and Suffolk County Department of Public Works (SCDPW) requirements and regulations.
COMMENT 14

The applicant/petitioner will continue to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate green design elements into the proposed project. The proposed parking area will feature landscaped medians that will serve as small-scale rain gardens – aiding in stormwater absorption and infiltration. (Comment Letter 16, Suffolk County Planning Commission, May 4, 2018)

Response:

The Village will advise the applicant/petitioner to continue to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate green design elements into the proposed project. The proposed parking area will feature landscaped medians that will serve as small-scale rain gardens – aiding in stormwater absorption and infiltration.

COMMENT 15

The Petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein. (Comment Letter 16, Suffolk County Planning Commission, May 4, 2018)

Response:

The Village will advise the applicant/petitioner to review the Suffolk County Planning Commission Guidebook and will require energy efficient appliances and practices, where practical, into the final design of the proposed project.

COMMENT 16

The ‘Draft’ Generic report is deficient in that it does not address the needs of our Clean Energy Community goals. (Comment Letter 4, Edward W. Moore, JR., PE)

Response

Thank you for your comment. Please see answer below related to the Village’s Clean Energy Community designation. The program does not specifically introduce any regulations or requirements for new zoning districts or new developments. Also, the designation does not add any additional requirements related to SEQR or the preparation of a DGEIS.

COMMENT 17

Were the study engineers aware of our ‘Clean Energy Community’ designation with New York State? (Comment Letter 4, Edward W. Moore, JR., PE)

Response:
Thank you for your comment. Yes, the study engineers were aware of the Village's designation. In general, the Clean Energy Communities program focuses on municipal operations and associated energy/emissions impacts. While the Clean Energy Communities program encourages the installation of residential/commercial solar PV systems and other energy efficient measures (primarily through incentive-based programs such as Solarize and Property Assessed Clean Energy financing (PACE)), the designation does not introduce any regulations that would affect the adoption of a zoning district or development on a privately-owned parcel.

**COMMENT 18**

*Did the existing PV system receive Federal, State or Utility subsidies as part of the installation of the system?* (Comment Letter 4, Edward W. Moore, JR., PE)

**Response:**

Thank you for your comment. The issue of subsidies for the PV system is not relevant to the SEQR analysis.

**COMMENT 19**

*Does Land Tek own the existing PV system on the roof or is it owned by a Third Party energy supplier, If so, what was the length of the contract associated with the installation of the system by the Third Party?* (Comment Letter 4, Edward W. Moore, JR., PE)

**Response:**

Thank you for your comment. The applicant for the GreenTek project informs the Village that Land Tek owns the existing PV System.

**COMMENT 20**

*The proposed development is slated to have certain sustainability objectives as outlined. Will the project pursue an industry accepted rating such as the USGBC 'LEED' rating of the Green Globes certification criteria?* (Comment Letter 4, Edward W. Moore, JR., PE)

**Response:**

Thank you for your comment. The applicant informs the Village that they have not yet explored the certifications referenced above. As final engineering/architectural design is performed and completed, the applicant intends to explore the feasibility of such certifications.

**COMMENT 21**

*The other proposed Industrial Property, presently a self-storage facility, originally sought LEED Certification under the USGBC LEED rating system. Was that certification ever obtained?*
Was the purpose of the potential LEED certification on the Self-Storage facility related to the initial IDA funding for that project? (Comment Letter 4, Edward W. Moore, JR., PE)

Response:

Thank you for your comment. The status of LEED certification at the “other” industrial property (currently operating as a self-storage facility) is not relevant to the Proposed Action. There is no construction/redevelopment proposed at the “other proposed Industrial Property”. This property was included in the DGEIS analysis to contemplate potential impacts associated with development under the TO District as the self-storage facility could be eligible for application of the TO District designation. However, the only actual development currently proposed within the TO District is at the GreenTek site. Additionally, as noted in the DGEIS, redevelopment of the self-storage facility is unlikely to occur in the near future, as the property is under a Town of Babylon Industrial Development Agency (IDA) contract through 2026.

COMMENT 22

I just want everyone to be aware that the parcels we’re talking about, the area we’re talking about includes the wells for our community, Suffolk County Water Authority wells adjacent to the firehouse and railroad station. And I also want you to be aware that one of the sites in the area, I don’t know the boundaries, is the former site of what was Amityville Electric, and was a founding father of the current public utility. (Public Hearing Comment # 1, Edward W. Moore, JR., PE)

Response:

Thank you for your comments. The Village is aware of the location of the Suffolk County Water Authority facility and has coordinated the review of the DGEIS with the Authority as an Involved Agency under SEQR. As noted in the DGEIS, wastewater will not be discharged on-site and will be collected and treated via Suffolk County Sewer District # 3. In addition, stormwater is proposed to be managed to maximize treatment prior to on-site recharge. The stormwater management plan is designed to collect and recharge 100% of site runoff from a three-inch rainfall event.

The former Amityville Power and Light Building is located on the GreenTek site and is proposed to be retained, restored and used as an office use.

COMMENT 23

The VOA owns a recharge basin area adjacent to the DPW building and the LIRR parking grounds. Has a drainage assessment in this resiliency area been conducted? (Comment Letter 4, Edward W. Moore, JR., PE)

Response:

Thank you for your comment. The proposed action will not impact the existing recharge basin area or DPW/LIRR operations. A drainage assessment has not been performed on this property as it is
not relevant to the Proposed Action. Any proposed development will be required to manage stormwater on-site and prevent stormwater impacts from reaching neighboring/nearby properties.

**COMMENT 24**

Has the local electric utility, LIPA, been contacted about the ability for present overhead distribution to handle the municipality facilities with the addition of the estimated residency levels stated in the project? Does LIPA need more time to properly assess the local radial network supply for the proposed TOD Zone? (Comment Letter 4, Edward W. Moore, JR., PE)

Response:

Thank you for your comment. Consultation and coordination with the local electric utility (LIPA/PSEG) will occur as final engineering/architectural design advances, with the applicant providing a load letter to the utility for their approval.

4.5 **LAND USE AND ZONING**

**COMMENT 25**

It is also a great puzzlement to us just why you would promote the idea of 48 acres being involved in the zone. Can you imagine years down the line having someone concoct a scenario where other developers feel entitled to build big commercial, overcrowded apartment buildings wherever they can parcel the required acreage together in such a Zone as you propose? (Comment Letter 1, Jill Yarmosh, April 24, 2018)

Second, I am not sure I understand why the “zone” includes the area from Sterling to Oak etc. – seems larger than required. (Comment Letter 3, Kathy Ward, April 19, 2018)

Our concern with the district is that owners of properties not currently “qualified” for re-zoning can approach the Village at a later date and seek variances that would then enable the owner to build out these properties to the maximum permitted under the new codes. For instance, what would stop a developer from purchasing several residential properties, meet the proposed 1.5 acre minimum, and then seek variances from the Village? What about industrially-zoned properties in the TOD that don’t quite meet the 1.5 acre minimum? What would stop them from approaching the Village for a variance to build out their properties? Again, we see no need for a TOD when there are ONLY 2 properties meeting the current standards for potential rezoning. (Comment Letter 5, Adam and Ann Yabionsky, April 18, 2018)

Response:
Thank you for your comments. As discussed in Chapter 2 of this document, the proposed boundary of the TO District has been reduced from 48 acres to 32 acres. While the type of development scenario described in the comment would have been highly unlikely and subject to multiple discretionary approvals, this concern has been addressed by removing all residentially-zoned properties from the potential TO District area. In addition, the other requirements for application of the TO District, including 1.5-acre minimum lot area, Industrial District zoning, and discretionary approval from the Board of Trustees, are intentionally strict to carefully regulate any future development within the district. Any variance application would require approval from the Village of Amityville Board of Zoning Appeals and is unrelated from the proposed TO District or GreenTek development. Further, the establishment of the TO District within the Village Code would not serve as reason or cause for an ineligible industrial property to be subject to a hardship or entitled to a variance.

COMMENT 26

With respect to the TOD, if there are ONLY 2 properties that could potentially be re-zoned within the TOD, why create a district? Why couldn’t the Village act on the GreenTek proposal without acting on the TOD?

Again, we appreciate the opportunity to comment on (typo corrected) the proposed actions. We ask that the Village deal with the proposed GreenTek development without creating the TOD. A TOD would only bring more uncertainty to local residents and open the door to future “over development” in the area. (Comment Letter 5, Adam and Ann Yablonsky, April 18, 2018)

1 - Our current Village Code permits 12 dwelling units per acre and that has been designed to keep the quality of life that the residents of our Village want and enjoy so why do we want to compromise that.

10 - Why should we have to change our current village code to benefit a developer. (Comment Letter #6, ‘Complaint: Land-Tek Proposal’)

I would like an answer to the question, perhaps from Bruce Kennedy, as to just how the decision was made to circumvent the normal Use Variance Zoning Board procedures and to place the doubling of our neighborhood’s population under the Board of Trustees avoiding all the standards and practices that we as homeowners have always been in place to protect the tone, character and safety of our neighborhoods. Namely 12 units per acre. Period. There are no real services in the 3 blocks of our Village to actually support living without a car as Tom Howard naively purported at the "night of bogus EIS hearings". (Comment Letter 8, Jill Yarmosh, April 11, 2018)

I think many of us feel that the board is trying to circumvent the real Use Variance Zoning procedure (which Bruce Kennedy asserted would be a much longer and exacting process with very little hope of ever passing) and taking the responsibility away from the Zoning Board and letting the Mayor and Board of Trustees decide the issue with only token review destroying ages old protection that we thought we were insured would be there to protect our way of life in Amityville and our expectations of
our neighbors and Village government. AND putting all three hearings in one evening smacks of hoping to avoid real informing and considering of neighbors feelings about 135 renters being dropped on them like a bomb, doubling the population and hence greatly varying the character of our neighborhood, switching from FAMILIES to SINGLES. The normal timeline under a Zoning Board decision that would be done in many, many stages, giving tons of time for the actual details to spread through the community has been truncated and benefits LandTek only. (Comment Letter 9, Jill Yarmosh, April 10, 2018)

Response:

Thank you for your comments. The TO District has been drafted with the involvement of the Board of Trustees and with input from the Downtown Redevelopment Committee (DRC), with transit oriented development emerging as a key strategy towards the revitalization of downtown Amityville. While the TO District is limited in terms of number of eligible properties, it has been established to allow qualified, transit oriented properties to provide multi-family housing, subject to Board of Trustees approval and all applicable TO District regulations.

The establishment of the TO District will introduce a series of development regulations and process requirements that will carefully regulate development within the area. Development within the TO District would be subject to discretionary approval of the Board of Trustees, which provides for additional opportunities for public input and participation.

COMMENT 27

11 – Under general procedures Section 183-66.4 B. 2. should be deleted B.O.T. has too much power/discretion and should revised or deleted entirely.

12 - Section 183-66.10 “Zoning Incentives” should be revised or deleted”
(Comment Letter #6, ‘Complaint: Land-Tek Proposal’)

Response:

Thank you for your comments. The use of zoning incentives has been considered in the DGEIS and potential environmental and community impacts have been assessed in detail. No significant adverse environmental impacts have been identified.

COMMENT 28

Does the proposed development and new TOD zone specify ‘Renewable Energy’ items called out in the Village Code under Chapter 135. (Comment Letter 4, Edward W. Moore, JR., PE)

Response:

Thank you for your comment. The use of renewable energy within the proposed GreenTek development will be explored as final engineering/architectural design advances. The new TO
District does not introduce any specific regulations related to renewable energy as any renewable system within the Village would be required to comply with the regulations set forth in Chapter 135 (Renewable Energy Systems) of the Village Code.

**COMMENT 29**

*Will the new ‘TOD Zone’ have established Sustainability criteria?*

- Criteria such as Water Usage/Conservation goals outlined in the United Plumbing Code (UPC)
- Will Alternative Fueled Vehicle charging stations be mandated per# of parking spaces?
- Will the new Building be sub-metered for tracking of energy consumption?

(Comment Letter 4, Edward W. Moore, JR., PE)

**Response:**

Thank you for your comment. The proposed TO District does not include any additional Sustainability criteria. Beginning in October 2016, all construction in New York State is required to comply with updated regulations found within the State Uniform Fire Prevention and Building Code (Uniform Code) and Energy Conservation Construction Code (Energy Code). These standards have been updated to reflect federally-accepted standards, adopted from the 2015 IECC and ASHRAE 90.1-2013. This update includes a significant focus on energy efficiency and sustainability.

While final design of the proposed GreenTek project has not been completed, it is not anticipated that the proposed apartment building will include Alternative Fueled Vehicle charging station mandates or utilize sub-metering.

**COMMENT 30**

*Will the former Amityville Power & Light building become a designated ‘Landmark’ or become an extension of the existing ‘Historic District’ zone?* (Comment Letter 4, Edward W. Moore, JR., PE)

**Response:**

Thank you for your comment. The former Amityville Power & Light building will be preserved and enhanced under the Proposed Action but there is no formal designation or zone extension proposed at this time.

### 4.6 TRANSPORTATION AND PARKING

**COMMENT 31**
Our current Village Code provides for adequate parking requirements to keep cars off the village streets, why should that be compromised? (Comment Letter #6, ‘Complaint: Land-Tek Proposal’)

Response:

Thank you for your comment. The proposed TO code represents a new type of residential development for the Village that is not currently accounted for in the parking standards. The proposed code does contain parking requirements that have been tailored to parking needs that are necessary for this type of land use.

In this instance, the proposed TO District – which has no bearing on the rest of the Village’s parking requirements – is limited to this specific section of Amityville and reduced parking needs at transit oriented developments (TOD). The existing Village code does not yet have a mechanism to achieve this.

TOD-related parking is a somewhat recent phenomenon, which is why municipalities like Amityville are still in the process of making TOD-related revisions.

The intent is to follow the current “State of the practice,” to satisfy genuine parking demand without over-parking— to avoid over-paving that can detract from the attractiveness of a property and has the effect of creating more dispersed, sprawl-type development.

Since the early 2000s, many municipalities on Long Island and nationwide have amended their local codes to add TOD-related parking requirements, generally for areas within ½ mile of a permanent transit station. The Amityville LIRR station certainly qualifies as a permanent transit station: it is located on a main LIRR line (Babylon branch), and it is the starting point for the busiest bus route in the entire Suffolk County Transit system (the S1).

The proposed TO District is within ±350 feet of the Amityville LIRR station, so its parking requirements should reflect reduced TOD characteristics, rather than higher parking numbers that might be characteristic of areas of the Village that are further from the LIRR. In addition, recent TOD studies ² have shown significant correlation between reduced levels of car ownership, parking

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demand and trip generation with proximity to transit. This correlation is strongest for TOD developments located within walking distance or very close proximity to transit.

It should also be noted that the proposed action will have no effect on existing on-street parking regulations and these regulations will remain in effect.

**COMMENT 32**

“...there does not appear to be enough parking proposed (typo corrected) for GreenTek. While, no doubt, residents will rely a great deal on the LIRR for daily commutes and off hours trips into NYC, the fact remains that much of what we depend upon on Long Island, requires and automobile. For instance, there is no supermarket anywhere within walking distance to the development. The same holds true for many recreational and cultural resources. As such, the developer should consider adding more parking spaces, so as not to impact the surrounding community. Additionally, is there any provision for visitor parking? (Comment Letter 5, Adam and Ann Yablonsky, April 18, 2018)

**Response:**

Thank you for your comments. The response is separated to address specific points.

"**Sufficient number of spaces, TOD:**"

To expand on the response provided in the previous comment, the proposed number of parking spaces will satisfy the genuine anticipated need, based on the number of units, the size of the apartments (90% will be one-bedroom or studio units, with just 10% having two bedrooms), the extremely close proximity to one of the busiest LIRR branches (Babylon) and Suffolk County Transit bus stops in Suffolk County, and the nature of residential parking and office parking.

The 138 spaces required and provided, equal an average of 1.2 spaces/unit. In the TO District, all units require at least 1 parking space per unit, even studios.

The proposed parking space count is fully in line with national and local studies that reflect counts at fully/nearly fully occupied existing multi-family TOD.

The proposed TO District, including the GreenTek site, are an optimal setup for TOD, which requires close, walkable proximity to permanent transit stations:

The Amityville station is the 3rd busiest station in Suffolk County on the Babylon branch according to the 2012-2014 LIRR Ridership Survey published in 2016. Weekday peak service arrives every half hour, with up to 900 people an hour getting on or off.

The S1 and S20 buses stop at the Amityville LIRR; the S1 is the single busiest bus route in the Suffolk County Transit system.
The proposed Route 110 Bus Rapid Transit (BRT) system is planned to be designed and built in the next few of years and will use the Amityville train station as the starting point for the system.

National data sourced by the Institute of Transportation Engineers (ITE), the Environmental Protection Agency (EPA), the National Institute for Transportation and Communities, and the Victoria Policy Institute examined apartment complexes that were 92-100% leased and occupied. Locally, the DGEIS considered three existing apartment buildings that are 98-100% leased and occupied. These local sites are in municipalities whose TOD ordinances were incorporated into the DGEIS analysis (i.e. the Town of Babylon and the Village of Farmingdale).

Parking features related to TOD are summarized below, followed by a summary of local data that factored into the DGEIS.

Transit-oriented parking reduction: Large-scale national studies support reduced parking ratios for transit-oriented apartments. The underlying concept is that “very convenient transit access” is a vastly important amenity that facilitates having just one car per family unit (if not forgoing a personal car altogether). Tenants who take the bus or train seek out TOD.

TOD Occupancy: Almost all studies of TOD apartments show occupancy rates in the range of 92-100%. The local study sites are at 98-100% occupancy.

The ITE Parking Generation Manual recommends providing 1.23 spaces per unit for suburban apartment buildings far away from transit. Considering TOD, the ITE recommends 1.04 to 1.14 spaces/unit (132 spaces) whereas GreenTek will have 138 spaces.

EPA and Victoria Transport Policy Institute studies: Parking demand is reduced by upwards of 30% with rail and/or bus near residential use within ¼ mile. This would yield an ITE-TOD reduction of less than 1 space per unit (115 spaces compared to 138 being provided)

Local Precedent: Other local Long Island municipalities have TOD parking ratios, as discussed in the DGEIS. For the various bedroom counts (studio, 1/2/3 bedrooms), the TO code requires the same or more parking than the average of local codes and the Downtown Copiague ordinance. Copiague is ±1-1.5 miles from the TO District and its study site (Copiague Commons) is directly across from a LIRR station.

Farmingdale and Copiague Study Sites: Local parking data is summarized below. All three local TOD apartment buildings utilize less than 1.2 spaces per unit.

“The Cornerstone at Farmingdale” has a similar 10% 2-bedroom unit count to GreenTek, and is further from a LIRR station (0.2 miles vs. ±350 feet).

“The Jefferson in Farmingdale” is very over-parked, with dozens of unused spaces, because its 47% 2-bedroom component required more parking per code (1.5 spaces/unit). Its actual demand is essentially the same (just under 1.20/unit) as “The Cornerstone” that, like GreenTek, has 90%
studios or one-bedroom units. This supports the idea that even 2-bedroom TOD units are not expected to attract 2-car families.

The parking counts at “Copiague Commons” include on-site and on-street parking; at 100% occupancy, it requires just under 1 space per unit, observed at 11:25 p.m. (peak residential parking occurs overnight).

Shared Parking: The Amityville Power and Light Building will be used as a small office that will need 8 or 9 spaces, but only when some residents are gone for the day. As detailed in the DGEIS, apartment parking peaks overnight, while office parking peaks midday.
The table below summarizes the bedroom counts and parking for GreenTek and three Long Island TOD apartment buildings. The Farmingdale sites are both within ¼ mile of the Farmingdale LIRR station and the Copiague site, just 1.5 miles from GreenTek, is across the street from the Copiague LIRR station.

<table>
<thead>
<tr>
<th>Location</th>
<th>Number of Units / Bedroom Counts</th>
<th>Parking Spaces</th>
<th>Distance to an LIRR station</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cornerstone at Farmingdale</td>
<td>42 Units: 4 two bedroom (10%)</td>
<td>51 parking spaces (1.21/unit)</td>
<td>0.2 miles (±4-5 minute walk)</td>
</tr>
<tr>
<td>40 Elizabeth Street (98% occ.)</td>
<td>10 one bedroom</td>
<td>±49 occupied (1.17/unit)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>28 studios</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Jefferson at Farmingdale</td>
<td>154 Units: 72 two bedroom (47%)</td>
<td>231 parking spaces (1.5/unit)</td>
<td>0.2 miles (±4-5 minute walk)</td>
</tr>
<tr>
<td>120 Secatogue Avenue (98% occ.)</td>
<td>82 one bedroom</td>
<td>±181 occupied (1.18/unit)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copiague Commons</td>
<td>90 Units: 34 two bedroom (38%)</td>
<td>111 parking spaces (1.23/unit)</td>
<td>Less than 500 feet, and across the street (±1 minute walk)</td>
</tr>
<tr>
<td>54 Railroad Avenue (100% occ.)</td>
<td>56 one bedroom</td>
<td>(91 on-site, 20 on-street)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>92 occupied (1.02/unit)</td>
<td></td>
</tr>
<tr>
<td>Proposed GreenTek</td>
<td>115 Units: 12 two bedroom (10%)</td>
<td>138 parking spaces (1.20/unit)</td>
<td>Less than 500 feet, and across the street (±1 minute walk)</td>
</tr>
<tr>
<td>235 County Line Road</td>
<td>65 one bedroom</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>38 studios</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Based on national and local TOD data, the GreenTek parking will accommodate its peak parking needs.

“Long Islanders need cars”

This notion has been changing in recent years. Younger adults have not purchased private vehicles at the same rates as older generations. This trend was noticeable during the post-2008 economic downturn, and has continued with the influence of services like Peapod grocery delivery, Zipcar, and Uber, among others. These services make it easier to carry out daily activities without having multiple private automobiles per family unit. Rather, a family unit may have one car rather than two, or they have no car of their own. The provided parking allocates at least 1 space for every apartment, even for studio units. Every tenant unit can have a car; there simply won’t be many tenants with multiple cars per family.

Additionally, Long Island TODs are their own unique subset. TODs attract the very type of residents who are looking to get by with less private vehicle ownership. They tend to seek out TODs precisely because TOD enables them to have a very short walk to permanent rail transit and well-established, highly utilized bus service.

This leads to the concept that TOD is in high demand, especially on Long Island. The national studies referenced above comprise apartment complexes that were 92-100% full. The local studies compiled by Cameron Engineering – two sites within 0.2 miles of the Farmingdale LIRR station and one site within ±350 feet of the Copiague LIRR station – were 98-100% full.

“Walking distance to supermarkets, recreation, and cultural uses”

The TO District and the GreenTek property are within a 5-10 minute walk to the Amityville Public Library, Post Office, the Village downtown restaurants, shops, food service shops, 9/11 Memorial park, and multiple churches. Bicycling time is even shorter. The nearest major supermarket is located on Sunrise Highway in Massapequa and is about three quarters of a mile away. Another major supermarket is located along Montauk Highway in Amityville, about 1.5 miles from the GreenTek site.

Additionally, multifamily developments near downtowns tend to attract new retail/market tenants to vacant storefronts. New tenants to the downtown would be located in a similar walkable/bicycling distance from the GreenTek property.

The intent is that tenants will be able to have just one car per family, rather than multiple cars per family.

“Visitor parking”

Peak required parking, and the parking count data collected on Long Island and nationwide, reflects residents and visitors combined. There is no need to distinguish one from the other.
Additionally, residential parking peaks overnight, so there will naturally be available parking for
daytime visitors and deliveries while some/many tenants are out for the day. This feature also
factors into how the on-site parking will be more than enough to accommodate the 1,800 s.f.
Amityville Power and Light Building as office space. Offices only require parking during the day,
while residential parking is reduced. When residential parking is highest (overnight), there is no
office-related parking. The DGEIS discusses how the parking is sufficient for complementary uses
that peak at different times.

**COMMENT 33**

The bogus draft environmental study says that 50 trucks roll thru our neighborhood every day from
LandTek and others, but they NEVER HAVE BECAUSE THE STREETS ARE TOO SMALL especially Willis
Ave by the woods behind Dr Lang's property. That was a total fabrication by the boy who presented
the environmental draft for LandTek. I am disabled and sit watching out my front windows all day
long. Think of me as a traffic counting device.

But over a hundred normal cars exiting the 3 driveways onto Greene would find Williams and Willis
and Burch and Sterling to be SPEEDY diverse routes to avoid the congestion at County Line Rd and
Oak St. (Comment Letter 9, Jill Yarmosh, April 10, 2018)

**Response:**

Thank you for your comment. Please see the response below for more information regarding the
methodology behind the Transportation and Parking Assessment portion of the DGEIS. Neither the
DGEIS nor the presentation made at the SEQR public hearing made any statement regarding the
routing of the existing site-generated truck traffic through local residential streets. The description
of truck traffic was associated with the 50 plus trips a day (weekdays) that currently use the roads
surrounding the LandTek site including Greene Avenue, County Line Road and West Oak Street.

As discussed above, site-generated traffic at the GreenTek site is anticipated to substantially
decrease under the proposed action. The Transportation and Parking Assessment section of the
DGEIS calculated potential traffic and parking demand for both of the sites eligible for application
of the TO District using the Institute of Transportation Engineers (ITE) Trip Generation manual, 10th
Edition, 2017. Individual driver behaviors, including speeding and other offenses enforceable by
law, fall outside of the scope of the SEQR review for the proposed action.

**COMMENT 34**

7 – Has a valid traffic impact study been done? (Comment Letter #6, 'Complaint: Land-Tek Proposal')

**Response:**

Thank you for your comment. The DGEIS includes a Transportation and Parking Assessment
section that describes and analyzes the following:
• Existing and projected traffic volumes at the properties eligible for rezoning
• Existing traffic counts at four local intersections during peak (rush hour) periods during weekday mornings and afternoons
• Pedestrian/bicyclist Complete Streets accommodations
• Existing and future parking demand on the GreenTek site and on local streets, including research on TOD and the TOD parking ordinances at five local municipalities
• Site access and sight lines
• Recommendations for Complete Streets improvements

The DGEIS has the appropriate level of analysis for the proposed TO District and GreenTek application, plus the other property that could be eligible for rezoning. Level of Service analysis is not appropriate because the proposed TO District will significantly reduce site-generated traffic. The most notable reduction will be the number of heavy trucks driving to and from the GreenTek site throughout the day.

COMMENT 35

8 – Have we considered an area for snow removal. (Comment Letter #6, ‘Complaint: Land-Tek Proposal’)

Response:

Thank you for your comment. The proposed parking median areas will be used to manage on-site snow removal/clearing.

COMMENT 36

How does the proposal handle 'Pedestrian Right-Of-Way' access to the proposed industrial properties and to all boundary streets of the proposed TOD Zone? What is the planned square-footage of 'Pedestrian ROW' area in the newly proposed TOD Zone?

Are there any provisions for Crosswalk improvement on roads directly adjacent to the newly proposed 'TOD Zone'? (Comment Letter 4, Edward W. Moore, JR., PE)

Response:

Thank you for your comment. The proposed action will not adversely impact any existing pedestrian right-of-ways. None of the existing pedestrian right-of-ways (including sidewalks) would be altered under the proposed action. As part of the applicant’s proposed community benefits package, an enhanced pedestrian connection would be created linking the Long Island Rail Road station area to Broadway/downtown Amityville. The exact square footage of this enhanced connection is not yet available, as the project has not yet entered the design/engineering phase.
4.7 COMMUNITY FACILITIES AND SERVICES

COMMENT 37

2 - What is going to be the impact on our schools that are already busting at the seams (typo corrected). (Comment Letter #6, ‘Complaint: Land-Tek Proposal’)

Response:

Thank you for your comment. Please see Section 5.1 of the DGEIS for a detailed analysis of potential school-aged children associated with the proposed action.

A commonly-used resource for projecting school-age children is the Residential Demographic Multipliers for New York State (prepared by Rutgers University Center for Urban Policy Research in 2006). The Rutgers model produces estimates of public school-age children based on housing type (rental vs. owner-occupied), size (number of bedrooms) and price. For the 115 proposed units at the GreenTek site, the Rutgers multipliers estimate approximately 10 potential public school-age children.

To supplement projections generated by the Residential Demographic Multipliers for New York State (prepared by Rutgers University Center for Urban Policy Research in 2006), Cameron Engineering also reached out to local developers to request data on recent TOD projects on Long Island. Three developers provided data on five projects, as shown. The Cornerstone at Farmingdale is particularly interesting example, as it includes roughly the same proportion of studio/one-bedroom units as the proposed GreenTek project (both projects consist of approximately 90% studios/one-bedroom units and 10% two-bedroom units). Even including the data from the Village at Patchogue, which includes predominantly larger units, there are only total of 12 school aged children generated from the 487 units studied, or a rate of 0.025.
School-Age Children and Multi-Family/Transit-Oriented Development on Long Island

<table>
<thead>
<tr>
<th>Development</th>
<th>Number of Units</th>
<th>Types of Units</th>
<th>Number of School-Age Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Cornerstone at Farmingdale</td>
<td>42</td>
<td>28 Studios, 10 1BR, 4 2BR</td>
<td>0</td>
</tr>
<tr>
<td>The Jefferson at Farmingdale</td>
<td>154</td>
<td>82 1 BR, 72 2 BR</td>
<td>0</td>
</tr>
<tr>
<td>Avalon Towers (Long Beach)</td>
<td>109</td>
<td>68 1BR, 38 2BR, 3 3BR</td>
<td>0</td>
</tr>
<tr>
<td>The Avalon at Glen Cove</td>
<td>256</td>
<td>41 Studios, 124 1BR, 91 2BR</td>
<td>4</td>
</tr>
<tr>
<td>New Village at Patchogue</td>
<td>291</td>
<td>35 Studios, 113 1BR, 138 2BR, 5 3BR</td>
<td>12</td>
</tr>
</tbody>
</table>

Based on these data, the number of public school-age children generated by the proposed project is anticipated to be quite low. These separate sources provide multipliers of 0.017, 0.02, 0.025, 0.016, and 0.03. Applying these rates to the GreenTek project would yield 2 to 4 school aged children. The unit breakdown of the proposed GreenTek project, which includes 38 studio apartments, 65 one-bedroom apartments and 12 two-bedroom apartments, is indicative of a mixed-use project aimed at attracting young professionals, retirees and local residents wishing to downsize but remain within the Village of Amityville.

Whether there are 2, 4 or 10 school aged children, this would be on average, less than one child per grade level, and would not be anticipated to result in any impact to the school district.

**COMMENT 38**

3 – What is going to be the impact on our already understaffed police department...increased cost and putting their lives in increased danger

4 – What is going to be the impact on our already short handed, of volunteers, and E.M.S. personnel. Increased cost and increased danger.

(Comment Letter #6, ‘Complaint: Land-Tek Proposal’)

**Response:**

Thank you for your comments. Letters requesting availability of services were sent to the Village of Amityville Police Department and the Amityville Fire District on October 25, 2017. The Village of Amityville Police Department provided a response letter on December 1, 2017 stating that the
Department could serve the proposed development and it would not “adversely affect our ability to provide services to the residents of the Village.”

The Amityville Fire Department provided a response letter on December 22, 2017 stating that the Department could serve the proposed development. Copies of both letters and responses are provided in Appendix C of the DGEIS.

**COMMENT 39**

The proposed development has immense community impact and I believe this project serves to improve it in a positive accelerated manner. That being said, there are a significant number of municipal facilities in the proposed TOD zone, namely the Oak Street Firehouse, VOA DPW property, Amityville Library, LIRR Parking grounds, MTA-LIRR Station & signaling power, SCWA well/pumping Station perhaps others. A close look at these community facility impacts is essential. (Comment Letter 4, Edward W. Moore, JR., PE)

**Response:**

Thank you for your comment. The comment is noted. The Proposed Action has included ongoing consultation and coordination with Village officials and departments, the Suffolk County Water Authority and Metropolitan Transportation Agency (MTA), GreenTek’s project representatives, among others, to ensure that the proposed development does not adversely impact any community facilities. The DGEIS documents many of the initial consultations with these municipalities and agencies and will continue as the Proposed Action advances.

4.8 **SOCIOECONOMICS**

**COMMENT 40**

With respect to Taxes and Economic Impact, let the developer pay his fair share of property taxes (typo corrected). If the Village would permit extremely dense housing on the GreenTek, his earnings will be maximized. (Comment Letter 5, Adam and Ann Yablonsky, April 18, 2018)

**Response:**

Thank you for your comment. GreenTek has had preliminary consultations with the Town of Babylon IDA, including a proposed 20-year PILOT (Payment In-Lieu of Taxes). The PILOT is essential to securing the necessary bank financing for a construction loan, ultimately providing for a feasible project. Including other payments to the Village (see DGEIS Appendix F: Petition to the Village of Amityville), in Year 1, the Village would receive approximately 2½ times the revenue from the GreenTek site as it would without the TO zoning. This would increase to a factor of
approximately 6 times the Village revenues in Year 20. The 2016-2017 Village taxes were $24,288, whereas GreenTek would provide $62,806 in Year 1.

GreenTek has provided a preliminary municipal revenue projection based on this 20-year PILOT, and is provided below:
### Municipal Revenue Projection

**GreenTek Living:**

<table>
<thead>
<tr>
<th>Current Taxes for property with physical address of:</th>
<th>Town</th>
<th>Village</th>
<th>Combined</th>
</tr>
</thead>
<tbody>
<tr>
<td>124 Greene Avenue SCTR# 0101 003.00 03.0 026.001</td>
<td>$44,829</td>
<td>$15,359</td>
<td>$60,188</td>
</tr>
<tr>
<td>235 County Line Road SCTR# 0101 003.00 03.0 026.002</td>
<td>$41,269</td>
<td>$8,088</td>
<td>$49,357</td>
</tr>
<tr>
<td></td>
<td>$85,898</td>
<td>$23,447</td>
<td>$109,345</td>
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</table>

<table>
<thead>
<tr>
<th>Numbers of Units</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Studios</td>
<td>38</td>
</tr>
<tr>
<td>1 Bdrm</td>
<td>65</td>
</tr>
<tr>
<td>2 Bdrm</td>
<td>12</td>
</tr>
<tr>
<td>Total</td>
<td>115</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th><em>Town Estimated Taxes to be Paid</em></th>
<th><em>Village Estimated Taxes to be Paid</em></th>
<th><em>GreenTek Guaranteed Yearly Contribution</em></th>
<th><em>Village Total Payments</em></th>
<th><em>Village Tax without GreenTek Project</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
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<td>$24,288</td>
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<tr>
<td>2</td>
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<td></td>
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<td>$26,811</td>
</tr>
<tr>
<td>7</td>
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<td>$35,383</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$590,135</td>
</tr>
</tbody>
</table>

*These numbers reflect annual escalation rate of 2% per year.

**Total Village Revenue Generated without Project:** $590,135

**Total Village Revenue Generated with Project:** $2,108,195
COMMENT 41

When I looked at Phase II, I had questions about the procedure, particularly about the real estate appraisal that Mr. Lynch did. It appears that he searched the ZIP code 11701. And he, in recognizing that, that encompassed the hamlet of North Amityville, Copiague, and the Village went on to compare values, rentals. I think that's incongruous. I mean, we are a very special village that is not – I just don’t understand how you can compare those home values or rentals. And I just feel that a more specific type of appraisal should be done than that, because it just doesn’t reflect our village. (Public Hearing Comment #2, Joan Donnison)

Response:

Thank you for your comment. The comment is noted. The real estate report examined a general trend in residential and rental market values over the past year (from the date of the report). According to the real estate expert, this was done to obtain a larger sample size based on Multiple Listing Service Zip Code data.

4.9  CONSTRUCTION IMPACTS

COMMENT 42

No final approval should be granted by the Inc. Village of Amityville until such time as the NYS Department of Environmental Conservation (DEC) and/or any other appropriate agency is satisfied with the removal plan for ACM, fluorescent light, thermometer components, etc.
(Comment Letter 16, Suffolk County Planning Commission, May 4, 2018)

Response:

The Village will require the applicant/petitioner to complete a Phase II Environmental Site Assessment (ESA) and will require that the applicant/petitioner ensure that any hazardous materials are removed in accordance with New York State Department of Environmental Conservation (DEC) and/or any other appropriate agency.

COMMENT 43

The buildings to be demolished have Photovoltaic (PV) Panels on the roof. Will the Clean Energy system be repurposed on another facility within the proposed TOD?

Why was the consultant, Laurel Environmental Associates, LTD deficient in not recognizing this as part of their survey? The ‘On-site:’ summary in Appendix E does not mention the PV system and should be considered deficient. (Comment Letter 4, Edward W. Moore, JR., PE)
Response:

Thank you for your comments. The PV panels will be repurposed for GreenTek's new office. The ‘On-site’ summary in Appendix E is a summary of the Phase I Environmental Site Assessment (ESA) performed at the site. Phase I ESAs are performed principally to identify potential or existing environmental contamination on a particular site. While the summary includes a brief description of various features on-site, such an assessment is not required to provide a complete catalog of every component/system found on the property. Further, as the existing PV system is operating in good condition, it is not a critical part of this assessment.

**COMMENT 44**

*Can the existing PV system be repurposed for another municipal building within the ‘Proposed’ TOD zone? (Comment Letter 4, Edward W. Moore, JR., PE)*

Response:

Thank you for your comment. The existing PV system will not be repurposed for another municipal building within the TO District. It is a privately-owned system located on privately-owned land.

**COMMENT 45**

*How will construction practices be supervised to ensure that ‘Construction Phase’ sustainable criteria are followed? Who will be the Supervisor, a Village of Amityville employee or other? (Comment Letter 4, Edward W. Moore, JR., PE)*

Response:

Thank you for your comment. The applicant for the GreenTek project has informed the Village that they are intending to use Zacaro Construction to supervise construction phase operations. All operations will be required to comply with Village Code, as well as the regulations outlined in the project’s Stormwater Pollution Prevention Plan (SWPPP). The Village of Amityville Building Department and Code Enforcement would ensure that all applicable regulations are followed.
APPENDIX A: DGEIS PUBLIC HEARING TRANSCRIPT
VILLAGE OF AMITYVILLE: STATE OF NEW YORK
BOARD OF TRUSTEES
-----------------------------------------
PUBLIC HEARING
DRAFT ENVIRONMENTAL IMPACT STATEMENT

IN RE:
APPLICATION OF GREENTEK LIVING, LLC

-----------------------------------------

Amityville Board Meeting Room
21 Ireland Place - 3rd Floor
Amityville, New York
April 9, 2018

MINUTES

BEFORE:
THE BOARD OF TRUSTEES

MAYOR DENNIS SIRY
DEPUTY MAYOR KEVIN SMITH
BRUCE KENNEDY, VILLAGE ATTORNEY
THOMAS WHALEN, TRUSTEE
NICK LALOTA, TRUSTEE
JESSICA BERNIUS, TRUSTEE
CATHERINE MURDOCK, CLERK/TREASURER
CLORISS BASKERVILLE, RECORDING SECRETARY
- Proceedings -

MAYOR SIRY: Now, we're going to open the public hearing. And the first public hearing will be about the Draft Environmental Impact Statement.

Can I get a motion to open the hearing?

KEVIN SMITH: Motion.

NICK LALOTA: Motion.

MAYOR SIRY: All in favor?

(Chorus of ayes)

MAYOR SIRY: All opposed?

(No response)

MAYOR SIRY: So carried.

Mr. Kennedy.

MR. KENNEDY: Thank you, Mayor. A couple of things, some procedural stuff here. Obviously, we've got a lot of things to talk about tonight, so the format is going to be as follows: It's going to be hearing now on the Draft Environmental Impact Statement.
representative from Cameron Engineering, who prepared this Impact Statement to give a brief synopsis of what is stated -- what is in the Environmental Impact Statement.

Then our own environmental consultant Tom Isles is here, and he may have some comments about it. Then, the Board may have some comments. And then finally, we'll open it up to the public.

This is all being taken down by a court reporter. There will be a transcript. We also have to hold this over for a period of time after the hearing tonight, for ten days, so written comments can be submitted after the hearing by anybody that wants to do so. And then after all of that is done, then the Draft Environmental Impact Statement will be revised to reflect the comments that are made tonight. And a final
Impact Statement will be submitted to the Board for its decision as to whether or not to accept it.

So that's the procedure as far as the Environmental Impact Statement is concerned. So, I'd like to start this off with a representative from Cameron Engineering.

DAVID TEPPER: I don't want to block the Board's view. If you'd like me to move it somewhere else. I just figured it would be easier for the public to see it.

So, good evening, my name is David Tepper (ph) and I'm with Cameron Engineering. I'm a certified planner with the American Institute of Certified Planners. And pursuant to New York State Law, the State Environmental Quality Review Act, or SEQRA, the establishment of the new zoning district requires a thorough
In this case a draft generic Environmental Impact Statement has been prepared. A DGIS provides the most comprehensive scope of environmental analysis under SEQRA.

I've noted several types of actions and each requires a different level of environmental analysis. And ultimately the Environmental Impact Statement represents the most thorough and in-depth look at these potential impacts associated with the projects.

So overall the proposed action, which we're introducing tonight includes the establishment of the transit oriented zoning district, as well as the development of the GreenTek site, with multi-family housing. And that's shown here on the map. I'll explain in a second.

The results of our overall,
just a quick summary of our results, it is not anticipated to cause any significant or long-term impacts on the environment.

In fact, our analysis revealed several positive benefits that may come about from the project. And as I said, just to clarify the district, as proposed, the transit oriented zoning district would provide for the potential for two properties to be eligible for re-zoning from industrial to transit oriented.

One of those properties, which you see highlighted in green is the GreenTek site. And the other is an existing self-storage site, which you see is bounded by Sterling Place and the railroad tracks.

It is important to note that the self-storage facility was included in our analysis, strictly for that purpose, for the purpose of
the analysis. It's not to say that there's a development proposed there at this time. It's simply, you know, part of our duty in looking at every potential impact, to look at any potential property that could be developed under this new zoning, you know, whether encumbered by, you know, the existing development or any other existing regulations. In this case, the self-storage facility is receiving -- it's actually under an IDA agreement 3:2026. So again, it's just included for analysis purposes to see what the cumulative effect of this type of development would be.

So our DGIS included several topics. Principally, we focused on land use and community character, community services, which include fire, police and schools, traffic and parking impacts, infrastructure and utilities, which includes water,
sewer, power, your standard utilities. Water resources, which includes groundwater and storm water impacts. Visual impacts, which is pretty self explanatory, what the aesthetic impacts will be associated with development. Taxes and economic impact. And then finally, construction impact.

And as I pointed out before, while we found that there's no long-term significant adverse impact, as with any construction project, they are short-term environmental impacts, which could include soil erosion, noise, traffic, disruption and dust. And, obviously, throughout the development of this project, each of those items will be addressed either through mitigation measures, through coordination of the project, through timing and design of the overall construction
- Proceedings -

I just wanted to highlight a few of the, you know, the actual Draft Environmental Impact Statement is available on the Village website, as well as the Village library, and several other locations. Rather than provide a summary of every, you know, piece that we've looked at, I thought I would highlight a few of the most significant changes and the changes that would most likely be felt by Village residents.

First being land use and community character. Obviously, the change from the industrial, active industrial site, to a multi-family residential site. Introduce some changes to the land use. Obviously, when a change like that occurs, one of the first questions is, well, how will this effect the local neighborhood, which includes property values, you know, overall
feel of the neighborhood. And to this end we engage a local real estate appraiser who, you know, looked at the proposal, looked at the surrounding areas, and concluded that it was compatible with the existing land use layout, that there would be no negative effects associated with the -- associated with -- on property values associated with the proposed development.

And based on similar developments, Long Island transit oriented developments that have been built in recent years, it's likely to have a positive impact on nearby properties.

We also took a very hard look at traffic and parking. That's probably the most robust section of our Impact Statement. We know that that's a principal concern to village residents and, you know,
wanted to put right out there.

Overall traffic trips will decrease rather significantly from this, from the proposed action. Both a.m. and p.m. peak trips would decrease by roughly 50 trips per period. But perhaps more significantly truck trips, which are associated with active industrial sites estimated at about 50 to 55 per day would be completely eliminated with the proposed action. And we think that that's -- that's, obviously, you know, felt right away by the Village residents.

And lastly, due to the project's, you know, the GreenTek site right off County Line Road, this location serves as an important gateway to the Village, you know, both for people arriving by train as well as arriving from the west with your car -- by car. And, you know, we'll -- we have a much more
detailed explanation from our architect and our site engineer, who is going walk through each component of the project. But we really feel that this visual transformation is a positive impact on the community. And we're essentially changing a, you know, rather active and potentially noxious use, which includes, you know, noise and the additional traffic associated with this industrial use into, you know, a much less intense use that takes advantage of the nearby train station. And seems to fit with -- much more with the residential character of the Village.

So, that's, you know, the main points of our analysis there.

Again, I realize this is a lot of information to cram into a very short presentation tonight. I want to stress that the DGIS is available for your review and
comments through the Village website. And I recommend taking a look at it. Thank you.

BRUCE KENNEDY: All right. Thank you. All right. Mr. Isles, do you have any comments that you would like to make relative to this?

TOM ISLES: Yes, just a very few brief comments. My name is Tom Isles, I'm with TAI Consulting, LLC. Good evening to members of the Board, and the public present tonight.

I've been asked by the Village to assist with the environmental review of this project. And the Board did so with assuming of lead agency status back in September of last year. That began this formal process that was described Mr. Tepper a few moments ago, that the Board did issue a positive declaration on this application, which is the highest
- Proceedings -

level, in terms of environmental review. So with option of going for environmental assessment, a long form, but I think that was an appropriate decision of the Board to go to the more complete requirements and documents.

So we are working through that process right now. The Board, in January, did receive the draft Impact Statement from the Applicant's representatives. That was reviewed by the Board. I provided comments, as well. And that document was accepted subsequently with revisions in February. That started the clock then for the public comment period, which began on February 16th, mid February. And so we're into this process right now, because it's important, obviously.

So a hearing itself isn't even required under SEQRA. The
- Proceedings -

Board chose to conduct the hearing, and, obviously, it's logical in view of the other hearings you're holding in a short period of time associated with this application.

The Board issued its notice of completion of the Impact Statement, and every single of these steps that the Board has taken has been done with notice to all the appropriate agencies. So there are agencies at the state level, including Environmental Conservation, the county level health department, public works, the County Planning Commission and forth. The town level, the Town of Babylon, the Town of Oyster Bay must be notified to give an opportunity to comment. And, of course, at the village level, as well as village officials, the police, the fire departments, and the public and the Village parking, the Amityville
School District.

So this is a transparent process that's intended to help the Board in analyzing the decisions that are before you, which relate to changing the zoning code, to propose the district that's been contemplated here.

And then secondly, to apply an amendment to the building zone map to what's known as the GreenTek property. So certainly not to belabor the point tonight, because we have many people that want to speak, who can add important comments to this. Just the bottom line, I'd just like to point out, as Mr. Temper has indicated, the draft Impact Statement is available both at the Clerk's Office, the public library in hard copy, as well as electronically.

But the hearing, the purpose is here, so this is not a done plan,
that's put there and everybody has
to say whether they like it or not
necessarily. It's to help in the
process in a constructive fashion.
That's how I view the environmental
impact process, to help see did this
hit the issues correctly? Are there
any gaps that need to be addressed,
any corrections, any further
elaboration that might help, any
ideas and suggestions.

That's the spirit in terms of
how the process SEQRA processes view
this. And as Mr. Kennedy has
indicated that this goes along a
process, the record stays open for
at least ten days. Then we go into
the final Impact Statement, where
the Board has to then review your
responses to the comments -- to the
comments from agencies, County
Planning Commission, and so forth.
And then ultimately the issue of
findings, that concludes the SEQRA
- Proceedings -

process. And it enables the Board to move on with the zoning matter that's before you, and the map change.

So I'm here tonight to assist in any manner that I can, in addressing any questions.

And I will be definitely taking notes, and I would like a copy of the transcript when it's done, as well. Thank you.

BRUCE KENNEDY: Just for the audience, generally, Tom has been a tremendous help. This is a complicated process, and the Board wanted to make sure that this was done in the proper way. And he's been instrumental in this in guiding us through this procedure, and I personally want to thank you, Tom, for all of your assistance.

TOM ISLES: You're welcome.

MAYOR SIRY: Anybody from the Board like to make any comments?
THOMAS WHALEN: Can I ask Mr. Isles a question?

MAYOR SIRY: Sure.

THOMAS WHALEN: Just one question: Is there any big differences that you see between their opinion and your opinion?

TOM ISLES: In terms of the Environmental Impact Statement, and what they submitted, I had at least 50 comments on their first draft. So I did have questions, things I felt that were not sufficient, that should be expanded upon. Things that I thought were -- a couple of things that were just simple mistakes, like, typos and so forth. I am not a God. You know, here again, I deal with it in terms of my experience in a being a planner for many, many years now. But, you know, based on the report that was submitted, here again it was not acceptable, from my
perspective as a professional planner position to revise a document that reflected and addressed the comments that I had raised, that they do more work on, provide more information on. And as I said, this is a continuing process. I'm sure we'll hear more information tonight that will further help us fine tune it. And we're also going to hear from the agencies, the Health Department and so forth. This is all to help you ultimately make the best decision in your minds, for the application. But in terms of my review, that's my reaction to it.

THOMAS WHALEN: Thank you.

MAYOR SIRY: Anybody else want to make a comment, anybody on the Board?

NICK LALOTA: I'm sorry, so what's the procedure; what happens next, is there a representative who
is going to come up or is this for the public?

NICK LALOTA: Mr. Isles, would you mind taking the podium again. And for those of whom don't understand or haven't been told this, Mr. Isles works for the Village. We retained him about a year, maybe 18 months ago, for the purpose of advising the Village on the step by step about this process. There are, obviously, the Applicant has his own team around him, but Mr. Isles works for us, and is reimbursed thankfully by the Applicant, but he's available to the Board, so that we can make the best decision possible. We've leaned on him over the last year and a half. I want to echo what Bruce said about thanking you for the work you've done for us so far.

Are you prepared to take the audience, and the Board through some
- Proceedings -

of the elements of the SEQRA with respect to the traffic analysis, the school-aged children impact, the desired or possible impact on the downtown? Are you able to speak for a few minutes on variables like that, and what this study resulted in, so that we can make a good decision?

TOM ISLES: The Applicant here presented, at least I guess the highlight of that --

NICK LALOTA: I have no idea what's on the other side of that board, so maybe --

TOM ISLES: Yeah, this is basically an aerial photograph map that indicates actually, the portion of the Village of Amityville along the railroad tracks, the train station, West Oak Street. And it shows the -- an attached white line, the proposed boundary of the transit-oriented district, number
And number two, it shows in green and this orange color, if I'm seeing that correctly, the two sites that could potentially be eligible. One important point with the transit-oriented district is that it is considered a floating zone district, in that this district not be applied, and I'll refer to the Village attorney if I misspeak on any of this, would not apply automatically. It would be subject to individual parcels coming into the Board and requesting specific approval.

So what we see here attached are -- would be those areas that are zoned industrial, that would eligible for an application to the Board.

The red dotted lines indicate the outside parameter, the general area within which the TL district
would be located. And that's the map that's there.

In a terms of your request --

NICK LALOTA: Do you mind if I chime in on that real quick?

TOM ISLES: Sure.

NICK LALOTA: Because my understanding is there's three characteristics that go into eligible properties.

  One, that it has to be industrial. Two, that it has to be a certain acreage. And three, it has to be a certain proximity to the platform at the Long Island Railroad station.

  If that's the case, can you bring the Board and the public up to speed as to what some of those variables are?

TOM ISLES: Yes, I can.

Okay, the --

BRUCE KENNEDY: Okay. The Village Attorney wants to hold off
on those sort of questions until the next part of the presentation, which I'm okay with.

TOM ISLES: Okay.

BRUCE KENNEDY: Thank you, Tom.

MAYOR SIRY: Anybody in the audience wish to make any comments on this? You know what, because it is a long night you will be held to three minutes for your comments, if you can keep it as short as possible, precise as possible.

When you come up state your name, your address. And again, you will be entitled to three minutes to speak.

EDWARD WILLIAM MOORE, JR.: Edward --

THE REPORTER: I'm sorry, what's your name?

EDWARD WILLIAM MOORE, JR.: Edward William Moore, Jr., PE, 79 Wood Avenue, Amityville New York
THE REPORTER: Thank you.

EDWARD WILLIAM MOORE, JR.:

I've worked with Cameron Engineering before. They do really good work. Thank you.

Two, I've dealt with the SEQRA process before in the Village, as it relates to somebody that wanted to put in an incinerator here and Mr. Goser (ph) from the election, reminded me of that, when I saw him at the movies. And it was done right and it worked. So the process works, as I understand it.

I think the common period for the hearing, right, this is for the draft of the Environmental Impact Statement only, correct?

BRUCE KENNEDY: Right.

EDWARD WILLIAM MOORE, JR.: So all the commentary here in my three minutes is for the draft environmental statement impact only,
- Proceedings -
correct?

MAYOR SIRY: You're right.

EDWARD WILLIAM MOORE, JR.: I want to make sure to follow the procedure process, which I'm not sure too many people here are familiar with.

NICK LALOTA: That's where I screwed up.

EDWARD WILLIAM MOORE, JR.: Oh, really. So anyway, I will look at the document online, if it is online, but I'll get it at the library, if I need to. I just want everyone to be aware that the parcels we're talking about, the area we're talking about includes the wells for our community, Suffolk County Water Authority wells adjacent to the firehouse and railroad station.

And I also want you to be aware that one of the sites in the area, I don't know the boundaries,
- Proceedings -

is the former site of what was Amityville Electric, and was a founding father of the current public utility.

So I just want to make sure that any draft environmental impact to do what I think is proper in the Village, but a great train zoning process, and you can look back at the record, I said the train station is going to save this community. You can look back at the record. That if it's done right, and that if we look at everything that could impact the environment of our community, and you all know that I'm very sensitive to environmental issues, because we're a clean energy community. And we want to do it right the first time, so that it is right for our community. That's it.

Well, how do we submit comments? Maybe one of the consultants could advise on that.
- Proceedings -

And when is the end of the comment period, because I didn't know it started in February?

MAYOR SIRY: Ten days after this meeting. And you can send e-mails to catherinemurdoch@Amityville -- Cmurdock@Amityville.com, any comments.

EDWARD WILLIAM MOORE, JR.: So they are being handled by the Clerk/Treasurer as the lead agency, is that what's going on here?

MAYOR SIRY: The Village is the lead agency.

EDWARD WILLIAM MOORE, JR.: So it's being handled by a special person or the clerk?

MAYOR SIRY: Well, the clerk will be receiving the e-mails and she'll distribute them to Board.

EDWARD WILLIAM MOORE, JR.: I didn't know if the consultant was handling it or not.
MAYOR SIRY: Well, and he'll eventually get that. He'll be in touch with Catherine. They will be working together closely.

TOM ISLES: All comments -- any comments any anyone has should go to the Village Clerk, Catherine Murdock. She is the official contact on behalf of the Board. They should not come to me, they should go to Catherine Murdock. The comments can be submitted electronically, as the Mayor has indicated by E-mail, or they can be submitted by handwritten letter, submitted to the Village Clerk.

The deadline if the Board closes the hearing tonight, would be April 19th, at the end of that day would be the end of the comment period.

EDWARD WILLIAM MOORE, JR.: And you mentioned a number of agencies when you did your
- Proceedings -

presentation, excuse me if I'm
approaching on my three minutes, but
when were they notified, like the
Town of Oyster Bay and other
agencies in the area, the Suffolk
County Water, Long Island Railroad?

TOM ISLES: The agencies were
notified with this action beginning
in August, when it started in terms
of determining lead agency. They
were then notified in early October
when the Board determined in late
September that they issued a
positive declaration as to the lead
agency status.

The Agencies, State, County
Town, Village were then notified
again in February, late February
when the Draft Environmental Impact
Statement was circulated to them.
So they've been notified in every
step along the way. They have until
April 19th, as well, to submit
comments.
- Proceedings -

EDWARD WILLIAM MOORE, JR.:

Thank you. That was a pretty good answer. I really appreciate that. So I intend to make my comments before the 19th, and review the documents, which we all have in front of us. And thank you for listening to me.

MAYOR SIRY: Thank you.

Anybody else? Next.

JOAN DONNISON: Good evening, Joan Donnison, President of the Bay Village Civic Association, my address is 150 South Ketcham Avenue, in Amityville.

I know that the environmental statement was on the Village website when it was originally scheduled to be heard March 26th. It's not as apparent now, but if you go to the search box, which I did, I would then put in Draft Environmental Statement, it pops up and you see Phase I and Phase II.
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When I looked at Phase II, I had questions about the procedure, particularly about the real estate appraisal that Mr. Lynch did. It appears that he searched the ZIP code 11701. And he, in recognizing that, that encompassed the hamlet of North Amityville, Copiague, and the Village went on to compare values, rentals. I think that's incongruous. I mean, we are a very special village that is not -- I just don't understand how you can compare those home values or rentals. And I just feel that a more specific type of appraisal should be done than that, because it just doesn't reflect our village. So that's just was one comment.

The other thing was, at some point I thought this was going to be, I know LandTek or GreenTek is going to make the presentation for what they are proposing, but I
- Proceedings -

thought we were going to have
something in Village Hall with
boards showing what was proposed and
how it might be amended or is all of
that going to happen within the next
two weeks?

MAYOR SIRY: Did we do a
presentation with them already?

NICK LALOTA: I think that,
that was surrounding the Downtown
Revitalization and the overall map
of the developer concept. I don't
know if that idea was introduced for
this specific concept.

I will say that as far as
their transparency of the community
involvement perspective goes, there
was a thought to have this project
come before the Zoning and Planning
Board, but not the Board of
Trustees, and not get this full
public input. Not get the Trustees
to vote on it, but a conscious
decision was made by all of the
- Proceedings -

Trustees, the last administration and this one to chose this route instead, so that we could get your public input.

If we did it in the traditional route that some of these projects go, and just punted through the Zoning and Planning Board, I don't think you would see the same community involvement, nor would you be able to hold Trustees accountable for the decisions we make on this application.

JOAN DONNISON: Thank you for clarifying that. There have been a lot of development proposals being discussed. And in some ways they're starting to melt together, which is causes a lot of concern to me.

But again, in going back to the GreenTek presentation, assuming whatever occurred here is then presented again, I'm assuming at the next Board of Trustees' meeting, is
that when --

BRUCE KENNEDY: No.

JOAN DONNISON: When the ten-day period is up what happens?

BRUCE KENNEDY: There's going to be a long time before there's going to actually be a vote on the rezoning application. We have to finish the whole environmental review process before a vote could be taken either on the local law to create the zoning district or on the application to rezone this specific property. So, obviously, it's going to be, I'm guessing, and Tom, if you can correct me, it's going to be at least a month, I would think or more before we get to the point where we can finalize the environmental portion of this. Then that has to be voted on. And then after that the vote can place on the rezoning.

JOAN DONNISON: Okay. I feel like I can take a little bit of a
- Proceedings -

deep breath. However, when
GreenTek's proposal comes -- they're
still coming before the Board,
they're coming tonight and they're
going to come back again, before the
Board or not?

BRUCE KENNEDY: Not
necessarily, no.

JOAN DONNISON: They will
then go to the Planning Board, when
they're ready?

NICK LALOTA: I'd actually
like to speak to that. I think that
was a request from the public to be
able to query the Applicant. I
think that we would support it. And
the Applicant would want to be able
to discuss the value of his project
with you, so... I know as a Board
member I would commit to asking the
Applicant to not only tonight
present themselves, but make
themselves available to not only
Board member's inquiries, but
members of the community, as well. It may not be an official part of the process right now, but we can add it to the process.

THOMAS WHALEN: I think that's why they are all here.

NICK LALOTA: Right.

JOAN DONNISON: I understand. I've been at most of the meetings including work sessions, and I know that they have presented some variations of the plan. So my question is, though: When does the public get the say in -- the building is close to the sidewalk. When does the public, assuming this is going to be done, get the time to say, can you move that back a little bit? Can we get a bigger buffer? Is that happening at a Board of Trustees meeting or is it a Planning Board meeting?

MAYOR SIRY: We're going to have a public hearing. That's going
- Proceedings -
to be the third public hearing here
tonight, regarding their
application, so you'll be able to
speak on that tonight. So once we
get past --

JOAN DONNISON: Thank you.
MAYOR SIRY: -- you can make
comments on that tonight.

JOAN DONNISON: Okay.
MAYOR SIRY: They'll be
presenting their application. We're
going to be hearing the
environmental review, the rezoning
of the district. And then we're
going to hear the GreenTek
application tonight.

JOAN DONNISON: Okay.
MAYOR SIRY: And we'll be
able to comment on that.

So any further comments,
we'll work out a way to get more
further public input into it.

JOAN DONNISON: Okay. Thank
you.
- Proceedings -

MAYOR SIRY:  Anybody else?
Any other comments from the
Board?  Okay.  Can I get a motion to
close the hearing and reserve
decision.

NICK LALOTA:  Motion to close
the hearing and reserve decision.
Thank you.

MAYOR SIRY:  All in favor?
(Chorus of ayes)

MAYOR SIRY:  All opposed?
(No response)

MAYOR SIRY:  So carried.
Now, I'd like to make a
motion to open up the hearing, the
public hearing for a local law to
establish a transit-oriented zoning
district.  This is for Introductory

NICK LALOTA:  Motion.

THOMAS WHALEN:  Second.

MAYOR SIRY:  All in favor?
(Chorus of ayes)

MAYOR SIRY:  All opposed?
APPENDIX B: COMMENT LETTERS AND DGEIS PUBLIC HEARING COMMENTS

COMMENT LETTERS

<table>
<thead>
<tr>
<th>Comment Letter #</th>
<th>Date</th>
<th>Author</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>04/24/2018</td>
<td>Jill Yarmosh</td>
</tr>
<tr>
<td>2</td>
<td>04/19/2018</td>
<td>Jill Yarmosh</td>
</tr>
<tr>
<td>3</td>
<td>04/19/2018</td>
<td>Kathleen Ward</td>
</tr>
<tr>
<td>4</td>
<td>04/19/2018</td>
<td>Edward W. Moore, Jr., PE</td>
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<tr>
<td>5</td>
<td>04/18/2018</td>
<td>Adam and Ann Yablonsky</td>
</tr>
<tr>
<td>6</td>
<td>N/A</td>
<td>N/A (Titled: ‘Complaint Land-Tek Proposal’)</td>
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<tr>
<td>7</td>
<td>04/13/2018</td>
<td>Lissette Der Irizarry</td>
</tr>
<tr>
<td>8</td>
<td>04/11/2018</td>
<td>Jill Yarmosh</td>
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<td>9</td>
<td>04/10/2018</td>
<td>Jill Yarmosh</td>
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<td>Jill Yarmosh</td>
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<td>14</td>
<td>04/08/2018</td>
<td>Kathy Sagona</td>
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<tr>
<td>15</td>
<td>04/07/2018</td>
<td>Jill Yarmosh</td>
</tr>
<tr>
<td>16</td>
<td>05/04/2018</td>
<td>Suffolk County Planning Commission</td>
</tr>
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</table>

Comment Letters are annotated with a corresponding Comment Letter Number.

DGEIS PUBLIC HEARING COMMENTS (April 9, 2018)

<table>
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<tr>
<th>Comment Number</th>
<th>Name</th>
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<tbody>
<tr>
<td>Public Hearing Comment 1</td>
<td>Edward W. Moore, Jr., PE</td>
</tr>
<tr>
<td>Public Hearing Comment 2</td>
<td>Joan Donnison</td>
</tr>
</tbody>
</table>
Dear Mayor and Board,
So I hope that hearing the alarmed and confused statements at the Bd Mtg last night will reinforce my assertion that our entire neighborhood has been left out of the proceedings in determining whether we want to alter the character of the neighborhood with our own Lefrak City looming up to 4 stories and jammed with young people who will turn our very quiet evenings into an all-night singles cruise with cars and noise and disconnectedness.

It is also a great puzzlement to us just why you would promote the idea of 48 acres being involved in the zone. Can you imagine years down the line having someone concoct a scenario where other developers feel entitled to build big commercial, overcrowded apartment buildings wherever they can parcel the required acreage together in such a Zone as you propose? “Oh, well, that TOD Zone was created by a previous administration so there’s nothing we can do about it!”

We are a quiet, little, out of the main routes Village. That’s what keeps the family-oriented hometown feel. Let’s protect it. It is a natural habitat for families.

Thanks for all your work, but don’t forget to care about the little people!

Best regards, Jill Yarmosh. 631-691-8435

Sent from AOL Mobile Mail
Comment Letter 2

Catherine Murdock

From: Jill Yarmosh <angel999958@aol.com>
Sent: Thursday, April 19, 2018 11:49 PM
To: Angel999958@aol.com
Cc: Mayor; tmwhalen16@gmail.com; pimbert@americanprofessional.com; ACJNEWS@RCN.COM; Catherine Murdock
Subject: Site Plan for LandTek Space
Attachments: 20170817095308738.pdf

This cartoon was sent to me in Aug after speaking with Mike Ryan. At that time he said there would be setbacks and green space and lots of parking. I wanted information on the actual, proposed building such as soundproofing between apartments, but he only had the cartoons of the exteriors with no actual blueprint spec for interiors. Jill

From: Anne Catalano <acatalano@LandtekGroup.com>
To: angel999958 <angel999958@aol.com>
Sent: Thu, Aug 17, 2017 10:03 AM
Subject: Site Plan for LandTek Space

Jill

As per your conversation with Mike Ryan, attached is the site drawings for the LandTek property.

Anne Catalano
Executive Assistant
The LandTek Group, Inc.
235 County Line Road
Amityville, NY 11701
Phone: 631-691-2381
Fax: 631-598-8280
Email: acatalano@landtekgroup.com
Catherine Murdock

From: Kathleen Ward <katward@verizon.net>
Sent: Thursday, April 19, 2018 9:31 AM
To: Catherine Murdock
Subject: TOD Comments

Catherine:

Two comments. First, concerned in general about the amount of rentals that are being offered in the village both from this project as well as Fairfield, etc., and how that impacts the overall quality of life in the village. Second, I am not sure I understand why the "zone" includes the area from Sterling to Oak etc. - seems larger than required.

Finally, I am unable to access any of the documents on the website.

Thank You

Kathy Ward
Ms. Murdoch

Please see the attached additional comment documents.

Comments on the Draft Generic Environmental Impact Statement for

Proposed TO District & Green Tek Living, LLC

Transit Oriented Development

ENERGY

The ‘Draft’ Generic report is deficient in that it does not address the needs of our Clean Energy Community goals. I have the following questions pertaining to that:

- The buildings to be demolished have Photovoltaic (PV) Panels on the roof. Will the Clean Energy system be repurposed on another facility within the proposed TOD?
- Why was the consultant, Laurel Environmental Associates, LTD deficient in not recognizing this as part of their survey? The ‘On-site:’ summary in Appendix E does not mention the PV system and should be considered deficient.
- Can the existing PV system be repurposed for another municipal building within the ‘Proposed’ TOD zone?
- Does the proposed development and new TOD zone specify ‘Renewable Energy’ items called out in the Village Code under Chapter 135?
- Were the study engineers aware of our ‘Clean Energy Community’ designation with New York State?
- Did the existing PV system receive Federal, State or Utility subsidies as part of the installation of the system?
- Does Land Tek own the existing PV system on the roof or is it owned by a Third Party energy supplier? If so, what was the length of the contract associated with the installation of the system by the Third Party?

SUSTAINABILITY:

The proposed development is slated to have certain sustainability objectives as outlined. Will the project pursue an industry accepted rating such as the USGBC ‘LEED’ rating or the Green Globes certification criteria?
• The other proposed Industrial Property, presently a self-storage facility, originally sought LEED Certification under the USGBC LEED rating system. Was that certification ever obtained?
• Was the purpose of the potential LEED certification on the Self-Storage facility related to the initial IDA funding for that project?
• Will the new 'TOD Zone' have established Sustainability criteria?
  o Criteria such as Water Usage/Conservation goals outlined in the United Plumbing Code (UPC)
  o Will Alternative Fueled Vehicle charging stations be mandated per # of parking spaces?
  o Will the new building be sub-metered for tracking of energy consumption?
• How will construction practices be supervised to ensure that 'Construction Phase' sustainable criteria are followed? Who will be the Supervisor, a Village of Amityville employee or other?

COMMUNITY:

The proposed development has immense community impact and I believe this project serves to improve it in a positive accelerated manner. That being said, there are a significant number of municipal facilities in the proposed TOD zone, namely the Oak Street Firehouse, VOA DPW property, Amityville Library, LIRR Parking grounds, MTA-LIRR Station & signaling power, SCWA well/pumping Station perhaps others. A close look at these community facility impacts is essential. I submit the following questions for consideration:

• The VOA owns a recharge basin area adjacent to the DPW building and the LIRR parking grounds. Has a drainage assessment in this resiliency area been conducted?
• Will lighting standards, as outlined in the Illuminating Engineering Society handbook/IESNA handbook, be applied across the new TOD zone?
• Has the local electric utility, LIPA, been contacted about the ability for present overhead distribution to handle the municipality facilities with the addition of the estimated residency levels stated in the project? Does LIPA need more time to properly assess the local radial network supply for the proposed TOD Zone?
• Will the former Amityville Power & Light building be come a designated 'Landmark' or become an extension of the existing 'Historic District' zone?
• How does the proposal handle 'Pedestrian Right-Of-Way' access to the proposed industrial properties and to all boundary streets of the proposed TOD Zone? What is the planned square-footage of 'Pedestrian ROW' area in the newly proposed TOD Zone?
• Are there any provisions for Crosswalk improvement on roads directly adjacent to the newly proposed 'TOD Zone'?

Thank you for the opportunity to submit my comments for this exciting project process. I look forward to all related responses to the above questions and comments.

Edward W. Moore PE
79 Wood Avenue
Amityville, NY 11701
In accordance with your responsibilities as the Lead Agency representative of the State Environmental Quality Review (SEQR) I submit the following for record. I have other comments to be contained in a first revision. Please advise of the comment cut-off time for today, also keep in mind that the VOA was closed on one day during the submission period for the review......

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- Does Land Tek own the existing PV system on the roof or is it owned by a Third Party energy supplier? If so, what was the length of the contract associated with the installation of the system by the Third Party?
SUSTAINABILITY:

The proposed development is slated to have certain sustainability objectives as outlined. Will the project pursue an industry accepted rating such as the USGBC 'LEED' rating or the Green Globes certification criteria?

- The other proposed Industrial Property, presently a self-storage facility, originally sought LEED Certification under the USGBC LEED rating system. Was that certification ever obtained?
- Was the purpose of the potential LEED certification on the Self-Storage facility related to the initial IDA funding for that project?
- Will the new 'TOD Zone' have established Sustainability criteria?
  - Criteria such as Water Usage/Conservation goals outlined in the United Plumbing Code (UPC)
  - Will Alternative Fueled Vehicle charging stations be mandated per # of parking spaces?
  - Will the new Building be sub-metered for tracking of energy consumption?
- How will construction practices be supervised to ensure that 'Construction Phase' sustainable criteria are followed? Who will be the Supervisor, a Village of Amityville employee or other?
Comment Letter 5

Catherine Murdock

From: adam yablonsky <ayablonsky@optonline.net>
Sent: Wednesday, April 18, 2018 11:34 PM
To: Catherine Murdock
Subject: GEIS - Proposed Transit Oriented District and Greentek Development

Ms. Murdock,

Thank you for the opportunity to provide comments to the Village of Amityville's Board of Trustees with respect to the proposed Transit Oriented District and the associated GreenTek Living, LLC Transit Oriented Development.

We have read the Generic Environmental Impact Statement and attended the 3 public hearings related to the held on April 9, 2018. While we see much merit in the proposed GreenTek development, there are several items related to the various proposals and the overall "process" with which we are very concerned.

- As 30 year homeowners of Willis Avenue, we are located within the heart of the proposed TOD, yet we received no formal notice of the hearings, which were scheduled for March and then re-scheduled for April 9th. As homeowners to be directly impacted by the TOD proposal, we and our neighbors should have received direct mailings from the Village with the proposed date of the hearings. Were it not for a couple of newspaper articles, we would have been in the dark about the hearings. Was there ever a "Public Notice" published for the re-scheduled hearings? I think not. What about signs? Was there no need for GreenTek to post "Notice of Public Hearing" signs? The bottom line is that it appears as if the Village did not adhere to the proper public notice process and, by doing so, left many people in the dark.

- With respect to the TOD, if there are ONLY 2 properties that could potentially be re-zoned within the TOD, why create a district? Why couldn't the Village act on the GreenTek proposal without acting on the TOD? Our concern with the district is that owners of properties not currently "qualified" for re-zoning can approach the Village at a later date and seek variances that would then enable the owner to build out these properties to the maximum permitted under the new codes. For instance, what would stop a developer from purchasing several residential properties, meet the proposed 1.5 acre minimum, and then seek variances from the Village? What about industrially-zoned properties in the TOD that don't quite meet the 1.5 acre minimum? What would stop them from approaching the Village for a variance to build out their properties? Again, we see no need for a TOD when there are ONLY 2 properties meeting the current standards for potential rezoning.

- As many speakers at the public hearing noted, there does not appear to be enough parking propose for GreenTek. While, no doubt, residents will rely a great deal on the LIRR for daily commutes and off hours trips into NYC, the fact remains that much of what we depend upon on Long Island, requires an automobile. For instance, there is no supermarket anywhere within walking distance to the development. The same holds true for many recreational and cultural resources. As such, the developer should consider adding more parking spaces, so as not to impact the surrounding community. Additionally, is there any provision for visitor parking?
- With respect to Taxes and Economic Impact, let the developer pay his fair share of property taxes. If the Village would permit extremely dense housing on the GreenTek property, his earnings will be maximized. Let his property tax bill be maximized, as well - like his neighbors.

- We understand the desire to maximize density on the GreenTek property, however, we feel the requested 48 units per acres is excessive. No additional incentives or bonuses should be granted. 35 units per acre is sufficient and is nearly 3 times the current allowed density. GreenTek proposes to fund a walkway under the LIRR to connect the train station with Broadway, but we were led to believe the Village already procured a grant to pay for this.

Again, we appreciate the opportunity to comment of the proposed actions.
We ask that the Village deal with the proposed GreenTek development without creating the TOD. A TOD would only bring more uncertainty to local residents and open the door to future "over development" in the area.

Thank you.

Adam and Ann Yablonsky
1 Willis Avenue, Amityville
April __, 2018

The undersigned are in opposition to the Proposed Multi-Family Transit-Oriented development proposal by Amityville Board of Trustees. Some of our concerns listed on page 2.

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<th>Name</th>
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<tr>
<td>1. Joe Szabo</td>
<td>45 Willis Ave. Amityville</td>
<td>Joe Szabo</td>
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<tr>
<td>2. Nancy Szabo</td>
<td>46 Willis Ave. Amityville, NY</td>
<td>Nancy Szabo</td>
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<tr>
<td>4. Jane Mc Dermott</td>
<td>101 Sterling Place</td>
<td>Jane Mc Dermott</td>
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<td>5. Michael Mc Dermott</td>
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<td>7. Tom D'Ambro</td>
<td>127 Sterling Pl.</td>
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<td>8. Nicholas D'Ambro</td>
<td>127 Sterling Pl.</td>
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<td>11. Mary Keeler</td>
<td>472 Waverly Ave.</td>
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<td>12. Rosemary Feeny</td>
<td>45 Willis Ave.</td>
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<td>13. David Balduzzi</td>
<td>43 Willis Ave.</td>
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<tr>
<td>1. Patricia Stone</td>
<td>6 Willis Ave.</td>
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<td>2. Shawn Sisson</td>
<td>68 BUCCI Ave.</td>
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<td>4. Anna Sici</td>
<td>57 Willis Ave.</td>
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<td>5. Nancy Szabo</td>
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<td>6. Sandra Bacyk</td>
<td>32 Willis St.</td>
<td>Sandra Bacyk</td>
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<td>7. William Winter</td>
<td>90 Skohe Rd.</td>
<td>William Winter</td>
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<td>9. Tara Baluga</td>
<td>43 Willis Ave.</td>
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<td>13. Mary Brown</td>
<td>174 Sterling Pl.</td>
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<td>5. Eduardo Antonio</td>
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<td>6. Lena Gonzalez</td>
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<td>7. Willie Bollente</td>
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<td>8. Donna Malone</td>
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<td>9. Jean A. Adams</td>
<td>6 Willis Ave</td>
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<td>10. Gina Damico</td>
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<td>47 Willis Ave</td>
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<td>Lester Senk</td>
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<td>Patrick Senk</td>
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<td>GMDYS Kolbeek</td>
<td>4 Willow St</td>
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<td>CHRISTOPHER NAGY</td>
<td>14 William St</td>
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<td>Charles Smith</td>
<td>14 Willemast</td>
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<tr>
<td>Diane Gares</td>
<td>47 Willis Pk</td>
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Subject: COMPLAINT LAND-TEK PROPOSAL

THE UNDERSIGNED RESIDENTS OF THE VILLAGE OF AMITYVILLE HAVE REVIEWED THE PROPOSED MULTI-FAMILY, TRANSIT-ORIENTED DEVELOPMENT PROPOSAL BY MICHAEL RYAN OF THE FORMER LAND-TEK SITE; 235 COUNTY LINE ROAD AND HAVE A FEW CONCERNS RELATIVE TO HOW THAT WOULD IMPACT OUR COMMUNITY:

1. OUR CURRENT VILLAGE CODE PERMITS 12 DWELLING UNITS PER ACRE AND THAT HAS BEEN DESIGNED TO KEEP THE QUALITY OF LIFE THAT THE RESIDENTS OF OUR VILLAGE WANT AND ENJOY SO WHY DO WE WHAT TO COMPROMISE THAT.

2. WHAT IS GOING TO BE THE IMPACT ON OUR SCHOOLS THAT ARE ALREADY BUSTING AT THE SEEMS.

3. WHAT IS GOING TO BE THE IMPACT ON OUR ALREADY UNDERSTAFFED POLICE DEPARTMENT...INCREASED COST AND PUTTING THEIR LIVES IN INCREASED DANGER.

4. WHAT IS GOING TO BE THE IMPACT ON OUR ALREADY SHORT HANDED, OF VOLUNTEERS, AND E.M.S. PERSONNEL. INCREASED COST AND INCREASED DANGER.

5. OUR CURRENT VILLAGE CODE PROVIDES FOR ADEQUATE PARKING REQUIREMENTS TO KEEP CARS OFF THE VILLAGE STREETS, WHY SHOULD THAT BE COMPROMISED.

6. WHY WOULD THE BUILDINGS BE IMMEDIATELY ADJACENT TO THE SIDEWALKS ALONG OAK STREET AND BURCH AVENUE, SHOULD THEY NOT BE SET BACK AN APPROPRIATE DISTANCE [LIKE MAYBE 12 FEET MINIMUM].

7. HAS A VALID TRAFFIC IMPACT STUDY BEEN DONE.

8. HAVE WE CONSIDERED AN AREA FOR SNOW REMOVAL.

9. WHY IS THE EXISTING GAS STATION AND THE TWO STORY BRICK BUILDING, THAT IS NOT HISTORICAL, NOT BEING PURCHASED BY THE DEVELOPER AND THAT SPACE BE USED FOR ADDITIONAL PARKING AND AN APPROPRIATE VILLAGE ENTRANCE BE PROVIDED WHERE THE GAS STATION IS.

10. WHY SHOULD WE HAVE TO CHANGE OUR CURRENT VILLAGE CODE TO BENEFIT A DEVELOPER.

11. LET'S TALK ABOUT THE PROPOSED NEW LOCAL LAW PROPOSED TRANSIT ORIENTED ZONING DISTRICT.

12. UNDER GENERAL PROCEDURES SECTION 183-66.4 B. 2. SHOULD BE DELETED B.O.T HAS TOO MUCH POWER/DISCRETION AND SHOULD BE REVISED OR DELETED ENTIRELY.

13. SECTION 183-66.10 "ZONING INCENTIVES" SHOULD BE REVISED OR DELETED.
A PARTIAL LIST OF OUR CONCERNS: PAGE 2

1. WHAT IS GOING TO BE THE IMPACT ON OUR SCHOOLS THAT ARE ALREADY BURSTING?

2. WHAT IS GOING TO BE THE IMPACT ON OUR ALREADY UNDERSTAFFED POLICE DEPARTMENT AND THE INCREASED COST?

3. WHAT IS GOING TO BE THE IMPACT ON OUR ALREADY SHORT HANDED GROUP OF VOLUNTEERS, AND E.M.S. PERSONNEL?

4. WHY SHOULD OUR VILLAGE CODE THAT PROVIDES FOR ADEQUATE PARKING TO KEEP CARS OFF THE VILLAGE STREETS BE COMPROMISED?

5. HAS A VALID TRAFFIC IMPACT STUDY BEEN DONE?

6. HAVE WE CONSIDERED AN AREA OF SNOW REMOVAL?

7. WHY SHOULD WE HAVE TO CHANGE OUR CURRENT VILLAGE CODE TO BENEFIT A DEVELOPER?
Catherine Murdock

From: Lissette Der Irizarry <lirizarry1nyc@gmail.com>
Sent: Friday, April 13, 2018 12:43 PM
To: Catherine Murdock; Parks Commission
Subject: GREENTEK/ LANDTEK Building Proposal in Amityville near LIRR

Hello:

Please forward this to the appropriate person who can respond to my questions. I live at 66 Willis Avenue in the area concerning a proposal to building apartments near Landtek. I was never informed of this and only found out while walking my dog from a person in the area.

I would like to know the following since it does concern my home and my neighborhood.

- When are the meetings scheduled for (Dates, time and place)
- How can I get a sketch and details of the proposal
- How can we find out the proposed starting prices of the rentals?
- Timeline of the building and estimated time of completion
- Will there be any new parks included within this new community?
- How many small businesses will be it bring?
- What will be done to enhance or beautify our neighborhood which I do feel it needs. (currently the street have potholes and look horrible)
- Is there a website or portal for residents to access new information and stay updated?

I would love to have as much information as possible before I attend the next meeting. Much appreciated and Thank you

--

Regards,

Lissette Irizarry
Dear Ms Murdock,

I would like an answer to the question, perhaps from Bruce Kennedy, as to just how the decision was made to circumvent the normal Use Variance Zoning Board procedures and to place the doubling of our neighborhood’s population under the Board of Trustees avoiding all the standards and practices that we as homeowners have always been in place to protect the tone, character and safety of our neighborhoods. Namely 12 units per acre. Period. There are no real services in the 3 blocks of our Village to actually support living without a car as Tom Howard naively purported at the “night of bogus EIS hearings”.

It feels as if our Board is planning to ignore longstanding Amityville values sacrificing the sanctity of our few blocks of Amityville for some cash payouts and good old boy bravado.

You can’t rent a room without extensive efforts to inform and consider your neighbors feelings on the subject, yet the Board seems enthusiastic about bulldozing us with their misapplied TOD concept and all in back room deals and meetings with fictitious findings from underlings of LandTek that they hope will sanctify this rampant greedy attack on our entire Village.

So sad, Jill Yarmosh 63-691-8435
Dear Carolyn James
and Mayor Siry, Ms Murdock, Past Mayor Imbert and please forward to the older gentleman involved in the draft
Environmental study who actually seemed to get that the Land Tek boy was just painting rainbows and unicorns for the
Landtek interests, and please forward to Jessica, Kevin, and Nick, I don’t have their emails,

If I hadn’t seen the Record article online I wouldn’t have known the meeting date was changed and truncated into a
three-in-one hearing, and I emailed many, and the Bay Village Civic Association also got wind of it and tried to notify
members. But Amityville residents who don’t live over in our neighborhood might just think that this doesn’t effect
them and that we would be thrilled to have a four story to-the-sidewalk “stack and pack” project building full of forever
strangers dumped on our unsuspecting neighborhood because it would replace the commercial buildings that are there.

But so many people either don’t get the Record or miss the meaning of an article that they are unaware would really
concern them. This is a “gateway to Queen style Village” is the message that will effect all home values and the safety of
the immediate neighborhood.

But that’s how I found out about the meeting, your online post of a new story that was handed out after the Record
went to press.

I think many of us feel that the board is trying to circumvent the real Use Variance Zoning procedure (which Bruce
Kennedy asserted would be a much longer and exacting process with very little hope of ever passing) and taking the
responsibility away from the Zoning Board and letting the Mayor and Board of Trustees decide the issue with only token
review destroying ages old protection that we thought we were insured would be there to protect our way of life in
Amityville and our expectations of our neighbors and Village government.

AND putting all three hearings in one evening smack of hoping to avoid real informing and considering of neighbors
feelings about 135 renters being dropped on them like a bomb, doubling the population and hence greatly varying the
character of our neighborhood, switching from FAMILIES to SINGLES. The normal timeline under a Zoning Board
decision that would be done in many, many stages, giving tons of time for the actual details to spread through the
community has been truncated and benefits LandTek only.

The bogus draft environmental study says that 50 trucks roll thru our neighborhood every day from LandTek and others,
but they NEVER HAVE BECAUSE THE STREETS ARE TOO SMALL especially Willis Ave by the woods behind Dr Lang’s
property. That was a total fabrication by the boy who presented the the environmental draft for LandTek. I am disabled
and sit watching out my front windows all day long. Think of me as a traffic counting device.

But over a hundred normal cars exiting the 3 driveways onto Greene would find Williams and Willis and Burch and
Sterling to be SPEEDY diverse routes to avoid the congestion at County Line Rd and Oak St.

ALSO SOME REALTOR NAMED Lynch did a sweeping assessment of all homes in the 11701 area including huge areas
outside the Village of Amityville and cooked up some numbers and announced that this would probably improve our
property values to the dismay of us who find too much traffic already at train times. We drive these streets and know
the little shortcuts but are respectful of neighbors and pedestrians. We are aware and we care. This is what keeps our neighborhood reasonably safe, especially since we petitioned for and got a stop sign at the corner of Burch and Sterling under Mayor Niemi, after we proved with the police traffic study that many train hustlers were exceeding 50 miles per hour heading to and from the train.

These are not manufactured concerns. We love our homes as much as anyone else in the Village and we do not want our neighborhood to change from the standard Amityville respectable “no more than 12 units per acre”, no parking on the street, no apartment renting even to a single person without a variance.

The entire TOD idea is being MISAPPLIED for huge financial gain. This is a CITY planning device and relies on grocery stores and subways and all sorts of CITY conveniences being available within walking distance. Ignorance and greed squat on our doorstep twirling their mustache and sneering at our homesteads.

Thank you for being a sure and serious journalist, you are part of what makes Amityville a friendly Bay Village, love you, Jill

Sent from AOL Mobile Mail

-----Original Message-----
From: Carolyn <acjnews@rcn.com>
To: Jill Yarmosh <angel999958@aol.com>
Sent: Tue, Apr 10, 2018 09:39 AM
Subject: Re: Newsday Amityville TOD to accommodate GreennTek Lawyers

JUST FYI. The board officially announced these hearings last Thursday, too late for my paper in prit. But I did put a full story online, posted it on Facebook and readers were able to download the two laws online as well.
Carolyn James
Amityville Record
Massapequa Post
Babylon Beacon newspapers
85 Broadway, Amityville NY 11701
631-608-4495 • 516-798-5100
www.amityvillerecord.com
www.babylonbeacon.com
www.massapequapost.com

Sent from AOL Mobile Mail

-----Original Message-----
From: Jill Yarmosh <angel999958@aol.com>
To: angel999958 <angel999958@aol.com>
Sent: Mon, Apr 9, 2018 01:40 PM
Subject: Newsday Amityville TOD to accommodate GreennTek Lawyers
Amityville to combine trio of hearings on transit-zone plan

Draft environmental impact statement, zoning proposal and a request for the change of zone will be the topics when the village trustees meet April 9.

By Denise M. Bonilla@newsday.com  @denisebonilla Updated March 22, 2018 8:36 PM

Amityville Village has changed the date of a public hearing on a proposed transit-oriented zone and will now have three hearings on the same date related to the proposal.

The village had originally scheduled a hearing on the zone, as well as for a related draft generic environmental impact statement, for March 26. A third hearing also must be held for a zoning change request from GreenTek/R & S Realty Corp., the developer seeking to build apartments in the proposed zone.

According to village attorney Bruce Kennedy, an environmental consultant who is helping the village with work related to the proposed zone, strongly advised that all three of the public hearings be held on the same date.

“The problem is, the applicant’s attorney couldn’t be here on the 26th because he had scheduled a vacation; he was going to be out of town,” Kennedy said. As a result, he said, all of the hearings have been moved to April 9.

The hearings are at 7:30 p.m. at Village Hall, 21 Ireland Place.

The proposed zone would apply to 48 acres of property near the Amityville Long Island Rail Road station, bound by Broadway, County Line Road, Sterling Place and West Oak Street. To apply for the proposed zoning, a property would have to be within those parameters, be zoned for industrial use and exceed 1.5 acres.
GreenTek is seeking to take 2.4 acres of land owned by its affiliate, LandTek, at 235 County Line Rd. and 124 Greene Ave. and create 115 luxury multifamily rental units. Amityville's current zoning does not allow for more than 12 housing units per acre.

GreenTek has applied to have its property rezoned from industrial to the transit zone, should the proposed zone be approved by the board of trustees.
Comment Letter 10

Catherine Murdock

From: Jill Yarmosh <angel999958@aol.com>
Sent: Monday, April 09, 2018 1:17 PM
To: angel999958@aol.com
gslack@amityvillepd.com; Mayor; Catherine Murdock; tmwhalen16@gmail.com;
drchollander@aol.com; pimbert@americanprofessional.com; kfoley9@optonline.net;
dmp3030@msn.com; bazyjenn@aol.com; noniedill@yahoo.com; taraw165
@hotmail.com; lauraellis@optonline.net; jennronzo@optonline.net;
genabynre@msn.com; bettebop44@aol.com; smacgilv@gmail.com;
adhartung@optonline.net; kerrigeiger@gmail.com; ncrafsol@optonline.net; dlcgarena4
@msn.com; griffins@optonline.net; deborah_kriska@hotmail.com; kri426
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lynchmaureene@yahoo.com; kschmidt7@optonline.net; gazettewriter@aol.com;
CYBER1boy@aol.com; Afnrn@aol.com; stumper@optonline.net;
ChristineMalich@yahoo.com; emdb@optonline.net; Tpluschau@msn.com; BScott2553
@aol.com; Windowframe@aol.com; Ctomczyk@optonline.net; lyncrema@yahoo.com;
Dwilenh@yahoo.com; minkychik@yahoo.com; TriciaBaloga@Hotmail.com; KAA81
@aol.com; CAMPSX4@aol.com; Shana84@aol.com; pdistler@nrl.com;
CAEath@aol.com; Kjdhall@aol.com; hartung@hotmail.com; Judewoman1@aol.com;
Lawrah88@aol.com; KMedwig@netscape.net; MaureenMoore9497@Gmail.com;
THENONES@aol.com; NAN1362@aol.com; dduant5@verizon.net

Subject: TOD OVERCROWDING questions

LandTek is asking for Amityville to create a new zoning law that would permit them to ignore the longstanding 12 units
per acre for rental properties, to permit them to build 50 units per acre. We love little old-time Amityville and chose to
buy here, not Queens. This sounds like slum-building in the long run.

Why can’t apartments be built to current residential code like the Oak Street Apartments across Oak St from St Martins
Play ground?

Just what incentives and bonuses and concessions are the Village considering to sweeten the deal for Landtek? The
whole concept of TOD was developed not for greedy suburban developers but for cities with serious bus and subway
and railroads, with real services such as supermarkets within walking distance.

LandTek is misapplying this big city development idea hoping to slip it by our amateurish city planners, oops we are not a
City so we don’t have City planners. The real draw of Amityville is the “not Queens, not Levittown, but a real old-
fashioned Village.” People don’t buy here for shopping on Broadway, the schools, the Railroad, they buy here for the
sleepy uncrowded streets. Yes, such a development will label Amityville as “turning into Queens, no longer
desirable”. So that will kill Amityville’s best real estate draw.

All these proposals are couched in the rosiest advertising jargon designed to sell the unsuspecting Board members and
residents in this area to give up the peace of their neighborhood, so I wonder if we are not being fooled that 200 extra
apartments in my neighborhood are not going to impact Sterling Pl, Oak, Lewis, Williams, John St, Ketchum, Ireland,
Union etc. with hundreds of extra vehicles driven by single people zooming up and down our quiet streets.

The proposed Rooftop public space sounds to me like loud music and disruptive partying by 135 studio apartment
dwellers, blasting music to party ruining the peace and quiet if our neighborhood.
If this does get approved I certainly want laws protecting our neighborhood that our police force can vigorously and easily enforce, such as NO AMPLIFIED MUSIC WILL BE ALLOWED ON THE PROPERTY AT ANY TIME OF DAY, summons and fines will apply. We don’t need a perpetual singles party disturbing us in our homes.

Sent from AOL Mobile Mail
From: Jill Yarmosh <angel999958@aol.com>
Sent: Monday, April 09, 2018 11:51 AM
To: Angel999958@aol.com
Cc: Mayor; Catherine Murdock; tmwhalen16@gmail.com
Subject: My Home Means Just As Much

Dear Board Members,
My home on Sterling Place and my neighbors homes on Burch, Willis, Williams and Lewis mean just as much to us as your home means to you. We have paid as dearly for them and so
Have chosen Amityville because we love the old fashioned quiet tree lined neighborhoods. If you now live in a posher South Amityville neighborhood, don’t forget that we deserve just as much protection from greedy developers as you do, maybe more, because we are the “little” guys.
Please be a champion for our sacred homes. Don’t let snobs talk you into siding against the real Amityville residents.
Thanks, Jill Harp Yarmosh 631-691-8435

Sent from AOL Mobile Mail
Comment Letter 12

Catherine Murdock

From: Jill Yarmosh <angel999958@aol.com>
Sent: Monday, April 09, 2018 11:20 AM
To: Angel999958@aol.com
Cc: Mayor; Catherine Murdock; pimbert@americanprofessional.com; tmwhalen16@gmail.com
Subject: Newsday Amityville TOD to accommodate GreennTek Lawyers

This sounds as if it is being rammed thru without proper time for consideration by residents. They are asking to be excluded from existing zoning law so they can build at over 4 times the normal density using proximity to Railroad as a lame excuse to hurt the tenor of our famil-oriented neighborhood. No No No

LONG ISLAND SUFFOLK

Amityville to combine trio of hearings on transit-zone plan

Draft environmental impact statement, zoning proposal and a request for the change of zone will be the topics when the village trustees meet April 9.

By Denise M. Bonilla denise.bonilla@newsday.com @denisebonilla Updated March 22, 2018 8:36 PM

Amityville Village has changed the date of a public hearing on a proposed transit-oriented zone and will now have three hearings on the same date related to the proposal.

The village had originally scheduled a hearing on the zone, as well as for a related draft generic environmental impact statement, for March 26. A third hearing also must be held for a zoning change request from GreenTek/R & S Realty Corp., the developer seeking to build apartments in the proposed zone.

According to village attorney Bruce Kennedy, an environmental consultant who is helping the village with work related to the proposed zone, strongly advised that all three of the public hearings be held on the same date.

“The problem is, the applicant’s attorney couldn’t be here on the 26th because he had scheduled a vacation; he was going to be out of town,” Kennedy said. As a result, he said, all of the hearings have been moved to April 9.
The hearings are at 7:30 p.m. at Village Hall, 21 Ireland Place.

The proposed zone would apply to 48 acres of property near the Amityville Long Island Rail Road station, bound by Broadway, County Line Road, Sterling Place and West Oak Street. To apply for the proposed zoning, a property would have to be within those parameters, be zoned for industrial use and exceed 1.5 acres.

GreenTek is seeking to take 2.4 acres of land owned by its affiliate, LandTek, at 235 County Line Rd. and 124 Greene Ave. and create 115 luxury multifamily rental units. Amityville’s current zoning does not allow for more than 12 housing units per acre.

GreenTek has applied to have its property rezoned from industrial to the transit zone, should the proposed zone be approved by the board of trustees.
Catherine Murdock

From: Jill Yarmosh <angela999958@aol.com>
Sent: Monday, April 09, 2018 11:04 AM
To: Angel999958@aol.com
Cc: Mayor; tmwhalen16@gmail.com; pimbert@americanprofessional.com; bayvillagecivic@aol.com; Catherine Murdock
Subject: TOD CONCERNS
Attachments: 24105840-17EF-4ADF-B287-D9B8CE76C51D.png

Hoping our clerk will apprise Board if resident rejection of TOD proposal.

Sent from AOL Mobile Mail
Landtek is proposing to talk us into granting them an exclusion from the 12 units per acre Amityville zoning law and to build 50 units per acre. Over 4 times as many units as allowed at our many, many other apartment sites in the Village. This sounds like slum building to me and I can’t imagine the sort of person who will elect to live in a cubby hole studio apartment underneath the Long Island Railroad. It will like living in a storage container with very heavy traffic on Oak St and County Line Rd and alarming Railroad noise night and day.

I live 1,400 feet away from the Landtek property, a third of a mile away on Sterling Place in a 1901 colonial with a 53 foot wraparound porch and can hear the trains with the house locked up, for winter. There is currently no noticeable traffic in the small lanes behind Sterling from the industrial parcels by the railroad. It is now considered a quiet zone where most of us walk our dogs and kids in strollers and on tricycles up Burch to Willis on which only a single lane is available at some points discouraging traffic cut through by commercial vehicles. But adding over one hundred small zipping along cars to the streets would face the 3 driveways from the Landtek apartments proposed parking lot WOULD greatly disrupt the quiet, safe character of our neighborhood.

My end of Sterling Place is 1,400 feet from the LIRR, SO PLEASE DON'T dare use Sterling as a legal boundary. TOD have been described to be within 500 feet of railway. People buy homes along Sterling knowing that they can commute with a walk to train, though very few (Don Brown is the only one who chose to do so) ever have because there is no express service to NYC from Amityville.

You are talking about doubling the population of the three or four blocks along the train station from County Line Rd to Route 110. Twice the traffic, noise, drugs, partying, garbage, waste, crime. And single people keep different hours and crave nighttime socializing with raucous music blasting out of cars and apartments.

We have all been there as young idiots. This should not be inflicted on our neighborhood. If Ryan wants to build some nice within normal code 2 story garden apartments, let it be at the longstanding density established as acceptable in our Village. Period. And add protections for the peace and quiet of the surrounding blocks so we can still enjoy our homes in peace and quiet, get our children to sleep or nap at a decent time.

When I spoke to Ryan he assured me that these were going to be "upscale" units and that rents would be $2,500 per month hence

monthly @$2,500 per unit, $325,500
Annually $3,906,000
So why would we need to GIVE any incentives.

We have plenty of apartments on Oak, Park, over stores in Village, in private homes

If you look at longstanding TOD developments in Wyandanch, Copiague, etc, where they have made the first floor storefronts, they have only 3 occupants, off brand banks, nail salon and eyeglass stores. The rest stand empty, so out of 30 storefronts, only 3 are rented after years of being available. So "revitalizing" business is just a very empty promise in my opinion.

No amplified sound anywhere on property at any time, with fines and laws to enable police to enforce it effectively. Our FAMILY-ORIENTED NEIGHBORHOODS do not want to fall prey to a SINGLES CRUISE MENTALITY with promised roof and plaza open entertaining spaces.

Please do not be seduced by the broad promises of rainbows and unicorns by the LandTek promotional department. This Will impact us all residents in a very negative way. The businesses by the rails have been quiet good neighbors. We are used to walking our dogs in those blocks because of the lack of trains and quiet. We don't need 135 more cars zooming up and down these quiet little streets.
I am opposed to density housing near the railroad. We can be sure that there will end up being more low income housing, the very last thing we need more of. The Village area already suffers from lack of parking, some existing tenants and businesses that do not appear desirable, and lack of a thriving business district. It should be a Village we are proud of.

What we need are more new businesses that appeal to all residents, especially those who do not venture north of Montauk Hywy. We need sidewalk cafes, coffee shops, new restaurants, clothing stores similar to Bayshore & Patchogue, and much more parking available for customers that will frequent these establishments.

The only way to attract these businesses is with property tax abatements for Landlords only IF they find a desirable Tenant. A Village committee should be organized to interview the potential tenant and decide whether the abatement should be granted. It should also see to it that with the lease negotiations an appropriate fair rent is charged so that the upstart business can reap some of the Landlord benefits. We do not need anymore unsightly, uninviting businesses in the Village. When this succeeds, we should then look at upscale density housing again similar to Patchogue.

There are enough empty apartments in the new development on Rte 110, just south of the Southern State. Please do not approve a plan that will only make all of our existing problems worse.

Kathy Sagona
29 West Lake Drive
two Amityville residents don’t want TOD in our Village

I know you are very concerned about this. The whole proposal for the TOD zone, environmental review, and LandTek, aka, Green Tek project will be presented at Monday evening's Board of Trustees meeting which starts at 7:30. I think the room will be full. If you are not able to attend, I hope you email your concerns to the mayor and trustees. You could also email the Village Clerk at emurdock@amityville.com.

Some notes:
1. Technically, the village is upzoning the LandTek parcel from Industrial to residential TOD. The structure will be taxed at a higher rate and have a higher assessed value. There will probably be a tax incentive to get the project started, but in the long run, more taxes will be collected. (But they will be needed to cover added Village costs to deal with noise, confusion, traffic, transient renter mentality)
2. This is only the start. According to the proposed district, the storage building at 110 and Sterling fits into the TOD parameters. That would be in 5 or 10 years, we hear. (Stop efforts to destroy our quiet residential ambience)
3. Also under consideration in the near future is using a master developer to "revitalize" downtown, including the 110 strip. Some high density development with rentals is being discussed. Isn't Gray Barn enough, and Newport Condos?)
4. What is coming at Brunswick? How about a Trader Joes, that would help Amityville in so many ways.

The whole concept of this kind of rental development is overtaking Long Island. It is the next "strip malls real estate boom, boom for greedy careless developers. In fact, the Town of Babylon is considering "relaxing permit requirements" throughout the Town to allow high density development on certain parcels. A final hearing on that is being held at Town Hall on Wednesday at 7 P.M. There should be more info on their web site. Not sure if I can be there, but I will try.

I will attend the Village meeting and hope more Board members and BVCA members do. The project is not getting that much "blow back". Everyone is saying it is better than what is there. But the streets are nice and quiet, we walk our dogs there because of low traffic now. If it is approved, we really have to stay on top of it as to how close the building is to the sidewalk, how high, how the parking is being planned, etc. It can be exhausting fighting these battles. Taxes and money seem to be the driver, not community well-being, not preserving our peaceful Village. They tell us it will put more feet on the street, but those feet only seem to walk into bars and nail salons.

Another resident asks:
Why should our Village residents lower our residential zoning standards for one company so they can build “pack and stack” apartments to cram people in like Queens? Urbanization is a dirty word to our Village homeowners. We cherish the low-key, know your neighbors, tree lined streets, yes, even on the north side of the Railroad. We still deserve our peaceful Amityville vibe here.

If I were a LIRR commuter, I would certainly not pick a RR station like Amityville which offers no express service such as Massapequa and Babylon and no supermarkets.

I live in this neighborhood and I feel that adding another 100 vehicles to an already traffic-jailed intersection would cause more traffic and vehicle problems on County Line Rd, Oak St, Burch, John St, Willis, Lewis, Williams, Ketcham, Ireland and Sterling Pl. Currently quiet businesses occupy the proposed area. They are very quiet during the whole day and are closed after business hours and on weekends, hushed and no traffic from them to disturb our neighborhoods ever.

We don’t need more apartments. Between the huge development of condos and coops by Massapequa Mall, and where the northern part of South Oaks used to be, Newport Condos, the new garden apartments across from St Martin’s schoolyard, Wellington Pl, all along Route 110, including Gray Barn and others on Rte 110, and all the small apartment complexes on Park Avenue just south of the Triangle and on Merrick Rd, I think there are plenty of apartments in Amityville and that adding a hugely overcrowded block of apartments would be a curse not a blessing to everyone within a quarter mile of the LIRR and most likely become a noisy, transient renters mess eventually. Surely these already existing apartments would provide plenty of interest in our Village stores if our stores were providing them with what was sought after. And we didn’t change our residential zoning laws for them, did we? So why should we consider changing our property-protecting zoning laws for a developer who is trying to use an urbanization cue word to justify overcrowding our neighborhood for his own profits? And as he is moving his business to another town! So he can build this mess and move on leaving our Village to cope with it? Renters are NOT the same concerned and law-abiding residents that homeowners are because they have not made the biggest investment of their lives to create their home space.

The developers can try to sell their ideas by labeling them “upscale” but who wants to live under the Railroad? Maybe the Blues Brothers, “how often does the train go by?” As the walls rattle? We hear them go by on Sterling Place! Imagine trying to live within 50 feet? That is why this business area provides a buffer from the Railroad to homeowners.

We want peaceful quiet neighborhoods. The developer mentioned there would be outdoor gathering places on the roof. Does this mean partying from these singles apartments with loud music while we are trying to get the children to sleep or trying to peacefully enjoy our home? Are we granting permission for endless disrupted days and evenings? A singles cruise in our backyard? This is a family-oriented Village. We cherish peace and quiet.

Why should our Village residents lower our residential zoning standards for one company so they can build “pack and stack” apartments to cram people in like Queens? Why shouldn’t they be held to the same Village standards developed to safeguard the character of our Village? No reason at all. NO NO NO
May 4, 2018

Village of Amityville
21 Ireland Place
Amityville, NY 11701
Attn: Dina Shingleton, Village Administrator

Re: Greentek Living, LLC
Local File No.: N/A
S.C.P.C. File No.: ZSR-18-07

Dear Ms. Shingleton:

The Suffolk Planning Commission at its regular meeting on May 2, 2018, reviewed the referral from the Town of Brookhaven entitled, "Greentek Living, LLC" referred to it pursuant to Section Al 4-14 thru Al 4-25, Article XIV of the Suffolk County Administrative Code.

The attached Resolution signifies action taken by the Commission relative to this application.

Very Truly Yours,

Sarah Lansdale
Director of Planning

Andrew P. Freling
Chief Planner

APF/cd
WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received on April 6, 2018 at the offices of the Suffolk County Planning Commission with respect to the application of "Greentek Living, LLC" located in the Village of Amityville

WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on May 2, 2018, now therefore, Be it

RESOLVED, that the Suffolk County Planning Commission hereby approves the staff report, as may be amended, as the report of the Commission, Be it further

RESOLVED, pursuant to Section A14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law, the referring municipality within thirty (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action, Be it further

RESOLVED, that the Suffolk County Planning Commission Approves of the amendment to Chapter 183 of the Zoning Law of the Inc. Village of Amityville to add "Transit-Oriented (TO) District" as a new "overlay" zone; Approval of the Petitioners request for a change of zone from Industrial District to TO district on approximately 2.44 acres of property and approval for certain incentives and bonuses pursuant to the TO district; and Approval of the Petitioners request for preliminary site plan approval to construct 115 attached apartment units for GreenTek Living LLC with the following comments:

1. Continued review by the Suffolk County Department of Health Services and the Suffolk County Department of Public Works is warranted and the petitioner should be directed to continue dialogue with the Suffolk County Department of Health Services and the SCDPW.

2. The Petitioner should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, additional design elements contained therein.

3. No final approval should be granted by the Inc. Village of Amityville until such time as the NYS Department of Environmental Conservation (DEC) and/or any other appropriate agency is satisfied with the removal plan for ACM, florescent light, thermometer components, etc.

4. The site plan should be redrawn to limit access to and from Green Avenue to a single ingress/egress.

5. The Petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.

6. The Petitioner should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.

7. The Petitioner should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.
The Suffolk County Planning Commission Guidebook for policies and guidelines can be found on the internet at the below website address:
http://www.suffolkcountyny.gov/Home/departments/planning/Publications%20and20Information.aspx#SCPC
### COMMISSION ACTIONS ON ADOPTION OF RESOLUTION

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**Motion:** Commissioner Esposito  
**Present:** 11  
**Seconded:** Commissioner Kelly  
**Absent:** 1  
**Voted:** 11  
**Recusal:** 1  
**DECISION:** Approved
APPENDIX C: REVISED PROPOSED TRANSIT ORIENTED (TO) DISTRICT CODE
Local Law Filing
New York State Department of State

(Use this form to file a local law with the Secretary of State.)
Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Village of Amityville

Introductory Local Law No. 4 of the year 2017

A local law to establish a transit-oriented zoning district.

Be it enacted by the Board of Trustees of the Village of Amityville as follows:

Section 1. The Board of Trustees finds that in order to meet the growing demand for housing for young professionals and senior citizens in close proximity to mass transportation such as the Long Island Rail Road (LIRR) train station and several publicly operated bus lines, it is in the best interests of the residents and businesses of the Village of Amityville, to establish a transit-oriented zoning district, with high standards which balance incentivizing responsible development with protecting the character of the community. The Board finds that transit oriented development in immediate proximity to the Amityville train station and adjacent to the downtown commercial and social center of the community, would encourage walking, bicycling and transit use in both the downtown and LIRR train station area, would reduce automobile dependency for residents of such development and would help to support a vibrant and economically sustainable commercial base for downtown Amityville. The Board also finds that it is important to regulate the design and architectural aspects of development so as to ensure the creation of an attractive, pedestrian-friendly built environment that recognizes the train station as a gateway to the community enhances the overall quality of the Village. Said zoning district should include increased unit density and decreased off-street parking requirements because any property to be re-zoned for such purpose will be near the Amityville LIRR train station, the central location for mass transportation within the village.

Section 2. The Code of the Village of Amityville is hereby amended to add a new Zoning District, the Transit Oriented (TO) District, to §183-3 Establishment of districts, and to amend the Village Building Zone Map to include the TO District designation.

Section 3. The Code of the Village of Amityville is hereby amended to add 'Floor Area Ratio (FAR): The gross floor area of a structure divided by the total lot area' to §183-1 Definitions and word usage.

Section 4. The Code of the Village of Amityville is hereby amended to add subsection 'E' to §144-6 Signs in residence districts, as follows: 'No sign shall be erected in the TO Zoning District except one wall sign and one free-standing sign. Said free-standing sign shall not be higher than 10 feet above ground level and shall not exceed 20 square feet, and shall contain only the name of the complex.'

Section 5. The Code of the Village of Amityville is hereby amended to add a new Article to Chapter 183 as follows:
"Article V- (a)
TO (Transit - Oriented) Zoning District

§183-66.1 , Transit Oriented Zone (TO) Established

The Transit Oriented (TO) District is hereby established within the area bounded by Sterling Place on the north, West Oak Street on the south, Broadway on the east and County Line Road on the west. No property within such general area which is currently wholly within the B Residence District, or partially within the B Residence District and partially within the Industrial District, shall be eligible for inclusion in the TO District. The subject property shall also meet the lot, bulk, design and other requirements contained in this article, as determined by the Board of Trustees.

§183-66.2 Permitted Uses.

In the TO Zoning District, no building or premises shall be used and no building shall thereafter be erected or altered, unless otherwise provided for in this article, except for one or more of the following uses:

A. Multiple Dwellings
B. Accessory Uses
   (1) Off-street parking and loading, including parking structures.
   (2) Open space or plaza areas accessible to the general public.
   (3) Signs, subject to the provisions of §144-6(E)
   (4) Courtyard areas, including amenities such as a swimming pool, gazebo, seating areas for use of the residents of the development
   (5) Other customary accessory uses and buildings, provided that such uses are incidental to the principal use.
C. Offices, personal service shops, retail stores and restaurants, in an existing building which are deemed to be complimentary to the transit-oriented use.

§183-66.3 Lot and bulk controls.

All development in the TO Zoning District shall meet or exceed the minimum standards contained herein.

A. Building Height. In a TO Zoning District, no building or structure thereafter erected or altered shall exceed 38 feet in height. The following exceptions are permitted:
   (1) Parapets, not exceeding three feet in vertical distance from the base to the highest point.
   (2) Stairwell or elevator bulkheads, water tanks, chimneys, heating and air-conditioning apparatus, or other mechanical equipment projections occupying less than 10% of the area of the roof and not exceeding 12 feet in vertical distance from base to the highest point.
   (3) Decorative turrets or similar structures consistent with the architectural character of the building.
   (4) Safety railings or walls required by the New York State Uniform Fire Prevention and Building Code to enclose outdoor living space or decks, not exceeding the minimum height required by the State Code for such railings or walls.
B. Lot area. In the TO Zoning District, no building shall be erected on a lot having an area of less than one and one-half (1.5) acres.
C. Lot width. In the TO Zoning District, no building shall be erected on a lot having a width of less than 150 feet at the front street line.
§183-66.1 Transit Oriented Zone (TO) Established

The Transit Oriented (TO) District is hereby established with potential applicability to any property which is Industrial-zoned in the Village that is located within the area bounded by Sterling Place on the north, West Oak Street on the south, Broadway on the east, and County Line Road on the west. No property which is partially within the Industrial District and partially within a Residence District shall be eligible for inclusion in the TO District. The subject property shall meet the lot, bulk, design and other requirements contained in this article, as determined by the Board of Trustees.

§183-66.2 Permitted Uses.

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

A. Multiple Dwellings
B. Accessory Uses
   (1) Off-street parking and loading, including parking structures.
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   (3) Signs, subject to the provisions of §144-6(E).
   (4) Courtyard areas, including amenities such as a swimming pool, gazebo, seating areas for use of the residents of the development.
   (5) Other customary accessory uses and buildings, provided that such uses are incidental to the principal use.
C. Offices, personal service shops, retail stores and restaurants, in an existing building which are deemed to be complimentary to the transit-oriented use.

§183-66.3 Lot and bulk controls.

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   (3) Decorative turrets or similar structures consistent with the architectural character of the building.
   (4) Safety railings or walls required by the New York State Uniform Fire Prevention and Building Code to enclose outdoor living space or decks, not exceeding the minimum height required by the State Code for such railings or walls.
B. Lot area. In the TO Zoning District, no building shall be erected on a lot having an area of less than one and one-half (1.5) acres.
C. Lot width. In the TO Zoning District, no building shall be erected on a lot having a width of less than 150 feet at the front street line.
C. Front yards. In the TO Zoning District, no front yard shall be required. To the extent practicable, buildings should be constructed to the front lotline.
D. Side yards. In the TO Zoning District, no side yard shall be required. To the extent practicable, buildings should be constructed to the side lotline.
E. Rear yards. In the TO Zoning District, there shall be a rear yard having a minimum depth of 15 feet.
F. Building Area. In the TO Zoning District, the total building area shall not exceed 80% of the lot area.
G. Residential Density. In the TO Zoning District, the maximum residential density shall be 35 dwelling units per acre.
H. Dwelling unit size. In the TO Zoning District, the minimum dwelling unit size shall be 550 square feet.
I. Floor area ratio (FAR). In the TO Zoning District, the maximum FAR shall be 1.5.

§183-66.4 General procedures.
A. Application to Board of Trustees. An application to amend the Village Building Zone Map to apply the TO District shall be submitted to the Village Clerk, in accordance with the application procedures and requirements of this article. Any application to request incentive bonuses as promulgated in §183-66.10 may also be considered by the Board of Trustees concurrent with the review of an application to amend the Village Building Zone Map. The Applicant shall pay a filing fee established by the Board of Trustees and shall reimburse the village for any expenses incurred by the village to review said application and to comply with SEQUA, including the services of engineers, architects and environmental consultants.
B. Re-Use of Existing Buildings
1. When the Board of Trustees finds that an existing building has cultural, historical or architectural significance to the Village, it may permit the re-purposing of said building for one or more of the permitted uses listed in §183-66.2. Said determination may be applied for, heard by the Board of Trustees and determined jointly with the application to amend the Village Building Zone Map to apply the TO District.
2. The Board of Trustees, at its discretion, may grant increased FAR, increased height, reduced parking requirements and may modify other land development standards or dimensional requirements of the Code for such buildings.
C. Site Plan Review. Upon approval of an amendment of the Village Building Zone Map for the TO District, all development shall be subject to site plan review by the Planning Board.

§183-66.5 Design review.
A. Design review procedures. The Planning Board shall also review the architectural design of structures and buildings, pursuant to the design considerations listed in paragraph C.
B. Such application shall include at least one colored rendering. The Planning Board, as part of its review, may require an applicant to provide additional architectural design, elevation drawings, samples of materials or other information, as it shall determine.
C. Design considerations. The objective of the design considerations for the TO Zoning District is to provide high quality and complementary design of buildings, landscaping, parking, and other site and building design characteristics consistent with the Bay Village architectural theme and in view of the railroad station as a "Village Gateway." Special emphasis is placed upon methods that reduce the large-scale visual impact of buildings and encourage tasteful innovative design for individual buildings. The design considerations are as follows:
(1) The principal building entrance and front should face the primary street frontage and sidewalk, or the Amityville LIRR train station, as appropriate.

(2) Building design and landscaping should serve to reinforce and announce the main pedestrian building entrances and streetscape frontage. Any proposed building that includes ground level parking or partially subsurface level parking located under a building shall include an architectural and landscape treatment to screen the parking from the street.

(3) Parking should be placed in the rear of lots, whenever possible, and should be adequately planted and landscaped in order to create an attractive point of arrival.

(4) Walkways should be provided for safe and convenient pedestrian access to mass transportation.

(5) Special materials, such as brick or cobblestones and picket fences, shall be used for walkways.

(6) The exteriors of buildings shall utilize natural cladding materials such as wood, brick, stucco, stone, or a combination of such materials or their equivalent. The use of imitation, synthetic, metallic, and reflective materials shall be avoided, including, but not limited to, aluminum or vinyl siding, imitation brick or stone, or plastic.

(7) Building shape, proportions, massing, and design should be appropriate to the historic character of downtown Amityville. Architectural features such as porches, porticoes, shutters, decorative door and window frames, balconies, cornices, dormers, chimneys, turrets, and spires should be used to reinforce a pedestrian scale and create interest and variety in the facade.

(8) All signs shall be in accordance with Chapter 144-6 E. which establishes the regulations for signs within the TO Zoning District as follows: No sign shall be erected in the TO Zoning District except one wall sign and one free-standing sign. Said free-standing sign shall not be higher than 10 feet above ground level and shall not exceed 20 square feet, and shall contain only the name of the complex.

D. When the Board of Trustees has determined that an existing building may be repurposed pursuant to §183-6b.48, then the Planning Board shall be guided by the standards and goals of this Article, but shall, in its review, give due consideration to the pre-existing status of the building. Consideration shall be given to shared parking and complementary parking arrangements with other uses on the same or adjoining lots.

§183-66.6 Lighting.

Any development within the TO Zoning District shall comply with the provisions of Article I of Chapter 116, and this section. All parking areas, entries, walkways, corridors, passages, utility areas and front landscaping must be provided with adequate lighting, for safety purposes. Lights shall be adjusted or shielded so as not to shine into adjacent properties.

§183-66.7 Buffering and transitions.

A. Trash/dumpster areas shall be screened by an enclosure (such as wood fences, chain-link fences, vinyl fences, or masonry enclosures), as well as sufficient landscaping. Such screening shall be aesthetically pleasing, as well as durable to the satisfaction of the Planning Board.

8. Wherever a TO zoned parcel abuts upon a single-family residential parcel or building, there shall be suitable screening, fencing, landscaping, or buffer plantings, as determined by the Planning Board.

C. The type, location, and extent of screening or fencing shall be determined by the Planning Board.
§183-66.8 Affordable housing.

Any project with five or more residential units shall comply with the requirements of Article 16-A, the Long Island Workforce Housing Act, of the New York General Municipal Law.

§183-66.9 Off-street parking.

In the TO Zoning District the following off-street parking requirements shall apply:

A. Off-street parking on premises.
   (1) Studio apartments: 1 space per unit.
   (2) One bedroom apartments: 1.25 spaces per unit.
   (3) Two bedroom apartments: 1.5 spaces per unit.
   (4) Three bedroom apartments: 1 space per bedroom.

B. Shared parking.
   (1) The minimum required quantity of parking may be reduced when shared parking is used. Where credible evidence is provided that parking could be shared by the proposed uses with nearby uses, as provided by a traffic study, parking study, traffic counts, or data by a licensed traffic engineer, up to a 20% reduction in off-street parking may be permitted for shared parking. Shared parking shall be located within 500 feet of each use and may include on-street parking, off-street parking, and commuter parking areas. Such determination shall be at the discretion of the Planning Board and determined during the site plan approval process.
   (2) Shared parking lots with cross-access agreements are encouraged so as to allow drivers to park in one lot and walk to other properties without moving their cars, or to drive from one lot to another without returning to the street.

C. Parking demand reduction. Given the transit-oriented nature of the area, as part of site plan review, applicants will be encouraged to explore techniques to reduce parking demand. Techniques may include, but are not limited to; parking management programs, promotion of and priority to car-sharing and ride sharing, parking cash-out programs, unbundled parking, provision of free or discounted transit passes, provision of bicycle parking facilities.

D. Buffering. In order to soften the appearance of parking lots, parking lots shall be landscaped with ground cover, grasses, or low shrubs.

§183-66.10 Zoning incentives.

A. In order to encourage development in accordance with this article and in accordance with the Village Law, the Board of Trustees is empowered to provide for a system of zoning incentives or bonuses in exchange for specific physical, social, or cultural benefits or amenities, as the Board deems necessary and appropriate, consistent with the purposes and conditions set forth herein.

B. Community benefits or amenities.
   (1) The following community benefits or amenities may, at the discretion of the Board of Trustees, be accepted in exchange for one or more incentives, as provided in paragraph C.
      (a) Public parking: municipal or public parking provided in addition to the minimum required on-site parking. Alternatively, monetary contribution to the creation or improvement of public parking elsewhere in the community.
(b) Open or park space: additional or passive open or park space available to the public. Alternatively, monetary contribution to the creation or improvement of open or park space elsewhere in the community.

(c) Infrastructure improvements: Infrastructure improvements above and beyond minimum requirements in the form of street furniture, lighting, pavers, plazas, and related public amenities, as well as improvements to sewer and water systems. Alternatively, monetary contribution to the creation or enhancement of similar improvements elsewhere in the community.

(d) Other facilities or benefits to the residents of the community, as determined by the Board of Trustees.

(e) Any combination of the above-listed community benefits or amenities.

(2) These community benefits or amenities shall be in addition to any mandated requirements pursuant to other provisions in this article.

(3) These community benefits or amenities may be either on or off the site of the subject application and may involve one or more parcels of land.

(C) Incentives or bonuses. The Board of Trustees may grant the following specific incentives:

(1) Increased residential density. The Board of Trustees may grant an increased residential density of up to 48 units per acre. The highest density shall be reserved for applications that include substantial community benefits or amenities and have a total lot area greater than two (2) acres.

(2) Increased FAR. The Board of Trustees may grant an increased FAR of up to 1.75. The highest FAR shall be reserved for applications that include substantial community benefits or amenities and have a total lot area greater than two (2) acres.

(3) Increased height. The Board of Trustees may grant an increased building height of up to four stories or 48 feet in height. Increased height shall be reserved for applications that include substantial community benefits or amenities and have a total lot area greater than two (2) acres.

(4) Reduced parking requirements. The Board of Trustees may reduce the parking requirements for applications that demonstrate elevated transit usage, significant pedestrian and walkability amenities, and have a total lot area greater than two (2) acres.

(5) Modifications to other land development standards or dimensional requirements. The Board of Trustees, at its discretion, may modify other land development standards or dimensional requirements of the Code.

D. Criteria and procedure for approval. Authorization of zoning incentives is subject to approval by the Board of Trustees upon referral from the Planning Board prior to the grant of site plan approval. The following procedures shall be followed for the approval of any incentive or bonus:

(1) Submission of application. Applications for incentives in exchange for amenities shall be submitted to the Board of Trustees. In order to preliminarily evaluate the adequacy of the community benefit or amenity to be accepted in exchange for the requested incentive or bonus, the following information shall be provided by the applicant in addition to the information required as part of the site plan review:

(a) A description of the incentive being requested.

(b) A description of the proposed community benefit or amenity.

(c) An estimate of the economic value of the proposed benefit or amenity to the public.

(d) A narrative statement which:

[1] Describes the benefits to be provided to the community by the proposed amenity.
[2] Demonstrates that adequate services and facilities exist in the community that could accommodate the additional demand that would be generated by granting the incentive or bonus.

[3] Explains how the proposed amenity promotes implementation of physical, social, or cultural policies.

(e) Any additional information, as may be requested by the Board of Trustees.

(2) Procedure.

(a) Application completeness. The Code Enforcement Officer shall review any application for its compliance and completeness with the requirements of this article.

(b) Planning Board review. Once the incentive and site plan application has been determined to be complete by the Code Enforcement Officer, the Planning Board shall begin its site plan review of the incentives and the overall site plan.

(c) Planning Board hearing. The Planning Board shall then hold a public hearing on the incentives and site plan application.

(d) Planning Board recommendation. The Planning Board shall then report to the Board of Trustees with its evaluation of the adequacy with which the amenity(s)/incentive(s) fits the site and how it relates to adjacent uses and structures upon completion of their proceeding with regard to the same, along with any general site plan comments. Site plan approval shall be subsequent to any approval of the incentives by the Board of Trustees.

(3) Compliance with SEQRA;

(a) Every decision by the Board of Trustees concerning the application for use of incentive zoning on a particular project shall fully comply with the provisions of SEQRA.

Section 6. This local law shall be effective upon filing with the Secretary of State.